

QUESTION TAKEN ON NOTICE

BUDGET ESTIMATES HEARING: 21-22 MAY 2012

IMMIGRATION AND CITIZENSHIP PORTFOLIO

(BE12/0382) Program 4.2: Commonwealth Ombudsman report - transfer of detainees - detention arrangements

Senator Cash (L&CA written) asked:

I refer to the Commonwealth Ombudsman report entitled “Detention arrangements – the transfer of 22 detainees from Villawood Immigration Detention Centre to the Metropolitan Remand and Reception Centre Silverwater” dated April 2012 and I ask: 1. Please outline the procedure relating to the transfer of detainees to correctional facilities?

Answer:

For transfers of detainees to correctional facilities, the current PAM requires that if a detainee is assessed as not being able to be managed in the immigration detention network for reasons of security and good order of the facility, a submission must be made to the Assistant Secretary, Detention Operations and Client Services, recommending that the detainee be placed in a correctional facility. The submission must include the history of the detainee, their current circumstances and an outline of alternative considerations.

Once the transfer is approved, the detainee must be notified and copies must be sent to the detainee’s legal representative and/or migration agent, if engaged. The detainee must be asked who they wish to be notified of their transfer and appropriate notification made as soon as reasonably practicable. All records must be placed on the person's individual's file. The client file and medical records must be made available to the correctional facility.