

QUESTION TAKEN ON NOTICE

BUDGET ESTIMATES HEARING: 27-28 May 2013

IMMIGRATION AND CITIZENSHIP PORTFOLIO

(BE13/0126) PROGRAM –

Senator Cash asked:

Senator CASH: Have any of the asylum seekers involved in those disturbance been charged?

Mr Cahill: I am not sure all of them were asylum seekers. The site has both IMA and non-IMA. Sixteen clients were investigated in relation to the disturbance. These individuals have been charged with a range of offences including riot, affray and destroying property. Of the 16, one has been removed to Iran, four are serving sentences in state correctional facilities, five were found not guilty of the charges, one remains in immigration detention under a good behaviour bond and five are to be sentenced next month.

Senator CASH: Five are to be sentenced next month?

Mr Cahill: That is what we have been advised.

Senator CASH: So that is three. There were two more, then.

Mr Cahill: I am just looking at the context. Unfortunately, I do not have the context of the question on notice, because it is a supplementary question. I have more than five incidents but I think it was a follow on to a specific question. When I look at the actual question that was taken, it says in the report 'The department noted', and refers to a certain report—it might be Christmas Island or something. I do not know which five it is. There are more than five and I am happy to expand on those, but that would be referring to a narrower—

Senator CASH: Okay.

Mr Cahill: I can come back in the next hour and confirm.

Senator CASH: That would be appreciated, thank you very much.

Answer:

Further to the Department's previous response to AE13/407, the five disturbances referred to in the "Report on Implementation of the Recommendations of the Independent Review of the Incidents at the Christmas Island Immigration Detention Centre and Villawood Immigration Detention Centre of September 2012" are as follows:

- A disturbance occurred at the Villawood Immigration Detention Centre on 20-22 April 2011. 16 individuals were charged and court matters are now finalised. 11 of the 16 individuals were found guilty or entered a guilty plea and the remaining five individuals were found not guilty. Of the 11 individuals who were found guilty, nine were sentenced to a term of imprisonment ranging from six months to three years. Two of the 11 individuals were placed on good behaviour bonds;

- A disturbance occurred at the Christmas Island Immigration Detention Centre at North West Point on 19 July 2011. Four detainees were charged and court matters are now finalised. Two of the four individuals were acquitted, charges were withdrawn for one individual and the remaining individual was placed on a non-conviction good behaviour bond of 12 months;
- A disturbance occurred at the Curtin Immigration Detention Centre in August 2011. This matter did not proceed to trial based on advice from The Office of the Commonwealth Director of Public Prosecutions;
- A disturbance occurred at the Northern Immigration Detention Centre on 31 August 2011. One individual was charged and sentenced to a term of imprisonment of 15 months; and
- A disturbance occurred at the Northern Immigration Detention Centre on 8 November 2011. Eight detainees were charged and court matters are now finalised. The eight individuals were placed on good behaviour bonds of 18 months.