

QUESTION TAKEN ON NOTICE

ADDITIONAL ESTIMATES HEARING : 27 February 2017

IMMIGRATION AND BORDER PROTECTION PORTFOLIO

(AE17/156) - Compliance and Detention - Use of Force in Detention - Definition - Programme 1.3: Compliance and Detention

Senator Carr, Kim (L&CA) written:

How does the Department define “use of force”?

Answer:

The Department defines ‘use’ as drawing, aiming, striking or discharging the baton, firearm or chemical agent* and ‘force’ as any verbal command or physical action to gain subject control.

** chemical agent, means oleoresin capsicum spray or any other irritant or inflammatory spray, or device, of a type which has been approved by the Comptroller-General of Customs or his or her authorised representative for use by an officer in the exercise of statutory powers, and that is an approved item of personal defence equipment for the purposes of section 189A of the Customs Act 1901*