



Australian Government
Department of Immigration
and Border Protection



Australian
BORDER FORCE

Transitory Persons Committee (TPC)

Minutes of Case Conference Meeting

Date: 07DEC2018
Time: 15.30 - 16:00 AEST
Venue: ACT 3ML L2 M2R27 (via telecon)

Name	Position	Role
Elizabeth Hampton (EH)	FAS, Health Services Policy & Child Wellbeing	Chair
Vanessa Holben (VH)	Assistant Commissioner, Detention & Offshore Operations Command	Member
s. 22(1)(a)(ii)	Senior Legal Officer	Advisor
Dr Pardobh Gogna (PG)	Chief Medical Officer	Member
s. 22(1)(a)(ii)	Senior Medical Officer of the Commonwealth	Advisor
Sneha Chatterjee (SJ)	Commander, Offshore Operations Branch	Member
s. 22(1)(a)(ii)	A/g Inspector, Offshore Health Operations	Advisor
s. 22(1)(a)(ii)	Contact Officer, Offshore Health Operations	Secretariat

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

Item 1	s. 47F(1)
Key discussion points	<p>SA provided update on s. 47F(1).</p> <ul style="list-style-type: none"> 28NOV2018, RFT sent to OHOS from IHMS suggesting three (3) week timeframe for recommended medical transfer to Taiwan/Australia. 05DEC2018, IHMS Senior Medical Officer (SMO) advised s. 47F(1) should undergo urgent investigations and period should be within seven (7) days. As suggested by the written MOC opinion, OHOS sought confirmation from PIH and TAH of their capability and willingness to accept s. 47F(1) for diagnosis and treatment. PIH confirmed the required treatment, s. 47F(1), is available at PIH. PIH have a full time s. 47F(1). PIH have confirmed that they are willing to accept the patient. OHOS is waiting for the response from the Taiwan HLO regarding TAH capabilities. <p>TPC committee members discussed:</p> <ul style="list-style-type: none"> PG suggested that there is a further question to consider: Does PIH have a s. 47F(1) ? EH asked whether TAH could manage this case. VH asked for confirmation that PIH have the capability to undertake the recommended treatment. PG confirmed PIH has the capability. VH queried, noting that IHMS recommendation of seven (7) days, can PIH do both s. 47F(1). VH suggested to have a TPC early next week to

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	<p>discuss further; within the seven (7) day timeframe. VH requested email to be sent today to PIH, if response comes back today suggest have out of session approval. If not, schedule TPC for next Tuesday.</p> <ul style="list-style-type: none"> PG suggested verifying with PIH whether they have a s. 47F(1) as s. 47F(1) symptomatology may also relate to s. 47F(1) underlying Medical History of s. 47F(1). If a s. 47F(1) cause is excluded other causes must be considered so that ongoing diagnostic uncertainty is avoided. s. 47F(1) to be explored at PIH.
Action	<ol style="list-style-type: none"> OHOS to seek advice on PIH having capability to s. 47F(1). Will both s. 47F(1) be available in upcoming weeks if patient transferred? Email sent 07/12/2018 Email sent to DOOC NCU, advising if PIH provides a response on the weekend, to notify TPC members for out of session consideration.
Response	<ol style="list-style-type: none"> 07DEC2018: CEO, PIH, s. 33(a)(iii) confirmed that s. 47F(1) and the s. 47F(1) will be available at PIH. s. 33(a)(iii) CEO PIH advised the required treatment, s. 33(a)(iii) is available at PIH, s. 33(a)(iii) PIH are willing to accept the patient. 07DEC2018: Taiwan HLO advised that TAH have confirmed that they can accept s. 47F(1) for diagnosis and treatment. s. 47F(1) will be reviewed by a s. 47F(1) and s. 47F(1) before a treatment plan is prepared. They are unable to advise how long s. 47F(1) would be required to remain in Taiwan until the treatment plan is established. We can send s. 47F(1) at any time. TAH will send the written confirmation ASAP.

Item 2	s. 47F(1)
Key discussion points	<p>s. 22(1) provided action items from TPC meeting held on 19NOV2018 and responses from IHMS.</p> <p>TPC committee members discussed:</p> <ul style="list-style-type: none"> EH suggested Taiwan be offered again, accompanied by s. 47F(1), as TAH has the capability. TPC members asked if we have any updates on s. 47F(1) from late November. PG mentioned there has been s. 47F(1) VH queried if option for the Taiwan charter scheduled for 03JAN2019 is available, s. 47F(1) PG agreed to offer TAH to s. 47F(1). VH agreed to offer TAH to s. 47F(1) has previously refused offers of treatment in Taiwan. s. 22(1) clarified that s. 47F(1) do not see TAH as a problem, however advised that their client has concerns about Taiwan. s. 22(1)a suggested for a s. 47F(1) review to be arranged and a report provided including: <ol style="list-style-type: none"> Clear documentation as to whether s. 47F(1); Clarification on s. 22(1) concerns regarding Taiwan treatment, and whether these fears would be considered a s. 47F(1) or have the potential to harm s. 47F(1) as well as; Confirmation that the risks of not receiving treatment have been adequately conveyed and documented to s. 47F(1)

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	<ul style="list-style-type: none"> VH and TPC members supported this suggestion. PG would like to know if the s. 47F(1) [REDACTED] for expedient care. If the s. 47F(1) [REDACTED] is not as prolific as mentioned, then the option should be the TAH in the first instance. PG noted the supporting documents provided at the TPC-the extent of the disease process would make further s. 47F(1) [REDACTED] technically more difficult hence recommendation to support TAH. s. 47F(1) [REDACTED]
Action	<ol style="list-style-type: none"> Email sent to IHMS s. 47F(1) [REDACTED] . s. 47F(1) [REDACTED]
Response	<ol style="list-style-type: none"> s. 47F(1) [REDACTED] 08 – 09DEC2018: TPC recommended that : <ul style="list-style-type: none"> Re-engage and re-offer s. 47F(1) [REDACTED] medical transfer option of Nauru to Taiwan again. s. 47F(1) [REDACTED] s. 47F(1) [REDACTED] Make arrangements for an interpreter to travel with them and accompany them for the duration; find a s. 47F(1) [REDACTED] interpreter, s. 47F(1) [REDACTED]. It would be ideal if s. 47F(1) [REDACTED] could be introduced to the interpreter in Nauru at or before the time the offer of Taiwan is discussed. Also, ask if there is another support person i.e. a s. [REDACTED] that s. 47F(1) [REDACTED] is close to in the community who s. [REDACTED] would like to take. s. 47F(1) [REDACTED] 47F(1) [REDACTED] 10DEC2018: OHOS requested Nauru HLO to re-engage with s. 47F(1) [REDACTED] to discuss the offer of Nauru to Taiwan, having tentatively arranged other logistics outlined by the TPC members and report the outcome as a priority. Re-messaging outcome is pending as of 10DEC2018.

Meeting held on 09NOV2018



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Transitory Persons Committee (TPC)

Minutes of Case Conference Meeting

Date: 14JAN2019
Time: 09:50am - 10:40am AEST
Venue: ACT 3ML L2 M2R51

Name	Position	Role
Agnieszka Holland (AH)	A/g First Assistant Secretary, Health Services Policy & Child Wellbeing	Chair
Vanessa Holben (VH)	Assistant Commissioner, Detention & Offshore Operations Command	Member
Dr Parbodh Gogna (PG)	Chief Medical Officer	Member
Sneha Chatterjee (SC)	Commander, Offshore Operations Branch	Member
s. 22(1)(a)(ii)	Senior Medical Officer of the Commonwealth	Advisor
s. 22(1)(a)(ii)	Senior Medical Officer of the Commonwealth	Advisor
s. 22(1)(a)(ii)	A/g Superintendent, Offshore Health Operations	Advisor
s. 22(1)(a)(ii)	Contact Officer, Offshore Health Operations	Secretariat

	Apologies
	s. 22(1)(a)(ii) Principal Legal Officer, s. 22(1)(a)(ii) Senior Legal Officer

Item 1	s. 22(1)(a)(ii)
Key discussion points	<p>The TPC members and advisors discussed the IHMS recommendation to transfer to Australia for s. 22(1)(a)(ii). On 28 December 2018 IHMS recommended transfer to Australia within 4 weeks.</p> <ul style="list-style-type: none"> s. 22(1) provided update on s. 47F(1). VH- asked the Clinical Team why s. 47F(1) cannot be treated on Nauru. The Clinical team advised that treatment s. 47F(1) PG- noted that the s. 47F(1) has a long standing history of s. 47F(1), and questioned why this was not referred through from IHMS back then or since that time. Advised that a s. 47F(1) test should be requested from IHMS. VH- advised that s. 47F(1) has refused medical treatment in Taiwan and under the medical transfers policy does not currently meet the threshold for transfer to Australia. s. 22(1) - advised s. 47F(1) has also been treated for a s. 47F(1). OHOS will follow up with IHMS to obtain a copy of this report and confirm when s. 47F(1) next appointment is scheduled. VH- advised next steps is pursue PIH. VH- requested a report on s. 47F(1)

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Action	<ol style="list-style-type: none"> 1. Require a report on s. 47F(1) 2. Request s. 47F(1) test through IHMS
Response	Transfer to Australia occurred for urgent medical treatment on 27 January 2019.

Item 2	s. 47F(1)
Key discussion points	<p>The TPC members and advisors discussed IHMS recommendation to receive tertiary medical care and s. 47F(1) input not available in Nauru. IHMS states s. 47F(1)</p> <ul style="list-style-type: none"> • s. 22(1)(a) provided update on s. 47F(1) • VH- commented on s. 47F(1) not attending appointments. While on 10JAN2019 advice from IHMS was that s. 47F(1) • VH- Last TPC we asked for s. 47F(1) to be placed in RPC1, was there signs of improvements post RPC1 admission? Does s. 47F(1) need inpatient longer-term care? Are there moments of positivity and if so what were these treatments? • PG- requested IHMS to provide an updated referral, last one from October. Request updated timeframe. Rather than ask updated CAT team for another opinion, ask treating physician to do so. • The TPC noted that there has been an ongoing pattern where s. 47F(1) • VH- requested an updated RFT • VH- asked if s. 47F(1) ?
Action	<ol style="list-style-type: none"> 1. OHOS to confirm living arrangements with s. 47F(1) 2. OHOS to consult with IHMS to seek advice as to s. 47F(1) 3. Request an updated RFT with confirmation of timeframe. 4. OHOS to confirm the requirement for s. 47F(1) longer-term inpatient care. Confirm with IHMS was there any s. 47F(1) and if so what were these treatments.
Response	Email received from IHMS advising RFT withdrawn as the circumstances have been changed. 18/01/2019

Item 3	s. 47F(1)
Key discussion points	<p>The TPC members and advisors discussed previous transfer request to Australia which was received on 18 December 2018.</p> <ul style="list-style-type: none"> • s. 22(1) - provided update on s. 47F(1) • VH- questioned if s. 47F(1) • s. 22(1)(a) advised s. 47F(1) is a voluntary admission. • VH- discussed the need to address s. 47F(1) and approved transfer to Australia for treatment

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	<ul style="list-style-type: none"> PG- discussed the need for IHMS to update medical on RFT. s. 47F(1) needs specialist care. Agrees and supports the transfer of s. 47F(1) to Australia based on patient care not available on Nauru VH- raised timeliness of transfer. PG- suggested commercial travel will be suitable, however s. 47F will likely require a medical escort
Action	1. TPC members agree transfer to Australia for treatment. OHOS to facilitate this transfer.
Response	1. OHOS case manager to facilitate transfer to Australia. 2. Transfer to Australia confirmed for 18 January 2019.

Item 4	s. 47F(1)
Key discussion points	<p>The TPC members and advisors discussed previous transfer requests to Australia (27 September, 23 October, and 9 November 2018 TPC meeting) for treatment of s. 47F(1). The Department has made ongoing efforts to provide s. 47F with medical treatment, including PNG, Taiwan and the deployment of a specialist surgeon to Nauru, all offers refused.</p> <ul style="list-style-type: none"> s. 22(1) - provided update on s. 47F(1) and noted that s. 47F has refused medical treatment in PNG, Taiwan, and with a visiting specialist surgeon who would have been deployed to Nauru. VH- asked for latest update on s. 47F(1) medical condition PG- confirmed s. 47F condition still requires investigating. Went over opinion provided and discussed refusal. Noting, this is clear case of refusal of medical treatment. s. 22(1) - will ensure s. 47F(1) is on s. 47F(1) for constant watch and health update PG- noted that it is important for OHOS to clearly document all of the refusals for medical treatment, confirm s. 47F(1) has the capacity to understand what is being said, and ensure s. 47F is advised of risks of continuing to refuse treatment. OHOS should advise IHMS this case was discussed again at TPC meeting and s. 47F is continuously refusing treatment.
Action	<ol style="list-style-type: none"> OHOS to obtain documentation of offers/refusals by s. 47F(1) from Nauru HLO-Email sent to Nauru HLO OHOS to seek the latest update on s. 47F(1) medical condition. Email sent to IHMS, awaiting update 15/01/2019 OHOS to ensure s. 47F(1) OHOS to advise IHMS this case was discussed again at TPC meeting and s. 47F is continuously refusing treatment. Email sent to IHMS 29/01/2019
Response	<ol style="list-style-type: none"> On 03JAN2019, s. 47F(1) advised s. 47F would not transfer to Taiwan or PNG and s. 47F will not consent to an expatriate specialist review s. 47F(1) on Nauru. Email sent to Nauru HLO, awaiting copy of documents. Signed refusal documents received 08APR19. Email sent to IHMS, awaiting update 15/01/2019. Email received from IHMS on 16JAN2019, with health update for s. 47F(1). IHMS reported s. 47F presented with s. 47F(1). It was noted s. 47F(1) Confirmed with s. 47F(1) Email sent to IHMS 29JAN2019 advising s. 47F(1) refusing treatment.

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Transitory Persons Committee (TPC)

Minutes of Case Conference Meeting

Date: 19 February 2019

Time: 12:00 - 1:00pm AEST

Venue: ACT 3ML L2 M2R51 (and by teleconference)

Name	Position	Role
Agnieszka Holland (AH)	A/g First Assistant Secretary, Health Services Policy & Child Wellbeing	Chair
Vanessa Holben (VH)	Assistant Commissioner, Detention & Offshore Operations Command	Member
Dr Parbodh Gogna (PG)	Chief Medical Officer	Member
Sneha Chatterjee (SC)	Commander, Offshore Operations Branch	Member
s. 22(1)(a)(ii)	Senior Medical Officer of the Commonwealth	Advisor
s. 22(1)(a)(ii)	Medical Officer of the Commonwealth	Advisor
s. 22(1)(a)(ii)	A/g Superintendent, Offshore Health Operations	Advisor
s. 22(1)(a)(ii)	A/g Senior Border Force Officer, Offshore Health Operations	Secretariat

	Apologies
	s. 22(1)(a)(ii), Principal Legal Officer s. 22(1)(a)(ii), A/g Senior Legal advisor

Item 1	s. 47F(1)
Key discussion points	<p>The TPC members and advisors discussed the IHMS recommendation for s. 47F(1) to transfer to Australia for treatment of s. 47F(1)</p> <ul style="list-style-type: none"> (PG) Recommends transfer to Australia. (VH) Approved transfer to Australia. The TPC members noted the support that the accompanying family provides to the patient and on the basis of that support, approved them to transfer with the patient.
Action	1. OHOS team to facilitate transfer to Australia

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Response	Family transferred to Australia 26 February 2019.
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Item 2	s. 47F(1)
Key discussion points	<p>The TPC members and advisors discussed the IHMS recommendation for s. 47F(1) to transfer to Australia for s. 47F(1).</p> <ul style="list-style-type: none"> • (PG) Recommends transfer to Australia • (VH) Approved transfer to Australia for treatment • The TPC members noted the support that the accompanying family provides to the patient, and on the basis of that support, approved them to transfer with the patient. • All family members listed on Client Brief approved to transfer with patient.
Action	1. OHOS team to facilitate transfer to Australia
Response	Family transferred to Australia 26 February 2019.

Item 3	s. 47F(1)
Key discussion points	<p>The TPC members and advisors discussed the IHMS recommendation for s. 47F(1) to transfer to Australia for investigations of symptoms including dual incontinence.</p> <ul style="list-style-type: none"> • (PG) Recommendation for transfer to Australia. Noted that recent reports suggests health is deteriorating. • (VH) Approved transfer for s. 47F(1) for medical treatment. • The TPC members noted the support that the accompanying family provides to the patient • (VH) The family member s. 47F(1) listed on Client Brief approved to transfer with patient.
Action	1. OHOS team to facilitate transfer to Australia
Response	Family transferred to Australia 24 February 2019.

Item 4	s. 47F(1)
Key discussion points	<p>The TPC members and advisors discussed the IHMS recommendation for s. 47F(1) to transfer to Australia for treatment of continuing s. 47F(1).</p> <ul style="list-style-type: none"> • (PG) Recommend transfer to Australia for treatment. • (PG) Mentioned Taiwan Adventist Hospital (TAH) would be very suitable; however notes s. 47F(1) has declined treatment in Taiwan. • (VH) Approved transfer to Australia for treatment and assessment of s. 47F(1).
Action	1. OHOS team to facilitate transfer to Australia
Response	s. 47F(1) transferred to Australia 26 February 2019.

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Item 5	s. 47F(1)
Key discussion points	<p>The TPC members and advisors discussed the IHMS recommendation for s. 47F(1) to transfer to Australia for treatment of s. 47F(1) for investigation.</p> <ul style="list-style-type: none"> (PG) Advised Taiwan appropriate. s. 47F(1). Transfer required. (VH) Taiwan can treat this person. s. 47F(1) s. 22(1)(a)(i) s. 47F(1) (PG) s. 47F(1)
Action	<ol style="list-style-type: none"> 1. Seek s. 47F(1) consent to go to Taiwan for treatment 2. Enquire through the TAH if they can accept s. 47F(1) 3. Require further information and willingness/demonstration to resettle in US with s. 47F(1) in US. s. 47F(1) ? 4. OHOS to come back out of session for further TPC consideration where required.
Response	Advised positive s. 47F(1) scheduled for 01 March 2019. s. 47F(1) has advised whilst s. 47F(1) is willing to accept treatment in Taiwan, s. 47F(1) is keen to accept offer resettlement in the US.

Item 6	s. 47F(1)
Key discussion points	<p>The TPC members and advisors discussed the IHMS recommendation for s. 47F(1) to transfer to Australia for treatment of s. 47F(1).</p> <ul style="list-style-type: none"> (PG) Agrees patient requires transfer for investigation. Supports transfer to Australia. (s. 22(1)(a)(i)) Mentioned s. 47F(1) has refused Taiwan and requires OMR approval
	<ol style="list-style-type: none"> 1. Ask IHMS to progress this case to the next OMR committee 2. Defer this decision subject to OMR approval. 3. If approved by OMR, OHOS to seek out of session consideration for s. 47F(1) and son.
Response	s. 47F(1) is currently under review by s. 47F(1) at RoN hospital. No OMR approved at this stage.

Item 7	s. 47F(1)
Key discussion points	<p>The TPC members and advisors discussed the IHMS recommendation for s. 47F(1) to transfer to Australia for treatment of s. 47F(1) requiring an s. 47F(1) review.</p> <ul style="list-style-type: none"> (PG) Recommends transfer to Australia for s. 47F(1) care and further investigations (s. 22(1)(a)(i)) s. 47F(1) (SC) Advised s. 47F(1) (VH) Approved s. 47F(1) transfer to Australia. The TPC members noted the support that the accompanying family provides to the patient s. 47F(1) and on the basis of that support, approved for s. 47F(1) to transfer with the patient.

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Action	1. OHOS to facilitate transfer to Australia (Sydney suggested possibly as daughter currently in Sydney)
Response	s. 47F(1) transfer date to Australia is 03 March 2019.

Item 8	s. 47F(1)
Key discussion points	<p>The TPC members and advisors discussed the IHMS recommendation for s. 47F(1) to transfer to Australia for treatment for s. 47F(1).</p> <ul style="list-style-type: none"> • (PG) Concerned about s. 47F(1), recommend transfer to Australia. • s. 22(1)(a) Mentioned s. 47F(1) has refused offer to Taiwan • (PG) Suggests transfer to Australia for treatment. • (VH) Approved transfer of s. 47F(1) • The TPC members noted the support that the accompanying family provides to the patient (s. 47F(1) son), and on the basis of that support, approved them to transfer with the patient. • (PG) Mentioned transfer suitability with recent s. 47F(1) condition.
Action	<ol style="list-style-type: none"> 1. Confirm with IHMS if will be FTT due to recent s. 47F(1) condition 2. OHOS to facilitate transfer to Australia
Response	s. 47F(1) transferred to Australia on 24 February 2019.

Item 9	s. 47F(1)
Key discussion points	<p>The TPC members and advisors discussed the IHMS recommendation for s. 47F(1) to transfer to Australia for s. 47F(1) evaluation due to s. 47F(1).</p> <ul style="list-style-type: none"> • (PG) Recommends transfer to Australia • (VH) Approved transfer to Australia for treatment.
Action	1. OHOS to facilitate transfer to Australia.
Response	s. 47F(1) transferred to Australia on 22 February 2019.

Item 10	s. 47F(1)
Key discussion points	<p>The TPC members and advisors discussed the IHMS recommendation for s. 47F(1) to transfer to Australia for s. 47F(1) and also treatment of s. 47F(1).</p> <ul style="list-style-type: none"> • s. 22(1)(a) s. 47F(1) Recommended to have a s. 47F(1) • s. 47F(1) Has declined transfer to Taiwan. Treatment cannot be done in Nauru • (VH) Is partner on approved list? • (VH) Approved transfer to Australia for s. 47F(1). • The TPC members noted the support that the partner of s. 47F(1) provides to s. 47F(1) and on the basis of that support, approved s. 47F(1) to transfer with the patient. • (PG) Mentioned s. 47F(1), did not check with IHMS s. 47F(1)

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Action	<ol style="list-style-type: none"> 1. IHMS to assess whether s. 47F(1) [REDACTED] 2. IHMS to ensure the s. 47F(1) [REDACTED] are done. 3. OHOS to facilitate transfer to Australia.
Response	s. 47F(1) [REDACTED] is transferring to Australia on 03 March 2019.

Item 11	s. 47F(1) [REDACTED]
Key discussion points	<p>The TPC members and advisors discussed the IHMS recommendation for s. 47F(1) [REDACTED] to transfer to Australia for s. 47F(1) [REDACTED] treatment.</p> <ul style="list-style-type: none"> • s. 22(1)(a)(ii) s. 47F(1) [REDACTED] has refused Taiwan. • (VH) Approved transfer to Australia for s. 47F(1) [REDACTED]. • (PG) Agree transfer to Australia. • The TPC members noted the support that the accompanying family s. 47F(1) [REDACTED] provides to the patient, and on the basis of that support, approved s. 47F(1) [REDACTED] to transfer with the patient.
Action	<ol style="list-style-type: none"> 1. Confirm with IHMS if any treatment or further investigations required for s. 47F(1) [REDACTED] as per report. 2. OHOS to facilitate transfer to Australia.
Response	s. 47F(1) [REDACTED] transferred to Australia on 26 February 2019.

Item 12	s. 47F(1) [REDACTED]
Key discussion points	<p>The TPC members and advisors discussed the IHMS recommendation for s. 47F(1) [REDACTED] to transfer to Australia for a s. 47F(1) [REDACTED] review and investigations that are not available on Nauru. Specifically s. 47F(1) [REDACTED] in light of assessing s. 47F(1) [REDACTED] with seemingly no response to s. 47F(1) [REDACTED]</p> <ul style="list-style-type: none"> • s. 22(1)(a)(ii) s. 47F(1) [REDACTED] • (VH) Approved transfer to Australia. • (PG) Agree transfer to Australia. • The TPC members noted the support that the accompanying family s. 47F(1) [REDACTED] provides to the patient, and on the basis of that support, approved them to transfer with the patient.
Action	1. OHOS to facilitate transfer to Australia
Response	s. 47F(1) [REDACTED] transferred to Australia on 22 February 2019.

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Item 13	s. 47F(1)
Key discussion points	<p>The TPC members and advisors discussed the IHMS recommendation for s. 47F(1) to transfer to Australia for s. 47F(1) requiring s. 47F(1) review and possibly s. 47F(1)</p> <ul style="list-style-type: none"> • s. 22(1)(a)(i) s. 47F(1) • s. 22(1)(a)(i) s. 47F(1) Advisec s. 47F(1) has refused Taiwan. • (VH) s. 47F(1) • (VH) s. 47F(1) • (AH) s. 47F(1) • s. 22(1)(a)(i) s. 47F(1)
Action	1. s. 47F(1) – arrange out of session TPC members for consideration of transfer.
Response	On 25 February 2019 IHMS s. 47F(1) Team Leader advised that s. 47F(1) been providing support for s. 47F(1) provide some support for s. 47F(1), however, IHMS s. 22(1)(a)(i) is unable to comment on what degree of support level.

Item 14	s. 47F(1)
Key discussion points	<p>The TPC members and advisors discussed the IHMS recommendation for s. 47F(1) to transfer to Australia for further s. 47F(1) review and investigations with s. 47F(1)</p> <ul style="list-style-type: none"> • s. 22(1)(a)(i) Discussed s. 47F(1) • (VH) Approved transfer to Australia for treatment • s. 22(1)(a)(i) Agrees transfer necessary to Australia for treatment
Action	1. OHOS to facilitate treatment to Australia.
Response	s. 47F(1) transferred to Australia on 24 February 2019.

Meeting held on 19 February 2019



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Transitory Persons Committee (TPC)

Minutes of Case Conference Meeting

Date: 19NOV2018
Time: 14.00 - 14:50 AEST
Venue: ACT 3ML L2 M2R27

Name	Position	Role
Elizabeth Hampton (EH)	FAS, Health Services Policy & Child Wellbeing	Chair
Vanessa Holben (VH)	Assistant Commissioner, Detention & Offshore Operations Command	Member
s. 22(1)(a)(ii)	A/g Commander, Offshore Operations Branch	Member
s. 22(1)(a)(ii)	Senior Legal Officer	Advisor
s. 22(1)(a)(ii)	A/g Senior Legal Officer	Advisor
s. 22(1)(a)(ii)	Senior Medical Officer of the Commonwealth	Advisor
s. 22(1)(a)(ii)	Senior Medical Officer of the Commonwealth	Advisor
s. 22(1)(a)(ii)	A/g Superintendent, Offshore Health Operations	Advisor
s. 22(1)(a)(ii)	Contact Officer, Offshore Health Operations	Secretariat

	Apologies
	Apologies: Dr Pardobh Gogna, Chief Medical Officer

Item 1	s. 47F(1)
Key discussion points	<p>The TPC discussed IHMS recommendation to transfer s. 47F(1) to Australia for s. 47F(1) treatment. s. 22(1)(a) provided background to members and advisors on current health/mental status of s. 47F(1).</p> <p>Based on information available, the question of whether contributing factors such as friends/support network leaving the island, s. 47F(1) s. 22(1)(a) stated that s. 47F(1) TPC queried if a holistic approach should be encouraged on island. OHOS to engage with IHMS and on whether a holistic plan to better s. 47F(1) s. 22(1)(a) also commented that s. 47F(1) noted that this was not the reason for the RFT but a possible significant coexisting condition.</p>

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Transitory Persons Committee (TPC)

	Committee agreed no transfer to Australia based on current information provided at meeting.
Action	1. OHOS to go back to IHMS and request a plan to support discharge from the RAA s. 47F(1)
Response	<p>IHMS have advised s. 47F(1) and will be followed up by the outreach team.</p> <p>Email received from IHMS 25/11. Medical staff attempted to review s. 47F(1)</p> <p>s. 47F(1) review on 24/11/2018:</p> <p>s. 47F(1)</p> <p>Plan: To be reviewed on outreach on Monday 26th of November. .</p>

Item 2	s. 47F(1)
Key discussion points	<p>The TPC discussed IHMS recommendation to transfer s. 47F(1) provided update to committee and advisors advising s. 47F(1) is currently being managed on Nauru through s. 47F(1) reviews.</p> <p>EH discussed the option of s. 47F(1) on Nauru as a possibility. EH asked what s. 47F(1), and wanting to ensure we can support s. 47F(1) on island. Request that IHMS medical team see s. 47F(1)</p> <p>The TPC agreed that the Department would offer to facilitate voluntary return to Nauru for s. 47F(1).</p>
Action	<p>1. OHOS to engage with Onshore Detention to request they facilitate offer of voluntary return for s. 47F(1). (Email sent to Detention Health)</p> <p>2. Follow up s. 47F(1) health support for s. 47F(1)</p>
Response	<p>1. Awaiting response from Detention Health</p> <p>2. Awaiting response from email regarding ongoing s. 47F(1) health support for s. 47F(1). Email received from IHMS on 23/11/18 advising s. 47F(1) health support for s. 47F(1) continues with outreach visits. Outreach notes available on TRIM ADD2018/5517343</p>

Meeting held on 09NOV2018

Transitory Persons Committee (TPC)

Item 3	s. 47F(1)
Key discussion points	<p>The TPC discussed previous transfer request to Australia (9 November TPC meeting) for s. 47F(1). In the previous TPC meeting on 9 November the committee and advisors agreed that s. 47F(1) should be offered treatment in Taiwan. IHMS have not indicated support transfer to Taiwan for surgery.</p> <p>The TPC requested further information from IHMS including why Taiwan may not be an appropriate location for treatment, and what specific procedure is recommended. VH suggested possibility of s. 47F(1) visiting Nauru for treatment. EH request OHOS speak to HLO in Taiwan and request TAH to provide letter they can treat s. 47F(1). s. 22(1)(a) and s. 22(1)(b) advised that the report from the Taiwanese s. 33(a)(iii) s. 47F(1), VH request any scans they can provide as well as whether there is any evidence of where the TAH have advised they can treat s. 47F(1). TPC agreed to pursue the possibility of Taiwan for treatment. VH Explore flying specialist over if required.</p>
Action	<ol style="list-style-type: none"> 1. OHOS to request Detention Onshore Health Contracts possibility of s. 47F(1) visiting Nauru to treat s. 47F(1). 2. IHMS to provide reasons why Taiwan is not able to treat s. 47F(1).
Response	Email received from IHMS on 21 November advising equipment not available in Nauru for treatment. IHMS confirmed surgery can be undertaken in Taiwan. Waiting for TAH acceptance. Follow up email sent 26/11

Item 4	s. 47F(1)
Key discussion points	<p>The TPC members and advisors discussed previous transfer request to Australia (9 November TPC meeting) for s. 47F(1). In the previous TPC meeting on 9 November the committee and advisors recommended that treatment in Taiwan be offered. s. 22(1) raised letter received from s. 47F(1) s. 42(1)</p> <p>s. 22(1) Raised option of PIH for treatment; however, VH reminded committee and advisors s. 47F(1) s. 22(1) suggested that it might be worthwhile to clarify the precise nature of the 'bad experience' and if it was manageable. EH asked could we request a s. 47F(1) be sent to Nauru? s. 47F(1) advised that it depends on the complexity of the underlying s. 47F(1) condition, and the likely treatment. Advised to ask IHMS to assess whether this can be done.</p>
Action	<ol style="list-style-type: none"> 1. Check with IHMS if s. 47F(1) can be sent to Nauru based on complexity. 2. Email to be sent to IHMS and request they assess letter received from s. 22(1)(a)(ii) s. 47F(1) (Email sent)
Response	<ol style="list-style-type: none"> 1. Email received 26/11 from IHMS advising s. 33(a)(iii) s. 47F(1)

Meeting held on 09NOV2018

Transitory Persons Committee (TPC)

	<p>2. IHMS advised in light of s. 47F(1) actions and correspondence from s. 47F(1) legal representatives, IHMS believe that it is clear s. 47F(1) does not wish to go to Taiwan for medical investigations and/or treatment. IHMS recommendation remains unchanged, although the required s. 47F(1) investigations and treatment can be undertaken in Taiwan, the patient refused to consider the Taiwan option. Again, recommend the required investigations and treatment be undertaken in Australia.</p>
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Item 5	s. 47F(1)
Key discussion points	<p>The TPC discussed PIH recommendation to transfer s. 47F(1) to Australia for medical treatment for treatment of s. 47F(1) refusal of surgery in PNG.</p> <p>s. 22(1) discussed s. 47F(1) refusal of any treatment/surgery, mentioned s. 22(1)(a)(ii) reaching out to Department requesting s. 47F(1) be treated. EH commented that there was a more recent report stating that s. 47F(1) was the actual cause. s. 22(1)(a) advised s. 47F(1) is accepting treatment, not s. 47F(1) s. 22(1)(a) commented that the particulars of this case highlighted the importance of a uniform/protocolled response to refusal of treatment. s. 22(1)(a)(ii) discussed the importance of (1) assessing whether a patient has the capacity to make health care decisions and (2) clear, accurate, timely documentation that a qualified professional (i.e. The treating specialist/doctor) has clearly explained the procedure/s to the patient (with an interpreter if necessary) as well as the potential risks of not proceeding with recommended investigation/treatment.</p> <p>The TPC members agreed that transfer to Australia was not required and noted that it seemed that transfer was no longer requested by the HSP now that the patient had stabilised, and the underlying cause of s. 47F(1) symptoms appeared to be related to s. 47F(1)</p>
Action	Nil
Response	

Meeting held on 09NOV2018



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BORDER FORCE

Transitory Persons Committee (TPC)

Minutes of Case Conference Meeting

Date: 23OCT2018

Time: 15.30 AEST

Venue: Level 10 10.R04 5 Constitution Avenue, Canberra

Name	Position	Role
Elizabeth Hampton (EH)	FAS Health Services Policy & Child Wellbeing Division	Chair
Vanessa Holben (VH)	Assistant Commissioner, Detention & Offshore Operations Command	Member
Parbodh Gogna (Dr G)	Chief Medical Officer	Member
s. 22(1)(a)(ii)	Clinical Advisory Team	Advisor
s. 22(1)(a)(ii)	Legal Officer	Advisor
s. 22(1)(a)(ii)	A/g Superintendent, Offshore Health Operations	Advisor
s. 22(1)(a)(ii)	Offshore Health Operations	Secretariat

	Apologies
	Apologies: A/g Commander s. 22(1)(a)(ii), Offshore Operations Branch

Item 1	s. 47F(1)
Key discussion points	<p>Dr G asked for details of s. 47F(1) health problems. s. 22(1)(a) confirmed some general s. 47F(1) such as s. 47F(1), and IHMS advised that s. 47F(1) requires increasing support for s. 47F(1). Dr G asked what drugs s. 47F(1) is currently taking and how s. 47F(1) health conditions have been raised to TPC. VH mentioned IHMS have noted on health summary they can manage s. 47F(1) on island. s. 47F(1) illnesses are not acute and for this purpose we should see if meets policy, and can s. 47F(1) go to PIH or Taiwan? Can we put additional resources into Canstruct, and do daily outreach to s. 47F(1) on island. s. 22(1)(a) mentioned IHMS advising they can only do so 2-3 days per week. s. 22(1)(a) advised s. 47F(1) could not make it to appointments and s. 47F(1) only receives home visits due to health. s. 22(1)(a) mentioned that none of s. 47F(1) medical conditions is critical; s. 47F(1) is just not living in an environment where s. 47F(1) can receive the right treatment. EH wanted to know if there is a community outreach could the Department could contract to provide these services to s. 47F(1). VH asked if s. 47F(1) has family in Australia (ACTION item). EH asked whether we can undertake an aged care assessment (ACTION item). Dr G advised we should get specialist who can do an s. 47F(1) assessment, understand s. 47F(1) needs and the s. 47F(1) care recommendation, then decide if we are able to fund this type of care in Nauru. VH asked whether there was anyone working for IHMS or in the Nauruan health system who could undertake an s. 47F(1) assessment – ACTION-ask IHMS</p> <p>s. 22(1)(a) suggested it would be sensible to get all transferee over age of 75 assessed by the ACAT clinician. Dr G agreed. Dr G asked what interim support could be provided e.g. medic alert buzzer. Dr G asked how s. 47F(1) current condition was being managed and an updated clinical opinion</p>

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Transitory Persons Committee (TPC)

Action	<ol style="list-style-type: none"> 1. Does patient have family in Australia (ACTION item) Update - Nil 2. Undertake an aged care assessment – UPDATE – Nil. Will provide advice back to TPC members once obtained from IHMS 3. Seek advice from IHMS regarding whether there be anyone in the Nauru health system who could undertake the s. 47F(1) – UPDATE Nil- Will provide advice back to TPC once obtained from IHMS 4. Ask IHMS immediately how s. 47F(1) current condition is being managed, and for an updated clinical opinion. UPDATE – Nil. Will provide advice back to TPC once obtained from IHMS. As at 30 October 2018 IHMS not responded to request for this opinion. Will follow up again 30 October.
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Item 2	s. 47F(1)
Key discussion points	<p>s. 22(1)(a) advised s. 47F(1) issue. s. 47F(1)</p> <p>s. 22(1)(a) EH - Can s. 47F(1) be treated in Nauru? – can we fly in a specialist? s. 22(1)(a) said no.</p> <p>EH then asked can s. 47F(1) be treated in Taiwan? s. 22(1)(a) advised yes.</p> <p>Have IHMS made referral to us – Dr G questioned ACTION</p> <p>Dr G suggested make offer of Taiwan again. VH – discussed s. 47F(1) opinion and IHMS recommended treatment in Taiwan. s. 22(1)(a) advised s. 47F(1) declined Taiwan.</p> <p>In relation to s. 47F(1), s. 22(1)(a) advised no features of s. 47F(1). Risk is low of involuntary admission being required. Taiwan would be able to provide appropriate care.</p> <p>Dr G –asked is there an IHMS referral for a s. 47F(1). If so, can this be done in Taiwan EH – Can s. 47F(1) be done on Nauru?</p> <p>s. 22(1)(a) advised s. 47F(1) needs s. 47F(1).</p> <p>Dr G - If s. 47F(1) and we should offer Taiwan again. Otherwise Dr G not making recommendation without referral letter.</p> <p>TPC decided to await referral from IHMS.</p>
Action	<ol style="list-style-type: none"> 1. EH – Can s. 47F(1) be done on Nauru? UPDATE - Nil Will provide advice back to TPC once obtained from IHMS, case manager to follow up again 30 October 2018. 2. Seek referral from IHMS. UPDATE – Nil. Will provide advice back to TPC once obtained from IHMS. As of 30 October IHMS not provided feedback on request. Case manager to follow up again 30 October.

Item 3	s. 47F(1)
Key discussion points	<p>EH – why RTA sent through for Australia? Our CAT team advised PIH would appear to be able to provide appropriate treatment.</p> <p>Dr G – s. 47 was in RPC 1, suggest ASPEN team go and see s. 47F(1) VH advised that s. 47 has been offered (PIH?) and has refused.</p> <p>Dr G - HLO should contact patient, get s. 47F(1) to sign a refusal to treatment.</p>

Meeting held on 23OCT2018

Transitory Persons Committee (TPC)

	<p>s. 22(1) advised s. 47F(1) has refused to sign that document. Dr G - Taiwan should still be on the table. s. 22(1) - update from HLO was s. 47F(1).</p> <p>Dr G - questioned the timeframe specified for treatment in the IHMS referral and asked that it be reviewed. s. 22(1) - we have requested update, is due today 23Oct.</p> <p>VH - go back to IHMS ask for more information, updated referral letter, HLO should make phone call and document into s. 47F(1) case file, noting we have made contact offering Taiwan again.</p> <p>s. 22(1)(a) mentioned s. 47F(1) is on s. 47F(1) and suggest s. 47F(1) needs a s. 47F(1) assessment too. Ask for s. 47F(1). Dr G - we had surgeon assess this person, and advised s. 47F(1) was not urgent. Remind IHMS of that assessment not being urgent.</p> <p>EH - Require IHMS to review the surgeon's advice and update their referral.</p>
Action	<ol style="list-style-type: none"> 1. Require IHMS to review the surgeon's advice - UPDATE - The advice from the surgeon was written for when s. 47F(1) was admitted in the RPC clinic. IHMS have been asked to provide updated RFT and medical details if they consider s. 47F(1) still requires transfer. 2. Ask IHMS whether patient needs a s. 47F(1) assessment too. UPDATE - IHMS advise that s. 47F(1) was seen by the IHMS s. 47F(1) IHMS report that s. 47F(1) s. 47F(1) 3. 3. Offer Taiwan again - 29/10/2018 - UPDATE - ABF officers met with s. 47F(1) to discuss temporary transfer to Taiwan for medical treatment, however immediately refused the offer before details could be expanded upon. s. 47F(1) was frustrated and that s. 47F(1) would not travel to Taiwan as s. 47F(1) s. 47F(1). s. 47F(1) was informed about the TAH and the specialist's standards. s. 47F(1) made a statement alluding to s. 47F(1) future and referencing FFR and other transferees that ABF approved. The ABF encourage s. 47F(1) to review the information pack provided, reconsider s. 47F(1) options, s. 47F(1) signed the offer refusal again. 4. FOR ACTION - TPC Committee to discuss outcome and decision for medical treatment due s. 47F(1) refuse Taiwan offer again 29/10/2018.

Item 4	s. 47F(1)
Key discussion points	<p>BH - this family seemed to have no issues, then all of a sudden this incident has occurred, some episodes of s. 47F(1) which we were not made aware of from IHMS, s. 47F(1)</p> <p>Dr G - went over s. 47F(1) health condition, mentioning s. 47F(1) is safe to fly on commercial plane. Requires assessment, because s. 47F(1) recommendation is to have a s. 47F(1) assessment, possibly as an outpatient rather than as an inpatient.</p> <p>VH/Dr G - given s. 47F(1) family composition agreed not suitable to leave s. 47F(1) behind.</p> <p>VH decided to transfer patient. FAS Hampton agreed to transfer all immediate family members including s. 47F(1).</p>
Action	1. Commence transfer to process to Australia- Transferred to Australia 26 October.
Contact details for	Offshore Health Operations Section

Meeting held on 23OCT2018

Transitory Persons Committee (TPC)

TPC Secretariat	
Item 5	s. 47F(1)
Key discussion points	<p>s. 22(1)(a) mentioned s. 47F(1)</p> <p>Dr G requested we approach IHMS again to request an update on this case. There is currently no RTA. Follow up with IHMS for update regarding how this case is being managed on Nauru. –</p>
Action	<p>1. Follow up with IHMS for update regarding how this case is being managed in Nauru. Email sent 24/10. UPDATE - Advice received from IHMS s. 47F(1) can no longer be managed on island, request for transfer received. Department approval for s. 47F(1) to travel to Australia for medical treatment.</p> <p>s. 47F(1) and family travelled by Charter on 29/10</p>
Contact details for TPC Secretariat	Offshore Health Operations Section – s. 47F(1) – s. 47F(1)

Meeting held on 23OCT2018

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BORDER FORCE

Minutes of Case Conference Meeting: S. 47F(1) and S. 47F(1)
(WTE003)

Date: 08AUG2018

Time: 16.30 AEST

Venue: Level 10 10.R04 5 Constitution Avenue, Canberra

Attendees:

Name	Position	Role
Elizabeth Hampton (EH)	FAS Health Services Policy & Child Wellbeing Division	Chair
Vanessa Holben (VH)	Assistant Commissioner, Detention & Offshore Operations Command	Member
Claire Roennfeldt (CR)	A/g FAS Property and Major Contracts	Member
Parbodh Gogna (PG)	Chief Medical Officer/ CMO Surgeon General	Member
s. 22(1)(a)(ii)	A/g Commander, Offshore Operations Branch	Advisor
s. 22(1)(a)(ii)	Medical Officer 3, Health Performance & Assurance	Advisor
s. 22(1)(a)(ii)	Superintendent, Offshore Health Operations	Advisor
s. 22(1)(a)(ii)	Inspector, Offshore Health Operations	Advisor
s. 22(1)(a)(ii)	AAT & Removals Injunctions	Advisor
s. 22(1)(a)(ii)	AAT & Removals Injunctions	Advisor
s. 22(1)(a)(ii)	A/g Supervisor, Offshore Health Operations	Secretariat
s. 22(1)(a)(ii)	Supervisor, Offshore Health Operations	Secretariat
s. 22(1)(a)(ii)	Executive Officer to Assistant Commissioner, Detention & Offshore Operations Command	Advisor

Apologies:

Nil

Item 1	Welcome & Apologies
Apologies	Nil
Item 2.1	
Key discussion points	s. 22(1) gave an update of the case from the previous TPC held on 27JUL2018. s. 47F(1) had again been offered the Taiwan option, however s. 47F(1) have, once again, refused transfer. s. 22(1) reiterated that the recommended movement timeframe s. 47F(1) is this Friday (10AUG2018).

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The Committee Discussed:**s. 47F(1)**

EH reiterated that **s. 33(a)(iii)**. EH asked if it was possible to send a TAH team to Nauru. VH mentioned that this would be difficult considering the length of time that the team would be on Nauru and the Authority to Practice approvals. **s. 22(1)** affirmed that the Department has not heard anything formal from the TAH regarding deploying a team to Nauru. PG mentioned that there was **s. 33(a)(iii)**. Additionally, the medical team would require an **s. 47F(1)**, and PG would appreciate a review of available bloodstocks in Nauru. PG has discussed this case with **s. 22(1)(a)(ii)**, IHMS.

s. 42(1)

s. 22(1) mentioned that **s. 47F(1)**. **s. 22(1)** mentioned that **s. 47F(1)**. MF would like this addressed. (ACTION). PG mentioned that **s. 22(1)(a)(ii)** **s. 47F(1)**. **s. 22(1)** asked if **s. 47F(1)**. EH asked if this would **s. 47F(1)**. **s. 22(1)(a)** said that it shouldn't, however if the **s. 47F(1)**. **s. 22(1)** would like a more robust picture of **s. 47F(1)** healthcare needs. PG mentioned that this is a **s. 47F(1)**, and if there was an **s. 47F(1)**, **s. 47F** would not be convinced that there is **s. 33(a)(iii)**. PG asked if the **s. 47F(1)** under Australian standards without a Taiwan delegation. PG reiterated that **s. 33(a)(iii)**. PG would like further information such as the **s. 47F(1)**.

VH: based on the discussion and evidence, VH is recommending transfer to Australia. (ACTION)

s. 22(1) noted that **s. 47F(1)**. EH mentioned that the **s. 47F(1)** and HOST should raise this with the **s. 33(a)(iii)**. **s. 47F(1)** said that Taiwan can be offered as an option with **s. 47F(1)**, however Australia is an option for only **s. 47F(1)** to transfer. EH does not want to **s. 47F(1)** for a temporary transfer, as this would not be in the **s. 47F(1)**.

s. 42(1)**s. 47F(1)**

s. 22(1) provided an overview of this case. **s. 47F(1)**. The OMR dated 04AUG2018 recommended Australia **s. 47F(1)**. **s. 47F(1)**. EH asked why **s. 47F(1)**. **s. 47F(1)** said that this is because **s. 47F(1)**. **s. 22(1)(a)** noted that **s. 47F(1)**. **s. 47F(1)** said that **s. 47F(1)**.

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	<p>s. 47F(1) . EH asked if s. 47F(1) (ACTION) EH said that the GoNH can make s. 47F(1) an involuntary patient. VH mentioned that the triggers for s. 47F(1) mental health seem to be around major decisions, and the outcome of those. s. 22(1)(a) said that particular s. 47F(1) s. 22(1)(a) mentioned that s. 47F(1)</p> <p>s. 42(1) s. 47F(1) s. 22(1) said that there is a huge variation in what condition s. 47F(1) PG reiterated that s. 47F(1) wanted to know what s. 47F(1) EH mentioned that if the Department could fix s. 47F(1) , s. 47F(1)</p> <p>EH mentioned that IHMS will push back on the Department's plan to move s. 47F(1) . VH asked for the occupancy numbers of the MAA to be followed up on Nauru. (ACTION). VH said that if it was full, then s. 47F(1) would like a prioritisation of residents to be completed. CH reaffirmed that admission to the s. 47F(1) was ultimately the GoNH's decision.</p> <p>PG noted that s. 47F(1) . CR asked if Canstruct have a responsibility to staff the s. 47F(1) VH mentioned that the issue is around how they can manage staffing 24/7. PW noted that s. 22(1)(a)(ii) recommendation was for an s. 47F(1) unit, and queried if the s. 47F(1) is that. EH confirmed that technically the s. 47F(1) is.</p> <p>s. 42(1) s. 22(1) noted that s. 47F(1) , and that the Department is awaiting the results of s. 47F(1) . LH said that the Department should address s. 47F(1) , (ACTION) and confirm the s. 47F(1) . s. 44(1) said that the s. 47F(1) . VH mentioned that there should be consequences for not s. 47F(1)</p> <p>PG would like the clinical findings on s. 47F(1) , and the speciality reports that state that the specialist can't perform this procedure. EH mentioned that a lack of staffing is not a valid excuse from IHMS to not admit someone to the s. 47F(1) and PG wondered what the s. 47F(1) should be used for, if not for a case such as this.</p>
Action	<ol style="list-style-type: none"> 1. s. 47F(1) this addressed. (OPEN) s. 47F(1) would be 2. VH is recommending transfer to Australia for s. 47F(1) ONLY. (OPEN) 3. s. 47F(1) could be placed into the s. 47F(1) . (OPEN) 4. Check occupancy numbers of the s. 47F(1) (OPEN) 5. Engage with s. 47F(1) to determine if s. 47F(1) . (OPEN) 6. The Department should address s. 47F(1) (OPEN)
Contact details for TPC Secretariat	Offshore Health Operations Section

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Transitory Persons Committee (TPC) Meeting

Date: Monday 12 November 2018

Time: 09:30 – 10:25 AM

Attendees

Name	Position	Role
Vanessa HOLBEN (VH)	Assistant Commissioner, Detention and Offshore Operations Command	A/g Chair
Elizabeth HAMPTON (EH)	First Assistant Secretary, Health Services Policy and Child Wellbeing	Member
Dr Parbodb GOGNA (PG)	Chief Medical Officer/Surgeon General ABF	Adviser
Craig RIVIERE (CR)	Assistant Secretary, Child Wellbeing	Adviser
s. 22(1)(a)(ii)	A/g Commander, Offshore Operations	Adviser
s. 22(1)(a)(ii)	A/g Superintendent, Offshore Health Operations	Adviser
s. 22(1)(a)(ii)	Legal Officer, Civil Commercial & Employment Law, Legal Division	Adviser
s. 22(1)(a)(ii)	Project Officer, Offshore Health Operations	Secretariat

Apologies

Name	Position	Role
Cheryl-anne MOY (CM)	Chief Operating Officer	Chair
	Medical Officer of the Commonwealth	Advisor

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Minutes

Item 1 – Endorse Minutes from previous meetings

Chair and PG endorsed the Minutes of 30 October 2018 TPC (children cases) without change.

Item 2 – Update on previously discussed cases (no new cases to present)

s. 47F(1)

Boat ID	Family Name	Given Names	Relationship	Date of birth	Age	Nationality
s. 47F(1)						

Approvals

s. 47F(1)

Recommendations

s. 47F(1)

LH reminded officers to ensure that we generate records of each occasion when transfer is offered to the family, including their response to the offer.

Key notes

s. 47F(1) VH noted the department is unable to intervene in a

s. 47F(1)

CR noted that on 06NOV2018 IHMS advised s. 47F(1)

Actions

1. s. 47F(1)

s. 47F(1)

Boat ID	Family Name	Given Names	Relationship	Date of birth	Age	Nationality
s. 47F(1)						

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Boat ID	Family Name	Given Names	Relationship	Date of birth	Age	Nationality
s. 47F(1)						

Approvals*Provisional***Recommendation**

PG recommended obtaining s. 47F(1) .

For consideration out of session or at next TPC.

Key notes

s. 47F(1)

. Further detail

Actions

2. Follow up date for s. 47F(1) decision.
3. Obtain s. 47F(1) latest s. 47F(1) results for Dr GOGNA's review.

s. 47F(1)

Boat ID	Family Name	Given Names	Relationship	Date of birth	Age	Nationality
s. 47F(1)						

Approvals

VH and EH APPROVED s. 47F(1)

only for temporary transfer to Australia.

Recommendation

TPC to reconsider out of session on Thu15NOV2018. s. 47F(1)

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Key notes

s. 47F(1)

s. 47F(1)

LH noted there are s. 47F(1).

Actions

4. s. 22(1)(a) s. 47F(1) to draft a submission to DepSec GOLIGHTLY, Visa & Citizenship Services to seek advice about s. 47F(1) in order for the family unit to remain together. TPC to reconvene after this outcome on THU15NOV2018.
5. Seek IHMSs opinion on the urgency of the transfer of s. 47F(1)

s. 47F(1)

Boat ID	Family Name	Given Names	Relationship	Date of birth	Age	Nationality
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s. 47F(1)

Approvals

VH and EH APPROVED family for temporary transfer to Australia.

Recommendation

Obtain the clinical report from the 08NOV2018 s. 47F(1) appointment, as well the report from the scheduled appointment with the s. 47F(1) on 09NOV2018.

Key notes

s. 47F(1)

Actions

6. Obtain the s. 47F(1) report from the 08NOV2018 s. 47F(1) appointment.
7. Obtain the report from the scheduled appointment with the s. 47F(1) on 09NOV2018.

s. 47F(1)

Boat ID	Family Name	Given Names	Relationship	Date of birth	Age	Nationality
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s. 47F(1)

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Boat ID	Family Name	Given Names	Relationship	Date of birth	Age	Nationality
s. 47F(1)						

Approvals

VH and EH APPROVED immediate s. 47F(1) only for temporary transfer to Australia.

s. 47F(1)

Recommendation

s. 47F(1)

TPC to consider out of session.

Key notes

s. 47F(1)

VH noted from results of a health and wellbeing outreach visit, s. 47F(1)

Actions

8. s. 47F(1)

9. s. 47F(1)

s. 47F(1)

Boat ID	Family Name	Given Names	Relationship	Date of birth	Age	Nationality
s. 47F(1)						

Approvals

VH and EH APPROVED s. 47F(1) for temporary transfer to Australia.

Recommendation**Key notes**

s. 47F(1)

s. 47F(1)

Actions

Nil.

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s. 47F(1)

Boat ID	Family Name	Given Names	Relationship	Date of birth	Age	Nationality
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s. 47F(1)

Approvals

Nil.

Recommendation

Clarify dates of s. 47F(1) .

For consideration out of session or at next TPC.

s. 47F(1)

continues to be noted.

Actions

10. Follow up request to IHMS for 07NOV2018 s. 47F(1) before TPC consideration.

11. Follow up s. 47F(1) decision messaging date.

s. 47F(1)

Boat ID	Family Name	Given Names	Relationship	Date of birth	Age	Nationality
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s. 47F(1)

Approvals

Nil.

Recommendation

s. 47F(1) . For consideration out of session or at next TPC.

Key notes

s. 47F(1)

s. 47F(1)

Actions

12. s. 47F(1) from 08NVO2018 appointment.

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s. 47F(1)

Boat ID	Family Name	Given Names	Relationship	Date of birth	Age	Nationality
s. 47F(1)						

Approvals

VH and EH APPROVED family for temporary transfer to Australia out of session on 10NOV2018, based on legal recommendations.

Recommendation

Clarify IHMS s. 47F(1)

PG Recommended **not** to s. 47F(1) but instead to reassess s. 47F(1) once in Australia.

Key notes

s. 47F(1)

Actions

13. Follow up with IHMS on outreach visit, seek results for consideration out of session or at next TPC.
14. Seek clarification from IHMS of s. 47F(1)

s. 47F(1)

Boat ID	Family Name	Given Names	Relationship	Date of birth	Age	Nationality
s. 47F(1)						

Approvals

VH and EH APPROVED s. 47F(1) for temporary transfer to Australia.

Recommendation

Await s. 47F(1) decision messaging scheduled at 14:30 today 12NOV2018 and assess the way forward pending the outcome. Encourage s. 47F(1) to accept the offer if the outcome is positive.

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Key notes

s. 47F(1) decision handed down before Minutes completed which is negative, therefore, the process to transfer to Australia on TUE 13NOV2018 is continuing.

Actions

15. Seek 09NOV2018 outreach visit report.
16. TPC to review out of session – pending pathway outcome.

s. 47F(1)

Boat ID	Family Name	Given Names	Relationship	Date of birth	Age	Nationality
s. 47F(1)						

Nil

Recommendations

VH recommended an outreach visit for s. 47F(1)

Reconsider out of session or at the next TPC with an update.

Key notes

No apparent health issues for s. 47F(1).

Actions

17. Seek clarity on whether s. 47F(1) is a patient as well.
18. Follow up request to IHMS for further details on s. 47F(1).

s. 47F(1)

Boat ID	Family Name	Given Names	Relationship	Date of birth	Age	Nationality
s. 47F(1)						

Approvals

Nil.
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Recommendations

s. 47F(1)

[REDACTED]

Reconsider out of session or at the next TPC meeting with an update.

Key notes

Local ABF HLO to engage with the family as CANSTRUCT are unable to obtain s. 47F(1) [REDACTED] from CSI.

Actions

19. Nauru ABF HLO to engage with the family to discuss s. 47F(1) [REDACTED]
- [REDACTED]

Other**Actions**

20. CR Sought to cross check the s. 47F(1) [REDACTED] not yet approved for transfer with the Secretariat's records.

Next Meeting

No new cases for consideration. No further TPC meetings scheduled at this time. Cases will be considered out of session.

10.25am Meeting closed.



Australian Government
Department of Immigration
and Border Protection



Australian
BORDER FORCE

Transitory Persons Committee (TPC)

Minutes of Case Conference Meeting

Date: 09NOV2018

Time: 11.15 - 12:15 AEST

Venue: ACT 3ML L2 M2R41-VC

Name	Position	Role
Elizabeth Hampton (EH)	FAS Health Services Policy & Child Wellbeing Division	Chair
Vanessa Holben (VH)	Assistant Commissioner, Detention & Offshore Operations Command	Member
Dr Parbodh Gogna (Dr G)	Chief Medical Officer	Member
s. 22(1)(a)(ii)	A/g Commander, Offshore Operations Branch	Advisor
s. 22(1)(a)(ii)	A/g Senior Legal Officer	Advisor
s. 22(1)(a)(ii)	Legal Officer	Advisor
s. 22(1)(a)(ii)	A/g Superintendent, Offshore Health Operations	Advisor
s. 22(1)(a)(ii)	Offshore Health Operations	Secretariat
s. 22(1)(a)(ii)	Offshore Health Operations	Secretariat

	Apologies
	Apologies: Clinical Advisory Team,

Item 1	s. 47F(1)
Key discussion points	<p>The TPC members and advisors discussed IHMS recommendation to transfer s. 47F(1) to Australia for s. 47F(1) treatment. IHMS recommended transfer to Australia within 1 month. It was noted that s. 47F(1) has legal representation.</p> <p>TPC members and advisors requested further information around why transfer to Taiwan was not considered by IHMS, and recommended that engagement with IHMS in relation to referring options/locations for transfers. OHOS will seek an updated referral letter from the specialist outlining whether medical treatment can be undertaken in Taiwan, including providing recommended timeframe for such treatment. OHOS are to request IHMS contact TAH and request that s. 47F(1) be recommended to the TAH for treatment.</p> <p>Dr G requested OHOS find out how long s. 47F(1) has had this condition.</p>

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Transitory Persons Committee (TPC)

	s. 22(1) noted the need for the Department to ensure accurate records when documenting whether s. 47F(1) accepts or declines a transfer to Taiwan, including (if required) reasons as to why s. 47F(1) has declined the transfer.
Action	<ol style="list-style-type: none"> 1. Find out how long s. 47F(1) has had this issue. 2. Request IHMS to confirm if the TAH can provide the recommended treatment
Response	<p>On 11NOV2018: IHMS advised:</p> <p>s. 47F(1)</p> <p>s. 47F(1) was seen by the visiting Taiwanese s. 47F(1) whose assessment was s. 47F(1) and recommended surgery in Australia. IHMS clinicians have reviewed the s. 47F(1) report which they consider to be unsatisfactory in that it contains inadequate details of history, examination and diagnostic thinking. Whilst s. 47F(1) can be undertaken in Taiwan, IHMS cannot support transfer to Taiwan for surgery when this may not be the appropriate treatment. IHMS are happy to support the recommendation of the Taiwanese s. 47F(1) for transfer to Australia for treatment where s. 47F(1) would be able to receive an appropriate and comprehensive s. 47F(1) assessment which could direct treatment.</p>

Item 2	s. 47F(1)
Key discussion points	<p>The TPC members and advisors discussed IHMS recommendation to transfer s. 47F(1) to Australia for s. 47F(1) and investigations. They noted that IHMS's recommendation is for transfer within 1 month and that s. 47F(1) has refused transfer to Taiwan.</p> <p>The TPC members and advisors noted that the RFT form indicated that Taiwan was not an option. OHOS to confirm if this is accurate, or if it only checked as not being an option because s. 47F(1) has refused transfer to Taiwan.</p> <p>The TPC members and advisors asked if the recommended treatment could be undertaken in Nauru, with a specialist team flown in to perform the surgery.</p> <p>Dr G advised that he understood the TAH to have the capacity to undertake the recommended treatment.</p> <p>The TPC's recommendation is for s. 47F(1) to be transferred to Taiwan to receive the recommended medical treatment.</p>
Action	<ol style="list-style-type: none"> 1. Confirm if recommended treatment can be provided at the TAH in Taiwan. 2. Confirm if appropriate medical equipment exists in Nauru to facilitate a visiting specialist to perform surgery. 3. If treatment can be provided at the TAH, recommendation is that transfer to Taiwan is offered.
Response	<p>On 09NOV2018: IHMS advised:</p> <p>Can IHMS please advise if treatment is available in Taiwan? Yes TAH have the ability to provide this treatment. The option of undergoing treatment in Taiwan has been discussed with the patient but s. 47F(1) has refused this option.</p> <p>In addition, could IHMS please advise if a specialist is flown to Nauru, is the equipment required for the surgery available at RoN Hospital? The required equipment is not available at the RON.</p> <p>On 12NOV2018: IHMS advised:</p>

Meeting held on 09NOV2018

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Transitory Persons Committee (TPC)

	s. 47F(1) is being represented by Maurice Blackburn lawyers (MBL). MBL agitating for transfer to Australia.
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Item 3	s. 47F(1)
Key discussion points	<p>The TPC members and advisors discussed IHMS recommendation to transfer s. 47F(1) to Australia for s. 47F(1).</p> <p>The TPC members and advisors raised concerns around the current monitoring of s. 47F(1) and what s. 47F(1) current condition is.</p> <p>The TPC members and advisors requested that, prior to transferring s. 47F(1) to Australia, all options, including those on Nauru, be considered. It was requested that IHMS consider the appropriateness for s. 47F(1) to be accommodated at the RPC clinic to monitor and provide a management plan. Dr G also requested an update s. 47F(1) including s. 47F(1) be provided to the Department. An up to date s. 47F(1) review by s. 22(1)(a)(ii) was also requested.</p>
Action	<ol style="list-style-type: none"> 1. OHOS to request IHMS admit s. 47F(1) for monitoring and request s. 47F(1) and s. 47F(1) information. 2. OHOS to request s. 47F(1) review by s. 22(1)(a)(ii).
Response	<p>On 10NOV2018 IHMS advised that they would review the medical requirements of s. 47F(1) and send through the latest s. 47F(1) result. s. 22(1)(a)(ii) noted the following:</p> <p>s. 47F(1) was seen at the Settlement clinic today. s. 47F(1)</p> <p>[REDACTED]</p>

Item 4	s. 47F(1)
Key discussion points	<p>The TPC members and advisors discussed IHMS recommendation to transfer s. 47F(1) to Taiwan or Australia for medical treatment.</p> <p>The TPC members and advisors agreed that the recommended treatment should be undertaken in Taiwan. They noted that the recommended timeframe for movement was 7 days. Dr G noted that the medical treatment referred to in the RTA is not urgent and, by comparison, in Australia, would be treated within 1 to 2 month timeframe.</p> <p>The TPC members and advisors recommended OHOS request IHMS to re-assess the timeframe for movement, and that s. 47F(1) be offered transfer to Taiwan.</p>
Action	<ol style="list-style-type: none"> 1. Recommend transfer to Taiwan 2. Ask IHMS to re-assess the timeframe for transfer to 1 to 2 months

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Transitory Persons Committee (TPC)

Item 5	s. 47F(1)
Key discussion points	<p>The TPC members and advisors discussed IHMS recommendation to transfer s. 47F(1) to Taiwan or Australia for medical treatment for specialist s. 47F(1) care not available in Nauru.</p> <p>LH asked if this is a s. 47F(1). Dr G advised this procedure can performed in Taiwan.</p> <p>The TPC members and advisors recommend transfer to Taiwan.</p>
Action	1. Confirm if treatment can occur in Taiwan.
Response	On 10NOV2018 IHMS responded with RFT advising yes that can be managed in Taiwan, however patient has refused treatment in Taiwan. Nauru HLO to meet with s. 47F(1) to discuss again.

Item 6	s. 47F(1)
Key discussion points	<p>s. 22(1) provided update to Committee advising feedback from island that s. 22(1) has been seen having lengthy conversations.</p> <p>TPC members and advisors discussed justification for treatment in Australia. Dr G questioned s. 47F(1) s. 47F(1), as RFT does not refer to s. 47F(1). Dr G requested for s. 47F(1) to check for any s. 47F(1) and any s. 47F(1). Suggest s. 22(1)(a)(ii) on island assess s. 47F(1) whilst s. 47F(1) is there.</p>
Action	Request s. 47F(1).
Response	<p>On 9NOV2018 IHMS provided consult notes with s. 47F(1)</p> <p>Full clinical notes can be found on TRIM s. 47F(1).</p> <p>On 10NOV2018: IHMS (s. 22(1)(a)(ii)) advised: s. 47F(1)</p> <p>s. 47F(1)</p>

Meeting held on 09NOV2018

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Transitory Persons Committee (TPC)

	s. 47F(1)
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Item 7	s. 47F(1)
Key discussion points	<p>The TPC members and advisors discussed IHMS recommendation for required surgery for s. 47F(1) for treatment in Taiwan or Australia.</p> <p>LH suggested s. 47F(1) be provided medical assistance from next s. 47F(1) team deployed to Nauru.</p> <p>Dr G advised Taiwan would be most appropriate location for patient to be treated. TPC members and advisors suggested request if possible for deployment of s. 47F(1) team to Nauru.</p> <p>Dr also suggested s. 47F(1) to check for s. 47F(1).</p>
Action	<ol style="list-style-type: none"> 1. OHOS to request when next s. 47F(1) team can be deployed to Nauru to perform s. 47F(1). 2. OHOS to request s. 47F(1) to check for s. 47F(1).
Response	<p>On 09NOV2018 an email sent to Detention Health Services Contract Management seeking details on when next s. 47F(1) team will be on Nauru to perform required s. 47F(1)? No response as of 13/11. OHOS to follow up with Detention Health Services Contract Management for answer.</p> <p>On 09NOV2018 IHMS advised they have a report from a recent s. 47F(1) report which recommends a s. 47F(1). Reference s. 47F(1). Advised the result of a s. 47F(1) test will have no immediate effect on the medical treatment or recommendations.</p>

Item 8	s. 47F(1)
Key discussion points	<p>The TPC members and advisors discussed IHMS recommendation to transfer s. 47F(1) to Australia for s. 47F(1) services.</p> <p>TPC members and advisors discussed outcome of last meetings minutes that s. 47F(1) cannot be performed in island they noted the lack of s. 47F(1) on Nauru. They asked OHOS to investigate the ability to deploy a specialist to Nauru to undertake the s. 47F(1) assessment.</p>
Action	On 09NOV2018 email sent to IHMS asked if they have a medical practitioner on island who can assess s. 47F(1) to that similar of an s. 47F(1). Responded 12 November advising they do not.

Item 9	s. 47F(1)
Key discussion points	<p>The TPC members and advisors discussed IHMS recommendation to transfer s. 47F(1) to Taiwan or Australia for medical treatment. They noted that IHMS's recommendation is for transfer within month and that s. 47F(1) has refused multiple times to transfer to Taiwan.</p> <p>TPC committee requested for Taiwan to be offered again, as previously declined, including record reasons to why s. 47F(1) is declining Taiwan. Committee asked for OHOS team to reach out to IHMS and request confirmation if can be treated in Taiwan.</p>

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Action	Request confirmation through IHMS that s. 47F(1) can be treated in Taiwan.
Response	On 11NOV2018: IHMS advised patient can be treated in Taiwan.

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