



Australian
BORDER FORCE

OPERATIONAL NOTIFICATION

Operational Notification Number: ON2020 – 07

To: All Regional Commands

Subject: Temporary change to the immigration detention facility (IDF) visitor program

Effective Date: Immediately

Situation:

As the COVID-19 situation continues to evolve in Australia and around the world, the Australian Border Force (ABF) continues to put in place measures in IDFs in line with advice from the Department of Health and the broader Commonwealth response.

As community transmission of COVID-19 increases within Australia, the key focus of the ABF is to protect the health of all detainees and staff by preventing the potential entry of COVID-19 into IDFs. It is for this reason that the ABF will be ceasing its visitor program with effect from Tuesday 24 March 2020. These measures are **NOT** permanent and are continually being reviewed.

The ABF understands the important role visitors play in detainees' health and wellbeing and will provide each detainee with a \$20 phone credit each week to support ongoing contact with family and community groups via their personal devices. This will continue until the measures are lifted for the visits program.

All visitors are encouraged to continue engaging with detainees through alternate means, including through phone calls, Skype or other audio-visual tools.

The Department will continue to meet its obligations under s256 of the *Migration Act 1958* whereby a person in immigration detention may have access to certain facilities through which to obtain legal advice. Legal representatives are encouraged to continue their engagement with detainees through the alternative means available in lieu of face-to-face contact.

Advice / Action Required:

Effective immediately these measures apply to all visitors to IDFs. This includes:

- Friends, family and community groups
- Legal representatives and other professionals
- Religious groups
- External scrutiny agencies and organisations (such as the Ombudsman's Office, the Australian Red Cross and the Australian Human Rights Commission)
- Consular visits

Officers must continue to ensure that all reasonable facilities are made available to detainees for obtaining legal advice or taking legal proceedings in relation to their immigration detention, including phone calls, Skype, and other similar audio-visual tools.

Related Policy and Procedural documents:

Please refer to the talking points (ADD2020/1470670) when communicating to detainees about the temporary cessation of visits.

Any concerns or questions in regards to the information subject of this Operational Notification should be directed to the contact officer below:

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Inspector, Detention and Removals Operational Policy

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Approved for distribution:

s. 47E(c)

A/g Commander

Strategic Coordination Branch | Strategic Border Command

26 March 2020



Australian
BORDER FORCE

OPERATIONAL NOTIFICATION

Operational Notification Number: ON2020 – 11

To: All Regional Commands

Subject: Process for approval of clinical isolation arrangements, including quarantine, to manage COVID-19 and other communicable diseases in immigration detention facilities (IDFs)

Effective Date: Immediately

Situation:

As the COVID-19 situation continues to evolve in Australia and globally, the Australian Border Force (ABF) continues to implement measures in IDFs to protect the health of all detainees and staff in line with advice from the Department of Health and the broader Commonwealth response.

This includes preparing for possible scenarios, including how best to manage suspected cases of COVID-19 in IDFs and reducing the risk of exposure within the detention population.

Advice / Action Required:

Under detention health policy, if the Health Service Provider (HSP) places or intends to place a detainee in clinical isolation, the HSP will take the lead and notify the Department and all the relevant stakeholders about the proposed isolation.

The ABF Detention Superintendent (facility) is the nominated departmental representative for the approval of clinical isolation. In seeking approval, IHMS must detail the recommendation and reasons for clinical isolation in writing. Where it is not practicable to gain the Superintendent's written approval in a timely manner, verbal approval may be obtained and followed up with a written request as soon as practicable.

Note: This process is administrative and must not impede or delay the commencement of necessary isolation/quarantine of a detainee.

Detailed information:

The policy for the clinical isolation of detainees presenting with communicable disease symptoms, including suspected COVID-19 symptoms can found [here](#).

This instruction is to be implemented in accordance with [COVID-19 Management in Immigration Detention Facilities v2.2](#).

If the HSP suspects that a detainee is presenting with a communicable disease, including COVID-19, and needs to be placed in clinical isolation, or is suspected of having had contact with a person confirmed to have contracted a communicable disease, the HSP should immediately:

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- ensure that, where required, the detainee is placed into isolation until the condition is confirmed and a treatment plan established
- offer testing to the detainee
- if tests are positive, facilitate timely referrals (as clinically required)
- notify the IDF ABF Detention Superintendent and seek approval for the recommended treatment
- notify relevant state and territory health authorities
- create a treatment plan and commence treatment, and
- monitor detainee treatment compliance, health outcomes arising from treatment and where concerned, escalate for specialist treatment.

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Related Policy and Procedural documents:

- The policy for the clinical isolation of detainees presenting with communicable disease symptoms, including suspected COVID-19
- COVID-19 Management in Immigration Detention Facilities v2.2 TRIM: ADD2020/1773711

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Superintendent, Enabling Business & Coordination

Strategic Coordination Branch | Strategic Border Command

6 April 2020

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



Australian
BORDER FORCE

OPERATIONAL NOTIFICATION

Operational Notification Number: ON2020 – 12

To: All Regional Commands, Immigration Detention Group.

Subject: Management of incoming mail, property and stores into immigration detention facilities (IDF) to support COVID-19 risk mitigations.

Effective Date: Immediately

Situation:

As the COVID-19 situation continues to evolve in Australia and globally, the Australian Border Force (ABF) is implementing measures in IDFs to protect the health of all detainees and staff (including service providers).

Advice / Action Required:

The following temporary measures (subject to ongoing review) are based on known timeframes for survival of COVID-19 on surfaces and aimed solely at mitigating the risk of transmission of COVID-19 within the detention population.

The Facility and Detainee Service Provider (FDSP) is to ensure:

Mail and Property

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Legal paperwork

All incoming legal paperwork is not subject to these quarantine arrangements and is to be managed in accordance with Procedural Instruction DM-5275 – *Access to communication* (ADD2018/5121115) and Standard Operation Procedure DM-3290 - *Screen searching vehicle, mail items, and facilities* (ADD2018/5735936).

Detailed information:

The Department of Health has advised that there is not an increased risk to workers handling cargo and mail as on most dry surfaces coronaviruses die within a few hours. For more information refer to the *Department of Health Coronavirus Disease (COVID-19), Information for cargo and mail workers* (ADD2020/1983012).

All staff working with incoming mail and property should continue to use appropriate personal protective equipment (PPE) and maintain recommended hygiene standards when handling

goods, including frequent hand washing (including the proper use of alcohol-based sanitisers), social distancing, cough etiquette and routine environment cleansing. PPE for COVID-19 protection in the form of gloves, gown, eye protection or face shields is not considered necessary when performing these roles. More information on the use of PPE is provided in the *Department of Health Coronavirus Disease (COVID-19), Information for border staff (ADD2020/1919059)*.

Stores

Under existing arrangements, items such as food and fresh produce are handled with strict controls and comply with the current Hazard Analysis Critical Control Points (HACCP) Food Safety Standards. HACCP principles offer stringent processes and checks already suitable for minimising the risk of illness spreading throughout the food preparation process and are deemed sufficient for the mitigation of the transmission of COVID-19.

The processes currently in place include but are not limited to:

- Approved supplier list of companies that follow the same HACCP principles
- Good receipt of products - monitoring how they were transported, temperature of the product, condition of the packaging
- Storage of the product
- Preparation
- Transport.

For more information refer to haccp.com.au

Related Policy and Procedural documents:

- *Department of Home Affairs COVID-19 Fact sheet - Clinical Advisory Team (CAT) advice - Survival of COVID-19 on surfaces (30MAR20) TRIM: [ADD2020/1797373](#)*
- *Department of Health Coronavirus Disease (COVID-19), Information for border staff- version 11 (06/04/2020) TRIM: [ADD2020/1919059](#)*
- *Department of Health Coronavirus Disease (COVID-19), Information for cargo and mail workers - version 3 (23/03/2020) TRIM: [ADD2020/1983012](#)*

Any concerns or questions in regards to the information subject of this Operational Notification should be directed to the contact officer below:

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Superintendent, Enabling and Business Coordination

Strategic Coordination Branch | Strategic Border Command

23/04/2020



Australian
BORDER FORCE

OPERATIONAL NOTIFICATION

Operational Notification Number: ON2020 – 13

To: All Regional Commands, Immigration Detention Group, Legal Group.

Subject: Facilitation of digital attendance by detainees via audio visual links (AVL) from immigration detention facilities (IDFs) to Courts, Tribunals and law enforcement interviews in response to COVID-19.

Effective Date: Immediately

Situation:

As the COVID-19 situation continues to evolve in Australia and globally, the Australian Border Force (ABF) is implementing measures in IDFs to protect the health of all detainees and staff (including service providers).

Advice / Action Required:

In keeping with the ABF's broader initiatives to reduce the potential exposure of staff and detainees to the COVID-19 virus, detainee attendance at Court or a Tribunal, such as the Administrative Appeals Tribunal (AAT), is to be arranged by AVL wherever possible.

Determining whether it will be Legal Group or ABF's responsibility to contact the necessary parties will depend on whether the Department is an active participant in that legal matter.

1. Immigration litigation

Immigration litigation cases can occur in the following jurisdictions:

- a. AAT
 - (i) General division
 - (ii) Other division
- b. Courts

In scenario 1(a)(i) where the legal matter is in the General Division of the AAT, the relevant ABF staff member/s at the IDF are to contact s. 47E(d) [redacted] @homeaffairs.gov.au or the specific legal officer (if known) to request the detainee's attendance via AVL. The legal officer will email the detainee's legal representative (if applicable) and the AAT requesting AVL instead of physical attendance. The departmental legal officer will advise the ABF whether AVL attendance has been approved or rejected.

In scenario 1(a)(ii), which includes the Migration and Refugee Division of the AAT, the Department is not legally represented. Therefore ABF will need to email the AAT and the detainee's legal representative (if applicable), requesting the detainee's appearance via AVL.

In scenario 1(b), the Department is always legally represented. The ABF will request the detainee's attendance via AVL by contacting s. 47E(d) [redacted] @homeaffairs.gov.au (or the

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specific legal officer if known). The departmental legal officer will contact the detainee's legal representative (if applicable) and the Court requesting AVL attendance, and advise the ABF of the outcome.

2. Non-immigration litigation

Non-immigration cases include both civil and criminal matters. The active presence of departmental legal representation is determined on a case-by-case basis.

If it is a civil case where the Department is a party, the ABF will need to contact s. 47E(d) [redacted]@homeaffairs.gov.au (or the specific legal officer if known) who will take the request forward. They will then advise the ABF if AVL attendance has been approved or rejected.

Further to this, the Department may be represented in civil cases where the Commonwealth is a party (although the Department/Minister is not a named party). Again, in the first instance the relevant ABF staff member/s at the IDF are to contact s. 47E(d) [redacted]@homeaffairs.gov.au (or the specific legal officer if known). The responsible legal officer will request AVL appearance and advise the ABF of the outcome.

If the Department is not a party and therefore not legally represented, the ABF will email the detainee's legal representative (if applicable) and the Court, requesting the detainee's appearance via AVL.

The responsible ABF officer is to ensure that the response from the Court or Tribunal is received in writing (email) and saved to the detainee's TRIM record. If the Court or Tribunal requires physical attendance, the officer is to seek written confirmation for the ABF and detainee's records, and ensure the appropriate transport and escort requests are in place. The legal officer should also ascertain what assistance can be provided from the external legal services provider with carriage of the matter.

3. Law enforcement interviews

The ability for a detainee to attend a law enforcement interview via AVL instead of in-person should also be facilitated if possible. The relevant ABF staff member/s at the IDF will need to email the respective law enforcement agency and the detainee's legal representative (if applicable), requesting the detainee's appearance be facilitated via AVL.

Detailed information:

Detainees may need to attend law enforcement interviews, Court appearances, or Tribunal hearings for the purpose of an appeal or other process, or other appointments including meeting Court imposed bail requirements.

Departmental employees must comply with directions issued by a Court, including subpoenas and detainees required to give evidence in court. Failure of the Department to comply exposes the Department to significant risk, including penalties issued by that Court to individuals, up to and including the Minister.

During the COVID-19 response period, ABF staff at IDFs may need to undertake additional liaison with Court, Tribunal, law enforcement and/or Legal Group staff to confirm arrangements and resolve any system connection issues. All reasonable efforts must be made to facilitate a detainee's attendance either physically or via AVL at a scheduled Court or Tribunal hearing as well as scheduled law enforcement interviews.

Related Policy and Procedural documents:

- *COVID-19 Management in Immigration Detention Facilities v2.2* TRIM: ADD2020/1773711
- *Procedural Instruction DM-615 Offsite appointments, excursions and visits* TRIM: ADD2018/5685323
- *Standard Operating Procedure – DM-3308 – Transport and escort management* TRIM: ADD2018/5746285

Any concerns or questions in regards to the information subject of this Operational Notification should be directed to the contact officer below:

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Superintendent, Detention Strategy and Risk

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Approved for distribution:

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Superintendent, Enabling Business and Coordination

Strategic Coordination Branch | Strategic Border Command

04/05/2020



Australian
BORDER FORCE

OPERATIONAL NOTIFICATION

Operational Notification Number: ON2020 – 16

To: All Regional Commands, Immigration Detention Group, Legal Group.

Subject: Temperature triaging for all persons entering/exiting an immigration detention facility (IDF).

Effective Date: Immediately.

Situation:

As the COVID-19 situation continues to evolve in Australia and globally, the Australian Border Force (ABF) is implementing measures in IDFs to protect the health of all detainees and staff (including service providers).

Advice / Action Required:

Until further notice:

1. The skin temperature of all persons entering and exiting an IDF (including an alternative place of detention (APOD)) will be taken by International Health and Medical Services (IHMS) staff or Serco officers. If a staff member refuses to have their temperature checked, the ABF will exercise its right to refuse entry under conditions of entry.
2. Temperature triaging is additional to the existing health questionnaire and security screening processes conducted by Serco.
3. All Departmental employees and contractors are directed to submit to the temperature-checking regime outlined in this ON for work health and safety reasons. Failure to do so may breach the APS Code of Conduct.
4. If a person records a reading of 38 degrees or higher, a second temperature reading will be conducted after 20 minutes. The person must wait outside the IDF premises and observe social distancing until the second temperature check is undertaken.
5. Second reading results:
 - 38 degrees or higher
 - A person will be refused entry to the IDF.
 - Departmental employees (including service provider staff) will be directed to return home and consult a medical practitioner immediately or as soon as possible.
 - If lower than 38 degrees and a questionnaire is completed that does not identify any risk factors, a person will be permitted to enter the IDF.
6. Detainees will be checked upon entry/exit and will be managed accordingly by IHMS.
7. Temperature triaging will occur at the IDF screening point using non-contact thermometers.

8. Departmental employees (including service provider staff) will be required to present a doctor's certificate confirming they are fit to work, before being permitted to return to their duties.
9. Departmental employees – Leave entitlements:
 - Employees will be required to take personal leave from the time they are directed to return home until medically cleared to return to their duties.
 - Miscellaneous leave may be available in some circumstances. Leave arrangements should be discussed with the respective manager.
 - Departmental employees refer to paragraphs 43 and 44 of *Coronavirus (COVID-19) – Absence, leave and working from home arrangements (ADD2020/2177833)*.
10. Service provider staff:
 - Leave arrangements will be reliant on the employee's employment status (fulltime/casual).
 - Each case will be independently assessed to ensure management of absences is in accordance with the *Fair Work Act 2009*.
11. Employees who are tested for COVID-19 by their medical practitioner should speak with their manager about eligibility for reimbursement of those costs.

Reporting

12. IHMS will record the details of all staff (departmental and service provider) who register a second reading of 38 degrees or higher, including name, employer and temperature recorded.
13. When a staff member registers a second reading of 38 degrees or higher, IHMS will notify them that their relevant manager will be advised and provide the staff member with the *Privacy Notice – Temperature Triaging at Entry/Exit into or from an Immigration Detention Facility (IDF) (ADD2020/2563001)* for them to read and sign.
14. For persons who are not staff, their health information will not be collected. They will be refused entry to the IDF if they record a temperature of 38 degrees or above.
15. IHMS will provide anonymised, statistical reporting daily to the Department on the number of people who record a temperature at or above 38 degrees on entry/exit and who are refused entry because of the health screening. No personal information will be included.

Detailed information:

All persons entering and exiting facilities do so through the single screening point where infrastructure allows.

IHMS are providing additional clinical resources to support this process of temperature triaging. Where IHMS clinical staff are not available, Serco officers will perform the temperature triaging function. If a person tested by Serco records a high reading (38 degrees or above), IHMS personnel on site will be called to undertake the second reading (after a 20 minute wait period).

IHMS clinical staff will instruct Serco staff on the use and care of non-contact thermometers to undertake interim temperature triaging until clinical resources are available for IHMS to conduct all of these tests. This instruction will include the immediate action to be taken for sterilising equipment that is exposed to a person being tested as well as the recommended hygiene standards around hand washing and the routine cleaning of the equipment.

Note: Emergency services, particularly ambulance officers and paramedics, are not subject to temperature triaging prior to entering/exiting an IDF.

Related Policy and Procedural documents:

- *COVID-19 Management in Immigration Detention Facilities v2.2* TRIM: [ADD2020/1773711](#)
- *Privacy Notice – Temperature Triaging at Entry/Exit into or from an Immigration Detention Facility (IDF)* TRIM: [ADD2020/2563001](#)
- *Standard Operating Procedure - DM-3289 - Screening and search of detainees and their property* TRIM: [ADF2018/172165](#)
- *Department of Health, COVID-19 – Frequently asked questions* TRIM: [ADD2020/1989584](#)
- *Department of Home Affairs COVID-19-fact-sheet-leave-arrangements-working-from-home* TRIM: [ADD2020/2177833](#)

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25/05/2020