

QUESTION TAKEN ON NOTICE

ADDITIONAL BUDGET ESTIMATES HEARINGS: 21 FEBRUARY 2011

IMMIGRATION AND CITIZENSHIP PORTFOLIO

(217) Program 4.2: Onshore Detention Network

Senator Cash asked:

Has any damage been caused to the Curtin Detention Centre as a consequence of detainee actions? If so, what was the nature of the damage? What was the cost of repairs for the damage? What action, if any, was taken against those who caused the damage? Will those who cause damage to the facility or other property be subject to criminal charges and if not, what is the justification for not charging these detainees?

Answer:

Minor damage has occurred at the Curtin Immigration Detention Centre due to client actions and has included damage such as a broken window, broken shower head, damaged table and a blocked toilet. The cost of repairs is \$78 080.

Depending on the type of property damage, the matter may be referred to the appropriate police authorities for investigation. Decisions as to whether a person may be charged with criminal damage would be a matter for the Commonwealth Director of Public Prosecutions.

If a client is found to have committed a serious offence this may affect the granting of a visa.

On 26 April 2011 the Minister announced that he would be introducing amendments to the Migration Act, to strengthen the consequences of inappropriate and criminal behaviour by people in immigration detention.

Under the proposed changes, the Migration Act will be amended so that:

- A person would fail the character test should they be convicted of any offence committed while in immigration detention; and
- The maximum penalty for the manufacture, possession, use or distribution of weapons by immigration detainees will increase from three to five years' imprisonment.

If the incident is considered minor, the matter will be dealt with by the Detention Service Provider (DSP) who will engage with the client about appropriate behaviour.

The DSP has the ability under the contract to use interventionist and/or restrictive measures against individuals who they deem to have behaved in an anti-social manner. These measures may include segregation, specific behaviour management

agreements, withdrawal of access to amenities, use of curfews and restriction on periods of access to specific areas of the facility.