

QUESTION TAKEN ON NOTICE

SUPPLEMENTARY BUDGET ESTIMATES HEARING : 17 October 2016

IMMIGRATION AND BORDER PROTECTION PORTFOLIO

(SE16/050) - Annual report - number of deaths notified in the last financial year - Internal Product (DIBP)

Senator Pratt, Louise (L&CA 124) asked:

Senator PRATT: I note on your annual report, there are a number of deaths notified in the last financial year. I wanted to ask what the circumstances of those deaths were.

Mr Pezzullo: The chief operating officer and perhaps other officers might join me at the table in relation to the instances of notifiable deaths that we provided to Comcare. I will hand over to the officer.

Mr Venugopal: Senator, I might have to take that particular one on notice.

Senator PRATT: So you do not know the circumstances of the seven deaths reported to Comcare?

Mr Pezzullo: Senator, you might assist the officer by giving him a page number.

Senator PRATT: It is on page 150, but if you are looking for information on that—

Mr Venugopal: I would have to come back to you on that. I just do not have it with me.

Senator PRATT: It does seem—seven deaths is a very significant thing to not—

Mr Venugopal: I will be able to come back to you in the next 15 minutes or so. I just need to confer with a colleague.

Senator PRATT: Okay. So in that context I will put some further questions so that you can include those in your inquiries. I would like to know: on what work sites or what places did those deaths occur; what investigations have been undertaken into those deaths; what contributed to those deaths—and whether the Department of Immigration and Border Protection was found to have contributed to the cause of death; whether the department faced any penalties in relation to those deaths; what action the department took to address safety concerns and to prevent further death or injury; whether any compensation was paid; and what were the circumstances that resulted in notification to Comcare.

Mr Pezzullo: Senator, I doubt very much in the next 15 minutes that the officer will be able to research all of those questions, but, in terms of the headlines as to what these notifiable incidents relate to, I am sure that he will be well-armed in the next 15 minutes or so. But as to the questions of consequences, payments, reviews, culpability, we might take all of that on notice.

Senator PRATT: Okay. I note that there were two cases in which improvement notices were also issued.

Mr Pezzullo: Yes.

Senator PRATT: And I would like to know the reasons for those improvement notices.

Mr Pezzullo: To the extent that the officer can address all of those issues between now and 11 pm, he will. Otherwise, we will take it all on notice.

Senator PRATT: And I would like to know whether any of those issues had been previously raised by workers, unions or Comcare.

Mr Outram: What I can tell you, Senator, is that five of those deaths between 1 July 2015 and 30 June 2016 occurred within our onshore detention facilities: one at the Brisbane ITA, one at North-West Point immigration facility, one at Villawood and two at Yongah Hill. We have very

strict protocols and processes in place in relation to a death in held detention. It involves of course involving local police, and the coronial processes run their course. I cannot update you in relation to where the coronial processes for all those are, but I can at least account for five of those being in onshore detention.

Senator PRATT: Okay. And are you able to follow up similarly into what investigations and the cause of death—

Mr Outram: As I just said, they are all subject to a coronial process, and so any sort of cause of death and those sorts of things would be a matter of a report by the coroner, but we can certainly let you know if those coronial proceedings have come to a conclusion and what those conclusions might be.

Senator PRATT: Okay—which therefore would answer questions regarding compensation and other—

Mr Outram: Indeed.

Answer:

Deaths reported in the Annual Report

Table 1 provides further information on the seven deaths reported in the Department's 2015-16 Annual Report.

Table 1. Deaths notified to Comcare during 2015-16

Date of Event	Incident Description	Comcare assessment of notification	Address of incident	Investigations undertaken	DIBP action taken to prevent further injury or death	Penalties/ Comp paid by DIBP
14/07/2015	A person in community detention died of preexisting condition (Leukemia)	Not notifiable	The Women's and Children's Hospital, South Australia	No internal investigation undertaken. No Comcare investigation undertaken. No known Coroner investigation undertaken.	·No action was required in response to this incident.	Nil
31/07/2015	Detainee suffered a fatal epileptic fit	Notifiable-Death	Yongah Hill Immigration Detention Centre, Mitchell Avenue Northam WA	Internal investigation conducted. Comcare investigation conducted with no breaches found Coroner investigation was conducted. The State Mortuary report lists the cause of death as being consistent with an epileptic seizure.	·Additional counselling and support services introduced. ·Changes made to enhance detainee monitoring regime.	Nil

22/08/2015	A person in community detention died from illness	Not notifiable	Sir Charles Gairdner Hospital, Hospital Avenue Nedlands WA	No internal investigation undertaken. No Comcare investigation undertaken. No known Coroner investigation undertaken.	·No action was required in response to this incident.	Nil
15/09/2015	Detainee took their life by self-immolation.	Notifiable-Death	Yongah Hill Immigration Detention Centre, Mitchell Avenue Northam WA	Internal investigation conducted. Comcare investigation conducted with no breaches found. Coroner investigation is underway.	·Additional Counselling and support services introduced. ·Care plans for detainees who have attempted self-harm updated to increase monitoring regime.	Nil
30/10/2015	Passenger arrived at Sydney Airport and shortly after suffered a heart attack. The individual was transported to hospital and later died.	Not notifiable	Sydney Airport, NSW	No internal investigation undertaken. No Comcare investigation undertaken. No known Coroner investigation undertaken.	·No action was required in response to this incident.	Nil
8/11/2015	Detainee escaped from the North West Point Immigration Detention Centre and was later located deceased at the bottom of cliffs approx. 25–30 metres from the centre.	Notifiable-Death	North West Point Immigration Detention Centre, Christmas Island, Murray Road North West Point West White Beach	Internal investigation conducted. Comcare investigation is underway. Coroner's investigation is underway.	·Additional Counselling and support services introduced. ·Protocol established with Australian Federal Police for management of detainee abscondment. · Significant infrastructure hardening completed to reduce the potential for further instances.	Nil

4/04/2016	<p>Detainee was observed to collapse on a walking path. Resuscitation attempts were unsuccessful and Detainee was pronounced dead by paramedics at the scene.</p>	Notifiable-Death	<p>Villawood Immigration Detention Centre, 15 Birmingham Avenue</p>	<p>Internal investigation conducted.</p> <p>Comcare investigation conducted with no breaches found.</p> <p>Coroner investigation is underway.</p>	<p>·Additional Counselling and support services introduced.</p> <p>·Review of systems undertaken to ensure supports are adequate.</p>	Nil
-----------	---	------------------	---	---	---	-----