



For Official Use Only

Detention Services Manual- Detainee placement – Alternative places of detention

Procedural Instruction

The purpose of this procedural instruction is to provide guidance on the use of alternative places of detention in order to best meet the needs of detainees.

Document approval date	03 October 2018
Last PPCF review date	17 April 2018
Contact details	Detention and Removals Operational Policy §47E(d)
Document ID (PPN)	DM-588
TRIM record number	ADD2018/5575164
Primary influencing Legislation(s)	<i>Migration Act 1958</i>

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

For Official Use Only

For Official Use Only

Table of Contents

1. Introduction	4
1.1. Purpose	4
2. Scope	4
2.1. In Scope	4
2.2. Out of Scope	4
3. Glossary	5
4. Procedural Instruction	5
4.1. What is an APOD?	5
4.2. Establishing a place as an APOD	6
4.3. Persons authorised to maintain immigration detention at an APOD	6
Officers	6
The FDSP	6
Directed Persons	7
4.4. APOD placements managed by officers or Directed Persons	7
4.5. Approval process	8
4.6. Ongoing administration to maintain approved APODs	9
Monitoring and audit	9
4.7. APOD placement	9
4.8. General arrangements for detainees in APODs	10
Services	10
Catering	11
Access to communication services	11
Health care arrangements	11
Minors in APOD	11
Financial support and allowances	11
Administration of detainees in APODs	12
Visits	12
4.9. Access to private premise - approved APOD	12
4.10. Monitoring and reporting	12
Departmental reporting requirements	12
FDSP reporting requirements	13
Directed Persons' reporting requirements	13
4.11. Media visits in community APODs	13
4.12. Terminating APOD placements	13
5. Accountability and responsibilities	14
Table 1 – Procedural Instruction roles and responsibilities	14

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

For Official Use Only

6. Records management	16
7. Further assistance	16
8. Statement of Expectation	16
9. Related Framework documents	17
10. References and legislation	18
11. Consultation	19
11.1. Internal consultation	19
11.2. External consultation	19
12. Document details	19
12.1. Document change control	20
12.2. Approval	20

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

For Official Use Only

1. Introduction

1.1. Purpose

- 1.1.1. The purpose of this Procedural Instruction (PI) is to provide guidance on the use of an alternative place of detention (APOD) in order to best meet the needs of detainees.
- 1.1.2. An APOD is a place of immigration detention as defined in the *Migration Act 1958* (the Act) approved in writing by the Department of Home Affairs (Department) Minister or the Minister's delegate under subparagraph (b)(v) of the definition of 'immigration detention' in subsection 5(1) of the Act.
- 1.1.3. The APOD network is comprised of a range of flexible placement options for detainees, including suspected illegal foreign fishers and suspected foreign offenders held in an immigration detention facility (IDF).
- 1.1.4. This PI aligns to and must be implemented in conjunction with:
- [DM-832](#) in PPCR (*DSM – PS - Detainee placement –National Detention Placement Model*)
 - s22(1)(a)(ii) [REDACTED]
 - [DM-3287](#) in PPCR (*DSM – SOP – Detainee placement – Managing detainees in APODs*)
 - s22(1)(a)(ii) [REDACTED]
 - s22(1)(a)(ii) [REDACTED]
 - s22(1)(a)(ii) [REDACTED]

2. Scope

2.1. In Scope

- 2.1.1. This PI provides guidance to officers regarding alternative places of detention, comprising:
- facility-based detention - immigration transit accommodation (ITA) and
 - non-facility APODs located in the community such as schools, hospitals, hotels etc.

2.2. Out of Scope

- 2.2.1. The following information is not addressed in this PI:
- Detainee placement in Residence Determination (community placement) arrangement. Immigration detention of a detainee residing at a specified place covered by a Residence Determination is made by the Minister under s197AB of the Act. For guidance, contact Status Resolution Support Services (SRSS) Programme Management at s47E(d) [REDACTED]
 - Detainee placement in an immigration detention centre (IDC) established under s273 of the Act.

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

For Official Use Only

3. Glossary

- 3.1.1. The terms and their accompanying definitions that have specific meanings in the context of the suite of detention instructions is at [DM-5249](#) in *PPCR (Detention Services Manual – Glossary)*.

4. Procedural Instruction

4.1. What is an APOD?

- 4.1.1. An APOD is a place of immigration detention as defined in s5(b)(v). APODs are used by the Department to meet the specific needs of detainees, including children and families that cannot be adequately catered for in an IDC. Places identified as part of a Residence Determination (also known as community detention or community placement) are **not** APODs.
- 4.1.2. An APOD must be approved as such in writing by the Minister or the Minister's delegate and includes:
- facilities-based forms of detention, such as an ITA
 - places in the broader community which have been designated as places of immigration detention (non-facility).
- 4.1.3. Any facility where a detainee resides for one or more nights must be approved as an APOD. Examples of APODs can include, but are not limited to:
- places where medical treatment is provided
 - hotels, motels and apartments
 - home-based care using private accommodation owned or leased by relatives or persons with established close relationships with the detainee and
 - community-based care provided through non-government organisations (NGOs) using accommodation provided by the NGO or a community group.
- 4.1.4. It is also possible to approve an APOD at a place where a detainee does not reside but might spend part of their day, and where it is not appropriate or possible for them to be accompanied at all times, for example:
- schools and
 - medical facilities used for day procedures
- 4.1.5. In general, physiotherapy clinics, dental surgeries, supermarkets, libraries, cinemas and churches are not required to be approved as APODs as Facilities and Detainee Services Provider (FDSP) officers must accompany detainees at these locations.
- 4.1.6. If a detainee is being held by or on behalf of an officer in a Commonwealth, State or Territory prison or remand centres, the prison or remand centre are already places of detention and do not need to be approved as APODs.
- 4.1.7. Where FDSP or departmental officers will not be present at the APOD, there is an additional requirement for appropriate staff at the APOD to be directed to accompany and restrain the detainee(s) under subparagraph (a)(ii) in the definition of 'immigration detention' in s5(1) of the Act.

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

For Official Use Only

4.2. Establishing a place as an APOD

- 4.2.1. A detainee will be immigration detained at an APOD when they are held by or on behalf of an officer at a place approved in writing by the Minister (or the Minister's delegate).
- 4.2.2. Only departmental officers with the appropriate delegations can approve an APOD. Officers must ensure that they have delegation under (b)(v) of the definition of 'immigration detention' under s5(1) of the Act to approve an APOD, before putting these arrangements in place.
- 4.2.3. The request to establish a non-facility APOD can be made by the FDSP Centre Manager, the Health Services Manager (HSM) or the ABF Detention Operations (Facility) through the ABF Detention Inspector (Facility).
- 4.2.4. The Deputy Commissioner, Operations Group and the Assistant Commissioner, Detention and Offshore Operations Command, are approved delegates but in practice will rarely be called on to approve an APOD. ^{s22(1)(a)(ii)} [REDACTED]
- 4.2.5. Once the accommodation has been selected, **it must be approved in writing** by the Minister or the Minister's delegate.
- 4.2.6. If an issue relating to the approval of a place as an APOD arises, please contact the Delegations section at ^{s47E(d)} [REDACTED] to obtain an Instrument instruction form as soon as possible.
- 4.2.7. The Instrument Drafting section maintains a national list of approved and registered APODs.

4.3. Persons authorised to maintain immigration detention at an APOD

- 4.3.1. Where FDSP or departmental officers will not be present at the APOD, there is an additional requirement for appropriate staff at the APOD to be directed to accompany and restrain the detainee(s) under subparagraph (a)(ii) in the definition of 'immigration detention' in s5(1) of the Act, in order to keep the detainee in 'immigration detention'.
- 4.3.2. An officer or Directed Person(s) must be present at the APOD at all times while an unlawful non-citizen is detained there. When a detainee is outside of the APOD, the detainee must be accompanied by an officer or a Directed Person(s) who is to maintain close physical proximity at all times. Detainees may also be accompanied to or from an immigration detention facility (IDE) by a Directed Person.

Officers

- 4.3.3. Officers, as defined under s5(1) of the Act, are authorised to hold a person at a place of immigration detention, and accompany and restrain a person outside a place of immigration detention. Officers include:
- departmental officers
 - federal/state/territory police and
 - a person, or a person included in a class of persons, who is authorised in writing by the Minister.

The FDSP

- 4.3.4. The FDSP is contracted by the Department to provide for the welfare of detainees placed in an APOD in the same way that it provides for the needs of detainees held in IDCs. ^{s22(1)(a)(ii)} [REDACTED]

For Official Use Only

s22(1)(a)(ii)

- 4.3.5. FDSP escort officers will be responsible for the security of a detainee when escorting them in and out of the APODs. They must also ensure that any detainee accommodated in an APOD is treated with the same level of humanity and respect for the dignity of the person as that of a detainee managed in other types of IDFs. Notwithstanding this, the nature of APOD accommodation and resources means detainees may not be able to access all the opportunities afforded to detainees in larger IDFs (for example, recreation facilities).
- 4.3.6. After the placement decision, detainees will undergo the required reception and induction process. s22(1)(a)(ii)
- 4.3.7. As it is throughout the immigration detention network (IDN), the Department and the FDSP are required to take reasonable care to avoid reasonably foreseeable harm for all detainees held in APODs.

Directed Persons

- 4.3.8. A Directed Person is a person authorised by the Secretary or the Secretary's delegate to accompany and restrain a detainee in accordance with paragraph (a)(ii) of the definition of 'immigration detention' in s5(1) of the Act, hold a detainee at a place of immigration detention. Directed Persons may accompany detainees to and from a place of immigration detention, instead of the FDSP.
- 4.3.9. Directed Persons must not use physical force or restraint to prevent the escape of a detainee.
- 4.3.10. Directed Persons should, at all times, be mindful of the detainee(s)' welfare. In most instances, Directed Persons accompanies detainee(s) for a relatively short period of time.
- 4.3.11. At the end of the arrangement, the Directed Person(s) is required to return the detainee(s) into the care of an officer. For guidance on the selection, vetting and appointment, as well as roles and responsibilities of Directed Persons, s22(1)(a)(ii)

4.4. APOD placements managed by officers or Directed Persons

- 4.4.1. A decision whether to use FDSP officers to manage the APOD placement, or to involve Directed Persons in the placement, will usually take account of the:
- individual needs of the detainee(s)
 - assessed security and flight risk of the detainee(s) and
 - availability of Directed Persons.
- 4.4.2. Non-facility APOD placements in the community involving detainees who have been assessed as medium or high security or flight risk, or detainees who are likely to be removed from Australia within a short time (for example, airport turnarounds) will be managed by officers.
- 4.4.3. Sometimes it may be impracticable to use Directed Persons to maintain the immigration detention of detainee(s) held in a non-facility APOD. For instance, if a detainee was placed at short notice in a hotel room designated as a non-facility APOD while they await transfer to another form of detention, it would be more practical to use officers.

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

For Official Use Only

4.5. Approval process

- 4.5.1. The approval process for new APODs generally involves an interaction between the ABF Detention Superintendent of the requesting IDF and the Superintendent, Detention Operations Section (National). Before submission of a new application, the ABF Detention Superintendent (Facility) will ensure that the proposed place is not already registered as an APOD and that there is an operational need for the new APOD.
- 4.5.2. If an operational requirement exists:
- the ABF Detention Superintendent (Facility) must contact the Superintendent, Detention Operations Section (National), to verify what places are already approved in the facility's location
 - the Superintendent, Detention Operations Section (National) will advise that a new request to establish an APOD is needed and
 - the ABF Detention Superintendent (Facility) will submit the request (with a completed risk assessment compiled by the FDSP Transport and Escort (T&E) Manager) to the Superintendent, Detention Operations Section (National).
- 4.5.3. The FDSP T&E Manager will conduct the initial risk assessment of the proposed APOD and prior to submission of the request, seek and obtain the property owner's agreement for the location to be used as an APOD. Once the risk assessment has been completed and the property owner's permission has been secured, the FDSP T&E Manager will submit the request and risk assessment to the ABF Detention Superintendent (Facility).
- 4.5.4. All requests for approving an APOD should be submitted in writing to the Superintendent, Detention Operations Section (National). At a minimum, the following information is required to enable the production of the APOD instrument:
- the full name of the facility to be approved as an APOD (for example, Browns Plains Primary School)
 - the full street address, including the unit, block or lot number as appropriate and
 - when the APOD is to take effect and, if known, the date the instrument is no longer required.
- 4.5.5. The Superintendent, Detention Operations Section (National) will receive the application and liaise with the Instruments Drafting section to draft the APOD instrument then forward it to the appropriate delegate for approval and signature.
- 4.5.6. Once signed, the Superintendent, Detention Operations Section (National) will return a copy of the signed APOD instrument to the originating ABF Detention Superintendent (Facility), with the original remaining with the Instruments Drafting section. Where possible, allow three business days for the request to be completed.
- 4.5.7. After the ABF Detention Superintendent (Facility) has been notified of the approval, a copy must be provided to the FDSP Centre Manager. ABF Detention Operations Section (Facility) maintains a copy for record keeping.
- 4.5.8. In an emergency or when the Minister's delegates cannot be contacted, the ABF Detention Superintendent (Facility) can approve an APOD using an instrument drafted by the Instruments Drafting section.
- 4.5.9. Where this has taken place, the ABF Detention Superintendent (Facility) must send a copy of the document to the Superintendent, Detention Operations Section (National), and send the original document to the Director, Instruments Drafting section. The completed instrument must be filed appropriately. A scanned copy of the completed and signed document must also be emailed to Detention Operations at ^{s47E(d)} [REDACTED]

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

For Official Use Only

4.6. Ongoing administration to maintain approved APODs

Monitoring and audit

- 4.6.1. As part of the ongoing management of APODs within their geographic area, the FDSP T&E Manager must update risk assessments of APODs when circumstances dictate, record changes in business details, ownership or other key information and inform the ABF Detention Superintendent (Facility) accordingly.
- 4.6.2. As a general principle, departmental officers and contracted service providers at IDFs should monitor the usage of APODs within their regional command and, where appropriate, seek to minimise the number of APODs as a matter of prudent administration, by recommending the revocation of an APOD/s in question to the ABF Detention Superintendent (Facility).
- 4.6.3. The ABF Detention Operations Section (Facility) will maintain the facility's register of existing APODs. This register will be consulted first to determine if the location is already approved and if any other approved locations might be suitable.
- 4.6.4. The Superintendent, Detention Operations Section (National), should undertake a periodic audit of all APODs. If an APOD is no longer required, the property's status as an APOD should be revoked and removed from the APOD list.
- 4.6.5. The FDSP T&E Manager should update the risk assessments of APODs:
 - when informed of changed circumstances and/or
 - as a result of a period audit.
- 4.6.6. The ABF Detention Operations Section (Facility) might also assist the ABF Detention Superintendent (Facility) in drafting the application and the FDSP T&E Manager in engaging with the property owners of proposed APODs as part of local stakeholder management.

4.7. APOD placement

- 4.7.1. The Department's guiding principles for the use of APODs are that any placement decision should be fair, reasonable, risk-based and apply the least restrictive immigration detention option available.
- 4.7.2. The decision to place a detainee in a APOD is supported by the ^{s47E(d)} [redacted] the National IDN Detention Dashboard (Dashboard), and ^{s47E(d)} [redacted]. Placement occurs as a result of a departmental officer assessing what is the most appropriate placement within the IDN in accordance with the National Detention Placement Model (NDPM).
- 4.7.3. The NDPM decision to place a detainee in an APOD will include consideration of the detainee's individual circumstances, including:
 - health and wellbeing
 - family structure
 - availability of community support
 - immigration pathway
 - cultural and religious sensitivities
 - availability of detention accommodation and
 - security and flight risk assessment.

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

For Official Use Only

- 4.7.4. Detainees placed in APODs may include, but are not limited to:
- unaccompanied minors - it is preferable to place unaccompanied minors in the community subject to a Residence Determination (community placement) arrangement
 - families with children who are under 18 (minors)
 - detainees awaiting a Residence Determination decision by the Minister
 - detainees detained initially at a location where there is no IDF and who are awaiting imminent transfer to another place of detention
 - detainees with complex health needs whose needs cannot be adequately provided for in a facilities-based form of detention
 - low-risk short-stay groups or individuals and
 - airport turn-arounds departing within 72 hours of arrival.
- 4.7.5. Appropriate placement decisions rely on a thorough assessment of the risks associated with individual detainees—risks faced by the detainee and by others, and risks to the good order, safety and security within the APOD and to the APOD itself. The appropriateness of the placement decision will be reviewed regularly.
- 4.7.6. An APOD placement **must** be for a defined period of time and must be reviewed prior to the end of that period.
- 4.7.7. Placements may be extended or terminated depending on the individual circumstances of the detainee. For guidance, contact the Department's Status Resolution Manager of the designated facility.
- 4.7.8. Detention Health Operations must be involved in all transfers to APOD in the community for medical reasons. The detention health services provider (DHSP) is responsible for the delivery of health services within immigration detention, and Detention Health Operations will liaise with the DHSP, and other health stakeholders, to determine an appropriate model of health care. For policy instructions and/or guidance, ^{s22(1)(a)(ii)} [REDACTED]
- 4.7.9. If a detainee has special health or physical needs, officers are to liaise with Detention Health Operations or other business areas for an assessment and/or modifications to accommodation required to meet the detainee's needs.

4.8. General arrangements for detainees in APODs

Services

- 4.8.1. The level of service in an APOD is generally consistent with the levels of service provided by the FDSP and DHSP in an IDC.

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

For Official Use Only

Catering

- 4.8.2. If the APOD has in-house catering facilities available (for example a hotel room), all food will be ordered via room service and consumed in the room under the supervision of the FDSP escort officer. The FDSP escort officer will also ensure that the food provided is culturally appropriate for a detainee. If culturally appropriate food cannot be sourced within the APOD, the Department will consider other arrangements (for example, transporting meals prepared at the nearest IDF). If a self-catering situation exists (for example a serviced apartment), detainees may be provided a catering allowance and the FDSP escort officer will accompany the detainee to the shops to purchase food to prepare.

Access to communication services

- 4.8.3. A detainee will be permitted access to a telephone to make calls to fixed and mobile telephones in Australia while placed within an APOD. These calls will be at no cost to the detainee and may be dialled on the FDSP provided mobile telephone. Detainees may purchase pre-paid telephone cards with their Individual Allowance Program points to make overseas telephone calls. Each instance of a telephone call will be recorded within the occurrence log by the FDSP escort officer. In a short-term non-facility APOD, such as a hotel room, all landline telephones from the hotel room will be disconnected and returned to hotel reception. §22(1)(a)(ii)

Health care arrangements

- 4.8.4. All detainees, including those in APODs are able to access a level of health care commensurate to that available in the broader community. This may require the FDSP to facilitate transport to the DHSP clinic within the nearest IDF and/or medical facilities in the general community. Detention Health Operations will work with the DHSP, which is responsible for the delivery of health services within immigration detention. §22(1)(a)(ii)

Minors in APOD

§22(1)(a)(ii)

Financial support and allowances

§22(1)(a)(ii)

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

For Official Use Only

Administration of detainees in APODs

- 4.8.8. The management of detainees in APODs will largely be conducted by the FDSP T&E officer with some liaison with ABF Detention Operations Section (Facility).

Visits

s22(1)(a)(ii)



4.9. Access to private premise - approved APOD

s22(1)(a)(ii)



4.10. Monitoring and reporting

s22(1)(a)(ii)



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

For Official Use Only

s22(1)(a)(ii)



4.12. Terminating APOD placements

4.12.1. APOD arrangements will be terminated when:

- the detainee is granted a visa
- the APOD arrangement is revoked by the Department because it is necessary to transfer the detainee to another form of detention
- the detainee is removed from Australia.

4.12.2. Ongoing assessment of APOD placements should be made in accordance with the client placement model (CPM). If it is necessary to terminate the arrangements for placing a detainee in an APOD, the reasoning for this must be documented and filed in accordance with the Department's recordkeeping policy.

4.12.3. It is preferable to terminate APOD arrangements with the cooperation of all involved parties, including the detainee(s). Where this is not possible, for instance the detainee(s) does not wish to move, the Commander, Detention Operations (National) and the Department's Status Resolution section must be advised.

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

For Official Use Only

- 4.12.4. If it is necessary to enter the non-facility APOD in the community without consent in order to terminate the APOD arrangements, Field Operational Policy must be consulted about obtaining a warrant under s251 of the Act at ^{s47E(d)} [REDACTED]

5. Accountability and responsibilities

Table 1 – Procedural Instruction roles and responsibilities

Position	Accountability and/or responsibility
Assistant Commissioner, Detention Compliance and Removals	Act as the Minister's delegate to approve an alternative place of detention under subparagraph (b)(v) of the definition of immigration detention in subsection 5(1) of the <i>Migration Act 1958</i> .
Assistant Secretary, Legislation Branch	Arrange for the APOD instrument to be drafted in circumstances when the Minister's delegates cannot be contacted or in an emergency situation.
ABF Detention Inspector (Facility)	<ul style="list-style-type: none"> recommend self-catering allowance and submit to Onshore Contracts Section, Detention Services Division for approval at ^{s47E(d)} [REDACTED] oversee ABF Detention Operations Section (Facility) undertake incident management and response ^{s22(1)(a)(ii)} [REDACTED]
ABF Detention Operations Section (Facility)	<ul style="list-style-type: none"> assist Detention Superintendent (Facility) in maintaining the register of approved APODs confirm operational need for new APOD(s) initiate a request to establish an APOD raise request for self-catering allowances raise Requests for Service (RFS) as required receive and approve visit requests update rolls on CCMD initiate referral to SRSS for independent observers/carers for unaccompanied minors in APODs develop care plan in conjunction with DHSM and FDSP Welfare and Engagement Manager participate in incident management and reporting ^{s22(1)(a)(ii)} [REDACTED] conduct visits to APODs to ensure that services are delivered in accordance with contractual requirements with the respective service providers.
ABF Detention Superintendent (Facility)	<ul style="list-style-type: none"> confirm the operational requirement for the establishment of a new APOD submit the request to establish a new APOD to the Superintendent, Detention Operations Section (National) in an emergency, or when the Minister's delegates cannot be contacted, act as the Minister's delegate to approve an APOD under subparagraph (b)(v) of the definition of immigration detention in subsection 5(1) of the <i>Migration Act 1958</i> using an instrument drafted by the Instruments Drafting section <ul style="list-style-type: none"> send a copy of the instrument to the Superintendent, Detention Operations section (National) and send the original instruction to Director, Instruments Drafting section.

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

For Official Use Only

Position	Accountability and/or responsibility
	<ul style="list-style-type: none"> maintain overall responsibility for security and welfare of detainees in APODs ensure that care plans are in place for detainees in APODs maintain situational awareness of detainees in APODs via reporting undertake incident management and response ^{s22(1)(a)(ii)}
Commander, Detention Operations (National)	As required, act as the Minister's delegate to approve an alternative place of detention under subparagraph (b)(v) of the definition of immigration detention in subsection 5(1) of the <i>Migration Act 1958</i> .
Deputy Commissioner, Operations Group	As required, act as the Minister's delegate to approve an alternative place of detention under subparagraph (b)(v) of the definition of immigration detention in subsection 5(1) of the <i>Migration Act 1958</i> .
Facilities and Detainee Service Provider (FDSP) Facility Operations Manager	<ul style="list-style-type: none"> responsible for the provision of transport and escort services arrange for unaccompanied minors to be transported and escorted to APODs arrange for the receiving IDF to be ready for the visits from APODs.
FDSP Transport and Escort Officer	<ul style="list-style-type: none"> escort detainees at APODs to maintain immigration detention monitor and maintain detainee's security and welfare conduct occupancy counts undertake reporting to FDSP T&E Manager as required maintain APOD(s) occurrence log
FDSP Transport and Escort Manager	<ul style="list-style-type: none"> negotiate with owners of private premises carriage of the security risk assessments of proposed alternative places of detention and update of risk assessments of approved temporary alternative places of detention conduct risk assessments of APODs plan and execute all transport and escort tasks receive reports from FDSP staff at APODs escalate reports to ABF as required ^{s22(1)(a)(ii)} ensure that sufficient staffing arrangements are in place for the FDSP to maintain appropriate security arrangements at the APODs.
FDSP Welfare Engagement Manager	<ul style="list-style-type: none"> contribute to care plans for detainees at APODs maintain Individual Allowance Programme (IAP) accounts.
Health Services Manager (HSM)	<ul style="list-style-type: none"> contribute to care plans for detainees at APODs provide and maintain appropriate health care to detainees at APODs.
Instruments Drafting section	<ul style="list-style-type: none"> receive instructions and draft the APOD instrument and return to the instructing area for signature maintain a register of established APODs and original signed copies of approved APOD(s).
Minister for Home Affairs	<ul style="list-style-type: none"> The Minister or the Minister's delegate may approve an alternative place of detention under subparagraph (b)(v) of the definition of immigration detention in subsection 5(1) of the <i>Migration Act 1958</i>.
Onshore Contracts Section, Services Management Branch	<ul style="list-style-type: none"> responsible for the approval decisions on requests for self-catering allowances for those detainees placed in serviced apartments designated as APODs

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

For Official Use Only

Position	Accountability and/or responsibility
	<ul style="list-style-type: none"> liaise with FDSP to ensure costings and care and accommodation arrangements to provide services to detainees at APOD are approved and able to be processed.
Child Wellbeing Officers	When required, support the ABF Detention Superintendent (Facility) when a minor is placed in an APOD.
Status Resolution Officer	Ensure that an immigration outcome for the detainee continues to be progressed.
Status Resolution Support Services Detainee Support Worker (Band 1 Care)	<ul style="list-style-type: none"> provide routine and daily care for unaccompanied minors and make routine decisions on behalf of the minor if they are unable to do so themselves escalate non-routine decisions to the delegated guardian, and ensure the delegated guardian is informed of any non-routine and significant/critical events in relation to the child.
Superintendent, Detention Operations (National)	<ul style="list-style-type: none"> act as the Minister's delegate to approve an alternative place of detention under subparagraph (b)(v) of the definition of immigration detention in subsection 5(1) of the <i>Migration Act 1958</i> undertake a periodic audit of all APODs and, where appropriate, seek to minimise the number of APODs as a matter of prudent administration may recommend revocation of temporary APODs in accordance with this guidance.
Superintendent, Detention Health Operations	Work with Detention Operations Superintendents in operationalising health care within an APOD.

6. Records management

- 6.1.1. All records created as a result of this procedure **must** be managed in accordance with the Records Management Policy Statement. Records created as a result of this procedure **must** be saved in TRIM RM8 or an approved business system.

7. Further assistance

- 7.1.1. If you require further advice or assistance, or would like to provide feedback in relation to this PI, please contact the Detention and Removal Operational Policy section at

s22(1)(a)(ii)

8. Statement of Expectation

- 8.1.1. The APS Code of Conduct states that 'an APS employee must comply with any lawful and reasonable direction given by someone in the employee's Agency who has authority to give the direction' (subsection 13(5) of the *Public Service Act 1999* (Public Service Act)).
- 8.1.2. Failure by an APS employee to comply with any direction contained in a PPCF document may be determined to be a breach of the APS Code of Conduct, which could result in sanctions up to and including termination of employment, as set out in subsection 15(1) of the Public Service Act.
- 8.1.3. The Secretary's Professional Standards Direction, issued under subsection 55(1) of the *Australian Border Force Act 2015* (the ABF Act), requires all IBP workers who are not APS

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

For Official Use Only

employees (such as contractors or consultants) to comply with any lawful and reasonable direction given by someone in the Department with authority to issue that direction.

- 8.1.4. Failure by an IBP worker who is not an APS employee to comply with a direction contained in a PPCF document may be treated as a breach of the Professional Standards Direction, which may result in the termination of their engagement under section 57 of the ABF Act. Non-compliance may also be addressed under the terms of the contract engaging the contractor or consultant.
- 8.1.5. For all other provisions of PPCF documents, the Secretary and the Commissioner ABF expect all IBP workers to:
- consider whether a proposed departure from any provision set out in a PPCF document is reasonable and justified in the circumstances
 - consider the risks of departing from any provision set out in a PPCF document
 - be responsible and accountable for the consequences of departing from, or not adhering to the content of, all PPCF documents, including where such departure or non-adherence results in a breach of any legal or other obligations which lead to adverse outcomes for the Department and
 - be responsible for documenting the reasons/justification for their decision to depart from, or not adhere to, any PPCF document.
- 8.1.6. IBP workers who make decisions or who exercise powers or functions under legislation have a duty to make these decisions or exercise these powers or functions in accordance with the requirements of the legislation and legal principle.

9. Related Framework documents

- 9.1.1. Related Framework documents include:

s22(1)(a)(ii)



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

For Official Use Only

s22(1)(a)(ii)



10. References and legislation

10.1.1. References and legislation include:

- *Australian Border Force Act 2015*
- Australian Public Service Code of Conduct
- *Freedom of Information Act 1982*
- Immigration Detention Facilities and Detainee Services Contract
- IDN critical incident communication framework (ADD2016/1786320)
- *Migration Act 1958*
- *Migration Regulation 1994*
- *Privacy Act 1988*
- *Public Governance, Performance and Accountability Act 2013*
- *Public Interest Disclosure Act 2013*
- *Public Service Act 1999*
- *Work Health and Safety Act 2011 (Cth)*

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

For Official Use Only

11. Consultation

11.1. Internal consultation

11.1.1. The following internal stakeholders were consulted in the development of this PI:

- Relevant policy and/or programme management area
 - Child Wellbeing Branch
 - Compliance and Enforcement Policy section
 - Detention Health Operations
 - Detention Operations, including regional commands
 - Detention Placements Section
 - Health Services Contract Management
 - Media Operations
 - National Immigration Compliance Programme
 - Onshore Contracts
 - SRSS Programme Management section
- FOI Privacy and Records Management Section
- Integrity and Professional Standards Branch
- Legal Advice and Operational Support Section
- Risk and Assurance Branch
- Strategic Advice Section (Secrecy and Disclosure Branch)
- Workforce Health and Safety Section

11.2. External consultation

11.2.1. The following external stakeholders were consulted in the development of this PI:

- N/A

12. Document details

BCS Category/Function	Detention Management
BCS Sub-Category/Sub-Function	DM-01 Detention Facility Management
Period of Effect	03 October 2021

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

For Official Use Only

12.1. Document change control

Version number	Date of issue	Author(s)	Brief description of change
2.0	30/06/2017	National Detention and Removals Programmes	Update of detention instructions to reflect PPCF requirements.
3.0	19/10/2017	National Detention and Removals Programme	Reviewed as per Deputy Commissioner's request for 'extraordinary review'.
4.0	03/11/2017	National Detention and Removal Programmes Section	PPCF QA feedback incorporated.
5.0	17/04/2018	Detention and Removal Operational Policy	Legal review
6.0	03/10/2018		Final Inspector/Superintendent review.

12.2. Approval

Document owner	Commander, ABF Governance Branch
Approval date	03 October 2018

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



For Official Use Only

Detention Services Manual

Detainee placement - Managing Detainees in APODs

Standard Operating Procedure

This standard operating procedure outlines the process for placing and managing detainees in alternative places of detention, including care and support arrangements, as well as procedures for accessing and visiting an alternative place of detention.

Document approval date	29 October 2018
Last PPCF review date	2 November 2017
Contact	Detention and Removal Operational Policy §47E(d)
Document ID (PPN)	DM-3287
TRIM record number	ADD2018/5735686
Primary influencing Legislation(s)	<i>Migration Act 1958</i>

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

For Official Use Only

For Official Use Only

Table of Contents

1. Introduction	3
1.1. Purpose	3
2. Scope	3
2.1. In Scope	3
2.2. Out of Scope	4
3. Glossary	4
4. Standard Operating Procedure	4
4.1. General arrangements for detainees in APODs	4
Plan for community support	4
Unaccompanied minors (UAMs) in APODs	4
If APOD is self-catering	5
Participating in the Individual Allowance Program	5
4.2. Administration of detainees in APODs	5
Preparation for escort duties in an APOD	5
Visitors to medical facility APODs	6
Visits from APODs to other locations	6
Escorting within a medical facility	6
Associated management tasks	7
Reporting and Monitoring	7
Incident Reporting	7
5. Accountability and responsibilities	8
6. Records management	8
7. Further assistance	8
8. Statement of Expectation	8
9. Related Framework documents	9
10. References and legislation	9
11. Consultation	9
11.1. Internal consultation	9
11.2. External consultation	10
12. Document details	10
12.1. Document change control	10
12.2. Standard Operating Procedure approval	10

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

For Official Use Only

1. Introduction

1.1. Purpose

- 1.1.1. This Standard Operating Procedure (SOP) describes the operational process for managing detainees in APODs. APODs may be classified as either Tier 2 or Tier 4 detention placements s22(1)(a)(ii)
- 1.1.2. It is departmental policy that Tier 2 APODs are part of the immigration detention network.
- 1.1.3. This is a nationally consistent process to ensure operational activities are carried out correctly and in compliance with the Policy Statement (PS) and Procedural Instruction (PI).
- 1.1.4. An alternative place of detention (APOD) is a place of immigration detention (as defined in the *Migration Act 1958* (the Act)) approved in writing by the Minister (or his or her delegate) under subparagraph (b)(v) of the definition of 'immigration detention' in subsection 5(1) of the Act. Places specified in a residence determination under s197AB (known as 'community detention') are **not** APODs.
- 1.1.5. For more information about the types of places that can be APODs, see [DM-588](#) in PPCR (*DSM – PI – Detainee placement – Alternative places of detention*).
- 1.1.6. This SOP aligns to and must be implemented in conjunction with:
- [DM-588](#) in PPCR (*DSM – PI – Detainee placement – Alternative places of detention*)

s22(1)(a)(ii)

2. Scope

2.1. In Scope

- 2.1.1. This SOP provides guidance to officers regarding the procedures for:
- placing and managing detainees in an APOD
 - care and support arrangements for detainees in an APOD and
 - accessing and visiting detainees in an APOD.

2.1.2. s22(1)(a)(ii)

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

For Official Use Only

2.2. Out of Scope

2.2.1. The following information is not addressed in this SOP:

- visiting detainees in Tier 4 APOD placements (such as prisons)
- appointment of directed persons, ^{s22(1)(a)(ii)} [REDACTED]
- transport and escort requirements to or from APODs, ^{s22(1)(a)(ii)} [REDACTED] or
- transfer and placement in a Residence Determination (community placement) arrangement. For further guidance contact SRSS Programme Management on ^{s47E(d)} [REDACTED]

3. Glossary

3.1.1. The terms and their accompanying definitions that have specific meanings in the context of the suite of detention instructions is at [DM-5249](#) in PPCR (*Detention Services Manual – Glossary*).

4. Standard Operating Procedure

4.1. General arrangements for detainees in APODs

Plan for community support

Step	Action	Person Responsible
4.1.1.	Complete Plan for Community Support in conjunction with Health Services Manager (HSM), Facilities and Detainee Services Provider (FDSP) Welfare and Engagement Manager and Status Resolution Support Services (SRSS).	ABF Detention Operations (Facility)

Unaccompanied minors (UAMs) in APODs

^{s22(1)(a)(iii)} [REDACTED]

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

For Official Use Only

If APOD is self-catering

s22(1)(a)(ii)



Participating in the Individual Allowance Program

s22(1)(a)(ii)



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

4.2. Administration of detainees in APODs

Preparation for escort duties in an APOD

s22(1)(a)(ii)



For Official Use Only

Visitors to medical facility APODs

s22(1)(a)(ii)



Visits from APODs to other locations

s22(1)(a)(ii)



Escorting within a medical facility

s22(1)(a)(ii)



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

For Official Use Only

Associated management tasks

s22(1)(a)(ii)



Reporting and Monitoring

s22(1)(a)(ii)



s22(1)(a)(ii)



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

For Official Use Only

s22(1)(a)(ii)

5. Accountability and responsibilities

- 5.1.1. For accountability and responsibilities, refer to [DM-588](#) in PPCR (*DSM – PI – Detainee placement – Alternative places of detention in the community*).

6. Records management

- 6.1.1. All records created as a result of this procedure **must** be managed in accordance with the Records Management Policy Statement. Records created as a result of this procedure **must** be saved in TRIM RM8 or an approved business system.

7. Further assistance

- 7.1.1. If you require further advice or assistance, or would like to provide feedback in relation to this SOP, please contact the Detention and Removal Operational Policy section at

s47E(d)

8. Statement of Expectation

- 8.1.1. The APS Code of Conduct states that 'an APS employee must comply with any lawful and reasonable direction given by someone in the employee's Agency who has authority to give the direction' (subsection 13(5) of the *Public Service Act 1999* (Public Service Act)).

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

For Official Use Only

- 8.1.2. Failure by an APS employee to comply with any direction contained in a PPCF document may be determined to be a breach of the APS Code of Conduct, which could result in sanctions up to and including termination of employment, as set out in subsection 15(1) of the Public Service Act.
- 8.1.3. The Secretary's Professional Standards Direction, issued under subsection 55(1) of the *Australian Border Force Act 2015* (the ABF Act), requires all IBP workers who are not APS employees (such as contracted service providers or consultants) to comply with any lawful and reasonable direction given by someone in the Department with authority to issue that direction.
- 8.1.4. Failure by an IBP worker who is not an APS employee to comply with a direction contained in a PPCF document may be treated as a breach of the Professional Standards Direction, which may result in the termination of their engagement under section 57 of the ABF Act. Non-compliance may also be addressed under the terms of the contract engaging the contracted service provider or consultant.
- 8.1.5. For all other provisions of PPCF documents, the Secretary and the Commissioner ABF expect all IBP workers to:
- consider whether a proposed departure from any provision set out in a PPCF document is reasonable and justified in the circumstances
 - consider the risks of departing from any provision set out in a PPCF document
 - be responsible and accountable for the consequences of departing from, or not adhering to the content of, all PPCF documents, including where such departure or non-adherence results in a breach of any legal or other obligations which lead to adverse outcomes for the Department and
 - be responsible for documenting the reasons/justification for their decision to depart from, or not adhere to, any PPCF document.
- 8.1.6. IBP workers who make decisions or who exercise powers or functions under legislation have a duty to make these decisions or exercise these powers or functions in accordance with the requirements of the legislation and legal principle.

9. Related Framework documents

- 9.1.1. For related framework documents, refer to [DM-588](#) in PPCR (*DSM – PI – Detainee placement – Alternative places of detention*).

10. References and legislation

- 10.1.1. For references and legislation, refer to [DM-588](#) in PPCR (*DSM – PI – Detainee placement – Alternative places of detention*).

11. Consultation

11.1. Internal consultation

- 11.1.1. For internal stakeholders consulted in the development of this SOP, refer to [DM-588](#) in PPCR (*DSM – PI – Detainee placement – Alternative places of detention*).

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

For Official Use Only

11.2. External consultation

- 11.2.1. For external stakeholders consulted in the development of this SOP, refer to [DM-588](#) in PPCR (*DSM – PI – Detainee placement – Alternative places of detention*).

12. Document details

BCS Category/Function	Detention Management
BCS Sub-Category/Sub-Function	DM-08 Detainee Health and Welfare Management
Period of Effect	29 October 2021

12.1. Document change control

Version number	Date of issue	Author(s)	Brief description of change
2.0	30/06/2017	National Detention and Removals Programme	Update of detention instructions to reflect PPCF requirements.
3.0	19/10/2017	National Detention and Removals Programme	Reviewed as per Deputy Commissioner's request for 'extraordinary review'.
3.1	03/11/2017	Detention and Removals Operational Policy	Update PPCF review
4.0	18/10/2018	Detention and Removals Operational Policy	Update legal review
5.0	24/10/2018	Detention and Removals Operational Policy	Update post-Inspector review.
6.0	30/10/2018	Detention and Removals Operational Policy	Update post-Superintendent review.

12.2. Standard Operating Procedure approval

Document owner	Commander ABF Governance
Approval date	29 October 2018

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



For Official Use Only

Detention Services Manual- Detainee placement – Assessment and placement of detainees in IDFs

Procedural Instruction

This Procedural Instruction describes the procedure for determining the most appropriate placement option for detainees within the immigration detention network.

Document approval date	30 October 2018
Last PPCF review date	17 November 2017
Contact details	Detention and Removals Operational Policy s47E(d)
Document ID (PPN)	DM-5126
TRIM record number	ADD2018/5731915
Primary influencing Legislation(s)	<i>Migration Act 1958</i>

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

For Official Use Only

For Official Use Only

Table of Contents

1. Introduction	3
1.1. Purpose	3
2. Scope	3
2.1. In Scope	3
2.2. Out of Scope	3
3. Glossary	4
4. Procedural Instruction	4
4.1. Overview	4
4.2. Individual assessment for placement within the immigration detention network (IDN)	5
Planned arrival	5
Unplanned arrival	5
4.3. Assessing detainees for transfer between IDFs	6
4.4. Person of interest (POI) placement	6
4.5. Group movement for capacity/logistical purposes	7
4.6. Delay in transfer back to original IDF	7
4.7. Accommodation of lawful non-citizen and Australian citizens	7
5. Accountability and responsibilities	7
Table 1 – Procedural Instruction roles and responsibilities	7
6. Records management	14
7. Further assistance	14
8. Statement of Expectation	14
9. Related Framework documents	15
10. References and legislation	16
11. Consultation	16
11.1. Internal consultation	16
11.2. External consultation	17
12. Document details	17
12.1. Document change control	17
12.2. Procedural Instruction approval	18

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

For Official Use Only

1. Introduction

1.1. Purpose

- 1.1.1. This Procedural Instruction (PI) describes the procedure for assessing a detainee and determining the placement of detainees within the immigration detention network (IDN) in Australia.
- 1.1.2. It describes a nationally consistent process that outlines the respective roles and responsibilities of the Department of Home Affairs (Department) including the Australian Border Force (ABF) at the facility level, Detention Placements section, ABF Detention Placement Section (National), the Facilities and Detainee Services Provider (FDSP) and the Detention Health Services Provider (DHSP). This ensures that officers and contracted service providers understand the assessment and placement procedures, and how their role and responsibilities integrate with the overall placement procedure.
- 1.1.3. This PI aligns to and must be implemented in conjunction ^{s22(1)(a)(ii)} [DM-3248](#) in PPCR (*DSM – SOP – Detainee placement – Detainee placement*).

2. Scope

2.1. In Scope

- 2.1.1. This PI describes the procedures for:
- assessing a detainee and determining the most appropriate placement arrangement within the IDN after a planned or unplanned arrival at an immigration detention facility (IDF)
 - assessing detainees for transfer to another IDF
 - assessing and placing a person of interest (POI) and
 - moving groups to re-balance the IDN for capacity/logistical purposes.

2.2. Out of Scope

- 2.2.1. This PI does not describe the procedures for:
- internal placement arrangements within IDF themselves (this is a matter for the FDSP)
 - transfer and placement in Residence Determination (community placement) arrangements
 - airport turnarounds
 - transferring transitory persons in detention to a regional processing country
 - process of physically transferring detainees or
 - non-POI placements in a correctional facility (Tier 4 placement).

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

For Official Use Only

3. Glossary

- 3.1.1. The terms and their accompanying definitions that have specific meanings in the context of the suite of detention instructions is at [DM-5249](#) in PPCR (*Detention Services Manual – Glossary*).

4. Procedural Instruction

4.1. Overview

- 4.1.1. Detainee detention placement decisions are guided by the Immigration Detention Values and supported by the ^{s47E(d)} [REDACTED].
[REDACTED] Accurate assessment and appropriate placement of detainees within the IDN improve detainee safety and welfare, helps Australia meet its international human rights obligations towards detainees, minimises disruption within the IDN and reduces operating costs.
- 4.1.2. Appropriate placement decisions rely on a thorough assessment of the risks associated with individual detainees, the risks to other detainees, departmental officers and contracted service providers, the risks to the safety and good order within the facility, and risks to the facility itself.
- 4.1.3. Placement decisions are to consider welfare issues such as keeping families intact, recognising community links, health and welfare needs, status of minors, and pending and existing marriages and immediate family relationships.
- 4.1.4. 'Member of the immediate family' is defined in reg 1.12AA of the *Migration Regulations 1994* as:
For these Regulations, where person **A** is a member of the immediate family of another person **B** if:
(a) **A** is a spouse or de facto partner of **B**; or
(b) **A** is a dependent child of **B**; or
(c) **A** is a parent of **B**, and **B** is not 18 years or more.
- 4.1.5. Detainees' personal and other circumstances are to be considered in order to determine the most appropriate detention placement for the detainee. These may include, but are not limited to, the following:
- physical and mental health concerns
 - the detainee's needs including age, length of detention, family connections, fitness to travel
 - available services and facilities at the receiving IDF
 - the risk profile of the detainee and
 - the risk profile of the receiving IDF.
- 4.1.6. Placement in any IDF is not an indicator of any immigration status resolution outcome. The provision (or revocation) of suitable accommodation must **not** be used as a behavioural management tool or punitive measure.
- 4.1.7. The use of ^{s47E(d)} [REDACTED] and the national detention dashboard allows all key ABF and FDSP officers to be aware of detainee movements and placements and the risk profiles associated with these detainees.

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

For Official Use Only

4.1.8.

s22(1)(a)(ii)



- 4.1.9. For vulnerable persons (including, but not limited to former sex workers or people who identify as lesbian, gay, bisexual, transgender or intersex), the placement decision-making process must consider the identified or known vulnerabilities and personal circumstances and seek to ensure that the chosen IDF can best meet their safety, health and welfare needs.

4.2. Individual assessment for placement within the immigration detention network (IDN)

Planned arrival

- 4.2.1. When an unlawful non-citizen (UNC) is detained, their placement risk(s) should be assessed. s47E(d) . This assists in determining the IDF where the detainee will be placed (including consideration of a Tier 4 placement).

Unplanned arrival

- 4.2.2. When a UNC is detained and arrives at the nearest IDF with no (or very limited) notice, their placement risk and vulnerabilities must be assessed **within the first five days** of arrival s47E(d) . This will determine if the current IDF is appropriate for the detainee or if the detainee should be transferred and placed elsewhere in the IDN (including consideration of a Tier 4 placement).

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

For Official Use Only

4.3. Assessing detainees for transfer between IDFs

- 4.3.1. An individual detainee or group of detainees may be moved to another IDF if their current placement is deemed to be unsuitable (for example through a decision by the Individual Management Placements and Review Committee – IMPRC) and there are no suitable alternative arrangements available within the current IDF. This may be based on welfare, health or security concerns, including considerations for families, children and family links in the community. The marriage of a detainee, for example, may trigger a reassessment of the existing placement arrangement.
- 4.3.2. Spouse/partner or confirmed dependants that visit the detainee regularly (at least fortnightly) will be a consideration as a potential barrier to transfer to an IDF interstate. Where the dependent is a child, the best interests of the child will be a primary consideration.
- 4.3.3. Where a transfer is required to address a matter of security or good order, or other operational reason, family links are **not** a barrier to transfer.
- 4.3.4. If a sudden or urgent occasion for a transfer arises, a truncated transfer process is acceptable. An emergency transfer can be triggered by either the ABF Inspector Detention Operations (Facility), the ABF Detention Superintendent (Facility), the Commander Detention Operations (National), the senior Status Resolution Officer, FDSP or DHSP.
- 4.3.5. Group rebalancing moves for capacity/logistical purposes are not typically emergency transfers and usual procedures apply. Refer to **4.5 Group movement for capacity/logistical purposes**.
- 4.3.6. Any recommendation to transfer a detainee to an alternative IDF should consider those factors at 4.1.8.
- 4.3.7. A detainee transfer can be requested by the ABF Detention Superintendent (Facility). Detention Placements Section (National) has ultimate decision-making responsibility regarding placements. All relevant stakeholders should be kept informed as required.
- 4.3.8. Notification and recordkeeping relating to an emergency transfer should occur within **24 hours** of the transfer taking place.
- 4.3.9. When planning a temporary transfer of a detainee between IDFs for less than seven (7) days, return arrangements of the detainee **must** be considered as part of the planning process.

4.4. Person of interest (POI) placement

s47E(d)



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

For Official Use Only

4.5. Group movement for capacity/logistical purposes

- 4.5.1. A group movement for capacity/logistical purposes may be undertaken when there is an imbalance in the IDN capacity that can be elevated by moving groups of particular cohorts to alternative IDFs.
- 4.5.2. A movement can be requested by the ABF Detention Superintendent (Facility) in consultation with Detention Placements Section (National). Detention Placements Section (National) has ultimate decision-making responsibility regarding placements and is responsible for coordinating group movements for capacity/logistical purposes.
- 4.5.3. Group movements for capacity/logistical purposes must consider individual welfare, health or security concerns, including considerations for families and children (including those in the community).

4.6. Delay in transfer back to original IDF

- 4.6.1. Where a transfer back to the original sending IDF following a temporary transfer is delayed (for example, a court date is adjourned for a week), the responsibility for the transfer should be reassigned to the IDF where the detainee is currently located.
- 4.6.2. The ABF Detention Operations officer where the detainee is currently located should inform the Removals Operations HQ (National) (IMA Commercial Transfers) of any changes to the return transfer.

4.7. Accommodation of lawful non-citizen and Australian citizens

- 4.7.1. Lawful non-citizens and Australian citizens are not to be accommodated in IDFs. s22(1)(a)(ii)

5. Accountability and responsibilities

Table 1 – Procedural Instruction roles and responsibilities

Position	Accountability and/or responsibility
ABF Detention Operations Officer (Facility)	<p>Individual assessment for placement within the IDN (planned arrival):</p> <ul style="list-style-type: none"> review and confirm the s47E(d) complete all sections of s47E(d) to determine if placement at the facility is appropriate or if more appropriate placement is required provide the s47E(d) to the ABF Detention Superintendent (Facility) notify the DHSP Facility Manager of the placement arrangements. <p>Individual assessment for placement within the IDN (unplanned arrival):</p> <ul style="list-style-type: none"> review and confirm s47E(d) provide s47E(d) to the ABF Detention Superintendent (Facility)

For Official Use Only

Position	Accountability and/or responsibility
	<ul style="list-style-type: none"> • notify the DHSP Facility Manager of the placement arrangements • complete all sections of s47E(d) to determine if placement at the facility is appropriate or if more appropriate placement is required • provide the completed s47E(d) to the ABF Detention Superintendent (Facility) or delegate. <p>Assessing detainees for transfer between IDFs:</p> <ul style="list-style-type: none"> • update s47E(d) and review any upcoming health appointments, court hearings, adverse security assessment notification or other potential status resolution impacts, including on any minors involved, on the proposed transfer • finalise the s47E(d) • email a copy to the Detention Placements Section (National) for endorsement of the placement recommendation • request fit to travel assessments(FTT) from the DHSP for the detainee to be transferred • request a detention service provider assessment (DSPA) from FDSP staff for the detainee to be transferred • save a copy of s47E(d) to the detainee's record in the CCMD portal and their TRIM dossier • where placement requires a transfer (for example, interstate) submit a transfer request, DSPA, FTT and placement approval email to the Removals Operations HQ Officer (National), where possible, at least 72 hours prior to the intended transfer • create a request for service (RFS) and organise the transfer between facilities, allowing 24 hours notice for detainee to notify all of their stakeholders. <p>Minors in detention</p> <ul style="list-style-type: none"> • generate RFS as required to initiate transfer of minor/s with family/legal guardian between IDFs • complete s47E(d) as required for unplanned minor arrivals • advise Status Resolution of the reception of all unaccompanied minors (UAMs).

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

For Official Use Only

Position	Accountability and/or responsibility
ABF Detention Superintendent (Facility)	<p>Individual assessment for placement within the IDN (planned arrival):</p> <ul style="list-style-type: none"> • approve/reject placement decision • note the finalised ^{s47E(d)} [REDACTED] . <p>Individual assessment for placement within the IDN (unplanned arrival):</p> <ul style="list-style-type: none"> • notify Commander Detention Operations (National) of changes in risk ratings that require transfer to another facility • ^{s22(1)(a)(ii)} [REDACTED] <p>Assessing detainees for transfer between IDFs:</p> <ul style="list-style-type: none"> • approve or reject the placement decision. A decision to transfer an Immigration Guardianship of Children (IGOC) minor should be made in consultation with the child welfare officers or relevant similar officers; advise the delegated guardian about the decision. <p>Person of interest placement:</p> <ul style="list-style-type: none"> • provide input for final placement decision • advise the detainee of the final placement decision • in the case of registrable detainees, advise the relevant state/territory police forces • facilitate detainee's ongoing reporting requirements, such as a registrable detainee reporting to state/territory police. <p>Minors in detention</p> <ul style="list-style-type: none"> • advise the Commander ABF Detention Operations, and Removals Operations HQ (National) about IDF capacity issues affecting the placement of minors and their families • approve placement of minor/s and families within their IDF but only if there is no alternative • oversee the relocation of minors and their families within their facility as required • in consultation with stakeholders as necessary, oversee the day-to-day management of minors who are accommodated in IDFs. <p>Group movement for capacity/logistical purposes:</p> <ul style="list-style-type: none"> • provide list of suitable detainees (based on agreed cohorts) in order of priority with FTTs and DSPAs to the Superintendent, Detention Placements (National), receiving facility, Detention Health Operations and Removals Operations HQ (National) • approve/reject placement decision (receiving facility).
ABF Field Operations	Conduct field operations in a region.

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

For Official Use Only

Position	Accountability and/or responsibility
Child Wellbeing Branch	s22(1)(a)(ii)
Commander Detention Operations (National)	<p>Responsible for national level management of detention in Australia.</p> <p>Individual assessment for placement within the IDN (planned arrival):</p> <ul style="list-style-type: none"> determine final placement if significant issues remain unresolved. <p>Assessing detainees for transfer between IDFs:</p> <ul style="list-style-type: none"> determine final placement if still unresolved. <p>POI placement:</p> <ul style="list-style-type: none"> review and endorse the POI placement minute and placement brief determine placement if rejected by the ABF Detention Superintendent at the receiving facility. <p>Group movement for capacity/logistical purposes:</p> <ul style="list-style-type: none"> determine placement if rejected by Superintendent, Detention Placements Section (National). <p>Minors in detention</p> <p>Has primacy in approving the placement decisions affecting all minors. Responsibilities are as follows:</p> <ul style="list-style-type: none"> approve or reject the placement decisions of minor/s and their family/legal guardian relocated from another region delegate guardianship arrangements under the International Guardianship of Children (IGOC) Act for children who: <ul style="list-style-type: none"> are not Australian citizens have not turned 18 years old at the time of arrival in Australia, and intend or are intended, to become permanent residents of Australia and

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

For Official Use Only

Position	Accountability and/or responsibility
	<ul style="list-style-type: none"> o did not arrive in Australia in the care of, or for the purposes of living in Australia under the care of, a parent, or a relative who has turned 21.
Detaining officers	<p>Individual assessment for placement within the IDN (planned arrival):</p> <ul style="list-style-type: none"> • assess detainee placement risk using s47E(d) to determine the appropriate facility • contact the Detention Operations Risk Management Unit (National) to request national security/criminal history information input where there are known national security concerns such as an adverse security assessment and gang affiliation • finalise s47E(d) • save a copy of s47E(d) to the detainee's record in the CCMD portal and on their TRIM dossier • email a copy of s47E(d) to Detention Placements Section (National) • where placement requires a transfer (for example, interstate), submit a transfer request and placement approval email to the Removals Operations HQ Officer (National), at least 72 hours prior to the intended transfer • create an RFS and organise the transfer.
Detention Health Service Provider	<p>Individual assessment for placement within the IDN (planned arrival):</p> <ul style="list-style-type: none"> • conduct health screening of the new detainee within 12 hours of receiving access to the detainee with the full assessment being completed within 72 hours • complete a FTT assessment and provide to the ABF Detention Operations Officer (Facility) • where applicable, provide feedback/advice on the suitability of the suggested final placement based on clinical considerations and requirements.
Detention Placements Officer (National)	<p>Individual assessment for placement within the IDN (planned arrival):</p> <ul style="list-style-type: none"> • check the national detention dashboard to confirm the appropriate placement, based on the risk level generated by s47E(d) • determine placement • inform the ABF Detention Superintendent at the receiving facility of the decision to place a detainee at the facility. <p>Assessing detainees for transfer between IDFs:</p> <ul style="list-style-type: none"> • check the national detention dashboard to determine the most appropriate available receiving facility and contact the ABF Detention Superintendent at the facility to confirm availability • make placement decision • discuss with the ABF Detention Superintendent at the receiving facility the decision to place a detainee at the facility.

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

For Official Use Only

Position	Accountability and/or responsibility
	Person of interest placement: s47E(d)
	Group movement for capacity/logistical purposes: <ul style="list-style-type: none"> liaise with the Removals Operations HQ (National) to confirm availability of the charter date specified or advise next possible date provide an updated transfer list to the Removals Operations HQ (National).
Detention Operations Risk Management Unit (National)	Individual assessment for placement within the IDN (planned): <ul style="list-style-type: none"> liaise with the national security teams and provide any national security/criminal history information.
FDSP Facility Operations Manager	Individual assessment for placement within the IDN (planned arrival): <ul style="list-style-type: none"> place detainee in suitable accommodation, s47E(d) Individual assessment for placement within the IDN (unplanned arrival): <ul style="list-style-type: none"> place detainee in suitable accommodation, s47E(d)
FDSP Property Officer	Individual assessment for placement within the IDN (planned and unplanned arrival): <ul style="list-style-type: none"> conduct inductions into the facility.
FDSP Security Manager	Individual assessment for placement within the IDN (planned arrival):

For Official Use Only

Position	Accountability and/or responsibility
	<ul style="list-style-type: none"> complete all §47E(d) actions (if detainee arrives during business hours) using: <ul style="list-style-type: none"> information contained in categories 1–8 §47E(d) FDSP intelligence reports CCMD portal complete an induction risk assessment (if detainee arrives outside of business hours) attach completed §47E(d) to the detainee profile on the CCMD portal once it is confirmed. <p>Individual assessment for placement within the IDN (unplanned arrival):</p> <ul style="list-style-type: none"> complete all §47E(d) actions provide §47E(d) to ABF Detention Operations (Facility) attach completed §47E(d) to the detainee profile on the CCMD portal once it is confirmed.
FDSP Transport and Escort Team	<p>Individual assessment for placement within the IDN (planned arrival):</p> <ul style="list-style-type: none"> transfer detainees to receiving facilities §22(1)(a)(ii)
Removals Operations HQ Officer (National)	<p>Individual assessment for placement within the IDN (planned arrival):</p> <ul style="list-style-type: none"> confirm commercial or charter travel arrangements with the ABF detaining officer and the ABF Detention Superintendent at the receiving facility. communicate the confirmed travel details to ABF Detention Operations (receiving facility). facilitate the transfer of the detainee to the receiving facility. <p>Assessing detainees for transfer between IDFs:</p> <ul style="list-style-type: none"> confirm commercial travel arrangements if individual, or charter travel arrangements for group transfer. communicate the confirmed travel details to ABF Detention Operations (receiving facility). <p>Group movement for capacity/logistical purposes:</p> <ul style="list-style-type: none"> confirm charter travel arrangements for group transfer. communicate the confirmed travel details to ABF Detention Operations (receiving and sending facility) and Detention Placements Section (National).

For Official Use Only

Position	Accountability and/or responsibility
Status Resolution	Responsible for providing status resolution information and how it may impact on placement.
Superintendent Detention Placements Section (National)	<p>Individual assessment for placement within the IDN (planned arrival):</p> <ul style="list-style-type: none"> determine placement if rejected by the ABF Detention Superintendent (receiving facility). <p>Assessing detainees for transfer between IDFs:</p> <ul style="list-style-type: none"> determine placement if rejected by the ABF Detention Superintendent (receiving facility). <p>Person of interest placement:</p> <ul style="list-style-type: none"> review and finalise POI placement minute provide POI or correctional placement minute and placement brief to the Commander Detention Operations. <p>Group movement for capacity/logistical purposes:</p> <ul style="list-style-type: none"> check the national detention dashboard to determine potential group movement options provide notice of intent to facilities to obtain numbers of detainees being transferred confirm numbers and cohorts for movement determine placement if rejected by the ABF Detention Superintendent (receiving facility).

6. Records management

- 6.1.1. All records created as a result of this procedure **must** be managed in accordance with the Records Management Policy Statement. Records created as a result of this procedure **must** be saved in TRIM RM8 or an approved business system.

7. Further assistance

- 7.1.1. If you require further advice or assistance, or would like to provide feedback in relation to this PI, please contact the Detention and Removal Operational Policy section at

s47E(d)

8. Statement of Expectation

- 8.1.1. The APS Code of Conduct states that 'an APS employee must comply with any lawful and reasonable direction given by someone in the employee's Agency who has authority to give the direction' (subsection 13(5) of the *Public Service Act 1999* (Public Service Act)).

For Official Use Only

- 8.1.2. Failure by an APS employee to comply with any direction contained in a PPCF document may be determined to be a breach of the APS Code of Conduct, which could result in sanctions up to and including termination of employment, as set out in subsection 15(1) of the Public Service Act.
- 8.1.3. The Secretary's Professional Standards Direction, issued under subsection 55(1) of the *Australian Border Force Act 2015* (the ABF Act), requires all IBP workers who are not APS employees (such as contracted service providers or consultants) to comply with any lawful and reasonable direction given by someone in the Department with authority to issue that direction.
- 8.1.4. Failure by an IBP worker who is not an APS employee to comply with a direction contained in a PPCF document may be treated as a breach of the Professional Standards Direction, which may result in the termination of their engagement under section 57 of the ABF Act. Non-compliance may also be addressed under the terms of the contract engaging the contracted service provider or consultant.
- 8.1.5. For all other provisions of PPCF documents, the Secretary and the Commissioner ABF expect all IBP workers to:
- consider whether a proposed departure from any provision set out in a PPCF document is reasonable and justified in the circumstances
 - consider the risks of departing from any provision set out in a PPCF document
 - be responsible and accountable for the consequences of departing from, or not adhering to the content of, all PPCF documents, including where such departure or non-adherence results in a breach of any legal or other obligations which lead to adverse outcomes for the Department and
 - be responsible for documenting the reasons/justification for their decision to depart from, or not adhere to, any PPCF document.
- 8.1.6. IBP workers who make decisions or who exercise powers or functions under legislation have a duty to make these decisions or exercise these powers or functions in accordance with the requirements of the legislation and legal principle.

9. Related Framework documents

- 9.1.1. Related Framework documents include:

s22(1)(a)(ii)



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

For Official Use Only

s22(1)(a)(ii)



10. References and legislation

10.1.1. References and legislation include:

- *Australian Border Force Act 2015*
- Australian Public Service Code of Conduct
- *Immigration (Guardianship of Children) Act 1946*
- *Freedom of Information Act 1982*
- Immigration Detention Facilities and Detainee Services Contract
- *Migration Act 1958*
- *Privacy Act 1988*
- *Public Governance, Performance and Accountability Act 2013*
- *Public Interest Disclosure Act 2013*
- *Public Service Act 1999*
- *Work Health and Safety Act 2011*

11. Consultation

11.1. Internal consultation

11.1.1. The following internal stakeholders were consulted in the development of this PI:

- Relevant policy and/or program management area

For Official Use Only

- Child Wellbeing Branch
- Detention Operations, including regional commands
- Detention Placements section
- Onshore Contracts section
- Detention Health Operations section
- Health Policy section
- Freedom of Information Section
- Integrity and Professional Standards Branch
- Legal Opinions
- Privacy Section
- Records Management Section
- Secrecy and Disclosure Section

11.2. External consultation

11.2.1. The following external stakeholders were consulted in the development of this PI:

- N/A

12. Document details

BCS Category/Function	Detention Management
BCS Sub-Category/Sub-Function	DM-01 Detention Facility Management
Period of Effect	30 October 2021

12.1. Document change control

Version number	Date of issue	Author(s)	Brief description of change
2.0	30/06/2017	National Detention and Removals Programmes	Update of detention instructions to reflect PPCF requirements.
3.0	22/12/2017		Reviewed as per Duty Commissioner's request for 'extraordinary review'.
3.1	17/11/2017	Detention and Removals Operational Policy	Update PPCF feedback
4.0	16/10/2018		Update post-legal review.
5.0	24/10/2018		Update post-Inspector review.
6.0	15/01/2018		Update the role of the Commander Detention Operations. Remove reference to the 'ABF Regional Commander' as responsible for

For Official Use Only

Version number	Date of issue	Author(s)	Brief description of change
			placement decision involving minors (and as responsible for delegating guardianship arrangements under the IGOC Act).

12.2. Procedural Instruction approval

Document owner	Commander ABF Governance
Approval date	30 October 2018

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



For Official Use Only

Detention Services Manual- Detainee placement - Detainee placement

Standard Operating Procedure

This Standard Operating Procedure outlines the process for assessing detainee placement within the immigration detention network.

Document approval date	02 November 2018
Last PPCF review date	17 November 2017
Contact	Detention and Removal Operational Policy s22(1)(a)(ii)
Document ID (PPN)	DM-3248
TRIM record number	ADD2018/5732747
Primary influencing Legislation(s)	<i>Migration Act 1958</i>

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

For Official Use Only

For Official Use Only

Table of Contents

1. Introduction	3
1.1. Purpose	3
2. Scope	3
2.1. In Scope	3
2.2. Out of Scope	3
3. Glossary	4
4. Standard Operating Procedure	4
4.1. Placement assessment within the IDN and placement implementation - planned arrival	4
4.2. Individual assessment for placement with in the IDN – unplanned arrival	5
4.3. Assessing detainees for transfer between IDFs	6
4.4. Person of Interest placement	7
4.5. Group movement for capacity/logistical purposes	8
5. Accountability and responsibilities	9
6. Records management	9
7. Further assistance	9
8. Statement of Expectation	10
9. Related Framework documents	10
10. References and legislation	10
11. Consultation	11
11.1. Internal consultation	11
11.2. External consultation	11
12. Document details	11
12.1. Document change control	11
12.2. Standard Operating Procedure approval	11

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

For Official Use Only

1. Introduction

1.1. Purpose

- 1.1.1. This Standard Operating Procedure (SOP) outlines the operational process of assessing detainee placement within the immigration detention network (IDN).
- 1.1.2. This is a nationally consistent process to ensure operational activities are carried out correctly and in compliance with the Policy Statement (PS) and Procedural Instruction (PI).
- 1.1.3. This SOP aligns to and must be implemented in conjunction with ^{s22(1)(a)(ii)} and [DM-5126](#) in PPCR (*DSM – PI – Detainee placement – Assessment and placement of detainees in IDFs*).

2. Scope

2.1. In Scope

- 2.1.1. This SOP provides guidance to officers regarding the procedures for:
- assessing a detainee for placement within the IDN
 - assessing a detainee for transfer within the IDN and
 - moving groups of detainees to re-balance the IDN for capacity/logistical purposes.
- 2.1.2. This SOP also applies to Suspected Illegal Foreign Fishers and Suspected Foreign Offenders held in an immigration detention facility (IDF). Before transferring a Suspected Illegal Foreign Fisher or a Suspected Foreign Offender from one IDF to another, the Department of Home Affairs (Department) including the Australian Border Force (ABF) and Facility and Detainee Service Provider (FDSP) must discuss the proposed transfer with the agency that is considering whether to charge the person with an offence.

2.2. Out of Scope

- 2.2.1. This SOP does not cover:
- internal placement arrangements within IDF themselves (this is a matter for the FDSP)
 - airport turnarounds
 - transferring transitory persons in detention to a regional processing country
 - process of physically transferring a detainee/s
 - placements in a correctional facility (Tier 4 placement) or
 - transfer and placement in a Residence Determination (community placement) arrangement.

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

For Official Use Only

3. Glossary

- 3.1.1. The terms and their accompanying definitions that have specific meanings in the context of the suite of detention instructions is at [DM-5249](#) in PPCR (*Detention Services Manual – Glossary*).

4. Standard Operating Procedure

4.1. Placement assessment within the IDN and placement implementation - planned arrival

Note: The term 'detaining officer' used below is a general one and may include compliance officers.

Step	Action	Person Responsible
Conducting an individual assessment of a planned arrival		
4.1.1.	Assess detainee (including any minors either accompanied as part of family unit or unaccompanied) placement risk and vulnerabilities using the ^{s47E(d)} to determine the most appropriate placement within the IDN.	Detaining officer
4.1.2.	If the detainee has no known criminal/negative behavioural background, follow the steps for an unplanned arrival in Section 4.2 of this SOP.	
4.1.3.	If there are known national security concerns or known criminal history, contact the Detention Security (National) at ^{s47E(d)} to request national security/criminal history information input/information.	
4.1.4.	Liaise with the national security teams and provide any national security/criminal history information to the detaining officer.	Detention Security (National)
4.1.5.	Complete the ^{s47E(d)} .	Detaining officer
4.1.6.	Save a copy of the ^{s47E(d)} to the detainee's record in the CCMD portal and on their TRIM file.	
4.1.7.	Where a detainee is yet to be recorded in CCMD portal, save the placement assessment on the detainee's TRIM file.	
4.1.8.	Email a copy of the ^{s47E(d)} to the National Detention Placements Section at ^{s47E(d)}	
4.1.9.	Consult the national detention dashboard to confirm the appropriate placement, based on the risk level generated by ^{s47E(d)} . Make the placement recommendation.	Detention Placements Officer (National)
4.1.10.	Inform the ABF Detention Superintendent at the receiving IDF of a recommendation given to place a detainee at the IDF. Consider any views of the ABF Detention Superintendent (Facility).	Detention Placements Officer (National)
4.1.11.	If a placement cannot be determined, refer to the Commander, Detention Operations (National).	Superintendent Detention Placements (National)
4.1.12.	Where placement requires a transfer (for example, interstate), create a Request for Service (RFS) and email it to Removals Operations HQ Officer (National), at least 72 hours prior to intended transfer.	Detaining officer (sending IDF)

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

For Official Use Only

Step	Action	Person Responsible
4.1.13.	Submit RFS to National FDSP Transport and Escort (T&E) Manager Confirm travel arrangements for the transfer to the receiving IDF with the ABF detaining officer and the ABF Detention Superintendent at the receiving IDF.	Removals Operations HQ Officer (National)
4.1.14.	Communicate the confirmed travel details to ABF Detention Operations (receiving IDF).	Removals Operations HQ Officer (National)
4.1.15.	Transfer the detainee to the receiving IDF in accordance with s22(1)(a)(ii)	FDSP T&E Team
4.1.16.	Conduct induction into the IDF as per s22(1)(a)(ii)	FDSP Property Officer
4.1.17.	If arrival takes place during business hours, complete all sections of the s47E(d) If arrival takes place after business hours, complete an induction risk assessment.	FDSP Security Manager
4.1.18.	Conduct health screening of the new detainee in the form of a Health Induction Assessment (HIA).	Detention Health Service Provider (DHSP) staff
Finalising placement in the IDF		
4.1.19.	Attach the completed s47E(d) to the detainee's CCMD profile once it is confirmed.	FDSP Staff Security Manager
4.1.20.	Place the detainee in suitable accommodation, based on s47E(d).	FDSP Facility Operations Manager (FOM)
4.1.21.	Notify the DHSP clinic of the placement arrangements.	ABF Detention Operations Officer (Facility)

4.2. Individual assessment for placement with in the IDN – unplanned arrival

Step	Action	Person Responsible
Conducting an individual assessment of an unplanned arrival		
4.2.1.	Conduct induction of the detainee into the IDF.	FDSP Property Officer
4.2.2.	Complete all s47E(d) actions.	FDSP Security Manager
4.2.3.	Attach the completed s47E(d) to the detainee's profile in the CCMD portal.	FDSP Security Manager
4.2.4.	Place the detainee in suitable accommodation s47E(d).	FDSP FOM

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

For Official Use Only

Step	Action	Person Responsible
4.2.5.	Notify the DHSP clinic of placement arrangements.	ABF Detention Operations Officer (Facility)
4.2.6.	Complete all sections of the ^{s47E(d)} to determine if initial placement at the IDF is appropriate or if a more appropriate placement is required.	
4.2.7.	Provide the completed ^{s47E(d)} to the ABF Detention Superintendent at the IDF. The assessment using ^{s47E(d)} must be done within the first five days.	
4.2.8.	If the detainee's risk rating changes and requires that the detainee be transferred to another IDF, notify the Superintendent National Detention Placements Section in the first instance.	ABF Detention Superintendent (Facility)
4.2.9.	If placement in another IDF is required, follow the step for transfer between immigration facilities in Section 4.3 of this SOP.	ABF Detention Superintendent (Facility)

4.3. Assessing detainees for transfer between IDFs

Step	Action	Person Responsible
Moving detainees between IDFs		
4.3.1.	Complete the ^{s47E(d)} and review any upcoming health appointments, stakeholder meetings, court hearings, adverse security assessment notification or other potential status resolution impacts including removal planning and the best interests of any minors involved, on the proposed transfer. In the case of an Immigration Guardianship of Children (IGOC) minor, the IGOC delegate should be contacted.	ABF Detention Operations Officer (Facility)
4.3.2.	Request and obtain a fit to travel (FTT) assessment from the DHSP for the detainee to be transferred.	
4.3.3.	Request a detention service provider assessment (DSPA) from FDSP staff for the detainee to be transferred.	
4.3.4.	Finalise ^{s47E(d)} .	
4.3.5.	Save a copy of ^{s47E(d)} on the detainee's record in the CCMD portal and on their TRIM file.	
4.3.6.	Email a copy of the finalised ^{s47E(d)} to National Detention Placements Section at ^{s47E(d)}	Detention Placements Officer (National)
4.3.7.	Determine the most appropriate receiving IDF and make placement decision. Notify the ABF Detention Superintendent at the receiving IDF.	
4.3.8.	Complete a FTT assessment and provide to the ABF Detention Operations Officer within 48 hours from receipt of the request. Where applicable, the DHSP may provide feedback/advice on the suitability of the suggested final placement based on clinical considerations and requirements.	Health Services Manager (HSM)

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

For Official Use Only

Step	Action	Person Responsible
4.3.9.	Where placement requires a transfer (for example, interstate), submit a transfer request, DSPA, FTT assessment and placement approval email to the Removals Operations HQ Officer (National), where possible at least 72 hours prior to intended transfer.	ABF Detention Operations Officer (sending IDF)
4.3.10.	Advise the FDSP and DHSP of the transfer date, time and transfer arrangements as soon as possible and at least 48 hours prior to intended transfer.	ABF Detention Operations Officer (sending IDF)
4.3.11.	Inform Removals Operations HQ (National) of the decision to transfer a detainee or detainees.	
4.3.12.	Send Intent to Transfer to sending and receiving IDF.	Detention Placements Section (National)
4.3.13.	Transfer the detainee to the receiving IDF s22(1)(a)(ii) [REDACTED]	Removals Operations HQ Officer (National)
Temporary transfers of detainees between IDFs for less than 7 days		
4.3.14.	Complete one request for a return transfer. Ensure the Request for Transfer form clearly articulates the dates required for the return transfer.	ABF Detention Operations Officer (sending IDF)
4.3.15.	Transfer the detainee to the receiving IDF s22(1)(a)(ii) [REDACTED]	Removals Operations HQ Officer (National)
4.3.16.	If the detainee is required to attend appointments such as court appearances or medical appointments known at the time: <ul style="list-style-type: none"> Complete all relevant Requests for Services (RFSs) Inform the receiving IDF about all RFSs and make any necessary amendments. 	ABF Detention Operations Officer (sending IDF)

4.4. Person of Interest placement

Step	Action	Person Responsible
------	--------	--------------------

Placing a person of interest (POI)

s47E(d)

[REDACTED]		
------------	--	--

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

For Official Use Only

Step	Action	Person Responsible
s47E(d)		

4.5. Group movement for capacity/logistical purposes

Step	Action	Person Responsible
Undertaking group movement for capacity/logistical purposes		
4.5.1.	For each detainee being considered for the group movement: <ul style="list-style-type: none"> Complete a new s47E(d) review any upcoming health appointments, stakeholder meetings, court hearings review any adverse security assessment notifications and review any other potential status resolution impacts caused by the proposed transfer, including removal planning. 	ABF Detention Operations Officer (Facility)
4.5.2.	Check the national detention dashboard to determine potential group movement options.	Superintendent, Detention Placements (National)

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

For Official Use Only

Step	Action	Person Responsible
4.5.3.	Liaise with the Removals Operations HQ (National) to confirm availability of charter date specified or advise of next possible date.	Detention Placements Officer (National)
4.5.4.	Contact relevant IDFs to discuss movement options.	Superintendent, National Detention Placements Section
4.5.5.	Provide notice of intent to facilities (both sending and receiving) to obtain numbers of detainees being transferred.	
4.5.6.	Confirm numbers and cohorts for movement.	
4.5.7.	Provide a list of suitable detainees (based on agreed cohorts) in order of priority with FTT assessments and DSPAs to: <ul style="list-style-type: none"> Superintendent Detention Placements (National) ABF Detention Superintendent (receiving IDF) Detention Health Operations (National) Removals Operations HQ (National). 	ABF Detention Superintendent (sending IDF)
4.5.8.	Approve or reject placement decision. If a placement cannot be determined, refer to the Commander Detention Operations (National).	Superintendent, Detention Placements Section (National)
4.5.9.	Determine final placement if referred by Superintendent, National Detention Placements Section.	Commander Detention Operations (National)
4.5.10.	Provide an updated transfer list to the Removals Operations HQ (National).	ABF Superintendent (sending IDF)
4.5.11.	Confirm charter travel arrangements for the group transfer.	Removals Operations HQ Officer (National)
4.5.12.	Communicate the confirmed travel details to the ABF Detention Operations (receiving and sending IDFs) and National Detention Placements Section.	

5. Accountability and responsibilities

- 5.1.1. For Accountability and responsibilities, refer to [DM-5126](#) in PPCR (*DSM - PI - Detainee placement - Assessment and placement of detainees in IDFs*).

6. Records management

- 6.1.1. All records created as a result of this procedure **must** be managed in accordance with the Records Management Policy Statement. Records created as a result of this procedure **must** be saved in TRIM RM8 or an approved business system.

7. Further assistance

- 7.1.1. If you require further advice or assistance, or would like to provide feedback in relation to this SOP, please contact the Detention and Removal Operational Policy section at
s47E(d)

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

For Official Use Only

8. Statement of Expectation

- 8.1.1. The APS Code of Conduct states that 'an APS employee must comply with any lawful and reasonable direction given by someone in the employee's Agency who has authority to give the direction' (subsection 13(5) of the *Public Service Act 1999* (Public Service Act)).
- 8.1.2. Failure by an APS employee to comply with any direction contained in a PPCF document may be determined to be a breach of the APS Code of Conduct, which could result in sanctions up to and including termination of employment, as set out in subsection 15(1) of the Public Service Act.
- 8.1.3. The Secretary's Professional Standards Direction, issued under subsection 55(1) of the *Australian Border Force Act 2015* (the ABF Act), requires all IBP workers who are not APS employees (such as contractors or consultants) to comply with any lawful and reasonable direction given by someone in the Department with authority to issue that direction.
- 8.1.4. Failure by an IBP worker who is not an APS employee to comply with a direction contained in a PPCF document may be treated as a breach of the Professional Standards Direction, which may result in the termination of their engagement under section 57 of the ABF Act. Non-compliance may also be addressed under the terms of the contract engaging the contractor or consultant.
- 8.1.5. For all other provisions of PPCF documents, the Secretary and the Commissioner ABF expect all IBP workers to:
- consider whether a proposed departure from any provision set out in a PPCF document is reasonable and justified in the circumstances
 - consider the risks of departing from any provision set out in a PPCF document
 - be responsible and accountable for the consequences of departing from, or not adhering to the content of, all PPCF documents, including where such departure or non-adherence results in a breach of any legal or other obligations which lead to adverse outcomes for the Department and
 - be responsible for documenting the reasons/justification for their decision to depart from, or not adhere to, any PPCF document.
- 8.1.6. IBP workers who make decisions or who exercise powers or functions under legislation have a duty to make these decisions or exercise these powers or functions in accordance with the requirements of the legislation and legal principle.

9. Related Framework documents

- 9.1.1. For Related framework documents, refer to [DM-5126](#) in PPCR (*DSM - PI - Detainee placement - Assessment and placement of detainees in IDFs*).

10. References and legislation

- 10.1.1. For References and legislation, refer to [DM-5126](#) in PPCR (*DSM - PI - Detainee placement - Assessment and placement of detainees in IDFs*).

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

For Official Use Only

11. Consultation

11.1. Internal consultation

- 11.1.1. For internal stakeholders consulted in the development of this SOP, refer to [DM-5126](#) in PPCR (*DSM - PI - Detainee placement - Assessment and placement of detainees in IDFs*).

11.2. External consultation

- 11.2.1. For external stakeholders consulted in the development of this SOP, refer to [DM-5126](#) in PPCR (*DSM - PI - Detainee placement - Assessment and placement of detainees in IDFs*).

12. Document details

BCS Category/Function	Detention Management
BCS Sub-Category/Sub-Function	DM-01 Detainee Facility Management
Period of Effect	2 November 2021

12.1. Document change control

Version number	Date of issue	Author(s)	Brief description of change
2.0	28/06/2017	Detention and Removal Operational Policy	Update of detention instructions to reflect PPCF requirements.
3.0	17/11/2017	Detention and Removal Operational Policy	Reviewed as per Deputy Commissioner's request for 'extraordinary review'.
3.1	17/11/2017	Detention and Removal Operational Policy	Update PPCF review.
4.0	18/10/2018	Detention and Removal Operational Policy	Update legal review.
5.0	25/10/2018	Detention and Removal Operational Policy	Update post Inspector review
6.0	30/10/2018	Detention and Removal Operational Policy	Update post Superintendent review.

12.2. Standard Operating Procedure approval

Document owner	Commander ABF Governance
Approval date	2 November 2018

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