

## QUESTION TAKEN ON NOTICE

### BUDGET ESTIMATES – 26 – 27 MAY 2014

#### IMMIGRATION AND BORDER PROTECTION PORTFOLIO

#### **(BE14/555) PROGRAMME – 3.5 and 3.6: Illegal Maritime Arrival (IMA) Offshore Management**

Senator Ludwig (Written) asked:

1. How many requests for consular assistance were made by Maritime entries and attempted maritime arrivals ?
2. What is the process for processing requests for consular assistance for Maritime entries and attempted maritime arrivals and those in detention?
3. How do staff relay these requests to the proper channels and what are these channels?
4. If these requests are not recorded in departmental systems how does the department facilitate these requests?
- 4.5 Where are records of consular requests kept?
5. What is the process if a maritime arrival or maritime arrivals requests consular assistance while on water?
6. How are complaints made by maritime arrivals and attempted maritime arrivals while on water dealt with?
7. How is the medical status of maritime arrivals and maritime arrivals accessed.
8. What details/data are kept in regards to attempted maritime arrivals
9. Are videos or photographs taken of arrival vessels?

*Answer:*

1. No requests for consular assistance have been made to personnel operating on-water in support of Operation Sovereign Borders activities.

It is not possible to advise how many requests for consular assistance have been made by illegal maritime arrivals once detained as the information is not recorded in departmental systems.

2, 3, 4 and 4.5. Detainees are informed of their right to consular access as soon as practicable after their initial detention. Where a detainee expresses a wish to have consular access they are assisted with an interpreter to complete and sign Form 1360 – Request for Consular Access for People in Immigration Detention. This form is scanned and attached to the Compliance Case Management Detention Portal and TRIM file and the original copy is placed on the detainee's paper file. The detainee is also given a copy of their Form 1360. Form 1360 provides the detainee with three options:

- for the department to notify the consulate on their behalf and facilitate any request for a consular officer to visit the detainee;
- for the detainee to contact the consulate themselves; or

- for their consulate to visit.

Departmental staff make arrangements at the earliest opportunity to facilitate the request made by the detainee, including access to phones. This would take place after the detainee is taken through induction procedures.

5. Relevant government authorities, including the Department of Immigration and Border Protection and the Department of Foreign Affairs and Trade, would be advised.

6. Appropriate processes and procedures are in place to respond to complaints made on-water. Such matters are treated seriously.

7. Illegal Maritime Arrivals undergo a Health Induction Assessment (HIA), conducted by health clinicians, within 48 hours of first arrival at a detention facility. The HIA includes, but is not limited to, public health screening, screening for pre-existing medical conditions and mental health screening. Chest x-rays are standard for detainees aged 11 and over and blood testing is standard for detainees aged 15 and over. Where clinically indicated, x-rays and blood tests will also be undertaken on those younger than these ages.

8. The answer to this question contains information pertaining to on-water and other operational activities, similar in nature to material which was subject to the Minister for Immigration and Border Protection's earlier claims of public interest immunity.

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