



Australian
BORDER FORCE

OPERATIONAL NOTIFICATION

Operational Notification Number: ON2020 – 32

To: All Regional Commands, Enforcement Command (Field Operations), Legal Group, Immigration Detention Group

Subject: Items now permitted in immigration detention facilities following ARJ17 judgement

Effective Date: Immediately

Situation:

In accordance with the 2018 ARJ17 judgment, detainees may lawfully possess and use mobile phones and SIM cards in immigration detention facilities (IDFs). The ARJ17 judgement is also considered to apply to many of the items currently listed as 'controlled items' in the detention standard operating procedure (SOP) 'Control of Items' (September 2016).

Advice / Action Required:

The aforementioned SOP created a blanket ban on 'controlled items' in IDFs. As a result of the ARJ17 judgment, the Department has reconsidered the approach to be taken in relation to certain items currently listed in the SOP.

All staff are required to apply a consistent approach in line with the information provided in this Operational Notification (ON) when considering which items detainees can possess in IDFs. This ON provides additional advice to that contained in ON2019-22 dated 23 July 2019.

The following items are to now to be considered 'permitted' items that may be possessed and used by detainees, subject to the tagging and testing (of electrical items) requirements:

- internet enabled devices, including, but not limited to: mobile phones, laptops with modems, tablets (such as iPads) and internet enabled MP3 or MP4 players (such as iPods)
- desktop computers (subject to space considerations)
- smart watches
- modems
- Wi-Fi dongles, such as pre-paid internet USBs
- SIM cards for communication devices
- electronic recording devices such as voice recorders, cameras and other communication technology devices with internet, audio, photographic or video recording capabilities
- PC peripherals and storage devices, including but not limited to: computer camera attachments, keyboards, mouse, USBs, SD cards, flash drives, disk drives, scanners and printers (including Bluetooth or wireless)
- headphones and speakers (including Bluetooth)

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- Google Chromecast
- electric toothbrushes; and
- Chargers and cords associated with the above items, including power banks and wireless chargers

Where a detainee requests any of the above listed items from in-trust property, it is to be made available to them. There are also to be no restrictions on detainees receiving these items via the mail or from visitors (subject to approved screening procedures).

If there is concern about a detainee having possession of any permitted items listed above, or concerns about any of these item entering an IDF, the matter must be escalated to the ABF Detention Superintendent (Facility) (or delegate) for a decision.

There is no legislative authority to remove any of the above items from a detainee without the consent from detainees, except in the limited circumstances described below.

In limited circumstances, officers may be able to remove one of the above listed permitted items from a detainee where, for example, it is reasonably necessary in order to keep the detainee in immigration detention or where there is a reasonably foreseeable risk of harm to the detainee or another person. **If you are considering removing a permitted item from a detainee, you should consult with Detention and Removal Operational Policy Section prior to any action being taken.**

Detailed information:

Power boards, extension cords and double adaptors

Power boards, extension cords and double adaptors remain classified as a 'controlled item'. Detainees' requests for possession and use of these controlled items will be considered on a case-by-case basis. The ABF Detention Superintendent (or delegate) may give approval where, for example, such an item is required to support medical equipment (e.g. sleep apnea machine). If a power board, extension cord or double adaptor is approved for detainee use, a brand new one is to be supplied by the Facilities and Detainee Service Provider. This includes instances where the detainee may have one in their personal in-trust property.

Chargers and cords associated with listed permitted items

Ideally, chargers and cords associated with the listed permitted items should be no longer than one (1) meter in length. If a detainee requests a charger or cord associated with a listed permitted item that is more than one (1) meter in length, the request should be referred to the ABF Detention Superintendent (or delegate). Decisions regarding such requests will be made on a case-by-case basis.

Testing and tagging of electrical items

Pending further review of the ABF's detention policy position on the testing and tagging of detainee owned electrical items, the following approach is to be taken in relation to the listed permitted items only:

1. New in a box – no testing required
2. Used item brought in by visitor or mail – testing required at detainee's expense
3. Electrical item already in detainee's possession – no testing required

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

Operational policy relating to other controlled items, including other electrical items, remains unchanged at this time.

Related Policy and Procedural documents:

ARJ17 Decision 22 June 2018

Detention Standard Operating Procedure (SOP) – 64 Control of Items v1.0 (includes relevant ONs to be read in conjunction with SOP)

Operational Notification - ON2019-22 – Control of Items in Immigration Detention Facilities

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

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

Inspector, Detention and Removal Operational Policy
Operational Policy Branch, Strategic Border Command

s. 47E(d) @abf.gov.au

Content authorised by:

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

A/g Superintendent, Detention and Removal Operational Policy
Operational Policy Branch, Strategic Border Command
08/10/2020

Approved for distribution:

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

Superintendent, Corporate Business Coordination
Strategic Coordination Branch, Strategic Border Command
09/10/2020



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OPERATIONAL NOTIFICATION

Operational Notification Number: ON2019 - 22

To: All Regional Commands

Subject: Control of items in immigration detention facilities

Effective Date: Immediately

Situation:

To ensure awareness and consistency across all Immigration Detention Facilities (IDFs), staff are reminded of what constitutes permitted and controlled items. To reiterate recent Federal Court decisions, mobile phones are now considered to be a permitted item within IDFs.

Advice / Action Required:

All staff are required to apply a consistent approach in line with the information provided in this Operational Notification when exercising discretion over what items detainees can possess in IDFs.

Permitted items: *Items permitted in all IDFs are those that are not detrimental to a detainee's health and the good order and security of the facility.*

Controlled items: *Items that are generally lawful under Australian law but have been deemed to present a risk to the health, privacy, safety, security and/or good order of the facility are permitted under specified conditions.*

Detailed information:

The following items are considered to be 'permitted' items:

- mobile phones
- energy drinks (subject to it being commercially packaged and labelled, factory sealed, displaying a visible and valid expiry date and not contained in any metal or glass packaging)
- noodles containing oil sachets (e.g. Mi Goreng noodles) (subject to it being commercially packaged and labelled, factory sealed, displaying a visible and valid expiry date and not contained in any metal or glass packaging)
- Easter eggs (subject to being commercially packaged, unopened and have a current expiry/best before date) – no requirement to remove foil
- batteries (e.g. AA, AAA)
- battery operated shavers/hair clippers (including beard trimmers)
- battery operated children's toys

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- mobile phone chargers, including items that are for all practical purposes are a mobile phone charger, including power banks and wireless mobile phone chargers
- smart watches, and
- personal computers **without** a modem (APODs only).

If there is a concern about a detainee having possession of any items listed above or concerns about the entry of a possession to the IDF, the matter must be escalated to the relevant ABF Detention Superintendent (or delegate) for a review/decision.

The following items are considered to be 'controlled' items:

- electrical items for detainee use, subject to prior approval, space and safety considerations, and a current electrician's certificate stating compliance with relevant safety regulations, including:
 - Electric shavers/hair clippers (including beard trimmers)
 - Google Chromecast
 - PlayStation (or other personal gaming consoles), and
 - TVs.

ABF Detention Superintendents have the authority to approve a detainee's possession of controlled items and permitted items on a case-by-case basis. However, Superintendents must consult with Detention Operations National, before approving such request. A list of current Identified Controlled Items is available at s. 22(1)(a)(ii).

Operational policy relating to other controlled items, including internet enabled devices (other than mobile phones) such as computers with modems and iPads remain unchanged at this time.

Related Policy and Procedural documents:

- ON2018 – 36 – *Further Instructions following the decision in the Full Federal Court on access to mobile phones in immigration detention* s. 22(1)(a)(ii)

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

s. 22(1)(a)(ii) Superintendent Detention and Removal Operational Policy
 Phone: (02) s. 22(1)(a)
 Email s. 22(1)(a)(ii) @abf.gov.au

Content authorised by:

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

Approved for distribution:

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

A/g Superintendent Planning & Engagement
 ABF Governance | Strategic Border Command
 23/07/2019

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

From: s. 22(1)(a)(ii)
Sent: Monday, 15 April 2019 4:08 PM
To: s. 22(1)(a)(ii)
Cc: s. 22(1)(a)(ii); s. 47E(d); Don
Subject: SMITH; Claire REES
 Advice to the Immigration Detention Network - Easter Eggs are permitted items in immigration detention facilities [DLM=For-Official-Use-Only]

For-Official-Use-Only

Easter eggs are permitted items in immigration detention facilities

Dear Superintendents,

In 2018, a decision was made to restrict Easter eggs that were wrapped in foil from entering or being sold within immigration detention facilities (IDFs).

This decision has since been reviewed and a decision made that Easter eggs wrapped in foil are permitted items in IDFs, so long as they are commercially packaged, unopened and have a current expiry/best before date.

This means that Easter eggs wrapped in foil may be brought into IDFs by visitors and sold in the Serco run canteen/shop. There is no requirement to remove the foil before Easter eggs are permitted entry to the IDF.

Standard screening processes apply in line with endorsed operational policies and procedures.

I would appreciate if you could please ensure your officers are aware of this advice.

s. 22(1) – I would appreciate if you could please send formal communication to Serco with this advice.

If you have any queries in relation to this advice, please do not hesitate to contact me.

Kind regards,

s. 22(1)

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

A/g Superintendent, Detention and Removal Operational Policy
 ABF Governance | Strategic Border Command
 Support Group
 Australian Border Force
 P: (02) s. 22(1)(a)(ii)
 E: s. 22(1)(a)(ii)@abf.gov.au

Please note that I work variable hours

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OPERATIONAL NOTIFICATION

Operational Notification Number: ON2019 - 12

To: All Regional Commands, Detention and Offshore Operations Command, Services Management and those involved in the operation of immigration detention facilities or for situational awareness.

Subject: Access to 'Smartwatches' and Activity Trackers in Immigration Detention Facilities

Effective Date: Immediately

Situation:

A smartwatch (such as an Apple Watch) is a wearable computer in the form of a wristwatch. Modern smartwatches provide a local touchscreen interface for daily use, while an associated smartphone app provides for management and telemetry (such as long-term biomonitoring). While early models could perform basic tasks, such as calculations, digital time telling, translations and game-playing, later model smartwatches have more general functionality closer to smartphones, including mobile apps, a mobile operating system and WiFi/Bluetooth connectivity.

Some smartwatches function as portable media players, with FM radio and playback of digital audio and video files via a Bluetooth headset. Some models, called 'watch phones' (or vice versa), have mobile cellular functionality like making calls.

An activity tracker, also known as a fitness tracker (such as FitBit and Garmin) is a wearable device or a computer application that records a person's daily physical activity, together with other data relating to their fitness, health, such as the number of calories burned, heart rate etc.

Advice / Action Required:

Activity Trackers

Activity trackers are considered to be a permitted item under detention policy. There are no restrictions placed on visitors, detainees or staff in immigration detention facilities (IDFs) possessing/wearing an activity tracker.

If a detainee requests their activity tracker from in-trust property, it must be made available to them. Further, there is no legislative authority to remove an activity tracker without consent from detainees except in the limited circumstances described below.

Smartwatches

Detainees:

Smartwatches are to be treated in the same way as mobile phones in IDFs.

If a detainee requests their smartwatch from in-trust property, it must be made available to

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them. There is no legislative authority to remove a smartwatch without consent from detainees except in the limited circumstances described below.

In limited circumstances, officers may be able to remove a smartwatch from a detainee where, for example, it is reasonably necessary to keep the detainee in immigration detention or where there is a reasonably foreseeable risk of serious harm to the detainee.

If you are considering removing a Smartwatch (or an activity tracker) from a detainee, you should consult with Detention and Removal Operational Policy Section prior to any action being taken.

Visitors:

Visitors must continue to comply with the 'IDF Conditions of Entry' and are not permitted to bring mobile phones and smartwatches into the facility. If a visitor is in possession of a smartwatch, they must declare this to staff and store their smartwatch prior to their entry to the visitor area.

Unless an exemption is given by the ABF Detention Superintendent on a case-by-case basis, visitors will not be granted entry to the facility while in possession of a smartwatch.

Staff:

Departmental, ABF and contracted service provider staff in possession of a smartwatch must not enter the IDF (unless an exemption is given by the ABF Detention Superintendent on a case-by-case basis) in line with detention policy regarding controlled items.

Please note operational policy relating to other controlled items, including other internet enabled devices, such as computers with modems and iPads remains unchanged at this time. As such, this advice applies to Smartwatches and activity trackers only.

Related Policy and Procedural documents:

N/A

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

Detention Policy Helpdesk

Email: s. 47E(d) [redacted]@abf.gov.au

Approval:

Approved for distribution on 05/04/2019 by:
s. 22(1)(a)(ii) [redacted]

Superintendent Planning & Engagement
ABF Governance | Strategic Border Command



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OPERATIONAL NOTIFICATION

Operational Notification Number: ON2018 - 36

To: Detention Network

Subject: Further instructions following the decision in the Full Federal Court on access to mobile phones in immigration detention

Effective Date: Immediately

Situation:

On Friday 22 June 2018, the Full Federal Court handed down their judgment in the matter of *ARJ17* regarding mobile phones in immigration detention. The Court found that the "blanket policy" of detainees not being permitted to possess mobile phones and SIM cards within immigration detention facilities, and that any such items found in their possession be confiscated until they leave the facility, was invalid.

On receipt of this judgment, instructions were issued to permit detainees in the detention network to possess their personal mobile phone(s).


The Department of Home Affairs (Home Affairs) decided not to make an application for special leave to appeal the matter to the High Court.

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



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



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

Inspector, s. 22(1)(a)(ii), Detention and Removals Operational Policy, ABF Governance Branch


Phone: 02 s. 22(1)(a)(ii)

Email: s. 22(1)(a)(ii)@abf.gov.au or s. 47E(d)@abf.gov.au

Approval:

Approved for distribution on 02 / 10 / 2018 by:

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



A/g Superintendent Planning & Engagement
ABF Governance | Strategic Border Command



Australian
BORDER FORCE

DIRECTIVE

Registration Number: 016-2017

Attention:

To: IDN Superintendents and IDN Detention Operations

Cc: Detention Services, Detention Visits, Detention Policy, s. 22(1)(a)(ii)

Subject:

- Implementation of amended outside food policy – DSM Chapter 8 – Items Not permitted in Immigration Detention Facilities

Date of Effect:

- 11 September 2017

Background/Purpose:

- The below directive is provided in relation to implementation of the amendments to the outside food policy for Immigration Detention Facilities (IDF). These amendments are focused on providing national consistency across the Immigration Detention Network (IDN) and uphold safety, security and good order of IDFs.

Advice/Action Required:

- Implementation of amended outside food policy – DSM Chapter 8 – Items Not permitted in Immigration Detention Facilities

From 11 September 2017, the following policy must be implemented across the IDN as per Detention Services Manual Chapter 8 – Items Not permitted in Immigration Detention Facilities and Detention Standard Operating Procedure 64 – Control of Items:

Food – Conditions of entry

For health, safety and security purposes, visitors wishing to bring food items into the visitors' areas of an IDF may do so if they strictly comply with the following conditions:

- The food is commercially packaged and labelled, factory sealed, has a visible and valid expiry date and its prescribed name is easily identifiable and complies with the Australia New Zealand Food Standards Code;
- food is not contained in any metal or glass packaging;

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- the amount of food is proportionate to the needs, duration and intent of the visit;
- the food is consumed in the visits area only; and
- any leftover food must be disposed of at the end of the visit or removed from the premises by the visitor.

Additionally:

- All food brought in by visitors will be screened; and
- no food brought in by visitors is permitted to enter the accommodation area of the IDF.

Food items that arrive in the mail:

Food items are not permitted to enter the IDF via mail. Food that arrives in the mail should only be destroyed if considered necessary to prevent a safety, security or health risk. Should the item not be perishable or not present a threat, it may then be stored as in-trust property, noting that an item does not need to be stored beyond its shelf life. s. 42(1) the FDSP is not required to store food items, particularly food items arriving in the mail, as doing so for food past its shelf life could present a health and hygiene risk, spread bacteria and attract vermin. Staff will need to exercise reasonable judgement on food that does not carry a shelf life. In these circumstances, staff are to photograph the food items prior to disposal and place the photos on the detainees dossier with a written explanation for disposal.

Birthday cakes and special purpose foods:

Special purpose foods are allowed in the visitors' area provided that approval has been sought and granted prior to the visit. Special purpose food includes food processed or manufactured for consumption by infants and people suffering medical conditions (e.g. diabetes) that require altered and tailored food, including prescribed medicines or any other products that are regulated as therapeutic goods or food.

Protein powder:

In concert to this directive, protein powder is no longer allowed to be brought in by visitors or received via mail from **11 September 2017**. The FDSP is to ensure that an approved commercial grade protein powder is available for purchase by detainees in each IDF canteen.

Policy exemptions:

This policy is a national policy and is relevant to all IDFs except Christmas Island where food is permitted to be received by mail provided:

- The food is commercially packaged and labelled, factory sealed, has a visible and valid expiry date and its prescribed name is easily identifiable and complies with the Australia New Zealand Food Standards Code; and
- Food is not contained in any metal or glass packaging.
- Protein Powder is not allowed to be received via mail on Christmas Island.

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Related Policy and Procedural documents:

- Communications material:

All IDFs were previously provided with A2 posters titled "Conditions of Entry into this Immigration Detention Facility." From **23 August 2017**, these signs must be clearly displayed in the reception areas of all IDFs. A soft copy version of this sign is attached to this Directive. In addition, a communications guide and fact sheets are attached for use at the discretion of ABF Superintendents.

Please contact **Superintendent** s. 22(1)(a)(ii), **Detention Future Operations**, if you need further instructions in relation to detainee access to communication services.

Endorsed by:	Name and Position
Endorsed on (date):	Superintendent s. 22(1)(a)(ii), Detention Future Operations – 09 August 2017

Approved by:	Name and Position
Approved on (date):	A/g Commander s. 22(1)(a)(ii)
Approved for distribution (date)	11 08 2017

From: Vanessa HOLBEN

Sent: Friday, 6 January 2017 4:11 PM

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

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

s. 47E(d)

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

s. 47E(d)

Subject: Detention SOP – 64 Control of Items - Immediate amendment to authorising authority stated in Annex D [DLM=For-Official-Use-Only]

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FOR ATTENTION OF	Superintendents, IDN Detention Operations
CC	Detention Operations; Detention Services; Detention Policy
IMPORTANCE	High
ACTION REQUIRED	For Information and application
SUBJECT	Immediate amendment to authorising authority stated in Annex D of the Detention SOP – 64 Control of Items
AUTHORISED BY	Detention Operations Branch
KEY CONTACT	Superintendent s. 22(1)(a)(ii)

This guidance is provided in relation to the immediate replacement of the **authorising authority** stated in Annex D, page D3 of the Detention SOP - 64 Control of Items.

The reason for this amendment is the **responsible entity for these actions and approvals is the ABF Superintendent (or delegate), (not the FDSP staff).**

Consequently, Annex D should read:

Annex D. Permitted items

Decisions about permitting items **not listed** in these Annexes into the IDF are to be made by **ABF Superintendent (or delegate) on a case by case basis.**

The current statement in Annex D (below) should be removed:

Annex D. Permitted items

Decisions about permitting items not listed in these Annexes into the IDF are to be made by FDSP staff on a case by case basis.

Please contact Superintendent s. 22(1)(a)(ii), Detention Future Operations Section if you need further instructions.

Regards

Vanessa

Vanessa Holben
 Commander Detention Operations
 Operations Group
 Australian Border Force
 Telephone: (02) s. 22(1)(a)
 Mobile: s. 22(1)(a)(ii)
 Email: s. 22(1)(a)(ii) @border.gov.au

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Australian Government
Department of Immigration
and Border Protection

Control of Items

DETENTION STANDARD OPERATING PROCEDURE

This Detention Standard Operating Procedure describes the procedures for managing and handling prohibited, excluded and controlled items within immigration detention facilities.

Approval Date	2 September 2016
Date of Review	2 September 2017
Contact	Detention Future Operations Detention Operations Command Detention, Compliance and Removals Division Email: s. 47E(d) [REDACTED]@border.gov.au Telephone: 02 s. 22(1)(a) [REDACTED]
Document ID (PPN)	DM-20-O/3293
Trim Reference	ADF2016/46958

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Introduction

Purpose

This Detention Standard Operating Procedure (SOP) describes the procedures for managing and handling prohibited, excluded and controlled items within immigration detention facilities (IDFs).

Background

The Department of Immigration and Border Protection (DIBP) is responsible for maintaining the good order and security of each IDF and the safety of individuals within each IDF. One of the key measures the Department uses to achieve this is to control the entry of specific items into each IDF that have been deemed to present a significant risk to the safety of persons in the facility, threaten the good order of the facility, or that may be used to aid the escape of a detainee.

Classification of items

As specified in the *Detention Services Manual, Chapter 8 Safety and Security — Items not permitted in immigration detention facilities*, all items within an IDF are classified as one of the following:

- **Prohibited items.** Items that are considered illegal under Australian law and are not permitted in any IDF. Examples of prohibited items include, but are not limited to:
 - narcotics/illicit substances
 - weapons
 - child pornography materials.
- **Excluded items.** Items that are generally not unlawful in the Australian community but have been deemed to present risks to the health, privacy, security or safety of individuals in an IDF, or adversely impact on the safety, security and good order of the facility. Excluded items are therefore not permitted in the facility. Examples of excluded items include, but are not limited to:
 - pornographic books, magazines or other material that may offend others;
 - material that incites violence, racism or hatred.
- **Controlled items.** Items that are lawful in the Australian community but have been deemed by the Department to present a risk to the health, privacy, or safety of individuals in an IDF or adversely affect the safety, security and good order of the facility. Some controlled items may be brought into an IDF with prior written approval of the ABF Detention Superintendent.
- **Permitted items.** Items that are lawful in the Australian community and have been deemed to not present a significant risk to the good order and security of an IDF or to the safety of individuals within.

The definition of prohibited, excluded, controlled and permitted items is contained in the glossary. Examples of item classifications are included in Annexes A to D.

Scope

The Migration Act and the common law provide officers with various powers to retain prohibited, excluded and controlled items found on specific individuals following a screening or searching procedures. This Detention SOP describes the procedures for managing and handling prohibited, excluded and controlled items within an IDF once they have been retained by an authorised officer.

Note that this Detention SOP does **not** set out the powers to retain items found on individuals (see 'Out of Scope' below). s. 22(1)(a)(ii)

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

This Detention SOP also sets out procedures for staff, contractors and visitors to obtain permission to carry certain items into an IDF, and the procedures for removing dangerous items during times of heightened tension or a disturbance within an IDF.

Application

This Detention SOP applies to detainees as defined in this Detention SOP. It also applies to Suspected Illegal Foreign Fishers and Suspected Foreign Offenders held in an IDF, as if they were detainees as defined in this Detention SOP. See the Glossary for definitions of the terms used in this Detention SOP.

In this Detention SOP, **Immigration Detention Facility** means the following facilities in Australia where detainees are held in immigration detention:

- immigration detention centres (IDCs)
- immigration transit accommodation (ITA)
- immigration residential housing (IRH)
- alternative place of detention (APOD) (non-facility) – see exception in Section 5 of this SOP.

Note: Immigration detention facilities are referred to as 'held immigration detention', in contrast to a detainee residing at a specified place in the community because he or she is covered by a residence determination made by the Minister under s 197AB of the Migration Act.

Note: For the purpose of this Detention SOP, an APOD refers to a community space such as a hospital, school or other location declared by the Minister, or the Minister's delegate, under subparagraph (b)(v) of the definition of immigration detention in subsection 5(1) of the *Migration Act 1958* to be an APOD.

Structure


This Detention SOP is in two parts. Part A provides the step-by-step procedural instructions. Part B provides additional context and guidance for the functional roles and tasks identified in the procedures.

This Detention SOP also includes the following annexes:

- Annex A. Prohibited items

- Annex B. Excluded items
- Annex C. Controlled items
- Annex D. Permitted items.

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



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

Section 2 - Screening of mail received by detainees in immigration detention

Screening of mail items is undertaken to ensure the safety and security of detainees, staff or other persons at the detention centre and safeguard the good order and security arrangements at the IDF.

Serial	Action	Responsible entity
2.1	Treatment of items found in mail following screening under the common law – see 'Detention SOP – Screening and Search of Vehicles, Mail Items and Facilities'.	
2.1.1	If the item is a 'permitted' item, give item to the detainee or if requested by the detainee, store item as in-trust property as per 'Detention SOP – Management of Detainee Property'.	FDSP member on scene
2.1.2	If the item is a 'prohibited' item, see section 1.5 of this SOP.	FDSP member on scene
2.1.3	If the item is an excluded or controlled item, refer to section 1.8 of this SOP. If the controlled item is food, refer to section 1.9 of this SOP.	FDSP member on scene

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

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Section 4 - Obtaining approval for official and professional visitors to carry controlled items within immigration detention facilities

This section outlines the process by which official and professional legal and health visitors seek approval to bring controlled items, such as mobile phones and laptops into an IDF. The ABF Detention Superintendent will be the approving authority for both the visit and the carriage of controlled items.

Serial	Action	Responsible entity
4.1	Permission to carry controlled item – official and professional visitors.	
4.1.1	Complete a visit application as per 'Detention SOP – Visitor Management'.	Official / prospective visitor seeking permission
4.1.2	Receive the visit application, conduct an FDSP risk assessment and give/refuse approval.	ABF Detention Superintendent
4.1.3	Provide written permission for the item to be carried, detailing: <ul style="list-style-type: none"> • description of the item • serial number (if appropriate) • name of approved person(s) • date of approval • date approval ceases. 	ABF Detention Superintendent

s. 47E(d)

s. 47E(d)



Part B: Description

Overview

The power to screen detainees and other individuals and to search detainees upon first entering or when leaving and re-entering an IDF is critical to ensuring the safety and well-being of detainees, people, property and facilities. A key strategy to mitigate risk of the above is to place limits on the entry of particular items into the IDF. Items are accordingly handled according to their classification as one of the following:

- prohibited (illegal under Australian law)
- excluded
- controlled
- permitted.

Approval can be sought in some cases for departmental staff, contractors and / or visitors to bring specific controlled items into an IDF, such as a mobile phone.

Responsibilities by role or appointment

ABF Detention Superintendent

Following an authorised officer's screen of detainees or visitors, or search of detainees entering into or re-entering immigration detention, the ABF Detention Superintendent is to inform the Commander, Detention Operations when they are notified by Detention Operations of a detainee found to be in possession of a weapon, an item capable of inflicting bodily harm or helping a detainee to escape, or a prohibited item. The procedures s. 47E(d) [REDACTED] should be followed where this occurs.

The ABF Detention Superintendent can give permission to departmental staff and contractors and visitors to take controlled items into an IDF. Departmental staff and contractors are required to complete the relevant application form and provide it to the ABF Detention Superintendent. The ABF Detention Superintendent is then to provide written approval to the authorised person for the carriage of the controlled item(s).

The ABF Detention Superintendent can also delegate the ability to approve carriage of certain controlled items to the ABF Detention Inspector (for ABF staff), the FDSP Facility Operations Manager (for FDSP staff) and the Health Services Manager (for HSP staff).

s. 47E(d) [REDACTED]

ABF Detention Inspector

If given the relevant delegation by the ABF Detention Superintendent, the ABF Detention Inspector can approve the carriage of controlled items by ABF staff within the IDF.

ABF Detention Operations (Facility)

During the initial screening of detainees in immigration detention, ABF Detention Operations (Facility) is to inform the IDF Superintendent when notified by the FDSP of a detainee being found to possess a weapon or prohibited item, planning a means of escape, or in possession of items capable of inflicting bodily injury that threatens the safety and security of detainees and staff in the IDF. s. 47E(d)

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

ABF Detention Operations is also responsible for notifying the DIBP Comcover Manager. (s. 47E(d)) @border.gov.au).

Departmental staff and contractors

Departmental staff and contractors need to obtain permission to carry controlled items in an IDF.

FDSP Facility Operations Manager

If delegated by the ABF Detention Superintendent, FDSP Facility Operations Manager is to approve the carriage of controlled items by FDSP staff within the IDF.

s. 47E(d)

Authorised Officers for the purposes of s252, 252AA, 252A or 252G

Only authorised officers under the Migration Act may conduct screening or searching of anybody, and take possession of any items held by those persons.

The FDSP is responsible for managing prohibited, excluded and controlled items at IDFs depending on the item's classification, following screening or searching of detainees, or screening of visitors, departmental staff or contractors. See Detention SOP – Screening and Search of Detainees and 'Detention SOP – Screening and Search of Visitors, Departmental Staff and Contractors'.

Health Service Manager

If delegated by the ABF Detention Superintendent, the Health Service Manager (HSM) is to approve the carriage of controlled items by HSP staff within the IDF. The HSM will also determine whether medications removed from detainees during screening will be handed back to the detainee, reissued or destroyed.

s. 47E(d)

Glossary

Terms

The terms and their accompanying definition that have specific meaning in the context of this Detention SOP are listed below.

Term	Definition
Commercially produced food	Food that is standard manufactured and sold in the normal course of a firm's business, customarily used by the general public and offered to it for purchase.
Consumables	Food that is able to be consumed, as by eating, drinking, or used as ingredients or additives.
Controlled item (see Annex C)	Items that are generally lawful to possess under Australian law, but have been deemed by the Department to present a risk to the health, privacy, safety of individuals within an IDF and/or security and good order of the facility. Some controlled items may be permitted with the relevant approval.
Departmental staff and contractors	All departmental employees and service providers engaged in the delivery of immigration detention services.
Detainee	A non-citizen held in immigration detention in accordance with the <i>Migration Act 1958</i> .
Dietary supplement	A product other than tobacco that is taken by mouth, that contains one or more vitamins, minerals, herbs or other botanical, amino acids, substances supplementing the diet by increasing the daily dietary intake, or a concentrate, constituent, metabolite, extract, or combination of these, that is not represented as a food or as constituting a meal or the sole item in the diet, and that contains as part of its labelling the words 'dietary supplement'. This includes anything injectable or absorbable.
Excluded item (see Annex B)	Items that are generally lawful under Australian law but have been deemed to present a risk to the health, privacy, safety, security and/or good order of the facility.
Factory sealed	Packed in a way that does not permit the entrance of external atmosphere; that had not been previously used or open and meets all of the specifications of the industry definition for new and which is contained in the original manufacturer's sealed bag.
Food	Any nutritious substance that people eat or drink in order to maintain life and growth. Includes perishable food, homemade food, consumables, performance-enhancing supplements, dietary supplements, special purpose food, fast food, commercially produced food, fruit and vegetables and ready-to-eat food.
Homemade food	Domestically prepared food.

Term	Definition
Immigration detention	<p>Under the <i>Migration Act 1958</i>, immigration detention means:</p> <p>(a) being in the company of, and restrained by:</p> <ul style="list-style-type: none"> (i) an officer; or (ii) in relation to a particular detainee—another person directed by the Secretary or Australian Border Force Commissioner to accompany and restrain the detainee; or <p>(b) being held by, or on behalf of, an officer:</p> <ul style="list-style-type: none"> (i) in a detention centre established under this Act; or (ii) in a prison or remand centre of the Commonwealth, a State or a Territory; or (iii) in a police station or watch house; or (iv) in relation to a non-citizen who is prevented, under section 249, from leaving a vessel—on that vessel; or (v) in another place approved by the Minister in writing; <p>but does not include being restrained as described in subsection 245F(8A), or being dealt with under paragraph 245F(9)(b).</p> <p>Note 1: Subsection 198AD(11) provides that being dealt with under subsection 198AD(3) does not amount to immigration detention.</p> <p>Note 2: This definition extends to persons covered by residence determinations (see section 197AC).</p>
Immigration detention facility	Refer to Scope.

s. 47E(d)

Term	Definition
Official visitors	Representatives of organisations such as government and external scrutiny bodies. These organisations include, but are not limited to: <ul style="list-style-type: none"> • Australian Human Rights Commission (AHRC) • Commonwealth Ombudsman • consulates • Detention Health Advisory Group (DeHAG) • embassies • foreign government representatives • international agencies • Members of Parliament • Minister's Council on Asylum Seekers and Detention (MCASD) • official delegations • representatives of Australian government agencies.
Performance-enhancing supplements	Substances used to improve any form of activity performance in humans.
Perishable food	Perishable foods are those likely to spoil, decay or become unsafe to consume if not kept refrigerated at 4.4 °C or below or frozen at -17.8 °C or below. Examples of foods that must be kept refrigerated for safety include meat, poultry, fish, dairy products, and all cooked leftovers.
Permitted item	Items that are lawful in the Australian community and have been deemed as authorised to enter the facility.
Professional visitors	Visitors who wish to communicate with a detainee for a specific professional purpose such as lawyers, migration agents and health care professionals, not including the health services provider.
Prohibited item (see Annex A)	Items that are considered illegal under Australian law are not permitted in any IDF.
Suspected Foreign Offenders	Non-citizens held in environment detention under the <i>Environment Protection and Biodiversity Conservation Act 1999</i> .
Suspected Illegal Foreign Fishers	Non-citizens held in fisheries detention under the <i>Fisheries Management Act 1991</i> or the <i>Torres Strait Fisheries Act 1984</i> .

Abbreviations

Abbreviation	Description
ABF	Australian Border Force
AFP	Australian Federal Police
AOCC	AFP Operations Coordination Centre

Abbreviation	Description
APOD	alternative place of detention
CCMD	Compliance, Case Management and Detention (Portal)
Cth	Commonwealth
DIBP	Department of Immigration and border Protection
FDSP	Facilities and Detainee Services Provider
FOM	Facility Operations Manager
MSM	Health Services Manager
HSP	Health Services Provider
I&PS	Integrity and Professional Standards
IBP	Immigration and Border Protection
IDC	Immigration Detention Centre
IDF	immigration detention facility
IRH	Immigration residential housing
ITA	immigration transit accommodation
PID	Public Interest Disclosure
SOP	Standard Operating Procedure
TRIM	Total Records and Information Management
WHS	Work Health and Safety

Authorities

Authority	Description
<i>Australian Border Force Act 2015</i>	The Australian Border Force (ABF) Act imposes, amongst other things, secrecy and disclosure obligations on 'entrusted persons', which must be complied with when making a record of or disclosing protected information. Protected information is any information obtained by a person in the person's capacity as an entrusted person, which includes all departmental staff and may include contractors.

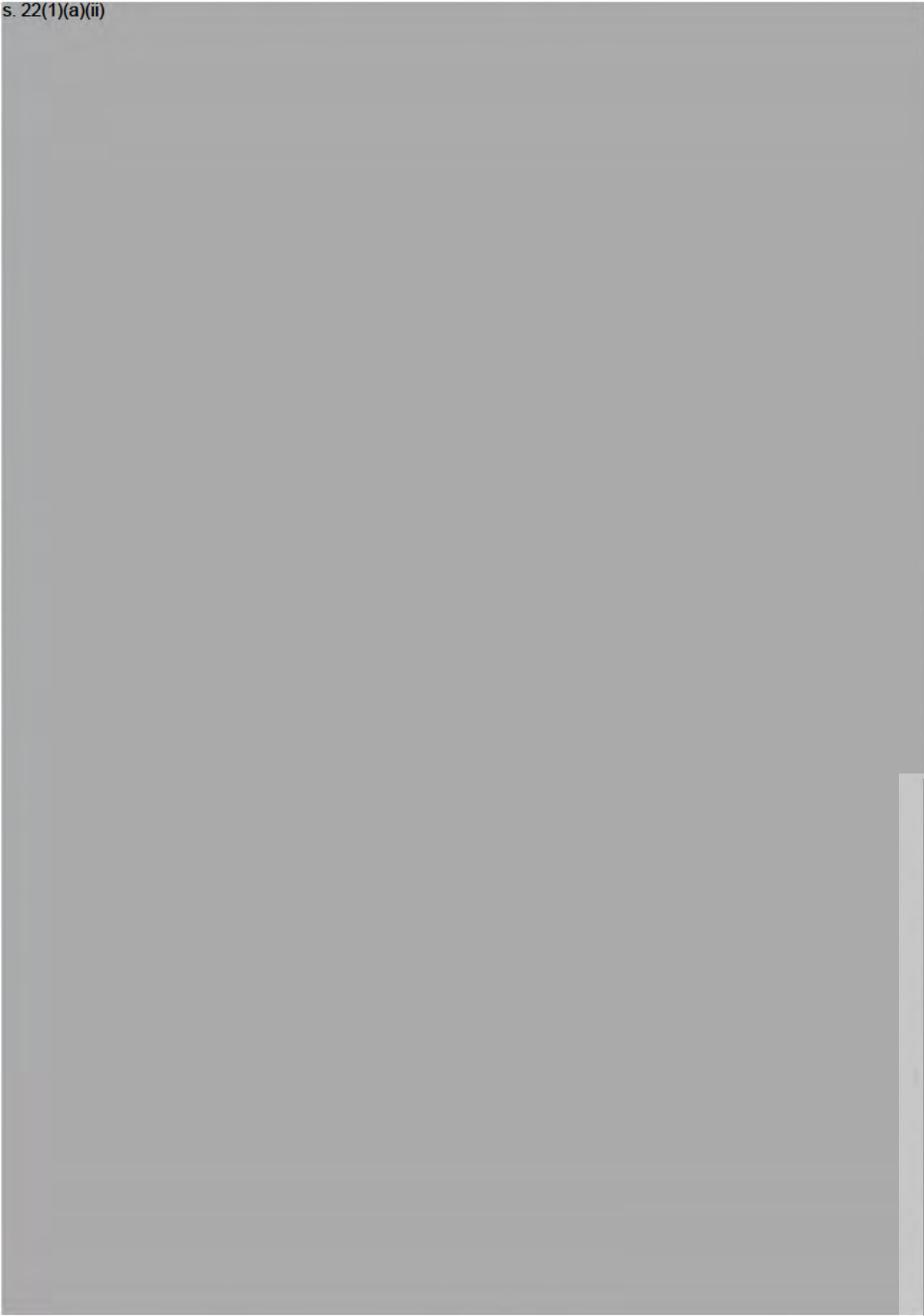
Authority	Description
<i>Migration Act 1958</i>	The Migration Act governs, amongst other things, the immigration detention of unlawful non-citizens. The Migration Act must be complied with at all times in relation to the manner in which an unlawful non-citizen is taken into or being held in immigration detention. An unlawful non-citizen detained under s 189 of the Migration Act must be kept in immigration detention until one of the events specified in s 196(1) of the Migration Act happens or they are no longer known or reasonably suspected of being an unlawful non-citizen.

Accountability and Responsibilities

Position	Accountability and/or responsibilities
ABF Detention Inspector	When delegated by the ABF Detention Superintendent, authorises ABF staff to carry controlled items within an IDF.
ABF Detention Operations (Facility)	s. 47E(d)
ABF Detention Superintendent	Approves entry of controlled items into an IDF. Delegates ability to approve entry of controlled items to the ABF Detention Inspector (for ABF staff), Health Services Manager (for HSP staff) and the FDSP Facility Operations Manager (for FDSP staff). s. 47E(d)
s. 47E(d)	
Authorised officer for the purpose of section 252, 252AA, 252A and 252G	Under the Migration Act, an officer authorised in writing by the Minister, the Secretary or the Australian Border Force Commissioner for the purposes of the relevant provision in the Act. Has various power to screen or to search individuals upon entry into an IDF. For the purposes of this SOP, an authorised officer has responsibility for managing prohibited, excluded and controlled items at IDFs
Departmental staff and contractors, official and professional visitors	Gain approval to take controlled items into an IDF and comply with regulations relating to controlled items. Also responsible for making discretionary decisions on a case-by-case basis relating to items not currently listed in the Annexes.
FDSP Facility Operations Manager	When delegated by the ABF Detention Superintendent, authorise FDSP staff to carry controlled items within an IDF. s. 47E(d)
Health Services	When delegated by the ABF Detention Superintendent, authorise HSP

Position	Accountability and/or responsibilities
Manager	staff to carry controlled items within an IDF.

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



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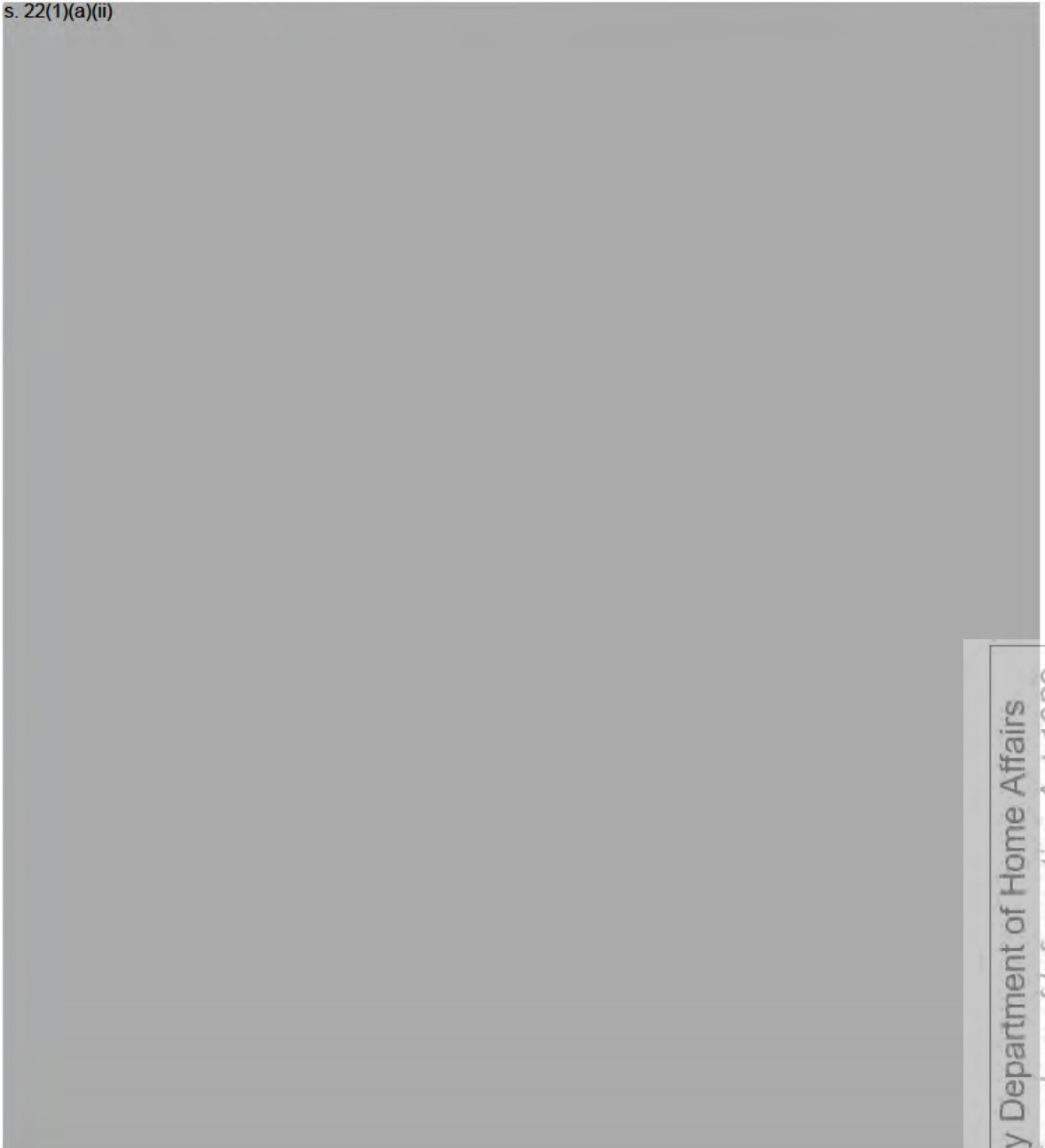
s. 22(1)(a)(ii)

References

Serial	Reference
A	<i>Australian Border Force Act 2015</i> (the ABF Act)
B	Australian Public Service Code of Conduct
C	<i>Crimes Act 1914</i>
D	Detention Services Manual – Chapter 4 – Visitors and Entry to Immigration Detention Facilities
E	Detention Services Manual – Chapter 8 - Safety and Security – Items not permitted in immigration detention
F	Immigration Detention Facilities and Detainee Services Contract
G	<i>Migration Act 1958</i> (the Migration Act)
H	Procedural Instruction on <i>Mandatory reporting of serious misconduct, corrupt</i>

Serial	Reference
	<i>conduct and criminal activity involving Immigration and Border Protection Workers</i>
I	<i>Public Governance, Performance and Accountability Act 2013</i>
J	<i>Public Interest Disclosure Act 2013</i>
K	<i>Public Service Act 1999</i>
L	<i>Work Health and Safety Act 2011 (Cth)</i>

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



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Endorsement

Endorsed by:	Vanessa Holben, Acting Commander, Detention Operations
Endorsed on (date):	2 September 2016

Approval

Approved by:	s. 22(1)(a)(ii), Superintendent, Detention Future Operations
Approved on (date):	2 September 2016

END

Annex A. Prohibited items

Prohibited items denotes items that are considered illegal under Australian law and are not permitted on any IDF such as:

- narcotics / illicit substances
- weapons
- child pornography materials.

Annex B. Excluded items

Items that are generally lawful under Australian law but have been deemed to present a risk to the health, privacy, safety, security and/or good order of the facility are not permitted in an IDF in any circumstance.

Excluded items that belong to a detainee which are not permitted in the IDF are to be stored as 'in-trust' property or otherwise dealt with in accordance with departmental procedures.

In all IDFs, excluded items include but are not limited to:

- pornographic books, magazines or related material
- material that incites violence, racism or hatred.

Annex C. Controlled items

Items that are generally lawful under Australian law but have been deemed to present a risk to the health, privacy, safety, security and/or good order of the facility are permitted under specified conditions.

Controlled items that belong to a detainee, but are not permitted in the IDF, are to be stored as 'in-trust' property or and dealt with in accordance with 'Detention SOP – Management of Detainee Property'.

Examples of controlled items include, but are not limited to:

- all mobile phones see
- Subscriber Identity Module (SIM) cards for mobile phones and other communication devices
- internet enabled devices, including, but not limited to: computers with modems, tablets such as iPads and internet enabled MP3 or MP4 players such as iPods
- personal computers, PC peripherals and storage devices, including but not limited to: laptops, tablets such as iPads, USBs (unless issued by the FDSP), flash drives, disk drives, scanners and printers
- electronic recording devices such as voice recorders, cameras and other communication technology devices with internet, audio, photographic or video recording capabilities;
- alcohol
- food delivered as take-away meals
- food delivered by postal or parcel courier services
- food brought by visitors to the facility without prior approval or which does not comply with the specified conditions see
- prescribed pharmaceutical medication without a medical certificate and not cleared by the HSP for personal use by the detainee
- non-prescription medication that has not been issued by or cleared for entry into the IDF, by the HSP
- brand name non-prescribed complementary health care supplements (i.e. a product that contains one or more vitamins, minerals, herbs or other botanical, amino acids, substances supplementing the diet, or a concentrate, constituent, metabolite, extract, or combination of these, including anything injectable or absorbable), subject to the DHSPs advice
- sharp items, i.e. syringes, knives, scissors, razor blades, glass items and mirrors
- cigarette lighters and lighter fluid;
- travel and identity documents, including passports
- professional, trade and personal tools and equipment

- electrical items for detainee use, subject to prior approval, space and safety considerations, and a current electrician's certificate stating compliance with relevant safety regulations
- aerosol and pressure propelled products
- cash, cheques and bank cards
- personal photographs. See 'Detention SOP – Photographs and Photography'
- professional, craft and sporting equipment and other tools used for programmes and activities run by approved visitors – to be removed at the end of the activity visit
- items used in religious worship, such as sacramental wine, candles or religious instruments such as Sikh dagger / Kirpan, provided by an approved religious visitor – must be consumed or removed at the end of the visit.

Annex D. Permitted items


Items permitted in all IDFs are those that are not detrimental to a detainee's health and the good order and security of the facility. Decisions about permitting items not listed in these Annexes into the IDF are to be made by FDSP staff on a case by case basis.

All immigration detention facility types

Examples of items permitted in IDFs include:

- personal items such as clothing, MP3 players without recording capabilities, battery radios and non-aerosol personal toiletries
- computers without modems, camera and audio recording capability
- medically permitted items such as inhalers, and 'epipens' as prescribed by the HSP.

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



END

Hi All

There has been some confusion with the original Directive. Please withdraw Directive 21/4/2017.

Please distribute the following to your staff.

DIRECTIVE

28/4/2017

FOR ATTENTION OF	Superintendents, IDN Detention Operations
cc	Detention Operations; Detention Services; Detention Policy;
IMPORTANCE	High
ACTION REQUIRED	Reminder
SUBJECT	Section 252G of the <i>Migration Act</i> 'Powers concerning entry to a detention centre'
AUTHORISED BY	Commander Detention Operations
KEY CONTACT	Superintendent s. 22(1)(a)(ii)

A reminder to departmental staff, service providers and contractors to familiarise themselves with **Section 252G of the *Migration Act*** 'Powers concerning entry to a detention centre' and Detention Standard Operating Procedures:

- Refusal of Entry
- Screening of Visitors, Departmental staff or Contractors Entering an Immigration Detention Centre (which includes ITA/APOD).

All departmental staff, service providers and contractors are expected to comply fully with the conditions of entry. In particular, all persons are required upon request to remove their outer clothing such as a coat, jacket or similar item for the purpose to be screened and x-ray examined upon entry. It is expected that officers conducting screening will ensure this in fact does occur.

In addition, screening staff are reminded where contraband considered unlawful under commonwealth, state or territory law is voluntarily obtained from a person at the point of screening, the contraband is not to be returned to the person and must as soon as practicable be provided to police. Contraband cannot be obtained by force.

It is acknowledged each centre has different screening equipment in place however powers around entry remain the same.

Section 252G of the *Migration Act*

s252G(1):

An authorised officer may request that a person about to enter a detention centre established under this Act do one or more of the following:

- (a) walk through screening equipment;
- (b) allow an officer to pass hand-held screening equipment over or around the person or around things in the person's possession;
- (c) allow things in the person's possession to pass through screening equipment or to be examined by X-ray.

s252G(2):

Screening equipment means a metal detector or similar device for detecting objects or particular substances.

s252G(3):

If an authorised officer suspects on reasonable grounds that a person about to enter a detention centre established under this Act has in his or her possession a thing that might:

- (a) endanger the safety of the detainees, staff or other persons at the detention centre;
or
- (b) disrupt the order or security arrangements at the detention centre;

the authorised officer may request that the person do some or all of the things in subsection (4) for the purpose of finding out whether the person has such a thing. A request may be made whether or not a request is also made to the person under subsection (1).

s252G(4):

An authorised officer may request that the person do one or more of the following:

- (a) allow the authorised officer to inspect the things in the person's possession;
- (b) remove some or all of the person's outer clothing such as a coat, jacket or similar item;
- (c) remove items from the pockets of the person's clothing;
- (d) open a thing in the person's possession, or remove the thing's contents, to allow the authorised officer to inspect the thing or its contents;
- (e) leave a thing in the person's possession, or some or all of its contents, in a place specified by the authorised officer if he or she suspects on reasonable grounds that the thing or its contents are capable of concealing something that might:
 - (i) endanger the safety of the detainees, staff or other persons at the detention centre; or
 - (ii) disrupt the order or security arrangements at the detention centre.

s252G(5):

A person who leaves a thing (including any of its contents) in a place specified by an authorised officer is entitled to its return when the person leaves the detention centre.

s252G(6):

However, if possession of the thing, or any of those contents, by the person is unlawful under a Commonwealth law or in the State or Territory in which the detention centre is located:

- (a) the thing or the contents must not be returned to the person; and
- (b) an authorised officer must, as soon as practicable, give the thing or the contents to a constable (within the meaning of the *Crimes Act 1914*).

s252G(7)

A person who is about to enter a detention centre established under this Act may be refused entry if he or she does not comply with a request under this section.

Please ensure all staff and contracted service providers are aware of the above Directive.

Regards

Vanessa

Vanessa Holben
Commander Detention Operations
Operations Group
Australian Border Force



Australian Government
Department of Immigration
and Border Protection

Refusal of Entry

DETENTION STANDARD OPERATING PROCEDURE

This Detention Standard Operating Procedure describes the procedure for refusing entry to immigration detention facilities

Approval Date	2 September 2016
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Contact	Detention Future Operations Detention Operations Command Detention, Compliance and Removals Division Email: s. 47E(d) @border.gov.au Telephone: 02 s. 22(1)(a) (iii)
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Approval 30

Introduction

Purpose

This Detention Standard Operating Procedure (SOP) describes the procedure for refusing entry to an immigration detention facility (IDF).

Background

This Detention SOP outlines the procedures for:

- refusing entry of visitors, departmental staff and contractors, equipment and other items to an IDF
- requiring visitors to leave an IDF if they do not comply with a condition of entry, or otherwise present a safety or security risk.

As the occupiers of an IDF, the Department of Immigration and Border Protection (DIBP) and the Facilities and Detainees Service Provider (FDSP) have a common law right to impose conditions of entry on people entering an IDF, and to refuse entry of people, equipment or other items into the IDF.

Section 1 of this Detention SOP sets out the conditions of entry that typically apply at IDFs. Conditions of entry may vary from facility to facility, and FDSP access control staff should be familiar with the conditions of entry that apply at their facility.

In addition, a person may be refused entry if they do not comply with the procedures relating to the screening of people and their possessions and the inspection of their possessions and outer clothing (after they have removed it).

In immigration detention centres, screening and inspection procedures are conducted under s 252G of the Migration Act. In immigration transit accommodation (ITA) and immigration residential housing (IRH), screening and inspection procedures are conditions of entry that are imposed by the Department and FDSP as occupiers of those facilities.

Equipment and other items are categorised as permitted, controlled, excluded or prohibited. Permitted items may be freely brought into an IDF. Controlled items, such as food and mobile telephones, may only be brought into an IDF with the appropriate approval from the Department or the FDSP. Excluded and prohibited items may not be brought into an IDF. The definitions for permitted, controlled, excluded and prohibited items are contained in 'Detention SOP – Control of Items'.

Scope

This Detention SOP outlines the procedures for:

- refusing entry of visitors, departmental staff and contractors, equipment and other items to an IDF
- requiring visitors to leave an IDF if they do not comply with a condition of entry, or otherwise present a safety or security risk.

Application

This Detention SOP applies to visitors seeking to enter an IDF, irrespective of whether the visitor is seeking to visit a detainee, a Suspected Illegal Foreign Fisher, a Suspected Foreign Offender, or for some other reason. This Detention SOP also applies to departmental staff and contractors who seek to enter an IDF. See the Glossary for definitions of the terms used in this Detention SOP.

In this Detention SOP, **Immigration Detention Facility** means the following facilities in Australia where detainees are held in immigration detention:

- immigration detention centres (IDCs)
- immigration transit accommodation (ITA)
- immigration residential housing (IRH)

Note: Immigration detention facilities are referred to as 'held immigration detention', in contrast to a detainee residing at a specified place in the community because he or she is covered by a residence determination made by the Minister under s 197AB of the Migration Act.

Structure

This Detention SOP is in two parts. Part A provides the step-by-step procedural instructions. Part B provides additional context and guidance for the functional roles and tasks identified in the procedures.

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



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Part A: Step-by-step actions

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

Screening and inspection procedures

In addition to the conditions of entry mentioned above, a visitor may be refused entry if they do not comply with the procedures relating to the screening of visitors and their possessions and the inspection of their possessions and outer clothing (after they have removed it). Refer to 'Detention SOP – Screening Visitors, Departmental Staff and Contractors Entering an Immigration Detention Facility' for information about the screening and inspection procedures that apply to visitors.

Non-compliance with screening or inspection procedures includes circumstances when a visitor:

- refuses to undergo a screening or inspection procedure; or
- undergoes a screening or inspection procedure but refuses to surrender an item after being asked to do so by the FDSP access control staff (or other relevant staff member).

In immigration detention centres, screening and inspection procedures are conducted under s 252G of the Migration Act. In ITA and IRH, screening and inspection procedures are conditions of entry that are imposed by the Department and FDSP as occupiers of those facilities.

This section of the Detention SOP details the procedure to be followed to refuse a visitor's entry by FDSP access control staff.


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



Section 3 - Refusal of entry of equipment and other items

The Department and the FDSP must take reasonable steps to provide a safe and healthy environment for departmental staff, contractors, detainees and visitors. These steps include controlling the entry of equipment and other items into an IDF.

The 'Detention SOP – Screening Visitors, Departmental Staff and Contractors entering an immigration detention facility' and 'Detention SOP – Screening and Search of Vehicles, Mail Items and Facilities' deal with screening visitors and their vehicles for items that affect the safety, security or order of an IDF, including controlled, excluded and prohibited items. When such items are found, they must not be brought into an IDF.

This section of the SOP outlines the procedures for refusing the entry of the item into an IDF, in circumstances where a person attempts to bring such items into an IDF. The person may be a visitor, or a departmental staff member or contractor.

See: 'Detention SOP – Control of Items', which defines items and the associated requirements for their entry into an IDF.

See: 'Detention SOP – Visitor Management', which outlines the procedures for items being brought into an IDF.

Serial	Action	Responsible entity
3.1	Refusing entry of controlled, excluded or prohibited items carried by visitors, or departmental staff or contractors	
3.1.1	If a visitor, departmental staff member or contractor attempts to bring controlled items (that have not been approved by the Detention Superintendent) or excluded or prohibited items into an IDF: <ul style="list-style-type: none"> the item can be refused entry if necessary, the visitor can be asked to leave the IDF (see Section 5 of this Detention SOP). 	FDSP staff
3.1.2	s. 47E(d)	FDSP staff
3.1.3	If the visitor/departmental staff member/contractor agrees to surrender the controlled or excluded item(s), place the item in a specified place (i.e. a secure locker) and return the item to the person when they leave the IDF. Note: At immigration detention centres, only 'authorised officers' under s 252G of the Migration Act can ask a person to leave an item in a specified place.	FDSP access control staff
3.1.4	If the surrendered items are intended for a detainee screen, log and place the items in the detainee's in-trust property within 24 hours.	FDSP access control staff
3.1.5	If the visitor, departmental staff member or contractor refuses to surrender the controlled, excluded or prohibited item, that person can be refused entry to the IDF. See Section 1 of this Detention SOP for procedures relating to refusing entry to visitors. s. 22(1)(a)(ii)	FDSP access control staff
3.1.6	If the visitor, departmental staff member or contractor voluntarily hands over a prohibited item, follow the procedures s. 22(1)(a)(ii)	FDSP access control staff

Section 4 - Refusal of entry of food

Visitors and their vehicles are screened for items that affect the safety, security or order of an IDF. This includes screening for food items that are not permitted to be brought into an IDF.

All food items (including consumable fluids) are controlled items within an IDF and are subject to specific entry approval and consumption requirements. Visitors wishing to bring commercially produced, packaged and sealed food items into the visitor area may seek approval at the point of entry in accordance with 'Detention SOP – Control of Items'. Detainees returning from excursions may also seek approval for the entry of commercially produced and sealed food items at the point of entry. Entry of any items that do not comply with the specified requirements is not to be approved.

Approval for the entry of special purpose food items such as birthday cakes and sacramental wine must be sought in advance through the visit application process.

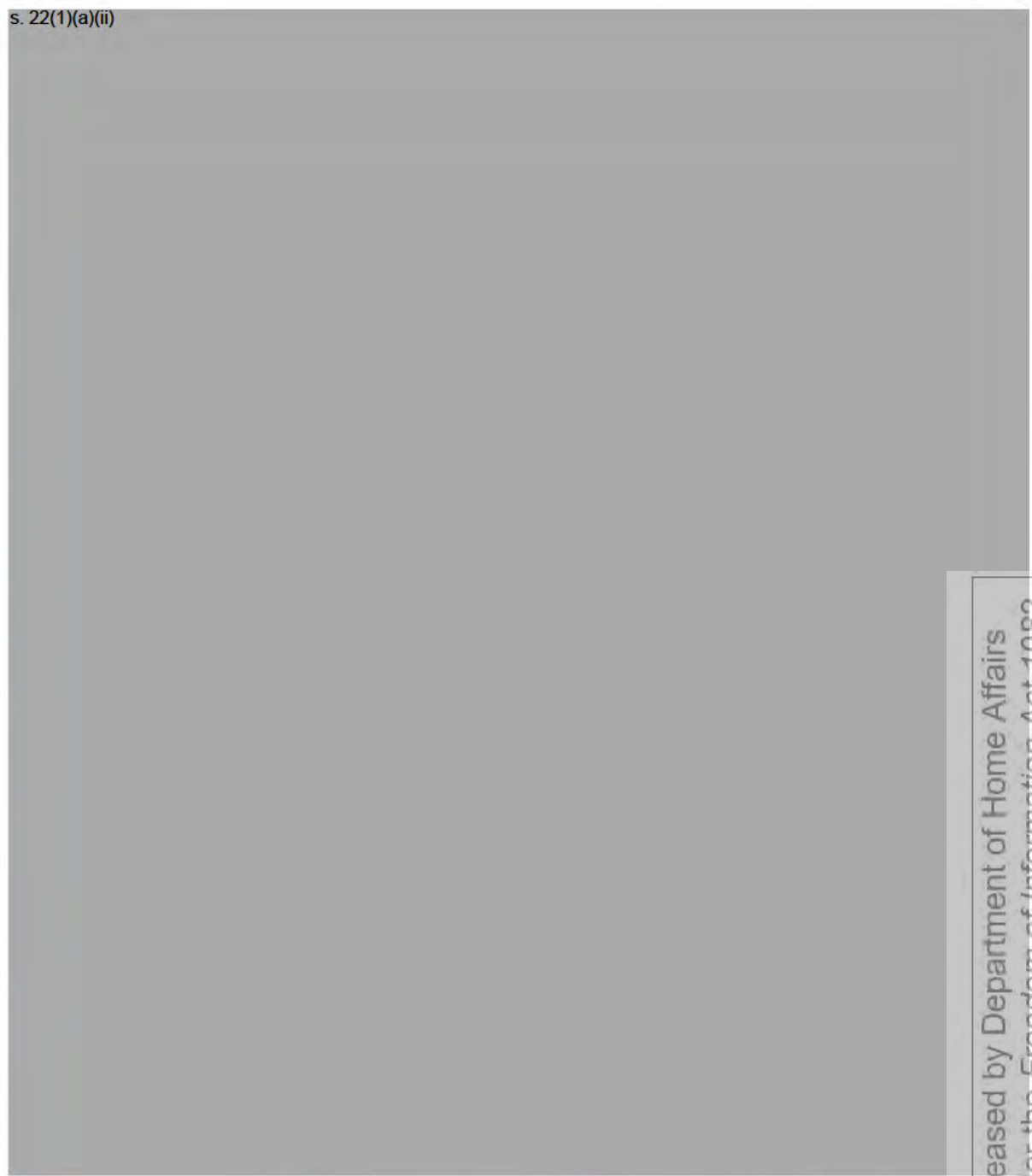
Any food approved to enter the IDF must be consumed during the visit in the visits area and any remaining food must be disposed of, or removed by the visitor, at the end of the visit.

See 'Detention SOP – Control of Items' for further information.


If a visitor, departmental staff member or contractor refuses to surrender a food item that is not permitted within an IDF or not approved, that person may be refused entry to the IDF.

See Section 1 of this Detention SOP for procedures relating to refusing entry to visitors. See Section 2 of this SOP for procedures relating to refusing entry to departmental staff members and contractors.

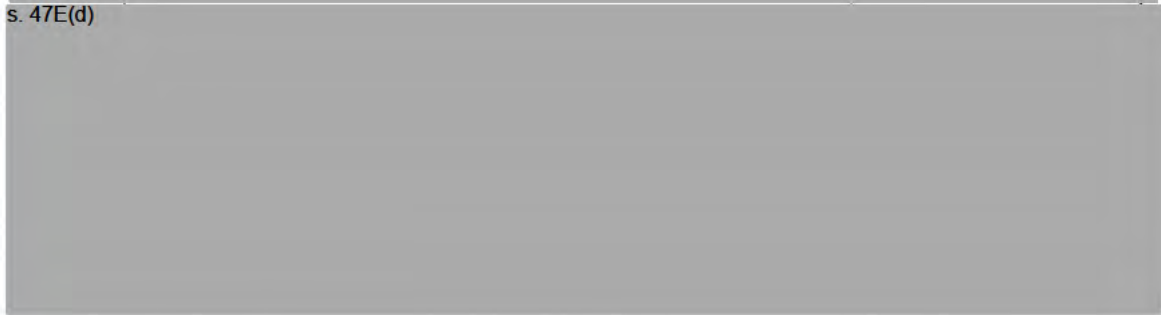
s. 22(1)(a)(ii)



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



s. 47E(d)



Part B: Description

Overview

As the occupiers of an IDF, the Department and the FDSP have a common law right to impose conditions of entry on people entering an IDF, and to refuse entry of people, equipment or other items into the IDF.

Conditions of entry may vary from facility to facility, and FDSP access control staff should be familiar with the conditions of entry that apply at their facility. In addition, a person may be refused entry if they do not comply with the procedures relating to the screening of people and their possessions and the inspection of their possessions and outer clothing (after they have removed it).

In immigration detention centres, screening and inspection procedures are conducted under s 252G of the Migration Act. In ITA and IRH, screening and inspection procedures are conditions of entry that are imposed by the Department and FDSP as occupiers of those facilities.

Equipment and other items are categorised as permitted, controlled, excluded or prohibited. Permitted items may be freely brought into an IDF. Controlled items, such as food and mobile telephones, may only be brought into an IDF with the appropriate approval from the department or the FDSP. Excluded and prohibited items may not be brought into an IDF. The definitions for permitted, controlled, excluded and prohibited items are contained in 'Detention SOP – Control of Items'.

Departmental staff and contractors are required to conduct themselves in a professional, calm and firm manner at all times. They must ensure that the FDSP Operations Manager is informed of all entry refusals. It is also critical they ensure the event is accurately documented for use in any post incident reviews.

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

Note: Some IDF roles described in this Detention SOP can be undertaken by DIBP staff. In such cases, the DIBP staff member is to follow the same procedures required of the equivalent FDSP appointment.

Responsibilities by role or appointment

ABF Detention Superintendent

The ABF Detention Superintendent is responsible for the overall management of the IDF and for ensuring that the Department meets its obligations to maintain the safety, security and the good order of the IDF. The ABF Detention Superintendent can instruct another staff member to perform the functions and tasks detailed within this Detention SOP; however the responsibility itself remains with the ABF Detention Superintendent.

The responsibilities of the ABF Detention Superintendent are as follows:

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

- Approve any requests for controlled items to be brought into the IDF. Departmental staff members, FDSP staff, personal and professional visitors may be permitted to bring controlled items into an IDF in accordance with specified conditions of entry and use as determined by the Detention Superintendent

Conditions may include:

- the item being registered with the IDF and checked in and out by the FDSP when the visitor enters and leaves the IDF
- the item only being used by the visitor or in the presence of FDSP staff.

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

FDSP Operations Manager

The FDSP Operations Manager is responsible to the ABF Detention Superintendent for IDF operations during their period of duty.

The responsibilities of the FDSP Operations Manager are as follows:

- process any requests for controlled items to be brought into the IDF through to the ABF Detention Superintendent

s. 47E(d)

FDSP access control staff

FDSP access control staff can include all FDSP staff, and contractors. FDSP staff might be filling specific roles in the context of this Detention SOP or might find themselves in a role where they need to refuse entry or ask a person to leave the IDF.

ABF or DIBP staff might also need to fill specific roles in the context of this Detention SOP and are to follow the same procedures as FDSP access control staff outlined in this Detention SOP.

The responsibilities of FDSP access control staff are as follows:

- advise persons seeking entry to an IDF that controlled items (as listed in 'Detention SOP – Controlled Items') cannot be brought into an IDF without permission of the ABF Detention Superintendent
- refuse entry of excluded items
- if prohibited items are discovered:
 - request that visitors hand over such items

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

- transfer item(s) to the relevant authority
- refuse a visitor entry to an IDF if:
 - they refuse to comply with a request made by an officer under s 252G(1) or a request made by an authorised officer under section 252G of the Migration Act
 - they are not approved to visit the IDF and they do not have any legal authority to enter the IDF
 - they refuse to undergo any aspect of the screening or inspection process
 - they refuse to surrender item(s) not permitted in IDFs
 - they refuse to carry an IDF identification
 - there is reasonable suspicion that they are carrying item(s) not permitted in IDFs
 - they refuse to acknowledge/sign conditions of entry documentation
 - they fail to comply with the conditions of entry
 - they are considered to be under the influence of alcohol or other substances
 - intelligence, operational or risk issues exist
 - the ABF Detention Superintendent makes a determination to refuse entry
- refuse entry to a departmental staff member or contractor if:
 - they refuse to comply with a request made under s 252G of the Migration Act
 - they refuse to surrender item(s) not permitted in the IDF

- notify the FDSP Duty Officer if any person is refused access to an IDF
- provide receipts to any person for any property handed over by that person
- the procedures outlined in 'Detention SOP – Control of Items' are followed if prohibited item(s) are surrendered by persons seeking to enter an IDC
- ensure that any property handed over for safe keeping during entry to an IDC is handled correctly and handed back to the owner at the conclusion of the entry
- revoke a visitor's permission to enter if:
 - the person's conduct is considered a threat to security, good order or safety
 - it is otherwise necessary to terminate the entry in the interests of security, discipline, or the prevention of disorder or crime
 - there are reasonable grounds for suspecting that the visitor has failed to comply with one of the IDF's conditions of entry
- notify visitors refusing to leave that continued refusal may result in the police assisting in the matter
- record in an accurate and timely manner any refusal of entry, including where a person seeking to enter an IDF refuses to undergo screening or, if requested, an inspection of their property and is refused entry
- assist staff (ABF, DIBP, FDSP) with drafting of required documentation or reporting associated with a visitor or item being refused an entry to an IDF.

Glossary

Terms

The terms and their accompanying definition that have specific meaning in the context of this Detention SOP are listed below.

Term	Definition
Authorised officer	Under the Migration Act, the term 'authorised officer' means an officer authorised in writing by the Minister, the Secretary or the Australian Border Force Commissioner for the purposes of the relevant provision in the Migration Act.
Commercially packaged	Packaging applied to a product by the manufacturer or producer during the production process in which the contents are intended for sale.
Commercially produced	An item that is manufactured or produced by an appropriately licenced commercial entity and offered for sale.
Commercially sealed	A commercially produced and commercially packaged item that was sealed by the manufacturer during the production process and that has not been opened or tampered with in any way. A commercially sealed item must bear the manufacturer's original label.

Term	Definition
Controlled items	Items that are lawful to possess but might present a risk to the health and safety of departmental staff and contractors, detainees and visitors or may present a risk to privacy or security. Controlled items include: mobile telephones, food, health supplements, sharp items, tools and equipment, glass, electrical goods; aerosols, sporting equipment, computers, money and photographs.
Detainee	A non-citizen held in immigration detention in accordance with the <i>Migration Act 1958</i> .
Excluded items	Those items that are lawful in the Australian community but have been deemed as presenting risks to the health, privacy, security or safety of those in the facility, are offensive to others or adversely impact on the safety, security and good order of the facility and are not permitted in the facility.
Facilities and Detainee Services Provider access control staff	All staff who have a responsibility for controlling access to an immigration detention facility.
Facilities and Detainee Services Provider staff	Includes all facilities and detainee services provider employees and contractors.
Food	Any nutritious substance that people eat or drink in order to maintain life and growth. Includes perishable and non-perishable items, performance-enhancing and dietary supplements, and consumable liquids. Excludes prescribed medicines or any other products that are regulated as therapeutic goods by the Australian New Zealand Food Standards Code.
Good order	Good order refers to the situation where the behaviour of the detainees and the security of the facility are conducive to the safety and welfare of detainees, visitors, departmental staff and contractors.
High profile visitors	Includes the following: <ul style="list-style-type: none"> • Australian Human Rights Commission • Comcare officers • Commonwealth Ombudsman • Members of Parliament, senators, local government representatives, state / territory parliamentarians • Minister's Council on Asylum Seekers and Detention members • representatives of government agencies and official delegations • staff working for international agencies.

Term	Definition
Immigration detention	<p>Under the <i>Migration Act 1958</i>, immigration detention means:</p> <p>(a) being in the company of, and restrained by:</p> <p>(i) an officer; or</p> <p>(ii) in relation to a particular detainee—another person directed by the Secretary or Australian Border Force Commissioner to accompany and restrain the detainee; or</p> <p>(b) being held by, or on behalf of, an officer:</p> <p>(i) in a detention centre established under this Act; or</p> <p>(ii) in a prison or remand centre of the Commonwealth, a State or a Territory; or</p> <p>(iii) in a police station or watch house; or</p> <p>(iv) in relation to a non-citizen who is prevented, under section 249, from leaving a vessel—on that vessel; or</p> <p>(v) in another place approved by the Minister in writing;</p> <p>but does not include being restrained as described in subsection 245F(8A), or being dealt with under paragraph 245F(9)(b).</p> <p>Note 1: Subsection 198AD(11) provides that being dealt with under subsection 198AD(3) does not amount to immigration detention.</p> <p>Note 2: This definition extends to persons covered by residence determinations (see section 197AC).</p>
Immigration detention facility	Refer to Scope.
Move on	A direction given by a person who is authorised by the Minister under s 12(2)(c) of the <i>Public Order Act</i> to direct another person to leave Commonwealth premises. It is an offence to refuse or neglect to leave the Commonwealth premises after being directed to do so by an authorised person. Section 12(2)(c) does not authorise the person to use force.
Officer	Under the <i>Migration Act</i> , the term 'officer' relevantly includes an officer of the Department, a person who is an officer for the purposes of the <i>Customs Act 1901</i> , a member of the Australian Federal Police or state / territory police force, a person who is authorised in writing by the Minister to be an officer for the purposes of the <i>Migration Act</i> .
Official visitors	<p>Representatives of organisations such as government and external scrutiny bodies. These organisations include, but are not limited to:</p> <ul style="list-style-type: none"> • Australian Human Rights Commission (AHRC) • Commonwealth Ombudsman • consulates • Detention Health Advisory Group (DeHAG) • embassies • foreign government representatives • international agencies • Members of Parliament • Minister's Council on Asylum Seekers and Detention (MCASD) • official delegations

Term	Definition
	<ul style="list-style-type: none"> representatives of Australian government agencies.
Prohibited item	Items defined as such under Australian law or regulation. Includes weapons and illicit substances.
Suspected Foreign Offenders	Non-citizens held in environment detention under the <i>Environment Protection and Biodiversity Conservation Act 1999</i> .
Suspected Illegal Foreign Fishers	Non-citizens held in fisheries detention under the <i>Fisheries Management Act 1991</i> or the <i>Torres Strait Fisheries Act 1984</i> .
Visitors	<p>Includes the following:</p> <ul style="list-style-type: none"> emergency service organisations permanent and temporary contractors personal visitors professional legal visitors professional health visitors religious and spiritual care visitors media official visitors and high profile visitors other government agencies volunteers and community groups.

Abbreviations

Abbreviation	Description
ABF	Australian Border Force
CCMD	Compliance, Case Management and Detention
Cth	Commonwealth
DIBP	Department of Immigration and Border Protection
FDSP	Facilities and Detainee Services Provider
I&PS	Integrity and Professional Standards
IBP	Immigration and Border Protection
IDC	Immigration Detention Centre
IDF	Immigration Detention Facility
IRH	Immigration Residential Housing
ITA	Immigration Transit Accommodation
PID	Public Interest Disclosure
SOP	Standard Operating Procedure
TRIM	Total Record Information Management
WHS	Work Health and Safety

Authorities

Authority	Description
<i>Australian Border Force Act 2015</i>	The Australian Border Force (ABF) Act imposes, amongst other things, secrecy and disclosure obligations on 'entrusted persons', which must be complied with when making a record of or disclosing protected information. Protected information is any information obtained by a person in the person's capacity as an entrusted person, which includes all departmental staff and may include contractors.
<i>Migration Act 1958</i>	The Migration Act governs, amongst other things, the immigration detention of unlawful non-citizens. The Migration Act must be complied with at all times in relation to the manner in which an unlawful non-citizen is taken into or being held in immigration detention.
<i>Ombudsman Act 1976</i>	Section 14 permits the Commonwealth Ombudsman to enter certain premises (including an Immigration Detention Facility) for the purposes of conducting an investigation at any reasonable time of the day.
<i>Privacy Act 1988</i>	The Privacy Act includes the Australian Privacy Principles which must be complied with when collecting, using, disclosing and storing personal information about an individual, including a detainee.
<i>Public Order (Protection of Persons and Property) Act 1971</i>	Section 12(2) allows a person authorised by the Minister in writing to direct a person who is in or on Commonwealth premises, to leave those premises. A court can find a person who refuses or neglects to leave those premises guilty of an offence.

Accountability and Responsibilities

Position	Accountability and/or responsibilities
Australian Border Force Detention Superintendent	Responsible for the safe and controlled entry and exit of persons, vehicles and items to and from an immigration detention facility. Certain authorities may be delegated; however, the responsibility cannot be delegated. Can authorise the entry of controlled items into an IDF. Can approve the issuing of 'move on' directions to require a person to leave an IDF.
Australian Border Force Duty Officer	Responsible to the ABF Detention Superintendent to act on their behalf and keep them fully informed whilst on duty. Can act under an instruction from the ABF Detention Superintendent to exercise certain authorities in relation to this Detention SOP.
Authorised officer	Under the Migration Act, an officer authorised in writing by the Minister, the Secretary or the Australian Border Force Commissioner for the purposes of the relevant provision in the Migration Act.
Facilities and Detainee Services Provider access control staff	Responsible for controlling the entry and exit of persons, vehicles and items into an IDF. Can deny entry to an IDF in certain circumstances.

Position	Accountability and/or responsibilities
Facilities and Detainee Services Provider Centre Manager	Responsible to the Detention Centre Management for the facilities and detainee services provider's contractual responsibilities. Can act under an instruction from the ABF Detention Superintendent to exercise certain authorities in relation to this Detention SOP.
Facilities and Detainee Services Provider Operations Manager	Responsible to the facilities and detainee services provider Centre Manager to act on their behalf and to keep them and the ABF Detention Superintendent fully informed while on duty. Can act under an instruction from the ABF Detention Superintendent to exercise certain authorities in relation to this Detention SOP.
Facilities and Detainee Services Provider Visits Manager	Responsible for assisting the ABF Detention Superintendent manage visits to an immigration detention facility including any visit approval delegations from the ABF Detention Superintendent.

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

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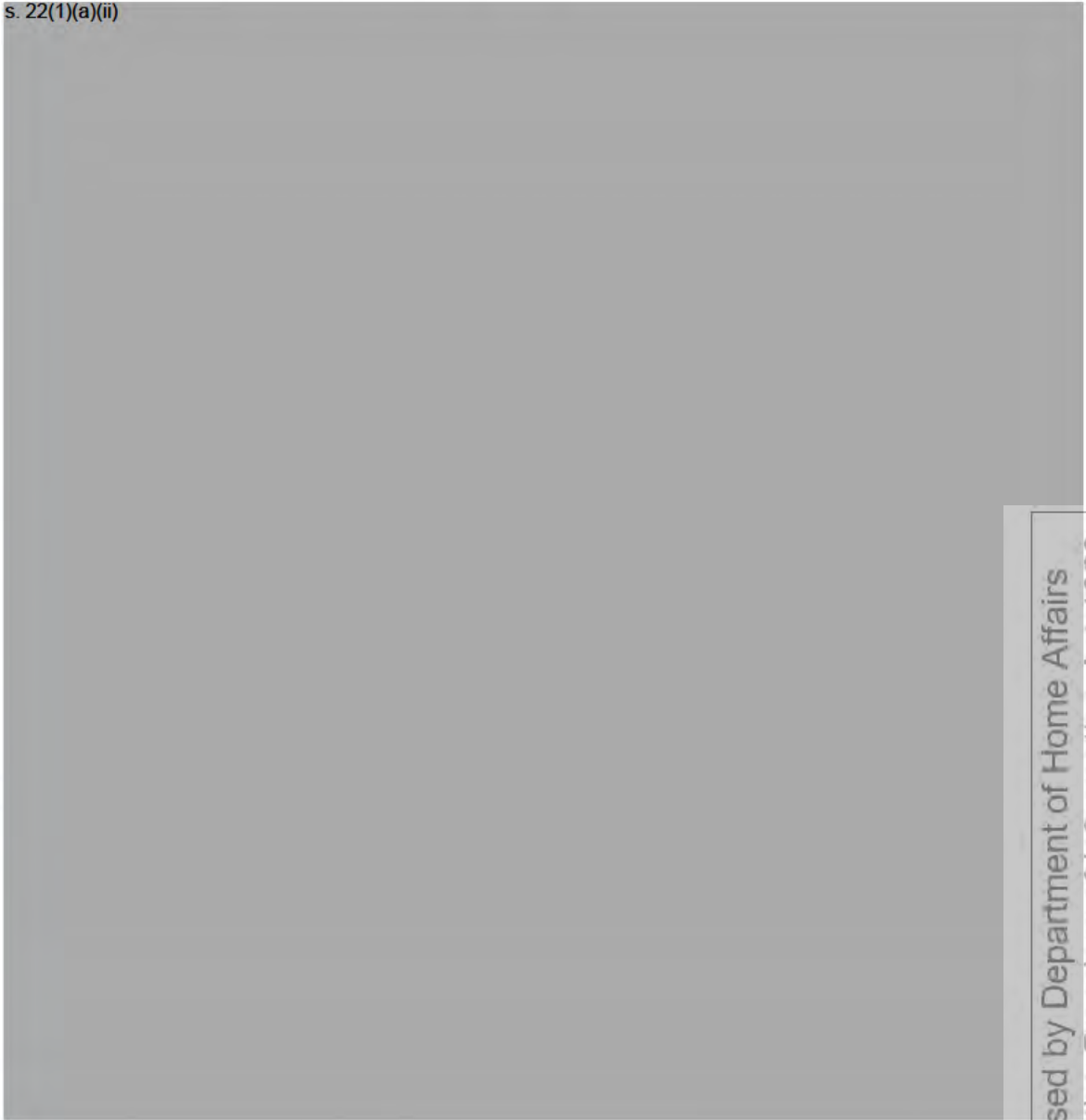
s. 22(1)(a)(ii)

References

Serial	Reference
A	<i>Australian Border Force Act 2015</i> (the ABF Act)
B	Australian Public Service Code of Conduct
C	Detention Services Manual – Chapter 4 – Communication and Visits – Screening and inspection powers - Entry to immigration detention centres
D	Detention Services Manual – Chapter 4 – Visitors and Entry to Immigration Detention Facilities A049
E	Detention Services Manual – Chapter 8 – Safety and Security – Items not permitted in immigration detention

Serial	Reference
F	Immigration Detention Facilities and Detainee Services Contract 2014
G	<i>Migration Act 1958</i> (the Migration Act)
H	<i>Privacy Act 1988</i> (the Privacy Act)
I	Procedural Instruction on <i>Mandatory reporting of serious misconduct, corrupt conduct and criminal activity involving Immigration and Border Protection Workers</i>
J	<i>Public Governance, Performance and Accountability Act 2013</i>
K	<i>Public Interest Disclosure Act 2013</i>
L	<i>Public Order (Protection of Persons and Property) Act 1971</i> (Public Order Act)
M	<i>Public Service Act 1999</i>
N	<i>Work Health and Safety Act 2011</i> (Cth)

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



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

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Approval

Approved by:	s. 22(1)(a)(ii) Superintendent, Detention Future Operations
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END



Australian Government
Department of Immigration
and Border Protection

Entry and Exit Control

DETENTION STANDARD OPERATING PROCEDURE

This Detention Standard Operating Procedure describes the procedures for controlling entry to and exit from immigration detention facilities of persons, vehicles and items.

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Introduction

Purpose

This Detention Standard Operating Procedure (SOP) describes the procedures for controlling entry into and exit from immigration detention facilities (IDFs) of persons, vehicles and items.

Background

The Department of Immigration and Border Protection (DIBP) and the Facilities and Detainee Services Provider (FDSP) can determine who can enter an IDF and the conditions upon which entry will be granted (except in certain limited circumstances involving officials with a statutory right to enter an IDF). All access to an IDF by a person, vehicle or items will be controlled and subject to varying levels of screening or inspection.

Scope

This Detention Standard Operating Procedure outlines the procedures for:

- entry control
- vehicle control
- identification requirements
- special equipment control
- exit control.

Application

This Detention SOP applies to people seeking to enter an IDF, irrespective of whether they are seeking to visit a detainee, a Suspected Illegal Foreign Fisher, a Suspected Foreign Offender, or for some other reason. This Detention SOP also applies to departmental staff and contractors who seek to enter an IDF. See the Glossary for definitions of the terms used in this Detention SOP.

In this Detention SOP, **Immigration Detention Facility** means the following facilities in Australia where detainees are held in immigration detention:

- immigration detention centres (IDCs)
- immigration transit accommodation (ITA)
- immigration residential housing (IRH).

Note: Immigration detention facilities are referred to as 'held immigration detention', in contrast to a detainee residing at a specified place in the community because he or she is covered by a residence determination made by the Minister under s 197AB of the Migration Act.

Structure

This Detention SOP is in two parts. Part A provides the step-by-step procedural instructions. Part B provides additional context and guidance for the functional roles and tasks identified in the procedures.

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Part A: Step-by-step actions

Section 1 - Entry control

All access to an IDF is to be controlled and recorded. All Departmental staff and contractors have a responsibility to ensure the security and safety of the facility and may be tasked to assist in access control. Departmental staff and contractors responsible for the control of entry are to be competent in that specific entry point's equipment and procedures.

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

Serial	Action	Responsible entity
1.1	Entry control	
1.1.1	<p>All persons entering an IDF must be positively identified:</p> <ul style="list-style-type: none"> all persons must provide a formal photographic document as identification (ID) accompanied persons under the age of 18 do not require identification. <p>Note: Accompanied persons under the age of 18 do not require identification.</p>	FDSP access control staff
1.1.2	<p>All persons entering an IDF must have a valid reason to seek entry and be one of the following:</p> <ul style="list-style-type: none"> DIBP, FDSP, Health Services Provider (HSP) staff from the IDF persons conducting an authorised delivery detainees FDSP Removals Officers officials with a valid reason to be on site. <p>Note: All other persons are considered to be visitors.</p>	FDSP access control staff
1.1.3	If the person is a visitor, follow the visitor arrival procedures described in 'Detention SOP – Visitor Management'.	FDSP access control staff
1.1.4	<p>All persons entering an IDF are to be signed in to the applicable local sign-in register:</p> <ul style="list-style-type: none"> FDSP Staff Sign-in Register DIBP/ABF Staff Sign-in Register Visitor Sign-in Register. 	FDSP access control staff

Serial	Action	Responsible entity
1.1.5	Provide a person entering the facility with: <ul style="list-style-type: none"> information about the IDF's screening requirements information about prohibited, excluded and controlled items as described in 'Detention SOP – Control of Items' a Conditions of Entry form to sign if one is not provided or already on record. 	FDSP access control staff
1.1.6	s. 22(1)(a)(ii)	FDSP access control staff
1.1.7	Direct the person entering the IDF to proceed to FDSP screening staff.	FDSP access control staff
1.1.8	Undertake all screening and/or inspection of items in accordance with 'Detention SOP – Screening visitors, departmental staff and contractors entering an IDF'. See Section 2 of the SOP for information about screening vehicles / vehicle control.	FDSP screening staff
1.1.9	If the person is to be refused entry to the IDF, see 'Detention SOP – Refusal of Entry'.	FDSP screening staff
1.1.10	s. 22(1)(a)(ii)	FDSP access control staff

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

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Part B: Description

Overview

The entry and exit of persons, vehicles and items to an IDF presents an ongoing risk to the safety, security and good order of the facility, hence the need for clear procedures to help manage the entry and exit of persons, vehicles and items to and from the facility.

All Departmental staff and contractors have a responsibility to ensure that only authorised persons enter and exit an IDF and should be able to validate authorised identification passes within the IDF. They are also responsible for confirming the identity and authority of persons to be within the IDF if there is any doubt about who they are or why they are within the facility.

Responsibilities by role or appointment

ABF Detention Superintendent

The responsibilities of the ABF Detention Superintendent are as follows:

- approve any requests for controlled items to be brought into the IDF by a visitor
- determine whether Departmental staff and contractors, personal and professional visitors can bring certain controlled items into the IDF and, if allowed, apply certain conditions of entry and use to these items such as:
 - the item being registered with the IDF
 - the item only being used in the presence of Departmental staff or contractors.

The ABF Detention Superintendent can also approve the use of certain types of special equipment within or adjacent to an IDF.

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

FDSP access control staff

FDSP access control staff include all FDSP staff and contractors responsible for the control of entry and exit of persons, vehicles and other items to an IDF.

The responsibilities of FDSP access control staff are as follows:

- ensure they are properly trained to control an entry or exit point within the IDF
- maintain the following registers for the access control point they are responsible for:
 - ABF Staff Sign-in Register
 - FDSP Staff Sign-in Register

- Frequent Visitor Register
- Local Visits Register
- Sign-in Register
- Tools Register
- Vehicle Control Record
- ensure that all persons entering an IDF are registered in one of the following:
 - the appropriate staff sign-in register
 - the Local Visits Register
 - the Frequent Visitor Register
- ensure that identification requirements of persons seeking to enter an IDF are met:
 - persons seeking entry must provide a formal photographic document (for example, a passport, driver's licence, or a recognised organisation's ID card)
 - for personal visitors, the residential address of the visitor is also required; if both requirements are not met in a single ID (for example, driver's licence), separate identifying documents are required (for example, a rates notice or a utilities bill)
 - if there is doubt in relation to a visitor's age or their relationship to the accompanying adult, the FDSP Operations Manager is to be called
- ensure that the person seeking entry to the IDF provides information or completes all required documentation, including
 - Conditions of Entry form
 - Frequent Visitor Register application
 - Staff Sign-in Register
 - Visitors Register
- s. 47E(d)
- make persons seeking entry to an IDF aware that prohibited and excluded items may not be brought into an IDF
- make persons seeking entry to an IDF aware that controlled items cannot be brought into an IDF without the approval of the ABF Detention Superintendent (in accordance with 'Detention SOP – Control of Items')
- s. 22(1)(a)(ii)
- make sure that persons requiring an induction receive the appropriate IDF induction and that it is recorded in a local sign-in register or the Visitor Sign-in Register
- ensure that all details of vehicles entering an IDF are recorded and that drivers are briefed of their responsibilities while driving within the facility
- ensure that all tools within the vehicle are recorded in the Tools Register and are accounted for when the vehicle exits the facility

- hand over visitors to staff members tasked with escorting them
- provide receipts for any property handed over by a visitor
- refuse entry to the IDF in accordance with Detention SOP – Refusal of Entry
- advise a visitor who refuses to leave that continued refusal may result in the police being called to assist in their removal
- ensure that persons exiting the facility sign out of the appropriate sign-in register
- ensure that persons exiting the facility surrender any IDF identification cards and that the identity of the person can be confirmed
- where the identity of a person is in doubt, immediately call the FDSP Operations Manager to attend
- record in an accurate and timely manner any refusal of entry, in accordance with 'Detention SOP – Refusal of Entry'. This includes instances where a person seeking to enter an IDF refuses to undergo screening or, if requested, refuses an inspection of items and, as a result, is refused entry to the IDF
- assist the FDSP Operations Manager to produce required documentation and reports associated with entry and exit of persons, vehicles and other items.

FDSP Operations Manager

The responsibilities of the FDSP Operations Manager are as follows:

- process any requests for controlled items to be brought into the IDF and seek the approval of the ABF Detention Superintendent

s. 47E(d)



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



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

Glossary

Terms

The terms and their accompanying definition that have specific meaning in the context of this Detention SOP are listed below.

Term	Definition
Authorised officer	Under the Migration Act, an officer authorised in writing by the Minister, the Secretary or the Australian Border Force Commissioner for the purposes of the relevant provision in the Migration Act.
Controlled items	Items that are generally lawful in the Australian community but have been deemed by the Department to present a risk to the health, privacy, safety of individuals within an IDF and/or security and good order of the facility may be permitted under specific entry approval.
Departmental staff and contractors	All departmental employees and service providers engaged in the delivery of immigration detention services.
Detainee	A non-citizen held in immigration detention in accordance with the <i>Migration Act 1958</i> .
Emergency services organisations	State and Federal law enforcement agencies, fire and ambulance services.
Excluded items	Items that are generally lawful in the Australian community but have been deemed to present a risk to the health, privacy, safety, security and/or good order of the facility are not permitted in an IDF in any circumstance. Examples of excluded items include, but are not limited to: <ul style="list-style-type: none"> • pornographic books, magazines or related material • material that incites violence, racism or hatred.
Facilities and Detainee Services Provider access control staff	All staff who have a responsibility in controlling access to an immigration detention facility.
Facilities and Detainee Services Provider staff	Includes all facilities and detainee services provider employees and contractors.