

QUESTION TAKEN ON NOTICE

ADDITIONAL ESTIMATES HEARING : 27 February 2017

IMMIGRATION AND BORDER PROTECTION PORTFOLIO

(AE17/054) - Dry Cell lawsuits or civil suits - Programme 1.5: IMA Offshore Management

Senator Pratt, Louise (L&CA 99) asked:

Senator PRATT: Can you explain the circumstances?

Mr Quaedvlieg: She was the suspected of holding contraband. She was placed in a dry cell in the hope that she was going to give that up. She eventually did. I think it was a small quantity of drugs. But in subsequent auditing we found that the dry cell methodology was used and that was inappropriate. We do not run dry cells. It is not our policy. And the appropriate sanctions and remedial training was implemented.

Senator PRATT: Was that on the basis of advice from the Australian Solicitor-General?

Mr Quaedvlieg: We may have got some legal advice at the time, but in general terms it was a policy decision made by me. I do not think that it is an appropriate practice in our current custodial setting.

Senator PRATT: Have you had any lawsuits or civil suits relating to the use of dry cells?

Mr Quaedvlieg: Not that I am aware of, but I will check with our general counsel.

Mr Quaedvlieg: No, she is shaking her head.

Ms Connell: We will take it on notice.

Answer:

Departmental records indicate that the Department is not currently aware of any lawsuits or civil suits against it relating to the use of a dry cell.