

QUESTION TAKEN ON NOTICE

SUPPLEMENTARY BUDGET ESTIMATES HEARING: 1 November 2005

IMMIGRATION AND MULTICULTURAL AND INDIGENOUS AFFAIRS PORTFOLIO

(140) Output 1.3: Enforcement of Immigration Law

Senator Nettle asked:

I note your answer to a Question on Notice (No7-11 Oct) I asked during the Senate Inquiry into the Migration Act. It was in reference to guards being in the room while a detainee was giving birth. You state that that section IDS 1.4.2.1 allows DIMIA to sanction GSL over breach of detainee privacy.

1. Has DIMIA pursued such sanctions in this case?
2. If not, why not?
3. Is this yet another example of the failure of DIMIA and GSL to actually change your culture and treat people with dignity and respect?

Answer:

1. DIMIA has not pursued sanctions in relation to this case.
2. Records indicate that two GSL officers consisting of one female and one male officer accompanied the detainee and her husband given that the detainee's husband was also in immigration detention and was considered to be a very real flight risk.

The GSL officers were initially stationed outside the delivery suite, however, the medical staff advised that there were three points of exit to the room and requested that an officer be present inside the birthing suite. The female GSL officer then entered the birthing suite.

3. The female officer sat unobtrusively in the suite and all attempts were made to afford appropriate privacy and dignity in these circumstances.

During the birth the detainee's husband became faint and the GSL officer assisted him to a seat in the birthing suite.