



Summary of Discussion and Action Items
Minister's Council on Asylum Seekers and Detention (MCASD) 10th General Meeting
Wednesday 12 – Thursday 13 February 2014

Attendees

MCASD

1. Mr Paris Aristotle AM, Chair
2. Air Marshal Ray Funnell AC (Retd.), Deputy Chair
3. Ms Kerrin Benson
4. Mr Noel Clement
5. Ms Caz Coleman
6. Assoc. Professor Mary Anne Kenny
7. Ms Libby Lloyd AM
8. Dr Maryanne Loughry AM
9. Dr Jamal Rifi

Minister's Office

10. Mr Charles Wann, Senior Immigration Advisor

Guest Attendees

11. Lieutenant General Angus Campbell, Commander of Operation Sovereign Borders, Day one
12. s. 22(1)(a)(ii)

Department of Immigration and Border Protection

13. Mr Martin Bowles PSM - Secretary
14. Mr Mark Cormack - Deputy Secretary, Immigration Status Resolution Group
15. Mr Garry Fleming - A/g Deputy Secretary, Policy and Programme Management Group
16. Mr Christopher Callanan - First Assistant Secretary, Compliance and Case Resolution Division
17. Mr Ken Douglas - First Assistant Secretary, Offshore Detention and Returns Task Group
18. Ms Alison Larkins - First Assistant Secretary, Refugee, Humanitarian and International Policy Division
19. Ms Vicki Parker - First Assistant Secretary, Legal and Assurance Division
20. Ms Kate Pope PSM - First Assistant Secretary, Community Programmes and Children Division
21. Ms Fiona Andrew - Assistant Secretary, National Operations and Capability

22. Mr Robert Illingworth - Assistant Secretary, Strategic Framework Branch
23. Mr Peter Speldewinde - Assistant Secretary, International Engagement Branch
24. Mr Paul McCormack - A/g Assistant Secretary, IMA BVE Programme and Community Engagement Branch
25. Mr Daniel Boyer - Assistant Secretary, Humanitarian Branch

26. s. 22(1)(a)(ii)
27. s. 22(1)(a)(ii)
28. s. 22(1)(a)(ii)
29. s. 22(1)(a)(ii)
30. s. 22(1)(a)(ii)
31. s. 22(1)(a)(ii)
32. s. 22(1)(a)(ii)

Apologies

MCASD

1. Bishop D Eugene Hurley
2. Professor Nicholas Procter

Department of Immigration and Border Protection

3. Dr Wendy Southern PSM - Deputy Secretary, Policy and Programme Management Group
4. Mr Matt Cahill - First Assistant Secretary, Status Resolution Services Division
5. Ms Lynne Gillam - Assistant Secretary, Onshore Protection Branch

Agenda Item	Discussion / Backgrounds	Action Item / Date	Responsibility
Day One 1. Introduction and welcome	The Chair opened the 10th MCASD General Meeting and thanked the participants for attending.	N/A	N/A
2. Endorsement of Planning Day minutes and update on Action Items	<p>The Chair asked if anyone had any comments on the Planning Day minutes from 16 December 2013, noting that a different format is now being used. He emphasised that moving forward, participants will need to be clearer on comments they would like recorded in meetings for the purpose of keeping accurate minutes. The Council and departmental participants agreed that the minutes are endorsed.</p> <p>The Chair stated that action item 2/06 was discussed at the Service Delivery Subgroup meeting in Melbourne on 24 January 2014. The Chair stated that it may be beneficial to utilise the already established group (who field tested the VIAT) who understand the issues. The Chair expects to receive an update from the department on Thursday 13 February 2014. The Council agreed that a tool such as the VIAT is simple good practice.</p>	N/A	N/A
	<p>The Chair advised that action item 2/12 is still in progress the topic of children in Nauru has not yet been discussed with the department.</p> <p>Mr Clement advised that action item 7/02 is also still in progress as his paper was circulated to participants of the Service Delivery Subgroup meeting on 17 January 2014, however it was not discussed. He stressed that the step between Community Detention (CD) and a Bridging Visa E (BVE) needs to be addressed as there is no supportive model</p> <p>Ms Benson asked about the progress on action item 2/13 s. 47F(1) [REDACTED]</p> <p>The department advised that this case is currently ongoing.</p>		
3. Services and entitlements for people in the community	<p>The department advised that the granting of BVEs has commenced again, briefing the Council on the numbers of recent BVE grants</p> <p>s. 47E(d) [REDACTED]</p> <p>The Chair asked when detainees can expect to have their status determined and if there is capacity for review through the Refugee Review Tribunal (RRT). The department advised that detainees with valid applications are currently being processed, including at the RRT. IMA detainees who do not have valid</p>	<p>s. 47E(d) [REDACTED]</p> <p>s. 47E(d) [REDACTED]</p>	<p>First Assistant Secretary, Community Programmes and Children</p> <p>First Assistant Secretary, Compliance and Case Resolution Division</p>

Agenda Item	Discussion / Backgrounds	Action Item / Date	Responsibility
	<p>applications will be considered in a new process that will not commence before October 2014 and is not expected to include access to the RRT, in line with the Government pre-election commitments but will instead provide access to an alternative review mechanism where relevant.</p> <p>s. 47C(1)</p>	<p>s. 47C(1)</p>	<p>Document 1</p> <p>First Assistant Secretary, Refugee, Humanitarian and International Policy Division</p>
	<p>The department advised 232 people were transferred from Nauru to Curtin and are in the process of being granted BVEs. They have elected to restart processing on their return from Nauru. At this stage this cohort cannot be prioritised.</p> <p>The meeting discussed non-IMA funding for the Community Assistance Scheme (CAS) and the ASAS. The Chair advised that alternative strategies need to be explored, however the Council require feedback from the department in order to formulate advice.</p> <p>Part of agenda item 3 – Code of Behaviour (CoB) was discussed on day two with A/g Assistant Secretary, IMA BVE Programme and Community Engagement Branch.</p>	<p>GM10 - 3/04 The Council agreed that Mr Funnell and Ms Lloyd would meet with A/g Assistant Secretary, IMA BVE Programme & Community Engagement to discuss the CoB further.</p>	<p>A/g Assistant Secretary, IMA BVE Programme and Community Engagement Branch</p>
4. Update from the Department of Immigration and Border Protection	<p>The department gave an overview of the statistics in provided in action item response 2/02. s. 47E(d)</p> <p>s. 47C(1)</p> <p>The department clarified that it is government policy and there are to be no exceptions. The Chair asked if there is access to full schooling. The department advised that there is access to more intense resources and the goal is to integrate access to mainstream schooling and increase the amenities.</p> <p>s. 47E(d)</p>		
	<p>s. 47E(d)</p>		

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	<p>s. 47E(d) [redacted] The Chair asked about the scope of use for Inverbrackie for community detention (CD), the department advised that there is no formal direction as yet, but the size of the network will decrease and decisions will be made in time.</p> <p>Dr Loughry asked about children and families on CI and the resources available, s. 47C(1) [redacted] s. 33(a)(iii), s. 47E(d) [redacted]</p> <p>s. 33(a)(iii), s. 47E(d) [redacted]</p> <p>s. 47E(d) [redacted]</p>		Document 1
	<p>s. 4/C(1), s. 4/G(1)(a) [redacted]</p> <p>s. 47E(d) [redacted]</p> <p>[redacted] Assoc. Professor Kenny also asked about the Immigration Advice and Application Assistance Scheme (IAAAS) letters</p>	<p>s. 47C(1) [redacted]</p> <p>GM10 - 4/02 - The Council to advise the department on specific cases (on CI) where there are strong individual needs.</p>	<p>The Council Chair</p> <p>The Council Chair and Deputy Secretary Mark Cormack</p>

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			Document 1
	The department confirmed planning figures out of Indonesia have not changed.	s. 47C(1)	Director PMDS, Humanitarian Branch
8.Direction 62 – Family Stream Processing	s. 47E(d) s. 47C(1) s. 47C(1), s. 47E(d)	N/A	N/A
	MCASD ONLY IN CAMERA SESSION		
	END OF DAY ONE		
Day Two 9. Recap	The Chair provided a recap of the discussions held on day one.		
10. Endorse the updated terms of reference.	The Council discussed the updated terms of reference and provided verbal changes to the Secretariat.	GM10 - 10/01 - Secretariat to update the terms of reference and provide to the Minister in a submission for approval/endorsement	Secretariat
11. Detention Facilities Sub Group visits and reports update	The Chair advised that Council members have visited Christmas Island and Yongah Hill IDC's. A trip to Curtin IDC scheduled for 17 February 2014 and to Darwin IDC and APODs scheduled for 17 March 2014. s. 47C(1) The Assistant Secretary, National Operations and Capability advised there are refurbishments being undertaken at Aqua and Lilac buildings. The Chair provided feedback on communication with service providers about readjusting the way they work as they are dealing with a long term caseload. Assistant Secretary, National Operations and Capability advised that the department is reviewing staffing across the network and looking where efficiencies can be made. s. 47E(d) The Council raised the need for effective communication to the detainees to be informed on the progress of their processing, s. 47C(1) Dr Loughry asked how complex cases are escalated and who the primary escalator is. Assistant Secretary, National Operations and Capability advised	GM10 - 11/01 - Secretariat to obtain the Council's views from Dr Loughry prior to the visit to CI IDC and arrange a meeting with the Assistant Secretary Detention Operations and Capability on her return from Christmas Island. March 2014	Secretariat and Assistant Secretary National Operations and Capability

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	the case would be escalated through their case manager to the Lead Case Manager. s. 47C(1) [REDACTED] Assistant Secretary National Operations and Capability advised that pregnant women will be transferred to Darwin/MITA/Inverbrackie for their obstetric consultations, accompanied by a support person. The department is now looking at sending the family unit as a whole for routine consultations as at times complications arise where they are required to stay for a longer period. This will be reviewed on a case by case basis. s. 47C(1) [REDACTED] The Chair asked that the Service Delivery and Detention Facilities Sub-groups liaise with Assistant Secretary, National Operations and Capability regarding the concerns raised.		Document 1
		GM10 - 11/02 - s. 47C(1) [REDACTED] GM10 - 11/03 - MCASD Secretariat to liaise with Assistant Secretary, National Operations and Capability and the Council to set up a meeting to discuss any further concerns the Council would like to raise.	Ms Coleman and Assistant Secretary, National Operations and Capability Secretariat and Assistant Secretary, National Operations and Capability
12. Discussion with the Secretary	IN CAMERA SESSION		
13. Minors in detention, CD arrangements and changes / Age Determination Process and Transition from CD to BVE	The Chair advised the Council are interested in supporting the education system on Christmas Island. Discussion continued around the education facilities and services on Christmas Island. First Assistant Secretary, Community Programmes and Children Division advised that the department is looking at introducing the model that is in place at Leonora. An update on the number of children in detention was provided to the Council. s. 47E(d) [REDACTED]		
	Ms Benson asked if there was a process for tracking of aged out minors from CD to bridging visas and how they manage within the six weeks on CAS transitional and after that period. The department advised there are processes in place to escalate a request to extend the six week process. Screening for vulnerability has been completed; case manager's work closely with the 18 year olds who haven't been granted a bridging visa and also IHMS where necessary.		

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	<p>First Assistant Secretary Children and Community Programmes and Children provided background on what is happening with minors turning 18 being able to finish the school year. Since the beginning of 2013 they have been required to finish at the end of the school term when turning 18. The department provided advice on what the policy allows. There are open exemptions and exceptions and the possibility to request them. If the council are aware of any cases that have problems the department is eager to hear about them. The Council asked what is available for over 18 year olds with limited access to ESL, are there other curriculum activities they can be involved in. The department advised there is limited access to ESL, however they can do vocational activities at their own expense.</p> <p>s. 47E(d), s. 33(a)(iii)</p> <p>s. 47E(d)</p> <p>s. 47E(d)</p>		<p>Document 1</p> <p>First Assistant Secretary, Community Programmes and Children Division</p>
14. Update on the detainees transferred from Nauru to Curtin	s. 47C(1), s. 47E(d)	s. 47C(1), s. 47E(d)	Assistant Secretary, Strategic Framework Branch and First Assistant Secretary, Refugee Humanitarian and International Policy
15. Other Business	<p>The Deputy Chair requested and the Council agreed to invite the Australian Human Rights Commissioner to the next General Meeting, the Council agreed.</p> <p>The Chair also asked that an invitation be extended to Thomas Albrecht from UNHCR to the 11th General Meeting.</p> <p>The Council discussed the next General Meetings. The 11th General Meeting is scheduled for 29/30 April in Sydney with a visit to Villawood on the afternoon of 28 April. This is an optional visit for Council members who would like to attend. The 12th General Meeting was agreed for 26/27 June 2014 in Canberra.</p>	<p>GM10 - 15/01 - Secretariat to invite Professor Gillian Triggs, President of Australian Human Rights Commission to the 11th General Meeting.</p> <p>GM10 - 15/02 - Secretariat to invite Thomas Albrecht from UNHCR to the 11th General Meeting.</p> <p>GM10 - 15/03 - Secretariat to incorporate this visit with the 11th GM.</p>	<p>Secretariat</p> <p>Secretariat</p> <p>Secretariat</p>

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	<p>The Deputy Chair advised that he will visit Christmas Island in June to conduct a Community Consultative Group meeting (CCG).</p> <p>The Council discussed the upcoming centre/location visits. A visit is planned for Darwin in March with Dr Loughry and Assoc Professor Kenny confirming that they would like to visit Christmas Island for the primary focus on services to children on 21 – 24 April 2014</p> <p>Discussion occurred on the progress of the work on Community Engagement and Community Leadership. The Chair asked that Ms Benson and Ms Lloyd progress the work on Community Engagement/Community Leadership further investigate there is a possibility that a meeting can be arranged with the Minister.</p>	<p>GM10 - 15/04 - Secretariat to organise the visit to Christmas Island in June and liaise with Christmas Island to organise the CCG.</p> <p>GM10 - 15/05 - Secretariat to organise visit to Christmas Island for Dr Loughry and Assoc Professor Kenny for April.</p> <p>GM10 - 15/06 - Ms Benson and Ms Lloyd to liaise with the Secretariat to follow up with Mr Wann, Minister's Senior Immigration Advisor to see if a meeting with the Minister is possible.</p>	<p>Secretariat Document 1</p> <p>Secretariat</p> <p>Secretariat</p>
	<p>The Chair also asked that the Service Delivery Sub-group be arranged to discuss the RSD, Families/Children, CoB, Community Engagement and Mutual Obligations. The meeting will be held in Melbourne on 14 March at the department offices. Department officers to be invited are Assistant Secretary Community Detention AS Community Detention, (CCRD), First Assistant Secretary, Community Programmes and Children, and Acting Assistant Secretary BVE Programme and Community Engagement.</p> <p>s. 47C(1)</p> <p>[REDACTED]</p> <p>Dr Loughry raised the subject of the Technical Reference Group for CD and asked if there is an opportunity for the Council to provide advice through CAS. The Chair asked Mr Clement and Dr Loughry to think about what the Council might want to recommend after the tender process is announced, as the official date is the end of February 2014. Mr Clement and Dr Loughry to create a list of critical issues to formulate advice on UAMs in transition. An update could be provided to the Service Delivery Sub-group on 14 March 2014.</p> <p>s. 47C(1)</p> <p>Discussion continued around communication to local stakeholders, like a stakeholder forum state by state. The Council asked if it was possible for the information to be provided to the stakeholders within the next week. Assistant Secretary, Strategic Framework Branch to follow up with First Assistant Secretary, Refugee Humanitarian & International Policy and provide feedback to the Council in the next week on information being provided to Service Providers.</p> <p>The Chair acknowledged Jim O'Callaghan's progression within the refugee, humanitarian and International Policy area during his tenure as the First Assistant Secretary.</p>	<p>GM10 - 15/07 - The Secretariat to arrange a Service Delivery Sub-group meeting for 14 March 2014 at the department offices in Melbourne.</p> <p>GM10 - 15/08 - s. 47C(1)</p> <p>[REDACTED]</p> <p>GM10 - 15/09 - Dr Loughry and Mr Clement to make a list of critical issues to formulate advice on UAMs transitioning out and what the Council's recommendations might be once the tender has been announced.</p> <p>GM10 - 15/10 – Assistant Secretary, Strategic Framework Branch to follow up with First Assistant Secretary, Refugee, Humanitarian & International Policy and provide feedback to the Council in the next week.</p> <p>GM10 - 15/11 – Chair to draft a letter of thanks and well wishes to Mr Jim O'Callaghan.</p>	<p>Secretariat</p> <p>Secretariat</p> <p>Dr Loughry and Mr Clement</p> <p>Assistant Secretary, Strategic Framework Branch</p> <p>Chair</p>
16. General Meeting			

Agenda Item	Discussion / Backgrounds	Action Item / Date	Responsibility
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Summary of Discussion and Action Items
Minister's Council on Asylum Seekers and Detention (MCASD) 11th General Meeting
Tuesday 29 - Wednesday 30 April 2014

Attendees

MCASD

1. Mr Paris Aristotle AM, Chair
2. Air Marshal Ray Funnell AC (Retd.), Deputy Chair
3. Ms Kerrin Benson
4. Mr Noel Clement
5. Ms Caz Coleman
6. Bishop D Eugene Hurley
7. Assoc. Professor Mary Anne Kenny (day one)
8. Ms Libby Lloyd AM
9. Dr Maryanne Loughry AM
10. Professor Nicholas Procter
11. Dr Jamal Rifi

Minister's Office

12. Mr Charles Wann, Senior Immigration Advisor
13. Mr Brendan Tegg, Immigration/Customs Advisor

Guest Attendees

14. Professor Gillian Triggs (day one 10.45am – 11.45am)
15. The Hon Margaret Stone (day two 1.30pm – 2.30pm)
16. Ms Sharon Ohnesorge, Senior Advisor to the Hon Margaret Stone (day two 1.30pm – 2.30pm)

Department of Immigration and Border Protection

17. Dr Wendy Southern PSM - A/g Secretary
18. Ms Alison Larkins – A/g Deputy Secretary, Policy and Programme Management Group
19. Mr John Cahill – A/g Deputy Secretary, Immigration Status Resolution Group AND First Assistant Secretary, Detention Infrastructure and Services Division
20. Mr Matt Cahill - First Assistant Secretary, Compliance and Case Resolution Division
21. Mr Christopher Callanan – First Assistant Secretary, Status Resolution Services Division
22. Ms Kate Pope PSM - First Assistant Secretary, Community Programmes and Children Division (day two)

23. Ms Fiona Andrew - Assistant Secretary, Detention Operations Branch
24. Ms Katie Constantinou – Assistant Secretary, Australian Human Rights Commission (AHRC) Inquiry Taskforce (day one)
25. Ms Lynne Gillam – Assistant Secretary, Onshore Protection Branch (day two)
26. Mr Robert Illingworth - Assistant Secretary, Strategic Framework Branch
27. Mrs Janet Mackin – Regional Manager South (day one)
28. Mr Paul McCormack - A/g Assistant Secretary, IMA BVE Programme and Community Engagement Branch
29. s. 22(1)(a)(ii)
30. s. 22(1)(a)(ii)

Apologies

Minister's Office

1. The Hon Scott Morrison MP, Minister for Immigration and Border Protection

Guest Attendees

2. Mr Thomas Albrecht, UNHCR Regional Representative

Department of Immigration and Border Protection

3. Mr Martin Bowles PSM - Secretary, Department of Immigration and Border Protection
4. Mr Mark Cormack - Deputy Secretary, Immigration Status Resolution Group
5. Mr Ken Douglas - First Assistant Secretary, Offshore Detention and Returns Task Group

Agenda Item	Discussion / Backgrounds	Action Item / Date	Responsibility
Day One 1. Introduction and welcome	The Chair opened the 11th MCASD General Meeting at 9.12am, thanked the participants for attending and congratulated Mr Matt Cahill on his new position.	N/A	N/A Document 2
2. Endorsement of 10th GM minutes and update on Action Items	The Council and departmental participants agreed the minutes from the 10 th MCASD General Meeting are endorsed. The Chair summarised action items from the 10 th MCASD General Meeting. He has spoken with the Minister in relation to action item GM10-4.01 . The complex cases will be progressed as a priority to the Minister's office, for his consideration. This action item is complete.		
	Action item GM10-6.02 is progressing with discussions having taken place between the department and Ms Lloyd. It was agreed more specific details from the Council on their concerns is required in order to develop appropriate strategies.	GM 10-6.02 in progress – the Council to provide more specific details on their views relating to the department's communication strategy in order to develop appropriate strategies.	Ms Libby Lloyd and Ms Kerrin Benson
	The Deputy Chair requested information on the longevity of Immigration Detention Centres (IDCs) to advise local communities during Community Consultative Group meetings (CCGs).	GM 11-2.01 – the department to provide the Deputy Chair information on longevity of Immigration Detention Centres (IDCs) and the estate planning structure for WA facilities, prior to the Council's upcoming Yongah Hill visit & CCG meeting (inclusive of the CI trip & CI CCG) in the first week of July 2014, to be able to inform the local Yongah Hill community. <i>Due 30 May 2014</i>	FAS Detention Infrastructure & Services Division
	The Chair and the Minister's Senior Immigration Advisor have liaised regarding action item GM10-6.02 . This will be incorporated in the MCASD Service Delivery and Status Resolution Subgroup.	GM11-2.02 Add Action Item GM10-6.02 to the next MCASD Service Delivery & Status Resolution Subgroup Agenda.	Secretariat
3. Update from the Department of Immigration and Border Protection	The department provided the Council with statistics of people in onshore and offshore detention as at 23 April 2014. It was noted the number of onshore detainees varies daily and is declining due to offshore transfers and releases. Construction work at the Villawood IDC means detainees need to be moved out. Detainees should return to the Villawood IDC in several weeks as Stage 1 of the Villawood upgrade is currently being finalised. Phase 2 of the development will continue for several years.		
	s. 47C(1) [REDACTED] [REDACTED] s. 47E(d) [REDACTED] The department	GM11-3.01 the department to email the budget and arrange a teleconference to brief the Council on the budget outcomes the day after the budget is released.	Secretariat

Agenda Item	Discussion / Backgrounds	Action Item / Date	Responsibility
	<p>agreed to email the budget release to Council members and hold a teleconference to brief them.</p> <p>Discussions continued surrounding BVE statistics; the process surrounding release onto a BVE; and signing of the Code of Behaviour (CoB) document. The department advised the process is being refined meaning people being re-granted BVEs won't be re-detained.</p> <p>s. 47C(1)</p>	<p>Due 14 May 2014</p>	<p>Document 2</p>
	<p>Discussions then moved to entitlements and some hospitals s. 47E(d)</p> <p>The department agreed to confirm what occurs with unpaid hospital bills and report back to the Council.</p> <p>The department advised there is a procurement exercise underway for existing security and health contracts. It is expected the new contracts will be finalised by December 2014 with health contracts finalised in several weeks. The department is looking to extend current contracts during this process.</p> <p>s. 47C(1)</p>	<p>GM11-3.02 the department to provide Ms Caz Coleman with details of the process involved with detainees unpaid hospital bills.</p> <p>Due 30 May 2014</p>	<p>Assistant Secretary (AS), Detention Health Services Branch</p>
	<p>It was agreed Mr Clement's proposals for provision of material aid would be included as an agenda item for the MCASD Service Delivery and Status Resolution Sub Group discussions.</p> <p>Discussions moved to reports of an outbreak of dengue fever on Nauru with the department responding with statistics, stating the risk of contracting it was low.</p> <p>s. 47E(d)</p>	<p>GM11-3.03 Agenda Item for the next Service Delivery & Status Resolution Subgroup meeting: a discussion on material aid for Illegal Maritime Arrivals (IMAs) on Bridging Visa Es (BVEs).</p> <p>Due: tbc with Convenor</p>	<p>Secretariat</p>
4.	<p>Discussion with Professor Gillian Triggs – President of the Australian Human Rights Commission (AHRC) IN CAMERA discussion.</p>	<p>N/A</p>	<p>N/A</p>

Agenda Item	Discussion / Backgrounds	Action Item / Date	Responsibility
5.	Discussion with Acting Secretary Dr Wendy Southern IN CAMERA discussion.	N/A	N/A Document 2
6. Families and Children	<p>The department updated Council members on the transfer of children to Nauru. This is occurring regularly but in low numbers, as they meet the parameters for transfer.</p> <p>Dr Loughry provided an update from her follow up visit to CI in April and reported the atmosphere had improved from her visit in January 2014. s. 47C(1)</p> <p>The Council and the department agreed to work collectively to develop more appropriate housing and education options for those on CI not being transferred. s. 47C(1), s. 47G(1)(a)</p>	<p>GM11-6.01 The department to have discussions with the Council regarding community detention (CD) and education on CI for those not being transferred, in consultation with the Council's newly formed Children and Family Services Working Group; first meeting is scheduled for Monday 5 May 2014. <i>Due 30 May 2014</i></p>	<p>Dr Maryanne Loughry, Convenor, Children and Family Services Working Group;</p> <p>FAS, Community Programmes & Children Division; Regional Manager South; and</p> <p>AS, Detention Operations Branch; and</p> <p>A/g AS, IMA BVE Programme & Community Engagement Branch</p>
	s. 47C(1), s. 47E(d)	<p>GM11-6.02 MCASD Children and Family Services Working Group to discuss the new policy initiative detailed in AI GM11-6.01 with the Minister's Senior Immigration Advisor as soon as possible for him to brief the Minister appropriately. <i>Date: 30 May 2014</i></p>	Secretariat – next working group meeting to be first week in June 2014
	s. 47E(d)	GM11-6.03 s. 47E(d)	FAS, Refugee Humanitarian and International Policy Division

Agenda Item	Discussion / Backgrounds	Action Item / Date	Responsibility
	s. 47E(d)		Document 2
		GM11-6.04 the department to provide Dr Maryanne Loughry, a 'watching brief' on the s. 47E(d)	FAS, Compliance and Case Resolution Division
	The discussion returned to current departmental policies and a way forward to reappraise the whole CI model. The Minister's Senior Immigration Advisor recommended the Council consider what is required to implement Community Detention (CD) on CI now that the boats have stopped and what CI needs for the next 18 months for it to be included in funding.	GM11-6.05 The department to arrange a meeting for the newly formed MCASD Children and Family Services Working Group to meet with the department surrounding CD and education on CI. <i>Completed – Meeting was held Monday 5 May 2014.</i>	Secretariat
7. New Refugee Status Determination (RSD) process	The department provided an overview of the development and implementation of the new RSD system for IMAs and unlawful air arrivals. s. 47C(1)	N/A	N/A
(moved from day 2) 12. Temporary Humanitarian Concern (THC) visa	The department advised the Council of limited availability of information s. 47C(1) The discussions continued noting the importance of a sound review process being recognised in the Courts. The Council asked the department to focus on strategies for adequate messaging to BVE holders, given the current complicated policy environment.	s. 47C(1)	FAS Refugee, Humanitarian and International Policy Division
8. Management of Long Term caseloads including those with adverse security assessments	The department provided a briefing on the progress of the management of long term caseloads s. 47E(d) The discussion moved to reassessments with a commitment from the department to look at the process seeking the Council's views on the approach.	GM11-8.01 The department to resend the letters from the Council's Chair to Minister Morrison, surrounding long term detention s. 47E(d) <i>Due 30 May 2014</i>	Secretariat

Agenda Item	Discussion / Backgrounds	Action Item / Date	Responsibility
			Document 2
	s. 7(2A)	GM11-8.02 s. 7(2A)	Chair and Secretariat
Day 2 9. Recap of day one	The Chair commenced day two welcoming attendees and provided a recap of the discussions from day one.		
10. Services and entitlements for people in the community	The Chair requested the department provide estimations of appropriate, potentially available accommodation on CI prior to the meeting of the newly formed Children and Family Services working group scheduled for 5 May 2014. On a separate matter Ms Benson's suggested placing demountable accommodation in backyards with caution to the sensitive CI community.	GM11-10.01 The department to provide the Council with an estimate of appropriate accommodation potentially available for CD on CI. <i>Due 5 May meeting</i>	FAS, Detention Infrastructure and Services Division
	Discussions on mutual obligations to be revisited after the budget announcement in May 2014.	GM11-10.02 The department to meet with the Council in the first weeks after the budget is released in May to discuss the design work around Phase 2 (implementation) of the mutual obligations pilot. <i>Due 30 May 2014</i>	AS, Detention & Services Policy Branch
	Discussions moved to the limiting parameters of emergency relief and how to create flexibility and expansion to other cohorts, particularly those transitioning from CD to Temporary Protection Visas (TPVs). Feedback to the Council is to include discussions on recognised prior learning (RPL) for work readiness and clear objectives for the Council to formulate their advice for the Minister.	GM11-10.03 Council members to provide their research to the FAS, Compliance and Case Resolution Division with examples of areas of need for emergency relief. <i>Due 30 May 2014</i> GM11-10.04 The department to provide feedback to the Council surrounding limiting parameters of emergency relief; how to create flexibility and expansion to other cohorts, in particular those transitioning from CD to Temporary Protection Visas (TPVs). <i>Due 30 May 2014</i>	Mr Noel Clement and Ms Kerrin Benson FAS, Compliance and Case Resolution Division
		GM11-10.05 The department to provide feedback to include discussions on recognised prior learning (RPL) for work readiness and clear objectives for the Council to formulate advice to the Minister.	FAS, Compliance and Case Resolution Division

Agenda Item	Discussion / Backgrounds	Action Item / Date	Responsibility
		<i>Due 30 May 2014</i>	Document 2
	A CoB update was provided as part of day one's proceedings (agenda Item 3) with a recommendation from the Council for the department to consider reviewing the coherency of the service delivery model overall as a priority.	GM11-10.06 The department to investigate the BVE Helpline, s. 47C(1) [REDACTED] [REDACTED] <i>Due 30 May 2014</i>	A/g AS, IMA BVE Programme & Community Engagement Branch
11. s. 47C(1) [REDACTED] [REDACTED] [REDACTED]	s. 47C(1) [REDACTED] [REDACTED] s. 47C(1) [REDACTED] [REDACTED] [REDACTED] [REDACTED]		
	If time permits the Council requires another visit to Christmas Island after the 5 May working group meeting and before the CI CCG in July.	GM11-11.01 Arrange a visit to CI after the 5 May families and children's services working group meeting and before the CI CCG in July. <i>Due 12 May 2014</i>	Secretariat; and A/g AS, IMA BVE Programme & Community Engagement Branch
12. Note:	Item 12 was discussed on day one. Item 14 was discussed before and after Item 13.		
13.	Discussion with the Hon Margaret Stone – Independent Reviewer for Adverse Security Assessments (ASAs) IN CAMERA discussion.	GM11-13.01 Invite the Hon Margaret Stone to a GM towards the end of her project (end date 2 December 2014). <i>Due 14th GM scheduled 25-26 November 2014</i>	Secretariat
14. Other business	An update was provided on the data breach. s. 47E(d) [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] Advice was sought from the Council around the statutory process for managing the data breach cohort.	GM11-14.01 Associate Professor Mary Anne Kenny was consulted by the department around the statutory process for managing the data breach cohort. <i>Due 30 May 2014</i>	Secretariat and Assoc. Prof Kenny

Agenda Item	Discussion / Backgrounds	Action Item / Date	Responsibility
			Document 2
	An update on the progress of returns was provided stating the department is actively engaging countries to return those found not to be owed protection s. 47C(1) 47E(1) s. 47C(1)	GM11-14.02 s. 47C(1)	FAS Refugee, Humanitarian and International Policy Division
		GM11-14.03 All Council members to provide feedback from their community contacts on Assisted Voluntary Returns (AVRs) for input to AI GM11-14.01. Due 30 May 2014	All Council members; and MCASD Secretariat
		GM11-14.04 The department to provide the Council with the departmental process in providing legal documentation to detainees in held detention. Due 30 May 2014	AS, Detention Operations Branch
		GM11-14.05 The department to provide a briefing to the Council on current AVR packages. Due 30 May 2014	AS, Compliance Status Resolution Branch
	Discussions continued around an assisted voluntary returns (AVRs) pilot. s. 47E(1) d)	GM11-14.06 The department and Council to discuss developing an AVR pilot with one or two cohorts/countries. Due 16 June 2014	AS, Compliance Status Resolution Branch; and Secretariat
	Ms Benson proposed exploring a way to reduce the variation in cohorts; and develop a way for cohorts to identify and understand their individual processing differences. The department supported this and is commencing a piece of work, utilising Assoc. Prof Kenny's work on this within the Community Leaders sub group. Expressions of interest from the Council were sought and received from Ms Benson, Ms Lloyd, Ms Coleman and Bishop Hurley. The Council will advise the Secretariat who will be the convenor of the group.	GM11-14.07 The Council to develop a proposal to reduce the variation in cohorts and develop a way for cohorts to identify and understand their individual processing differences. Utilising Associate Professor Mary Anne Kenny's work on this with the department as part of the Community Leaders Subgroup work. Due 30 May 2014	Ms Benson; Ms Coleman; Ms Lloyd; and Bishop Hurley
	Discussions moved to reviewing the current structure and membership of the MCASD Sub Groups with the possibility of projects running within them.	GM11-14.08 Send current list of MCASD sub groups and memberships to all Council	Secretariat

Agenda Item	Discussion / Backgrounds	Action Item / Date	Responsibility
		members for consideration and review. <i>Due 9 May 2014</i>	Document 2
		GM11-14.09 Review structure and membership of MCASD sub groups for individual involvement in each sub group. <i>Due 30 May 2014</i>	All Council members
		GM11-14.10 Deputy Chair Air Marshal Funnell (Retd) and Professor Procter to visit CI and hold CCG for week commencing 7 July 2014. Air Marshal Funnell (Retd) will also visit Yongah Hill as part of this trip. <i>Due 16 June 2014</i>	Secretariat
	<p>Forward meeting dates were discussed and scheduled:</p> <p>The 12th MCASD General Meeting is scheduled for Monday 16th and Tuesday 17th June 2014 in Canberra.</p> <p>The 13th MCASD General Meeting is scheduled for Monday 8th and Tuesday 9th September 2014 in Sydney with an optional tour of the Villawood infrastructure developments the morning after the GM on Wed 10th September 2014.</p> <p>The 14th MCASD General Meeting is scheduled for Tuesday 25th and Wednesday 26th November 2014 in Canberra.</p>		
15. General Meeting close			



Summary of Discussion and Action Items
Minister's Council on Asylum Seekers and Detention (MCASD)
12th General Meeting
Monday 16 - Tuesday 17 June 2014

Attendees

MCASD

1. Mr Paris Aristotle AM, Chair
2. Air Marshal Ray Funnell AC (Retd.), Deputy Chair
3. Ms Caz Coleman
4. Bishop D Eugene Hurley
5. Assoc. Professor Mary Anne Kenny (day one)
6. Ms Libby Lloyd AM
7. Dr Maryanne Loughry AM
8. Professor Nicholas Procter

Minister's Office

9. The Hon Scott Morrison MP (Day one, 11.00am – 11.30am)
10. Minister for Immigration and Border Protection
11. Senator the Hon Michaelia Cash (Day one, 11.30am – 12.00pm)
Assistant Minister for Immigration and Border Protection
12. Mr Charles Wann, Senior Immigration Advisor
13. Mr Brendan Tegg, Immigration/Customs Advisor

Guest Attendees

14. Mr Thomas Albrecht, UNHCR Regional Representative (day one, 3.15pm-4.15pm)
15. Ms Ellen Hanson, UNHCR Representative (day one, 3.15pm – 4.15pm)

Department of Immigration and Border Protection

16. Mr Martin Bowles PSM - Secretary, Department of Immigration and Border Protection
17. Mr Mark Cormack - Deputy Secretary, Immigration Status Resolution Group
18. Mr Michael Manthorpe - Deputy Secretary, Portfolio Reform Task Force
19. Ms Alison Larkins – A/g Deputy Secretary, Policy and Programme Management Group
20. Mr John Cahill – First Assistant Secretary, Infrastructure & Services Division

21. Mr Matt Cahill - First Assistant Secretary, Compliance and Case Resolution Division
22. Mr Christopher Callanan – First Assistant Secretary, Compliance Operations and Detention Division
23. Ms Kate Pope PSM - First Assistant Secretary, Community Programmes and Children Division
24. Mr Daniel Boyer - A/g First Assistant Secretary, Refugee, Humanitarian and International Policy Division
25. Ms Fiona Andrew - Assistant Secretary, Detention Operations Branch
26. Ms Katie Constantinou – Assistant Secretary, Australian Human Rights Commission (AHRC) Inquiry Taskforce (Day two)
27. Ms Lynne Gillam – Assistant Secretary, Onshore Protection Branch
28. Ms Sally Babbage - Assistant Secretary, Immigration Intelligence Branch
29. Mr Robert Illingworth - Assistant Secretary, Strategic Framework Branch
30. Mrs Janet Mackin – Regional Manager South (Day two)
31. Mr David Walsh - Assistant Secretary, Compliance Status Resolution Branch (Day two)
32. Ms Fatime Shyqyr - Assistant Secretary, Onshore Infrastructure Branch (Day two)
33. s. 22(1)(a)(ii)
34. s. 22(1)(a)(ii)

Apologies

MCASD

35. Dr Jamal Rifi
36. Ms Kerrin Benson
37. Mr Noel Clement

Department of Immigration and Border Protection

38. Dr Wendy Southern PSM - Deputy Secretary, Policy and Programme Management Group
39. Mr Gavin McCairns - First Assistant Secretary, Risk, Fraud and Integrity Division

Agenda Item	Discussion / Background	Action Item / Date	Responsibility
Day One 1. Introduction and welcome	The Chair opened the 12th MCASD General Meeting and thanked the participants for attending.		
2. Endorsement of 11th GM minutes and update on Action Items	The Council and departmental participants agreed and endorsed the minutes from the 11th MCASD General Meeting with minor changes to Agenda item 6 and 10.	GM12-1.01 Secretariat to update 11 th General Meeting Minutes and Action Items. Due 30/06/2014	Secretariat
	s. 47E(d)	s. 47E(d)	First Assistant Secretary, Refugee, Humanitarian and International Policy Division
	s. 47C(1)	GM12-1.03 Following on from action item GM11-10.03 and 10.04 the department to provide the "internal policy" and its alignment regarding Emergency Relief.	First Assistant Secretary, Compliance and Case Resolution Division
	The Bridging E visa (BVE) Reporting Line (1300 728 662) has three internal lines. If these lines are engaged, an incoming call will be intercepted by a recording. The recording requests callers	GM12-1.04 Following on from action item GM11-10.06 Council recommends the recording message for the BVE	Acting Assistant Secretary, IMA BVE Programme &

Agenda Item	Discussion / Background	Action Item / Date	Responsibility
	to call back during business hours. The department is updating the recording to include the email address for the BVE Reporting mailbox, which is an alternative mechanism through which BVE holders who are required to report to the department periodically can meet this reporting requirement.	Helpline be changed to provide further information on contact methods. The Council also recommends seeking alternative ways of fulfilling this reporting requirement. Due 30/07/2014	Community Engagement Branch
3. MCASD members discussion prior to meeting with the Ministers	In-Camera Session	N/A	N/A
4. Meeting with Minister Morrison	In-Camera Session	N/A	N/A
5. Meeting with Senator Cash	In-Camera Session	N/A	N/A
5A. General discussion between the Council and the department	The Council would like to acknowledge the support provided by various parties in the implementation of the Learning Centre on Christmas Island. The Council would formally like to thank the department for their efforts in making the Learning Centre on CI a reality.	GM12-5A.01 Council to write to Bishop Costello and the Education Office of Western Australia to thank them for their support for the Learning Centre. Due 30/07/2014	Dr Maryanne Loughry AM and Bishop D Eugene Hurley
	s. 47C(1)	s. 47C(1)	Chair of MCASD, Assoc Prof Mary Anne Kenny and Professor Nicholas Procter

Agenda Item	Discussion / Background	Action Item / Date	Responsibility
	s. 7(2A)		
	s. 47C(1)		Professor Nicholas Procter
6. Update from the Department of Immigration and Border Protection – Including Detention Centre Closures	Discussion on Action Item 11.14-04 Assoc Professor Mary Anne Kenny has requested a briefing on the data breach enabling her to be in a position to provide advice to the department on this issue.	GM12-06.01 Assoc. Professor Mary Anne Kenny requested a brief on how the department is managing the aftermath of the data breach and would like to be provided with a copy of the letter being provided to those affected. Due 30/06/2014	Assistant Secretary Onshore Protection
	s. 47E(d)	s. 47E(d)	Professor Nicholas Procter and Secretariat

Agenda Item	Discussion / Background	Action Item / Date	Responsibility
	s. 47E(d)		
7. Discussion with Mr Thomas Albrecht – Regional Representative for the UNHCR	In-Camera Session	N/A	N/A
8. Debrief on Ministers meeting and day's proceedings	In-Camera Session	N/A	N/A
9. Recap of day one	The Chair provided a recap of the topics discussed on day one.	N/A	N/A
10. The department to provide information to assist persons making decisions about returns.	s. 47C(1)	s. 47C(1)	First Assistant Secretary, Compliance and Case Resolution Division
	s. 47C(1), s. 47E(d)	s. 47C(1), s. 47E(d)	First Assistant Secretary, Compliance and Case Resolution Division

Agenda Item	Discussion / Background	Action Item / Date	Responsibility
	s. 47C(1),		
11. Assisted Voluntary Return (AVR) Pilot	<p>The issue of why some cohorts took Assisted Voluntary Return (AVR) packages and others did not was discussed. The consensus was that further data gathering and analysis are required.</p> <p>The department will look into how the question is framed and who is asking it. Current data could be distorted due to cultural differences and "keeping face" and cannot accurately reflect the true motivations of the decision to take an AVR.</p>	<p>GM12-11.01 The department to work with the Council to get further information on the reason why asylum seekers accept AVR packages. Provide an update at the next General Meeting 8-9 September 2014 Due 24/08/2014 Due 24/08/2014</p>	Dr Maryanne Loughry, First Assistant Secretary, Compliance and Case Resolution Division
12. Families and children in detention	<p>The Working group to meet to formulate a detailed proposal to further the idea of changing the living arrangements at Phosphate Hill and Construction Camp including providing self-catering facilities in certain sections of the detention facilities on CI.</p> <p>The Council extensively discussed the benefits of developing such arrangements given the extended period that some asylum seekers will remain on Christmas Island as the backlog of applications are processed.</p> <p>The Working group members will be Dr Maryanne Loughry, Assistant Secretary Detention Operations Fiona Andrew, Assistant Secretary Onshore Infrastructure Branch, s. 22(1)(a)(ii) [REDACTED], Regional Manager South, Janet Mackin and s. 22(1)(a)(ii) [REDACTED].</p>	<p>GM12-12.01 Planning workshop for Children and Family services Working Group to meet to discuss community detention village development on Christmas Island. Due 07/07/2014</p>	Assistant Secretary, Detention Operations Branch and Assistant Secretary, Detention Infrastructure
	s. 47C(1) [REDACTED]		Dr Maryanne Loughry and the Secretariat
13. Discussion	In-Camera Session	N/A	N/A

Agenda Item	Discussion / Background	Action Item / Date	Responsibility
with Secretary Bowles and Deputy Secretary Michael Manthorpe			
14. Update on new Refugee Status Determination Process	The department updated the Council on the new Post Review Assessment Check. The process will be similar to the International Treaties Obligations Assessment (ITOA). The Council requested a meeting to understand the process in detail and to discuss its ramifications, s. 47E(d)	GM12-14.01 Council and department to hold a teleconference regarding the Post Review Assessment Check for the SZQRV cohort in detention.	Mr Paris Aristotle AM, A Ms Caz Coleman and Assistant Secretary Onshore Protection
15. Update on Adverse Security and Long Term Detention Caseloads	s. 47E(d)	s. 47E(d)	Secretariat
	s. 7(2A)	s. 7(2A)	Mr Paris Aristotle AM, Professor Nicholas Procter and Assoc. Professor Mary Anne Kenny
16. Other business	The department briefed the Council on activities that people in detention are undertaking. Professor Procter suggested that, as part of the certificate of participation, a breakdown should be provided of the hours involved and the content of the activity. This will provide a record similar to that of an academic transcript.	GM12-16.01 The department to investigate if people in detention who participate in activities of an educational nature can receive a certificate of attendance which details the content of the activities and the hours undertaken. Due 25/08/2014	First Assistant Secretary, Compliance Operations and Detention Division
	Council requested an update on the use of points earned in	GM12-16.02 The department to update	First Assistant

Agenda Item	Discussion / Background	Action Item / Date	Responsibility
	detention being used to send money back home. The department advised that we are still waiting to hear back for an evaluation which is due shortly on the use of points earned by people in detention.	the Council on the use of points by people in detention, specifically whether they can be used to send money back home. Due 25 August 2014	Secretary, Compliance Operations and Detention Division
17. General Meeting close	Dates and venues for the next two general meetings were discussed and it was agreed that the 13 th General Meeting will be held on 8-9 September in Melbourne and the 14 th General Meeting be held 25-26 November 2014 in Melbourne.	GM12-17-01 Updated invitations to be sent to Council members for 13 th and 14 th GM. Due 30 June 2014	Secretariat



ACTION ITEMS

Summary of Action Items from the 12th MCASD General Meeting
16-17 June 2014 - Canberra

ACTION ITEM #	ISSUE	RESPONSIBILITY	STATUS
GM12-1.01	Secretariat to update 11 th General Meeting Minutes and Action Items.	Secretariat	Complete – 11 th GM minutes updated on 23 June 2014.
GM12-1.02	s. 47E(d) [REDACTED]	First Assistant Secretary, Refugee, Humanitarian and International Policy Division	On-going
GM12-1.03	Following on from action item GM11-10.03 and 10.04 the department to provide the "internal policy" and its alignment regarding Emergency Relief.	First Assistant Secretary, Compliance and Case Resolution Division	Due 18/08/2014
GM12-1.04	Following on from action item GM11-10.06 Council recommends the recording message for the BVE Helpline be changed to provide further information on contact methods. The Council also recommends seeking alternative ways of fulfilling this reporting requirement.	Acting Assistant Secretary, IMA BVE Programme & Community Engagement Branch	Completed – The recoding has been changed and now includes an email address so that BVE holders have another way of reporting in.
GM12-5A.01	Council to write to Bishop Costello and the Education Office of Western Australia to thank them for their support for the Learning Centre.	Dr Maryanne Loughry AM and Bishop D Eugene Hurley	Due 30/07/2014
GM12-5A.02	s. 7(2A) [REDACTED]	Chair of MCASD, Assoc Prof Mary Anne Kenny and Professor Nicholas Procter	Due 25/08/2014
GM12-5A.03	Council to advise the Minister on the prevention of self-harm among asylum seekers.	Professor Nicholas Procter	Due 30/07/2014

Released by DIBP under the
Freedom of Information Act 1982

ACTION ITEM #	ISSUE	RESPONSIBILITY	STATUS
GM12-6.01	Assoc. Professor Mary Anne Kenny requested a brief on how the department is managing the aftermath of the data breach and would like to be provided with a copy of the letter being provided to those affected.	Assistant Secretary Onshore Protection and Secretariat	Completed – teleconference held 2 July 2014.
GM12-6.02	Council to provide advice on “family friendly” transfer procedures.	Professor Nicholas Procter	Due 14/07/2014
GM12-10.01	s. 47C(1) [REDACTED]	First Assistant Secretary, Compliance and Case Resolution Division	Completed – Advice received from Regional Manager CI that there are no detainees seeking voluntary return/removal who are deemed unfit to fly.
GM12-10.02	s. 47C(1) [REDACTED]	First Assistant Secretary, Compliance and Case Resolution Division	Due 07/07/2014
GM12-11.01	The department to work with the Council to get further information on the reason why asylum seekers accept AVR packages. Provide an update at the next General Meeting 8-9 September 2014.	Dr Maryanne Loughry, First Assistant Secretary, Compliance and Case Resolution Division	Due 24/08/2014
GM12-12.01	Planning workshop for Children and Family services Working Group to meet to discuss community detention village development on Christmas Island.	Dr Maryanne Loughry, Assistant Secretary, Detention Operations Branch and Assistant Secretary, Infrastructure	Completed – Dr Maryanne Loughry undertook a trip to CI on 30 June-4 July 2014.
GM12-12.02	Secretariat to assist the working group to formulate a proposal to the Minister for a proposed shift of Christmas Island detention facilities into more of a community system with self-catering and greater self-sufficiency.	Secretariat	In progress – trip to CI arranged for 30 June-4 July 2014. Due 14/07/2014

ACTION ITEM #	ISSUE	RESPONSIBILITY	STATUS
GM12-14.01	s. 47E(d) [REDACTED]	Chair, Assoc Prof Mary Anne Kenny, Ms Caz Coleman and Assistant Secretary Onshore Protection	Completed – teleconference held 2 July 2014.
GM12-15.01	s. 47E(d) [REDACTED]	Secretariat	s. 47E(d) [REDACTED]
GM12-15.02	s. 47E(d) [REDACTED]	Chair, Professor Nicholas Procter and Assoc. Professor Mary Anne Kenny	Due 14/07/2014
GM12-16.01	The department to investigate if people in detention who participate in activities of an educational nature can receive a certificate of attendance which details of the content of the activities and the hours undertaken.	First Assistant Secretary, Compliance Operations and Detention Division	Due 25/08/2014
GM12-16.02	The department to update the Council on the use of points by people in detention, specifically whether they can be used to send money back home.	First Assistant Secretary, Compliance Operations and Detention Division	Due 25/08/2014
GM12-17-01	Updated invitations to be sent to Council members for 13 th and 14 th GM.	Secretariat	In progress – invitation to 13 th MCASD GM sent on 20 June 2014.



Minutes – 15th General Meeting

Minister's Council on Asylum Seekers and Detention (MCASD) 18 – 19 May 2015

ATTENDEES

Council Members

Mr Paris Aristotle AM, Chair
Air Marshal Ray Funnell AC (Retd), Deputy Chair
Associate Professor Mary Anne Kenny
Dr Maryanne Loughry AM
Ms Kerrin Benson
Professor Nicholas Procter
Ms Catherine Scarth
Dr Georgie Paxton
Bishop Eugene Hurley

Observer

Dr Paul Alexander AO

Department of Immigration and Border Protection (DIBP)

Ms Fiona Lynch-Magor
Assistant Secretary
Citizenship and Humanitarian Policy Branch

Mr Kruno Kukoc
First Assistant Secretary
Refugee and Humanitarian Visa Management Division

MCASD Secretariat:

s. 22(1)(a)(ii)
s. 22(1)(a)(ii)
s. 22(1)(a)(ii)
s. 22(1)(a)(ii)
s. 22(1)(a)(ii)

Day One

Minister

The Hon Peter Dutton MP

Minister's Office

Mr Thomas Fleming, Adviser

DIBP

Mr Michael Pezzullo
Secretary

Ms Cindy Briscoe
Deputy Secretary,
Immigration Status Resolution Group

Ms Rachel Noble PSM
Deputy Secretary, Policy Group

Ms Fatime Shyqyr
Assistant Secretary
Onshore Infrastructure Branch

Mr Craig Sommerville
Commander
Detention Operations

Ms Julie Keenan
Assistant Secretary
Community Support Branch

s. 22(1)(a)(ii)

Day Two

Mr Stephen Wood
Assistant Secretary
External Accountability Taskforce – Freedom of Information

Ms Janet Mackin
A/g First Assistant Secretary
Status Resolution and Detention Operations

Mr Peter Richards
Assistant Secretary
Caseload Assurance Branch

s. 22(1)(a)(ii)

Ms Lynne Gillam
Assistant Secretary
Onshore Protection Branch

s. 22(1)(a)(ii)

s. 22(1)(a)(ii)

s. 22(1)(a)(ii)

Protection Policy Section

Ms Sally Babbage
Assistant Secretary
Temporary Protection Visa Assessment Branch

Ms Janice Wykes
Assistant Secretary
Policy Research and Statistics Branch

Ms Hawari Badri
Assistant Secretary
Child Protection and Wellbeing Branch

s. 22(1)(a)(ii)

s. 22(1)(a)(ii)

15th MCASD General Meeting – Day One – 18 May 2015

1. Introduction and Welcome

Chair opened with reference to the 30,000 legacy caseload and the clarity required in relation to support services for asylum seekers who are found not to be refugees. He reminded the Council that whilst the Minister seeks Council's advice he may or may not act upon that advice and of the clear delineation between providing advice and making policy.

The Chair relayed his discussion with the Minister earlier that morning. s. 47C(1)

The two new MCASD members were welcomed.

2. Endorsement of last Minutes and feedback on Action Items

Minutes from the last General Meeting (GM) of November 2014 still being considered, awaiting clearance by Chair.

Action Items from GM14:

Item 1: Item closed. s. 47E(d)

Item 2: Deputy Chair to continue to monitor and update Council on developments regarding coordination of policy and consistency on mobile phones across Centres.

Item 3: s. 47E(d)

Council noted:

- s. 47E(d)
-
-
-
-

MCASD representatives:

Site:

s. 47E(d)

Further ACTION items from the 14th GM are ongoing and continued through to the 15th GM agenda and respective minutes.

3. Deputy Secretaries' Updates

The Deputy Secretaries gave an update on the work and priorities within each of their Groups. Discussion included the integration of Australian Customs staff with Immigration and the establishment of the new Australian Border Force.

The onshore operations structure was outlined, where Regional Commanders will have carriage not only of seaports, but safety and security of Immigration Detention Centres (IDFs) from 1 July 2015.

The case management function will move under State Regional Directors, dealing with client service and delivery and visa processing from 1 July. Handovers will be assisted by detailed business process maps.

3a. ACTION: Secretariat to continue to provide the Council with updated Portfolio Structure Charts.

4. Secretary's Update

The Secretary provided background and update on the merger of Customs and Immigration with the establishment of the Australian Border Force occurring on 1 July 2015.

The benefits of the new organisation are manifold and include operational areas being able to focus on day to day functions with policy, assurance and scrutiny areas being separate from operations.

The Secretary also advised on the strengthening and rigour of research and analysis regarding child protection matters. A Child Protection Panel now in place with three members appointed to the Panel: Mr John Lawler AM APM, Ms Margaret Allison and Mr Dominic Downie. The Panel will cover principally domestic issues but will have a strong advisory role regarding Nauru.

5. Working lunch with Minister

Council in establishing a work programme is keen to focus on 30+k Legacy Caseload, introduction of SHEVs, emerging community trends, processing challenges, dealing with returns, strengthening analytical ability and minimising risks.

Minister thanked continuing members and welcomed new members noting depth of experience, particularly in the humanitarian side of the programme. He encouraged a two way exchange where matters were raised frankly.

The Minister outlined portfolio priorities and also made reference to the Moss report. Both the Minister and Secretary keen to progress proper substantiation of investigations in the following ways:

1. s. 47C(1)

2. s. 47C(1)

3. s. 47C(1)

In general, moving forward, section 47E(d)

Council members reiterated with Minister that section 47E(d)

The introduction of work rights however has helped but preventative intervention is needed.

section 47E(d)

s. 47E(d)

Discussion included reference to mental health screening tools used for people in detention.

s. 47C(1)

section 47E(d)

section
47E(d)

The Minister has looked at individual cases and is keen to work with the Council to progress issues. Council members will be part of subgroups to better provide focused advice.

6. Infrastructure update

6a. Infrastructure

s. 47E(d)

The Council questioned possible re-opening of Inverbrackie and Pontville. This was deemed a decision for government rather than the department.

s. 47E(d)

6b. Update on held detention network

Two Deputy Commanders will have responsibility for frontline activity and key operational aspects.

Key issues include a change in current population demographic, decrease in IMA numbers and an increase in those who have their visas cancelled due to character and criminality.

Families and large number of Single Adult Males moved from Christmas Island to Darwin.

Currently 150-160 people on CI with a mix of IMA and non-IMA, with s. 47E(d)

s. 47E(d)

Department's focus includes:

- control and safety of facilities
- managing domestic violence
- duty of care to children
- containing radicalisation
- maintaining safe environment
- stopping illicit drugs and weapons.

s. 47E(d)

6ba. ACTION: Commander Detention Operations to provide handout with updated tables and nature of held population for next meeting.

s. 47E(d)

s. 47E(d)

7/8. SRSS Update

New Status Resolution Support Service (SRSS) programme (Bands 1 to 6) introduced. On August 2014, all but one service provider transitioned, s. 47G(1)(a), totalling eleven service providers.

Enhanced support settings in place for families with children moving to the community. Bridging Visas (BVs) now include work rights. s. 47E(d).

s. 47E(d)

Vulnerability assessments are determined by Case Manager and or service provider with oversight by Regional Directors.

section 47E(d)

7/8a. ACTION: Case management to provide update on quality assurance mechanisms at next meeting.

Case Managers have access to the Vulnerability Identification and Assessment Tool (VIAT) and the SRSS Operations Manual detailing vulnerability criteria and high level operational information.

section 47E(d)

9. Service delivery sub-group

Council requested dialogue and feedback with Service Providers on the ground.

9a. ACTION: Regional Directors to provide audit of stakeholder engagement activity.

s. 47E(d)

section 47E(d)

Department will seek advice from s. 47E(d). Visa holders currently have unlimited access to T&T counselling.

Observer noted that mental health services can be difficult to access, differ across States and are *ad hoc*.

9b. ACTION: Council overview of research tasks required & identification of sub groups, including a focus on health issues.

10. Other Business

NA

11. Council In-Camera Session

MCASD General Meeting – Day Two – 19 May 2015

Meeting began with reflection on Day One. Areas of interest and concern for the Council include:

- Strategy for managing Legacy Caseload
- Research scope and priorities that will give the Council support
- Accountability importance and assurance
- Council be part of information gathering
- New Child Protection Panel
- Minister committed to resolving long term cases
- SRSS and quality of assessments

12. Feedback from MCASD members involved with JAC

s. 33(a)(iii)

Manus:

- JAC member, Dr Loughry, attended one meeting earlier this year
- Dr Loughry invited to some but not all meeting elements
- Absence of PNG non-government representatives on committee
- Visits facilitated by senior Departmental staff.

Council sought clarification about their involvement regarding offshore cohorts to clarify the overlap with transferees being medically treated onshore and who remain in held detention. Where there are overlaps, clarity of MCASD's role is needed.

12a. ACTION: Council Chair to follow up and clarify involvement regarding offshore cohorts.

13. FOI briefing

An overview of the parameters and implications of the *Freedom of Information Act 1982* for the Council were outlined.

- The principle of Freedom of Information (FOI) is transparency and disclosure
- s. 47C(1)
- Release of information needs to be weighed up in line with national interest
- Non-release of information may be appealable.

MCASD Secretariat noted that copies of the Minutes from 13th and 14th MCASD General Meetings had been formally requested under the FOI Act.

13a. ACTION: Secretariat to continue to work closely with FOI Section for Council document requests.

14. Adverse caseload update

The Council is following this caseload closely.

s. 7(2A)

s. 7(2A)

s. 7(2A)

Future strategy - Detention Capability Review Taskforce established to undertake a fundamental review of immigration detention focused on the wider policy of how to manage cohorts in the broader detention continuum. The Taskforce will consult extensively with relevant stakeholders, including Minister and government. s. 7(2A)

14a. ACTION: s. 7(2A)

14b. ACTION: Caseload Assurance Branch to provide regular updates at GMs.

s. 47E(d)

15a. ACTION: s. 47E(d)

16. Substantive briefing on changes to Migration Act

Protection Policy Section reported on reform of Migration Act by two recent Acts, Resolving the Asylum Legacy Caseload (RALC) and Protection and Other Measures (POM).

- s. 42(1)

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16a. ACTION: Protection Policy Section to provide feedback and update on changes to Migration Act.

17. TPV Processing Update

For the 24,500 IMAs who arrived after 13 August 2012, s. 47E(d)

Following this, a letter of invitation to apply for TPV fast track is sent to the applicant and identity and security checks are undertaken.

The Minister regularly receives Departmental submissions requesting to lift the bar. The Department is progressively sending application letters to mixed cohorts including those in the community, with 28 day response times.

Community Stakeholder Briefings start on 25 May 2015.

Letters will be sent by order of arrival and prioritised by those who are most vulnerable.

s. 47E(d)

17a. ACTION: Council to monitor TPV processing.

18. PAIS

The Primary Application Information Service (PAIS) will provide application assistance from registered migration agents during primary processing for a small number of the most vulnerable illegal maritime arrivals (IMAs) and unauthorised air arrivals (UAAs).

- Playfair Visa Migration Services and Refugee Advice & Casework Service (Aust) Inc are the migration agents providing PAIS.
- Referrals to commence shortly.
- PAIS information will soon be available on the web in 10 languages.
- Illiteracy not a vulnerability as applicants have access to interpreter at interview. Assistance can be given with form completion, noting that it is illegal to give immigration advice.
- Physical impairment not by itself a vulnerability.
- Some people may still become eligible or be reconsidered if information comes to light at later stage.
- UAMs will be eligible - UAMs in CD to be prioritised.
- PAIS evaluation results mid-2016.

18a. ACTION: The Department to advise if UAMs would be given priority for PAIS assistance so they could access it before they turned 18 years old. (Lynne Gillam)

18b. ACTION: TPV Assessment Branch to advise of the PAIS referral percentages at next meeting.

s. 47E(d)

Meeting advised that the Policy and Research Statistics Branch is currently formulating its work programme for the next three years (currently IMA research sits with this area).

19a. ACTION: Council to have 2-3 member research sub-group and provide update at next GM.

20. Council Work Programme

Meeting agreed no conflict of interest for two members who are also SRSS providers, now that tender is completed.

Sub-Groups:

- SRSS – leave as service delivery sub-group plus communications – Paris, Catherine, Kerrin and Nicholas.
- RSD Rollout – Kerrin, Catherine, Nicholas.
- Child protection arrangements – Maryanne, Georgia, Mary Anne.
- RSD fast track – Paris and Mary Anne
- Detention – Paris, Maryanne, Bishop Hurley, Ray.
- Technical Reference Group – Maryanne.
- Research information gathering (needed before next meeting) – Nicholas and Georgia to have face to face meeting in Melbourne or Canberra (Ray can join in Canberra).

20a. ACTION: Visits brief template to be prepared by Secretariat. See old brief (4yrs) and update. De-brief to be made available to local managers.

20b. ACTION: Each sub-group to provide a plan of focus areas to Chair.

20c. ACTION: Council to form a sub-group to focus on issue of Legacy Caseload.

21. Update on AHRC National Inquiry into Children in Immigration Detention and advice regarding Legislation and, Framework.

Child protection strengthening through protection framework initiatives including: training, seminars, communications drawing on external expertise, research including state and territory models for an effective framework.

UNICEF and Plan are also reviewing the framework, processes and training.

The Department is actively working with jurisdictional complexity where States and Territories believe they have jurisdiction and expertise. Constitutional legislation is needed. Any jurisdiction issues that are not in accordance with the Migration Act and government policy are referred to the Minister.

21a. ACTION: Child Protection Section to provide child protection framework and processes.

The Council noted:

- MITA review resulted in positive processes with DHS.
- child welfare agency dependence on resources
- detention cases are triaged

The Department has had a number of meetings with DHS this year.

s. 47C(1)



21b. ACTION: Department's deployment training for Case managers to include child protection training.

22. Child protection notifications

22a. ACTION: Child Protection Section to hold meeting with Members to discuss findings.

22b. ACTION: MCASD members to have ongoing discussion and to include item 22 report in next few weeks.

23. Child Protection Panel – discussion

The newly established Panel was invited but tendered apologies due to other commitments.

The Child Protection Panel members were announced by the Secretary in his presentation: John Lawler AM APM, Margaret Allison and Dominic Downie.

The Protection Panel first convened on 12 May 2015, visiting Wickham Point and MITA. Scope covers s. 33(a)(iii), s. 33(b)

Reviewing incidents from 1 Jan 2008 (last influx of IMAs to Australia).

s. 47E(d)

s. 47E(d)

23a. ACTION: Child Protection Panel to be invited to next Council meeting for further update.

24. Update on IHMS and Serco contract

Departmental officer unable to attend due to Senate Committee hearing

24a. ACTION: Contract update deferred to next meeting.

25. Other Business

- Date of next meeting to be 29-30 July 2015. Venue to be confirmed.
- Meeting noted that Ray is away for eight weeks from 7 July.
- Last Minutes will be signed off with current Minutes at next meeting by Chair.
- Members were reminded to organise relevant work through the Secretariat.

26. Meeting closed 4pm.

ACTION ITEMS from 15th General Meeting 18-19 May 2015

Agenda Number	Action Item Number	Action	Responsibility	Ongoing	Update	Closed
3	a	Secretariat to continue to provide the Council with updated Portfolio Structure Charts.	Secretariat	<input checked="" type="checkbox"/>		<input type="checkbox"/>
6b	a	Commander Detention Operations to provide handout with updated tables and nature of held population for next meeting.	Commander Detention Operations	<input type="checkbox"/>		<input type="checkbox"/>
7	a	Case management to provide update on quality assurance mechanisms at next meeting.	AS Community Support	<input type="checkbox"/>		<input type="checkbox"/>
9	a	Regional Directors to provide audit of stakeholder engagement activity.	Regional Directors	<input type="checkbox"/>		<input type="checkbox"/>
	b	Council overview of research tasks required & identification of sub groups, including a focus on health issues.	Chair	<input type="checkbox"/>		<input type="checkbox"/>
12	a	Council Chair to follow up and clarify involvement regarding offshore cohorts.	Chair	<input type="checkbox"/>		
13	a	Secretariat to continue to work closely with FOI Section for Council document requests.	Secretariat	<input checked="" type="checkbox"/>		
14	a	Council to provide details of those who claim to be ASA cleared but remain detained.	MCASD	<input checked="" type="checkbox"/>		
	b	Caseload Assurance Branch to provide regular updates at GMs	AS Caseload Assurance	<input checked="" type="checkbox"/>		
15	a	Secretariat to obtain Senate report and distribute.	Secretariat	<input type="checkbox"/>		
16	a	Protection Policy Section to provide feedback and update on Changes to Migration Act.	AS Citizenship & Hum Policy	<input type="checkbox"/>		
17	a	Council to monitor TPV processing.	MCASD	<input checked="" type="checkbox"/>		
18	a	The Department to advise if UAMs would be given priority for PAIS assistance so they could access it	Assistant Secretary	<input type="checkbox"/>		

Agenda Number	Action Item Number	Action	Responsibility	Ongoing	Update	Closed
		before they turned 18 years old. (Lynne Gillam)	Onshore Protection Branch			
	b	TPV Assessment Branch to advise of the PAIS referral percentages at next meeting.	TPV Assessment Branch	<input type="checkbox"/>		<input type="checkbox"/>
19	a	Council to have 2-3 member research sub-group. PAIS/PAIG update at next GM.	Meeting with AS Policy and Research Statistics	<input type="checkbox"/>		<input type="checkbox"/>
20	a	Visits brief template to be prepared by Secretariat. See old brief (4yrs) and update. De-brief to be made available to local managers.	Secretariat	<input type="checkbox"/>		<input type="checkbox"/>
	b	Each Council sub-group to provide a plan of focus areas to Chair.	MCASD sub-groups	<input type="checkbox"/>		<input type="checkbox"/>
	c	Council to form a sub-group to focus on issue of Legacy Caseload.	Chair	<input type="checkbox"/>		<input type="checkbox"/>
21	a	Child Protection Section to provide child protection framework and processes.	Child Protection Section	<input type="checkbox"/>		<input type="checkbox"/>
	b	Department's deployment training for Case managers to include child protection training.	Child Protection Section	<input type="checkbox"/>		<input type="checkbox"/>
22	a	Child Protection Section to hold meeting with Members to discuss findings	Child Protection Section MCASD	<input type="checkbox"/>		<input type="checkbox"/>
	b	MCASD members to have ongoing discussion and to include item 22 report in next few weeks.	MCASD	<input type="checkbox"/>		<input type="checkbox"/>
23	a	Child Protection Panel to be invited to next Council meeting for further update.	Secretariat	<input type="checkbox"/>		<input type="checkbox"/>
24	a	Contract update deferred to next meeting.	AS Services Management	<input type="checkbox"/>		<input type="checkbox"/>



Summary of Discussion and Action Items
Minister's Council on Asylum Seekers and Detention (MCASD)
16th General Meeting
Wednesday 29 – Thursday 30 July 2015

Attendees**MCASD**

1. Mr Paris Aristotle AM, Chair
2. Assoc. Professor Mary Anne Kenny
3. Dr Maryanne Loughry AM
4. Professor Nicholas Procter
5. Ms Catherine Scarth
6. Bishop D. Eugene Hurley
7. Ms Kerrin Benson
8. Dr Georgie Paxton
9. Dr Paul Alexander AO

Guest Attendees

10. Major General Andrew Bottrell
11. Mr Andrew Goledzinowski, Ambassador for People Smuggling Issues
12. Mr Heath Chapple, Managing Director, Serco
13. Mr Peter McIntosh, Operations Manager, Serco
14. Ms Claire Camilleri, National Welfare & Engagement Coordinator, Serco
15. Dr Nirvana Luckraj, Senior Medical Director, IHMS
16. Ms Sybil Wishart, Director Corporate Affairs, IHMS
17. Dr Jo Holdaway, Medical Director Mental Health, IHMS
18. Mr John Lawler, Consultant, Child Protection Panel
19. Ms Margaret Allison, Child Protection Panel
20. Mr Dominic Downie, Consultant, Child Protection Panel

Input from Departmental staff

21. Mr Michael Pezzullo, Secretary
22. Mr Michael Outram, A/g Commissioner Australian Border Force
23. Ms Janice Wykes, Assistant Secretary, Policy Research and Statistics
24. Ms Jan Dorrington, First Assistant Secretary, Integrity, Security & Assurance
25. Mr Thomas Stoddart, A/g Assistant Secretary, Detention Assurance
26. Ms Jenet Connell, Deputy Secretary, Detention Capability Review
27. s. 22(1)(a)(ii)
28. Ms Claire Roennfeldt, A/g Assistant Secretary, Child Protection & Wellbeing
29. Mr Kruno Kukoc, First Assistant Secretary, Refugee and Humanitarian Visa Management
30. Ms Cheryl-anne Moy, First Assistant Secretary, Children, Community and Settlement
31. Mr Neil Skill, First Assistant Secretary, Detention Services
32. Ms Amanda Little, A/g Assistant Secretary, Detention Health Services
33. Mr Ben Wright, Assistant Secretary, Services Management
34. Mr Craig Sommerville, Commander Detention Operations

35. Ms Philippa De Veau, First Assistance Secretary, Legal Division
36. Ms Julie Keenan, Assistant Secretary, Community Support
37. Mr Michael Manthorpe, Deputy Secretary, Visa and Citizenship Services
38. Ms Sally Babbage, Assistant Secretary, Temporary Protection Visa Assessment
39. Ms Lynne Gillam, Assistant Secretary, Onshore Protection
40. s. 22(1)(a)(ii)
41. s. 22(1)(a)(ii)
42. Ms Elizabeth Hampton, Assistant Secretary Refugee & Humanitarian Programme
43. Ms Peta Dunn, First Assistant Secretary, Community Protection
44. s. 22(1)(a)(ii)
45. Mr Gavin Metcalfe, A/g Assistant Secretary, Public Risk Assessment
46. Mr Peter Richards, Assistant Secretary, Caseload Assurance
47. s. 22(1)(a)(ii)
48. s. 22(1)(a)(ii)
49. s. 22(1)(a)(ii)
50. s. 22(1)(a)(ii)
51. Ms Robyn Miller, Assistant Secretary, Community Operations
52. s. 22(1)(a)(ii)
53. s. 22(1)(a)(ii)
54. s. 22(1)(a)(ii)
55. s. 22(1)(a)(ii)
56. s. 22(1)(a)(ii)

Minister's Office


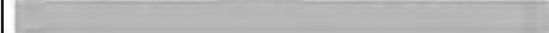
57. The Hon Peter Dutton MP, Minister for Immigration and Border Protection
58. s. 22(1)(a)(ii)

Apologies

Air Marshal Ray Funnell AC (Retd)
Mr Roman Quaedvlieg, Commissioner Australian Border Force

Agenda Item	Discussion / Background	Action Item / Date
1. Introduction and welcome Mr Paris Aristotle AM	Chair opened General Meeting and noted arrival of the Minister for a working lunch. A summary of topics to be discussed at lunch included SRSS, CAS, SHEVs, vulnerable caseloads, child protection issues, detaining people for Code of Behaviour issues, and families being transferred back to Nauru from Australia. Chair recommended that future working lunches occur on the second day of the meeting, to enable full consideration of issues to be raised.	
2. Endorsement of MCASD 14th and 15th General Meeting Minutes and update on Action Items Mr Paris Aristotle AM	<p>The Chair advised that he would review the 14th General Meeting Minutes off-line, with MCASD Secretariat.</p> <p>Chair asked for feedback from the Council on the 15th General Meeting Minutes. Three issues raised:</p> <ul style="list-style-type: none"> • Page 4 – re-wording around management challenges with mixed cohorts and child protection issues; • Page 10 - Amendments to MCASD Sub-group memberships • Page 11 – inclusion of reference of discussion regarding range of protective concerns. Chair requested that Dr Paxton send through preferred wording. <p>Chair questioned the most effective way for the Council to provide advice to the Department and work with DIBP staff members in addressing issues. Council to review Sub-group members and work priorities.</p> <p>Secretariat proposed an IDF visit template to assist with consistent reporting. Council to trial draft template on future visits and provide feedback.</p> <p>Next two General Meetings proposed for the following dates:</p> <ul style="list-style-type: none"> • 17th General Meeting – 22 & 23 September 2015 • 18th General Meeting – 7 & 8 December 2015 	<p>2.1 Action item: MCASD Chair to review 14th GM Minutes with Secretariat</p> <p>2.2 Action item: s. 47C(1) [REDACTED]</p> <p>2.3 Action item: MCASD Council to review sub-group members and work priorities</p> <p>2.4 Action Item: Secretariat to provide Jan Dorrington with confirmation of Subgroups and their work so she can allocate relevant DIBP staff</p> <p>2.5 Action item: MCASD Council to trial draft IDF visit template on future visits and provide feedback</p>
3. Research and data collection Policy Research and Statistics Branch	<p>AS Wykes provided an overview of activities in the Policy Research and Statistics (PRS) Branch, including:</p> <ul style="list-style-type: none"> • improving quality of data collected; • working across government departments; • combining data-sets to gather more information; • Working with ANU on collaborative research projects; • Comparative research on assisted voluntary returns; and • Partnerships with various Institutes (e.g. Lowy). <p>Current work programme includes researching the decision a person makes to engage a people smuggler. Council suggested interviewing asylum seekers who had engaged a people smuggler for their journey.</p>	<p>3. Action Item: DIBP Policy Research and Statistics Branch to provide research topics/programmes and regular updates on key findings</p>

Agenda Item	Discussion / Background	Action Item / Date
	<p>Future research programmes are currently being decided. Council is keen to contribute and be involved. Council expressed interest in the processes for embedding research findings into the Department.</p>	
<p>4. Integrity, Security and Assurance</p> <p>Integrity, Security and Assurance Division</p>	<p>FAS Dorrington attended the meeting on both days to provide high level support and context to the issues raised. She articulated the Department's new structure and provided clarity on roles and work alignments including responsibilities and chain of command under the new ABF.</p> <p>FAS Dorrington committed to working closely with the Council and supporting MCASD Subgroups so that the Council can continue to provide the Minister with valuable, independent, specialist advice and recommendations.</p>	
<p>5. Detention Capability Review Taskforce</p>	<p>Deputy Secretary Connell spoke about the major changes in the Department and opportunities to create a more stable detention network. s. 47C(1), s. 47E(d) [REDACTED] The detention cohort has changed, therefore the risk has changed and whilst immigration detention will remain, detention must be sustainable, affordable and fit for purpose.</p> <p>s. 47E(d) [REDACTED]</p> <p>An Interdepartmental Committee to review Detention Capability was suggested. The Council advised they were interested in assisting in this project where possible.</p>	
<p>6. MCASD <i>in camera</i> Session</p>		
<p>6.1 Department of Immigration and Border Protection</p> <p>Michael Pezzullo Secretary</p>	<p>Secretary Pezzullo gave an overview of the governance and support mechanisms for the new Department. He commented on the broader global issues affecting asylum seekers such as the situation in Europe and reiterated the Department's strong stance on border controls.</p> <p>s. 47E(d) [REDACTED]</p>	
<p>6.2 Minister's update</p> <p>The Hon. Peter Dutton Minister for Immigration and Border Protection</p>	<p>s. 47C(1) [REDACTED]</p>	

Agenda Item	Discussion / Background	Action Item / Date
	<p>s. 47C(1)</p> 	<p>6.2 Action Item: MCASD to provide options and considerations regarding employment strategies.</p>
<p>7. Operation Sovereign Borders MAJGEN Andrew Bottrell Commander</p> <p>Andrew Goledzinowski Ambassador for People Smuggling Issues</p>	<p>Major General Andrew Bottrell and Ambassador Andrew Goledzinowski provided updates s. 47E(d)</p> 	<p>77</p>





Agenda Item	Discussion / Background	Action Item / Date
8. Detention Operations	<p>Commander Sommerville provided the Council with an update of the ABF transition across the detention network. All frontline operations are now under the scope of ABF and detention superintendents would be introduced into each of the detention centres.</p> <p>Commander Sommerville advised of the diversity in the held detention population, inclusive of people with behavioral, criminal, nation security concerns and mental health issues.</p> <p>Facility security arrangements were detailed, s. 47E(d) s. 47C(1)</p> <p>Council requested detail on the number of escapees from IDFs and a copy of the detention directive.</p> <p>s. 47E(d)</p> <p>s. 47C(1)</p> <p>Commander Sommerville responded by detailing the operational issues, environment and challenges involved.</p>	<p>8.1 Action Item: Secretariat to send notes to members (attachment) including Risk Assessment Framework.</p> <p>8.2 Action Item: Secretariat to forward case study to members</p> <p>8.3 Action Item: Commander Sommerville to provide numbers on escapees from detention and a copy of the detention directive</p>
9. Serco Senior Management	<p>s. 47C(1), s. 47G(1)(a)</p> <p>[REDACTED]</p>	

Agenda Item	Discussion / Background	Action Item / Date
	<p>s. 47G(1)(a)</p> <p>[Redacted]</p>	
<p>10. IHMS Senior Management</p>	<p>s. 47G(1)(a)</p> <p>[Redacted]</p> <p>s. 47C(1)</p> <p>s. 47E(d)</p> <p>s. 47C(1), s. 47G(1)(a)</p> <p>[Redacted]</p>	
<p>11. s. 47C(1), s. 47G(1)(a)</p>	<p>s. 47C(1), s. 47G(1)(a)</p> <p>[Redacted]</p>	<p>11.1 Action Item: s. 47C(1), s. 47G(1)(a)</p> <p>[Redacted]</p>

Released by DIBP under the
Freedom of Information Act 1982

Agenda Item	Discussion / Background	Action Item / Date
Detention Services Division	s. 47C(1), s. 47G(1)(a)	11.2 Action Item: s. 47C(1), s. 47G(1)(a)
12. MCASD Reports	Carried over.	12. Action Item: Carry over to next meeting.
13. Child Protection Section Child Protection & Wellbeing Branch Child Protection Section	<p>Council was provided with an overview of the work of the Child Protection Section, including:</p> <ul style="list-style-type: none"> • Restructuring the Section • Recruiting specialist staff with previous child protection expertise • Greater focus on child protection and wellbeing • Appointing a child protection specialist to work on the ground in every IDF that houses children. <p>Currently the child protection framework is in draft form. Focus of the Section has been to address its reporting, classification of reports and critical incidents. The first draft of the framework will be completed in the next fortnight.</p> <p>The Council commented that there is a need to have a coordinated approach to the various services provided to children in detention. s. 47C(1) The Child Protection Section advised the appointment of the child protection specialists in the detention centres would address these issues. s. 47C(1)</p> <p>s. 47E(d)</p>	<p>13.1 Action Item: Child Protection Section to provide copy of framework.</p> <p>13.2 Action Item: Secretariat to organise meeting with Subgroup</p>
14. Australian Border Force (ABF) legislation	s. 47E(d)	14.1 Action Item: ABF to provide copy of legislation

Agenda Item	Discussion / Background	Action Item / Date
<p>Australian Border Force</p> <p>Legal Division</p>	<p>s. 47E(d)</p>	<p>14.2 Action Item: A/g Commissioner Outram to meet with Detention Subgroup and provide update on rollout of detention superintendents across the network</p>
<p>15. SRSS update</p> <p>Children, Community & Settlement Division</p> <p>Community Support Branch</p>	<p>SRSS provided the Council with a general update including numbers on:</p> <ul style="list-style-type: none"> • IMA BVE holders in the community • Adult IMA BVE Holders with work rights • Community Detention • Revocation of Residence Determination • Total recipients in the SRSS programme • Number of recipients by SRSS band category • SRSS programme recipients total number by State/Territory without breakdown of SRSS band category <p>The Department has progressed a review on a number of SRSS policies, including torture and trauma counselling, health services and support arrangements for IMA families with children aged 10 years. SRSS has also finalised arrangements for the English as a Second Language programme for IMA adults in CD and in the community on Bridging visas.</p> <p>The current torture and trauma policy aims to achieve an appropriate level of service for recipients in need of specialist counselling and value for money.</p> <p>s. 47E(d)</p>	
<p>16. Child Protection Panel</p> <p>Mr John Lawler AM APM</p> <p>Ms Margaret Allison</p> <p>Mr Dominic Downie</p>	<p>The three members of the Child Protection Panel introduced themselves and gave a brief summary of their backgrounds and experience.</p> <p>The terms of reference for the Panel were then outlined and a short history on how they were established. Part of the Panel's terms of reference includes a review of child protection incidents dating back to 2008, with a focus on legal compliance by Departmental staff and contractors. This includes assessing the adequacy, effectiveness and responsiveness to complaints.</p> <p>The Panel provided an overview of completed work to date, including reviews of cases highlighted in the Moss Report, consistent and streamlined systems and reviewing Departmental frameworks and policies.</p>	

Agenda Item	Discussion / Background	Action Item / Date
<p>17. TPV Assessment</p> <p>Visa and Citizenship Services Group</p> <p>TPV Assessment Branch</p> <p>Onshore Protection Branch</p> <p>Review Legal Advice & Operational Support Section</p>	<p>s. 47C(1), s. 47E(d)</p> 	<p>17. Action Item: MCASD RSD Fast Track Subgroup to follow up with TPV Assessment Branch on cohort excluded from fast track.</p>
<p>18. Primary Application Information Service (PAIS)</p> <p>Visa and Citizenship Services Group</p> <p>Onshore Protection Policy Section</p> <p>Refugee & Humanitarian Programme Branch</p>	<p>The Council was provided with an overview of the Primary Application Information Service (PAIS) programme at Attachment C. In summary, PAIS is a Government-funded service to help the most vulnerable of illegal arrivals to apply for a SHEV or Temporary Protection visa.</p> <p>s. 47C(1)</p>  <p>Clarification for PAIS eligibility included:</p> <ul style="list-style-type: none"> • assessment conducted by the Department's IMA Protection Support Section • Persons eligible for PAIS will be advised and their consent sought for referral to a PAIS agent. • Referral for a PAIS re-assessment can happen at any time during the primary process. • PAIS available to unaccompanied minors • PAIS may also be available to an adult who is a primary applicant • Assistance will be provided to individuals who are identified as exceptionally vulnerable and who, because of their specific circumstances, are likely to find it difficult to participate actively in the protection process without expert assistance. <p>s. 47C(1)</p>  <p>s. 47C(1)</p> 	<p>82</p> <p>Released by DIBP under the Freedom of Information Act 1982</p>

Agenda Item	Discussion / Background	Action Item / Date
19. Case Management & Finally Determined Cases Community Protection Division Status Resolution Section Public Risk Assessment Branch	<p>FAS Dunn presented an overview of the Visa and Citizenship Services Group and their role in granting, refusing and cancelling visas and reporting. The Group is currently reviewing their processes for consistency and Regional Directors will monitor case managers locally.</p> <p>Council asked if the current case managers are the same group that dealt with the IMA cohort influx. Confirmation of same case manager group, with a recruitment process underway to supplement staff in this area.</p> <p>Council questioned how case managers are being supported in their roles, in particular dealing with complex cases that involve high levels of stress. Advice was that this was being monitored very carefully with a number of strategies in place such as resilience training, employee assistance programmes and obtaining feedback from staff.</p> <p>s. 47E(d)</p>	
20. Adverse and Complex Caseload Caseload Assurance Branch Complex Case Resolution Section	<p>AS Richards provided an overview of the adverse and complex caseload, advising that submissions for detainees in held detention are reviewed and being brought to the Minister's attention.</p> <p>s. 47E(d)</p>	<p>20.1 Action Item: s. 47C(1), s. 47E(d)</p> <p>20.2 Action Item: s. 47C(1), s. 47E(d)</p>
21. BV Cancellations Community Operations Branch General Cancellation Support Section	<p>The General Cancellations Support Section (GCSS) provided an operational overview of their function and the incident reporting mechanisms. The GCSS advised that all people in the community were expected to adhere to the Code of Behaviour that is in line with community standards. If breaches of the Code occur, consequences can include counselling, reduction of financial support or visa cancellation and subsequent detention. s. 47E(d)</p> <p>s. 47E(d)</p>	

Agenda Item	Discussion / Background	Action Item / Date
22. MCASD in camera Session Other business and recap of 16th GM	Schedule of Sub-group meetings	22. Action Item: Secretariat to organise meetings: Service Delivery in three weeks Child Protection in two weeks
	General Meeting close	



Summary of Discussion and Action Items
Minister's Council on Asylum Seekers and Detention (MCASD)
17th General Meeting
Tuesday 22 – Wednesday 23 September 2015

Attendees**MCASD**

Mr Paris Aristotle AM, Chair
 Air Marshal Ray Funnell AC (Retd)
 Associate Professor Mary Anne Kenny
 Professor Nicholas Procter
 Ms Catherine Scarth
 Bishop D. Eugene Hurley
 Ms Kerrin Benson
 Dr Georgie Paxton
 Dr Paul Alexander AO (Observer)

Guest Attendees

s. 22(1)(a)(ii)
 s. 22(1)(a)(ii)
 s. 22(1)(a)(ii)

Departmental staff

Mr Michael Pezzullo, Secretary
 A/g Commissioner Australian Border Force, Michael Outram APM,
 Dr Jill Charker, Deputy Secretary Corporate, Chief Operating Officer
 Mr Michael Manthorpe PSM, Deputy Secretary, Visa and Citizenship Services
 Ms Jenet Connell, Deputy Secretary, Detention Capability Review
 Mr Randall Brugeaud, A/g Deputy Secretary, Intelligence and Capability
 Ms Philippa De Veau, First Assistant Secretary, Legal Division
 Mr Kruno Kukoc, First Assistant Secretary, Refugee and Humanitarian Visa
 Management
 Mr Neil Skill, First Assistant Secretary, Detention Services
 Ms Peta Dunn, First Assistant Secretary, Community Protection
 Ms Cheryl-anne Moy, First Assistant Secretary, Children, Comm & Settlement Services
 Commander James Watson, Detention and Compliance
 Ms Sharon Nyakuengama, Assistant Secretary, Detention Assurance
 Ms Julie Keenan, Assistant Secretary, Community Support

Ms Lynne Gillam, Assistant Secretary, Onshore Protection
 Ms Elizabeth Hampton, Assistant Secretary, Refugee & Humanitarian Programme
 Ms Fatime Shyqyr, Assistant Secretary, Detention Estate Management
 Mr Peter Noakes, A/g Assistant Secretary, Services Management
 Ms Claire Roennfeldt, A/g Assistant Secretary, Child Protection & Wellbeing
 Ms Marianne Gomba, A/g Assistant Secretary, Policy Research and Statistics
 Ms Amanda Little, A/g Assistant Secretary, Detention Health Services
 Ms Karen Hacker, A/g Assistant Secretary, Community Operations
 Mr Chris de Ruyter, A/g Assistant Secretary, Caseload Assurance

s. 22(1)(a)(ii)
 s. 22(1)(a)(ii)
 s. 22(1)(a)(ii)
 s. 22(1)(a)(ii)
 s. 22(1)(a)(ii)
 s. 22(1)(a)(ii)
 s. 22(1)(a)(ii)

Secretariat

s. 22(1)(a)(ii)
 s. 22(1)(a)(ii)
 s. 22(1)(a)(ii)
 s. 22(1)(a)(ii)
 s. 22(1)(a)(ii)

Absences

Ms Sally Babbage, Assistant Secretary, Temporary Protection Visa Assessment
 Mr Mike Clayton, Assoc Legal Officer, UNHCR Regional Representation in Canberra
 Mr Paul Alexander AO (Day 2)

Apologies

Dr Maryanne Loughry AM, MCASD
 Commissioner Roman Quaadvlieg, Australian Border Force
 Assistant Commissioner Clive Murray, Strategic Border Command
 Ms Robyn Miller, Assistant Secretary, Community Operations
 Ms Dora Chin-Tan, Assistant Secretary, Public Risk Assessment Branch
 Mr Peter Richards, Assistant Secretary, Caseload Assurance

Agenda Item	Discussion / Background
1. Arrival, introduction and welcome Paris Aristotle AM	Chair opened General Meeting and commented on the Yongah Hill IDC visit s. 47C(1). Chair advised of his involvement in the Refugee Resettlement Advisory Council (RRAC) which has been elevated to oversight and plan for the settlement of the Syrian refugees recently accepted by Australia.
2. Dinner de-brief	Chair provided post-dinner debrief.
3. Endorsement of MCASD 14th, 15th and 16th General Meeting Minutes and update on Action Items Paris Aristotle AM	<p>Chair sought feedback from the Council on the 15th and 16th General Meeting Minutes and Action Items. The following amendments for the 16th General Meeting were made:</p> <ul style="list-style-type: none"> • Page 5 - paragraph 3 - Delete "currently in detention". • Page 5 – last paragraph – add "The Minister would come back and seek advice from MCASD after legislation drafted." <p>14th, 15th and 16th General Meeting Minutes endorsed.</p> <p>Action Items discussed:</p> <p>11.2 - s. 47E(d)</p> <p>9.1 - Chair advised the Council to be more specific about the information required for SERCO to report at December meeting, for a more targeted conversation.</p> <p>s. 42(1)</p> <p>s. 47E(d)</p> <p><u>Action Items</u></p> <p>9.1 DIBP to provide data fields and scope used by SERCO. MCASD (NP) to then advise specific information required of SERCO.</p> <p>14.1 Secretariat to amend MCASD Members' Manual to take account of the advice relating to the application of the BFL.</p>

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Freedom of Information Act 1982

Agenda Item	Discussion / Background
4. Appointment of Chief Medical Officer/Surgeon General ABF	<p>DIBP briefed the Council on the appointment of Dr John Brayley as Chief Medical Officer (CMO) and Surgeon General for the Australian Border Force (ABF) starting in October 2015. Dr Brayley will oversee and coordinate a consolidated health function within the organisation which will enhance clinical governance over contract management arrangements, including offshore facility arrangements, leading to improved and more consistent health policies. Dr Brayley will also oversee workplace health and wellbeing. Dr Brayley is an experienced consultant psychiatrist, health administrator and statutory office holder who served as the Public Advocate of South Australia</p> <p>Dr Brayley will provide advice directly to Secretary and Commissioner, have management oversight of a central hub in Canberra, supported by Deputy CMO and senior executives in central health policy. The Council noted the new level of investment in this area and strongly recommended that Dr. Brayley have powers to audit contractors.</p> <p><u>Action Items</u></p> <p>4.1 Invite Dr Brayley to December meeting.</p> <p>4.2 Dr Chalker to advise skills composition of CMO's current workforce.</p>
5. Deputy Commissioner ABF Update	<p>ABF update included discussion about detainee deaths at Yongah Hill IDF and recent MCASD visit. s. 47E(d)</p> <p>s. 47C(1)</p> <p>s. 47C(1)</p> <p>ABF reported that they are standardising and enhancing approach to risk factors and will compare and contrast with other intelligence systems. ABF also deploying on ground staff to work with SERCO on risk analysis.</p> <p>SERCO ERT capability will increase by 30% at Yongah Hill IDF. ABF is looking at how to best use resources and is building detainee profiles to assess risk.</p> <p>s. 47C(1)</p> <p>Superintendent recruits at EL2 level are completing multi-disciplinary training in October 2015, to improve management of and response to the risk in immigration facilities, in particular, to vulnerable people including children. Superintendents will be in charge of IDFs and report to regional commands. They will have regular case conferences with case managers.</p> <p>A stocktake and review of all DIBP Standard Operating Procedures to be undertaken, eg confusion with interpretation of pat down procedures.</p>

Agenda Item	Discussion / Background
6. Secretary's Update	<p>The Secretary spoke about the range of work across the Department including the Syrian refugee announcement observing the geo-strategic and political factors affecting refugees. s. 47C(1)</p> <p>The Secretary noted that Council helps the Department on its journey to improve its activities. The work of the Council is important to advice about regional processing, policies, how to balance detaining and restraining to give effect to policy but with dignity, which is a challenge. He thanked the Council regarding their input to settlement programmes that are best in the world.</p> <p>Secretary reminded attendees that detention assurance function was separated from detention operations and reports to Secretary/Commissioner. s. 47E(d)</p> <p>Secretary commented that Australia would be issuing six million visas in 2016 and has continued to implement and improve processes to deal with high risk activity. He reiterated that Manus and Nauru refugees will never be settled in Australia. Only options are: open centre, third country or in-country settlement.</p>
7. MCASD Work Programme Review post planning day; confirm members and priorities for Sub-group themes	<p>s. 47C(1)</p> <p>The Department requested that MCASD consider timing of tasks and how to phase Sub-group requirements to avoid putting demands on same areas of Department and members at once. Sub-group meetings will be held via teleconference. Service delivery – Convener Paris Aristotle to delegate running to Kerrin Benson and Cath Scarth while he is busy with RRAC.</p> <p>s. 47C(1)</p> <p>Detention – suggestion to interact with Detention Capability Review after every IDF visit. Community Consultative Groups are working well. Members to set IDF visit dates (no need to fit in with Chair) and feedback advice.</p> <p>s. 47C(1), s. 47E(d)</p> <p>Amendments to work programme text:</p> <ul style="list-style-type: none"> • Add "Maintain effective engagement with Detention Health area." • Change 1 and 6 to add "evaluation" after research data. <p>Status Resolution and Legal - Mary Anne Kenny is on Protection Process committee and will address legal issues, noting this is separate to Status Resolution</p>

Agenda Item	Discussion / Background
	<p>Sub-group.</p> <p>The first 2016 General Meeting is aimed for mid-February. The Chair advised that an Official Dinner can happen every second meeting (no dinner in December).</p> <p>Chair requested that each Sub-group meet before December General Meeting.</p> <p>MCASD to visit Villawood IDF on 30 September (CCG) and again on 20 October for visit, accompanied by Detention Health.</p> <p><u>Action Items</u></p> <p>7.1 Secretariat to invite Minister's advisors to all General Meetings.</p> <p>7.2 Department to arrange visual representation of work programme tasks in calendar format.</p>
<p>8. Visit Reports – carried over from GM16 and CCG Meeting updates</p>	<p>s. 47E(d)</p> <p>MCASD to finalise CI visit report.</p>
<p>9. Departmental Response to Wickham Point recommendations</p>	<p>s. 47E(d)</p> <p><u>Action Items</u></p> <p>9.1 Formal report response to be attached to Minutes once released.</p> <p>9.2 Secretariat to arrange for quarterly IHMS dataset to be given to Research Sub-group.</p> <p>9.3 Detention Health to investigate if specific female drug case from Nauru who is in Wickham Point is in appropriate rehabilitation programme.</p>
<p>10. UNHCR Regional Representative for Refugees for Australia presentation</p>	<p>s. 47E(d)</p>

Agenda Item	Discussion / Background
	<p>s. 47E(d)</p> <p>[Redacted]</p> <p><u>Action Item</u></p> <p>10.1 Invite Chanelle Taoi to next Status Resolution and Legal Sub-group meeting.</p>
11. In-Camera Session	
Day 2	
12. Service Delivery Sub-group	<p>SRSS Reports provided at General Meeting (attached)</p> <p>s. 47E(d)</p> <p>[Redacted]</p> <p>SHEV: Following the decision by the then Minister Morrison, states' and territories' Premiers/Chief Ministers need to individually opt-in to the SHEV programme in order to have parts of their jurisdictions designated as regional.</p> <ul style="list-style-type: none"> • New South Wales has joined – Tasmania in discussions • Discussions with others are on-going <p>s. 47C(1)</p> <p>[Redacted]</p>

Agenda Item	Discussion / Background
13. Child and Family Working Group (CFWG)	<p>The Working Group provided the Council with an update on the development of the Department's Child Protection and Wellbeing Framework. The Children, Community and Settlement Services Division (CCSSD) has prioritised the development of a comprehensive, overarching framework designed to prevent the abuse of children and promote child wellbeing in the delivery of immigration services. The Framework is underpinned by three primary focus areas: protection, wellbeing and environment, and is designed to establish clear principles to inform all aspects of how the Department and its service providers will manage child protection and wellbeing. The Framework creates a clear governance structure that is informed by the following elements: strategy, accountability, performance and operations.</p> <p>The Framework and its supporting policies and procedures aims to lessen ambiguity with respect to inconsistent jurisdictional statutory child protection requirements, and strengthen collaboration with Australian State and Territory authorities.</p> <p>The Working Group commented on jurisdictional issues in Victoria, in particular the Victoria Department of Health and Human Services applying to the Victorian Children's Court for the determination as to whether they have jurisdiction for child protection matters arising in community detention. This matter is yet to be listed in the Supreme Court for a first directions hearing.</p> <p>CCSSD is researching alternative detention models that focus on safeguarding children and families, with work underway regarding two child and family-focused facilities within the network that will address current concerns about vulnerable children and families. It remains the policy of the department and its service providers to report all identified child protection matters under state and territory legislation to the relevant authority.</p> <p>The Working Group also discussed the Unaccompanied Humanitarian Minors (UHM) Programme. The department has four contracted providers for accommodation, care, welfare and settlement services to minors under the programme.</p> <p><u>Action Items</u></p> <p>13.1 Draft Child Protection Framework provided to MCASD on 18 September and feedback sought by 5 October from MCASD (copy Secretariat)</p> <p>13.2 DIBP to follow up case regarding a child with a single parent, and what avenues for foster care or a carer in community detention.</p>
14. Detention Sub-group	<p>DIBP provided a summary of progress of the Detention Capability Review (DCR). Phase One Report is being provided to Secretary and Commissioner, and contains the conceptual framework to understanding the business, current tensions and functions.</p> <p>A consultant has been engaged to map the holistic system view, including different settings and decision points ("as is" picture).</p> <p>Phase Two will include mapping core principles, predictive cohort modelling and comprehensive risk framework to apply to cohort, evidence-based research and evaluation.</p> <p>An interdepartmental committee has been established to meet government financial commitments for 2016-17.</p>

Agenda Item	Discussion / Background
	<p>s. 47C(1)</p> <p><u>Action Items</u></p> <p>14.1 Action: DIBP to provide Phase 1 DCR report to Secretariat.</p> <p>14.2 DIBP to advise how department deals with and identifies complex cases.</p>
<p>15. Status Resolution and Legal Sub-group</p>	<p>Guest speaker provided overview of role of Immigration Assessment Authority (IAA). The IAA has been established as an office within but separate from the RRT. The Minister is required to refer fast track reviewable decisions to the IAA and the IAA is required to carry out its functions in a way that is efficient and quick and free of bias. Reviews will generally be 'on the papers'. Information that was not put before the primary decision maker will only be able to be considered in exceptional circumstances.</p> <p>This service is not for people who have been refused protection in another country or by UNHCR. The IAA is expecting their first case decisions shortly and the rate of flow depends on DIBP processing.</p> <p>s. 47E(d)</p> <p>s. 42(1)</p>
<p>16. Research Sub-group</p>	<p>Research that has been initiated that is relevant to asylum seekers in detention is 'Comparative research on the assisted voluntary return and reintegration of migrants'. This research was conducted collaboratively by DIBP, IOM and Maastricht University, to examine migrant decision making on return, including approaches to Assisted Voluntary Return and Reintegration (AVRR). The project involved comparative analysis of desktop research and fieldwork conducted in 15 destinations, transit and origin countries (including Australia).</p> <p>s. 47C(1)</p>

Agenda Item	Discussion / Background
17. Re-cap and Close Day Two	<p>Chair re-capped meeting; Agenda structure resulting in some duplication eg status resolution and SHEVs, although useful to have interlinking knowledge. Sub-groups instructed to meet before next GM and to identify on what particular areas MCASD will be advising Minister. Chair thanked attendees and sub-groups for coming. Noted forthcoming IDF visits. Next General Meeting 7-8 December 2015.</p>
	General Meeting close



Minister's Council on Asylum Seekers and Detention

Minutes - 18th General Meeting, 7 – 8 December 2015 Department of Immigration and Border Protection, 6 Chan Street, Belconnen

List of Participants

Guest Speakers

1. Dr John Brayley, Chief Medical Officer DIBP and Surgeon General Australian Border Force
2. Mr Robert Cornall AO, Independent Reviewer of Adverse Security Assessments
3. Mr Michael Milford, First Assistant Secretary, Major Capability

MCASD

4. Mr Paris Aristotle AM, Chair
5. Air Marshal Ray Funnell AC (Retd)
6. Dr Maryanne Loughry AM
7. Associate Professor Mary Anne Kenny (Day 2)
8. Professor Nicholas Procter
9. Ms Catherine Scarth
10. Bishop D. Eugene Hurley
11. Ms Kerrin Benson
12. Dr Georgie Paxton
13. Dr Paul Alexander AO (Observer) (Day 1)

Minister's Office

14. The Hon Peter Dutton MP (Official Dinner)
15. Mr Tom Fleming, Advisor

Departmental Attendees

16. Mr Michael Pezzullo, Secretary
17. Commissioner Roman Quaadvlieg, APM, Australian Border Force
18. Mr Michael Manthorpe PSM, Deputy Secretary, Visa and Citizenship Services
19. Ms Jenet Connell, Deputy Secretary, Detention Capability Review
20. Ms Pip De Veau, First Assistant Secretary, Legal Division
21. Mr Kruno Kukoc, First Assistant Secretary, Refugee and Humanitarian Visa Management
22. Mr Neil Skill, First Assistant Secretary, Detention Services
23. Ms Peta Dunn, First Assistant Secretary, Community Protection
24. Ms Cheryl-anne Moy, First Assistant Secretary, Children, Community and Settlement Services
25. Commander James Watson, Detention and Compliance
26. Ms Sharon Nyakuengama, Assistant Secretary, Detention Assurance
27. Ms Julie Keenan, Assistant Secretary, Community Support

28. Ms Sally Babbage, Assistant Secretary, Temporary Protection Visa Assessment
29. Ms Lynne Gillam, Assistant Secretary, Onshore Protection
30. Ms Elizabeth Hampton, Assistant Secretary, Refugee & Humanitarian Programme
31. Ms Dora Chin-Tan, Assistant Secretary, Public Risk Assessment
32. Ms Robyn Miller, Assistant Secretary, Community Operations
33. Mr Garfield Prowse, Assistant Secretary, Child Protection & Wellbeing
34. Ms Fiona Lynch-Magor, Assistant Secretary, Humanitarian, Family and Citizenship Policy
35. Ms Amanda Little, A/g Assistant Secretary, Detention Health Services
36. Mr Peter Richards, Assistant Secretary, Caseload Assurance
37. s. 22(1)(a)(ii)
38. s. 22(1)(a)(ii)
39. s. 22(1)(a)(ii)
40. s. 22(1)(a)(ii)
41. s. 22(1)(a)(ii)
42. s. 22(1)(a)(ii)

MCASD Secretariat

43. s. 22(1)(a)(ii)
44. s. 22(1)(a)(ii)
45. s. 22(1)(a)(ii)
46. s. 22(1)(a)(ii)
47. s. 22(1)(a)(ii)

Apologies

48. Assistant Commissioner Clive Murray, Strategic Border Command
49. Dr Jill Charker, Deputy Secretary Corporate, Chief Operating Officer
50. Dr Paul Alexander AO (Observer) (Day 2)
51. Associate Professor Mary Anne Kenny (Day 1)
52. Ms Dora Chin-Tan, Assistant Secretary, Public Risk Assessment (Day 2)
53. Mr Ben Wright, Assistant Secretary, Services Management
54. Ms Marianne Gomba, A/g Assistant Secretary, Policy Research and Statistics
55. s. 22(1)(a)(ii)

Day One	Minister's Council on Asylum Seekers and Detention (MCASD) – 18 th General Meeting – 7 December 2015
Agenda Item	
1. Arrival, Introductions and welcome (including apologies)	<p>Chair welcomed members. Apology from Mary Anne Kenny who is arriving Day Two. s. 47C(1)</p> <p>[REDACTED]</p> <p>MCASD acknowledged CMO/Surgeon General engagement as a good decision and encouraged the Department to fully utilise this expertise.</p>
2. Endorsement of 17th MCASD General Meeting Minutes and Action Items Update	<p>Minutes endorsed. Action items to be reviewed and outstanding items to be carried over to next Minutes.</p> <p>Action 1: Include column in Action Items table to show status of Item eg completed.</p> <p>s. 47C(1)</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>s. 47G(1)(a)</p> <p>[REDACTED]</p>
3. In-Camera Session	Delayed.
4. Dr John Brayley – Introduction and overview of work	<p>Dr Brayley provided the Council with an overview of his previous roles and outlined his current role and work plan (Attachment 1), including development of a health plan and a clinical governance framework (yet to be endorsed). Dr Brayley also summarised the priority topics: (a) child and adolescent mental health services, (b) suicide prevention strategies, (c) Obstetric clinical pathway (offshore), (d) chest pain clinical pathway (offshore).</p> <p>Key meetings within the new structure were outlined: Internally the Health Capability Meeting is for planning and monitoring performance, while the external Independent Health Advise Panel provides expert advice on specific clinical topics.</p> <p>Dr Brayley to liaise with Council to avoid replicating work and Council to provide input and support to him.</p> <p>Action 3: Dr Brayley to accompany MCASD on next detention centre visit, if available.</p> <p>Action 4: Secretariat to contact CMO ahead of centre visits to ascertain any current concern/note for Council to follow up.</p>

5. Secretary's update – Department of Immigration and Border Protection	<p>The Secretary updated the Council on the following:</p> <p>s. 47E(d)</p> <p>[Redacted]</p>
6. Commissioner's update – Australian Border Force	<p>The Commissioner apologised for not attending previous meetings and updated on the following:</p> <p>s. 47E(d)</p> <p>[Redacted]</p> <p>s. 47C(1)</p> <p>[Redacted]</p> <p>s. 47E(d)</p> <p>[Redacted]</p>
7. Immigration Detention Facility (IDF) Visits Feedback (covered during Item 12 session)	<p>s. 47E(d)</p> <p>[Redacted]</p> <p>[Redacted]</p> <p>[Redacted]</p> <p>[Redacted]</p> <p>[Redacted]</p> <p>[Redacted]</p> <p>[Redacted]</p> <p>[Redacted]</p> <p>[Redacted]</p> <p>[Redacted]</p>

<p>8. Brief on DIBP dataset architecture and its parameters</p>	<p>Department provided updates on current state of detention IT systems (Attachment 3) and the Compliance, Case Management, Detention (CCMD) Portal (Attachment 3). Detention Business Processing systems have been integrated into Departmental processes and there is future work planned for further integration and enhancements.</p> <p>Council asked about data collection capability and whether data were available for clinicians and reviewing officers to allow informed decisions. In reply, Department noted that Case Managers already have access to a broad range of data excluding national security data. It was noted that CCMD feeds into the health service provider database twice daily.</p> <p>Action 6: Offline discussion with business owners of data with Research subgroup.</p>
<p>9. Detention Sub-group</p> <p>a. Input into Detention Capability Review</p>	<p>Deputy Secretary updated the Council on the Detention Capability Review (DCR) and outlined the future detention model and its four tiered approach (see Attachment 4).</p> <ul style="list-style-type: none"> o Tier One – Community Placement (high autonomy majority) o Tier Two – Transit Accommodation (medium to low risk) o Tier Three – High Security Detention (high risk) o Tier Four – Specialist Detention (extreme risk individuals) <ul style="list-style-type: none"> • Department noted that next phase of risk database is to be released on 11 December 2015. • Council to meet with Department on 16 December to discuss trialling review model on particular cases. • Department is working to build skill sets to maintain and support the model eg to build consistency in case management decisions and combine data systems to work together. <p>Action 7: Council to provide list of approximately 10 cases and FAS Community Protection (Peta Dunn) to provide numbers who may be eligible for release from detention to use as pilot cases through DCR model.</p> <p>Action 8: Arrange Detention Sub-group meeting in Sydney 15 or 16 December 2015. Invite Deputy Secretary, Strategic Reform Group (Jenet Connell).</p>
<p>10. Detention Sub-group</p> <p>b. Behavioural/Adverse</p> <p>c. Detention Visits program and Community Engagement</p> <p>- Program of visits 2016</p> <p>- Liaison with Detention Capability Review (DCR)</p>	<p>Department reported on:</p> <ul style="list-style-type: none"> • moving to new future detention model as quickly as possible. • focus to identify cohorts. • using specialised team of case managers to look at complex cases. • case managers highlighting cases of concern. • case conferencing to cross-review cases. • Ability to issue procedural updates to network to clarify inconsistencies in case management. <p>s. 47C(1)</p> <p>Actions:</p> <p>9. FAS Community Protection (Peta Dunn) to provide composition of detainees by risk rating.</p>

10. cont,d	<p>10. Individual cases of concern in held detention to be referred directly to FAS Community Protection.</p> <p>11. FAS Community Protection (Peta Dunn) to provide guidelines on re-detention .</p> <p>12. FAS Community Protection (Peta Dunn) to provide information on various review processes.</p> <p>13. Detention Operations Commander (James Watson) to provide Direction regarding not re-detaining people who are not a risk to the community and cannot be removed quickly.</p>
11. s. 7(2A) [REDACTED]	<p>Mr Cornall commenced September 2015 for a two year appointment (part time) and gave an overview of his work background and previous legal roles.</p> <p>s. 47E(d) [REDACTED]</p>
12. In-Camera Session, Re-cap/Close	See Item 7 - IDF Visits item covered during this session. Meeting closed 5pm.
Day Two	Minister's Council on Asylum Seekers and Detention (MCASD) – 18th General Meeting – 8 December 2015
13. Research Sub-group - Sub-group Convenor's (Nicholas Procter) 17 Nov Meeting Report	<p>s. 47C(1) [REDACTED]</p> <p>Georgie Paxton emailed details of useful research websites to members and Department:</p> <ul style="list-style-type: none"> • Research clearing house: http://www.rch.org.au/immigranthealth/research/Research_resources/ • Australian refugee related research (mental health papers specifically): http://www.rch.org.au/immigranthealth/research/Research_by_subject_areas_J_O/#Mental_health <p>Catherine Scarth offered to undertake short survey within existing reporting parameters regarding asylum seeker information eg work status via service provider case managers.</p> <p>Department working with Department of Social Services to monitor work income and will have data early next year.</p> <p>s. 47C(1) [REDACTED]</p> <p>Action 14: Research Sub-group to identify and define scope of two key projects to be undertaken over next two years.</p> <p>Action 15: Hold next Research Sub-group meeting on 22 January 2016.</p>

<p>14. Service Delivery Sub-group a. Status Resolution Support Service (SRSS) and Detention Services</p> <ul style="list-style-type: none"> - SRSS Update - Sub-group Convenor's (Kerrin Benson) <p>16 Oct Meeting Report</p>	<p>s. 47C(1) [REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>Action 16: Secretariat to source and forward current Bridging Visa referral guidelines.</p> <p>Action 17: AS Onshore Protection (Lynne Gillam) to provide an example of bar lifting letter to Mary Anne Kenny.</p> <p>Action 18: FAS Community Protection (Peta Dunn) to advise staff numbers in case management and average numbers of cases per manager.</p> <ul style="list-style-type: none"> • SRSS report provided (Attachment 6). Noted over 21,000 of 29,000 (87%) people now have work rights. There are 5-6,000 children within the 30,000 legacy caseload. • s. 47C(1) [REDACTED] • s. 47C(1) [REDACTED] • Department noted that IMAs will have access to Jobactive Stream A from 7 December 2015 and service providers will be sent relevant information. <p>Action 19: Convenor of SRSS Sub-group, to brief Minister's Advisor (Tom Fleming) and AS Community Support (Julie Keenan) on Sub-group issues.</p> <p>Action 20: Hold SRSS Sub-group meeting in Melbourne late January 2016.</p>
<p>15. b. Safe Haven Enterprise Visas (SHEVs)</p>	<ul style="list-style-type: none"> • Three SHEVs granted since 1 July 2015. • Department in positive discussions with Sates yet to opt in, noting that there is no legislative requirement to participate. • The Department recognises complexities of SHEV program, particularly for people outside opt-in States. • s. 47C(1) [REDACTED] <p>Action 21: Council and Chair, Paris Aristotle, to discuss SHEVs with Minister.</p>

<p>16. c. Child and Family Working Group - <i>Feedback to Council on draft Child Protection Framework</i></p>	<ul style="list-style-type: none"> • New Assistant Secretary, Child Protection & Wellbeing, started on 19 November 2015. • s. 47E(d) [REDACTED] • Gillian Calvert AO, Deputy Chair Australian Research Alliance for Children & Youth, to review family model in a detention environment by end January 2016. • Child Protection Framework is in final draft stage, expecting to go to Minister by the end of December 2015. Department noted that document should include vulnerable young adults. Council congratulated team on landmark framework. • The Child Protection and Wellbeing Branch now sit on the detention placement committee so that they can contribute and have oversight in decisions about moving children in and around the detention network. • Council recommended that FAS, Children, Community and Settlement Division accompany members on future detention centre visits where families and children are housed. <p>Action 22: Dr Georgia Paxton and Dr Maryanne Loughry to meet with new AS regarding child protection framework.</p>
<p>17. Status Resolution and Legal Sub-group a. <i>Sub-group Convenor's (Mary Anne Kenny) 29 Oct Meeting Report</i> b. <i>Fast track assessment update</i> c. <i>Primary Application Information Service (PAIS) update</i> d. <i>DIBP IMA Microsite update</i> e. <i>Discuss Refugee Council report on delays with citizenship applications</i></p>	<p>a. Convenor reported on Subgroup meeting discussion on legal matters and deferral of other issues to this meeting due to staff unavailability.</p> <p>b. <u>Fast Track Assessment</u> (FTA) update</p> <ul style="list-style-type: none"> • 12,000 pre-August 2012 cohort being considered for TPVs and 6,000 in that group have had primary assessments done. • 24,000 post 2012 cohort, subject to FTA, • 1,732 fully finalised refugee assessments and 355 TPVs granted. • 800 waiting identity security checks. 1,160 at merits review. <p>Issues emerging are a lack of identity documents submitted with applications.</p> <p>Action 23: AS Onshore Protection (Lynne Gillam) to email application form (28 pages) to Mary Anne Kenny.</p> <p>c. <u>PAIS guidelines</u> revised incorporating Council feedback.</p> <p>Action 24: Secretariat to source and provide copy of updated PAIS guidelines. Action 25: AS Onshore Protection (Lynne Gillam) to provide numbers on Christmas Island and Yongah Hill, eligible to have bar lifted and eligible to apply for PAIS.</p> <p>d. <u>IMA Microsite</u>: Director, Compliance Status Resolution Communications gave a presentation on new information for IMAs available on the Department's website. The site is more intuitive and engaging with explanation videos and translated information. Future improvements will include increased language and better search capabilities, including an interactive map for SHEVs. (Attachment 7).</p> <p>e. <u>Refugee Council Report</u>: Department responded to report recommendations on citizenship application delays (Attachment 8):</p> <p>1. Clarification on policy change regarding citizenship applications for refugees with a PV (specifically boat arrivals);</p>

	<p>2. Processing refugee citizenship applications immediately, or clarifying reasons for the delay to each applicant;</p> <p>3. Granting citizenship to stateless children born in Australia within a reasonable timeframe;</p> <p>4. Expediting citizenship applications and reducing charges and costs for applications by refugees and humanitarian arrivals;</p> <p>5. ensuring those who have a permanent physical or mental incapacity are exempt from the citizenship test; and</p> <p>6. a) Consideration for waiving the Australian citizenship test for refugee and humanitarian entrants and stateless people; and b) Providing alternative options for people with limited English literacy in completing the citizenship test.</p> <p>Action Item 26: Director, Citizenship Policy (s. 22(1)(a)(ii)) to provide briefing on IMA citizenship blockers and time delay issues.</p>
18. Feedback on functioning of Sub-groups	Action 27: Ray Funnell to create a draft schedule for detention facilities visits in 2016.
19. In-Camera Session, Re-cap/Close	Meeting closed 3.30pm. Next General Meeting tentatively scheduled 18 and 19 February 2016.



Minister's Council on Asylum Seekers and Detention

DRAFT Minutes - 19th General Meeting, 18 – 19 February 2016
Department of Immigration and Border Protection, 6 Chan Street, Belconnen

List of Participants

MCASD

1. Mr Paris Aristotle AM, Chair
2. Air Marshal Ray Funnell AC (Retd)
3. Dr Maryanne Loughry AM
4. Associate Professor Mary Anne Kenny
5. Professor Nicholas Procter
6. Ms Catherine Scarth
7. Bishop D. Eugene Hurley
8. Ms Kerrin Benson
9. Dr Georgie Paxton

Minister's Office

10. Mr Tom Fleming, Senior Advisor

Guest Speakers

11. Dr Nirvana Luckraj, Senior Medical Director, International Health and Medical Service (IHMS)
12. Ms Sybil Wishart, Director of Corporate Affairs, IHMS
13. Ms Rhian Czech, Director of Nursing, IHMS
14. Dr Jo Holdaway, Medical Director, Mental Health Services, IHMS
15. Dr Deky Souvannavong, Medical Director, Medical Services West, IHMS

Departmental Attendees

16. Dr John Brayley, Chief Medical Officer DIBP and Surgeon General Australian Border Force

17. Ms Leonie Nowland, Assistant Secretary, Detention Health Services
18. Deputy Commissioner Operations, Michael Outram
19. Commander James Watson, Detention and Compliance Operations
20. Mr Jim Williams, A/g Deputy Secretary, Visa & Citizenship Services (for Mr Michael Manthorpe)
21. Ms Sharon Nyakuengama, Assistant Secretary, Detention Assurance
22. Mr Peter Noakes, A/g Assistant Secretary, Detention Services
23. Ms Peta Dunn, First Assistant Secretary, Community Protection
24. Ms Julie Keenan, Assistant Secretary, Community Support
25. s. 22(1)(a)(ii)
26. Ms Elizabeth Hampton, Assistant Secretary, Refugee & Humanitarian Programme
27. Ms Sally Pfeiffer, A/g Assistant Secretary, Public Risk Assessment
28. Ms Sally Babbage, Assistant Secretary, Temporary Protection Visa Assessment
29. Mr Kruno Kukoc, First Assistant Secretary, Refugee and Humanitarian Visa Management
30. Ms Pip De Veau, First Assistant Secretary, Legal Division
31. Ms Lynne Gillam, Assistant Secretary, Onshore Protection
32. Ms Jenet Connell, Deputy Secretary, Strategic Reform Group
33. Mr Jason Russo, Chief Economist, Assistant Secretary, Policy Research and Statistics
34. Ms Karen McGuigan, Deputy Chief Statistician, Policy Research and Statistics

35. s. 22(1)(a)(ii) [REDACTED]

36. s. 22(1)(a)(ii) [REDACTED]

MCASD Secretariat

37. s. 22(1)(a)(ii) [REDACTED]

38. s. 22(1)(a)(ii) [REDACTED]

39. s. 22(1)(a)(ii) [REDACTED]

40. s. 22(1)(a)(ii) [REDACTED]

41. s. 22(1)(a)(ii) [REDACTED]

Apologies

42. Minister Peter Dutton MP

43. Mr Michael Pezzullo, Secretary

44. Commissioner Roman Quaedvlieg, APM, Australian Border Force

45. Dr Paul Alexander AO (Observer)

46. Mr Peter Vardos PSM, A/g Secretary

47. Dr Jill Charker, Deputy Secretary Corporate

48. Mr Michael Manthorpe PSM, Deputy Secretary, Visa and Citizenship Services

49. Assistant Commissioner Clive Murray, Strategic Border Command

50. Ms Cindy Briscoe, Deputy Commissioner, Support

51. Mr Garfield Prowse, Assistant Secretary, Child Protection & Wellbeing

52. Ms Cheryl-anne Moy, First Assistant Secretary, Children, Community and Settlement Services

53. Mr Ben Wright, A/g First Assistant Secretary, Detention Services


54. s. 22(1)(a)(ii) [REDACTED]

55. Mr Ian Gilbert, Chief Operating Officer, IHMS

56. s. 22(1)(a)(ii) [REDACTED]

57. s. 22(1)(a)(ii) [REDACTED]


58. Ms Robyn Miller, Assistant Secretary, Community Operations

Day One	Minister's Council on Asylum Seekers and Detention (MCASD) – 19 th General Meeting – Thursday 18 February 2016
Agenda Item	
1. Arrival, Introductions and welcome (including apologies)	<p>Chair welcomed members and opened the meeting.</p> <p>s. 47C(1)</p>  <p>Action Items:</p> <p>1.1 Secretariat to continue use of electronic Board books and provide hard copy packs to members on request.</p> <p>1.2 Commonwealth Ombudsman to be invited to next GM.</p> <p>1.3 Nicholas Procter to progress research paper on deaths in detention and provide at next meeting for discussion.</p> <p>1.4 Secretariat to provide copy of Department's policy on Directed Persons Programme.</p> <p>1.5 Secretariat to follow up on work progressed to enhance Programmes and Activities for people in held detention.</p> <p>1.6 AS Detention Assurance to seek clarification from Minister in relation to Council's role and remit on transferee returns.</p>
2. Endorsement of 19th MCASD General Meeting Minutes and Action Items Update	<p>Point 17 of GM 18 minutes, regarding PAIS guidelines needed amendment.</p> <p>GM 18 Minutes endorsed with minor amendment to Point 17.</p> <p>Action Items:</p> <p>2.1 GM 18 Minutes amended by Secretariat reflecting correction at Point 17.</p>
3. IDF Visits Feedback	<p>Convenor of Detention Sub Group summarised:</p> <ul style="list-style-type: none"> • 2016 Calendar of proposed detention visits has been circulated to Members for their information/comment. • Visits scheduled to coincide with Community Consultative Group meetings. • Victoria has confirmed a CCG in August (dates yet to be confirmed), that will coincide with a detention visit. • Review of support services for each visit discussed, possible reduction in Secretariat staff and allocation of a dedicated Serco officer for


	<p>each visit.</p> <ul style="list-style-type: none"> • Pre and post teleconferences for each visit were seen as beneficial to confirm arrangements, debrief and provide verbal feedback.
4. Child and Family Working Group	<p>Convenor of Children and Family Working group provided an update, inclusive of meeting on 17 February 2016 with FAS Cheryl-anne Moy and AS Garfield Prowse.</p> <p>Claire Roennfeldt provided the Council with the status of the Child Safeguarding Framework. A 'snapshot' of the framework will be developed for centres as a reference. Executive Committee meeting on 2 March 2016 will consider and hopefully endorse proposed framework. Many policies are expected to sit behind the framework. Framework will be a practical and useful document with a strategic, yet on the ground, perspective.</p> <p>Overall there is agreement between Department and Council that children should not be in detention wherever possible however this is difficult in some cases due to parents having adverse security outcomes. Changes in infrastructure and redesign of facilities may be an option using a precinct environment. Handful of families may need a specialised infrastructure arrangement.</p> <p>A large family centre was discussed, good feedback received in relation to BITA. Council suggested considering an IRH in Melbourne along with modelling on what the future cohort might look like.</p> <p>Overall Department is committed to not having children in detention long term. Current concerted effort to remove children from held detention.</p> <p>Action Items:</p> <p>4.1: Claire Roennfeldt to provide copy of Child Safeguarding Framework when available.</p> <p>4.2: Secretariat to invite Children, Community and Settlement representatives to next GM to provide an update on new framework, infrastructure and design for families in held detention.</p>

5. IHMS – data collection
and analysis


s. 47E(d)



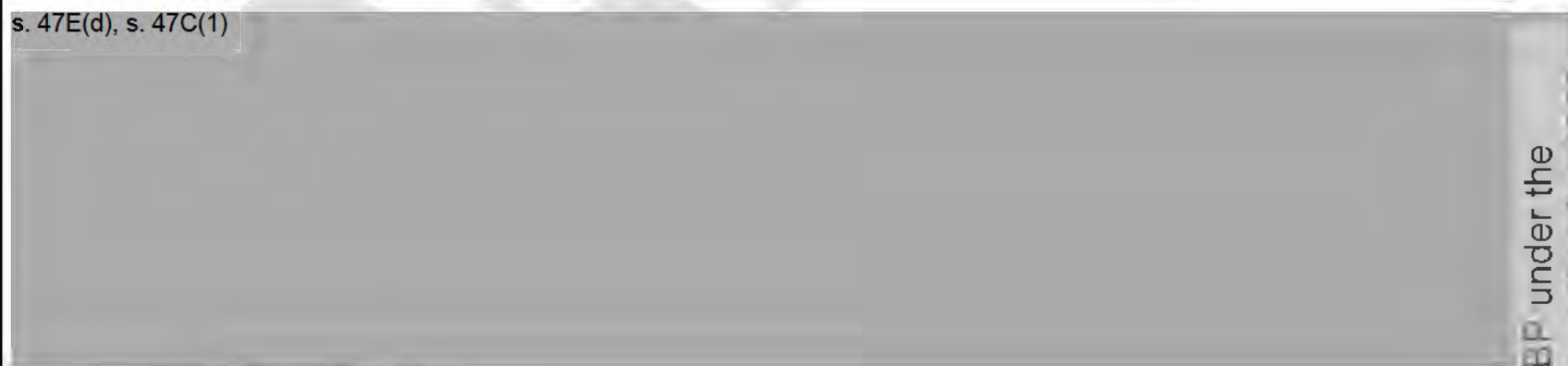
s. 47C(1)



s. 47C(1)



s. 47E(d), s. 47C(1)



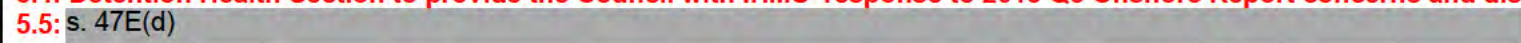
5.1: IHMS to provide detailed statistics for Villawood.

5.2: IHMS to review limitations in its systems infrastructure/data collection in order to better report on held population.

5.3: Detention Health Section to examine whether data could be separated into short and long term cohorts for detailed analysis.

5.4: Detention Health Section to provide the Council with IHMS' response to 2015 Q3 Onshore Report concerns and discrepancies.

5.5: s. 47E(d)



5(a). Detention Capability Review Update	<p>DS Jenet Connell updated Council regarding the Detention Capability Review. The Review and recommendations have been brought forward with implementation occurring progressively. The Review will be a holistic, integrated model with status resolution and ABF aligning.</p> <p>The purpose of the Review is to change the way the Department manages people, risk, welfare and their immigration pathway. Council commented on the importance of having service provider support when implementing new models.</p> <p>Implementing the new model will have budgetary implications, estate management and service delivery implications affecting current contracts and service providers.</p> <p>Council raised concerns regarding families in detention, in particular family members with adverse security findings and identifying people with vulnerabilities.</p> <p>Under the proposed model there will be more people moving out of held detention into the community.</p> <p>Action Items: 5a 1: Kerrin Benson to follow up with Jenet on 'social investment bonds'. 5b 2: Jenet Connell to clarify information that can be shared about themes emerging from Review.</p>
6. Case management and placement	<p>Department articulated the process of placement decisions including case conferences and detention review committees. s. 47C(1)</p> <p>s. 47E(d)</p>

s. 47E(d)

s. 47C(1)

Action Items:**6.1: Secretariat to distribute information on re-detained cases, number reviewed/dismissed /remain (within two weeks).****6.2: Secretariat to distribute copy of VIAT tool to Council members.****6.3: s. 22(1)(a)(ii) to clarify if there are any details on prioritisation of revocations if individuals return to NZ.**

7. Detention Sub-group

Moving people through detention facilities was inevitable and necessary, and occurred for many reasons. s. 47C(1)

Future predictions indicate that low to medium risk detainees will not continue to be in held detention.

s. 47C(1)

s. 47C(1)

Serco have been approached by the Department for changes to the current programme, including support for children's activities, vocational training and better management of detainee Individual Management Plans. s. 47C(1)

Action Items:

7.1: s. 47E(d)

7.2: s. 47E(d)

7.3: Peter Noakes to follow up on:

- **Progressing touch points for the Programmes and Activities – Georgia Paxton and Nicholas Procter.**

7.4: Maryanne Loughry to follow up on Directed Persons Programme for further discussions via detention subgroup.

s. 47C(1)

8. Service Delivery Sub-group

	<p>s. 47C(1) [REDACTED]</p> <p>[REDACTED]</p> <p>s. 47C(1) [REDACTED]</p> <p>s. 47C(1) [REDACTED]</p> <p>Action Items: 8.1: s. 47C(1) [REDACTED]</p>
9. <i>In camera</i> session	
Day Two	Minister's Council on Asylum Seekers and Detention (MCASD) – 19th General Meeting – Friday 19 February 2016
10. Status Resolution and Legal Sub-group	<p>Issues covered Primary Application Information Service (PAIS) Fast track Assessment (FTA) and protection process.</p> <p>s. 47C(1) [REDACTED]</p> <p>s. 47C(1) [REDACTED]</p> <p>s. 47C(1) [REDACTED]</p>

	<p>Council acknowledged the progression of the legacy caseload, with more TPVs being lodged than SHEVs.</p> <p>Council enquired about the data breach cases. Department working with the Information Commissioner to resolve. s. 42(1)</p> <p>[REDACTED]</p> <p>Action Items:</p> <p>10.1: Maryanne Loughry to progress use of interpreters at IDFs to translate application forms with Sally Pfeiffer.</p> <p>10.2: s. 47C(1)</p> <p>10.3: s. 47C(1)</p> <p>10.4: s. 47C(1)</p> <p>10.5: s. 47C(1)</p>
11. Research Sub-group	<p>Member of the Research Sub Group provided the Council with an update, including:</p> <ul style="list-style-type: none"> • investigating IHMS data sets and understanding reporting mechanisms; • meeting with NGOs (AMES, LWB); • seeking clarification regarding Serco programmes and activities; • scoping for future research projects, including better understanding of legacy caseload in the community (uncertainties, difficulties); • understanding the reporting capability of the Department. <p>AS Jason Russo (Policy Research and Statistics) provided an overview of his Section advising the Council that he is receptive to research proposals and priorities for next financial year. Council advised of their interest in data around the legacy caseload, ie those currently in the community whose status remains unresolved. A census of people in detention was noted as an area of interest to the Council's research Sub group along with incident reporting, trend analysis, policy support, analysis of self harm and incidents related to milestone days.</p> <p>Action Items:</p> <p>11.1: Nicholas Procter and Georgia Paxton to provide proposed research topics.</p> <p>11.2: Jason Russo to provide information on completed projects and their impact.</p> <p>11.3: Kerrin Benson to progress meeting with Jason Russo to discuss employment analysis and economic statistical modelling to include in job ready paper.</p> <p>11.4: Secretariat to follow up with Robyn Miller detail of departmental portal data fields for research analysis.</p> <p>11.5: Secretariat to organise next Research Sub-group meeting.</p>

12. Detention Assurance Update	<p>AS Sharon Nyakuengama updated the Council on the responsibilities of the Detention Assurance Branch.</p> <p>s. 47E(d) [REDACTED]</p> <p>MCASD Secretariat brought into the Branch in mid 2015.</p> <p>In general discussion at the end of the session Council raised some administrative preferences with the Secretariat.</p> <p>Action Items: 12.1: Secretariat to maintain ongoing issues log and to be included in GMs. 12.2: Secretariat to facilitate assignment of an onsite visits manager for each detention centre visit.</p>
13 <i>In camera</i> session	

DRAFT Members' Special Meeting - 18 May 2016

Department of Immigration and Border Protection, 6 Chan St,
Belconnen ACT

Attendees

MCASD

1. Mr Paris Aristotle AM, Chair
2. Ms Kerrin Benson
3. Air Marshal Ray Funnell AC (Retd)
4. Bishop D. Eugene Hurley
5. Associate Professor Mary Anne Kenny
6. Dr Maryanne Loughry AM
7. Dr Georgie Paxton
8. Professor Nicholas Procter
9. Ms Catherine Scarth

Departmental Attendees

1. Mr Michael Pezzullo, Secretary
2. Commissioner Roman Quaedy, APM, Australian Border Force (ABF)
3. Ms Jenet Connell, Deputy Secretary (DS), Strategic Reform
4. Mr Michael Manthorpe PSM, Deputy Secretary, Visa & Citizenship Services
5. Dr Jill Chalker, Deputy Secretary, Corporate
6. Ms Rachel Noble PSM, Deputy Secretary, Policy
7. Ms Cindy Briscoe, Deputy Commissioner, Support
8. Mr Michael Outram APM, Deputy Commissioner, Operations
9. Mr Stephen Allen, First Assistant Secretary (FAS), RISK Project
10. Ms Justine Jones, A/g Assistant Secretary (AS), Detention Assurance
11. Ms Dora Chin-Tan, Assistant Secretary, Public Risk Assessment
12. Mr David Nockels, First Assistant Secretary, Detention Services.
13. Mr Andrew Durston, A/g Assistant Secretary, Community Protection & Border Policy
14. Ms Amanda Little, Assistant Secretary, Services Management
15. Ms Kerry Rayner, A/g Assistant Secretary, Community Support
16. Ms Elizabeth Hampton, Assistant Secretary, Refugee & Humanitarian Programme

17. s. 22(1)(a)(ii)

18. Ms Linda Jennings, A/g Assistant Secretary, Temporary Protection Visa Assessment
19. Mr Kruno Kukoc, First Assistant Secretary, Refugee and Humanitarian Visa Management
20. Ms Miranda Lauman, A/g Assistant Secretary, Onshore Protection
21. Ms Cheryl-anne Moy, First Assistant Secretary, Children, Community and Settlement Services
22. Ms Claire Roennfeldt, Assistant Secretary, Child Protection and Wellbeing
23. s. 22(1)(a)(ii)
24. s. 22(1)(a)(ii)
25. s. 22(1)(a)(ii)

MCASD Secretariat

26. s. 22(1)(a)(ii)
27. s. 22(1)(a)(ii)
28. s. 22(1)(a)(ii)
29. s. 22(1)(a)(ii)
30. s. 22(1)(a)(ii)

Apologies

31. Dr John Brayley, Chief Medical Officer / Surgeon General, Health Services & Policy Division
32. Ms Leonie Nowland, Assistant Secretary, Detention Health Services
33. Commander James Watson, Detention and Compliance Operations
34. Mr Hamish Hansford, Assistant Secretary, Community Protection & Border Policy
35. Mr Garfield Prowse, Assistant Secretary, Child Protection & Wellbeing

Members' Special Meeting - 18 May 2016	
Agenda Item	
1. Arrival, Introductions and welcome	Mr Aristotle welcomed members and opened the meeting. He outlined agenda items to be discussed and noted that he had deferred Serco guests due to lack of time.
2. Detention Capability Review update	<p>Deputy Secretary Strategic Reform provided a summary of the Detention Capability Review and specific work to be undertaken as part of its implementation, including the development of a Community Protection Assessment Tool (CPAT) and the critical risk assessment work being undertaken to support a holistic and integrated model aligning both status resolution and ABF business areas.</p> <p>The DS recognised that implementation of certain Review findings could not be simply folded in to the existing detention model without considering its holistic impact.</p> <p>s. 47G(1)(a)</p> <p>While asylum seekers will not be held in detention under the new model, members queried about the oversight mechanisms would be employed to ensure that their status is progressed and their needs appropriately supported.</p> <p>s. 47C(1)</p> <p>The DS advised that implementation of the Review and the development of a governance and ownership framework would continue beyond 30 June 2016 (date of submission of the Review)</p> <p>Should legislative change be found to be required as they worked through implementation, the DS saw members as an important resource to inform development of appropriate legislation.</p> <p>Action Items: Nil</p>
3. Service Delivery matters	Status Resolution Operational Support Section representative provided a summary of the CPAT and how it would support case managers to implement a risk based approach to placement management and ensure consistency in decision making.
Vulnerability Indicator Assessment Tool/ Community Protection	s. 47C(1)

Assessment Tool – current status	<p>s. 47C(1)</p> <p>Attachment A: CPA Tool PowerPoint presentation Attachment B: Community Risk Assessment Tool v0.3.</p> <p>Action Items: Nil</p>
<p>4. Service Delivery matters (cont'd)</p> <p>a. Directed Persons Programme (DPP) review update</p> <p>b. Pathways to employment for legacy caseload</p>	<p>a. No presenter available for DPP item due to late notice decline of invitation. b. Mr Aristotle referred to good recent discussion on development of a framework tied to Status Resolution Support Services (SRSS) and the Detention Capability Review findings, acknowledging the Pathways work commenced prior to the Detention Capability Review being undertaken.</p> <p>s. 47C(1)</p> <p>Action Items: Nil</p>
s. 47E(d)	

s. 47E(d)

6. Child Safeguarding Framework

Members acknowledged the substantial effort that has gone into the framework to date. s. 47C(1)

Members were advised that the framework was undergoing further change to address the findings in the Child Protection Panel's report. Both the report and the framework would be released simultaneously. The Framework is designed to be a living document which would be updated regularly to respond to policy and operational issues as they arise.

s. 47C(1)

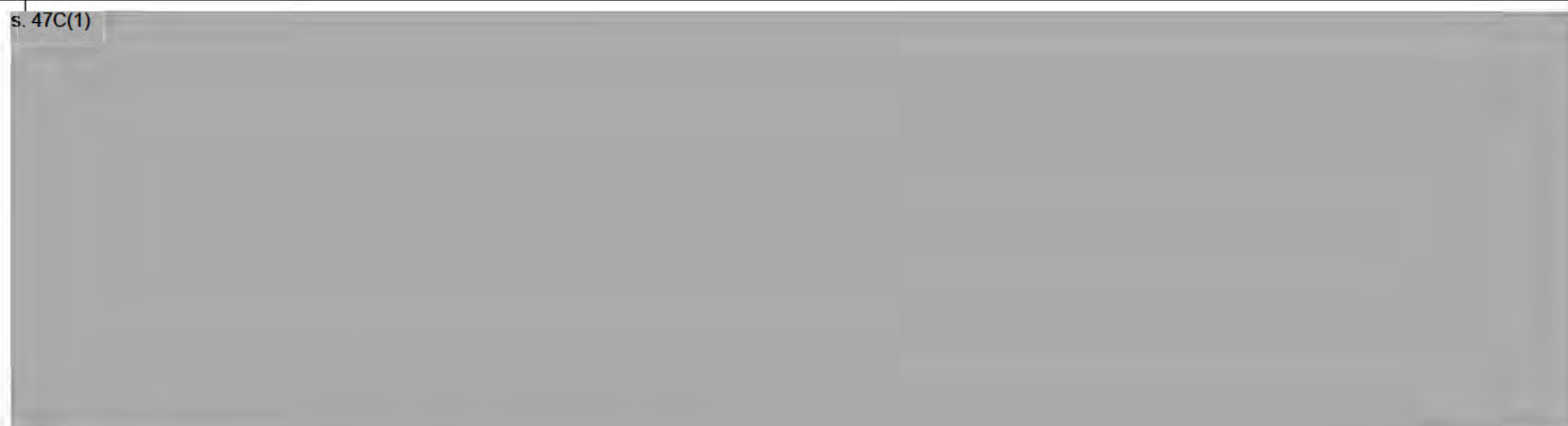
The meeting recognised the very low numbers of children currently in detention and the utility of the framework should children enter the detention environment in the future.

Action Items:

6.1 Action: FAS Cheryl-anne Moy, Claire Roennfeldt and Garfield Prowse to meet with Working Group members by early June, where Cheryl-anne will advise of CPP views about the report and take back comments from Group.

6.2 Action: Council to write to CPP to congratulate them on the report.

s. 47C(1)



s. 47C(1)

s. 47C(1)

7. Detention visits


- Visit reporting arrangements
- Visit feedback



s. 47C(1)

Released by DIBP under the
Freedom of Information Act 1982

	<p>s. 47C(1)</p> <p>Action Items: 7.1: MCASD Secretariat to continue organising a Serco officer to accompany Council visitors 7.2: s. 47E(d) 7.3: Council members to submit their 'top five' big ticket items to Air Marshal Funnell for him to develop an omnibus report including the proposed visit programme for the remainder of the year.</p>
<p>8. Status resolution matters</p> <ul style="list-style-type: none"> • Bridging Visa E (BVE) update • Fast Track Assessment (FTA) update • Primary Application Information Service (PAIS) update 	<p>AS Public Risk Assessment sought members' specific concerns regarding BVE management. s. 47E(d)</p> <p>AS Public Risk Assessment advised she is working with AS Temporary Protection Visa (TPV) Assessment on these matters.</p> <p>Lack of work rights for some (inc SZQRB affected cohort) on Bridging visas was raised. AS Public Risk Assessment advised she is progressing the matter, with the Minister now giving Department discretion regarding work rights to be attached to all such visas. The length of Bridging visa validity was again mentioned with the response that validity is closely linked to their expected status resolution.</p> <p>It was noted for the members that support for BV holders with work rights was extended from Band 5 to Band 6 SRSS recipients. Any queries about this process can be directed via the Secretariat.</p> <p>TPVs are being processed within eight weeks. The process could take longer if review and judicial processes were involved. TPV applications are generally improving in quality due to <i>pro bono</i> assistance. The Department is also assisting by sourcing needed information from the four to six hour interviews, as well as telephoning and helping applicants.</p> <p>Safe Haven Enterprise Visa (SHEV) opt-in states are NSW, TAS and VIC with WA and NT in active discussions. It was noted that SHEV holders could move to a different opt-in state once it came on board.</p> <p>At 4 May 2016, there were 1550 eligible people for PAIS, with applications rising slowly. Everyone in detention, SRSS Bands 3 and 5 were offered PAIS.</p> <p>Referrals can be made via the Portal, which is preferred mode, but service providers can provide information in the case plan or in any format. See further statistics at Appendix.</p> <p>Action Items: Nil</p>

9. <i>In camera</i> session	
10. Secretary's update	<p>The Secretary spoke in general terms of current geo-strategic circumstances in the context of boat arrivals and third country resettlement and what might change in the near to medium term.</p> <p>s. 47E(d)</p> 

Appendix**Irregular Maritime Arrival (IMA) Processing Statistics**

The following IMA Processing Information is as at 16 May 2016 for RSD (non-statutory process) and Detention, 14 May 2016 for Fast Track and 29 April 2016 for Protection Visa (PV) (statutory process).

Of the IMAs in the **pre-13 August 2012** IMA Legacy Caseload (including those in the non-statutory process):

- 2,737 applications have been finalised since 19 September 2013
 - 1,092 IMAs have been granted TPVs since the introduction of Resolving the Asylum Legacy Caseload (RALC) Act on 16 December 2014. 1 IMA has been granted a SHEV since the introduction of RALC on 16 December 2014
 - 1,644 have been finally determined to be refused a protection visa since 19 September 2013.
- 3,322 IMAs in the pre-13 August 2012 IMA Legacy Caseload remain on hand
 - 653 applications are at the primary stage mainly awaiting checks with a handful at various stages in the primary assessment process
 - 789 applications are at merits review (762) or in the review window (27)
 - 1,337 applications have been remitted from merits review and are awaiting decision
 - 312 SHEV applications have been lodged and are on hand
 - The remainder are affected by various legislative and policy changes.
- 373 applications have been refused at the primary stage since the commencement of the RALC Act.

Of IMAs in the **post-13 August 2012** caseload to be processed under Fast Track:

- 20,539 IMAs have had the s.46A(2) application bar lifted to enable a TPV or SHEV application (not including approx 340 bar lifts to IMAs arriving pre-13 August 2012)
- 10,698 have been sent invitation letters to apply
- 5,077 TPV and SHEV applications have been lodged
 - 1,559 TPV applications are currently being assessed
 - 1,531 are on hand awaiting primary assessment
 - 22 are on hand at IAA
 - 6 applications have been remitted from merits review and are awaiting decision.
 - 3,339 SHEV applications are currently being assessed
 - 3,289 are currently being assessed
 - 38 are on hand at IAA
 - 12 applications have been remitted from merits review and are awaiting decision.
- 179 Applications have been finalised of which 73 IMAs were granted TPVs, 68 were granted SHEVs. There were 38 finally determined refusals, including 1 excluded fast track.

120 applications (53 TPVs and 67 SHEVs) have been refused at the primary stage since the commencement of the RALC Act. 24 applications have been remitted (11 TPVs and 13 SHEV) and 37 applications (21 TPVs and 16 SHEVs) have been affirmed by the Immigration Assessment Authority (IAA).