

PROTECTED**National Operation Order****“OPERATION BACCIFORM BRAVO C16”**

Issued by
Compliance Operations

Time Zone used throughout order: Australian Eastern Standard Time (AEST)

1. SITUATION**a. General****(1) Topography**

Operation BACCIFORM BRAVO will take place within Queensland, Nauru Regional Processing Centre (RPC), Republic of Nauru (Nauru) and on-board a chartered aircraft.

(2) Risks

Risk	Likelihood	Consequence	Inherent Risk	Treatment*	Residual Risk
Medical emergency caused by self-harm, suicide attempt, aggressive /abusive behaviour or medical conditions.	Likely	Major	High	ERT on site, Medical professional on standby and <small>s. 47E(d)</small>	Medium
Non – compliant behaviour by transitory person during the operation	Likely	Major	High	Reduced <small>s. 47E(d)</small>	Medium
Unrest in detention network	Possible	Major	High	<small>s. 47E(d)</small>	Medium

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				delivered	
Media attention during and post activity.	Likely	Major	High	Legal response, messaging to detention centres Media talking points	Medium
Protest action during operational activity	Possible	Moderate	Medium	Maintain op security, operational recognisance	Medium
Operational security compromised prior, during and post activity.	Possible	Major	High	Need to know principles and maintain op security	Medium
Legal injunction	Possible	Moderate	Medium	s. 47E(d)	Medium

s. 47E(d)

(3) Background Information

Illegal Maritime Arrivals (IMAs) and accompanying family members, who are temporarily transferred to the Australian mainland for medical treatment are to be returned to the Republic of Nauru (Nauru) when medical treatment is completed and the individual is fit to travel.

The *Migration Act 1958* (the Act) permits an officer to bring a transitory person to Australia from a place outside Australia for a temporary purpose. The Act also provides authority to transfer a transitory person from Australia once the person no longer needs to remain in Australia for that purpose.

As at 11 April 2016, there are 342 transitory persons from Nauru and Papua New Guinea (PNG), including accompanying family members currently in Australia for medical treatment. The Department is committed to returning transitory persons to Nauru and PNG as soon as practicable upon completion of their medical treatment. This will be achieved through ongoing return operations.

Operation BACCIFORM BRAVO has been initiated to effect the return of these identified transitory persons to Nauru under the Australian Government’s regional processing and resettlement arrangements, following a suspension of transfers of transitory persons due to significant legal challenges in the High

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Court of Australia. s. 47E(d)

s. 47E(d)

s. 42(1)

The Surgeon General
 ABF has assessed each person's medical records to confirm that the s. 47E(d)

Success of operational activity, including the safety of transitory persons, staff and facilities is dependent on strict operational security.

b. Detainees/ Transitory persons

During this Operation, it is anticipated that up to s. 47E(d) transitory persons will be subject to extraction from Brisbane Immigration Transit Accommodation and returned back to their allocated RPC or settlement accommodation in Nauru.

Note that the final number of transitory persons being return to Nauru may s. 47E(d)

Local Area Commanders (LACs) are to refer issues and these allegations, to OPCOMD (N) to seek authorisation in line with the Command and Signal instructions below.

c. Own Forces

Australian Border Force:

- Field Compliance Operations
- Detention Operations
- Regional Processing and Settlement Branch
- Detention Health Services Branch

d. In support

Internal:

- Communications and Media Branch
- Legal Advice and Operational Support Branch
- Contracts and Services Management Branch
- Status Resolution Branch
- Temporary Protection Visa Assessment

External:

- Serco (Facilities and Detainee Service Provider)

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- IHMS (Detainee Health Service Provider)
- Broad Spectrum Services
- Connect Settlement Services
- Queensland Police
- Australian Federal Police
- Nauru Police

2. **MISSION**

To safely and securely transfer the identified transitory persons to the Regional Processing Centre on Nauru.

3. **EXECUTION**

a. **General Outline**

Operation BACCIFORM BRAVO will involve the transfer of identified transitory persons from Queensland to Nauru via a chartered flight. The transfer is to take place on ^{s. 47F(1)} 2016.

The expected chartered flight route will be as follows:

Brisbane (BNE) – Nauru (INU)

b. **Group One - NATIONAL COMMAND GROUP (NCG)**

(a) **OPCHIEF** – Commander Field Compliance Operations, Robyn MILLER

(b) **OPCOMD** – Superintendent Detention and Removals Operations, ^{s. 22(1)(a)(ii)}

(c) **2IC** – Superintendent SBC Operations, ^{s. 22(1)(a)(ii)}

(d) **Under Command** – Inspector Detention and Removals Operations, ^{s. 22(1)(a)(ii)}

(e) **Other Officers** – Detention and Removals Operations

(f) **In Support**

Internal:

Detention Operations

Strategic Border Command

Communications and Media Branch

Legal Advice and Operational Support Branch

Contracts and Services Management Branch

Detention Health Services Branch

Status Resolution Branch

Temporary Protection Visa Assessment

Immigration Compliance Branch

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Serco (Facilities and Detainee Service Provider)
 IHMS (Detainee Health Service Provider)
 Broad Spectrum Services
 Connect Settlement Services
 Queensland Police
 Australian Federal Police
 Nauru Police

(g) Resources

As required.

(h) Tasks

- i. Establish a ^{s. 47E(d)} [REDACTED] for Command and Control of the Operation.
- ii. Identify eligible transitory persons and address removal barriers where required
- iii. Provide Superintendent, Detention Operations QLD and Regional Processing and Settlement with the manifest of all identified transitory persons and timeframe for operational planning to allow a minimum of ^{s. 47E(d)} [REDACTED] prior to operational activity.
- iv. Organise and confirm chartered flight dates, times, landing clearances and sufficient crew to support operational requirements.
- v. Arrange additional Serco and IHMS resources for operation requirements nationally. LAC QLD to be consulted on resource requirements.
- vi. Ensure all transfer documents, including visa applications, are completed prior to extraction and distributed to relevant stakeholders.
- vii. Coordinate processing in Brisbane Immigration Transit Accommodation (BITA)
- viii. Coordinate transfer from Australia to Nauru
- ix. Monitor and address transfer barriers identified during planning and vetting of manifest.
- x. Liaise with Superintendent Detention Operations in each region to ensure monitoring of temperature within IDFs post operation
- xi. Coordinate appropriate media support and communication strategy including media talking points and messaging for staff and service providers through Communications and Media Branch.
- xii. Coordinate monitoring and reporting of post operational impacts for ^{s. 47E(d)} [REDACTED] from the operation date.
- xiii. Conduct a Post Operation Brief with LACs and provide a report to the OPCHIEF within ^{s. 47E(d)} [REDACTED] from the operation date.

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c. Group Two - Queensland Group

- (a) LAC – Superintendent, Detention Operations Qld, s. 22(1)(a)(ii)
- (b) 2IC – Inspector Detention Operations Qld, TBA

(c) **Other Officers**
 Detention Operations

(d) **In Support**
 Local SERCO
 Local IHMS
 Queensland Police

(e) **Resources**
 As required

- (f) **Tasks**
- i. Engage with relevant stakeholders to plan and coordinate the extraction of s. 47E(d) transitory persons from BITA to the designated Airport, inclusive of Pre-Transfer Assessments (PTAs).
 - ii. Ensure the ongoing stability and security of the BITA pre, during and post operational activity. Post monitoring arrangements need to factor in a period of seven days post operation.
 - iii. Engage with local stakeholders, including police services, to secure resources for operation if required.
 - iv. Where identified, LAC should seek authorisation for Serco officers to use pre-planned use of force in line with standard procedures.
 - v. Prepare and provide transitory person documentation, including statement of identities, required to effect the transfer to OPCOMD s. 47E(d) prior to operational activity.
 - vi. Appropriate consideration is to be given to ensuring en-route security during the transfer from BITA to the staging area and designated airport, including reconnaissance prior to the operation to ensure that routes are safe and secure and the consideration of alternative routes where available.
 - vii. Transitory persons s. 47E(d)
 - viii. s. 47E(d) to OPCOMD (N), with supporting documentation (including SERCO pre-transfer briefing and transfer summaries) s. 47E(d) prior to operational activity.
 - ix. Provide Situation Reports (SitReps) at identified milestones (refer to Co-ordinating Instructions) to OPCOMD (N).
 - x. Conduct a post Operation brief and provide a report to the OPCOMD within s. 47E(d) from the Operation date.

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d. Group Three - Regional Processing and Settlement

(a) LAC – DIR Regional Operations Coordination Section, s. 22(1)(a)(ii)

(b) Other Officers
Regional Processing and Settlement Branch

(c) In Support
Detention Operations

(d) Resources
As required

- (e) Tasks
- i. Engage with relevant stakeholders to ensure RPCs maintain operational readiness to accept transitory persons from IDFs.
 - ii. Notify and seek approval of the Government of Nauru for incoming transitory persons/refugees in line with operational security arrangements.
 - iii. Plan and coordinate reception in Nauru and ensure transitory persons receive appropriate support services inclusive of visas, inductions and safety considerations upon arrival in Nauru.
 - iv. Ensure the ongoing stability and security of the RPC pre, during and post operational activity. Post monitoring arrangements need to factor in a period of s. 47E(d) post operation.
 - v. Provide Situation Reports (SitReps) at identified milestones (refer to Co-ordinating Instructions) to OPCOMD.
 - vi. Conduct a post Operation brief and provide a report to the OPCOMD within s. 47E(d) from the Operation date.

3. CO-ORDINATING INSTRUCTIONS

(a) Timings

- i. s. 47E(d), s. 42(1)
- a. s. 47E(d)

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- h. Transitory persons disembark aircraft and are transferred to accommodation.
- i. Messaging to the detention network to be conducted when transitory persons are inducted at the relevant RPC.
- ii. Under section 256 of the Act, the Department must afford detainees all reasonable facilities for obtaining legal advice or for taking legal proceedings. In an operational environment, LACs are, at the request of a transitory person, to facilitate a transitory person’s ability to contact a legal representative, where the facilitation is operationally practical. For example, s. 47E(d) [REDACTED]
s. 47E(d) [REDACTED]

however if a transitory person requests access while in the staging area and this does not impact operational procedures, it may well be practical to allow the transitory person access to a telephone.

Where a transitory person makes a request for legal access, the transitory person should be removed from the transfer group to a private area where the transitory person may make such contact. Please note that it is reasonable for officers to initiate the phone call on behalf of the transitory person in order to verify that the transitory person is contacting a lawyer or migration agent (and not a journalist for example). However, officers should then retreat to a distance so that the transitory person can speak to the lawyer or migration agent without being overhead.

If a decision is made not to allow or to terminate a telephone call to a lawyer/migration agent due to operational reasons, this should be documented.

Any requests for legal access by transitory persons must be reported to OPCOMD (N) as soon as possible.

Refer to the attached Access to Legal Representation, Detention Operational Procedure ADD 2013/1686186.

- iii. LACs are to submit OPORDS and supporting documentation at least s. 47E(d) [REDACTED] hours prior to extraction date.
- iv. Flight schedule for the charter (to be finalised)

DAY	LOCAL	ROUTE		LOCAL TIMES	
	DATE	Origin	Destination	Departure	Arrival
Wednesday s. 47E(d) [REDACTED]	s. 47E(d) [REDACTED]	BNE	INU	05:00	11:35
		INU	BNE	12:20	14:55

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- v. Charter flight crew, Medical staff and Serco are to be in place ^{s. 47E} ^{s. 47E(d)} prior to aircraft scheduled departure time.
- vi. Post Operation debrief to be submitted to OPCOMD (N) within ^{s. 47E(d)} from the Operational activity.

(b) Reporting

LAC to provide relevant operational details to OPCOMD (N) via phone or email. OPCOMD (N) will produce, clear and forward SitReps to the distribution list at the following key milestones.

- LAC group resources in position pre-operation
- Commencement of operation
- Extraction complete
- Arrival at staging area
- Commencement and completion of PTA processing
- Transitory persons embark aircraft
- Aircraft departure from QLD airport
- Offshore aircraft arrival at Nauru airport
- Departure from Nauru airport
- Arrival of transitory persons into Nauru RPC accommodation
- By exception.

Hot Issue Briefs relating to Operation BACCIFORM BRAVO will be prepared and coordinated by OPCOMD (N).

The preparation of Hot Issue Briefs relating to incidents at individual centres that may occur post operation will be coordinated by the relevant Superintendent Detention Operation and authorised by the Commander Detention Operations.

The preparation of Hot Issue Briefs relating to incidents that may occur at a RPC will be coordinated by Regional Processing and Settlement Branch.

Dissemination of Hot Issue Briefs will be as per existing protocols.

(c) Safety Instructions

Existing WH&S guidelines, detainee transfer policies and procedures are to be adhered to at all times.

SERCO pre-approved Use of Force has been authorised by Commander Detention Operations.

Allegations of assault/abuse, whether physical or sexual, are taken seriously and must be referred to appropriate law enforcement agencies for investigation.

(d) Security

Operational Security is of utmost importance. To ensure the operational safety and security of transitory persons, staff and facilities, ^{s. 47E(d)}

^{s. 47E(d)}

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Careful consideration is to be given to supervision arrangements once transitory persons are notified of the transfer.

The following principals are responsible for representing the various functional areas essential to the operation. They are responsible for maintaining strict operational security and should be available to support planning and conduct of the operation at short notice.

- s. 22(1)(a)(ii) [redacted] – Detention and Removals Operations
- s. 22(1)(a)(ii) [redacted] – Detention Health Services
- s. 22(1)(a)(ii) [redacted] – Regional Operations Coordination Section
- s. 22(1)(a)(ii) [redacted] – AAT & Removals Injunctions
- s. 22(1)(a)(ii) [redacted] – Status Resolution Operational Support
- s. 22(1)(a)(ii) [redacted] – Detention Operations Queensland

Officers are to be aware of their operational environment whilst conducting their duties and report any media attention or suspicious activity.

Assistant Secretary Security Branch will be briefed at the appropriate time prior to the operation to enable contingency planning for security of the detention and DIBP office network.

Regional Commander Queensland has been briefed to enable planning for post operational activity.

4. ADMINISTRATION AND LOGISTICS

(a) Transport Allocation

As required in each LAC.

(b) Dress Requirements

To be determined by LAC.

(c) Medical

- a. Medical Officer to be available during transit to the staging point and on-board the chartered flight to and from Nauru.
- b. IHMS on-site clinicians to be available during processing.

(d) Food/Water

Transitory persons are to be provided with access to water and food throughout the transfer.

(e) Legislation

Migration Act 1958 (Australia)
Aviation Transport Security Regulations (ATSR) 2005, Division 4.5 (persons in custody)
Asylum Seeker (Regional Processing Centre) Act 2012
Access to legal representatives is to be in accordance with established procedures and the Migration Act 1958 (the Act). Refer to co-ordinating instructions.

PROTECTED**5. COMMAND AND SIGNAL****(a) Location of Commander**

The OPCOMD (N) will be located in the Command Post with the Command Group in ^{s. 47E(d)} [REDACTED] (refer to Annex 1.)

(b) Command Group contact

Operation BACCIFORM BRAVO has a distribution list for reporting purposes.

(c) Control Decision

LACs must refer the following matters and any issue that impacts on the strategic intent of the operation, to the OPCOMD (N) who will consult with the OPCHIEF for decision:

- ^{s. 33(a)(iii)} [REDACTED]

The OPCHIEF will consult with Commander Detention Operation, Regional Processing and Settlement Branch, Legal Advice, Public Risk Assessment, Temporary Protection Visa Assessment Branch and Health Services Branch as required.

Where consideration of any issue results in a recommendation for removal of a transitory person from the manifest it is to be referred for a control decision by the **Operation BACCIFORM C16** delegate. **The Operation BACCIFORM C16 delegate is Commander, Immigration Compliance.**

(e) Contact Phone numbers

Contact details as per Contact list (Annex 1.)

OPCOMD – ^{s. 22(1)(a)(ii)} [REDACTED]
18 April 2016

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Distribution:

1. A/g Assistant Commissioner SBC – s. 22(1)(a)(ii)
2. OPCHIEF - Commander Compliance Operations – Robyn MILLER
3. Commander SBC OPS – Mark ANTILL
4. OPCOMD – Superintendent Detention and Removals Operations – s. 22(1)(a)(ii)
5. 2IC – Superintendent SBC Operations - s. 22(1)(a)(ii)
6. Under Command (N) – Inspector Detention and Removals Operations - s. 22(1)(a)(ii)
7. Commander Immigration Compliance – Kylie SCHOLTEN
8. Superintendent National Removals Programme – s. 22(1)(a)(ii)
9. Regional Commander Queensland – Terry PRICE
10. LAC (QLD) – A/g Superintendent Detention Operations QLD – s. 22(1)(a)(ii)
11. A/g Commander – Detention Operations – s. 22(1)(a)(ii)
12. First Assistant Secretary, Detention Services – David NOCKELS
13. First Assistant Secretary, Children, Community & Settlement - Cheryl-Anne MOY
14. Assistant Secretary, Health Operations – Leonie NOWLAND
15. Commander Regional Processing and Settlement – Kingsley WOODFORD-SMITH
16. Director Regional Operations Coordination Section – s. 22(1)(a)(ii)
17. Director Health Operations – s. 22(1)(a)(ii)
18. Director Status Resolution Operational Support – s. 22(1)(a)(ii)
19. Assistant Secretary Temporary Protection Visa Assessment – Sally BABBAGE
20. Director IMA Performance and Reporting – s. 22(1)(a)(ii)

Annexes:
Contact List (Annex 1.)

Area	Name	Primary Contact	Secondary Contact
Op BACCIFORM Command Post	-	-	-
A/g ASST COMM SBC	s. 22(1)(a)(ii)	s. 22(1)(a)(ii) @border.gov.au	s. 22(1)(a)(ii)
OPCHIEF	Robyn MILLER	s. 22(1)(a)(ii) border.gov.au	s. 22(1)(a)(ii)
OPCOMD (N)	s. 22(1)(a)(ii)	s. 22(1)(a)(ii) @border.gov.au	s. 22(1)(a)(ii) /
2IC (N)	s. 22(1)(a)(ii)	s. 22(1)(a)(ii) @border.gov.au	s. 22(1)(a)(ii)
Under Command(HQ)	s. 22(1)(a)(ii)	s. 22(1)(a)(ii) @border.gov.au	s. 22(1)(a)(ii)
Op BACCIFORM C16 Delegate	Kylie SCHOLTEN	s. 22(1)(a)(ii) @border.gov.au	s. 22(1)(a)(ii)
National Removals Programme	s. 22(1)(a)(ii)	s. 22(1)(a)(ii) @border.gov.au	s. 22(1)(a)(ii)
RC QLD	Terry PRICE	s. 22(1)(a)(ii) @border.gov.au	s. 22(1)(a)(ii)
A/g Commander Detention Operations	s. 22(1)(a)(ii)	s. 22(1)(a)(ii) @border.gov.au	s. 22(1)(a)(ii)
LAC QLD	s. 22(1)(a)(ii)	s. 22(1)(a)(ii) @border.gov.au	s. 22(1)(a)(ii)
LAC Offshore	s. 22(1)(a)(ii)	s. 22(1)(a)(ii) @border.gov.au	s. 22(1)(a)(ii)
Serco National	s. 22(1)(a)(ii)	s. 22(1)(a)(ii) @serco-ap.com.au	s. 22(1)(a)(ii)
Serco National	s. 22(1)(a)(ii)	s. 22(1)(a)(ii) @serco-ap.com.au	s. 22(1)(a)(ii)
Assistant Secretary Legal Advice and Operational Support	Steve MCGLYNN	s. 22(1)(a)(ii) @border.gov.au	s. 22(1)(a)(ii)
Director AAT and Removals Injunctions	s. 22(1)(a)(ii)	s. 22(1)(a)(ii) @border.gov.au	s. 22(1)(a)(ii)
Media and Comms	s. 22(1)(a)(ii)	s. 22(1)(a)(ii) @border.gov.au	s. 22(1)(a)(ii)
MEDIA OPS DUTY PH	s. 22(1)(a)(ii)	N/A	s. 22(1)(a)(ii)
COM Regional Processing and Settlement	Kingsley WOODFORD-SMITH	s. 22(1)(a)(ii) @border.gov.au	s. 22(1)(a)(ii)
Assistant Secretary, Health Operations	Leonie NOWLAND	s. 22(1)(a)(ii) @border.gov.au	s. 22(1)(a)(ii)
Detention Health Services Branch (Onshore)	s. 22(1)(a)(ii)	s. 22(1)(a)(ii) @border.gov.au	s. 22(1)(a)(ii)
First Assistant Secretary, Children, Community and Settlement	Cheryl-Anne MOY	s. 22(1)(a)(ii) @border.gov.au	s. 22(1)(a)(ii)
Director, Status Resolution Operational Support	s. 22(1)(a)(ii)	s. 22(1)(a)(ii) @border.gov.au	s. 22(1)(a)(ii)
Director IMA Performance and Reporting	s. 22(1)(a)(ii)	s. 22(1)(a)(ii) @border.gov.au	s. 22(1)(a)(ii)
Director QLD Status Resolution	s. 22(1)(a)(ii)	s. 22(1)(a)(ii) @border.gov.au	s. 22(1)(a)(ii)

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“OPERATION BACCIFORM DELTA C16”

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Field Compliance and
Removals Branch

Annexes

1. Contact List
2. SitRep Distribution
3. Charter Schedule
4. Risk Matrix

Time Zone used throughout order: Australian Eastern Daylight Time (AEDT)

1. SITUATION

a. General

(1) Topography

Operation BACCIFORM DELTA will take place within Victoria, Regional Processing Country (RPC), Nauru and on-board a chartered aircraft.

(2) Risks

See attached matrix

(3) Background Information

Operation BACCIFORM has been initiated, following a suspension of returns due to significant legal challenges in the High Court of Australia, to affect the expedited return of identified transitory person/s to Nauru and/or PNG under the Australian Government’s regional processing and resettlement arrangements.

These arrangements are outlined in the Migration Act 1958 (the Act) and this permits an officer to bring a transitory person/s to Australia from a place outside Australia for a temporary purpose. The Act also provides authority to return a transitory person from Australia once the transitory person no longer needs to remain in Australia for the temporary purpose for which they were transferred.

Under this arrangement as at 12 September 2016, there are [redacted] transitory persons (from Nauru and PNG, including accompanying family members) in Australia for medical treatment and are subject to be returned to Regional Processing Countries (RPCs) once their temporary purpose for which they were transferred has been resolved. Of these, [redacted] are from Nauru and [redacted] are from Manus.

[redacted] s. 47E(d) s. 47E(d)
[redacted] s. 47E(d)
[redacted] s. 47E(d)
[redacted] s. 47E(d)

Two operations have been completed under Operation BACCIFORM Bravo and BACCIFORM Charlie in April 2016 and August 2016 respectively to commence the first of the returns to RPCs. These operations will continue to be conducted until otherwise advised.

Operation BACCIFORM Delta has been effected to return [redacted] transitory person to Nauru from Melbourne Immigration Transit Accommodation (MITA) via a charter aircraft.

The overall success of any operation involving the return of transitory person/s to RPCs depend upon operational security and the combining of detailed case information, identification of risks and determination of a range of mitigating factors to ensure that the Australian Border Force (ABF) Commissioner, as the key decision maker, is fully informed when determining appropriate actions.

b. Detainees/ Transitory persons

During this Operation, it is anticipated that [redacted] transitory person will be subject to extraction from Melbourne Immigration Transit Accommodation and returned back to their allocated RPC or settlement accommodation in Nauru.

c. Own Forces

Australian Border Force:

- Detention, Compliance and Removals (DCR)
- Detention Operations Victoria

d. In support

Internal:

- Detention Operations Branch
- Community Protection Division
- Regional Directors

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- Status Resolution Branch
- Temporary Protection Visa Assessment
- Offshore Operational Coordination Branch
- Commander South Pacific
- Regional Commands
- International Division
- Services Management Branch
- Communications and Media Branch
- Legal Advice and Operational Support Branch

External:

- SERCO (Facilities and Detainee Service Provider)
- IHMS (Detainee Health Service Provider)
- Broad Spectrum Services
- Jurisdictional Police as applicable
- Australian Federal Police as applicable
- Nauru Police as applicable

2. **MISSION**

To safely and securely transfer the identified transitory person from Melbourne Immigration Transitory Accommodation to Regional Processing Country, Nauru.

3. **EXECUTION**

a. **OPCHIEF's INTENT**

Implement appropriate measures to facilitate the safe and secure return of identified transitory person, whose temporary purpose for transfer to Australia has been resolved and for whom no other barriers to return exist.

Implement appropriate measures for the reception of transitory person in the RPC and ongoing measures for the immediate future.

b. **General Outline**

Operation BACCIFORM DELTA will involve the transfer of identified transitory person from Victoria to Nauru via a chartered flight. The transfer is to take place on ^{s. 47F(1)} 2016.

Operation BACCIFORM Delta will be conducted over four separate phases:

- Phase 1 – (pre) planning
- Phase 2 – (pre transfer) messaging of the transitory person
- Phase 3 – transfer
- Phase 4 – (Nauru) arrival and induction

Phase 1

International Division along with Offshore Operation Coordination Branch has commenced preparation for the transfer of the identified transitory person. International Division has coordinated the efforts for submission to the Surgeon General and Minister for approval for the transfer. Once approvals have been

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received the transfer of the identified transitory person will commence. As requested by the Surgeon General this determination will last for ^{s. 47E(d)} [redacted] and can be reconsidered if the transitory person is involved in a major incident or a critical incident or has a risk rating increased whilst in Australia. Offshore Operation Coordination Branch will coordinate with relevant stakeholders to ensure the Government of Nauru and IHMS (Nauru) are notified ^{s. 47E(d)} [redacted] prior to travel of the transitory person to allow for GoN and IHMS to complete planning for the arrival of the transitory person.

Phase 2

Case Management VIC is responsible for messaging the transitory person and conducting a pre-transfer assessment prior to the transfer from Melbourne to Nauru. Detention Operations with support of Serco will monitor the transitory person once messaged.

Phase 3

Detention, Compliance and Removal Division will coordinate the travel movements of the transitory person from MITA, Victoria to Nauru. This will include a charter aircraft from Melbourne to Nauru.

Phase 4

Offshore Operation Coordination Branch will coordinate with stakeholders on Nauru to facilitate the arrival of the transitory person and ensure the safe and secure induction and transition to accommodation on Nauru. The determination also outlined that the Surgeon General will need to view the reception plan prior to operational commencement.

The expected chartered flight route will be as follows:

Melbourne – Brisbane (fuel stop) – Nauru

c. Group One – Operational Command National (OPCOMD N)

- (a) OPCHIEF** – Robyn MILLER, Commander Field Compliance and Removals Operations
- (b) OPCOMD** – ^{s. 22(1)(a)(ii)} [redacted], Superintendent Removals Operations
- (c) 2IC** – ^{s. 22(1)(a)(ii)} [redacted], Inspector Removals Operations
- (d) Other Officers** –Removals Operations

(e) In Support

Internal:

- Detention Operations Branch
- Children, Community and Settlement Division
- Status Resolution Branch
- Temporary Protection Visa Assessment
- Regional Director VIC
- Offshore Operational Coordination Branch
- Commander South Pacific

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- Regional Commands
- Services Management Branch
- Communications and Media Branch
- Legal Advice and Operational Support Branch

External:

- SERCO (Facilities and Detainee Service Provider)
- IHMS (Detainee Health Service Provider)
- Broad Spectrum Services
- Jurisdictional Police as applicable
- Australian Federal Police as applicable
- Nauru Police as applicable

(f) Resources

As required.

(g) Tasks

- a. Upon Minister and Surgeon General approval of transfer, establish a s. 47E(d) [REDACTED] for Command and Control of transfer operation.
- b. Coordinate with Serco to obtain Extraction and Aviation Tactical Plans where required.
- c. Identify, address, monitor and report to OPCHIEF any transfer barriers where required.
- d. Coordinate with relevant stakeholders and prioritise availability of appropriate resources to support operational activity at each phase.
- e. Coordinate and lead engagements with law enforcement and other government agencies as required.
- f. Develop operational intelligence collection plan.
- g. Coordinate with Regional Processing Taskforce, Intelligence Division and other relevant stakeholder to obtain specific details of the identified transitory person to develop a risk assessment and mitigation strategies for any adverse impacts to the operation.
- h. Coordinate with Detention Health Operations to coordinate external health service provider support to ensure that health services are assessed and planned to assist with operational activity.
- i. Coordinate with Detention Health Operations to provide Health Assessments as part of PTA preparations.
- a. Coordinate with Legal Advice and Operational Support to provide legal advice on PTA preparations, manage potential injunctions and litigation issues where required.
- b. Coordinate with Media and Executive Coordination to update relevant communication guides and IMA timeline resource to assist case managers to deliver consistent messaging to transitory persons currently in Australia.
- j. Coordinate with Regional Directors to prioritise availability of appropriate Status Resolution officers to perform messaging and conduct the Pre Transfer Assessments (PTA).
 - i. Ensure Health Assessments are included in the PTA.
- k. Coordinate with Temporary Protection Visa Assessment to ensure resources are available for advice on protection claims and status

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resolution milestones aims of the identified transitory persons as required.

- l. Ensure relevant stakeholders are advised of the activity ^{s. 47E(d)} prior to arrival of transitory person.
- m. Coordinate with Offshore Operations Coordination with support from Commander South Pacific, to continue engagement with relevant Australian government agencies and the Government of Nauru and/ to give effect to the receipt of identified transitory person.
- n. Coordinate with Offshore Operations Coordination to notify and seek approval from Government of Nauru for incoming transitory person.
- o. Coordinate and maintain operational log for the duration of the operation. Ensure all incidents of adverse behaviour are logged, SitReped and captured appropriately through the departments incident management reporting system.
- p. Report any adverse incidents to OPCHEIF and the Surgeon General.
- q. Conduct a Post Operation Brief and provide a report to the OPCHIEF within ^{s. 47E(d)} from the operation date.

d. Group Two - Victoria Group

- (a) LAC – Inspector Detention Operations VIC, ^{s. 22(1)(a)(i)}
- (b) 2IC – A/g Supervisor Detention Operations, ^{s. 22(1)(a)(ii)}

(c) Other Officers
Detention Operations

(d) In Support
Local SERCO
Local IHMS
Victoria Police as required

(e) Resources
As required

- (f) Tasks
- i. Engage with relevant stakeholders to plan and coordinate the extraction of ^{s. 47E(d)} transitory person from MITA to the designated staging area, inclusive of Pre-Transfer Assessments (PTAs).
 - ii. Ensure the ongoing stability and security of the MITA pre, during and post operational activity. Post monitoring arrangements need to factor in a period of seven days post operation.
 - iii. Engage with local stakeholders, including police services, to secure resources for operation if required.
 - iv. Where identified, LAC should seek authorisation for Serco officers to use pre-planned use of force in line with standard procedures.
 - v. Prepare and provide transitory person documentation, including statement of identities, required to effect the transfer to OPCOMD (^{s. 47E(d)}) prior to operational activity.

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- vi. Ensure detainee dossiers and detainee property is provided to Serco charter team leader for handover to ABF at the RPC and discharge and transit receipt book is completed.
- vii. Report any incidents pertaining to the transitory person immediately to ^{s. 47E(d)} [REDACTED] out from the operation and up until the commencement of the operation. Normal reporting via the department's incident reporting system should also be followed.
- viii. Appropriate consideration is to be given to ensuring en-route security during the transfer from MITA to the staging area and designated airport, including reconnaissance prior to the operation to ensure that routes are safe and secure and the consideration of alternative routes where available.
- ix. ^{s. 47E(d)} [REDACTED] n preparation to embark the chartered aircraft.
- x. ^{s. 47E(d)} [REDACTED] to OPCOMD (N), with supporting documentation (including SERCO pre-transfer briefing and transfer summaries) prior to operational activity.
- xi. Provide updated event logs at each identified key milestone to OPCOMD (N). Ensure consistency between event logs are maintained between Serco and ABF.
- xii. Provide Situation Reports (SitReps) at identified milestones (refer to Co-ordinating Instructions) to OPCOMD (N).
- xiii. Conduct a post Operation brief and provide a report to the OPCOMD within ^{s. 47E(d)} [REDACTED] from the Operation date.

e. Group Three – Offshore Operational Coordination Branch

- (a) LAC** – ^{s. 22(1)(a)(ii)} [REDACTED] - A/g Commander Offshore Operational Coordination Branch
- (b) ZIC** – ^{s. 22(1)(a)(ii)} [REDACTED] – Superintendent Regional Operations Coordination
- (c) Other Officers**
^{s. 22(1)(a)(ii)} [REDACTED], A/g Superintendent Detention Health Operations Offshore Operational Coordination Branch

- (d) In Support**
Removals Operations
Detention Operations

- (e) Resources**
As required

- (f) Tasks**
 - i. Coordinate the development of the Support and Care Package for arriving transitory person.
 - a. Provide a copy to the Surgeon General prior to operation commencement.

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- b. Ensure Health Discharge Summaries and other health information pertaining to the transitory person is provided to the receiving practitioner at the relevant RPC, to ensure continuity of care.
- ii. Ensure availability of and coordinate appropriate resources to support receipt activity in Nauru.
- iii. Provide advice on service availability and conditions at Nauru.
- iv. Maintain the currency and accuracy of Removal and Resettlement Analyst Tool (RRAT) data holdings in collaboration with Regional Processing Taskforce and provides access as required.
- v. Coordinate the provision of services and accommodation with service providers for transitory person as required.
- vi. Commander South Pacific to provide international engagement support to LAC and other relevant stakeholders as required.
- vii. Provide updated logs at each identified key milestone to OPCOMD (N).
 - i. Provide Situation Reports (SitReps) at identified milestones (refer to Co-ordinating Instructions) to OPCOMD.
 - ii. Conduct a post Operation brief and provide a report to the OPCOMD within ^{s. 47E(d)} [redacted] from the Operation date.

3. CO-ORDINATING INSTRUCTIONS

(a) Timings

- i. ^{s. 47E(d), s. 42(1)} [redacted]
- a. ^{s. 47E(d)} ^{s. 47E(d)} [redacted]
- ^{s. 47E(d)} [redacted]

- ii. Under section 256 of the Act, the Department must afford detainees all reasonable facilities for obtaining legal advice or for taking legal

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proceedings. In an operational environment, LACs are, at the request of a transitory person, to facilitate a transitory person's ability to contact a legal representative, where the facilitation is operationally practical. For example, ^{s. 47E(d)} [REDACTED]

however if a transitory person requests access while in the staging area and this does not impact operational procedures, it may well be practical to allow the transitory person access to a telephone.

Where a transitory person makes a request for legal access, the transitory person should be taken to a private area where the transitory person may make such contact. Please note that it is reasonable for officers to initiate the phone call on behalf of the transitory person in order to verify that the transitory person is contacting a lawyer or migration agent (and not a journalist for example). However, officers should then retreat to a distance so that the transitory person can speak to the lawyer or migration agent without being overhead.

If a decision is made not to allow or to terminate a telephone call to a lawyer/migration agent due to operational reasons, this should be documented and reported to OPCOMD (N).

Any requests for legal access by transitory persons must be reported to OPCOMD (N) as soon as possible.

Refer to the attached Access to Legal Representation, Detention Operational Procedure ADD 2013/1686186.

- iii. LACs are to submit Serco Tactical Plans and any other supporting documentation prior to extraction date.
- iv. Charter flight crew, Medical staff and Serco are to be in place ^{s. 47E(d)} [REDACTED] prior to aircraft scheduled departure time.
- v. Post Operation debrief to be submitted to OPCOMD (N) within ^{s. 47E(d)} [REDACTED] from the operational activity.

(b) Reporting

LAC to provide relevant operational details to OPCOMD (N) via phone or email. OPCOMD (N) will produce, clear and forward SitReps to SBCC for dissemination to the distribution list at the following key milestones.

- a) Commencement of operation
- b) Extraction complete and arrival into staging area
- c) Completion of PTA processing
- d) Transitory persons embark aircraft
- e) Aircraft departure from VIC airport (Wheels Up)
- f) Arrival of aircraft and disembarking of transitory person into Nauru
- g) Transitory person settled into accommodation in Nauru
- h) By exception.

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There is to be one coordinated Log in OPCOMD (N) for operation BACCIFORM Delta. LACs are to report along with SitRep log updates at key milestones.

- a) Logs are to be inclusive of in support stakeholders including Serco, IHMS and RPC services.

The preparation of Hot Issue Briefs (HIB) relating to Operation BACCIFORM Delta will be coordinated by OPCOMD (N).

The preparation of HIBs relating to incidents at individual centres that may occur post operation will be coordinated by the relevant Superintendent Detention Operation and authorised by the Commander Detention Operations.

The preparation of HIBs relating to incidents that may occur at a RPC will be coordinated by Offshore Operational Coordination Branch.

Dissemination of HIBs will be as per existing protocols.

(c) Safety Instructions

Existing WH&S guidelines, detainee transfer policies and procedures are to be adhered to at all times.

SERCO pre-approved Use of Force has been authorised by A/g Commander Detention Operations.

Allegations of assault/abuse, whether physical or sexual, are taken seriously and must be referred to appropriate law enforcement agencies for investigation.

(d) Security

Operational Security is of utmost importance. To ensure the operational safety and security of transitory persons, staff and facilities, ^{s. 47E(d)}

s. 47E(d)

Careful consideration is to be given to supervision arrangements once transitory persons are notified of the transfer.

The following principals are responsible for representing the various functional areas essential to the operation. They are responsible for maintaining strict operational security and should be available to support planning and conduct of the operation at short notice.

- s. 22(1)(a)(ii) – Removals Operations
- s. 22(1)(a)(ii) – Detention Operations Victoria
- s. 22(1)(a)(ii) – Offshore Operational Coordination Branch
- s. 22(1)(a)(ii) – AAT & Removals Injunctions
- s. 22(1)(a)(ii) – Detention Health Operations
- s. 22(1)(a)(ii) – Status Resolution Support

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Officers are to be aware of their operational environment whilst conducting their duties and report any advocate activity, media attention or suspicious activity.

Assistant Secretary Security Branch will be briefed at the appropriate time prior to the operation to enable contingency planning for security of the detention and DIBP office network.

Regional Commander Victoria will be briefed to enable planning for post operational activity.

4. **ADMINISTRATION AND LOGISTICS**

(a) Transport Allocation

As required in each LAC.

(b) Dress Requirements

To be determined by LAC.

(c) Medical

- a. Medical Officer to be available during transit to the staging point and on-board the chartered flight to and from Nauru.
- b. IHMS on-site clinicians to be available during processing.

(d) Food/Water

Transitory persons are to be provided with access to water and food throughout the transfer.

(e) Legislation

Migration Act 1958 (Australia)

Aviation Transport Security Regulations (ATSR) 2005, Division 4.5 (persons in custody)

Asylum Seeker (Regional Processing Centre) Act 2012

Access to legal representatives is to be in accordance with established procedures and the Migration Act 1958 (the Act). Refer to co-ordinating instructions.

5. **COMMAND AND SIGNAL**

(a) Location of Commander

The OPCOMD (N) will be located in the Command Post with the Command Group in ^{s. 47E(d)} [REDACTED].

(b) Command Group contact

Operation BACCIFORM DELTA has a distribution list for reporting purposes.

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PROTECTED**(c) Control Decision**

The Control Decision for who determines whether the transitory person is removed from the operation due to Operational Safety reasons, such as

s. 47E(d)

s. 47E(d)

will be

allocated to the OPCOMD (N) in conjunction with the OPCHIEF. The LAC is to refer all incidents to OPCOMP (N) that impact on the strategic intent.

The Control Decision for who determines whether the transitory person has raised credible allegations that require investigation prior to transfer, and should be removed from the operation is allocated to OPCOMD (N) in conjunction with the Director Status Resolution Support and the OPCHIEF. Allegations of assault/abuse, whether physical or sexual, are taken seriously and must be referred to appropriate law enforcement agencies for investigation. If the transitory person makes such an allegation, she is not to be transferred until the matter has been investigated to determine to jurisdiction for the alleged offence. Any such matter must be finalised prior to transfer proceeding. Outcomes from such investigations will be incorporated into future planning for that individual.

The Control Decision for who determines whether a transitory person is removed for any other reason, including legal and medical conditions is allocated to OPCOMD (N) in conjunction with Offshore Operational Coordination Branch, Legal Advice, Status Resolution Branch, Temporary Protection Visa Assessment Branch and the OPCHIEF.

(e) Contact Phone numbers

Contact details as per Contact list (Annex 1.)

OPCOMD – s. 22(1)(a)(i), Superintendent Removals Operations
1 November 2016

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PROTECTED**Distribution:**

1. OPCHIEF - **Robyn MILLER** Commander Field Compliance and Removals
2. OPCOMD – s. 22(1)(a)(ii) Superintendent Removals Operations
3. 2IC – s. 22(1)(a)(ii) Inspector Removals Operations
4. LAC Detention Operations VIC – s. 22(1)(a)(ii) Inspector Detention Operations VIC
5. 2IC – Detention Operations VIC – s. 22(1)(a)(ii)
6. LAC Offshore Operations Coordination - s. 22(1)(a)(ii) A/g Commander
7. Status Resolution – s. 22(1)(a)(ii), Director Status Resolution Support
8. Assistant Commissioner Detention, Compliance and Removals **Kingsley WOODFORD-SMITH**
9. First Assistant Secretary, Community Protection – **Kaylene ZAKHAROFF**
10. First Assistant Secretary, Children, Community & Settlement - **Cheryl-Anne MOY**
11. A/G Commander, Detention Operations – s. 22(1)(a)(ii)
12. Commander Regional Command Victoria – s. 22(1)(a)(ii)
13. Regional Director Victoria – s. 22(1)(a)(ii)
14. Commander Regional Command Queensland – s. 22(1)(a)(ii)
15. Assistant Secretary Status Resolution – s. 22(1)(a)(ii)
16. A/g Superintendent Detention Health Operations – s. 22(1)(a)(ii)
17. Superintendent – Regional Operations Coordination – s. 22(1)(a)(ii)
18. Commander Regional Processing Taskforce – **Kylie SCHOLTEN**
19. Regional Processing Task Force – s. 22(1)(a)(ii)
20. Regional Processing Task Force – s. 22(1)(a)(ii)

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s. 22(1)(a)(i) @border.gov.au
 s. 22(1)(a)(ii) @border.gov.au
 s. 22(1)(a)(iii) @border.gov.au

s. 22(1)(a)(ii) @border.gov.au
 s. 22(1)(a)(iii) @border.gov.au
 s. 22(1)(a)(iv) @border.gov.au

Annex 3: Charter Schedule

Contracted B737 – 300 Aircraft.						
Day / Date	Flight Number	Origin	ETD	Destination	ETA	
s. 47E(d) 2016	s. 47E(d)	BNE	s. 47E(d)	MEL	s. 47E(d)	
s. 47E(d) 2016	s. 47E(d)	MEL	s. 47E(d)	BNE	s. 47E(d)	
s. 47E(d) 2016	s. 47E(d)	BNE	s. 47E(d)	INU	s. 47E(d)	

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Annex 4: Risk Matrix

Risk	Likelihood	Consequence	Inherent Risk	Treatment*	Residual Risk
Medical emergency caused by self-harm, suicide attempt, aggressive /abusive behaviour or medical conditions.	Possible	Moderate	Medium	Experienced T&E staff on site, Medical professional on ^{s. 47E(d)} [Redacted] UoF	Low
Non – compliant behaviour by transitory person during the operation	Possible	Moderate	Medium	Reduced ^{s. 47E(d)} [Redacted] UoF	Low
Unrest in detention network - due to government announcement and or extraction of transitory person.	Possible	Major	High	^{s. 47E(d)} [Redacted] ^{s. 47E(d)}	Medium
Media attention - during and post activity. Due to recent government announcements regarding refugee settlement in Australia.	Likely	Major	High	Legal response, messaging to detention centres Media talking points	Medium
Protest action - during operational activity. Due to recent government announcements regarding refugee settlement in Australia. Regular advocate visits to persons at MITA who are	Possible	Moderate	Medium	Maintain op security, operational recognisance, ^{s. 47E(d)} [Redacted]	Medium

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subject to return to Nauru.					
Operational security compromised prior, during and post activity.	Possible	Major	High	Need to know principles and maintain op security	Medium
Legal injunction	Possible	Moderate	Medium	Legal Division s. 47E(d)	Medium



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National Operation Order

“OPERATION BACCIFORM ECHO C16”

Issued by
Field Compliance and
Removals Branch

Annexes

1. Contact List
2. SitRep Distribution
3. Flight Itinerary
4. Risk Matrix

Time Zone used throughout order: Australian Eastern Daylight Savings Time (AEDST)

1. SITUATION

a. General

(1) Topography

Operation BACCIFORM ECHO will take place within Queensland, Regional Processing Country (RPC), Nauru and on-board a charter aircraft.

(2) Risks

See attached matrix

(3) Background Information

Operation BACCIFORM has been initiated, following a suspension of returns due to significant legal challenges in the High Court of Australia, to affect the expedited return of identified transitory person/s to Nauru and/or PNG under the Australian Government’s regional processing and resettlement arrangements.

These arrangements are outlined in the Migration Act 1958 (the Act) and this permits an officer to bring a transitory person/s to Australia from a place outside Australia for a temporary purpose. The Act also provides authority to return a transitory person from Australia once the transitory person no longer needs to remain in Australia for the temporary purpose for which they were transferred.

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Under this arrangement there are a number of transitory persons (from Nauru and PNG, including accompanying family members) in Australia for medical treatment and are subject to be returned to Regional Processing Countries (RPCs) once their temporary purpose for which they were transferred has been resolved.

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

s. 47E(d)

s. 47E(d)

s. 47E(d)

Three operations have been completed under Operation BACCIFORM Bravo, BACCIFORM Charlie and BACCIFORM Delta in April 2016, August 2016 and November 2016 respectively to commence the first of the returns to RPCs. These operations will continue to be conducted until otherwise advised.

Operation BACCIFORM ECHO has been initiated to effect the voluntary transfer of the s. 47E(d) identified transitory persons to Nauru from Brisbane Immigration Transit Accommodation (BITA) via a charter flight.

The overall success of any operation involving the return of transitory person to RPCs depend upon operational security and the combining of detailed case information, identification of risks and determination of a range of mitigating factors to ensure that the Australian Border Force (ABF) Commissioner, as the key decision maker, is fully informed when determining appropriate actions.

b. Detainees/ Transitory persons

During this Operation, it is anticipated that s. 47E(d) transitory persons will be subject to extraction from Brisbane Immigration Transit Accommodation and voluntarily returned back to their allocated RPC or settlement accommodation in Nauru.

c. Own Forces

Australian Border Force:

- Detention, Compliance and Removals (DCR)
- Detention Operations Queensland

d. In support

Internal:

- Detention Operations Branch
- Offshore Operational Coordination Branch
- Status Resolution Branch

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- Community Protection Division
- Temporary Protection Visa Assessment
- Regional Director QLD
- Commander South Pacific
- Regional Command QLD
- International Division
- Services Management Branch
- Communications and Media Branch
- Legal Advice and Operational Support Branch

External:

- SERCO (Facilities and Detainee Service Provider)
- IHMS (Detainee Health Service Provider)
- Broad Spectrum Services
- Jurisdictional Police as applicable
- Australian Federal Police as applicable
- Nauru Police as applicable
- Government of Nauru (GoN)

2. **MISSION**

To safely and securely voluntary transfer the identified transitory persons from Brisbane Immigration Transitory Accommodation to Regional Processing Country, Nauru.

3. **EXECUTION**

a. **OPCHIEF's INTENT**

Implement appropriate measures to facilitate the safe and secure return of identified transitory person, whose temporary purpose for transfer to Australia has been resolved and for whom no other barriers to return exist.

Implement appropriate measures for the reception of transitory person in the RPC and ongoing measures for the immediate future.

b. **General Outline**

Operation BACCIFORM ECHO will involve the transfer of the identified transitory persons from Queensland to Nauru via a chartered flight. The transfer is to take place on ^{s. 47F(1)} [REDACTED] 2017.

Operation BACCIFORM ECHO will be conducted over four separate phases:

- Phase 1 – (pre) planning
- Phase 2 – (pre transfer) messaging of the transitory person
- Phase 3 – transfer
- Phase 4 – (Nauru) arrival and induction

Phase 1

International Division along with Offshore Operation Coordination Branch has commenced preparation for the transfer of the identified transitory person.

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International Division has coordinated the efforts for submission to the Surgeon General and Minister for approval for the transfer. Once approvals have been received the transfer of the identified transitory person will commence.

As requested by the Surgeon General his determination will last for ^{s. 47E(d)} [REDACTED] and can be reconsidered if the transitory person is involved in a major incident or a critical incident or has a risk rating increased whilst in Australia. Offshore Operation Coordination Branch will coordinate with relevant stakeholders to ensure the Government of Nauru and IHMS (Nauru) are notified ^{s. 47E(d)} [REDACTED] prior to travel of the transitory person to allow for GoN and IHMS to complete planning for the arrival of the transitory person.

Phase 2

Detention Operations is responsible for messaging the transitory persons of the pending transfer back to Nauru. Status Resolution QLD is responsible for conducting a pre-transfer assessment prior to the transfer from Brisbane to Nauru. Detention Operations with support of Serco will monitor the transitory person once messaged.

Any significant incidents post messaging of return to an RPC will be reported to OPCOMD (N) and will be reported to the Surgeon General in line with the conditions of his determination.

Phase 3

Detention, Compliance and Removal Division will coordinate the travel movements of the transitory persons from BITA, Queensland to Nauru. This will include charter aircraft travel from Brisbane to Nauru.

Phase 4

Offshore Operation Coordination Branch will coordinate with stakeholders on Nauru to facilitate the arrival of the transitory person and ensure the safe and secure induction and transition to accommodation on Nauru, and the post arrival follow up support required in the care plan.

The expected chartered flight route will be as follows:

Brisbane – Nauru

c. Group One – Operational Command National (OPCOMD N)

- (a) OPCHIEF** – Robyn MILLER, Commander Field Compliance and Removals Operations
- (b) OPCOMD** – ^{s. 22(1)(a)(ii)} [REDACTED], Inspector Removal Operations
- (c) 2IC** – ^{s. 22(1)(a)(ii)} [REDACTED], Supervisor Removal Operations
- (d) Other Officers** – Removals Operations

PROTECTED**(e) In Support**Internal:

- Detention Operations Branch
- Children, Community and Settlement Division
- Status Resolution Branch
- Temporary Protection Visa Assessment
- Regional Director QLD
- Offshore Operational Coordination Branch
- Commander South Pacific
- Regional Command QLD
- Services Management Branch
- Communications and Media Branch
- Legal Advice and Operational Support Branch

External:

- SERCO (Facilities and Detainee Service Provider)
- IHMS (Detainee Health Service Provider)
- Broad Spectrum Services
- Jurisdictional Police as applicable
- Australian Federal Police as applicable
- Nauru Police as applicable

(f) Resources

As required.

(g) Tasks

- a. Upon Minister and Surgeon General approval of transfer, establish a s. 47E(d) for Command and Control of transfer operation.
- b. Coordinate with Serco to obtain Extraction and Aviation Tactical Plans where required.
- c. Identify, address, monitor and report to OPCHIEF any transfer barriers where required.
- d. Coordinate with relevant stakeholders and prioritise availability of appropriate resources to support operational activity at each phase.
- e. Coordinate and lead engagements with law enforcement and other government agencies as required.
- f. Develop operational intelligence collection plan.
- g. Coordinate with Regional Processing Taskforce, Intelligence Division and other relevant stakeholder to obtain specific details of the identified transitory person to develop a risk assessment and mitigation strategies for any adverse impacts to the operation.
- h. Coordinate with Detention Health Operations to coordinate external health service provider support to ensure that health services are assessed and planned to assist with operational activity.
- i. Coordinate with Detention Health Operations to provide Health Assessments as part of PTA preparations.

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- j. Coordinate with Legal Advice and Operational Support to provide legal advice on PTA preparations, manage potential injunctions and litigation issues where required.
- k. Coordinate with Media and Executive Coordination to update relevant communication guides and IMA timeline resource to assist case managers to deliver consistent messaging to transitory persons currently in Australia.
- l. Coordinate with Regional Directors to prioritise availability of appropriate Status Resolution officers to perform messaging and conduct the Pre Transfer Assessments (PTA).
 - i. Ensure Health Assessments are included in the PTA.
- m. Coordinate with Temporary Protection Visa Assessment to ensure resources are available for advice on protection claims and status resolution milestones aims of the identified transitory persons as required.
- n. Ensure relevant stakeholders are advised of the activity ^{s. 47E(d)} prior to arrival of transitory person.
- o. Coordinate with Offshore Operations Coordination with support from Commander South Pacific, to continue engagement with relevant Australian government agencies and the Government of Nauru and/ to give effect to the receipt of identified transitory person.
- p. Coordinate with Offshore Operations Coordination to notify and seek approval from Government of Nauru for incoming transitory person.
- q. Coordinate and maintain operational log for the duration of the operation. Ensure all incidents of adverse behaviour are logged, SitReped and captured appropriately through the Department's incident management reporting system.
 - i. Record in log the provisions of care packs and the acceptance by the transferee.
- r. Report any adverse incidents to OPCHIEF and the Surgeon General.
- s. Conduct a Post Operation Brief and provide a report to the OPCHIEF within ^{s. 47E(d)} from the operation date.

d. Group Two - Queensland Group

- (a) LAC – Superintendent Detention Operations QLD, ^{s. 22(1)(a)(ii)}
- (b) 2IC – A/g Inspector Detention Operations, ^{s. 22(1)(a)(ii)}
- (c) **Other Officers**
Detention Operations
- (d) **In Support**
Local SERCO
Local IHMS
Queensland Police as required
- (e) **Resources**
As required

PROTECTED**(f) Tasks**

- i. Engage with relevant stakeholders to plan and coordinate the extraction of the transitory persons from BITA to the designated APOD and onto the nominated airport, inclusive of coordinating with Status Resolution for the conduct of Pre-Transfer Assessments (PTAs).
- ii. Ensure the ongoing stability and security of the BITA pre, during and post operational activity. Post monitoring arrangements need to factor in a period of seven days post operation.
- iii. Engage with local stakeholders, including police services, to secure resources for operation if required.
- iv. Where identified, LAC should seek authorisation for Serco officers to use pre-planned use of force in line with standard procedures.
- v. Prepare and provide transitory person's documentation, including statement of identities, required to effect the transfer to OPCOMD (N) prior to operational activity.
- vi. Ensure detainee dossiers and detainee property is provided to Serco charter team leader for handover to ABF at the RPC and discharge and transit receipt book is completed.
- vii. Report any incidents pertaining to the transitory person immediately to OPCOMD (N) ^{s. 47E(d)} out from the operation and up until the commencement of the operation. Normal reporting via the department's incident reporting system should also be followed.
- viii. Appropriate consideration is to be given to ensuring en-route security during the transfer from BITA to the APOD and designated airport, including reconnaissance prior to the operation to ensure that routes are safe and secure and the consideration of alternative routes where available.
- ix. ^{s. 47E(d)} in preparation to embark the chartered aircraft.
- x. ^{s. 47E(d)} to OPCOMD (N), with supporting documentation (including SERCO pre-transfer briefing and transfer summaries) prior to operational activity.
- xi. Provide updated event logs at each identified key milestone to OPCOMD (N). Ensure consistency between event logs are maintained between Serco and ABF.
 - a. Record in log the provisions of care packs and the acceptance by the transferee.
- xii. Provide Situation Reports (SitReps) at identified milestones (refer to Co-ordinating Instructions) to OPCOMD (N).
- xiii. Conduct a post Operation brief and provide a report to the OPCOMD within ^{s. 47E(d)} from the Operation date.

e. Group Three – Offshore Operational Coordination BranchReleased by the Department of Home Affairs
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(a) LAC – § 22(1)(a)(ii) - A/g Commander Offshore Operational Coordination Branch

(b) ZIC – § 22(1)(a)(ii) – Superintendent Regional Operations Coordination

(c) Other Officers
§ 22(1)(a)(i), Superintendent Detention Health Operations Offshore Operational Coordination Branch

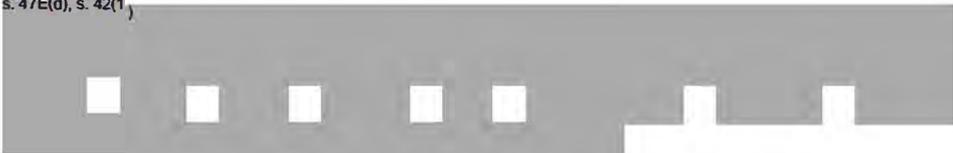
(d) In Support
Removals Operations
Detention Operations

(e) Resources
As required

- (f) Tasks
- i. Coordinate the development of the Support and Care Package for arriving transitory person.
 - a. Provide a copy to the Surgeon General prior to operation commencement.
 - b. Ensure Health Discharge Summaries and other health information pertaining to the transitory person is provided to the receiving practitioner at the relevant RPC, to ensure continuity of care.
 - ii. Ensure availability of and coordinate appropriate resources to support receipt activity in Nauru.
 - iii. Provide advice on service availability and conditions at Nauru.
 - iv. Maintain the currency and accuracy of Removal and Resettlement Analyst Tool (RRAT) data holdings in collaboration with Regional Processing Taskforce and provides access as required.
 - v. Coordinate the provision of services and accommodation with service providers for transitory person as required.
 - vi. Commander South Pacific to provide international engagement support to LAC and other relevant stakeholders as required.
 - vii. Provide updated logs at each identified key milestone to OPCOMD (N).
 - i. Provide Situation Reports (SitReps) at identified milestones (refer to Co-ordinating Instructions) to OPCOMD.
 - ii. Conduct a post Operation brief and provide a report to the OPCOMD within § 47E(d) from the Operation date.

3. CO-ORDINATING INSTRUCTIONS

(a) Timings

- i. § 47E(d), s. 42(1)
- 

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- iii. LAC QLD is to submit Serco Tactical Plans and any other supporting documentation prior to extraction date.
- iv. Flight details are:
 - a. Brisbane to Nauru, ^{s. 47E(d)} [REDACTED]
- v. Post Operation debrief to be submitted to OPCOMD (N) within ^{s. 47E(d)} [REDACTED] from the operational activity.

(b) Reporting

LAC to provide relevant operational details to OPCOMD (N) via phone or email. OPCOMD (N) will produce, clear and forward SitReps to SBCC for dissemination to the distribution list at the following key milestones.

- a) Commencement of operation
- b) Extraction complete and arrival into APOD
- c) Completion of PTA processing
- d) Transitory persons embark aircraft
- e) Arrival of aircraft and disembarking of transitory person into Nauru
- f) Transitory person settled into accommodation in Nauru
- g) By exception.

There is to be one coordinated Log in OPCOMD (N) for operation BACCIFORM ECHO. LACs are to report along with SitRep log updates at key milestones.

- a) Logs are to be inclusive of in support stakeholders including Serco, IHMS and RPC services.
- b) LAC must refer all incidents of partial or non-acceptance of care packages to OPCOMD (N). This also needs to be recorded in the Operational Log.

The preparation of Hot Issue Briefs (HIB) relating to Operation BACCIFORM ECHO will be coordinated by OPCOMD (N).

The preparation of HIBs relating to incidents at individual centres that may occur post operation will be coordinated by the relevant Superintendent Detention Operation and authorised by the Commander Detention Operations.

The preparation of HIBs relating to incidents that may occur at a RPC will be coordinated by Offshore Operational Coordination Branch.

Dissemination of HIBs will be as per existing protocols.

(c) Safety Instructions

Existing WH&S guidelines, detainee transfer policies and procedures are to be adhered to at all times.

SERCO pre-approved Use of Force has been authorised by Commander Detention Operations.

Allegations of assault/abuse, whether physical or sexual, are taken seriously and must be referred to appropriate law enforcement agencies for investigation.

(d) Security

Operational Security is of utmost importance. To ensure the operational safety and security of transitory persons, staff and facilities, ^{s. 47E(d)}

[Redacted]

Careful consideration is to be given to supervision arrangements once transitory persons are notified of the transfer.

The following principals are responsible for representing the various functional areas essential to the operation. They are responsible for maintaining strict operational security and should be available to support planning and conduct of the operation at short notice.

- s. 22(1)(a)(i) [Redacted] –Removals Operations
- s. 22(1)(a)(ii) [Redacted] – Detention Operations Queensland
- s. 22(1)(a)(ii) [Redacted] – Offshore Operational Coordination Branch
- s. 22(1)(a)(ii) [Redacted] – AAT & Removals Injunctions
- s. 22(1)(a)(ii) [Redacted] – Detention Health Operations
- s. 22(1)(a)(ii) [Redacted] – Status Resolution Support

Officers are to be aware of their operational environment whilst conducting their duties and report any advocate activity, media attention or suspicious activity.

Senior Director Security will be briefed at the appropriate time prior to the operation to enable contingency planning for security of the detention and DIBP office network.

4. ADMINISTRATION AND LOGISTICS

(a) Transport Allocation

As required in each LAC.

(b) Dress Requirements

To be determined by LAC.

(c) Medical

- a. Medical Officer to be available during transit to the APOD and on-board the charter flight to Nauru.
- b. IHMS on-site clinicians to be available during processing.

(d) Food/Water

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Transitory persons are to be provided with access to water and food throughout the transfer.

ABF are to ensure care packages are available and administered by Serco during the transfer. The care packages are required to be offered multiple times throughout the transfer if not accepted in the first instance.

(e) Legislation

Migration Act 1958 (Australia)

Aviation Transport Security Regulations (ATSR) 2005, Division 4.5 (persons in custody)

Asylum Seeker (Regional Processing Centre) Act 2012

Access to legal representatives is to be in accordance with established procedures and the Migration Act 1958 (the Act). Refer to co-ordinating instructions.

5. COMMAND AND SIGNAL

(a) Location of Commander

The OPCOMD (N) will be located in the Command Post with the Command Group in ^{s. 47E(d)} [REDACTED].

(b) Command Group contact

Operation BACCIFORM ECHO has a distribution list for reporting purposes.

(c) Control Decision

The Control Decision for who determines whether the transitory person is removed from the operation due to Operational Safety reasons, such as ^{s. 47E(d)} [REDACTED]

[REDACTED] will be allocated to the OPCOMD (N) in conjunction with the OPCHIEF. The LAC is to refer all incidents to OPCOMP (N) that impact on the strategic intent.

The Control Decision for who determines whether the transitory person has raised credible allegations that require investigation prior to transfer, and should be removed from the operation is allocated to OPCOMD (N) in conjunction with the Director Status Resolution Support and the OPCHIEF. Allegations of assault/abuse, whether physical or sexual, are taken seriously and must be referred to appropriate law enforcement agencies for investigation. If the transitory person makes such an allegation, they are not to be transferred until the matter has been investigated to determine to jurisdiction for the alleged offence. Any such matter must be finalised prior to transfer proceeding. Outcomes from such investigations will be incorporated into future planning for that individual.

The Control Decision for who determines whether a transitory person is removed for any other reason, including legal and medical conditions is allocated to OPCOMD (N) in conjunction with Offshore Operational

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Coordination Branch, Legal Advice, Status Resolution Branch, Temporary Protection Visa Assessment Branch and the OPCHIEF.

(e) Contact Phone numbers

Contact details as per Contact list (Annex 1.)

**OPCOMD – s. 22(1)(a)(ii) [REDACTED], Inspector Removals Operations
6 February 2017**

Distribution:

1. OPCHIEF - **Robyn MILLER** Commander Field Compliance and Removals
2. OPCOMD – s. 22(1)(a)(ii) [REDACTED] Inspector Removals Operations
3. 2IC – s. 22(1)(a)(ii) [REDACTED] Supervisor Removals Operations
4. LAC Detention Operations QLD – s. 22(1)(a)(ii) [REDACTED] Superintendent Detention Operations QLD
5. 2IC – Detention Operations QLD – s. 22(1)(a)(ii) [REDACTED]
6. LAC Offshore Operations Coordination – s. 22(1)(a)(ii) [REDACTED] Commander
7. Status Resolution – s. 22(1)(a)(ii) [REDACTED], A/g Director Status Resolution QLD
8. Status Resolution – s. 22(1)(a)(ii) [REDACTED], A/g Manager Status Resolution QLD
9. Assistant Commissioner Detention, Compliance and Removals **Kingsley WOODFORD-SMITH**
10. First Assistant Secretary, Community Protection – **Kaylene ZAKHAROFF**
11. First Assistant Secretary, Children, Community & Settlement - **Cheryl-Anne MOY**
12. Commander, Detention Operations – **Vanessa HOLBEN**
13. Commander Regional Command Queensland – **Terry PRICE**
14. Regional Director Queensland – **Steve BIDDLE**
15. A/g Assistant Secretary Status Resolution – s. 22(1)(a)(ii) [REDACTED]
16. Superintendent Detention Health Operations – s. 22(1)(a)(ii) [REDACTED]
17. Superintendent – Regional Operations Coordination – s. 22(1)(a)(ii) [REDACTED]
18. Commander Regional Processing Taskforce – **Kylie SCHOLTEN**
19. Regional Processing Task Force – s. 22(1)(a)(ii) [REDACTED]
20. Regional Processing Task Force – s. 22(1)(a)(ii) [REDACTED]

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Annex 1: Contact List

Area	Name	Primary Contact	Secondary Contact
Op BACCIFORM Command Post	-	-	-
OPCHIEF	Robyn MILLER	s. 22(1)(a)(ii) @border.gov.au	s. 22(1)(a)(ii)
OPCOMD	s. 22(1)(a)(ii)	s. 22(1)(a)(ii) @border.gov.au	s. 22(1)(a)(ii)
2IC (N)	s. 22(1)(a)(ii)	s. 22(1)(a)(ii) @border.gov.au	s. 22(1)(a)(ii)
LAC GROUP Three	s. 22(1)(a)(ii)	s. 22(1)(a)(ii) @border.gov.au	s. 22(1)(a)(ii)
BITA	s. 22(1)(a)(ii)	s. 22(1)(a)(ii) border.gov.au	s. 22(1)(a)(ii)
LAC Group Four	s. 22(1)(a)(ii)	s. 22(1)(a)(ii) @border.gov.au	s. 22(1)(a)(ii)
Serco	s. 22(1)(a)(ii)	s. 22(1)(a)(ii) @serco-ap.com.au or border.gov.au	s. 22(1)(a)(ii)
Detention Health Operations	s. 22(1)(a)(ii)	s. 22(1)(a)(ii) @border.gov.au	s. 22(1)(a)(ii)
Detention Health Operations	s. 22(1)(a)(ii)	s. 22(1)(a)(ii) @border.gov.au	s. 22(1)(a)(ii)
Status Resolution QLD	s. 22(1)(a)(ii)	s. 22(1)(a)(ii) @border.gov.au	s. 22(1)(a)(ii)
Status Resolution QLD	s. 22(1)(a)(ii)	s. 22(1)(a)(ii) @border.gov.au	s. 22(1)(a)(ii)
Regional Director QLD	Steven BIDDLE	Steve.biddle@border.gov.au	s. 22(1)(a)(ii)
A/g Commander Detention Operations	s. 22(1)(a)(ii)	s. 22(1)(a)(ii) @border.gov.au	s. 22(1)(a)(ii)
Commander Regional Processing Taskforce	Kylie SCHOLTEN	s. 22(1)(a)(ii) @border.gov.au	s. 22(1)(a)(ii)
Assistant Secretary Legal Advice and Operational Support	Steve MCGLYNN	s. 22(1)(a)(ii) @border.gov.au	s. 22(1)(a)(ii)
Director SAAT and Removals Injunctions	s. 22(1)(a)(ii)	s. 22(1)(a)(ii) @border.gov.au	s. 22(1)(a)(ii)
Media and Comms	s. 22(1)(a)(ii)	s. 22(1)(a)(ii) @border.gov.au	s. 22(1)(a)(ii)
RC QLD	Terry PRICE	s. 22(1)(a)(ii) @border.gov.au	s. 22(1)(a)(ii)
First Assistant Secretary, Children, Community and Settlement	Cheryl-Anne MOY	s. 22(1)(a)(ii) @border.gov.au	s. 22(1)(a)(ii)
A/g Assistant Secretary, Status Resolution	s. 22(1)(a)(ii)	s. 22(1)(a)(ii) @border.gov.au	s. 22(1)(a)(ii)
A/g Assistant Secretary, Temporary Protection Visa Assessment	s. 22(1)(a)(ii)	s. 22(1)(a)(ii) @border.gov.au	s. 22(1)(a)(ii)
IHMS Nurse – for charter	s. 22(1)(a)(ii)	s. 22(1)(a)(ii)	s. 22(1)(a)(ii)

Annex 2: Sitrep Distribution List

- s. 22(1)(a)(ii) @border.gov.au

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Annex 4: Risk Matrix

Risk	Likelihood	Consequence	Inherent Risk	Treatment*	Residual Risk
Medical emergency caused by self-harm, suicide attempt, aggressive /abusive behaviour or medical conditions.	Possible	Moderate	Medium	Experienced T&E staff on site, Medical professional on standby and Serco and s. 47E(d) and Enhanced Escort Position and pre-approved UoF	Low
Non – compliant behaviour by transitory person during the operation	Possible	Moderate	Medium	s. 47E(d) s. 47E(d) Serco Tactical Plan and Enhanced Escort Position and pre-approved UoF	Low
Unrest in detention network - due to extraction of transitory person.	Possible	Major	High	s. 47E(d)	s. 47E(d)
Media attention - during and post activity. Due to recent media attention with the US settlement deal and medical evacuations from RPCs	Likely	Major	High	Legal response, messaging to detention centres Media talking points	Medium
Protest action - during operational activity.	Possible	Moderate	Medium	Maintain op security, operational recognisance, reduced notification time	Medium
Operational security	Possible	Major	High	Need to	Medium

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compromised prior, during and post activity.				know principles and maintain op security	
Legal injunction	Possible	Moderate	Medium	Legal Division s. 47E(d)	Medium



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National Operation Order

“OPERATION BACCIFORM LIMA”

**Issued by
Enforcement
Command**

Attachments:

1. Contact List
2. SitRep Distribution
3. Flight Schedule

Time Zone used throughout order: Australian Eastern Standard Time (AEDT)

1. **SITUATION**

a. **General**

(1) Topography

Operation BACCIFORM LIMA will take place within Victoria Regional Command, Regional Processing Country (RPC) Nauru, and on-board a charter aircraft.

(2) Background Information

Operation BACCIFORM has been initiated, following a suspension of returns due to significant legal challenges in the High Court of Australia, to effect the expedited return of identified transitory person to Nauru under the Australian Government’s regional processing and resettlement arrangements.

These arrangements are outlined in the Migration Act 1958 (the Act) and this permits an officer to bring a transitory person/s to Australia from a place outside Australia for a temporary purpose. The Act also provides an obligation to remove a transitory person from Australia once the transitory person no longer needs to remain in Australia for the temporary purpose for which they were transferred.

Under this arrangement there are a number of transitory persons from Nauru, including accompanying family members currently in Australia for medical treatment and are subject to be returned to Regional Processing Countries (RPCs) once their temporary purpose for which they were transferred has been resolved.

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

s. 47E(d)

s. 47E(d)

s. 47E(d)

Since the commencement of Operation BACCIFORM in 2016, 11 operations to conduct returns to RPCs have been completed. These operations will continue until otherwise advised.

Operation BACCIFORM LIMA has been initiated to effect the involuntary return of s. 47E(d) identified transitory person to Nauru from Melbourne Immigration Transit Accommodation MITA by charter aircraft.

The overall success of any operation involving the return of transitory person to RPCs depend upon operational security and the combining of detailed case information, identification of risks and determination of a range of mitigating factors to ensure that the Australian Border Force (ABF) Commissioner, as the key decision maker, is fully informed when determining appropriate actions.

b. Transitory Person/s

During this Operation, it is anticipated that s. 47E(d) transitory person will be subject to extraction from their accommodation at the MITA and transferred back to Nauru.

s. 47F(1)

The transitory person has no family links in Australia or Nauru.

The transitory person s. 47F(1) whilst in Immigration Detention in Australia, however none are considered to be significant in nature.

The placement and transport risk for the transitory person is rated as high by the Department's detention service provider.

c. Own Forces

Australian Border Force:

- Enforcement Command (EC)

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- Detention Operations Branch
- Offshore Operations Coordination Branch
- Detention Operations Victoria

d. In support

Internal:

- Detention Health Operations
- Victoria Regional Command
- Queensland Regional Command
- Communications and Media Branch
- Legal Advice and Operational Support Branch
- Contracts and Services Management Branch
- Status Resolution Branch
- Temporary Protection Visa Assessment
- Regional Processing Taskforce
- International Division
- Regional Processing and Performance Branch

External:

- Serco (Facilities and Detainee Service Provider)
- IHMS (Detention Health Service Provider)
- Canstruct International (CSI)
- Government of Nauru (GoN)

2. MISSION

To safely and securely transfer the identified transitory person from an Australian Immigration Detention Facility to Nauru.

3. EXECUTION**a. General Outline**

Operation BACCIFORM LIMA will involve the identified transitory person transferring from MITA, Victoria and travelling on a charter aircraft to Nauru. The operation will commence a minimum of ^{s. 47E(d)} hours prior to departure from Australia with messaging to take place on ^{s. 47F(1)} 2018.

Operation BACCIFORM LIMA will be conducted over three phases:

- Phase 1 – (pre) planning
- Phase 2 – transfer
- Phase 3 – Nauru arrival and induction

Phase 1

Regional Processing Taskforce along with Offshore Operation Coordination Branch has commenced preparation for the transfer of the identified transitory person. Regional Processing Taskforce has coordinated the efforts for submission to Minister for Immigration and Border Protection for approval of the transfer. Once approval has been received the transfer of the identified

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transitory person will commence. Offshore Operation Coordination Branch will coordinate with relevant stakeholders to ensure the Government of Nauru and IHMS are notified prior to travel of the transitory person to allow for GoN and IHMS to complete planning for the arrival of the transitory person.

Phase 2

On ^{s. 47F(1)} [REDACTED] 2018, the transitory person will be moved by Detention Operations VIC and Serco into solitary accommodation within the MITA.

On ^{s. 47F(1)} [REDACTED] 2018, Serco will facilitate the extraction of the transitory person from their accommodation, with Status Resolution to conduct the PTA process and provide messaging of their return to Nauru.

Upon receipt of messaging, the transitory person will be transferred from the MITA to Melbourne Airport to embark a charter aircraft from Melbourne to Nauru (via Brisbane).

BITA Detention Operations have been briefed and will provide operational support should any barriers arise during the aircraft technical stop and outbound clearance in Brisbane.

Phase 3

Upon arrival on Nauru the ongoing risk mitigations and support for the transitory person will be transferred to Offshore Operation Coordination Branch who will coordinate with Regional Processing and Performance Branch and other stakeholders in Nauru to facilitate the arrival of the transitory person and ensure the safe and secure induction and transition to her accommodation in the Nauru community.

b. Group One

(1) Operational Command Group National [OPCOMD (N)]

(a) **OPCHIEF** – James Copeman, Commander Field and Removal Operations

(b) **OPCOMD** – ^{s. 22(1)(a)(ii)} [REDACTED], Superintendent Removal Operations

(c) **ZIC** – ^{s. 22(1)(a)(ii)} [REDACTED], Inspector Removal Operations

(d) Other Officers

^{s. 22(1)(a)(ii)} [REDACTED] – A/g Border Force Supervisor, Removal Operations

(e) In Support

Internal:

Detention Operations Victoria

Detention Operations Queensland

Offshore Operation Coordination Branch

Communications and Media Branch

Legal Advice and Operational Support Branch

Status Resolution Branch

Temporary Protection Visa Assessment

International Division

External:

Serco (Facilities and Detainee Service Provider)

IHMS (Detainee Health Service Provider)

Canstruct International (CSI)

(f) Resources

As required.

(2) Tasks

- i. Establish a ^{s. 47E(d)} [redacted] for Command and Control of the Operation.
- ii. Identify, address and monitor transfer barriers where required.
- iii. Provide Detention Operations VIC and Program Lead on Nauru with the incident and health history of the identified transitory person and timeframe for operational planning to allow a minimum of ^{s. 47E(d)} [redacted] prior to operational activity.
- iv. Organise and confirm charter aircraft dates, times, clearances and sufficient support officers to support operational requirements.
- v. Arrange Serco and Health resources for operation requirements.
 - a. Serco escorts are not to be in uniform for the operation.
- vi. Coordinate with Serco and develop a risk assessment with mitigation strategies in relation to the transfer of the transitory person.
 - a. Consideration to be given to possible self-harm or other adverse behaviours and to connections with Advocate groups, media and other interested parties.
- vii. Ensure all transfer documents, including visa applications, are completed prior to extraction and distributed to relevant stakeholders, including ensuring documents are accepted by the airline.
- viii. Coordinate transfer from Australia to Nauru.
- ix. Coordinate appropriate media support and communication strategy including media talking points and messaging for staff and service providers through Communications and Media Branch.
- x. Coordinate and maintain operation log for the duration of the operation.
- xi. Conduct a Post Operation Brief and provide a report to the OPCHIEF within ^{s. 47E(d)} [redacted] from the operation date.

c. Group Two

(1) VIC – Detention Operations

- (a) GPCOMD – ^{s. 22(1)(a)(ii)} [redacted] – A/g Superintendent, Detention Operations VIC**

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PROTECTED**(b) 2IC -** ^{s. 22(1)(a)(ii)} [REDACTED] – A/g Inspector, MITA Operations**(c) Other officers**

As required

(d) In Support

Internal

Status Resolution

Detention Health Operations

(e) External

Serco

IHMS

Victoria Police

(2) Tasks

- i. Provide tactical extraction plan to OPCOMD (N), prior to the operation.
- ii. Conduct PTA process.
- iii. Provide messaging to transitory person prior to transfer to Nauru.
- iv. Provide statement of identity, including any visa documents required to effect the transfer to OPCOMD ^{s. 47E(d)} [REDACTED] prior to the departure from Australia.
- v. Arrange Request for Service to Serco T&E for transport from MITA to Melbourne International Airport.
- vi. Provide updated logs at each identified key milestone to OPCOMD (N).
- vii. Ensure safe and secure transfer of the transitory person from the MITA to Melbourne International Airport.
 - a. Serco Officers are requested to not wear uniform throughout the operation.
- viii. Ensure OpSec is maintained throughout operation.
- ix. Provide Situation Reports (SitReps) at identified milestones (a-d) to OPCOMD (N).
- x. Provide immediate notification to OPCOMD (N), should any incidents of non-compliant behaviour, adverse reaction or incidents of self-harm occur whilst at MITA or in transit.
- xi. Conduct a post Operation brief and provide a report to the OPCOMD (N) within ^{s. 47E(d)} [REDACTED] from the Operation date.

d. Group Three**(2) QLD – Detention Operations****(f) GPCOMD -** ^{s. 22(1)(a)(ii)} [REDACTED] – Inspector, Detention Operations QLD**(g) Other officers**

As required

(h) In Support

Internal

Status Resolution

Detention Health Operations

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PROTECTED**(i) External**

Serco
IHMS
Queensland Police

(3) Tasks

- xii. Provide contingency APOD accommodation in Brisbane should any barrier present itself preventing the operation from progressing.
- xiii. Arrange Request for Service to Serco T&E for transport from Brisbane International Airport to the nominated APOD.
- xiv. Provide updated logs should contingency be activated at key milestone to OPCOMD (N).
- xv. Ensure safe and secure transfer of the transitory person from the Brisbane International Airport to the APOD.
- xvi. Ensure OpSec is maintained throughout operation.
- xvii. Provide Situation Reports (SitReps) at key milestones should contingency arrangements be activated to OPCOMD (N).
- xviii. Provide immediate notification to OPCOMD (N), should any incidents of non-compliant behaviour, adverse reaction or incidents of self-harm occur whilst at the APOD or in transit.
- xix. Conduct a post Operation brief and provide a report to the OPCOMD (N) within ^{s. 47E(d)} [REDACTED] from the Operation date.

d. Group Four**(1) Regional Operations Coordination Section**

- (a) GPCOMD** – ^{s. 22(1)(a)(ii)} [REDACTED], A/g Superintendent Offshore Operation Coordination Section
- (b) ZIC** – ^{s. 22(1)(a)(ii)} [REDACTED], Director, Programme Coordinator Nauru

(c) Other Officers

As required

(d) In Support**Internal**

Offshore Operational Coordination
Offshore Health Operations
Removal Operations
Regional Processing and Performance Branch

External

Serco
Canstruct International (CSI)
Government of Nauru
IHMS

(e) Resources

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As required

(2) Tasks

- i. Engage with relevant stakeholders to ensure Nauru RPC maintains operational readiness to accept transitory person.
- ii. Notify relevant stakeholders including ABF Nauru, Government of Nauru (GoN), and IHMS minimum of [REDACTED] prior to transitory person's arrival in Nauru.
- iii. Vet the identified transitory person and refer any transfer barriers to OPCOMD (N).
- iv. Notify and seek approval of GoN for incoming transitory person in line with operational security arrangements.
- v. Develop Support and Care Package for transitory person's arrival on Nauru.
 - a. Plan and coordinate reception in Nauru and ensure transitory person receives appropriate support services inclusive of inductions and safety considerations upon arrival in Nauru.
- vi. Provide Situation Reports (SitReps) at identified milestones (f and g) to OPCOMD (N).
- vii. Engage GoN to disembark the transitory person in Nauru, should they be non-compliant.
- viii. Conduct a post Operation brief and provide a report to the OPCOMD within ^{s. 47E(d)} [REDACTED] from the Operation date.

4. CO-ORDINATING INSTRUCTIONS

s. 47E(d)

(a) Timings



- ii. Under section 256 of the Act, the Department must afford detainees all reasonable facilities for obtaining legal advice or for taking legal proceedings. In an operational environment, GPCOMD are, at the request of a transitory person, to facilitate a transitory person's ability to contact a legal representative, where the facilitation is operationally practical.

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For example, ^{s. 47E(d)} [redacted], however if a transitory person requests access while in the staging area and this does not impact operational procedures, it may well be practicable to allow the transitory person access to a telephone.

Where a transitory person makes a request for legal access, the transitory person should be provided with means to make such contact. Please note that it is reasonable for officers to initiate the phone call on behalf of the transitory person in order to verify that the transitory person is contacting a lawyer or migration agent (and not a journalist for example). However, officers should then retreat to a distance so that the transitory person can speak to the lawyer or migration agent without being overheard.

If a decision is made not to allow or to terminate a telephone call to a lawyer/migration agent due to operational reasons, this should be documented.

Any requests for legal access by transitory persons must be reported to OPCOMD (N) as soon as possible.

Refer to the attached Access to Legal Representation, Detention Operational Procedure ADD2013/1686186.

iii. The GPCOMD is to submit OPORDS and supporting documentation prior to extraction date.

iv. Flight schedule:

s. 47E(d)	YBBN / BNE	YMML / MEL	s. 47E(d)
s. 47E(d)	YMML / MEL	YBBN / BNE	
s. 47E(d)	YBBN / BNE	ANYN / INU	
s. 47E(d)	ANYN / INU	YBBN / BNE	

v. Post Operation debrief to be submitted to OPCOMD (N) within ^{s. 47E(d)} [redacted] from the Operational activity.

(b) Reporting

The GPCOMD is to provide relevant operational details to OPCOMD (N) via phone or email. OPCOMD (N) will produce, clear and forward SitReps to the distribution list at the following key milestones.

- a) Operation Commencement (Extraction)
- b) Completion of PTA process.
- c) Arrival at Melbourne International Airport.
- d) Departure of the charter aircraft from Melbourne.
- e) Departure of the charter aircraft from Brisbane.

- f) Arrival of aircraft and disembarking of transitory person on Nauru.
- g) Arrival of transitory person at Nauru RPC.
- h) By exception.

There is to be one coordinated Log in OPCOMD (N) for Operation BACCIFORM LIMA. GPCOMDs are to report along with SitRep log updates at key milestones.

- a) Logs are to be inclusive of in support stakeholders including Serco, IHMS and RPC services.

The preparation of Hot Issue Briefs relating to Operation BACCIFORM LIMA will be coordinated by OPCOMD (N).

The preparation of Hot Issue Briefs relating to incidents at individual centres that may occur post operation will be coordinated by the relevant Superintendent, Detention Operations and authorised by the Commander, Detention Operations.

The preparation of Hot Issue Briefs relating to incidents that may occur at a RPC will be coordinated by Regional Operation Coordination Section. Dissemination of Hot Issue Briefs will be as per existing protocols.

(c) Safety Instructions

Existing WH&S guidelines, detainee transfer policies and procedures are to be adhered to at all times.

Allegations of assault/abuse, whether physical or sexual, are taken seriously and must be referred to appropriate law enforcement agencies for investigation.

(d) Security

Operational Security is of utmost importance. To ensure the operational safety and security of the transitory person, staff and facilities, ^{s. 47E(d)}

s. 47E(d)

Careful consideration is to be given to supervision arrangements once transitory persons are notified of the transfer.

The following principals are responsible for representing the various functional areas essential to the operation. They are responsible for maintaining strict operational security and should be available to support planning and conduct of the operation at short notice.

- s. 22(1)(a)(ii) – Removals Operations
- s. 22(1)(a)(ii) – MITA Detention Operations
- s. 22(1)(a)(ii) – BITA Detention Operations
- s. 22(1)(a)(ii) – Detention Health Operations
- s. 22(1)(a)(ii) – Offshore Operation Coordination
- s. 22(1)(a)(ii) – AAT & Removals Injunctions

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Officers are to be aware of their operational environment whilst conducting their duties and report any media attention or suspicious activity.

Assistant Secretary Security Branch will be briefed at the appropriate time prior to the operation to enable contingency planning for security of the detention and DIBP office network.

Regional Commander VIC/TAS will be briefed to enable planning for post operational activity.

5. **ADMINISTRATION AND LOGISTICS**

(a) Transport Allocation

As required.

(b) Dress Requirements

To be determined by LAC.

(c) Medical

- a. Offshore Operational Coordination to coordinate medical resources for the operation.
- b. Offshore Operational Coordination to ensure a return support care plan is place with appropriate service providers in Nauru as per the immediate case management plan.

(d) Food/Water

The transitory person is to be provided with access to water and food throughout the transfer.

(e) Legislation

- a. Migration Act 1958 (Australia)
- b. Aviation Transport Security Regulations (ATSR) 2005, Division 4.5 (persons in custody)
- c. Access to legal representatives is to be in accordance with established procedures and the Migration Act 1958 (the Act). Refer to co-ordinating instructions.

6. **COMMAND AND SIGNAL**

(a) Location of Commander

The OPCOMD (N) will be located in s. 47E(d).

(b) Command Group contact

Operation BACCIFORM Kilo has a distribution list for reporting purposes.

(c) Control Decision

The Control Decision for who determines whether the transitory person is removed from the operation due to Operational Safety reasons, such as s. 47E(d)

[REDACTED] will be allocated to the OPCOMD (N) in conjunction with the OPCHIEF. The GPCOMD is to refer all incidents to OPCOMD (N) that impact on the strategic intent.

The Control Decision for who determines whether the transitory person has raised credible allegations that require investigation prior to transfer, and should be removed from the operation is allocated to OPCOMD (N) in conjunction with the OPCHIEF. Allegations of assault/abuse, whether physical or sexual, are taken seriously and must be referred to appropriate law enforcement agencies for investigation. If the transitory person makes such an allegation, they are not to be transferred until the matter has been investigated to determine the jurisdiction for the alleged offence. Any such matter must be finalised prior to transfer proceeding. Outcomes from such investigations will be incorporated into future planning for that individual.

The Control Decision for who determines whether a transitory person is removed for any other reason, including legal and medical conditions is allocated to OPCOMD (N) in conjunction with Offshore Operational Coordination Branch, Legal Advice, Public Risk Assessment, Temporary Protection Visa Assessment Branch and the OPCHIEF.

The Control Decision for who determines whether the transitory person is to be forcibly removed from the charter aircraft in Nauru, is allocated to OPCOMD (N) in conjunction with OPCHIEF and Offshore Operational Coordination Branch. OPCOMD (N) will request through the GPCOMD Group Three for GoN assistance to disembark the transitory person.

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(e) Contact Phone numbers

Contact details as per Contact list (Attachment 1)

OPCOMD (N)

Superintendent Removal Operations

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

17 July 2018

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NOO Distribution:

1. Assistant Commissioner Enforcement Command – Sharon HUEY
2. Assistant Commissioner Detention and Offshore Operations Command – Vanessa Holben
3. OPCHIEF – Commander Field and Removal Operations – James COPEMAN
4. OPCOMD – Superintendent Removal Operations – s. 22(1)(a)(ii)
5. 2IC – Inspector Removal Operations – s. 22(1)(a)(ii)
6. A/g Border Force Supervisor – s. 22(1)(a)(ii)
7. GPCOMD Group Two – s. 22(1)(a)(ii)
8. 2IC Group Two – s. 22(1)(a)(ii)
9. GPCOMD Group Three – s. 22(1)(a)(ii)
10. GPCOMD Group Four – s. 22(1)(a)(ii)
11. 2IC Group Four – s. 22(1)(a)(ii)
12. A/g Director VIC Status Resolution – s. 22(1)(a)(ii)
13. A/g Commander Offshore Operational Coordination Branch – s. 22(1)(a)(ii)
14. Director, Programme Coordinator Nauru – s. 22(1)(a)(ii)
15. Commander Regional Command Queensland – Terry PRICE
16. Commander Regional Command VIC/TAS – Craig PALMER
17. A/g Assistant Secretary, Community Programmes and Reporting – s. 22(1)(a)(ii)
18. Superintendent Detention Health Operations – s. 22(1)(a)(ii)
19. Regional Commander Pacific – James WATSON
20. A/g Superintendent Offshore Health Operations – s. 22(1)(a)(ii)
21. A/g Assistant Secretary Humanitarian Program Operations – s. 22(1)(a)(ii)
22. Director – Humanitarian Program Operations – s. 22(1)(a)(ii)
23. First Assistant Secretary Health Services Policy & Child Wellbeing – Elizabeth HAMPTON
24. Taskforce – s. 22(1)(a)(ii)
25. Taskforce – s. 22(1)(a)(ii)
26. Taskforce – s. 22(1)(a)(ii)
27. A/g Assistant Secretary Status Resolution – s. 22(1)(a)(ii)
28. Director AAT & Removals Injunctions – s. 22(1)(a)(ii)
29. Commander, Detention Operations – Bill RIES
30. First Assistant Secretary, Community Protection – Peta DUNN
31. RCQLDCC
32. RCUVICTAS
33. IMRT
34. ECNOC

Attachment 1: Contact List

Area	Name	Primary Contact	Secondary Contact
Op BACCIFORM Command Post	-	-	-
OPCHIEF	James COPEMAN	s. 22(1)(a)(ii) @abf.gov.au	s. 22(1)(a)(ii)
OPCOMD (N)	s. 22(1)(a)(ii)	s. 22(1)(a)(ii) @abf.gov.au	s. 22(1)(a)(ii)
2IC (N)	s. 22(1)(a)(ii)	s. 22(1)(a)(ii) @abf.gov.au	s. 22(1)(a)(ii)
Inspector, Removal Operations	s. 22(1)(a)(ii)	s. 22(1)(a)(ii) @abf.gov.au	s. 22(1)(a)(ii)
GPCOMD Group Two	s. 22(1)(a)(ii)	s. 22(1)(a)(ii) @abf.gov.au	s. 22(1)(a)(ii)
Inspector, Detention Operations VIC	s. 22(1)(a)(ii)	s. 22(1)(a)(ii) @abf.gov.au	s. 22(1)(a)(ii)
GPCOMD Group Three	s. 22(1)(a)(ii)	s. 22(1)(a)(ii) @abf.gov.au	s. 22(1)(a)(ii)
A/g Director Status Resolution VIC	s. 22(1)(a)(ii)	s. 22(1)(a)(ii) @homeaffairs.gov.au	s. 22(1)(a)(ii)
GPCOMD Group Four	s. 22(1)(a)(ii)	s. 22(1)(a)(ii) @abf.gov.au	s. 22(1)(a)(ii)
Program Coordinator Nauru	s. 22(1)(a)(ii)	s. 22(1)(a)(ii) @homeaffairs.gov.au	s. 22(1)(a)(ii)
Assistant Secretary Legal Advice and Operational Support	Steve MCGLYNN	s. 22(1)(a)(ii) @homeaffairs.gov.au	s. 22(1)(a)(ii)
A/g Director AAT and Removals Injunctions	s. 22(1)(a)(ii)	s. 22(1)(a)(ii) @homeaffairs.gov.au	s. 22(1)(a)(ii)
Commander Detention Operations	Bill RIES	s. 22(1)(a)(ii) @abf.gov.au	s. 22(1)(a)(ii)
Director IMA and Onshore Protection	s. 22(1)(a)(ii)	s. 22(1)(a)(ii) @homeaffairs.gov.au	s. 22(1)(a)(ii)
Superintendent, Detention Health	s. 22(1)(a)(ii)	s. 22(1)(a)(ii) @abf.gov.au	s. 22(1)(a)(ii)
Media and Comms	s. 22(1)(a)(ii)	s. 22(1)(a)(ii) @abf.gov.au	s. 22(1)(a)(ii)
A/g Commander Offshore Operational Coordination Branch	s. 22(1)(a)(ii)	s. 22(1)(a)(ii) @abf.gov.au	s. 22(1)(a)(ii)
Detention Health Operations (offshore)	s. 22(1)(a)(ii)	s. 22(1)(a)(ii) @abf.gov.au	s. 22(1)(a)(ii)
A/g Assistant Secretary, Status Resolution	s. 22(1)(a)(ii)	s. 22(1)(a)(ii) @homeaffairs.gov.au	s. 22(1)(a)(ii)
Assistant Secretary, Humanitarian Program Operations	Frances FINNEY	s. 22(1)(a)(ii) @homeaffairs.gov.au	s. 22(1)(a)(ii)
Regional Director - Pacific	James Watson	s. 22(1)(a)(ii) @abf.gov.au	s. 22(1)(a)(ii)

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National Operation Order

“OPERATION BACCIFORM HOTEL”

**Issued by
Enforcement
Command**

Attachments:

1. Contact List
2. SitRep Distribution
3. Charter schedule

Time Zone used throughout order: Australian Eastern Standard Time (AEST)

1. **SITUATION**

a. **General**

(1) Topography

Operation BACCIFORM Hotel will take place within Victoria and Queensland Regional Commands, Manus (PNG), on-board a commercial aircraft and on-board a charter aircraft.

(2) Background Information

Operation BACCIFORM was initiated, following a suspension of returns due to significant legal challenges in the High Court of Australia, to effect the expedited return of identified transitory person/s to Nauru and/or PNG under the Australian Government’s regional processing and resettlement arrangements.

These arrangements are outlined in the Migration Act 1958 (the Act) and this permits an officer to bring a transitory person/s to Australia from a place outside Australia for a temporary purpose. The Act also provides an obligation to remove a transitory person from Australia once the transitory person no longer needs to remain in Australia for the temporary purpose for which they were transferred.

Under this arrangement there are a number of transitory persons (from Nauru and PNG, including accompanying family members) in Australia for medical treatment and are subject to be returned to Regional Processing

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Countries (RPCs) once their temporary purpose for which they were transferred has been resolved.

s. 47E(d) [Redacted]

Six operations have been completed under Operation BACCIFORM Bravo, Charlie, Delta, Echo, Foxtrot and Golf in April, August and November 2016 and February, March and May 2017 respectively to conduct the removals to RPCs. These operations will continue until otherwise advised.

Operation BACCIFORM HOTEL has been initiated to effect the transfer of s. 47E(c) identified transitory person to Papua New Guinea from Brisbane Immigration Transit Accommodation (BITA) via a charter flight.

The overall success of any operation involving the return of transitory person to RPCs depend upon operational security and the combining of detailed case information, identification of risks and determination of a range of mitigating factors to ensure that the Australian Border Force (ABF) Commissioner, as the key decision maker, is fully informed when determining appropriate actions.

b. Transitory Person/s

During this Operation, it is anticipated that s. 47E(b) transitory person will be subject to extraction from an Immigration Detention Facility (IDF) within Australia and transferred back to Papua New Guinea (PNG).

s. 47F(1) [Redacted]

The transitory person has no family links in Australia or in PNG.

The transitory person s. 47F(1) [Redacted] whilst in Immigration Detention in Australia.

The placement and transport risk for the transitory person is rated as low by the departmental service provider.

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c. Own Forces

Australian Border Force:

- Enforcement Command (EC)
- Detention Operations Branch
- Offshore Operations Coordination Branch
- Detention Operations Victoria
- Detention Operations Queensland
-

d. In support

Internal:

- Detention Health Services
- Victoria Regional Command
- Queensland Regional Command
- Communications and Media Branch
- Legal Advice and Operational Support Branch
- Contracts and Services Management Branch
- Status Resolution Branch
- Temporary Protection Visa Assessment
- Regional Processing Taskforce
- International Division
- Regional Processing and Performance Branch
- Communications and Media Branch

External:

- Serco (Facilities and Detainee Service Provider)
- IHMS (Detainee Health Service Provider)
- Broadspectrum Services
- Government of Papua New Guinea (PNG)

2. MISSION

To safely and securely transfer the identified transitory person from an Australian Immigration Detention Facility to Papua New Guinea.

3. EXECUTION

a. General Outline

Operation BACCIFORM Hotel will involve the transfer of the identified transitory person from Victoria on a commercial aircraft and placed in Brisbane Immigration Transit Accommodation (BITA) in Queensland prior to travelling on a charter flight to PNG. The operation is to commence with a minimum of s. 47E (d) hours prior to departure from Australia with messaging and transport from Melbourne Immigration Transit Accommodation (MITA) to Brisbane Immigration Transit Accommodation (BITA).

Operation BACCIFORM Hotel will be conducted over four separate phases:

Phase 1 – (pre) planning

Phase 2 – (pre transfer) pre-positioning of the transitory person to BITA

Phase 3 – transfer
 Phase 4 – (PNG) arrival and induction

Phase 1
 Regional Processing Taskforce along with Offshore Operation Coordination Branch has commenced preparation for the transfer of the identified transitory person. Regional Processing Taskforce has coordinated the efforts for submission to the Surgeon General and Minister for Immigration and Border Protection for approval for the transfer. Once approvals have been received the transfer of the identified transitory person will commence. Offshore Operation Coordination Branch will coordinate with relevant stakeholders to ensure the Government of PNG and IHMS (PNG) are notified the day prior to travel of the transitory person to allow for PNG and IHMS to complete planning for the arrival of the transitory person.

Phase 2
 Removal Operations will coordinate travel movements of the transitory person from MITA, in Victoria to BITA in Queensland. This will include a commercial flight from Melbourne to Brisbane on s. 47F(1) 2017. Case Management / Status Resolution officers Victoria will message the transitory person that are being transferred to BITA as part of detention network re-balancing. Completed on s. 47F(1) 2017.

Phase 3
 On s. 47F(1) 2017, Status Resolution / Case Management QLD, will conduct a pre-transfer assessment prior to the transitory person embarking the charter aircraft from Brisbane to Port Moresby, PNG. On completion of PTA the transitory person will be notified of their return to PNG. Monitoring of the transitory person will be conducted by service provider and departmental staff once messaged to manage any emerging risks posed by or to the detainee.

Phase 4
 At phase 4, the role of OPCOMD N, will cease and responsibility and ongoing risk mitigations and support for the transitory person will be transferred to Offshore Operation Coordination Branch who will coordinate with Regional Processing and Performance Branch and other stakeholders in PNG to facilitate the arrival of the transitory person and ensure the safe and secure induction and transition to s. 47F(1) accommodation in ELRTC, Manus.

b. Group One

- (1) Operational Command Group National [OPCOMD (N)]**
 - (a) OPCHIEF** –Robyn MILLER, Commander Field and Removal Operations
 - (b) OPCOMD** – s. 22(1)(a)(iii), Superintendent Removal Operations
 - (c) 2IC** – s. 22(1)(a)(ii), Removal Operations
 - (d) Other Officers**
 - s. 22(1)(a)(iii), Removal Operations

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PROTECTED**(e) In Support**

Internal:

Detention Operations
 Offshore Operation Coordination Branch
 Communications and Media Branch
 Legal Advice and Operational Support Branch
 Detention Operations Victoria
 Detention Operations Queensland
 Status Resolution Branch
 Temporary Protection Visa Assessment
 International Division

External:

Serco (Facilities and Detainee Service Provider)
 IHMS (Detainee Health Service Provider)
 Broad Spectrum Services

(f) Resources

As required.

(2) Tasks

- i. Establish a ^{s. 47E(d)} [redacted] for Command and Control of the Operation.
- ii. Identify, address and monitor transfer barriers where required.
- iii. Provide Detention Operations QLD and Program Lead on PNG with the incident and health history of the identified transitory ^{s. 47E(d)} [redacted] and timeframe for operational planning to allow a minimum of ^{s. 47E(d)} [redacted] prior to operational activity.
- iv. Organise and confirm commercial flight dates, times, clearances and sufficient support officers to support operational requirements.
- v. Arrange Serco and Health resources for operation requirements.
 - a. Serco escorts are not to be in uniform for the commercial transfer operation.
- vi. Coordinate with Serco and develop a risk assessment with mitigation strategies in relation to the transfer of the transitory person.
 - a. Consideration to be given to possible self-harm or other adverse behaviours and to connections with Advocate groups, media and other interested parties.
- vii. Seek authorisation for Serco officers to use pre-planned use of force in line with standard procedures.
- viii. Ensure all transfer documents, including visa applications, are completed prior to extraction and distributed to relevant stakeholders.
- ix. Coordinate with Serco appropriate resources on commercial flight and on charter aircraft.

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- x. Coordinate transfer from Australia to PNG.
- xi. Coordinate appropriate media support and communication strategy including media talking points and messaging for staff and service providers through Communications and Media Branch.
- xii. Coordinate and maintain operation log for the duration of the operation.
- xiii. Conduct a Post Operation Brief and provide a report to the OPCHIEF within ^{s. 47E(d)} from the operation date.

c. Group Two

(1) QLD – Detention Operations

- (a) GPCOMD – Odette RAPPELL – A/g Superintendent Detention**
Operation Qld
- (b) Other officers**
Boris GEORGIEFF – Case Management QLD

(c) In Support

Internal
Status Resolution
Detention Health

External
Serco
IHMS
Queensland Police

(2) Tasks

- i. Provide Case Management up until transfer to PNG.
- ii. Provide tactical extraction plan to OPCOMD N, prior to the operation.
- iii. Conduct PTA process
- iv. Provide Request for Service to Serco T&E for transport from BITA to nominated airport.
- v. Provide messaging to transitory person prior to transfer to PNG.
- vi. Provide updated logs at each identified key milestone to OPCOMD (N).
- vii. Provide incident and Situation Reports (SitReps) at identified milestones or by exception, (refer to Co-ordinating Instructions) to OPCOMD (N).

d. Group Three

(1) Serco National

- (a) LAC – Narelle MARIC – National Aviation Manager**
- (b) Other Officers**
Charter staff

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PROTECTED**(c) In Support**

External
IHMS
Removal Operations
Detention Operations

(d) Resources

As required

(3) Tasks

- viii. Transfer the transitory person from MITA to Melbourne Airport.
 - a. Serco Officers are requested to not wear uniform during the transfer operation.
- ix. Transfer the transitory person from Brisbane Airport to BITA and to Brisbane International Airport.
- x. Ensure the safety and security of the transitory person while in the BITA.
- xi. Provide Situation Reports (SitReps) at identified milestones (refer to Co-ordinating Instructions) to GPCOMD VIC and QLD.
- xii. Provide immediate notification to GPCOMD QLD, should any incidents of non-compliant behaviour, adverse reaction or incidents of self-harm occur whilst accommodated at the BITA or during transits.
- xiii. Conduct a post Operation brief and provide a report to the OPCOMD within ^{s. 47E(d)} [REDACTED] from the Operation date.

e. Group Four**(2) VIC Detention Operations –** ^{s. 22(1)(a)(ii)} [REDACTED]

(e) LAC – ^{s. 22(1)(a)(ii)} [REDACTED] – Inspector Detention Operations

(f) Other Officers

As required

(g) In Support

External
Serco
Removal Operations
Detention Operations

(h) Resources

As required

(4) Tasks

- xiv. Provide to OPCOMD request for commercial transfer by ^{s. 47F(1)} [REDACTED] 17.
- xv. Ensure safe and secure transfer of the transitory person from MITA to Melbourne Airport.

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- b. Serco Officers are requested to not wear uniform during the transfer operation.
- xvi. Ensure the safety and security of the transitory person while in the MITA.
- xvii. Ensure OpSec is maintained throughout transfer.
- xviii. Provide Situation Reports (SitReps) at identified milestones (refer to Co-ordinating Instructions) to OPCOMD.
- xix. Provide immediate notification to OPCOMD, should any incidents of non-compliant behaviour, adverse reaction or incidents of self-harm occur whilst accommodated at the MITA or during transits.
- xx. Provide updated logs at each identified key milestone to OPCOMD (N).
- xxi. Conduct a post Operation brief and provide a report to the OPCOMD within ^{s. 47E(d)} from the Operation date.

f. Group Five

(3) Regional Operation Coordination Section

(i) LAC – ^{s. 22(1)(a)(ii)}, Superintendent Regional Operation Coordination Section

(j) 2IC – ^{s. 22(1)(a)(ii)}

(k) Other Officers

^{s. 22(1)(a)(ii)}

^{s. 22(1)(a)(ii)}

(l) In Support

Internal

Offshore Operational Coordination
 Detention Health Operations
 Removal Operations
 Regional Processing and Performance Branch

In Support

External
 Serco
 Broad Spectrum Services
 Connect Services
 PNG Government

(m) Resources

As required

PROTECTED**(5) Tasks**

- xxii. Engage with relevant stakeholders to ensure PNG RPC and ELRTC maintains operational readiness to accept transitory person.
- xxiii. Notify relevant stakeholders including ABF (PNG), Government PNG, IHMS (PNG) ^{s. 47E(d)} prior to transitory person arrival in PNG.
- xxiv. Vet the identified transitory person and refer any transfer barriers to OPCOMD (N).
- xxv. Provide statement of identity, required to effect the transfer to ^{s. 47E(d)} ^{s. 47E(d)} prior to the departure from Australia.
- xxvi. Notify and seek approval of Government of PNG for incoming transitory person in line with operational security arrangements.
- xxvii. Develop Support and Care Package for transitory person's arrival on PNG.
 - c. Plan and coordinate reception in Manus and ensure transitory person receives appropriate support services inclusive of inductions and safety considerations upon arrival in Manus.
- xxviii. Ensure the ongoing stability and security of the RPC and ELRTC pre, during and post operational activity.
- xxix. Provide Situation Reports (SitReps) at identified milestones (refer to Co-ordinating Instructions) to OPCOMD (N).
- xxx. Engage PNG ICSA to disembark the transitory person in Manus, should they be non-compliant.
- xxxi. Conduct a post Operation brief and provide a report to the OPCOMD within ^{s. 47E(d)} from the Operation date.

4. CO-ORDINATING INSTRUCTIONS**(a) Timings**

- i. Transitory person to be transferred from MITA to BITA via commercial flight on Monday, ^{s. 47F(1)} 2017 as part of detention network re-balancing. Operationally, the transfer process will involve.

^{s. 47E(d)},



- ii. Under section 256 of the Act, the Department must afford detainees all reasonable facilities for obtaining legal advice or for taking legal proceedings. In an operational environment, LACs are, at the request of a transitory person, to facilitate a transitory person's ability to contact a

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legal representative, where the facilitation is operationally practical. For example, ^{s. 47E(d)} [redacted] however if a transitory person requests access while in the staging area and this does not impact operational procedures, it may well be practicable to allow the transitory person access to a telephone.

Where a transitory person makes a request for legal access, the transitory person should be provided with means to make such contact. Please note that it is reasonable for officers to initiate the phone call on behalf of the transitory person in order to verify that the transitory person is contacting a lawyer or migration agent (and not a journalist for example). However, officers should then retreat to a distance so that the transitory person can speak to the lawyer or migration agent without being overheard.

If a decision is made not to allow or to terminate a telephone call to a lawyer/migration agent due to operational reasons, this should be documented.

Any requests for legal access by transitory persons must be reported to OPCOMD (N) as soon as possible.

Refer to the attached Access to Legal Representation, Detention Operational Procedure ADD 2013/1686186.

- iii. The LAC is to submit OPORDS and supporting documentation at prior to extraction date.
- iv. Flight details are:
 - a) Melbourne to Brisbane, ^{s. 47E(d)} 17 ^{s. 47E(d)} depart MEL ^{s. 47E(d)} hrs and arrive BNE 1^{s. 47E(d)} ^{s. 47E(d)} hrs.
 - b) Brisbane to PNG via charter, 2^{s. 47E(d)} 17 dep BNE ^{s. 47E(d)} and arrive Port Moresby ^{s. 47E(d)} hrs.
 - c) Depart Port Moresby ^{s. 47E(d)} hrs and arrive Manus ^{s. 47E(d)}
- v. Post Operation debrief to be submitted to OPCOMD (N) within ^{s. 47E(d)} ^{s. 47E(d)} from the Operational activity.

(b) Reporting

The LAC is to provide relevant operational details to OPCOMD (N) via phone or email. OPCOMD (N) will produce, clear and forward SitReps to the distribution list at the following key milestones.

- a) Arrival at the Brisbane BITA.
- b) Extraction of transitory person from accommodation to interview room
- c) Completion of PTA process
- d) Transfer from BITA to Brisbane international airport.
- e) Wheels up, charter flight from Brisbane to PNG.

- f) Arrival of aircraft and disembarking of transitory person into Manus.
- g) Transferee settled into accommodation in Manus.
- h) By exception.

There is to be one coordinated Log in OPCOMD (N) for operation BACCIFORM Hotel. LACs are to report along with SitRep log updates at key milestones.

- a) Logs are to be inclusive of in support stakeholders including Serco, IHMS and RPC services.

The preparation of Hot Issue Briefs relating to Operation BACCIFORM Hotel will be coordinated by OPCOMD (N).

The preparation of Hot Issue Briefs relating to incidents at individual centres that may occur post operation will be coordinated by the relevant Superintendent Detention Operation and authorised by the Commander Detention Operations.

The preparation of Hot Issue Briefs relating to incidents that may occur at a RPC will be coordinated by Regional Operation Coordination Section. Dissemination of Hot Issue Briefs will be as per existing protocols.

(c) Safety Instructions

Existing WH&S guidelines, detainee transfer policies and procedures are to be adhered to at all times.

SERCO pre-approved UoF has been authorised by Commander Detention Operations.

Allegations of assault/abuse, whether physical or sexual, are taken seriously and must be referred to appropriate law enforcement agencies for investigation.

(d) Security

Operational Security is of utmost importance. To ensure the operational safety and security of the transitory person, staff and facilities, ^{s. 47E(d)}

[Redacted]

Careful consideration is to be given to supervision arrangements once transitory persons are notified of the transfer.

The following principals are responsible for representing the various functional areas essential to the operation. They are responsible for maintaining strict operational security and should be available to support planning and conduct of the operation at short notice.

- s. 22(1)(a)(ii) [Redacted] –Removals Operations
- s. 22(1)(a)(i) [Redacted] – Detention Health Operations

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- s. 22(1)(a)(ii) – Offshore Operation Coordination
- s. 22(1)(a)(ii) – AAT & Removals Injunctions
- s. 22(1)(a)(ii) – Status Resolution QLD
- s. 22(1)(a)(ii) – Detention Operations Victoria
- s. 22(1)(a)(ii) – BITA, Detention Operations

Officers are to be aware of their operational environment whilst conducting their duties and report any media attention or suspicious activity.

Assistant Secretary Security Branch will be briefed at the appropriate time prior to the operation to enable contingency planning for security of the detention and DIBP office network.

Regional Commander Queensland will be briefed to enable planning for post operational activity.

5. **ADMINISTRATION AND LOGISTICS**

(a) Transport Allocation

As required.

(b) Dress Requirements

To be determined by LAC.

(c) Medical

- a. Offshore Operational Coordination to coordinate medical resources for the operation. On-site clinicians to be available at BITA at commencement of the operation and will embark the charter aircraft with the transitory person.
- b. Offshore Operational Coordination to ensure a return support care plan is place with appropriate service providers in PNG as per the Immediate Case management plan.

(d) Food/Water

The transitory person is to be provided with access to water and food throughout the transfer.

(e) Legislation

Migration Act 1958 (Australia)

Aviation Transport Security Regulations (ATSR) 2005, Division 4.5 (persons in custody)

Access to legal representatives is to be in accordance with established procedures and the Migration Act 1958 (the Act). Refer to co-ordinating instructions.

PROTECTED**6. COMMAND AND SIGNAL****(a) Location of Commander**

The OPCOMD (N) will be located in s. 47E(d).

(b) Command Group contact

Operation BACCIFORM Hotel has a distribution list for reporting purposes.

(c) Control Decision

The Control Decision for who determines whether the transitory person is removed from the operation due to Operational Safety reasons, such as

s. 47E(d)

[REDACTED] will be allocated to the OPCOMD (N) in conjunction with the OPCHIEF. The LAC is to refer all incidents to OPCOMP (N) that impact on the strategic intent.

The Control Decision for who determines whether the transitory person has raised credible allegations that require investigation prior to transfer, and should be removed from the operation is allocated to OPCOMD (N) in conjunction with the OPCHIEF. Allegations of assault/abuse, whether physical or sexual, are taken seriously and must be referred to appropriate law enforcement agencies for investigation. If the transitory person makes such an allegation, she is not to be transferred until the matter has been investigated to determine to jurisdiction for the alleged offence. Any such matter must be finalised prior to transfer proceeding. Outcomes from such investigations will be incorporated into future planning for that individual.

The Control Decision for who determines whether a transitory person is removed for any other reason, including legal and medical conditions is allocated to OPCOMD (N) in conjunction with Offshore Operational Coordination Branch, Legal Advice, Public Risk Assessment, Temporary Protection Visa Assessment Branch and the OPCHIEF.

The Control Decision for who determines whether the transitory person is to be forcibly removed from the charter aircraft in Manus, is allocated to OPCOMD (N) in conjunction with OPCHIEF, Offshore Operational Coordination Branch.

OPCOMD N will request through the LAC Group Five to PNG ICSA for assistance to disembark the transitory person.

(e) Contact Phone numbers

Contact details as per Contact list (Annex 1.)

OPCOMD (N)**Superintendent Removal Operations**

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

28 August 2017

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NOO Distribution:

1. Assistant Commissioner EC – Wayne BUCCHORN
2. OPCHIEF – Commander Field and Removal Operations – Robyn MILLER
3. OPCOMD – Superintendent Removal Operations – [REDACTED] s. 22(1)(a)(ii)
4. 2IC – Removal Operations – [REDACTED] s. 22(1)(a)(ii)
5. Inspector, Removal Operations – [REDACTED] s. 22(1)(a)(ii)
6. GPCOMD Group Two – [REDACTED] s. 22(1)(a)(ii)
7. LAC Group Three – [REDACTED] s. 22(1)(a)(ii), Operations Support Manager Serco
8. LAC Group Four – [REDACTED] s. 22(1)(a)(ii)
9. Inspector MITA – [REDACTED] s. 22(1)(a)(ii)
10. LAC Group Five – [REDACTED] s. 22(1)(a)(ii), Superintendent Regional Offshore
Coordination Section
11. Director – [REDACTED] s. 22(1)(a)(ii), QLD Status Resolution
12. Assistant Director – [REDACTED] s. 22(1)(a)(ii), QLD Case Management
13. A/g Commander Offshore Operational Coordination Branch – [REDACTED] s. 22(1)(a)(ii)
14. Commander Regional Command Queensland – Terry PRICE
15. First Assistant Secretary, Children, Community & Settlement – Elizabeth
HAMPTON
16. Assistant Secretary, Regional Processing and Performance – Alana Sullivan
17. Superintendent Detention Health Operations – [REDACTED] s. 22(1)(a)(ii)
18. Inspector – Detention Health Operations – [REDACTED] s. 22(1)(a)(ii)
19. Inspector – Detention Operations QLD, [REDACTED] s. 22(1)(a)(ii)
20. Regional Commander Pacific – [REDACTED] s. 22(1)(a)(ii)
21. Superintendent Offshore Health Operations – [REDACTED] s. 22(1)(a)(ii)
22. Temporary Protection Visa Support – [REDACTED] s. 22(1)(a)(ii)
23. Task Force – [REDACTED] s. 22(1)(a)(ii)
24. Task Force – [REDACTED] s. 22(1)(a)(ii)
25. A/g Assistant Secretary Status Resolution – [REDACTED] s. 22(1)(a)(ii)
26. Director AAT & Removals Injunctions – [REDACTED] s. 22(1)(a)(ii)
27. Commander, Detention Operations – Vanessa Holben
28. First Assistant Secretary, Community Protection – Kaylene Zakharoff
29. Task Force – [REDACTED] s. 22(1)(a)(ii)
30. Commander South Pacific – Phil BREZZO

Annexe 1: Contact List

Area	Name	Primary Contact	Secondary Contact
Op BACCIFORM Command Post	-	-	-
OPCHIEF	Robyn MILLER	§ 22(1)(a)(ii) @border.gov.au	§ 22(1)(a)(ii)
§ 47E(d)	§ 22(1)(a)(ii)	§ 22(1)(a)(ii) @border.gov.au	§ 22(1)(a)(ii)
2IC (N)	§ 22(1)(a)(ii)	§ 22(1)(a)(ii) @border.gov.au	§ 22(1)(a)(ii)
Inspector Removal Operations	§ 22(1)(a)(ii)	§ 22(1)(a)(ii) @border.gov.au	§ 22(1)(a)(ii)
LAC Group Two	§ 22(1)(a)(ii)	§ 22(1)(a)(ii) @border.gov.au	§ 22(1)(a)(ii)
Inspector BITA	§ 22(1)(a)(ii)	§ 22(1)(a)(ii) @border.gov.au	§ 22(1)(a)(ii)
LAC Group Three	§ 22(1)(a)(ii)		§ 22(1)(a)(ii)
LAC Group Four	§ 22(1)(a)(ii)	§ 22(1)(a)(ii) @border.gov.au	§ 22(1)(a)(ii)
Inspector MITA	§ 22(1)(a)(ii)	§ 22(1)(a)(ii) @border.gov.au	§ 22(1)(a)(ii)
LAC Group Five	§ 22(1)(a)(ii)	§ 22(1)(a)(ii) @border.gov.au	§ 22(1)(a)(ii)
Program Coordinator Manus	§ 22(1)(a)(ii)	§ 22(1)(a)(ii) @border.gov.au	§ 22(1)(a)(ii)
Assistant Secretary Legal Advice and Operational Support	Steve MCGLYNN	§ 22(1)(a)(ii) @border.gov.au	§ 22(1)(a)(ii)
Director SAAT and Removals Injunctions	§ 22(1)(a)(ii)	§ 22(1)(a)(ii) @border.gov.au	§ 22(1)(a)(ii)
Director IMA and Onshore Protection	§ 22(1)(a)(ii)	§ 22(1)(a)(ii) @border.gov.au	§ 22(1)(a)(ii)
Inspector, Detention Health	§ 22(1)(a)(ii)	§ 22(1)(a)(ii) @border.gov.au	§ 22(1)(a)(ii)
Media and Comms	§ 22(1)(a)(ii)		§ 22(1)(a)(ii)
A/g Commander Offshore Operational Coordination Branch	§ 22(1)(a)(ii)	§ 22(1)(a)(ii) @border.gov.au	§ 22(1)(a)(ii)
Detention Health Operations (Onshore)	§ 22(1)(a)(ii)	§ 22(1)(a)(ii) @border.gov.au	§ 22(1)(a)(ii)
Assistant Secretary, Status Resolution	Sally PFEIFFER	§ 22(1)(a)(ii) @border.gov.au	§ 22(1)(a)(ii)
Assistant Secretary, Temporary Protection Visa Assessment	Frances FINNEY	§ 22(1)(a)(ii) @border.gov.au	§ 22(1)(a)(ii)
Commander South Pacific	Phil BREZZO	§ 22(1)(a)(ii) @border.gov.au	§ 22(1)(a)(ii)

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Attachment

Tuesday - s. 47E(d)	s. 47E(d)	YBBN / BNE	AYPY/POM	s. 47E(d)
		AYPY/POM	AYMO/MAS	
		AYMO/MAS	AYPY/POM	
		AYPY/POM	ANYN / INU	
		ANYN / INU	AYPY/POM	
		AYPY/POM	YB BN / BNE	



PROTECTED

National Operation Order

“OPERATION BACCIFORM INDIA”

**Issued by
Enforcement
Command**

Attachments:

1. Contact List
2. SitRep Distribution
3. Flight Schedule

Time Zone used throughout order: Australian Eastern Standard Time (AEST)

1. **SITUATION**

a. **General**

(1) Topography

Operation BACCIFORM India will take place within New South Wales and Queensland Regional Commands, Regional Processing Country (RPC) Nauru, and on-board a commercial aircraft.

(2) Background Information

Operation BACCIFORM has been initiated, following a suspension of returns due to significant legal challenges in the High Court of Australia, to effect the expedited return of identified transitory person/s to Nauru and/or PNG under the Australian Government’s regional processing and resettlement arrangements.

These arrangements are outlined in the Migration Act 1958 (the Act) and this permits an officer to bring a transitory person/s to Australia from a place outside Australia for a temporary purpose. The Act also provides an obligation to remove a transitory person from Australia once the transitory person no longer needs to remain in Australia for the temporary purpose for which they were transferred.

Under this arrangement there are a number of transitory persons (from Nauru and PNG, including accompanying family members) in Australia for medical treatment and are subject to be returned to Regional Processing Countries

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(RPCs) once their temporary purpose for which they were transferred has been resolved.

s. 47E(d) [Redacted]

Seven operations have been completed under Operation BACCIFORM Bravo, Charlie, Delta, Echo, Foxtrot, Golf and Hotel in April, August and November 2016 and February, March, May and August 2017 respectively to conduct the removals to RPCs. These operations will continue until otherwise advised.

Operation BACCIFORM INDIA has been initiated to effect the voluntary return of one identified transitory person to Nauru from Villawood Immigration Detention Centre (VIDC) via a commercial flight.

The overall success of any operation involving the return of transitory person to RPCs depend upon operational security and the combining of detailed case information, identification of risks and determination of a range of mitigating factors to ensure that the Australian Border Force (ABF) Commissioner, as the key decision maker, is fully informed when determining appropriate actions.

b. Transitory Person/s

During this Operation, it is anticipated that one transitory person will be subject to extraction from an Immigration Detention Facility (IDF) within Australia and transferred back to Nauru.

s. 47F(1) [Redacted]

The transitory person has no family links in Australia or PNG.

The transitory person s. 47F(1) [Redacted] whilst in Immigration Detention in Australia.

The placement and transport risk for the transitory person is rated as low by the Department's detention service provider.

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PROTECTED**c. Own Forces**

Australian Border Force:

- Enforcement Command (EC)
- Detention Operations Branch
- Offshore Operations Coordination Branch
- Detention Operations NSW
- Detention Operations Queensland
-

d. In support

Internal:

- Detention Health Operations
- NSW Regional Command
- Queensland Regional Command
- Communications and Media Branch
- Legal Advice and Operational Support Branch
- Contracts and Services Management Branch
- Status Resolution Branch
- Temporary Protection Visa Assessment
- Regional Processing Taskforce
- International Division
- Regional Processing and Performance Branch
- Communications and Media Branch

External:

- Serco (Facilities and Detainee Service Provider)
- IHMS (Detention Health Service Provider)
- Broadspectrum Services
- Government of Nauru (GoN)

2. MISSION

To safely and securely transfer the identified transitory person from an Australian Immigration Detention Facility to Nauru.

3. EXECUTION**a. General Outline**

Operation BACCIFORM India will involve the transfer of the identified transitory person from New South Wales on a commercial aircraft and placed in an Alternate Place of Detention (APOD) in Brisbane, Queensland prior to travelling on a commercial flight to Nauru. The operation is to commence with a minimum of ^{s. 47E(d)} prior to departure from Australia with messaging and transport from Villawood Immigration Detention Centre (VIDC) to an APOD in Brisbane.

Operation BACCIFORM India will be conducted over four separate phases:

Phase 1 – (pre) planning

Phase 2 – (pre transfer) messaging and pre-positioning of the transitory person to the APOD

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Phase 3 – transfer

Phase 4 – Nauru arrival and induction

Phase 1

Regional Processing Taskforce along with Offshore Operation Coordination Branch has commenced preparation for the transfer of the identified transitory person. Regional Processing Taskforce has coordinated the efforts for submission to Minister for Immigration and Border Protection for approval of the transfer. Once approval has been received the transfer of the identified transitory person will commence. Offshore Operation Coordination Branch will coordinate with relevant stakeholders to ensure the Government of Nauru and IHMS are notified prior to travel of the transitory person to allow for GoN and IHMS to complete planning for the arrival of the transitory person.

Phase 2

Removal Operations will coordinate travel movements of the transitory person from VIDC, in NSW to the APOD in Queensland. This will include a commercial flight from Sydney to Brisbane on ^{s. 47F(1)} 2017. Case Management / Status Resolution officers NSW will conduct a pre-transfer assessment prior to the transitory person’s pre-positioning to Brisbane. On completion of PTA the transitory person will be notified of their return to Nauru. Monitoring of the transitory person will be conducted by service provider and departmental staff once messaged to manage any emerging risks posed by or to the detainee.

Phase 3

On ^{s. 47F(1)} 2017, Detention Operations QLD and Serco will facilitate transfer of the transitory person from accommodation to Brisbane Airport to embark a commercial flight from Brisbane to Nauru.

Phase 4

At phase 4, ongoing risk mitigations and support for the transitory person will be transferred to Offshore Operation Coordination Branch who will coordinate with Regional Processing and Performance Branch and other stakeholders in Nauru to facilitate the arrival of the transitory person and ensure the safe and secure induction and transition to ^{s. 47F(1)} accommodation in Nauru RPC.

b. Group One

(1) Operational Command Group National [OPCOMD (N)]

- (a) OPCHIEF** –Robyn MILLER, Commander Field and Removal Operations
- (b) OPCOMD** – ^{s. 22(1)(a)(ii)}, Inspector Removal Operations
- (c) ZIC** – ^{s. 22(1)(a)(ii)}, A/g Border Force Supervisor, Removal Operations
- (d) Other Officers**
^{s. 22(1)(a)(ii)} – Inspector, Removal Operations

PROTECTED**(e) In Support****Internal:**

Detention Operations
 Offshore Operation Coordination Branch
 Communications and Media Branch
 Legal Advice and Operational Support Branch
 Detention Operations NSW
 Detention Operations Queensland
 Status Resolution Branch
 Temporary Protection Visa Assessment
 International Division

External:

Serco (Facilities and Detainee Service Provider)
 IHMS (Detainee Health Service Provider)
 Broadspectrum Services

(f) Resources

As required.

(2) Tasks

- i. Establish a ^{s. 47E(d)} [REDACTED] for Command and Control of the Operation.
- ii. Identify, address and monitor transfer barriers where required.
- iii. Provide Detention Operations QLD and Program Lead on Nauru with the incident and health history of the identified transitory person and timeframe for operational planning to allow a minimum of ^{s. 47E(d)} [REDACTED] prior to operational activity.
- iv. Organise and confirm commercial flight dates, times, clearances and sufficient support officers to support operational requirements.
- v. Arrange Serco and Health resources for operation requirements.
 - a. Serco escorts are not to be in uniform for the commercial transfer operation.
- vi. Coordinate with Serco and develop a risk assessment with mitigation strategies in relation to the transfer of the transitory person.
 - a. Consideration to be given to possible self-harm or other adverse behaviours and to connections with Advocate groups, media and other interested parties.
- vii. Ensure all transfer documents, including visa applications, are completed prior to extraction and distributed to relevant stakeholders, including ensuring documents are accepted by the airline.
- viii. Seek authorisation for Serco officers to use pre-planned use of force in line with standard procedures.
- ix. Coordinate with Serco appropriate resources for commercial flights.

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- x. Coordinate transfer from Australia to Nauru.
- xi. Coordinate appropriate media support and communication strategy including media talking points and messaging for staff and service providers through Communications and Media Branch.
- xii. Coordinate and maintain operation log for the duration of the operation.
- xiii. Conduct a Post Operation Brief and provide a report to the OPCHIEF within ^{s. 47E(d)} [REDACTED] from the operation date.

c. Group Two

(1) NSW – Detention Operations

- (a) GPCOMD – ^{s. 22(1)(a)(ii)} [REDACTED] – Inspector, Detention Operations NSW
- (b) 2IC – as required
- (c) Other officers
^{s. 22(1)(a)(ii)} [REDACTED] – A/g Director, Community Case Resolution East

(d) In Support

Internal

Status Resolution
Detention Health

(e) External

Serco
IHMS
Queensland Police

(2) Tasks

- i. Provide tactical extraction plan to OPCOMD N, prior to the operation.
- ii. Conduct PTA process
- iii. Provide Request for Service to Serco T&E for transport from VIDC to BITA.
- iv. Provide messaging to transitory person prior to transfer to Nauru.
- v. Provide statement of identity, required to effect the transfer to OPCOMD ^{s. 47E(d)} [REDACTED] prior to the departure from Australia.
- vi. Ensure OpSec is maintained throughout transfer.
- vii. Provide updated logs at each identified key milestone to OPCOMD (N).
- viii. Provide incident and Situation Reports (SitReps) at identified milestones or by exception, (refer to Co-ordinating Instructions) to OPCOMD (N).

d. Group Three

(1) Serco National

- (a) LAC – ^{s. 22(1)(a)(ii)} [REDACTED] – National Aviation Manager
- (b) Other Officers
T&E staff

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PROTECTED**(c) In Support****External**

IHMS

Removal Operations

Detention Operations

(d) Resources

As required

(3) Tasks

- i. Transfer the transitory person from VIDC to Sydney Airport.
 - a. Serco Officers are requested to not wear uniform during the transfer operation.
- ii. Transfer the transitory person from Brisbane Airport to the nominated APOD and from the APOD to Brisbane International Airport.
- iii. Transfer the transitory person from Brisbane International Airport to Nauru International Airport.
- iv. Ensure the safety and security of the transitory person while in the BITA.
- v. Provide Situation Reports (SitReps) at identified milestones (refer to Co-ordinating Instructions) to GPCOMD NSW and QLD.
- vi. Provide immediate notification to GPCOMD QLD, should any incidents of non-compliant behaviour, adverse reaction or incidents of self-harm occur whilst accommodated at the APOD or during transits.
- vii. Conduct a post Operation brief and provide a report to the OPCOMD within ^{s. 47E(d)} [REDACTED] from the Operation date.

e. Group Four**(2) QLD – Detention Operations**

- (a) GPCOMD – ^{s. 22(1)(a)(ii)} [REDACTED] – A/g Superintendent, Detention Operations QLD
- (b) 2IC – ^{s. 22(1)(a)(ii)} [REDACTED] – A/g Inspector, Detention Operations QLD
- (c) **Other officers**
As required
- (d) **In Support**
Internal
Status Resolution
Detention Health Operations
- (e) **External**
Serco
IHMS
Queensland Police

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PROTECTED**(4) Tasks**

- i. Arrange APOD accommodation for transitory person and Request for Service to Serco T&E for transport from the APOD to Nauru.
- ii. Ensure safe and secure transfer of the transitory person from the APOD to Brisbane International Airport.
 - a. Serco Officers are requested to not wear uniform during the transfer operation.
- iii. Ensure Brisbane Aviation are aware of the transfer through the airport to ensure smooth border processing.
- iv. Ensure all transfer documents, including visa applications, are completed prior to extraction and distributed to relevant stakeholders.
- v. Ensure the safety and security of the transitory person while in the APOD.
- vi. Ensure OpSec is maintained throughout transfer.
- vii. Provide Situation Reports (SitReps) at identified milestones (refer to Co-ordinating Instructions) to OPCOMD N.
- viii. Provide immediate notification to OPCOMD N, should any incidents of non-compliant behaviour, adverse reaction or incidents of self-harm occur whilst accommodated at the APOD or during transits.
- ix. Provide updated logs at each identified key milestone to OPCOMD N.
- x. Conduct a post Operation brief and provide a report to the OPCOMD N within ^{s. 47E(d)} [redacted] from the Operation date.

f. Group Five**(2) Regional Operation Coordination Section**

- (a) GPCOMD – ^{s. 22(1)(a)(ii)} [redacted], A/g Superintendent Offshore Operation Coordination Section
- (b) 2IC – ^{s. 22(1)(a)(ii)} [redacted], Director, Programme Coordinator Nauru
- (c) Other Officers
As required

(d) In Support**Internal**

Offshore Operational Coordination
 Offshore Health Operations
 Removal Operations
 Regional Processing and Performance Branch

External

Serco
 Broadspectrum Services
 Government of Nauru
 IHMS

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(e) Resources
As required

(5) Tasks

- i. Engage with relevant stakeholders to ensure Nauru RPC maintains operational readiness to accept transitory person.
- ii. Notify relevant stakeholders including ABF Nauru, GoN, and IHMS 24 hours prior to transitory person's arrival in Nauru.
- iii. Vet the identified transitory person and refer any transfer barriers to OPCOMD (N).
- iv. Notify and seek approval of Government of Nauru for incoming transitory person in line with operational security arrangements.
- v. Develop Support and Care Package for transitory person's arrival on Nauru.
 - a. Plan and coordinate reception in Nauru and ensure transitory person receives appropriate support services inclusive of inductions and safety considerations upon arrival in Nauru.
- vi. Ensure the ongoing stability and security of the RPC pre, during and post operational activity.
- vii. Provide Situation Reports (SitReps) at identified milestones (refer to Co-ordinating Instructions) to OPCOMD (N).
- viii. Engage GoN to disembark the transitory person in Nauru, should they be non-compliant.
- ix. Engage GoN to facilitate immigration clearances of Serco escort staff to meet their return flight to Australia.
- x. Conduct a post Operation brief and provide a report to the OPCOMD within ^{s. 47E(d)} [REDACTED] from the Operation date.

4. CO-ORDINATING INSTRUCTIONS

(a) Timings

- i. ^{s. 47F(1)} [REDACTED] to be transferred from Sydney to Brisbane via commercial flight on ^{s. 47F(1)} [REDACTED] 2017. Operationally, the transfer process will involve.

^{s. 47E(d)} [REDACTED]

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- ii. Under section 256 of the Act, the Department must afford detainees all reasonable facilities for obtaining legal advice or for taking legal proceedings. In an operational environment, GPCOMD are, at the request of a transitory person, to facilitate a transitory person's ability to contact a legal representative, where the facilitation is operationally practical. For example, ^{s. 47E(d)} [REDACTED] however if a transitory person requests access while in the staging area and this does not impact operational procedures, it may well be practicable to allow the transitory person access to a telephone.

Where a transitory person makes a request for legal access, the transitory person should be provided with means to make such contact. Please note that it is reasonable for officers to initiate the phone call on behalf of the transitory person in order to verify that the transitory person is contacting a lawyer or migration agent (and not a journalist for example). However, officers should then retreat to a distance so that the transitory person can speak to the lawyer or migration agent without being overheard.

If a decision is made not to allow or to terminate a telephone call to a lawyer/migration agent due to operational reasons, this should be documented.

Any requests for legal access by transitory persons must be reported to OPCOMD N as soon as possible.

Refer to the attached Access to Legal Representation, Detention Operational Procedure ADD2013/1686186.

- iii. The GPCOMD is to submit OPORDS and supporting documentation prior to extraction date.
- iv. Flight details are:
- a) Sydney to Brisbane, ^{s. 47E(d)} [REDACTED] 17 ^{s. 47E(d)} [REDACTED] depart ^{s. 47E(d)} [REDACTED] hrs and arrive BNE ^{s. 47E(d)} [REDACTED].
 - b) Brisbane to Nauru, ^{s. 47E(d)} [REDACTED] departing Brisbane ^{s. 47E(d)} [REDACTED] and arriving on Nauru ^{s. 47E(d)} [REDACTED] hrs.
- v. Post Operation debrief to be submitted to OPCOMD (N) within ^{s. 47E(d)} [REDACTED] ^{s. 47E(d)} [REDACTED] from the Operational activity.

(b) Reporting

The GPCOMD is to provide relevant operational details to OPCOMD (N) via phone or email. OPCOMD (N) will produce, clear and forward SitReps to the distribution list at the following key milestones.

- a) Extraction of transitory person from accommodation to interview room

- b) Completion of PTA process.
- c) Departure from VIDC, Sydney.
- d) Arrival at APOD, Brisbane.
- e) Transfer from APOD to Brisbane International Airport.
- f) Wheels up, commercial flight from Brisbane to Nauru.
- g) Arrival of aircraft and disembarking of transitory person on Nauru.
- h) Transitory person arrival at Nauru RPC.
- i) By exception.

There is to be one coordinated Log in OPCOMD (N) for Operation BACCIFORM India. GPCOMDs are to report along with SitRep log updates at key milestones.

- a) Logs are to be inclusive of in support stakeholders including Serco, IHMS and RPC services.

The preparation of Hot Issue Briefs relating to Operation BACCIFORM India will be coordinated by OPCOMD (N).

The preparation of Hot Issue Briefs relating to incidents at individual centres that may occur post operation will be coordinated by the relevant Superintendent, Detention Operation and authorised by the Commander, Detention Operations.

The preparation of Hot Issue Briefs relating to incidents that may occur at a RPC will be coordinated by Regional Operation Coordination Section. Dissemination of Hot Issue Briefs will be as per existing protocols.

(c) Safety Instructions

Existing WH&S guidelines, detainee transfer policies and procedures are to be adhered to at all times.

Allegations of assault/abuse, whether physical or sexual, are taken seriously and must be referred to appropriate law enforcement agencies for investigation.

(d) Security

Operational Security is of utmost importance. To ensure the operational safety and security of the transitory person, staff and facilities, ^{s. 47E(d)}

^{s. 47E(d)}

Careful consideration is to be given to supervision arrangements once transitory persons are notified of the transfer.

The following principals are responsible for representing the various functional areas essential to the operation. They are responsible for maintaining strict operational security and should be available to support planning and conduct of the operation at short notice.

^{s. 47E(d)} – Removals Operations

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s. 22(1)(a)(ii)	– Detention Health Operations
s. 22(1)(a)(ii)	– Offshore Operation Coordination
s. 22(1)(a)(ii)	– AAT & Removals Injunctions
s. 22(1)(a)(ii)	– Status Resolution NSW
s. 22(1)(a)(ii)	– Detention Operations NSW
s. 22(1)(a)(ii)	– BITA, Detention Operations

Officers are to be aware of their operational environment whilst conducting their duties and report any media attention or suspicious activity.

Assistant Secretary Security Branch will be briefed at the appropriate time prior to the operation to enable contingency planning for security of the detention and DIBP office network.

Regional Commander Queensland will be briefed to enable planning for post operational activity.

5. **ADMINISTRATION AND LOGISTICS**

(a) Transport Allocation

As required.

(b) Dress Requirements

To be determined by LAC.

(c) Medical

- a. Offshore Operational Coordination to coordinate medical resources for the operation.
- b. Offshore Operational Coordination to ensure a return support care plan is place with appropriate service providers in PNG as per the Immediate Case management plan.

(d) Food/Water

The transitory person is to be provided with access to water and food throughout the transfer.

(e) Legislation

- a. Migration Act 1958 (Australia)
- b. Aviation Transport Security Regulations (ATSR) 2005, Division 4.5 (persons in custody)
- c. Access to legal representatives is to be in accordance with established procedures and the Migration Act 1958 (the Act). Refer to co-ordinating instructions.

6. **COMMAND AND SIGNAL**

(a) Location of Commander

The OPCOMD (N) will be located in s. 47E(d).

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(b) Command Group contact

Operation BACCIFORM India has a distribution list for reporting purposes.

(c) Control Decision

The Control Decision for who determines whether the transitory person is removed from the operation due to Operational Safety reasons, such as

s. 47E(d)

[Redacted] will be allocated to the OPCOMD (N) in conjunction with the OPCHIEF. The LAC is to refer all incidents to OPCOMP (N) that impact on the strategic intent.

The Control Decision for who determines whether the transitory person has raised credible allegations that require investigation prior to transfer, and should be removed from the operation is allocated to OPCOMD (N) in conjunction with the OPCHIEF. Allegations of assault/abuse, whether physical or sexual, are taken seriously and must be referred to appropriate law enforcement agencies for investigation. If the transitory person makes such an allegation, they are not to be transferred until the matter has been investigated to determine to jurisdiction for the alleged offence. Any such matter must be finalised prior to transfer proceeding. Outcomes from such investigations will be incorporated into future planning for that individual.

The Control Decision for who determines whether a transitory person is removed for any other reason, including legal and medical conditions is allocated to OPCOMD (N) in conjunction with Offshore Operational Coordination Branch, Legal Advice, Public Risk Assessment, Temporary Protection Visa Assessment Branch and the OPCHIEF.

The Control Decision for who determines whether the transitory person is to be forcibly removed from the charter aircraft in Nauru, is allocated to OPCOMD (N) in conjunction with OPCHIEF and Offshore Operational Coordination Branch. OPCOMD N will request through the GPCOMD Group Five for GoN assistance to disembark the transitory person.

(e) Contact Phone numbers

Contact details as per Contact list (Attachment 1)

**OPCOMD (N)
Inspector Removal Operations**

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

11 September 2017

Released by the Department of Home Affairs
under the Freedom of Information Act 1982

PROTECTED**NOO Distribution:**

1. A/g Assistant Commissioner EC – Sharon Huey
2. OPCHIEF – Commander Field and Removal Operations – Robyn MILLER
3. OPCOMD – Inspector Removal Operations – [REDACTED] s. 22(1)(a)(ii)
4. 2IC – Removal Operations – [REDACTED] s. 22(1)(a)(ii)
5. Superintendent, Removal Operations – [REDACTED] s. 22(1)(a)(ii)
6. GPCOMD Group Two – [REDACTED] s. 22(1)(a)(ii)
7. GPCOMD Group Two – [REDACTED] s. 22(1)(a)(ii)
8. GPCOMD Group Four – [REDACTED] s. 22(1)(a)(ii)
9. GPCOMD Group Four – [REDACTED] s. 22(1)(a)(ii)
10. GPCOMD Group Five – [REDACTED] s. 22(1)(a)(ii) M
11. GPCOMD Group Five – [REDACTED] s. 22(1)(a)(ii)
12. A/g Commander Offshore Operational Coordination Branch – [REDACTED] s. 22(1)(a)(ii)
13. Commander Regional Command Queensland – Terry PRICE
14. First Assistant Secretary, Children, Community & Settlement – Elizabeth HAMPTON
15. Assistant Secretary, Regional Processing and Performance – Alana SULLIVAN
16. Superintendent Detention Health Operations – [REDACTED] s. 22(1)(a)(ii)
17. A/g Superintendent – Detention Health Operations – [REDACTED] s. 22(1)(a)(ii)
18. Regional Commander Pacific – [REDACTED] s. 22(1)(a)(ii)
19. Superintendent Offshore Health Operations – [REDACTED] s. 22(1)(a)(ii)
20. Temporary Protection Visa Support – [REDACTED] s. 22(1)(a)(ii)
21. Task Force – [REDACTED] s. 22(1)(a)(ii)
22. Task Force – [REDACTED] s. 22(1)(a)(ii)
23. Task Force – [REDACTED] s. 22(1)(a)(ii)
24. Task Force – [REDACTED] s. 22(1)(a)(ii)
25. A/g Assistant Secretary Status Resolution – [REDACTED] s. 22(1)(a)(ii)
26. Director AAT & Removals Injunctions – [REDACTED] s. 22(1)(a)(ii)
27. A/g Commander, Detention Operations – [REDACTED] s. 22(1)(a)(ii)
28. First Assistant Secretary, Community Protection – Kaylene ZAKHAROFF
29. RCQLDCC
30. RCNSWCC

Released by the Department of Home Affairs
under the Freedom of Information Act 1982

Attachment 1: Contact List

Area	Name	Primary Contact	Secondary Contact
Op BACCIFORM Command Post	-		-
OPCHIEF	Robyn MILLER	s. 22(1)(a)(ii) @border.gov.au	s. 22(1)(a)(ii)
OPCOMD (N)	s. 22(1)(a)(ii)	s. 22(1)(a)(ii) @border.gov.au	s. 22(1)(a)(ii)
2IC (N)	s. 22(1)(a)(ii)	s. 22(1)(a)(ii) @border.gov.au	s. 22(1)(a)(ii)
Inspector, Removal Operations	s. 22(1)(a)(ii)	s. 22(1)(a)(ii) @border.gov.au	s. 22(1)(a)(ii)
GPCOMD Group Two	s. 22(1)(a)(ii)	s. 22(1)(a)(ii) @border.gov.au	s. 22(1)(a)(ii)
NSW Case Management	s. 22(1)(a)(ii)	s. 22(1)(a)(ii) @border.gov.au	s. 22(1)(a)(ii)
GPCOMD Group Three	s. 22(1)(a)(ii)		s. 22(1)(a)(ii)
GPCOMD Group Four	s. 22(1)(a)(ii)	s. 22(1)(a)(ii) @border.gov.au	s. 22(1)(a)(ii)
A/g Inspector, BITA	s. 22(1)(a)(ii)	s. 22(1)(a)(ii) @border.gov.au	s. 22(1)(a)(ii)
LAC Group Five	s. 22(1)(a)(ii)	s. 22(1)(a)(ii) @border.gov.au	s. 22(1)(a)(ii)
Program Coordinator Nauru	s. 22(1)(a)(ii)	s. 22(1)(a)(ii) @border.gov.au	s. 22(1)(a)(ii)
Assistant Secretary Legal Advice and Operational Support	Steve MCGLYNN	s. 22(1)(a)(ii) @border.gov.au	s. 22(1)(a)(ii)
Director SAAT and Removals Injunctions	s. 22(1)(a)(ii)	s. 22(1)(a)(ii) @border.gov.au	s. 22(1)(a)(ii)
Director IMA and Onshore Protection	s. 22(1)(a)(ii)	s. 22(1)(a)(ii) @border.gov.au	s. 22(1)(a)(ii)
A/g Superintendent, Detention Health	s. 22(1)(a)(ii)	s. 22(1)(a)(ii) @border.gov.au	s. 22(1)(a)(ii)
Media and Comms	s. 22(1)(a)(ii)	s. 22(1)(a)(ii) @border.gov.au	s. 22(1)(a)(ii)
A/g Commander Offshore Operational Coordination Branch	s. 22(1)(a)(ii)	s. 22(1)(a)(ii) @border.gov.au	s. 22(1)(a)(ii)
Detention Health Operations (Onshore)	s. 22(1)(a)(ii)	s. 22(1)(a)(ii) @border.gov.au	s. 22(1)(a)(ii)
Assistant Secretary, Status Resolution	Sally PFEIFFER	s. 22(1)(a)(ii) @border.gov.au	s. 22(1)(a)(ii)
Assistant Secretary, Temporary Protection Visa Assessment	Frances FINNEY	s. 22(1)(a)(ii) @border.gov.au	s. 22(1)(a)(ii)
Commander South Pacific	Phil BREZZO	s. 22(1)(a)(ii) @border.gov.au	s. 22(1)(a)(ii)

Released by the Department of Home Affairs under the Freedom of Information Act 1982



PROTECTED

National Operation Order

“OPERATION BACCIFORM JULIET”

**Issued by
Enforcement
Command**

Attachments:

1. Contact List
2. SitRep Distribution
3. Flight Schedule

Time Zone used throughout order: Australian Eastern Standard Time (AEDT)

1. SITUATION

a. General

(1) Topography

Operation BACCIFORM Juliet will take place within Queensland Regional Command, Regional Processing Country (RPC) Nauru, and on-board a commercial aircraft.

(2) Background Information

Operation BACCIFORM has been initiated, following a suspension of returns due to significant legal challenges in the High Court of Australia, to effect the expedited return of identified transitory person/s to Nauru and/or PNG under the Australian Government’s regional processing and resettlement arrangements.

These arrangements are outlined in the Migration Act 1958 (the Act) and this permits an officer to bring a transitory person/s to Australia from a place outside Australia for a temporary purpose. The Act also provides an obligation to remove a transitory person from Australia once the transitory person no longer needs to remain in Australia for the temporary purpose for which they were transferred.

Under this arrangement there are a number of transitory persons (from Nauru and PNG, including accompanying family members) in Australia for medical treatment and are subject to be returned to Regional Processing Countries

(RPCs) once their temporary purpose for which they were transferred has been resolved.

s. 47E(d)



Since the commencement of Operation BACCIFORM in 2016, ten operations to conduct returns to RPCs have been completed. These operations will continue until otherwise advised.

Operation BACCIFORM Juliet has been initiated to effect the voluntary return of s. 47E(d) identified transitory person to Nauru from Brisbane Immigration Transit Accommodation (BITA) via a commercial flight.

The overall success of any operation involving the return of transitory person to RPCs depend upon operational security and the combining of detailed case information, identification of risks and determination of a range of mitigating factors to ensure that the Australian Border Force (ABF) Commissioner, as the key decision maker, is fully informed when determining appropriate actions.

b. Transitory Person/s

During this Operation, it is anticipated that s. 47E(d) transitory person will be subject to extraction from an Immigration Alternative Place of Detention (APOD) within Australia and transferred back to Nauru.

s. 47F(1)



The transitory person has no family links in Australia or PNG. The transitory person s. 47F(1).

The transitory person s. 47F(1) whilst in Immigration Detention in Australia.

The placement and transport risk for the transitory person is rated as low by the Department's detention service provider.

c. Own Forces

Australian Border Force:

- Enforcement Command (EC)
- Detention Operations Branch
- Offshore Operations Coordination Branch
- Detention Operations Queensland

d. In support

Internal:

- Detention Health Operations
- Queensland Regional Command
- Communications and Media Branch
- Legal Advice and Operational Support Branch
- Contracts and Services Management Branch
- Status Resolution Branch
- Temporary Protection Visa Assessment
- Regional Processing Taskforce
- International Division
- Regional Processing and Performance Branch

External:

- Serco (Facilities and Detainee Service Provider)
- IHMS (Detention Health Service Provider)
- Broadspectrum Services
- Government of Nauru (GoN)

2. MISSION

To safely and securely transfer the identified transitory person from an Australian Immigration Detention Facility to Nauru.

3. EXECUTION

a. General Outline

Operation BACCIFORM Juliet will involve the identified transitory person transferring from BITA, Queensland and travelling on a commercial flight to s. 47E(d). The operation is to commence with a minimum of s. 47E(d) prior to departure from Australia with messaging to take place on s. 47E(d) s. 47E(d) 2017.

Operation BACCIFORM Juliet will be conducted over three separate phases:

- Phase 1 – (pre) planning
- Phase 2 – transfer
- Phase 3 – Nauru arrival and induction

Phase 1

Regional Processing Taskforce along with Offshore Operation Coordination Branch has commenced preparation for the transfer of the identified transitory

person. Regional Processing Taskforce has coordinated the efforts for submission to Minister for Immigration and Border Protection for approval of the transfer. Once approval has been received the transfer of the identified transitory person will commence. Offshore Operation Coordination Branch will coordinate with relevant stakeholders to ensure the Government of Nauru and IHMS are notified prior to travel of the transitory person to allow for GoN and IHMS to complete planning for the arrival of the transitory person.

Phase 2

On ^{s. 47F(1)} [REDACTED] 2017, the transitory person will be extracted from BITA and moved to an APOD, where the PTA process and messaging will occur.

On ^{s. 47F(1)} [REDACTED] 2017, Detention Operations QLD and Serco will facilitate transfer of the transitory person from APOD accommodation to Brisbane Airport to embark a commercial flight from Brisbane to Nauru.

Phase 3

At phase 3, ongoing risk mitigations and support for the transitory person will be transferred to Offshore Operation Coordination Branch who will coordinate with Regional Processing and Performance Branch and other stakeholders in Nauru to facilitate the arrival of the transitory person and ensure the safe and secure induction and transition to her accommodation in the Nauru community.

b. Group One

(1) Operational Command Group National [OPCOMD (N)]

- (a) OPCHIEF** –Robyn MILLER, Commander Field and Removal Operations
- (b) OPCOMD** – ^{s. 22(1)(a)(ii)} [REDACTED], Inspector Removal Operations
- (c) ZIC** – ^{s. 22(1)(a)(ii)} [REDACTED], Border Force Supervisor, Removal Operations
- (d) Other Officers**
As required

(e) In Support

Internal:

- Detention Operations
- Offshore Operation Coordination Branch
- Communications and Media Branch
- Legal Advice and Operational Support Branch
- Detention Operations Queensland
- Status Resolution Branch
- Temporary Protection Visa Assessment
- International Division

External:

- Serco (Facilities and Detainee Service Provider)
- IHMS (Detainee Health Service Provider)

Broadspectrum Services

(f) Resources

As required.

(2) Tasks

- i. Establish a ^{s. 47E(d)} [redacted] for Command and Control of the Operation.
- ii. Identify, address and monitor transfer barriers where required.
- iii. Provide Detention Operations QLD and Program Lead on Nauru with the incident and health history of the identified transitory person and timeframe for operational planning to allow a minimum of ^{s. 47E(d)} [redacted] prior to operational activity.
- iv. Organise and confirm commercial flight dates, times, clearances and sufficient support officers to support operational requirements.
- v. Arrange Serco and Health resources for operation requirements.
 - a. Serco escorts are not to be in uniform for the commercial transfer operation.
- vi. Coordinate with Serco and develop a risk assessment with mitigation strategies in relation to the transfer of the transitory person.
 - a. Consideration to be given to possible self-harm or other adverse behaviours and to connections with Advocate groups, media and other interested parties.
- vii. Ensure all transfer documents, including visa applications, are completed prior to extraction and distributed to relevant stakeholders, including ensuring documents are accepted by the airline.
- viii. Coordinate transfer from Australia to Nauru.
- ix. Coordinate appropriate media support and communication strategy including media talking points and messaging for staff and service providers through Communications and Media Branch.
- x. Coordinate and maintain operation log for the duration of the operation.
- xi. Conduct a Post Operation Brief and provide a report to the OPCHIEF within ^{s. 47E(d)} [redacted] from the operation date.

c. Group Two

(1) QLD – Detention Operations

- (a) GPCOMD** – ^{s. 22(1)(a)(ii)} [redacted] – A/g Inspector, Detention Operations QLD
- (b) 2IC** – As required
- (c) Other officers**
As required

(d) In Support

Internal
Status Resolution
Detention Health Operations

(e) External

Serco
IHMS
Queensland Police

(2) Tasks

- i. Provide tactical extraction plan to OPCOMD (N), prior to the operation.
- ii. Conduct PTA process.
- iii. Provide messaging to transitory person prior to transfer to Nauru.
- iv. Provide statement of identity, required to effect the transfer to OPCOMD ^{s. 47E(d)} prior to the departure from Australia.
- v. Arrange Request for Service to Serco T&E for transport from BITA to Brisbane International Airport.
- vi. Provide updated logs at each identified key milestone to OPCOMD (N). Ensure safe and secure transfer of the transitory person from the BITA to the APOD and APOD to Brisbane International Airport.
 - a. Serco Officers are requested to not wear uniform during the transfer operation.
- vii. Ensure Brisbane Aviation are aware of the transfer through the airport to ensure smooth border processing.
- viii. Ensure all transfer documents, including SOI and any visa applications, are completed prior to extraction and distributed to relevant stakeholders.
- ix. Complete RFS to transfer the transitory person from Brisbane APOD to Brisbane International Airport.
- x. Ensure OpSec is maintained throughout transfer.
- xi. Provide Situation Reports (SitReps) at identified milestones (a-c) to OPCOMD (N).
- xii. Provide immediate notification to OPCOMD (N), should any incidents of non-compliant behaviour, adverse reaction or incidents of self-harm occur whilst at BITA or during transits.
- xiii. Provide updated logs at each identified key milestone to OPCOMD (N).
- xiv. Conduct a post Operation brief and provide a report to the OPCOMD (N) within ^{s. 47E(d)} from the Operation date.

d. Group Three

(1) Regional Operation Coordination Section

- (a) GPCOMD – ^{s. 22(1)(a)(ii)} [redacted], A/g Superintendent Offshore Operation Coordination Section
- (b) 2IC – ^{s. 22(1)(a)(ii)} [redacted], Director, Programme Coordinator Nauru
- (c) Other Officers
As required

(d) In Support

Internal

Offshore Operational Coordination
Offshore Health Operations
Removal Operations
Regional Processing and Performance Branch

External

Serco
Broadspectrum Services
Government of Nauru
IHMS

(e) Resources

As required

(2) Tasks

- i. Engage with relevant stakeholders to ensure Nauru RPC maintains operational readiness to accept transitory person.
- ii. Notify relevant stakeholders including ABF Nauru, Government of Nauru (GoN), and IHMS minimum of ^{s. 47E(d)} [redacted] prior to transitory person's arrival in Nauru.
- iii. Vet the identified transitory person and refer any transfer barriers to OPCOMD (N).
- iv. Notify and seek approval of GoN for incoming transitory person in line with operational security arrangements.
- v. Develop Support and Care Package for transitory person's arrival on Nauru.
 - a. Plan and coordinate reception in Nauru and ensure transitory person receives appropriate support services inclusive of inductions and safety considerations upon arrival in Nauru.
- vi. Provide Situation Reports (SitReps) at identified milestones (d and e) to OPCOMD (N).
- vii. Engage GoN to disembark the transitory person in Nauru, should they be non-compliant.
- viii. Conduct a post Operation brief and provide a report to the OPCOMD within ^{s. 47E(d)} [redacted] from the Operation date.

4. CO-ORDINATING INSTRUCTIONS

s. 47E(d)



- ii. Under section 256 of the Act, the Department must afford detainees all reasonable facilities for obtaining legal advice or for taking legal proceedings. In an operational environment, GPCOMD are, at the request of a transitory person, to facilitate a transitory person's ability to contact a legal representative, where the facilitation is operationally practical. For example, ^{s. 47E(d)} [redacted], however if a transitory person requests access while in the staging area and this does not impact operational procedures, it may well be practicable to allow the transitory person access to a telephone.

Where a transitory person makes a request for legal access, the transitory person should be provided with means to make such contact. Please note that it is reasonable for officers to initiate the phone call on behalf of the transitory person in order to verify that the transitory person is contacting a lawyer or migration agent (and not a journalist for example). However, officers should then retreat to a distance so that the transitory person can speak to the lawyer or migration agent without being overheard.

If a decision is made not to allow or to terminate a telephone call to a lawyer/migration agent due to operational reasons, this should be documented.

Any requests for legal access by transitory persons must be reported to OPCOMD (N) as soon as possible.

Refer to the attached Access to Legal Representation, Detention Operational Procedure ADD2013/1686186.

- iii. The GPCOMD is to submit OPORDS and supporting documentation prior to extraction date.
- iv. Flight details are:
 - a) Brisbane to Nauru, s. 47E(d)
- v. Post Operation debrief to be submitted to OPCOMD (N) within s. 47E(d) from the Operational activity.

(b) Reporting

The GPCOMD is to provide relevant operational details to OPCOMD (N) via phone or email. OPCOMD (N) will produce, clear and forward SitReps to the distribution list at the following key milestones.

- a) Completion of PTA process.
- b) Transfer from APOD to Brisbane International Airport.
- c) Wheels up, commercial flight from Brisbane to Nauru.
- d) Arrival of aircraft and disembarking of transitory person on Nauru.
- e) Transitory person arrival at Nauru RPC.
- f) By exception.

There is to be one coordinated Log in OPCOMD (N) for Operation BACCIFORM Juliet. GPCOMDs are to report along with SitRep log updates at key milestones.

- a) Logs are to be inclusive of in support stakeholders including Serco, IHMS and RPC services.

The preparation of Hot Issue Briefs relating to Operation BACCIFORM Juliet will be coordinated by OPCOMD (N).

The preparation of Hot Issue Briefs relating to incidents at individual centres that may occur post operation will be coordinated by the relevant Superintendent, Detention Operations and authorised by the Commander, Detention Operations.

The preparation of Hot Issue Briefs relating to incidents that may occur at a RPC will be coordinated by Regional Operation Coordination Section. Dissemination of Hot Issue Briefs will be as per existing protocols.

(c) Safety Instructions

Existing WH&S guidelines, detainee transfer policies and procedures are to be adhered to at all times.

Allegations of assault/abuse, whether physical or sexual, are taken seriously and must be referred to appropriate law enforcement agencies for investigation.

(d) Security

Operational Security is of utmost importance. To ensure the operational safety and security of the transitory person, staff and facilities, [REDACTED]

s. 47E(d)

Careful consideration is to be given to supervision arrangements once transitory persons are notified of the transfer.

The following principals are responsible for representing the various functional areas essential to the operation. They are responsible for maintaining strict operational security and should be available to support planning and conduct of the operation at short notice.

- s. 22(1)(a)(ii) [redacted] – Removals Operations
- s. 22(1)(a)(ii) [redacted] – BITA, Detention Operations
- s. 22(1)(a)(ii) [redacted] – Detention Health Operations
- s. 22(1)(a)(ii) [redacted] – Offshore Operation Coordination
- s. 22(1)(a)(ii) [redacted] – AAT & Removals Injunctions

Officers are to be aware of their operational environment whilst conducting their duties and report any media attention or suspicious activity.

Assistant Secretary Security Branch will be briefed at the appropriate time prior to the operation to enable contingency planning for security of the detention and DIBP office network.

Regional Commander Queensland will be briefed to enable planning for post operational activity.

5. ADMINISTRATION AND LOGISTICS

(a) Transport Allocation

As required.

(b) Dress Requirements

To be determined by LAC.

(c) Medical

- a. Offshore Operational Coordination to coordinate medical resources for the operation.
- b. Offshore Operational Coordination to ensure a return support care plan is place with appropriate service providers in Nauru as per the immediate case management plan.

(d) Food/Water

The transitory person is to be provided with access to water and food throughout the transfer.

(e) Legislation

- a. Migration Act 1958 (Australia)
- b. Aviation Transport Security Regulations (ATSR) 2005, Division 4.5 (persons in custody)
- c. Access to legal representatives is to be in accordance with established procedures and the Migration Act 1958 (the Act). Refer to coordinating instructions.

6. COMMAND AND SIGNAL

(a) Location of Commander

The OPCOMD (N) will be located in s. 47E(d).

(b) Command Group contact

Operation BACCIFORM Juliet has a distribution list for reporting purposes.

(c) Control Decision

The Control Decision for who determines whether the transitory person is removed from the operation due to Operational Safety reasons, such as s. 47E(d) will be allocated to the OPCOMD (N) in conjunction with the OPCHIEF. The LAC is to refer all incidents to OPCOMP (N) that impact on the strategic intent.

The Control Decision for who determines whether the transitory person has raised credible allegations that require investigation prior to transfer, and should be removed from the operation is allocated to OPCOMD (N) in conjunction with the OPCHIEF. Allegations of assault/abuse, whether physical or sexual, are taken seriously and must be referred to appropriate law enforcement agencies for investigation. If the transitory person makes such an allegation, they are not to be transferred until the matter has been investigated to determine to jurisdiction for the alleged offence. Any such matter must be finalised prior to transfer proceeding. Outcomes from such investigations will be incorporated into future planning for that individual.

The Control Decision for who determines whether a transitory person is removed for any other reason, including legal and medical conditions is allocated to OPCOMD (N) in conjunction with Offshore Operational Coordination Branch, Legal Advice, Public Risk Assessment, Temporary Protection Visa Assessment Branch and the OPCHIEF.

The Control Decision for who determines whether the transitory person is to be forcibly removed from the charter aircraft in Nauru, is allocated to OPCOMD (N) in conjunction with OPCHIEF and Offshore Operational Coordination Branch. OPCOMD (N) will request through the GPCOMD Group Five for GoN assistance to disembark the transitory person.

(e) Contact Phone numbers

Contact details as per Contact list (Attachment 1)

OPCOMD (N)

Inspector Removal Operations

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

29 September 2017

NOO Distribution:

1. A/g Assistant Commissioner EC – s. 22(1)(a)(ii)
2. OPCHIEF – Commander Field and Removal Operations – Robyn MILLER
3. s. 47E(d) – Inspector Removal Operations – s. 22(1)(a)(ii)
4. 2IC – Removal Operations – s. 22(1)(a)(ii)
5. Superintendent, Removal Operations – s. 22(1)(a)(ii)
6. GPCOMD Group Two – s. 22(1)(a)(ii)
7. GPCOMD Group Three – s. 22(1)(a)(ii)
8. GPCOMD Group Three – s. 22(1)(a)(ii)
9. A/g Assistant Director QLD Case Management – s. 22(1)(a)(ii)
10. A/g Commander Offshore Operational Coordination Branch – s. 22(1)(a)(ii)
11. Commander Regional Command Queensland – Terry PRICE
12. First Assistant Secretary, Children, Community & Settlement – Elizabeth HAMPTON
13. Assistant Secretary, Community Programmes and Reporting – Claire ROENNFELDT
14. Superintendent Detention Health Operations – s. 22(1)(a)(ii)
15. Inspector– Detention Health Operations – s. 22(1)(a)(ii)
16. Regional Commander Pacific – Phil BREZZO
17. Superintendent Offshore Health Operations – s. 22(1)(a)(ii)
18. Temporary Protection Visa Support – s. 22(1)(a)(ii)
19. Task Force – s. 22(1)(a)(ii)
20. Task Force – s. 22(1)(a)(ii)
21. Task Force – s. 22(1)(a)(ii)
22. Task Force – s. 22(1)(a)(ii)
23. A/g Assistant Secretary Status Resolution – s. 22(1)(a)(ii)
24. Director Status Resolution QLD – s. 22(1)(a)(ii)
25. Director AAT & Removals Injunctions – s. 22(1)(a)(ii)
26. A/g Commander, Detention Operations – s. 22(1)(a)(ii)
27. First Assistant Secretary, Community Protection – Kaylene ZAKHAROFF
28. RCQLDCC
29. ECNOC

Attachment 1: Contact List

Area	Name	Primary Contact	Secondary Contact
Op BACCIFORM Command Post	-		-
OPCHIEF	Robyn MILLER	s. 22(1)(a)(ii) @border.gov.au	s. 22(1)(a)(ii)
s. 47E(d) (N)	s. 22(1)(a)(ii)	s. 22(1)(a)(ii) @border.gov.au	s. 22(1)(a)(ii)
2IC (N)	s. 22(1)(a)(ii)	s. 22(1)(a)(ii) @border.gov.au	s. 22(1)(a)(ii)
Inspector, Removal Operations	s. 22(1)(a)(ii)	s. 22(1)(a)(ii) @border.gov.au	s. 22(1)(a)(ii)
GPCOMD Group Two	s. 22(1)(a)(ii)	s. 22(1)(a)(ii) @border.gov.au	s. 22(1)(a)(ii)
A/g Inspector, BITA	s. 22(1)(a)(ii)	s. 22(1)(a)(ii) @border.gov.au	s. 22(1)(a)(ii)
A/g Assistant Director QLD Case Management	s. 22(1)(a)(ii)	s. 22(1)(a)(ii) @border.gov.au	s. 22(1)(a)(ii)
LAC Group Four	s. 22(1)(a)(ii)	s. 22(1)(a)(ii) @border.gov.au	s. 22(1)(a)(ii)
Program Coordinator Nauru	s. 22(1)(a)(ii)	s. 22(1)(a)(ii) @border.gov.au	s. 22(1)(a)(ii)
A/g Assistant Secretary Legal Advice and Operational Support	s. 22(1)(a)(ii)	s. 22(1)(a)(ii) @border.gov.au	s. 22(1)(a)(ii)
Director SAAT and Removals Injunctions	s. 22(1)(a)(ii)	s. 22(1)(a)(ii) @border.gov.au	s. 22(1)(a)(ii)
Director IMA and Onshore Protection	s. 22(1)(a)(ii)	s. 22(1)(a)(ii) @border.gov.au	s. 22(1)(a)(ii)
A/g Superintendent, Detention Health	s. 22(1)(a)(ii)	s. 22(1)(a)(ii) @border.gov.au	s. 22(1)(a)(ii)
Media and Comms	s. 22(1)(a)(ii)	s. 22(1)(a)(ii) @border.gov.au	s. 22(1)(a)(ii)
A/g Commander Offshore Operational Coordination Branch	s. 22(1)(a)(ii)	s. 22(1)(a)(ii) @border.gov.au	s. 22(1)(a)(ii)
Detention Health Operations (Onshore)	s. 22(1)(a)(ii)	s. 22(1)(a)(ii) @border.gov.au	s. 22(1)(a)(ii)
Detention Health Operations (offshore)	s. 22(1)(a)(ii)	s. 22(1)(a)(ii) @border.gov.au	s. 22(1)(a)(ii)
Assistant Secretary, Status Resolution	Sally PFEIFFER	s. 22(1)(a)(ii) @border.gov.au	s. 22(1)(a)(ii)
Assistant Secretary, Temporary Protection Visa Assessment	Frances FINNEY	s. 22(1)(a)(ii) @border.gov.au	s. 22(1)(a)(ii)
Commander South Pacific	Phil BREZZO	s. 22(1)(a)(ii) @border.gov.au	s. 22(1)(a)(ii)



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National Operation Order

“OPERATION BACCIFORM KILO”

**Issued by
Enforcement
Command**

Attachments:

1. Contact List
2. SitRep Distribution
3. Flight Schedule

Time Zone used throughout order: Australian Eastern Standard Time (AEDT)

1. SITUATION

a. General

(1) Topography

Operation BACCIFORM KILO will take place within Queensland Regional Command, Regional Processing Country (RPC) Nauru, and on-board a commercial aircraft.

(2) Background Information

Operation BACCIFORM has been initiated, following a suspension of returns due to significant legal challenges in the High Court of Australia, to effect the expedited return of identified transitory person to Nauru under the Australian Government’s regional processing and resettlement arrangements.

These arrangements are outlined in the Migration Act 1958 (the Act) and this permits an officer to bring a transitory person/s to Australia from a place outside Australia for a temporary purpose. The Act also provides an obligation to remove a transitory person from Australia once the transitory person no longer needs to remain in Australia for the temporary purpose for which they were transferred.

Under this arrangement there are a number of transitory persons (from Nauru including accompanying family members) in Australia for medical treatment and are subject to be returned to Regional Processing Countries (RPCs) once their temporary purpose for which they were transferred has been resolved.

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s. 47E(d)

[Redacted]

[Redacted]

- [Redacted]
- [Redacted]
- [Redacted]
- [Redacted]
- [Redacted]
- [Redacted]

Since the commencement of Operation BACCIFORM in 2016, ten operations to conduct returns to RPCs have been completed. These operations will continue until otherwise advised.

Operation BACCIFORM Kilo has been initiated to effect the voluntary return of s. 47E(d) identified transitory person to Nauru from Brisbane Immigration Transit Accommodation (BITA) via a commercial flight.

The overall success of any operation involving the return of transitory person to RPCs depend upon operational security and the combining of detailed case information, identification of risks and determination of a range of mitigating factors to ensure that the Australian Border Force (ABF) Commissioner, as the key decision maker, is fully informed when determining appropriate actions.

b. Transitory Person/s

During this Operation, it is anticipated that s. 47E(d) transitory person will be subject to extraction from an Immigration Alternative Place of Detention (APOD) within Australia and transferred back to Nauru.

s. 47F(1) [Redacted]

[Redacted]

[Redacted]

The transitory person has no family links in Australia. s. 47F(1) [Redacted]

[Redacted]

The transitory person has no incidents of contraband recorded whilst in Immigration Detention in Australia.

The placement and transport risk for the transitory person is rated as low by the Department's detention service provider.

c. Own Forces

- Australian Border Force:
- Enforcement Command (EC)

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- Detention Operations Branch
- Offshore Operations Coordination Branch
- Detention Operations Queensland

d. In support

Internal:

- Detention Health Operations
- Queensland Regional Command
- Communications and Media Branch
- Legal Advice and Operational Support Branch
- Contracts and Services Management Branch
- Status Resolution Branch
- Temporary Protection Visa Assessment
- Regional Processing Taskforce
- International Division
- Regional Processing and Performance Branch

External:

- Serco (Facilities and Detainee Service Provider)
- IHMS (Detention Health Service Provider)
- Canstruct International (CSI)
- Government of Nauru (GoN)

2. MISSION

To safely and securely transfer the identified transitory person from an Australian Immigration Detention Facility to Nauru.

3. EXECUTION**a. General Outline**

Operation BACCIFORM Kilo will involve the identified transitory person transferring from BITA, Queensland and travelling on a commercial flight to Nauru. The operation is to commence with a minimum of ^{s. 47E(d)} prior to departure from Australia with messaging to take place on ^{s. 47F(1)} 2018.

Operation BACCIFORM Kilo will be conducted over three separate phases:

Phase 1 – (pre) planning

Phase 2 – transfer

Phase 3 – Nauru arrival and induction

Phase 1

Regional Processing Taskforce along with Offshore Operation Coordination Branch has commenced preparation for the transfer of the identified transitory person. Regional Processing Taskforce has coordinated the efforts for submission to Minister for Immigration and Border Protection for approval of the transfer. Once approval has been received the transfer of the identified transitory person will commence. Offshore Operation Coordination Branch will

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coordinate with relevant stakeholders to ensure the Government of Nauru and IHMS are notified prior to travel of the transitory person to allow for GoN and IHMS to complete planning for the arrival of the transitory person.

Phase 2

On s. 47F(1) 2018, the transitory person will be extracted from BITA and moved to an APOD, where the PTA process and messaging will occur.

On s. 47F(1) 2018, Detention Operations QLD and Serco will facilitate transfer of the transitory person from APOD accommodation to Brisbane Airport to embark a commercial flight from Brisbane to Nauru.

Phase 3

At phase 3, ongoing risk mitigations and support for the transitory person will be transferred to Offshore Operation Coordination Branch who will coordinate with Regional Processing and Performance Branch and other stakeholders in Nauru to facilitate the arrival of the transitory person and ensure the safe and secure induction and transition to her accommodation in the Nauru community.

b. Group One

(1) Operational Command Group National [OPCOMD (N)]

(a) OPCHIEF – s. 22(1)(a)(ii), A/g Commander Field and Removal Operations

(b) OPCOMD – s. 22(1)(a)(iii), Superintendent Removal Operations

(c) ZIC – s. 22(1)(a)(ii), Inspector Removal Operations

(d) Other Officers

As required

(e) In Support

Internal:

- Detention Operations
- Offshore Operation Coordination Branch
- Communications and Media Branch
- Legal Advice and Operational Support Branch
- Detention Operations Queensland
- Status Resolution Branch
- Temporary Protection Visa Assessment
- International Division

External:

- Serco (Facilities and Detainee Service Provider)
- IHMS (Detainee Health Service Provider)
- Canstruct International (CSI)

(f) Resources

As required.

(2) Tasks

- i. Establish a ^{s. 47E(d)} [redacted] for Command and Control of the Operation.
- ii. Identify, address and monitor transfer barriers where required.
- iii. Provide Detention Operations QLD and Program Lead on Nauru with the incident and health history of the identified transitory person and timeframe for operational planning to allow a minimum of ^{s. 47E(d)} [redacted] prior to operational activity.
- iv. Organise and confirm commercial flight dates, times, clearances and sufficient support officers to support operational requirements.
- v. Arrange Serco and Health resources for operation requirements.
 - a. Serco escorts are not to be in uniform for the commercial transfer operation.
- vi. Coordinate with Serco and develop a risk assessment with mitigation strategies in relation to the transfer of the transitory person.
 - a. Consideration to be given to possible self-harm or other adverse behaviours and to connections with Advocate groups, media and other interested parties.
- vii. Ensure all transfer documents, including visa applications, are completed prior to extraction and distributed to relevant stakeholders, including ensuring documents are accepted by the airline.
- viii. Coordinate transfer from Australia to Nauru.
- ix. Coordinate appropriate media support and communication strategy including media talking points and messaging for staff and service providers through Communications and Media Branch.
- x. Coordinate and maintain operation log for the duration of the operation.
- xi. Conduct a Post Operation Brief and provide a report to the OPCHIEF within ^{s. 47E(d)} [redacted] from the operation date.

c. Group Two

(1) QLD – Detention Operations

- (a) GPCOMD** – ^{s. 22(1)(a)(ii)} [redacted] – Inspector, BITA Operations
- (b) 2IC** – ^{s. 22(1)(a)(ii)} [redacted] – Inspector, QLD Detention Operations Support

(c) Other officers

As required

(d) In Support

Internal
 Status Resolution
 Detention Health Operations

(e) External

Serco
 IHMS

Queensland Police

(2) Tasks

- i. Provide tactical extraction plan to OPCOMD (N), prior to the operation.
- ii. Conduct PTA process.
- iii. Provide messaging to transitory person prior to transfer to Nauru.
- iv. Provide statement of identity, required to effect the transfer to OPCOMD s. 47E(d) prior to the departure from Australia.
- v. Arrange Request for Service to Serco T&E for transport from BITA to Brisbane International Airport.
- vi. Provide updated logs at each identified key milestone to OPCOMD (N). Ensure safe and secure transfer of the transitory person from the BITA to the APOD and APOD to Brisbane International Airport.
 - a. Serco Officers are requested to not wear uniform during the transfer operation.
- vii. Ensure Brisbane Aviation are aware of the transfer through the airport to ensure smooth border processing.
- viii. Ensure all transfer documents, including SOI and any visa applications, are completed prior to extraction and distributed to relevant stakeholders.
- ix. Complete RFS to transfer the transitory person from Brisbane APOD to Brisbane International Airport.
- x. Ensure OpSec is maintained throughout transfer.
- xi. Provide Situation Reports (SitReps) at identified milestones (a-c) to OPCOMD (N).
- xii. Provide immediate notification to OPCOMD (N), should any incidents of non-compliant behaviour, adverse reaction or incidents of self-harm occur whilst at BITA or during transits.
- xiii. Provide updated logs at each identified key milestone to OPCOMD (N).
- xiv. Conduct a post Operation brief and provide a report to the OPCOMD (N) within s. 47E(d) from the Operation date.

d. Group Three

(1) Regional Operations Coordination Section

- (a) GPCOMD** – s. 22(1)(a)(ii), A/g Superintendent Offshore Operation Coordination Section
- (b) 2IC** – s. 22(1)(a)(ii), Director, Programme Coordinator Nauru
- (c) Other Officers**
As required
- (d) In Support**
Internal
Offshore Operational Coordination
Offshore Health Operations

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Removal Operations
Regional Processing and Performance Branch

External

Serco
Canstruct International (CSI)
Government of Nauru
IHMS

(e) Resources
As required

(2) Tasks

- i. Engage with relevant stakeholders to ensure Nauru RPC maintains operational readiness to accept transitory person.
- ii. Notify relevant stakeholders including ABF Nauru, Government of Nauru (GoN), and IHMS minimum of s. 47E(d) prior to transitory person’s arrival in Nauru.
- iii. Vet the identified transitory person and refer any transfer barriers to OPCOMD (N).
- iv. Notify and seek approval of GoN for incoming transitory person in line with operational security arrangements.
- v. Develop Support and Care Package for transitory person’s arrival on Nauru.
 - a. Plan and coordinate reception in Nauru and ensure transitory person receives appropriate support services inclusive of inductions and safety considerations upon arrival in Nauru.
- vi. Provide Situation Reports (SitReps) at identified milestones (d and e) to OPCOMD (N).
- vii. Engage GoN to disembark the transitory person in Nauru, should they be non-compliant.
- viii. Conduct a post Operation brief and provide a report to the OPCOMD within s. 47E(d) from the Operation date.

4. CO-ORDINATING INSTRUCTIONS

s. 47E(d)



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s. 47E(d)

- ii. Under section 256 of the Act, the Department must afford detainees all reasonable facilities for obtaining legal advice or for taking legal proceedings. In an operational environment, GPCOMD are, at the request of a transitory person, to facilitate a transitory person’s ability to contact a legal representative, where the facilitation is operationally practical. For example, s. 47E(d) however if a transitory person requests access while in the staging area and this does not impact operational procedures, it may well be practicable to allow the transitory person access to a telephone.

Where a transitory person makes a request for legal access, the transitory person should be provided with means to make such contact. Please note that it is reasonable for officers to initiate the phone call on behalf of the transitory person in order to verify that the transitory person is contacting a lawyer or migration agent (and not a journalist for example). However, officers should then retreat to a distance so that the transitory person can speak to the lawyer or migration agent without being overheard.

If a decision is made not to allow or to terminate a telephone call to a lawyer/migration agent due to operational reasons, this should be documented.

Any requests for legal access by transitory persons must be reported to OPCOMD (N) as soon as possible.

Refer to the attached Access to Legal Representation, Detention Operational Procedure ADD2013/1686186.

- iii. The GPCOMD is to submit OPORDS and supporting documentation prior to extraction date.
- iv. Flight details are:
 - a) Brisbane to Nauru, s. 47E(d)
- v. Post Operation debrief to be submitted to OPCOMD (N) within s. 47E(d) from the Operational activity.

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The GPCOMD is to provide relevant operational details to OPCOMD (N) via phone or email. OPCOMD (N) will produce, clear and forward SitReps to the distribution list at the following key milestones.

- a) Completion of PTA process.
- b) Transfer from APOD to Brisbane International Airport.
- c) Wheels up, commercial flight from Brisbane to Nauru.
- d) Arrival of aircraft and disembarking of transitory person on Nauru.
- e) Transitory person arrival at Nauru RPC.
- f) By exception.

There is to be one coordinated Log in OPCOMD (N) for Operation BACCIFORM Kilo. GPCOMDs are to report along with SitRep log updates at key milestones.

- a) Logs are to be inclusive of in support stakeholders including Serco, IHMS and RPC services.

The preparation of Hot Issue Briefs relating to Operation BACCIFORM Kilo will be coordinated by OPCOMD (N).

The preparation of Hot Issue Briefs relating to incidents at individual centres that may occur post operation will be coordinated by the relevant Superintendent, Detention Operations and authorised by the Commander, Detention Operations.

The preparation of Hot Issue Briefs relating to incidents that may occur at a RPC will be coordinated by Regional Operation Coordination Section.

Dissemination of Hot Issue Briefs will be as per existing protocols.

(c) Safety Instructions

Existing WH&S guidelines, detainee transfer policies and procedures are to be adhered to at all times.

Allegations of assault/abuse, whether physical or sexual, are taken seriously and must be referred to appropriate law enforcement agencies for investigation.

(d) Security

Operational Security is of utmost importance. To ensure the operational safety and security of the transitory person, staff and facilities, ^{s. 47E(d)} [REDACTED]

[REDACTED]
s. 47E(d)

Careful consideration is to be given to supervision arrangements once transitory persons are notified of the transfer.

The following principals are responsible for representing the various functional areas essential to the operation. They are responsible for maintaining strict

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operational security and should be available to support planning and conduct of the operation at short notice.

- s. 22(1)(a)(ii) [REDACTED] – Removals Operations
- s. 22(1)(a)(ii) [REDACTED] – BITA, Detention Operations
- s. 22(1)(a)(ii) [REDACTED] – Detention Health Operations
- s. 22(1)(a)(ii) [REDACTED] – Offshore Operation Coordination
- s. 22(1)(a)(ii) [REDACTED] – AAT & Removals Injunctions

Officers are to be aware of their operational environment whilst conducting their duties and report any media attention or suspicious activity.

Assistant Secretary Security Branch will be briefed at the appropriate time prior to the operation to enable contingency planning for security of the detention and DIBP office network.

Regional Commander Queensland will be briefed to enable planning for post operational activity.

5. **ADMINISTRATION AND LOGISTICS**

(a) Transport Allocation

As required.

(b) Dress Requirements

To be determined by LAC.

(c) Medical

- a. Offshore Operational Coordination to coordinate medical resources for the operation.
- b. Offshore Operational Coordination to ensure a return support care plan is place with appropriate service providers in Nauru as per the immediate case management plan.

(d) Food/Water

The transitory person is to be provided with access to water and food throughout the transfer.

(e) Legislation

- a. Migration Act 1958 (Australia)
- b. Aviation Transport Security Regulations (ATSR) 2005, Division 4.5 (persons in custody)
- c. Access to legal representatives is to be in accordance with established procedures and the Migration Act 1958 (the Act). Refer to co-ordinating instructions.

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6. COMMAND AND SIGNAL

(a) Location of Commander

The OPCOMD (N) will be located ^{s. 47E(d)} [REDACTED] .

(b) Command Group contact

Operation BACCIFORM Kilo has a distribution list for reporting purposes.

(c) Control Decision

The Control Decision for who determines whether the transitory person is removed from the operation due to Operational Safety reasons, such as

^{s. 47E(d)} [REDACTED] will be allocated to the OPCOMD (N) in conjunction with the OPCHIEF. The LAC is to refer all incidents to OPCOMP (N) that impact on the strategic intent.

During the extraction from BITA and the APOD and departure of the flight from Brisbane International Airport there **is no pre-approval for use of force**. As the transitory person is considered voluntary, if at any time the transitory person becomes non-compliant then they will be returned to the BITA and the operation will be suspended and further planning undertaken to transfer the transitory person back to Nauru.

The Control Decision for who determines whether the transitory person has raised credible allegations that require investigation prior to transfer, and should be removed from the operation is allocated to OPCOMD (N) in conjunction with the OPCHIEF. Allegations of assault/abuse, whether physical or sexual, are taken seriously and must be referred to appropriate law enforcement agencies for investigation. If the transitory person makes such an allegation, they are not to be transferred until the matter has been investigated to determine to jurisdiction for the alleged offence. Any such matter must be finalised prior to transfer proceeding. Outcomes from such investigations will be incorporated into future planning for that individual.

The Control Decision for who determines whether a transitory person is removed for any other reason, including legal and medical conditions is allocated to OPCOMD (N) in conjunction with Offshore Operational Coordination Branch, Legal Advice, Public Risk Assessment, Temporary Protection Visa Assessment Branch and the OPCHIEF.

The Control Decision for who determines whether the transitory person is to be forcibly removed from the commercial aircraft in Nauru, is allocated to OPCOMD (N) in conjunction with OPCHIEF and Offshore Operational Coordination Branch. OPCOMD (N) will request through the GPCOMD Group Three for GoN assistance to disembark the transitory person.

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(e) Contact Phone numbers

Contact details as per Contact list (Attachment 1)

OPCOMD (N)

Superintendent Removal Operations

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

10 April 2018

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NOO Distribution:

1. Assistant Commissioner EC – Sharon HUEY
2. OPCHIEF – Commander Field and Removal Operations – James COPEMAN
3. OPCOMD – Superintendent Removal Operations – s. 22(1)(a)(ii)
4. 2IC – Inspector Removal Operations – s. 22(1)(a)(ii)
5. GPCOMD Group Two – s. 22(1)(a)(ii)
6. GPCOMD Group Three – s. 22(1)(a)(ii)
7. 2IC Group Three – s. 22(1)(a)(ii)
8. Director QLD Case Management – s. 22(1)(a)(ii)
9. A/g Commander Offshore Operational Coordination Branch – s. 22(1)(a)(ii)
10. Director, Programme Coordinator Nauru – s. 22(1)(a)(ii)
11. Commander Regional Command Queensland – Terry PRICE
12. First Assistant Secretary, Children, Community & Settlement – Claire ROENNFELDT
13. Assistant Secretary, Community Programmes and Reporting – Mark REARDON
14. Superintendent Detention Health Operations – s. 22(1)(a)(ii)
15. Superintendent BITA – s. 22(1)(a)(ii)
16. Regional Commander Pacific – James WATSON
17. Superintendent Offshore Health Operations – s. 22(1)(a)(ii)
18. Temporary Protection Visa Support – s. 22(1)(a)(ii)
19. Task Force – s. 22(1)(a)(ii)
20. Task Force – s. 22(1)(a)(ii)
21. A/g Assistant Secretary Status Resolution – s. 22(1)(a)(ii)
22. Director AAT & Removals Injunctions – s. 22(1)(a)(ii)
23. Commander, Detention Operations – Bill Reis
24. First Assistant Secretary, Community Protection – Peta DUNN
25. RCQLDCC
26. IMRT
27. ECNOC

Attachment 1: Contact List

Area	Name	Primary Contact	Secondary Contact
Op BACCIFORM Command Post	-		-
OPCHIEF	James COPEMAN	s. 22(1)(a)(ii) @abf.gov.au	s. 22(1)(a)(ii)
OPCOMD (N)	s. 22(1)(a)(ii)	s. 22(1)(a)(ii) @abf.gov.au	s. 22(1)(a)(ii)
2IC (N)	s. 22(1)(a)(ii)	s. 22(1)(a)(ii) @abf.gov.au	s. 22(1)(a)(ii) s. 22(1)(a)(ii)
Inspector, Removal Operations	s. 22(1)(a)(ii)	s. 22(1)(a)(ii) @abf.gov.au	0411 264 228
GPCOMD Group Two	s. 22(1)(a)(ii)	s. 22(1)(a)(ii) @abf.gov.au	s. 22(1)(a)(ii)
Inspector, BITA		s. 22(1)(a)(ii) @abf.gov.au	s. 22(1)(a)(ii)
Director QLD Case Management	s. 22(1)(a)(ii)	s. 22(1)(a)(ii) @homeaffairs.gov.au	s. 22(1)(a)(ii)
LAC Group Four	s. 22(1)(a)(ii)	s. 22(1)(a)(ii) @abf.gov.au	s. 22(1)(a)(ii)
Program Coordinator Nauru	s. 22(1)(a)(ii)	s. 22(1)(a)(ii) @homeaffairs.gov.au	s. 22(1)(a)(ii)
Assistant Secretary Legal Advice and Operational Support	Steve MCGLYNN	s. 22(1)(a)(ii) @homeaffairs.gov.au	s. 22(1)(a)(ii)
A/g Director AAT and Removals Injunctions	s. 22(1)(a)(ii)	s. 22(1)(a)(ii) @homeaffairs.gov.au	s. 22(1)(a)(ii)
Commander Detention Operations	Bill RIES	s. 22(1)(a)(ii) @abf.gov.au	s. 22(1)(a)(ii)
Director IMA and Onshore Protection	s. 22(1)(a)(ii)	s. 22(1)(a)(ii) @homeaffairs.gov.au	s. 22(1)(a)(ii)
Superintendent, Detention Health	s. 22(1)(a)(ii)	s. 22(1)(a)(ii) @abf.gov.au	s. 22(1)(a)(ii)
Media and Comms	s. 22(1)(a)(ii)	s. 22(1)(a)(ii) @abf.gov.au	s. 22(1)(a)(ii)
A/g Commander Offshore Operational Coordination Branch	s. 22(1)(a)(ii)	s. 22(1)(a)(ii) @abf.gov.au	s. 22(1)(a)(ii)
Detention Health Operations (offshore)	s. 22(1)(a)(ii)	s. 22(1)(a)(ii) @abf.gov.au	s. 22(1)(a)(ii)
A/g Assistant Secretary, Status Resolution	s. 22(1)(a)(ii)	s. 22(1)(a)(ii) @homeaffairs.gov.au	s. 22(1)(a)(ii)
Assistant Secretary, Humanitarian Program Operations	Frances FINNEY	s. 22(1)(a)(ii) @homeaffairs.gov.au	s. 22(1)(a)(ii)
Regional Director - Pacific	James Watson	s. 22(1)(a)(ii) @abf.gov.au	s. 22(1)(a)(ii)

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Attachment 2: Sitrep Distribution List

- s. 22(1)(a)(ii) [redacted] @abf.gov.au
- s. 22(1)(a)(ii) [redacted] @homeaffairs.gov.au
- s. 22(1)(a)(ii) [redacted] @abf.gov.au
- s. 22(1)(a)(ii) [redacted] @homeaffairs.gov.au
- s. 22(1)(a)(ii) [redacted] @abf.gov.au
- s. 22(1)(a)(ii) [redacted] @homeaffairs.gov.au
- s. 22(1)(a)(ii) [redacted] @homeaffairs.gov.au
- s. 22(1)(a)(ii) [redacted] @homeaffairs.gov.au
- s. 22(1)(a)(ii) [redacted] @abf.gov.au
- s. 22(1)(a)(ii) [redacted] @abf.gov.au
- s. 22(1)(a)(ii) [redacted] @abf.gov.au
- s. 22(1)(a)(ii) [redacted] @homeaffairs.gov.au
- s. 22(1)(a)(ii) [redacted] @abf.gov.au
- s. 22(1)(a)(ii) [redacted] @homeaffairs.gov.au
- s. 47E(d) [redacted] @abf.gov.au
- s. 47E(d) [redacted] @abf.gov.au

Attachment 3: Flight Itinerary

- s. 47E(d) [redacted]
[redacted] All times are local.

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National Operation Order

“OPERATION BACCIFORM FOXTROT C16”

Issued by
Field Compliance and
Removals Branch

Annexes

1. Contact List
2. SitRep Distribution
3. Commercial Schedule
4. Risk Matrix

Time Zone used throughout order: Australian Eastern Daylight Savings Time (AEDST)

1. SITUATION

a. General

(1) Topography

Operation BACCIFORM FOXTROT will take place within Queensland, Regional Processing Country (RPC), Nauru and on-board a commercial aircraft.

(2) Risks

See attached matrix

(3) Background Information

Operation BACCIFORM has been initiated, following a suspension of returns due to significant legal challenges in the High Court of Australia, to affect the expedited return of identified transitory person/s to Nauru and/or PNG under the Australian Government’s regional processing and resettlement arrangements.

These arrangements are outlined in the Migration Act 1958 (the Act) and this permits an officer to bring a transitory person/s to Australia from a place outside Australia for a temporary purpose. The Act also provides authority to return a transitory person from Australia once the transitory person no longer needs to remain in Australia for the temporary purpose for which they were transferred.

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Under this arrangement there are a number of transitory persons (from Nauru and PNG, including accompanying family members) in Australia for medical treatment and are subject to be returned to Regional Processing Countries (RPCs) once their temporary purpose for which they were transferred has been resolved.

s. 47E(d)

Four operations have been completed under Operation BACCIFORM – BACCIFORM Bravo, BACCIFORM Charlie, BACCIFORM Delta and BACCIFORM Echo in April 2016, August 2016, November 2016 and February 2017 respectively to commence the first of the returns to RPCs. These operations will continue to be conducted until otherwise advised.

Operation BACCIFORM FOXTROT has been initiated to effect the voluntary transfer of ^{s. 47E(d)} identified transitory person to Nauru from Brisbane Immigration Transit Accommodation (BITA) via a commercial flight.

The overall success of any operation involving the return of transitory person to RPCs depend upon operational security and the combining of detailed case information, identification of risks and determination of a range of mitigating factors to ensure that the Australian Border Force (ABF) Commissioner, as the key decision maker, is fully informed when determining appropriate actions.

b. Detainees/ Transitory persons

During this Operation, it is anticipated that ^{s. 47E(d)} transitory person will be subject to extraction from Brisbane Immigration Transit Accommodation and voluntarily returned back to their allocated settlement accommodation in Nauru.

c. Own Forces

Australian Border Force:

- Detention, Compliance and Removals (DCR)
- Detention Operations Queensland

d. In support

Internal:

- Detention Operations Branch
- Offshore Operational Coordination Branch

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- Status Resolution Branch
- Community Protection Division
- Temporary Protection Visa Assessment
- Regional Director QLD
- Commander South Pacific
- Regional Command QLD
- International Division
- Services Management Branch
- Communications and Media Branch
- Legal Advice and Operational Support Branch

External:

- SERCO (Facilities and Detainee Service Provider)
- IHMS (Detainee Health Service Provider)
- Broad Spectrum Services
- Jurisdictional Police as applicable
- Australian Federal Police as applicable
- Nauru Police as applicable
- Government of Nauru (GoN)

2. MISSION

To safely and securely transfer the identified transitory person voluntarily from Brisbane Immigration Transitory Accommodation to Regional Processing Country, Nauru.

3. EXECUTION**a. OPCHIEF's INTENT**

Implement appropriate measures to facilitate the safe and secure return of identified transitory person, whose temporary purpose for transfer to Australia has been resolved and for whom no other barriers to return exist.

Implement appropriate measures for the reception of transitory person in the RPC and ongoing measures for the immediate future.

b. General Outline

Operation BACCIFORM FOXTROT will involve the transfer of the identified transitory person voluntarily from Queensland to Nauru via a commercial flight. The commercial flight will depart on ^{s. 47F(1)} [REDACTED] 2017.

Operation BACCIFORM FOXTROT will be conducted over four separate phases:

- Phase 1 – (pre) planning
- Phase 2 – (pre transfer) messaging of the transitory person
- Phase 3 – transfer
- Phase 4 – (Nauru) arrival and induction

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Phase 1

International Division along with Offshore Operation Coordination Branch has commenced preparation for the transfer of the identified transitory person. International Division has coordinated the efforts for submission to the Surgeon General and Minister for approval for the transfer. Once approvals have been received the transfer of the identified transitory person will commence.

As requested by the Surgeon General his determination will last for ^{s. 47E(d)} and can be reconsidered if the transitory person is involved in a major incident or a critical incident or has a risk rating increased whilst in Australia. The determination also outlines requirements for the transitory person to be educated and advised of precautions to be undertaken as soon as they arrive in Nauru to mitigate the possibility of a secondary infection of Dengue Fever.

Offshore Operation Coordination Branch will coordinate with relevant stakeholders to ensure the Government of Nauru and IHMS (Nauru) are notified ^{s. 47E(d)} prior to travel of the transitory person to allow for GoN and IHMS to complete planning for the arrival of the transitory person.

Phase 2

Detention Operations is responsible for messaging the transitory person of the pending transfer back to Nauru. Status Resolution QLD is responsible for conducting a pre-transfer assessment prior to the transfer from Brisbane to Nauru. Detention Operations with support of Serco will monitor the transitory person once messaged.

Any significant incidents post messaging of return to an RPC will be reported to OPCOMD (N) and will be reported to the Surgeon General in line with the conditions of his determination.

Phase 3

Detention, Compliance and Removal Division will coordinate the travel movements of the transitory person from BITA, Queensland to Nauru. This will include commercial aircraft travel from Brisbane to Nauru.

Phase 4

Offshore Operation Coordination Branch will coordinate with stakeholders on Nauru to facilitate the arrival of the transitory person and ensure the safe and secure induction and transition to accommodation on Nauru, and the post arrival follow up support required in the care plan.

The expected commercial flight route will be as follows:

Brisbane – Nauru

c. Group One – Operational Command National (OPCOMD N)

- (a) OPCHIEF – Robyn MILLER, Commander Field Compliance and Removals Operations

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- (b) **OPCOMD** – s. 22(1)(a)(ii) [REDACTED], Superintendent Removal Operations
 (c) **2IC** – s. 22(1)(a)(ii) [REDACTED], A/g Inspector Removal Operations
 (d) **Other Officers** –Removals Operations

(e) In SupportInternal:

- Detention Operations Branch
- Children, Community and Settlement Division
- Status Resolution Branch
- Temporary Protection Visa Assessment
- Regional Director QLD
- Offshore Operational Coordination Branch
- Commander South Pacific
- Regional Command QLD
- Services Management Branch
- Communications and Media Branch
- Legal Advice and Operational Support Branch

External:

- SERCO (Facilities and Detainee Service Provider)
- IHMS (Detainee Health Service Provider)
- Broad Spectrum Services
- Jurisdictional Police as applicable
- Australian Federal Police as applicable
- Nauru Police as applicable

(f) Resources

As required.

(g) Tasks

- a. Upon receiving the Minister and Surgeon General approval of transfer, establish a s. 47E(d) [REDACTED] for Command and Control of transfer operation.
- b. Identify, address, monitor and report to OPCHIEF any transfer barriers where required.
- c. Coordinate with relevant stakeholders and prioritise availability of appropriate resources to support operational activity at each phase.
- d. Coordinate and lead engagements with law enforcement and other government agencies as required.
- e. Develop operational intelligence collection plan.
- f. Coordinate with Regional Processing Taskforce, Intelligence Division and other relevant stakeholder to obtain specific details of the identified transitory person to develop a risk assessment and mitigation strategies for any adverse impacts to the operation.
- g. Coordinate with Detention Health Operations to coordinate external health service provider support to ensure that health services are assessed and planned to assist with operational activity.

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- h. Coordinate with Detention Health Operations to provide Health Assessments as part of PTA preparations.
- i. Coordinate with Legal Advice and Operational Support to provide legal advice on PTA preparations, manage potential injunctions and litigation issues where required.
- j. Coordinate with Media and Executive Coordination to update relevant communication guides and IMA timeline resource to assist case managers to deliver consistent messaging to transitory persons currently in Australia.
- k. Coordinate with Regional Directors to prioritise availability of appropriate Status Resolution officers to perform messaging and conduct the Pre Transfer Assessments (PTA).
 - i. Ensure Health Assessments are included in the PTA.
- l. Coordinate with Temporary Protection Visa Assessment to ensure resources are available for advice on protection claims and status resolution milestones aims of the identified transitory persons as required.
- m. Ensure relevant stakeholders are advised of the activity ^{s. 47E(d)} prior to arrival of transitory person.
- n. Coordinate with Offshore Operations Coordination with support from Commander South Pacific, to continue engagement with relevant Australian government agencies and the Government of Nauru and/ to give effect to the receipt of identified transitory person.
- o. Coordinate with Offshore Operations Coordination to notify and seek approval from Government of Nauru for incoming transitory person.
- p. Coordinate and maintain operational log for the duration of the operation. Ensure all incidents of adverse behaviour are logged, SitReped and captured appropriately through the Department's incident management reporting system.
 - i. Record in log the provisions of care packs and the acceptance by the transferee.
- q. Report any adverse incidents to OPCHIEF and the Surgeon General.
- r. Conduct a Post Operation Brief and provide a report to the OPCHIEF within ^{s. 47E(d)} from the operation date.

d. Group Two - Queensland Group

- (a) LAC – Superintendent Detention Operations QLD, ^{s. 22(1)(a)(ii)}
- (b) 2IC – A/g Inspector Detention Operations, ^{s. 22(1)(a)(ii)}

(c) Other Officers

- Detention Operations
- Status Resolution – ^{s. 22(1)(a)(ii)}, Director Status Resolution
- Status Resolution – ^{s. 22(1)(a)(ii)}, Assistant Director Status Resolution QLD
- Status Resolution – ^{s. 22(1)(a)(ii)}, Case Manager
- Serco Officer – ^{s. 22(1)(a)(ii)}
- Brisbane Airport Duty Manager – ^{s. 22(1)(a)(ii)}
- Brisbane Team Leader - ^{s. 22(1)(a)(ii)}

(d) In Support

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Local SERCO
 Local IHMS
 Queensland Police as required

(e) Resources

As required

(f) Tasks

- i. Engage with relevant stakeholders to plan and coordinate the extraction of the transitory persons from BITA to the designated APOD and onto the nominated airport, inclusive of coordinating with Status Resolution for the conduct of Pre-Transfer Assessments (PTAs).
- ii. Ensure the ongoing stability and security of the BITA pre, during and post operational activity. Post monitoring arrangements need to factor in a period of seven days post operation.
- iii. Engage with local stakeholders, including police services, to secure resources for operation if required.
- iv. Where identified, LAC should seek authorisation for Serco officers to use pre-planned use of force in line with standard procedures.
- v. Prepare and provide transitory person's documentation required to effect the transfer to OPCOMD (N) prior to operational activity.
- vi. Ensure detainee dossiers and detainee property is provided to Serco commercial team leader for handover to ABF at the RPC and discharge and transit receipt book is completed.
- vii. Report any incidents pertaining to the transitory person immediately to OPCOMND (N) ^{s. 47E} hours out from the operation and up until the commencement of the operation. Normal reporting via the department's incident reporting system should also be followed.
- viii. Appropriate consideration is to be given to ensuring en-route security during the transfer from BITA to the APOD and designated airport, including reconnaissance prior to the operation to ensure that routes are safe and secure and the consideration of alternative routes where available.
- ix. ^{s. 47E(d)} [REDACTED] in preparation to embark the commercial aircraft.
- x. Status Resolution to conduct the PTA and once completed and signed by the Director Status Resolution advise OPCOMD.
 - a. Forward a copy of the signed PTA to the OPCOMD Group.
- xi. Serco Officer (companion) contact the Airport Duty Manager on arrival at the airport and an ABF officer will meet them in the public waiting area after they have checked themselves and any luggage into the airline.
- xii. ABF to assist with facilitation of both Serco and the transitory person through OCP & to Boarding gate.

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- xiii. Provide updated event logs at each identified key milestone to OPCOMD (N). Ensure consistency between event logs are maintained between Serco and ABF.
 - a. Record in log the provisions of care packs and the acceptance by the transferee.
- xiv. Provide Situation Reports (SitReps) at identified milestones (refer to Co-ordinating Instructions) to OPCOMD (N).
- xv. Conduct a post Operation brief and provide a report to the OPCOMD within ^{s. 47E(d)} from the Operation date.

e. Group Three – Offshore Operational Coordination Branch

(a) LAC – ^{s. 22(1)(a)(ii)} - Commander Offshore Operational Coordination Branch

(b) 2IC – ^{s. 22(1)(a)(ii)} – A/g Superintendent Regional Operations Coordination

(c) Other Officers

Superintendent Detention Health Operations – ^{s. 22(1)(a)(ii)},
 A/g Director Nauru Programme Coordination – ^{s. 22(1)(a)(ii)},

(d) In Support

Removals Operations
 Detention Operations

(e) Resources

As required

(f) Tasks

- i. Coordinate the development of the Reception and Care Plan for the arriving transitory person.
 - a. Provide a copy to the Surgeon General prior to operation commencement.
 - b. Ensure Health Discharge Summaries and other health information pertaining to the transitory person is provided to the receiving practitioner at the relevant RPC, to ensure continuity of care.
- ii. Provide SOI to OPCOMD (N) for the transitory person in preparation for travel from Brisbane to Nauru.
- iii. Ensure availability of and coordinate appropriate resources to support receipt activity in Nauru.
- iv. Provide advice on service availability and conditions at Nauru.
- v. Maintain the currency and accuracy of Removal and Resettlement Analyst Tool (RRAT) data holdings in collaboration with Regional Processing Taskforce and provides access as required.
- vi. Coordinate the provision of services and accommodation with service providers for transitory person as required.
- vii. Commander South Pacific to provide international engagement support to LAC and other relevant stakeholders as required.

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- viii. Provide updated logs at each identified key milestone to OPCOMD (N).
 - i. Provide Situation Reports (SitReps) at identified milestones (refer to Co-ordinating Instructions) to OPCOMD.
 - ii. Conduct a post Operation brief and provide a report to the OPCOMD within ^{s. 47E(d)} [redacted] from the Operation date.

3. CO-ORDINATING INSTRUCTIONS

(a) Timings

- i. ^{s. 47E(d), s. 42(1)} [redacted]
 - ^{s. 47E(d)} [redacted]

- ii. Under section 256 of the Act, the Department must afford detainees all reasonable facilities for obtaining legal advice or for taking legal proceedings. In an operational environment, LACs are, at the request of a transitory person, to facilitate a transitory person's ability to contact a legal representative, where the facilitation is operationally practical. For example, ^{s. 47E(d)} [redacted]
 - ^{s. 47E(d)} [redacted] however if a transitory person requests access while in the staging area and this does not impact operational procedures, it may well be practical to allow the transitory person access to a telephone.

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Where a transitory person makes a request for legal access, the transitory person should be taken to a private area where the transitory person may make such contact. Please note that it is reasonable for officers to initiate the phone call on behalf of the transitory person in order to verify that the transitory person is contacting a lawyer or migration agent (and not a journalist for example). However, officers should then retreat to a distance so that the transitory person can speak to the lawyer or migration agent without being overhead.

If a decision is made not to allow or to terminate a telephone call to a lawyer/migration agent due to operational reasons, this should be documented and reported to OPCOMD (N).

Any requests for legal access by transitory persons must be reported to OPCOMD (N) as soon as possible.

Refer to Access to Legal Representation, Detention Operational Procedure ADD 2013/1686186.

- iii. Flight details are:
 - a. Brisbane to Nauru, ^{s. 47E(d)} [REDACTED]
- iv. Post Operation debrief to be submitted to OPCOMD (N) within ^{s. 47E(d)} [REDACTED] from the operational activity.

(b) Reporting

LACs to provide relevant operational details to OPCOMD (N) via phone or email. OPCOMD (N) will produce, clear and forward SitReps to SBCC for dissemination to the distribution list at the following key milestones.

- a) Commencement of operation
- b) Extraction complete and arrival into APOD
- c) Completion of PTA processing
- d) Transitory persons embark aircraft
- e) Arrival of aircraft and disembarking of transitory person into Nauru
- f) Transitory person resettled into accommodation in Nauru
- g) By exception.

There is to be one coordinated Log in OPCOMD (N) for operation BACCIFORM FOXTROT. LACs are to report along with SitRep log updates at key milestones.

- a) Logs are to be inclusive of in support stakeholders including Serco, IHMS and RPC services.
- b) LAC must refer all incidents of partial or non-acceptance of care packages to OPCOMD (N). This also needs to be recorded in the Operational Log.

The preparation of Hot Issue Briefs (HIB) relating to Operation BACCIFORM FOXTROT will be coordinated by OPCOMD (N).

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The preparation of HIBs relating to incidents at individual centres that may occur post operation will be coordinated by the relevant Superintendent Detention Operation and authorised by the Commander Detention Operations.

The preparation of HIBs relating to incidents that may occur at a RPC will be coordinated by Offshore Operational Coordination Branch.

Dissemination of HIBs will be as per existing protocols.

(c) Safety Instructions

Existing WH&S guidelines, detainee transfer policies and procedures are to be adhered to at all times.

SERCO pre-approved Use of Force has been authorised by A/g Superintendent Detention Operations QLD.

Allegations of assault/abuse, whether physical or sexual, are taken seriously and must be referred to appropriate law enforcement agencies for investigation.

(d) Security

Operational Security is of utmost importance. To ensure the operational safety and security of the transitory person, staff and facilities, ^{s. 47E(d)}

s. 47E(d)

Careful consideration is to be given to supervision arrangements once transitory person is notified of the transfer.

The following principals are responsible for representing the various functional areas essential to the operation. They are responsible for maintaining strict operational security and should be available to support planning and conduct of the operation at short notice.

- s. 22(1)(a)(ii) –Removals Operations
- s. 22(1)(a)(ii) – Detention Operations Queensland
- s. 22(1)(a)(ii) – Offshore Operational Coordination Branch
- s. 22(1)(a)(ii) – AAT & Removals Injunctions
- s. 22(1)(a)(ii) – Detention Health Operations
- s. 22(1)(a)(ii) – Status Resolution Support

Officers are to be aware of their operational environment whilst conducting their duties and report any advocate activity, media attention or suspicious activity.

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Senior Director Security will be briefed at the appropriate time prior to the operation to enable contingency planning for security of the detention and DIBP office network.

4. **ADMINISTRATION AND LOGISTICS**

(a) Transport Allocation

As required in each LAC.

(b) Dress Requirements

To be determined by LAC.

(c) Medical

- a. Medical Officer to be available during transit to the APOD and during the PTA.
- b. IHMS on-site clinicians to be available during processing.

(d) Food/Water

Transitory person is to be provided with access to water and food throughout the transfer.

ABF are to ensure care packages are available and administered by Serco during the transfer. The care packages are required to be offered multiple times throughout the transfer if not accepted in the first instance.

(e) Legislation

Migration Act 1958 (Australia)

Aviation Transport Security Regulations (ATSR) 2005, Division 4.5 (persons in custody)

Asylum Seeker (Regional Processing Centre) Act 2012

Access to legal representatives is to be in accordance with established procedures and the Migration Act 1958 (the Act). Refer to co-ordinating instructions.

5. **COMMAND AND SIGNAL**

(a) Location of Commander

The OPCOMD (N) will be located in the Command Post with the Command Group in ^{s. 47E(d)} [REDACTED]

(b) Command Group contact

Operation BACCIFORM FOXTROT has a distribution list for reporting purposes.

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PROTECTED**(c) Control Decision**

The Control Decision for who determines whether the transitory person is removed from the operation due to Operational Safety reasons, such as

s. 47E(d)

[REDACTED] will be allocated to the OPCOMD (N) in conjunction with the OPCHIEF. The LAC is to refer all incidents to OPCOMP (N) that impact on the strategic intent.

The Control Decision for who determines whether the transitory person has raised credible allegations that require investigation prior to transfer, and should be removed from the operation is allocated to OPCOMD (N) in conjunction with the Director Status Resolution Support and the OPCHIEF. Allegations of assault/abuse, whether physical or sexual, are taken seriously and must be referred to appropriate law enforcement agencies for investigation. If the transitory person makes such an allegation, they are not to be transferred until the matter has been investigated to determine to jurisdiction for the alleged offence. Any such matter must be finalised prior to transfer proceeding. Outcomes from such investigations will be incorporated into future planning for that individual.

The Control Decision for who determines whether a transitory person is removed for any other reason, including legal and medical conditions is allocated to OPCOMD (N) in conjunction with Offshore Operational Coordination Branch, Legal Advice, Status Resolution Branch, Temporary Protection Visa Assessment Branch and the OPCHIEF.

(e) Contact Phone numbers

Contact details as per Contact list (Annex 1.)

OPCOMD – s. 22(1)(a)(ii) [REDACTED], Superintendent Removals Operations
25 March 2017

Distribution:

1. OPCHIEF - **Robyn MILLER** Commander Field Compliance and Removals
2. OPCOMD – s. 22(1)(a)(ii) Superintendent Removals Operations
3. 2IC – s. 22(1)(a)(ii) A/g Inspector Removals Operations
4. LAC Detention Operations QLD – s. 22(1)(a)(ii) Superintendent Detention Operations QLD
5. 2IC – Detention Operations QLD – s. 22(1)(a)(ii)
6. LAC Offshore Operations Coordination – s. 22(1)(a)(ii) Commander
7. Nauru Programme Coordinator – s. 22(1)(a)(ii) A/g Director
8. Regional Director, Pacific – s. 22(1)(a)(ii)
9. Status Resolution – s. 22(1)(a)(ii), Director Status Resolution QLD
10. Assistant Commissioner Detention, Compliance and Removals s. 22(1)(a)(ii)
11. First Assistant Secretary, Community Protection – **Kaylene ZAKHAROFF**
12. A/g First Assistant Secretary, Children, Community & Settlement – s. 22(1)(a)(ii)
13. Commander, Detention Operations – **Vanessa HOLBEN**
14. Commander Regional Command Queensland – **Terry PRICE**
15. Regional Director Queensland – **Steve BIDDLE**
16. A/g Assistant Secretary Status Resolution – s. 22(1)(a)(ii)
17. Superintendent Detention Health Operations – s. 22(1)(a)(ii)
18. Superintendent – Regional Operations Coordination – s. 22(1)(a)(ii)
19. Commander Regional Processing Taskforce – **Kylie SCHOLTEN**
20. Regional Processing Task Force – s. 22(1)(a)(ii)
21. Regional Processing Task Force – s. 22(1)(a)(ii)

Annex 1: Contact List

Area	Name	Primary Contact	Secondary Contact
Op BACCIFORM Command Post	-	-	-
OPCHIEF	Robyn MILLER	s. 22(1)(a)(ii) @border.gov.au	s. 22(1)(a)(ii)
OPCOMD	s. 22(1)(a)(ii)	s. 22(1)(a)(ii) @border.gov.au	s. 22(1)(a)(ii)
2IC (N)	s. 22(1)(a)(ii)	s. 22(1)(a)(ii) @border.gov.au	s. 22(1)(a)(ii)
LAC GROUP Three	s. 22(1)(a)(ii)	s. 22(1)(a)(ii) @border.gov.au	s. 22(1)(a)(ii)
BITA	s. 22(1)(a)(ii)	s. 22(1)(a)(ii) @border.gov.au	s. 22(1)(a)(ii)
LAC Group Four	s. 22(1)(a)(ii)	s. 22(1)(a)(ii) @border.gov.au	s. 22(1)(a)(ii)
Nauru Programme Director	s. 22(1)(a)(ii)	s. 22(1)(a)(ii) @border.gov.au	s. 22(1)(a)(ii)
Serco	s. 22(1)(a)(ii)	s. 22(1)(a)(ii) @serco-ap.com.au or @border.gov.au	s. 22(1)(a)(ii)
Detention Health Operations	s. 22(1)(a)(ii)	s. 22(1)(a)(ii) @border.gov.au	s. 22(1)(a)(ii)
Status Resolution QLD	s. 22(1)(a)(ii)	s. 22(1)(a)(ii) @border.gov.au	s. 22(1)(a)(ii)
Status Resolution QLD	s. 22(1)(a)(ii)	s. 22(1)(a)(ii) @border.gov.au	s. 22(1)(a)(ii)
Regional Director QLD	Steven BIDDLE	s. 22(1)(a)(ii) @border.gov.au	s. 22(1)(a)(ii)
A/g Commander Detention Operations	Vanessa HOLBEN	s. 22(1)(a)(ii) @border.gov.au	s. 22(1)(a)(ii)
Commander Regional Processing Taskforce	Kylie SCHOLTEN	s. 22(1)(a)(ii) @border.gov.au	s. 22(1)(a)(ii)
Assistant Secretary Legal Advice and Operational Support	Steve MCGLYNN	s. 22(1)(a)(ii) @border.gov.au	s. 22(1)(a)(ii)
Director SAAT and Removals Injunctions	s. 22(1)(a)(ii)	s. 22(1)(a)(ii) @border.gov.au	s. 22(1)(a)(ii)
Media and Comms	s. 22(1)(a)(ii)	s. 22(1)(a)(ii) @border.gov.au	s. 22(1)(a)(ii)
RC QLD	Terry PRICE	s. 22(1)(a)(ii) @border.gov.au	
A/g First Assistant Secretary, Children, Community and Settlement	s. 22(1)(a)(ii)	s. 22(1)(a)(ii) @border.gov.au	s. 22(1)(a)(ii)
A/g Assistant Secretary, Status Resolution	Sally PFEIFFER	s. 22(1)(a)(ii) @border.gov.au	s. 22(1)(a)(ii)
A/g Assistant Secretary, Temporary Protection Visa Assessment	James GOODSSELL	s. 22(1)(a)(ii) @border.gov.au	s. 22(1)(a)(ii)
Serco Companion	s. 22(1)(a)(ii)		s. 22(1)(a)(ii)
Airport Inspector	s. 22(1)(a)(ii)		s. 22(1)(a)(ii)
Airport Duty Manager	s. 22(1)(a)(ii)		s. 22(1)(a)(ii)
Airport Team Leader	s. 22(1)(a)(ii)		

Annex 2: Sitrep Distribution List

- s. 22(1)(a)(ii) @border.gov.au

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				Serco Tactical Plan and Enhanced Escort Position and pre-approved UoF	
Unrest in detention network - due to extraction of transitory person.	Possible	Major	High	s. 47E(d) [Redacted] s. 47E(d)	s. 47E(d)
Media attention - during and post activity. Due to recent media attention with the US settlement deal and medical evacuations from RPCs	Likely	Major	High	Legal response, messaging to detention centres Media talking points	Medium
Protest action - during operational activity.	Possible	Moderate	Medium	Maintain op security, operational recognisance, s. 47E(d) [Redacted]	Medium
Operational security compromised prior, during and post activity.	Possible	Major	High	Need to know principles and maintain op security	Medium
Legal injunction	Possible	Moderate	Medium	Legal Division s. 47E(d) [Redacted]	Medium

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National Operation Order

“OPERATION BACCIFORM GOLF C16”

Issued by
Field and Removal
Operations Branch

Annexes

1. Contact List
2. SitRep Distribution
3. Charter Schedule
4. Risk Matrix
5. Serco TacPlan

Time Zone used throughout order: Australian Eastern Standard Time (AEST)

1. SITUATION

a. General

(1) Topography

Operation BACCIFORM GOLF will take place within Queensland, Regional Processing Country (RPC) Nauru, and on-board a charter aircraft.

(2) Risks

See attached matrix

(3) Background Information

Operation BACCIFORM has been initiated, following a suspension of returns due to significant legal challenges in the High Court of Australia, to affect the expedited return of identified transitory person/s to Nauru and/or PNG under the Australian Government’s regional processing and resettlement arrangements.

These arrangements are outlined in the Migration Act 1958 (the Act) and this permits an officer to bring a transitory person/s to Australia from a place outside Australia for a temporary purpose. The Act also provides authority to return a transitory person from Australia once the transitory person no longer needs to remain in Australia for the temporary purpose for which they were transferred.

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Under this arrangement there are a number of transitory persons (from Nauru and PNG, including accompanying family members) in Australia for medical treatment and are subject to be returned to Regional Processing Countries (RPCs) once their temporary purpose for which they were transferred has been resolved.

s. 47E(d)



Five operations have been completed under Operation BACCIFORM – BACCIFORM Bravo, Charlie, Delta, Echo and Foxtrot in April 2016, August 2016, November 2016, February 2017 and March 2017 respectively to commence the first of the returns to RPCs. These operations will continue to be conducted until otherwise advised.

Operation BACCIFORM GOLF has been initiated to effect the involuntary transfer of one identified transitory person to Nauru from Brisbane Immigration Transit Accommodation (BITA) via a charter aircraft.

The overall success of any operation involving the return of transitory person to RPCs depend upon operational security and the combining of detailed case information, identification of risks and determination of a range of mitigating factors to ensure that the Australian Border Force (ABF) Commissioner, as the key decision maker, is fully informed when determining appropriate actions.

b. Detainees/ Transitory persons

During this Operation, it is anticipated that ^{s. 47E(d)} transitory person will be subject to extraction from Brisbane Immigration Transit Accommodation and returned back to their allocated settlement accommodation in Nauru.

c. Own Forces

Australian Border Force:

- Enforcement Command
- Detention Operations Queensland

d. In support

Internal:

- Detention Operations Branch
- Offshore Operational Coordination Branch

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- Status Resolution Branch
- Community Protection Division
- Temporary Protection Visa Assessment
- Regional Director QLD
- Commander South Pacific
- Regional Command QLD
- International Division
- Services Management Branch
- Communications and Media Branch
- Legal Advice and Operational Support Branch

External:

- SERCO (Facilities and Detainee Service Provider)
- IHMS (Detainee Health Service Provider)
- Broad Spectrum Services
- Jurisdictional Police as applicable
- Australian Federal Police as applicable
- Nauru Police as applicable
- Government of Nauru (GoN)

2. MISSION

To safely and securely transfer the identified transitory person from Brisbane Immigration Transitory Accommodation to Regional Processing Country, Nauru.

3. EXECUTION**a. OPCHIEF's INTENT**

Implement appropriate measures to facilitate the safe and secure return of identified transitory person, whose temporary purpose for transfer to Australia has been resolved and for whom no other barriers to return exist.

Implement appropriate measures for the reception of transitory person in the RPC and ongoing measures for the immediate future.

b. General Outline

Operation BACCIFORM GOLF will involve the transfer of the identified transitory person from Queensland to Nauru via a charter flight. The charter flight will depart on Tuesday ^{s. 47E(d)} [REDACTED]

Operation BACCIFORM GOLF will be conducted over four separate phases:

- Phase 1 – (pre) planning
- Phase 2 – (pre transfer) messaging of the transitory person
- Phase 3 – transfer
- Phase 4 – (Nauru) arrival and induction

Phase 1

International Division along with Offshore Operation Coordination Branch has commenced preparation for the transfer of the identified transitory person.

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International Division has coordinated the efforts for submission to the Surgeon General and Minister for approval for the transfer. Once approvals have been received the transfer of the identified transitory person will commence.

As requested by the Surgeon General his determination will last for ^{s. 47E(d)} [redacted] and can be reconsidered if the transitory person is involved in a major incident or a critical incident or has a risk rating increased whilst in Australia. The determination also outlines requirements for the transitory person to be educated and advised of precautions to be undertaken as soon as they arrive in Nauru to mitigate the possibility of a secondary infection of Dengue Fever.

Offshore Operation Coordination Branch will coordinate with relevant stakeholders to ensure the Government of Nauru and IHMS (Nauru) are notified ^{s. 47E(d)} [redacted] prior to travel of the transitory person to allow for GoN and IHMS to complete planning for the arrival of the transitory person.

Phase 2

Detention Operations is responsible for messaging the transitory person of the pending transfer back to Nauru. Status Resolution QLD is responsible for conducting a pre-transfer assessment prior to the transfer from Brisbane to Nauru. Detention Operations with support of Serco will monitor the transitory person once messaged.

Any significant incidents post messaging of return to an RPC will be reported to OPCOMD (N) and will be reported to the Surgeon General in line with the conditions of his determination.

Phase 3

Enforcement Command will coordinate the travel movements of the transitory person from BITA, Queensland to Nauru. This will include charter aircraft travel from Brisbane to Nauru.

Phase 4

Offshore Operation Coordination Branch will coordinate with stakeholders on Nauru to facilitate the arrival of the transitory person and ensure the safe and secure induction and transition to accommodation on Nauru, and the post arrival follow up support required in the care plan.

The expected Charter flight route will be as follows:

Brisbane – Nauru

Tuesday - ^{s. 47E(d)} [redacted]	^{s. 47E(d)} [redacted]	YBBN / BNE	ANYN / INU	^{s. 47E(d)} [redacted]
		ANYN / INU	AYPY/POM	
		AYPY/POM	AYMO/MAS	
		AYMO/MAS	AYPY/POM	
		AYPY/POM	ANYN / INU	
		ANYN / INU	YBBN / BNE	

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The charter is scheduled to continue with transfer of those who require transfer from Nauru to Port Moresby to receive medical treatment and to return those who have completed medical treatment to Manus and Nauru.

c. Group One – Operational Command National (OPCOMD N)

- (a) **OPCHIEF** – Rachel HOUGHTON, Commander Field and Removal Operations
- (b) **OPCOMD** – s. 22(1)(a)(i) Superintendent Removal Operations
- (c) **ZIC** – s. 22(1)(a)(ii) A/g Border Force Supervisor Removal Operations
- (d) **Other Officers** – Removal Operations

(e) In Support

Internal:

- Detention Operations Branch
- Children, Community and Settlement Division
- Status Resolution Branch
- Temporary Protection Visa Assessment
- Regional Director QLD
- Offshore Operational Coordination Branch
- Commander South Pacific
- Regional Command QLD
- Services Management Branch
- Communications and Media Branch
- Legal Advice and Operational Support Branch

External:

- SERCO (Facilities and Detainee Service Provider)
- IHMS (Detainee Health Service Provider)
- Broad Spectrum Services
- Jurisdictional Police as applicable
- Australian Federal Police as applicable
- Nauru Police as applicable

(f) Resources

As required.

(g) Tasks

- a. Upon receiving the Minister and Surgeon General approval of transfer, establish a Command post in HQ for Command and Control of transfer operation.
- b. Identify, address, monitor and report to OPCHIEF any transfer barriers where required.
- c. Coordinate with relevant stakeholders and prioritise availability of appropriate resources to support operational activity at each phase.
- d. Coordinate and lead engagements with law enforcement and other government agencies as required.

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- e. Develop operational intelligence collection plan.
 - f. Coordinate with Regional Processing Taskforce, Intelligence Division and other relevant stakeholder to obtain specific details of the identified transitory person to develop a risk assessment and mitigation strategies for any adverse impacts to the operation.
 - g. Coordinate with Detention Health Operations to coordinate external health service provider support to ensure that health services are assessed and planned to assist with operational activity.
 - h. Coordinate with Detention Health Operations to provide Health Assessments as part of PTA preparations.
 - i. Coordinate with Legal Advice and Operational Support to provide legal advice on PTA preparations, manage potential injunctions and litigation issues where required.
 - j. Coordinate with Media and Executive Coordination to update relevant communication guides and IMA timeline resource to assist case managers to deliver consistent messaging to transitory persons currently in Australia.
 - k. Coordinate with Regional Directors to prioritise availability of appropriate Status Resolution officers to perform messaging and conduct the Pre Transfer Assessments (PTA).
 - i. Ensure Health Assessments are included in the PTA.
 - l. Coordinate with Temporary Protection Visa Assessment to ensure resources are available for advice on protection claims and status resolution milestones aims of the identified transitory persons as required.
 - m. Ensure relevant stakeholders are advised of the activity 48 hours prior to arrival of transitory person.
 - n. Coordinate with Offshore Operations Coordination with support from Commander South Pacific, to continue engagement with relevant Australian government agencies and the Government of Nauru and/ to give effect to the receipt of identified transitory person.
 - o. Coordinate with Offshore Operations Coordination to notify and seek approval from Government of Nauru for incoming transitory person.
 - p. Coordinate and maintain operational log for the duration of the operation. Ensure all incidents of adverse behaviour are logged, SitReped and captured appropriately through the Department's incident management reporting system.
 - i. Record in log the provisions of care packs and the acceptance by the transferee.
 - q. Report any adverse incidents to OPCHIEF and the Surgeon General.
 - r. Conduct a Post Operation Brief and provide a report to the OPCHIEF within five days from the operation date.
- d. Group Two - Queensland Group**
- (a) LAC – Inspector, Detention Operations QLD, s. 22(1)(a)(ii)
 - (b) 2IC – A/g Inspector Detention Health, s. 22(1)(a)(ii)
 - (c) **Other Officers**
 - Detention Operations
 - Status Resolution – s. 22(1)(a)(ii) Director Status Resolution

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Status Resolution – ^{s. 22(1)(a)(i)} [REDACTED] Case Manager
 Serco Officer – ^{s. 22(1)(a)(ii)} [REDACTED]

(d) In Support

Local SERCO
 Local IHMS
 Queensland Police as required

(e) Resources

As required

(f) Tasks

- i. Engage with relevant stakeholders to plan and coordinate the extraction of the transitory persons from BITA and onto the nominated airport, inclusive of coordinating with Status Resolution for the conduct of Pre-Transfer Assessments (PTAs).
- ii. Ensure the ongoing stability and security of the BITA pre, during and post operational activity. Post monitoring arrangements need to factor in a period of ^{s. 47E(d)} [REDACTED] post operation.
- iii. Engage with local stakeholders, including police services, to secure resources for operation if required.
- iv. Where identified, LAC should seek authorisation for Serco officers to use pre-planned use of force in line with standard procedures.
- v. Prepare and provide transitory person's documentation required to effect the transfer to OPCOMD (N) prior to operational activity.
- vi. Ensure detainee dossiers and detainee property is provided to Serco Charter team leader for handover to ABF at the RPC and discharge and transit receipt book is completed.
- vii. Report any incidents pertaining to the transitory person immediately to OPCOMD (N) ^{s. 47E(d)} [REDACTED] out from the operation and up until the commencement of the operation. Normal reporting via the department's incident reporting system should also be followed.
- viii. Appropriate consideration is to be given to ensuring en-route security during the transfer from BITA to the designated airport, including reconnaissance prior to the operation to ensure that routes are safe and secure and the consideration of alternative routes where available.
- ix. Status Resolution to conduct the PTA and once completed and signed by the Director Status Resolution advise OPCOMD.
 - a. Forward a copy of the signed PTA to the OPCOMD Group.
- x. Provide updated event logs at each identified key milestone to OPCOMD (N). Ensure consistency between event logs are maintained between Serco and ABF.
 - a. Record in log the provisions of care packs and the acceptance by the transferee.
- xi. Provide Situation Reports (SitReps) at identified milestones a)-e) (refer to Co-ordinating Instructions) to OPCOMD (N).

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- xii. Conduct a post Operation brief and provide a report to the OPCOMD within ^{s. 47E(d)} from the Operation date.

e. Group Three – Offshore Operational Coordination Branch

- (a) LAC - ^{s. 22(1)(a)(i)} - A/g Commander Offshore Operational Coordination Branch
- (b) 2IC - ^{s. 22(1)(a)(ii)} - Superintendent Regional Operations Coordination
- (c) **Other Officers**
 Superintendent Detention Health Operations - ^{s. 22(1)(a)(iii)}
 Director Nauru Programme Coordination - ^{s. 22(1)(a)(ii)}

(d) In Support

- Removals Operations
- Detention Operations

(e) Resources

- As required

(f) Tasks

- i. Coordinate the development of the Reception and Care Plan for the arriving transitory person.
 - a. Provide a copy to the Surgeon General prior to operation commencement.
 - b. Ensure Health Discharge Summaries and other health information pertaining to the transitory person is provided to the receiving practitioner at the relevant RPC, to ensure continuity of care.
- ii. Provide SOI to OPCOMD (N) for the transitory person in preparation for travel from Brisbane to Nauru.
- iii. Ensure availability of and coordinate appropriate resources to support receipt activity in Nauru.
- iv. Provide advice on service availability and conditions at Nauru.
- v. Maintain the currency and accuracy of Removal and Resettlement Analyst Tool (RRAT) data holdings in collaboration with Regional Processing Taskforce and provides access as required.
- vi. Coordinate the provision of services and accommodation with service providers for transitory person as required.
- vii. Commander South Pacific to provide international engagement support to LAC and other relevant stakeholders as required.
- viii. Provide updated logs at each identified key milestone to OPCOMD (N).
 - i. Provide Situation Reports (SitReps) at identified milestones f) and g) (refer to Co-ordinating Instructions) to OPCOMD.
 - ii. Conduct a post Operation brief and provide a report to the OPCOMD within five days from the Operation date.

PROTECTED**3. CO-ORDINATING INSTRUCTIONS****(a) Timings**

i. s. 47E(d), s. 42(1)

ii. s. 47E(d)

- ii. Under section 256 of the Act, the Department must afford detainees all reasonable facilities for obtaining legal advice or for taking legal proceedings. In an operational environment, LACs are, at the request of a transitory person, to facilitate a transitory person's ability to contact a legal representative, where the facilitation is operationally practical. For example, s. 47E(d)
- s. 47E(d)
- however if a transitory person requests access while in the staging area and this does not impact operational procedures, it may well be practical to allow the transitory person access to a telephone.

Where a transitory person makes a request for legal access, the transitory person should be taken to a private area where the transitory person may make such contact. Please note that it is reasonable for officers to initiate the phone call on behalf of the transitory person in order to verify that the transitory person is contacting a lawyer or migration agent s. 47E(d)

s. 47E(d) However, officers should then retreat to a distance so that the transitory person can speak to the lawyer or migration agent without being overhead.

If a decision is made not to allow or to terminate a telephone call to a lawyer/migration agent due to operational reasons, this should be documented and reported to OPCOMD (N).

Any requests for legal access by transitory persons must be reported to OPCOMD (N) as soon as possible.

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Refer to Access to Legal Representation, Detention Operational Procedure ADD 2013/1686186.

Post Operation debrief to be submitted to OPCOMD (N) within five days from the operational activity.

(b) Reporting

LACs to provide relevant operational details to OPCOMD (N) via phone or email. OPCOMD (N) will produce, clear and forward SitReps to SBCC for dissemination to the distribution list at the following key milestones.

- a) Commencement of operation
- b) Completion of PTA processing
- c) Transitory person departs BITA to the nominated airport
- d) Transitory persons embark aircraft
- e) Aircraft has departed Brisbane (wheels up)
- f) Arrival of aircraft and disembarking of transitory person into Nauru
- g) Transitory person resettled into accommodation in Nauru
- h) By exception.

There is to be one coordinated Log in OPCOMD (N) for operation BACCIFORM GOLF. LACs are to report along with SitRep log updates at key milestones.

- a) Logs are to be inclusive of in support stakeholders including Serco, IHMS and RPC services.
- b) LAC must refer all incidents of partial or non-acceptance of care packages to OPCOMD (N). This also needs to be recorded in the Operational Log.

The preparation of Hot Issue Briefs (HIB) relating to Operation BACCIFORM GOLF will be coordinated by OPCOMD (N).

The preparation of HIBs relating to incidents at individual centres that may occur post operation will be coordinated by the relevant Superintendent Detention Operation and authorised by the Commander Detention Operations.

The preparation of HIBs relating to incidents that may occur at a RPC will be coordinated by Offshore Operational Coordination Branch.

Dissemination of HIBs will be as per existing protocols.

(c) Safety Instructions

Existing WH&S guidelines, detainee transfer policies and procedures are to be adhered to at all times.

SERCO pre-approved Use of Force has been authorised by A/g Superintendent Detention Operations QLD.

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Allegations of assault/abuse, whether physical or sexual, are taken seriously and must be referred to appropriate law enforcement agencies for investigation.

(d) Security

Operational Security is of utmost importance. To ensure the operational safety and security of the transitory person, staff and facilities, ^{s. 47E(d)}

s. 47E(d)

Careful consideration is to be given to supervision arrangements once transitory person is notified of the transfer.

The following principals are responsible for representing the various functional areas essential to the operation. They are responsible for maintaining strict operational security and should be available to support planning and conduct of the operation at short notice.

§ 22(1)(a)(B) – Removal Operations
 § 22(1)(a)(B) – Detention Operations Queensland
 § 22(1)(a)(ii) – Offshore Operational Coordination Branch
 § 22(1)(a)(ii) – AAT & Removals Injunctions
 § 22(1)(a)(ii) – Detention Health Operations
 § 22(1)(a)(ii) – Status Resolution Support

Officers are to be aware of their operational environment whilst conducting their duties and report any advocate activity, media attention or suspicious activity.

Senior Director Security will be briefed at the appropriate time prior to the operation to enable contingency planning for security of the detention and DIBP office network.

4. ADMINISTRATION AND LOGISTICS**(a) Transport Allocation**

As required in each LAC.

(b) Dress Requirements

To be determined by LAC.

(c) Medical

a. IHMS on-site clinicians to be available during processing.

(d) Food/Water

Transitory person is to be provided with access to water and food throughout the transfer.

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ABF are to ensure care packages are available and administered by Serco during the transfer. The care packages are required to be offered multiple times throughout the transfer if not accepted in the first instance.

(e) Legislation

Migration Act 1958 (Australia)

Aviation Transport Security Regulations (ATSR) 2005, Division 4.5 (persons in custody)

Asylum Seeker (Regional Processing Centre) Act 2012

Access to legal representatives is to be in accordance with established procedures and the Migration Act 1958 (the Act). Refer to co-ordinating instructions.

5. COMMAND AND SIGNAL**(a) Location of Commander**

The OPCOMD (N) will be located in the Command Post with the Command Group in Customs House Canberra ACT.

(b) Command Group contact

Operation BACCIFORM GOLF has a distribution list for reporting purposes.

(c) Control Decision

The Control Decision for who determines whether the transitory person is removed from the operation due to Operational Safety reasons, such as

s. 47E(d)

s. 47E(d)

_____ will be allocated to the OPCOMD (N) in conjunction with the OPCHIEF. The LAC is to refer all incidents to OPCOMP (N) that impact on the strategic intent.

The Control Decision for who determines whether the transitory person has raised credible allegations that require investigation prior to transfer, and should be removed from the operation is allocated to OPCOMD (N) in conjunction with the Director Status Resolution Support and the OPCHIEF. Allegations of assault/abuse, whether physical or sexual, are taken seriously and must be referred to appropriate law enforcement agencies for investigation. If the transitory person makes such an allegation, they are not to be transferred until the matter has been investigated to determine to jurisdiction for the alleged offence. Any such matter must be finalised prior to transfer proceeding. Outcomes from such investigations will be incorporated into future planning for that individual.

The Control Decision for who determines whether a transitory person is removed for any other reason, including legal and medical conditions is allocated to OPCOMD (N) in conjunction with Offshore Operational Coordination Branch, Legal Advice, Status Resolution Branch, Temporary Protection Visa Assessment Branch and the OPCHIEF.

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(e) Contact Phone numbers

Contact details as per Contact list (Annex 1.)

OPCOMD - s. 22(1)(a)(ii) Superintendent Removals Operations
s. 22(1)(a)(ii) s. 22(1)(a)(ii)
s. 22(1)(a)(ii)

PROTECTED**Distribution:**

1. OPCHIEF – **Rachel HOUGHTON** Commander Field and Removal Operations
2. OPCOMD – s. 22(1)(a)(ii) Superintendent Removal Operations
3. ZIC – s. 22(1)(a)(ii) Removals Operations
4. LAC Detention Operations QLD – s. 22(1)(a)(ii) Inspector Detention Operations QLD
5. ZIC – Detention Operations QLD – s. 22(1)(a)(ii)
6. LAC Offshore Operations Coordination – s. 22(1)(a)(ii) A/g Commander
7. Nauru Programme Coordinator – s. 22(1)(a)(ii) A/g Director
8. Regional Director, Pacific – s. 22(1)(a)(ii)
9. Status Resolution – s. 22(1)(a)(ii) Director Status Resolution QLD
10. Assistant Commissioner Detention, Compliance and Removals - **Kingsley WOODFORD-SMITH**
11. First Assistant Secretary, Community Protection – **Kaylene ZAKHAROFF**
12. A/g First Assistant Secretary, Children, Community & Settlement – **Robyn MILLER**
13. Assistant Commissioner, Enforcement Command – **Wayne BUCHHORN**
14. Commander, Detention Operations – **Vanessa HOLBEN**
15. Commander Regional Command Queensland – **Terry PRICE**
16. Regional Director Queensland – **Steve BIDDLE**
17. A/g Assistant Secretary Status Resolution – s. 22(1)(a)(ii)
18. Case Manager – s. 22(1)(a)(ii)
19. Superintendent Detention Operations – s. 22(1)(a)(ii)
20. Superintendent Detention Health Operations – s. 22(1)(a)(ii)
21. Regional Operations Coordination – s. 22(1)(a)(ii)
22. Commander Regional Processing Taskforce – **Kylie SCHOLTEN**
23. Director, Media Operations – s. 22(1)(a)(ii)
24. Regional Processing Task Force – s. 22(1)(a)(ii)
25. Regional Processing Task Force – s. 22(1)(a)(ii)
26. Superintendent National Operation Coordination – s. 22(1)(a)(ii)

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Annex 1: Contact List

Area	Name	Primary Contact	Secondary Contact
Op BACCIFORM Command Post	-	-	-
OPCHIEF	Rachel HOUGHTON	s. 22(1)(a)(ii) @border.gov.au	s. 22(1)(a)(ii)
OPCOMD	s. 22(1)(a)(ii)	s. 22(1)(a)(ii) @border.gov.au	s. 22(1)(a)(ii)
2IC (N)	s. 22(1)(a)(ii)	s. 22(1)(a)(ii) @border.gov.au	s. 22(1)(a)(ii)
LAC GROUP Three	s. 22(1)(a)(ii)	s. 22(1)(a)(ii) @border.gov.au	s. 22(1)(a)(ii)
BITA	s. 22(1)(a)(ii)	s. 22(1)(a)(ii) @border.gov.au	s. 22(1)(a)(ii)
LAC Group Four	s. 22(1)(a)(ii)	s. 22(1)(a)(ii) @border.gov.au	s. 22(1)(a)(ii)
Nauru Programme Director	s. 22(1)(a)(ii)	s. 22(1)(a)(ii) @border.gov.au	s. 22(1)(a)(ii)
Serco	s. 22(1)(a)(ii)	s. 22(1)(a)(ii) @serco-ap.com.au or @border.gov.au	s. 22(1)(a)(ii)
Detention Health Operations	s. 22(1)(a)(ii)	s. 22(1)(a)(ii) @border.gov.au	s. 22(1)(a)(ii)
Offshore Detention Health Operations	s. 22(1)(a)(ii)	s. 22(1)(a)(ii) @border.gov.au	s. 22(1)(a)(ii)
Status Resolution QLD	s. 22(1)(a)(ii)	s. 22(1)(a)(ii) @border.gov.au	s. 22(1)(a)(ii)
Case Manager	s. 22(1)(a)(ii)	s. 22(1)(a)(ii) @border.gov.au	s. 22(1)(a)(ii)
Nauru Ops	s. 22(1)(a)(ii)	s. 22(1)(a)(ii) @border.gov.au	s. 22(1)(a)(ii)
Regional Director QLD	Steven BIDDLE	s. 22(1)(a)(ii) @border.gov.au	s. 22(1)(a)(ii)
Commander Detention Operations	Vanessa HOLBEN	s. 22(1)(a)(ii) @border.gov.au	s. 22(1)(a)(ii)
Commander Regional Processing Taskforce	Kylie SCHOLTEN	s. 22(1)(a)(ii) @border.gov.au	s. 22(1)(a)(ii)
Assistant Secretary Legal Advice and Operational Support	Steve MCGLYNN	s. 22(1)(a)(ii) @border.gov.au	s. 22(1)(a)(ii)
Director AAT and Removals Injunctions	s. 22(1)(a)(ii)	s. 22(1)(a)(ii) @border.gov.au	s. 22(1)(a)(ii)
Media and Comms	s. 22(1)(a)(ii)	s. 22(1)(a)(ii) @border.gov.au	s. 22(1)(a)(ii)
RC QLD	Terry PRICE	s. 22(1)(a)(ii) @border.gov.au	s. 22(1)(a)(ii)
First Assistant Secretary, Children, Community and Settlement	Robyn MILLER	s. 22(1)(a)(ii) @border.gov.au	s. 22(1)(a)(ii)
A/g Assistant Secretary, Status Resolution	s. 22(1)(a)(ii)	s. 22(1)(a)(ii) @border.gov.au	s. 22(1)(a)(ii)
James Goodsell, Director, Temporary Protection Visa Assessment	James GOODSSELL	s. 22(1)(a)(ii) @border.gov.au	s. 22(1)(a)(ii)

Annex 2: Sitrep Distribution List

- s. 22(1)(a)(ii) @border.gov.au

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				pre-approved UoF	
Non – compliant behaviour by transitory person and other detainee in the centre during and post the operation	Possible	Moderate	Medium	Reduced s. 47E(d)	Low
Unrest in detention network - due to extraction of transitory person.	Possible	Major	High	s. 47E(d)	s. 47E(d)
Media attention - during and post activity. Due to recent media attention with the US settlement deal and medical evacuations from RPCs	Likely	Major	High	Legal response, messaging to detention centres Media talking points	Medium
Protest action - during operational activity.	Possible	Moderate	Medium	Maintain op security, operational recognisance. s. 47E(d)	Low
Operational security compromised prior, during and post activity.	Possible	Major	High	Need to know principles and maintain op security	Medium
Legal injunction	Possible	Moderate	Medium	Legal Division s. 47E(d)	Medium

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				s. 47E(d)	
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National Operation Order

“OPERATION BACCIFORM Charlie”

**Issued by
Detention,
Compliance and
Removals**

Attachments:

The manifest and Access to Legal Representation procedure will be sent as separate attachments to this order.

Time Zone used throughout order: Australian Eastern Standard Time (AEST)

1. SITUATION

a. General

(1) Topography

Operation BACCIFORM Charlie will take place within New South Wales and Queensland Regional Commands, Nauru Regional Processing Centre (RPC), and on-board a commercial aircraft.

(2) Background Information

Illegal Maritime Arrivals (IMAs) who are temporarily transferred to the Australian mainland for medical treatment are to be transferred to Nauru as soon as the IMA’s medical treatment is completed and the individual is fit to travel.

The Migration Act 1958 (the Act) permits an officer to bring a transitory person to Australia from a place outside Australia for a temporary purpose. The Act also provides authority to transfer a transitory person from Australia once the person no longer needs to remain in Australia for that purpose. The Australian Border Force (ABF) is committed to transferring IMAs to Nauru as soon as practicable upon completion of their medical treatment.

Operation BACCIFORM Charlie has been initiated to effect the voluntary transfer of the identified transitory person to Nauru under the Australian Government’s regional processing and resettlement arrangements.

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Operational planning has commenced. Detention, Compliance and Removals (DCR) will coordinate the transfer from Australia to the relevant RPC. Offshore Operational Coordination Branch will support DCR in the transfer processes and coordinate the care on arrival package. Prior to the distribution of the manifest to critical stakeholders, the transitory person will have received initial clearance from a Health perspective, Legal clearance including advice on any barriers to transfer and plans for accommodation and support arrangements on return.

The identified transitory persons will have a return support care plan in place with appropriate service providers in Nauru.

Success of operational activity, including the safety of the transitory person, staff and facilities is dependent on strict operational security.

b. Transitory Person/s

During this Operation, it is anticipated that ^{§ 47E(4)} transitory person will be subject to extraction from an Immigration Detention Facility (IDF) within Australia and transferred back to Nauru.

§ 47F(1)

§ 47F(1)

§ 47F(1)

§ 47F(1)

The placement risk for the transitory person is rated as low.

c. Own Forces

Australian Border Force:

- Detention, Compliance and Removals (DCR)
- Offshore Operation Coordination Branch
- Detention Operations New South Wales
- Detention Operations Queensland
-

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d. In support

Internal:

- Detention Health Services
- New South Wales Regional Command
- Queensland Regional Command
- Communications and Media Branch
- Legal Advice and Operational Support Branch
- Contracts and Services Management Branch
- Status Resolution Branch
- Temporary Protection Visa Assessment
- Border Management Division
- Communications and Media Branch

External:

- Serco (Facilities and Detainee Service Provider)
- IHMS (Detainee Health Service Provider)
- Wilson Security
- NSW Police as applicable
- Australian Federal Police as applicable
- Government of Nauru (GoN)

2. MISSION

To safely and securely transfer the identified transitory person from an Australian Immigration Detention Facility to Nauru Regional Processing Centre.

3. EXECUTION

a. General Outline

Operation BACCIFORM Charlie will involve the transfer of the identified transitory person from New South Wales on a commercial aircraft and placed in an Alternate Place of Detention (APOD) in Queensland prior to travelling on a commercial flight to the Nauru. The operation is to commence with a minimum of ^{s. 47E(d)} prior to departure from Australia with messaging and transport from Villawood Immigration Detention Centre (VIDC) to a nominated Brisbane APOD.

Operation BACCIFORM Charlie will be conducted over four separate phases:

- Phase 1 – (pre) planning
- Phase 2 – (pre transfer) messaging of the transitory person
- Phase 3 – transfer
- Phase 4 – (Nauru) arrival and induction

Phase 1

Border Management Division along with Offshore Operation Coordination Branch has commenced preparation for the transfer of the identified transitory person. Border Management Division has coordinated the efforts for submission to the Surgeon General and Minister for approval for the transfer.

Once approvals have been received the transfer of the identified transitory person will commence. Offshore Operation Coordination Branch will coordinate with relevant stakeholders to ensure the Government of Nauru and IHMS (Nauru) are notified ^{s. 47E(d)} prior to travel of the transitory person to allow for GoN and IHMS to complete planning for the arrival of the transitory person.

Phase 2

Case Management New South Wales are responsible for messaging the transitory person. The Surgeon General has requested ^{s. 47E(d)} notice of the intention to transfer to Nauru be provided to the transitory person to minimise the risk of distress, or impulsive self-harm during the travel or after travel. Case Management, NSW will also conduct a pre-transfer assessment prior to the transfer from Sydney to Brisbane. Monitoring of the transitory person will be conducted once messaged.

Phase 3

Detention, Compliance and Removal Division will coordinate the travel movements of the transitory person from VIDC in New South Wales to Nauru. This will include commercial flight from Sydney to Brisbane, accommodation in an APOD in Brisbane and a commercial flight from Brisbane to Nauru.

Phase 4

Offshore Operation Coordination Branch will coordinate with stakeholders on Nauru to facilitate the arrival of the transitory person and ensure the safe and secure induction and transition to her accommodation on Nauru. As requested by the Surgeon General this determination will last for ^{s. 47E(d)} and can be reconsidered if the transitory person is involved in a major incident or a critical incident or has a risk rating increased.

b. Group One

(1) Operational Command Group National [OPCOMD (N)]

- (a) OPCHIEF** – ^{s. 22(1)(a)(i)}, A/g Commander Field Compliance and Removals
- (b) OPCOMD** – ^{s. 22(1)(a)(ii)}, A/g Superintendent Removal Operations
- (c) 2IC** – ^{s. 22(1)(a)(ii)}, A/g Inspector Removal Operations
- (d) Other Officers** –Removal Operations

(e) In Support

- Internal:
- Detention Operations
- Offshore Operation Coordination Branch
- Communications and Media Branch
- Legal Advice and Operational Support Branch
- Detention Operations New South Wales
- Detention Operations Queensland
- Status Resolution Branch

Temporary Protection Visa Assessment
 Border Management Division

External:
 Serco (Facilities and Detainee Service Provider)
 IHMS (Detainee Health Service Provider)
 Broad Spectrum Services

(f) Resources

As required.

(2) Tasks

- i. Establish a ^{s. 47E(d)} [redacted] for Command and Control of the Operation.
- ii. Identify, address and monitor transfer barriers where required.
- iii. Provide Detention Operations NSW and Program Lead on Nauru with the incident and health history of the identified transitory person and timeframe for operational planning to allow a minimum of ^{s. 47E(d)} [redacted] prior to operational activity.
- iv. Organise and confirm commercial flight dates, times, clearances and sufficient support officers to support operational requirements.
- v. Arrange Serco and Health resources for operation requirements.
 - a. Serco escorts are not to be in uniform for the transfer operation.
- vi. Coordinate with Serco and develop a risk assessment with mitigation strategies in relation to the transfer of the transitory person.
 - a. Consideration to be given to possible self-harm or other adverse behaviours and to connections with Advocate groups, media and other interested parties.
- vii. Seek authorisation for Serco officers to use pre-planned use of force in line with standard procedures.
- viii. Ensure all transfer documents, including visa applications, are completed prior to extraction and distributed to relevant stakeholders.
- ix. Coordinate with Serco appropriate APOD and staff resources in Brisbane.
- x. Coordinate transfer from Australia to Nauru.
- xi. Coordinate with RCQLD to facilitate the processing and movement of the transitory person through Brisbane International Airport.
- xii. Coordinate appropriate media support and communication strategy including media talking points and messaging for staff and service providers through Communications and Media Branch.
- xiii. Coordinate and maintain operation log for the duration of the operation.

- xiv. Conduct a Post Operation Brief and provide a report to the OPCHIEF within ^{s. 47E(d)} [redacted] from the operation date.

c. Group Two

(1) QLD – Detention Operations

- (a) GPCOMD – ^{s. 22(1)(a)(ii)} [redacted] – A/g Superintendent Detention Operation Qld

(b) Other officers

- ^{s. 22(1)(a)(ii)} [redacted]
- ^{s. 22(1)(a)(ii)} [redacted]

(c) In Support

- Internal
- Status Resolution
- Detention Health

- External
- Serco
- IHMS

(2) Tasks

- i. Provide Case Management up until transfer to Nauru.
- ii. Provide messaging to transitory person ^{s. 47E(d)} [redacted] prior to transfer to Nauru.
- iii. Provide incident and Situation Reports (SitReps) at identified milestones or by exception, (refer to Co-ordinating Instructions) to OPCOMD (N).

d. Group Three

(1) QLD APOD – Serco National

- (a) LAC – ^{s. 22(1)(a)(ii)} [redacted] – Operations Support Manager

(b) Other Officers

- ^{s. 22(1)(a)(ii)} [redacted] – National Aviation Manager

(c) In Support

- External
- IHMS
- QLD Police if required
- Removal Operations
- Detention Operations

(d) Resources

- As required

(3) Tasks

- iv. Engage with relevant stakeholders to ensure the APOD is ready for the arrival of the transitory person.

- v. Transfer the transitory person from VIDC to Sydney Airport.
 - a. Serco Officers are requested to not wear uniform during the transfer operation.
- vi. Transfer the transitory person from Brisbane Airport to APOD and to Brisbane International Airport.
- vii. Ensure the safety and security of the transitory person while in the APOD.
- viii. Provide Situation Reports (SitReps) at identified milestones (refer to Co-ordinating Instructions) to GPCOMD QLD.
- ix. Provide immediate notification to GPCOMD QLD, should any incidents of non-compliant behaviour, adverse reaction or incidents of self-harm occur whilst accommodated at the APOD or during transits.
- x. Provide updated logs at each identified key milestone to OPCOMD (N).
- xi. Conduct a post Operation brief and provide a report to the OPCOMD within ^{s. 47E(d)} from the Operation date.

e. Group Four

(2) Regional Operation Coordination Section

(e) LAC – ^{s. 22(1)(a)(ii)}, Superintendent Regional Operation Coordination Section

(f) 2IC – Steph Way

(g) Other Officers

^{s. 22(1)(a)(ii)} – A/g Superintendent Offshore Health Nauru Operations Lead and appropriate staff

(h) In Support

Internal

Regional Processing and Settlement
 Detention Health Operations
 Removal Operations

In Support

External
 Serco
 Broad Spectrum Services
 Connect Services
 GoN

(i) Resources
 As required

(4) Tasks

s. 47E(d)

[Redacted]

s. 47E(d)

[Redacted]

- ii. Under section 256 of the Act, the Department must afford detainees all reasonable facilities for obtaining legal advice or for taking legal proceedings. In an operational environment, LACs are, at the request of a transitory person, to facilitate a transitory person's ability to contact a legal representative, where the facilitation is operationally practical. For example, ^{s. 47E(d)} [Redacted], however if a transitory person requests access while in the staging area and this does not impact operational procedures, it may well be practical to allow the transitory person access to a telephone.

Where a transitory person makes a request for legal access, the transitory person should be provided with means to make such contact. Please note that it is reasonable for officers to initiate the phone call on behalf of the transitory person in order to verify that the transitory person is contacting a lawyer or migration agent (and not a journalist for example). However, officers should then retreat to a distance so that the transitory person can speak to the lawyer or migration agent without being overheard.

If a decision is made not to allow or to terminate a telephone call to a lawyer/migration agent due to operational reasons, this should be documented.

Any requests for legal access by transitory persons must be reported to OPCOMD (N) as soon as possible.

Refer to the attached Access to Legal Representation, Detention Operational Procedure ADD 2013/1686186.

- iii. The LAC is to submit OPORDS and supporting documentation at prior to extraction date.
- iv. Flight details are:
 - a) Sydney to Brisbane, ^{s. 47E(d)} [Redacted]
 - b) Brisbane to Nauru, ^{s. 47E(d)} [Redacted]

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- v. Post Operation debrief to be submitted to OPCOMD (N) within five (5) days from the Operational activity.

(b) Reporting

The LAC is to provide relevant operational details to OPCOMD (N) via phone or email. OPCOMD (N) will produce, clear and forward SitReps to the distribution list at the following key milestones.

- a) Arrival at the Brisbane APOD.
- b) Transfer from APOD to Brisbane international airport.
- c) Wheels up, commercial flight from Brisbane to Nauru.
- d) Arrival of aircraft and disembarking of transitory person into Nauru
- e) Refugee settled into accommodation in Nauru.
- f) By exception.

There is to be one coordinated Log in OPCOMD (N) for operation BACCIFORM Charlie. LACs are to report along with SitRep log updates at key milestones.

- a) Logs are to be inclusive of in support stakeholders including Serco, IHMS and RPC services.

The preparation of Hot Issue Briefs relating to Operation BACCIFORM Charlie will be coordinated by OPCOMD (N).

The preparation of Hot Issue Briefs relating to incidents at individual centres that may occur post operation will be coordinated by the relevant Superintendent Detention Operation and authorised by the Commander Detention Operations.

The preparation of Hot Issue Briefs relating to incidents that may occur at a RPC will be coordinated by Regional Processing and Settlement Branch. Dissemination of Hot Issue Briefs will be as per existing protocols.

(c) Safety Instructions

Existing WH&S guidelines, detainee transfer policies and procedures are to be adhered to at all times.

SERCO pre-approved UoF has been authorised by A/g Commander Detention Operations.

Allegations of assault/abuse, whether physical or sexual, are taken seriously and must be referred to appropriate law enforcement agencies for investigation.

(d) Security

Operational Security is of utmost importance. To ensure the operational safety and security of the transitory person, staff and facilities, s. 47E(d)

s. 47E(d)

Careful consideration is to be given to supervision arrangements once transitory persons are notified of the transfer.

The following principals are responsible for representing the various functional areas essential to the operation. They are responsible for maintaining strict operational security and should be available to support planning and conduct of the operation at short notice.

- s. 22(1)(a)(ii) [redacted] –Removals Operations
- s. 22(1)(a)(ii) [redacted] – Detention Health Operations
- s. 22(1)(a)(ii) [redacted] – Regional Operations Coordination Section
- s. 22(1)(a)(ii) [redacted] – AAT & Removals Injunctions
- s. 22(1)(a)(ii) [redacted] – Status Resolution
- s. 22(1)(a)(ii) [redacted] Detention Operations New South Wales
- s. 22(1)(a)(ii) [redacted] – BITA, Detention Operations

Officers are to be aware of their operational environment whilst conducting their duties and report any media attention or suspicious activity.

Assistant Secretary Security Branch will be briefed at the appropriate time prior to the operation to enable contingency planning for security of the detention and DIBP office network.

Regional Commander Queensland will be briefed to enable planning for post operational activity.

5. ADMINISTRATION AND LOGISTICS

(a) Transport Allocation

As required.

(b) Dress Requirements

To be determined by LAC.

(c) Medical

- a. Offshore Operational Coordination to coordinate medical resources for the operation and advise if there is a requirement for on-site clinicians to be available whilst the transitory person is accommodated in an APOD.
- b. Offshore Operational Coordination to ensure a return support care plan is place with appropriate service providers in Nauru as per the Immediate Case management plan.

(d) Food/Water

The transitory person is to be provided with access to water and food throughout the transfer.

(e) Legislation

Migration Act 1958 (Australia)

Aviation Transport Security Regulations (ATSR) 2005, Division 4.5 (persons in custody)

Access to legal representatives is to be in accordance with established procedures and the Migration Act 1958 (the Act). Refer to co-ordinating instructions.

6. COMMAND AND SIGNAL

(a) Location of Commander

The OPCOMD (N) will be located in s. 47E(d) [REDACTED].

(b) Command Group contact

Operation BACCIFORM Charlie has a distribution list for reporting purposes.

(c) Control Decision

The Control Decision for who determines whether the transitory person is removed from the operation due to Operational Safety reasons, such as s. 47E(d) [REDACTED]

[REDACTED] will be allocated to the OPCOMD (N) in conjunction with the OPCHIEF. The LAC is to refer all incidents to OPCOMP (N) that impact on the strategic intent.

The Control Decision for who determines whether the transitory person has raised credible allegations that require investigation prior to transfer, and should be removed from the operation is allocated to OPCOMD (N) in conjunction with the OPCHIEF. Allegations of assault/abuse, whether physical or sexual, are taken seriously and must be referred to appropriate law enforcement agencies for investigation. If the transitory person makes such an allegation, he is not to be transferred until the matter has been investigated to determine to jurisdiction for the alleged offence. Any such matter must be finalised prior to transfer proceeding. Outcomes from such investigations will be incorporated into future planning for that individual.

The Control Decision for who determines whether a transitory person is removed for any other reason, including legal and medical conditions is allocated to OPCOMD (N) in conjunction with Offshore Operational Coordination Branch, Legal Advice, Public Risk Assessment, Temporary Protection Visa Assessment Branch and the OPCHIEF.

(e) Contact Phone numbers

Contact details as per Contact list (Annex 1.)

OPCOMD (N)

A/g Superintendent Removal Operations

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

7 September2016

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Distribution:

1. A/g Assistant Commissioner DCR – Robyn MILLER
2. OPCHIEF – A/g Commander Field Compliance and Removals – s. 22(1)(a)(ii)
3. OPCOMD – A/g Superintendent Removal Operations – s. 22(1)(a)(ii)
4. 2IC – A/g Inspector Removal Operations – s. 22(1)(a)(ii)
5. GPCOMD Group Two – s. 22(1)(a)(ii)
6. LAC Group Three – s. 22(1)(a)(ii), Operations Support Manager Serco
7. LAC Group Four – s. 22(1)(a)(ii), Superintendent Regional Offshore Coordination Section
8. Director – s. 22(1)(a)(ii), QLD Status Resolution
9. Assistant Director – s. 22(1)(a)(ii), QLD Case Management
10. s. 22(1)(a)(ii) – QLD Case Management
11. A/g Commander Offshore Operational Coordination Branch – s. 22(1)(a)(ii)
12. Commander Regional Command Queensland – Terry PRICE
13. First Assistant Secretary, Children, Community & Settlement - Cheryl-Anne MOY
14. Superintendent Detention Health Operations – s. 22(1)(a)(ii)
15. BACCIFORM Task Force – s. 22(1)(a)(ii)
16. BACCIFORM Task Force – s. 22(1)(a)(ii)
17. Assistant Secretary Status Resolution – s. 22(1)(a)(ii)
18. A/G Commander, Detention Operations – Vanessa Holben
19. First Assistant Secretary, Community Protection – Kaylene Zakharoff
20. Commander, International Division – Kylie Scholten

Annexe 1: Contact List

Area	Name	Primary Contact	Secondary Contact
Op BACCIFORM Command Post	-	-	-
A/g ASST COMM DCR	Robyn MILLER	s. 22(1)(a)(ii) @border.gov.au	s. 22(1)(a)(ii)
OPCHIEF	s. 22(1)(a)(ii)	s. 22(1)(a)(ii) @border.gov.au	s. 22(1)(a)(ii)
s. 47E(d)	s. 22(1)(a)(ii)	@border.gov.au	s. 22(1)(a)(ii)
2IC (N)	s. 22(1)(a)(ii)	s. 22(1)(a)(ii) @border.gov.au	s. 22(1)(a)(ii)
LAC Group Two	s. 22(1)(a)(ii)	s. 22(1)(a)(ii) @border.gov.au	s. 22(1)(a)(ii)
LAC Group Three	s. 22(1)(a)(ii)	s. 22(1)(a)(ii) @serco-ap.com.au or @border.gov.au	s. 22(1)(a)(ii)
LAC Group Four	s. 22(1)(a)(ii)	s. 22(1)(a)(ii) @border.gov.au	s. 22(1)(a)(ii)
RC QLD	Terry PRICE	s. 22(1)(a)(ii) @border.gov.au	s. 22(1)(a)(ii)
Serco National 2IC	s. 22(1)(a)(ii)	s. 22(1)(a)(ii) @serco-ap.com.au	s. 22(1)(a)(ii)
Assistant Secretary Legal Advice and Operational Support	Steve MCGLYNN	s. 22(1)(a)(ii) @border.gov.au	s. 22(1)(a)(ii)
Director SAAT and Removals Injunctions	Peter DWYER	s. 22(1)(a)(ii) @border.gov.au	s. 22(1)(a)(ii)
Media and Comms	Matthew WARDELL	s. 22(1)(a)(ii) @border.gov.au	s. 22(1)(a)(ii)
A/g Commander Offshore Operational Coordination Branch	s. 22(1)(a)(ii)	s. 22(1)(a)(ii) @border.gov.au	s. 22(1)(a)(ii)
Detention Health Operations (Onshore)	s. 22(1)(a)(ii)	s. 22(1)(a)(ii) @border.gov.au	s. 22(1)(a)(ii)
First Assistant Secretary, Children, Community and Settlement	Cheryl-Anne MOY	s. 22(1)(a)(ii) @border.gov.au	s. 22(1)(a)(ii)
Assistant Secretary, Status Resolution	Dora CHIN-TAN	s. 22(1)(a)(ii) @border.gov.au	s. 22(1)(a)(ii)
Assistant Secretary, Temporary Protection Visa Assessment	Sally BABBAGE	s. 22(1)(a)(ii) @border.gov.au	s. 22(1)(a)(ii)

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