

QUESTION TAKEN ON NOTICE

BUDGET ESTIMATES HEARINGS: 23-24 MAY 2011

IMMIGRATION AND CITIZENSHIP PORTFOLIO

(BE11/0373) Program 4.2: Onshore Detention Network

Senator Cash asked:

Have there been any allegations of any kind of abuse – sexual or physical – against any detainee in any of the detention facilities on the mainland or on Christmas Island by another detainee, employee of the Government or employee of the contractor? What has been the outcome of those allegations?

Answer:

For the period 1 July 2010 to 30 June 2011:

- There were 372 allegations of physical assault. This includes:
 - 271 allegations of assault between clients;
 - 90 allegations of clients assaulting Detention Service Provider (DSP) staff;
 - One allegation of a client assaulting another client and DSP staff during one incident;
 - No allegations of assault on DIAC staff;
 - One allegation of assault on a staff member from the Commonwealth Ombudsman's Office; and
 - Nine allegations of a DSP officer assaulting a client. No DSP staff have been charged with assault.
- The Police were notified in relation to 136 allegations of assault with the permission of the alleged victim.

Allegations of sexual assault/harassment

- For the period 1 July 2010 to 30 June 2011, there were 38 allegations of sexual assault or sexual harassment. This includes:
 - 20 allegations of clients sexually harassing DSP, DIAC or other Contractor staff; and
 - 18 allegations of clients either sexually assaulting or sexually harassing other clients.

- The Police were notified 17 times in relation to allegations of sexual assault or harassment with the permission of the alleged victim.

Outcome of allegations

- The status of any action taken by Police in relation to notifications about possible criminal behaviour is a matter for Police. Where a client is convicted of a criminal offence, this is notified to DIAC and considered as part of the Character assessment in the visa assessment process; the conviction records are accessed using Police and court records.