



Australian Government

Australian Government response to the reports of the Joint Standing Committee on Migration:

Report 1: *Immigration detention in Australia: A new beginning - Criteria for release from detention* (tabled December 2008)

Report 2: *Immigration detention in Australia: Community-based alternatives to detention* (tabled May 2009)

Report 3: *Immigration detention in Australia: Facilities, services and transparency* (tabled August 2009)

APRIL 2024

Recommendations - Report 1

Recommendation 1

The Committee recommends that, as a priority, and in line with the recommendations of the Australian National Audit Office, the Department of Immigration and Citizenship develop and publish criteria setting out what constitutes a public health risk for immigration purposes. The criteria should draw on the treatment standards and detention provisions that otherwise apply to all visa applicants and to Australian citizens and residents who pose a potential public health risk. The criteria should be made explicit and public as one basis on which immigration detainees are either approved for release into the community or temporarily segregated from the community.

Response:

The Government **notes** this recommendation. However, given the passage of time since the report was tabled, a substantive Government response is no longer appropriate.

Recommendation 2

The Committee recommends that the Department of Immigration and Citizenship establish an expected time frame such as five days for the processing of health checks for unauthorised arrivals. This expected time frame should be established in consultation with the Immigration Detention Advisory Group, the Detention Health Advisory Group, the Department of Health and Ageing, the Commonwealth Ombudsman and the Human Rights Commission. An optimum percentage of health checks of unauthorised arrivals should be completed within this time frame. The department should include in its annual report statistics on the proportion of health checks so completed, and where health checks took longer than five days, specify the reasons for the delay

Response:

The Government **notes** this recommendation. However, given the passage of time since the report was tabled, a substantive Government response is no longer appropriate.

Recommendation 3

The Committee recommends that, in line with a risk-based approach and where a person's identity is not conclusively established within 90 days, the Australian Government develop mechanisms (such as a particular class of bridging visa) to enable a conditional release from detention. Conditions could include reporting requirements to ensure ongoing availability for immigration and/or security processes. Release from immigration detention should be granted:

- **in the absence of a demonstrated and specific risk to the community, and**
- **except where there is clear evidence of lack of cooperation or refusal to comply with reasonable requests.**

Response:

The Government **notes** this recommendation. However, given the passage of time since the report was tabled, a substantive Government response is no longer appropriate.

Recommendation 4

The Committee recommends that, in line with a risk-based approach, and where a person's security assessment is ongoing after 90 days of detention, the Australian Government develop mechanisms (such as a particular class of bridging visa) to enable a conditional release from detention. Conditions could include stringent reporting requirements to ensure ongoing availability for immigration and/or security processes. Release from immigration detention should be granted:

- **where there is little indication of a risk to the community, as advised by the Australian Security Intelligence Organisation, and**
- **except where there is clear evidence of lack of cooperation or refusal to comply with reasonable requests.**

Response:

The Government **notes** this recommendation. However, given the passage of time since the report was tabled, a substantive Government response is no longer appropriate.

Recommendation 5

The Committee recommends that, where a person's security assessment is ongoing after six months of detention, the Australian Government empower the Inspector-General of Intelligence and Security to review the substance and procedure of the Australian Security Intelligence Organisation security assessment and the evidence on which it is based. The Committee recommends that the Inspector-General provide advice to the Commonwealth Ombudsman as to whether there is a legitimate basis for the delays in security assessment. This advice should be incorporated into the evidence considered by the Ombudsman in conducting six-month reviews.

Response:

The Government **notes** this recommendation. However, given the passage of time since the report was tabled, a substantive Government response is no longer appropriate.

Recommendation 6

The Committee recommends that the Department of Immigration and Citizenship develop and publish the criteria for assessing whether a person in immigration detention poses an unacceptable risk to the community.

Response:

The Government **notes** this recommendation. However, given the passage of time since the report was tabled, a substantive Government response is no longer appropriate.

Recommendation 7

The Committee recommends that the Department of Immigration and Citizenship individually assess all persons in immigration detention, including those detained following a section 501 visa cancellation, for risk posed against the unacceptable risk criteria.

In the case of section 501 detainees, the Department of Immigration and Citizenship should take into account whether or not the person is subject to any parole or reporting requirements; any assessments made by state and territory parole boards and correctional authorities as to the nature, severity and number of crimes committed; the likelihood of recidivism; and the immediate risk that person poses to the Australian community.

Response:

The Government **notes** this recommendation. However, given the passage of time since the report was tabled, a substantive Government response is no longer appropriate.

Recommendation 8

The Committee recommends that the Department of Immigration and Citizenship clarify and publish the criteria for assessing the need for detention due to repeated visa non-compliance. The criteria should include the need to demonstrate that detention is intended to be short-term, is necessary for the purposes of removal and that prior consideration was given to:

- **reissue of the existing visa, or**
- **a bridging visa, with or without conditions such as sureties or reporting requirements.**

Response:

The Government **notes** this recommendation. However, given the passage of time since the report was tabled, a substantive Government response is no longer appropriate.

Recommendation 9

The Committee recommends that the Australian Government apply the immigration detention values announced on 29 July 2008 and the risk-based approach to detention to territories excised from the migration zone.

Response:

The Government **notes** this recommendation. However, given the passage of time since the report was tabled, a substantive Government response is no longer appropriate.

Recommendation 10

The Committee recommends that the Department of Immigration and Citizenship develop and publish details of the scope of the three month detention review. The Committee also recommends that the review is provided to the person in immigration

detention and any other persons they authorise to receive it, such as their legal representative or advocate.

Response:

The Government **notes** this recommendation. However, given the passage of time since the report was tabled, a substantive Government response is no longer appropriate.

Recommendation 11

The Committee recommends that the House of Representatives and/or the Senate resolve that the Commonwealth Ombudsman's six month detention reviews be tabled in Parliament and that the Minister for Immigration and Citizenship be required to respond within 15 sitting days.

The Minister's response should address each of the Commonwealth Ombudsman's recommendations and provide reasons why that recommendation is accepted, rejected, or no longer applicable.

Response:

The Government **notes** this recommendation. However, given the passage of time since the report was tabled, a substantive Government response is no longer appropriate.

Recommendation 12

The Committee recommends that, as a priority, the Australian Government introduce amendments to the Migration Act 1958 to enshrine in legislation the reforms to immigration detention policy announced by the Minister for Immigration and Citizenship. The Committee also recommends that, as a priority, the Migration Regulations and guidelines are amended to reflect these reforms.

Response:

The Government **notes** this recommendation. However, given the passage of time since the report was tabled, a substantive Government response is no longer appropriate.

Recommendation 13

The Committee recommends that, provided a person is not determined to be a significant and ongoing unacceptable risk to the Australian community, the Australian Government introduce a maximum time limit of twelve months for a person to remain in immigration detention.

The Committee recommends that, for any person not determined to be a significant and ongoing unacceptable risk at the expiry of twelve months in immigration detention, a bridging visa is conferred that will enable their release into the community.

Where appropriate, release could be granted with reporting requirements or other conditions, allowing the Department of Immigration and Citizenship to work towards case resolution.

Response:

The Government **notes** this recommendation. However, given the passage of time since the report was tabled, a substantive Government response is no longer appropriate.

Recommendation 14

The Committee recommends that, for any person who after twelve months in detention is determined to be a significant and ongoing unacceptable risk to the Australian community, the Australian Government amend the Migration Act 1958 to give that person the right to have the decision reviewed by an independent tribunal and subsequently have the right to judicial review.

Response:

The Government **notes** this recommendation. However, given the passage of time since the report was tabled, a substantive Government response is no longer appropriate.

Recommendation 15

The Committee recommends that where enforced removal from Australia is imminent, the Department of Immigration and Citizenship provide prior notification of seven days to the person in detention and to the legal representative or advocate of that person.

Response:

The Government **notes** this recommendation. However, given the passage of time since the report was tabled, a substantive Government response is no longer appropriate.

Recommendation 16

The Committee recommends that the Australian Government consult with professionals and advocacy groups in the immigration detention field to improve guidelines for the process of removal of persons from Australia. The guidelines should give particular focus to:

- **greater options for voluntary removal from immigration detention**
- **increased liaison with a detainee's legal representative or advocate**
- **counselling for the detainee to assist with repatriation**
- **a pre-removal risk assessment that includes factors such as mental health, protection needs and health requirements**
- **appropriate procedures for enforced removals that minimise trauma**
- **adequate training and counselling for officers involved in enforced removals**
- **appropriate independent oversight at the time of enforced removals, and**
- **criteria for the use of escorting officers for repatriation travel.**

Response:

The Government **notes** this recommendation. However, given the passage of time since the report was tabled, a substantive Government response is no longer appropriate.

Recommendation 17

The Committee recommends that the Australian Government instigate mechanisms for monitoring and follow-up of persons who have claimed asylum and subsequently been removed from Australia.

Response:

The Government **notes** this recommendation. However, given the passage of time since the report was tabled, a substantive Government response is no longer appropriate.

Recommendation 18

The Committee recommends that, as a priority, the Australian Government introduce legislation to repeal the liability of immigration detention costs. The Committee further recommends that the Minister for Finance and Deregulation make the determination to waive existing detention debts for all current and former detainees, effective immediately, and that all reasonable efforts be made to advise existing debtors of this decision.

Response:

The Government **notes** this recommendation. However, given the passage of time since the report was tabled, a substantive Government response is no longer appropriate.

Recommendations - Report 2

Recommendation 1

Given that the current bridging visa structure is shown to be complex and restrictive, the Committee recommends that the Australian Government reform the bridging visa framework to comprehensively support those released into the community, with appropriate reporting or surety requirements. In reforming the bridging visa framework, specific consideration should be given to health, security and identity checks and risk assessments in accordance with the recommendations outlined by the Committee in its first report Criteria for release from detention.

Response:

The Government **notes** this recommendation. However, given the passage of time since the report was tabled, a substantive Government response is no longer appropriate.

Recommendation 2

The Committee recommends that the Australian Government utilise the reformed bridging visa framework in lieu of community detention until a person's immigration status is resolved.

Response:

The Government **notes** this recommendation. However, given the passage of time since the report was tabled, a substantive Government response is no longer appropriate.

Recommendation 3

The Committee recommends that the Australian Government review the cases of those currently on residence determinations, known as community detention, with a view to granting a reformed bridging visa until their immigration status is resolved, ensuring that there is a continuation of services and support currently available to those individuals.

Response:

The Government **notes** this recommendation. However, given the passage of time since the report was tabled, a substantive Government response is no longer appropriate.

Recommendation 4

The Committee recommends that, for any case where a person held in some form of immigration detention is refused a bridging visa, the Australian Government require that:

- **clear and detailed reasons in writing are provided to the person being detained, and that**
- **the person has a reasonable time limit, up to 21 days, in which to seek merits review of that refusal, commensurate with those that apply to visa applicants in the community.**

Response:

The Government **notes** this recommendation. However, given the passage of time since the report was tabled, a substantive Government response is no longer appropriate.

Recommendation 5

The Committee recommends that the Australian Government provide means-tested access to independent migration counselling and migration legal advice to all people in immigration detention and to those living in the community on bridging visas. In order to facilitate means-tested access to independent migration counselling, the Committee recommends that the Australian Government increase the scope of the Immigration Advice and Application Assistance Scheme and review the current eligibility criteria to make assistance under this scheme available to all people in immigration detention and to those living in the community on bridging visas.

Response:

The Government **notes** this recommendation. However, given the passage of time since the report was tabled, a substantive Government response is no longer appropriate.

Recommendation 6

The Committee recommends that the Australian Government:

- **provide indicative processing times and criteria for the ministerial discretion provisions under the Migration Act 1958 in order to avoid prolonged uncertainty for people, and**
- **provide reasons for ministerial decisions in order to improve transparency and discourage repeat requests for ministerial intervention.**

Response:

The Government **notes** this recommendation. However, given the passage of time since the report was tabled, a substantive Government response is no longer appropriate.

Recommendation 7

The Committee recommends that the Australian Government establish a voluntary repatriation program, similar to that run by the International Organisation for Migration through the Community Care Pilot, which can be accessed by all people whether in detention or released on a bridging visa.

Response:

The Government **notes** this recommendation. However, given the passage of time since the report was tabled, a substantive Government response is no longer appropriate.

Recommendation 8

The Committee recommends that the Australian Government reform the bridging visa framework to ensure that people are provided with the following where needed:

- **basic income assistance that is means-tested**
- **access to necessary health care**
- **assistance in sourcing appropriate temporary accommodation and basic furnishing needs, and provision of information about tenancy rights and responsibilities and Australian household management, where applicable, and**
- **community orientation information, translated into appropriate languages, providing practical and appropriate information for living in the Australian community, such as the banking system, public transport and police and emergency contact numbers.**

Response:

The Government **notes** this recommendation. However, given the passage of time since the report was tabled, a substantive Government response is no longer appropriate.

Recommendation 9

The Committee recommends that the Australian Government commit to ensuring that children living in the Australian community, while their or their guardian's immigration status is being resolved, have access to:

- safe and appropriate accommodation with their parent(s) or guardian(s)
- the provision of basic necessities such as adequate food
- necessary health care, and
- primary and secondary schooling.

Response:

The Government **notes** this recommendation. However, given the passage of time since the report was tabled, a substantive Government response is no longer appropriate.

Recommendation 10

The Committee recommends that the Australian Government reform the bridging visa framework to grant all adults on bridging visas permission to work, conditional on compliance with reporting requirements and attendance at review and court hearings.

Response:

The Government **notes** this recommendation. However, given the passage of time since the report was tabled, a substantive Government response is no longer appropriate.

Recommendation 11

The Committee recommends that the Australian Government provide that, where permission to work on a bridging visa is granted, this permission should continue irrespective of whether a person has applied for a merits, judicial or ministerial review.

Response:

The Government **notes** this recommendation. However, given the passage of time since the report was tabled, a substantive Government response is no longer appropriate.

Recommendation 12

The Committee recommends that the Australian Government have access to a stock of furnished community-based immigration housing which:

- should consist of open hostel-style accommodation complexes and co-located housing units.
- should be available to people and families on bridging visas who do not have the means to independently organise for their housing needs in the community, and
- where rent should be determined on a means-tested basis.

Response:

The Government **notes** this recommendation. However, given the passage of time since the report was tabled, a substantive Government response is no longer appropriate.

Additional comments by Senator Sarah Hanson-Young

Recommendation 1

No child, or family, should be detained in any form of secure detention, while their visa application is being processed and:

- **those deemed not a security or health risk to the community, should not be detained in any form of secure detention;**

The Migration Act 1958 must be amended immediately to reflect the above recommendations.

Response:

The Government **notes** this recommendation. However, given the passage of time since the report was tabled, a substantive Government response is no longer appropriate.

Recommendation 2

The IAAAS system could be reformed, as suggested by A Just Australia, by expanding it as follows:

- **All applicants for protection visas attend a mandatory interview with an IAAAS agent, who will provide basic migration advice and ensure that the applicant understands their legal rights as well as the criteria for qualifying for an onshore protection visa; and**
- **IAAAS assistance is expanded to include applicants seeking ministerial intervention.**

Response:

The Government **notes** this recommendation. However, given the passage of time since the report was tabled, a substantive Government response is no longer appropriate.

Recommendations - Report 3

Recommendation 1

The Committee reiterates that reconstruction of Stage 1 at Villawood remains urgent and a priority of the Committee.

Response:

The Government **notes** this recommendation. However, given the passage of time since the report was tabled, a substantive Government response is no longer appropriate.

Recommendation 2

At the very least, the Committee recommends that the upgrade of the Perth immigration detention centre proceed as proposed. Given the limited lease

arrangements, the Australian Government should also examine long term options with the intent to establish a purpose built long-term facility.

Response:

The Government **notes** this recommendation. However, given the passage of time since the report was tabled, a substantive Government response is no longer appropriate.

Recommendation 3

The Committee recommends that all caged walkways, perspex barriers, and electrified fencing be removed from the North West Point immigration detention centre and replaced with more appropriate security infrastructure.

Response:

The Government **notes** this recommendation. However, given the passage of time since the report was tabled, a substantive Government response is no longer appropriate.

Recommendation 4

The Committee recommends that detention in immigration residential housing should be used in lieu of detention in immigration detention centres provided that it is feasible.

Response:

The Government **notes** this recommendation. However, given the passage of time since the report was tabled, a substantive Government response is no longer appropriate.

Recommendation 5

The Committee recommends that all razor/barbed wire fencing is removed from all immigration detention centres and replaced with more appropriate fencing.

Response:

The Government **notes** this recommendation. However, given the passage of time since the report was tabled, a substantive Government response is no longer appropriate.

Recommendation 6

The Committee recommends that the Department of Immigration and Citizenship engage an independent auditor, the Australian National Audit Office, to undertake a full review of the current immigration detention service providers and immigration detention facilities within the next three years having regard to:

- **the service providers' adherence to the Department of Immigration and Citizenship's service delivery model and the immigration detention standards, or their current equivalent**
- **whether the services provided are cost effective**
- **the level of service provided to detainees.**

The Committee also recommends that the review feed into the contracts for either the next re-tender or renewal process

Response:

The Government **notes** this recommendation. However, given the passage of time since the report was tabled, a substantive Government response is no longer appropriate.

Recommendation 7

The Committee recommends that the Department of Immigration and Citizenship introduce a mandatory ongoing training program for all staff of the immigration detention service provider, ensuring that all staff dealing directly with people in immigration detention are assessed as competent in:

- **cultural appropriateness and sensitivity**
- **basic counselling skills**
- **first aid**
- **managing conflict through negotiations**
- **the provision of appropriate security measures.**

Response:

The Government **notes** this recommendation. However, given the passage of time since the report was tabled, a substantive Government response is no longer appropriate.

Recommendation 8

The Committee recommends that the Department of Immigration and Citizenship publish the detention service standards, or the current equivalent, on its website and provide a copy of the detention service standards or the current equivalent, translated into appropriate languages, to all current and future detainees.

The Committee also recommends that the Department of Immigration and Citizenship should report on the performance of each immigration detention service provider against the immigration detention standards, or the current equivalent, which should be included in the Department's annual report.

Response:

The Government **notes** this recommendation. However, given the passage of time since the report was tabled, a substantive Government response is no longer appropriate.

Recommendation 9

The Committee recommends that the Australian Government maintain appropriate physical and mental health facilities on Christmas Island commensurate with services provided at other immigration detention centres.

Response:

The Government **notes** this recommendation. However, given the passage of time since the report was tabled, a substantive Government response is no longer appropriate.

Recommendation 10

The Committee recommends that the Australian Human Rights Commission be granted a statutory right of access to all places of, and persons in, immigration detention in Australia.

Response:

The Government **notes** this recommendation. However, given the passage of time since the report was tabled, a substantive Government response is no longer appropriate.

Recommendation 11

The Committee recommends that the Department of Immigration and Citizenship increase the transparency of immigration detention facilities by:

- **providing the media greater access to all immigration detention facilities, whilst maintaining the privacy of people in immigration detention**
- **publishing regularly updated information on all immigration detention facilities, including statistics on the detainee population, on the Department of Immigration and Citizenship's website, and**
- **developing a set of public media protocols that apply consistently across all immigration detention facilities.**

Response:

The Government **notes** this recommendation. However, given the passage of time since the report was tabled, a substantive Government response is no longer appropriate.

Dissenting Report by Mr Petro Georgiou MP

Recommendation 1

Children and their families should not be held in any immigration detention facility either onshore or offshore.

Response:

The Government **notes** this recommendation. However, given the passage of time since the report was tabled, a substantive Government response is no longer appropriate.

Recommendation 2

The Australian Government upgrade the facilities at Phosphate Hill Immigration Detention Centre as a matter of priority to ensure that they are commensurate with Australian community standards. Until the facilities are upgraded, people should no

longer be detained there. Children and families are not to be detained at the Phosphate Hill Immigration Detention Centre.

Response:

The Government **notes** this recommendation. However, given the passage of time since the report was tabled, a substantive Government response is no longer appropriate.

Recommendation 3

I recommend as a matter of urgency that the Australian Government implement the Palmer Report's recommendation 6.11 and establishes an Immigration Detention Health Review Commission.

Response:

The Government **notes** this recommendation. However, given the passage of time since the report was tabled, a substantive Government response is no longer appropriate.

Recommendation 4

A person who is detained should be entitled to appeal immediately to a court for an order that he or she be released because there are no reasonable grounds to consider that their detention is justified on the criteria specified for detention;

Response:

The Government **notes** this recommendation. However, given the passage of time since the report was tabled, a substantive Government response is no longer appropriate.

Recommendation 5

A person may not be detained for a period exceeding 30 days unless on an application by the Department of Immigration and Citizenship a court makes an order that it is necessary to detain the person on a specified ground and there are no effective alternatives to detention. This is consistent with the Minister's commitment that under the new system "the department will have to justify a decision to detain – not presume detention."

Response:

The Government **notes** this recommendation. However, given the passage of time since the report was tabled, a substantive Government response is no longer appropriate.

Dissenting Report by Senator Sarah Hanson-Young

Recommendation No.1:

Given there are shared service areas, the Greens recommend that criminal deportees should never be held in the same facility as asylum seekers or low security risk compliance cases.

Response:

The Government **notes** this recommendation. However, given the passage of time since the report was tabled, a substantive Government response is no longer appropriate.

Recommendation No.2:

Given that the Perth Immigration Detention Centre is not a purpose built facility, the Greens recommend that the Government urgently address concerns about the general wellbeing of detainees housed at the Perth facility, and commit to looking at options for purpose built facilities, to comply with the seven key principles announced by the Minister in July last year that “Conditions of detention will ensure the inherent dignity of the human person.”

Response:

The Government **notes** this recommendation. However, given the passage of time since the report was tabled, a substantive Government response is no longer appropriate.

Recommendation No.3:

The Greens recommend, as a priority, that the money allocated in the Budget for the Stage 1 upgrade of Villawood Immigration Detention Centre, immediately commence, with works to be completed by the next financial year.

Response:

The Government **notes** this recommendation. However, given the passage of time since the report was tabled, a substantive Government response is no longer appropriate.

Recommendation No.4:

We further recommend, as outlined within the UNHCR submission, that an independent mechanism be implemented to ensure the regular and transparent review of all places of detention, with particular focus on the appropriateness of accommodation and the services provided.

Response:

The Government **notes** this recommendation. However, given the passage of time since the report was tabled, a substantive Government response is no longer appropriate.

Recommendation No.5:

Given Australia’s commitment to continuing with the excised territories of Christmas Island, Cocos Islands and Ashmore Reef, the Greens recommend that the Migration Amendment (Excision from Migration Zone) Act 2001 be repealed in its entirety.

Response:

The Government **notes** this recommendation. However, given the passage of time since the report was tabled, a substantive Government response is no longer appropriate.

Recommendation No.6:

The Greens further recommend that all Immigration Detention Centre's be located in urban areas to allow for proper service delivery and oversight and transparency.

Response:

The Government **notes** this recommendation. However, given the passage of time since the report was tabled, a substantive Government response is no longer appropriate.

Recommendation No.7:

The Greens recommend that no child or their family be housed in the Phosphate Hill detention facility.

Response:

The Government **notes** this recommendation. However, given the passage of time since the report was tabled, a substantive Government response is no longer appropriate.

Recommendation No.8:

If Phosphate Hill is continued to be used as an alternative to the North West Point detention centre, the Greens recommend that significant upgrading of the facility must commence as a matter of urgency, to bring it up to a comparable standard with that required of detention centres on the mainland.

Response:

The Government **notes** this recommendation. However, given the passage of time since the report was tabled, a substantive Government response is no longer appropriate.

Recommendation No.9:

Given the Greens do not support holding children in any form of prison-like secure detention facility, we recommend that this fence be taken down immediately.

Response:

The Government **notes** this recommendation. However, given the passage of time since the report was tabled, a substantive Government response is no longer appropriate.

Recommendation No.10:

Due to the extraordinary level of security at the North West Point detention centre and the inappropriateness of detaining people there, the Greens recommend that this facility be closed immediately.

Response:

The Government **notes** this recommendation. However, given the passage of time since the report was tabled, a substantive Government response is no longer appropriate.

Recommendation No.11:

In addition to recommendation No.5, if the excised territories are to remain, the Greens recommend that the Government ensure that the detention values and further policy developments are applied equally throughout Australia, including any such territories that are excised from the migration zone.

Response:

The Government **notes** this recommendation. However, given the passage of time since the report was tabled, a substantive Government response is no longer appropriate.

Recommendation No.12:

Section 4AA of the Migration Act 1958 must be amended to explicitly state "... a minor must not be detained in any detention centres or facilities with similar conditions to detention centres under any circumstances".

Response:

The Government **notes** this recommendation. However, given the passage of time since the report was tabled, a substantive Government response is no longer appropriate.

Recommendation No.13:

The Greens further recommend that a Commonwealth Commissioner for Children be established to specifically oversee the treatment of children in the immigration system.

Response:

The Government **notes** this recommendation. However, given the passage of time since the report was tabled, a substantive Government response is no longer appropriate.

Recommendation No.14:

Given many submissions have pointed to the need to readdress the health criterion for asylum seekers, the Greens recommend that mental health risk assessment be included as a priority.

Response:

The Government **notes** this recommendation. However, given the passage of time since the report was tabled, a substantive Government response is no longer appropriate.

Recommendation No.15:

The Greens recommend that the Government mandate that all detention personnel receive specialised training in the areas of health care of refugees, including torture trauma and cultural sensitivity.

Response:

The Government **notes** this recommendation. However, given the passage of time since the report was tabled, a substantive Government response is no longer appropriate.

Recommendation No.16:

The Greens further recommend that an independent body experienced in the health care of culturally diverse clients be established to oversee the provision of health care to detainees.

Response:

The Government **notes** this recommendation. However, given the passage of time since the report was tabled, a substantive Government response is no longer appropriate.

Recommendation No.17:

The Greens recommend that the Government return all immigration detention services to public control, opening up a direct line of responsibility between the Department, the Minister and the immigration processes and services available, that occur in these detention facilities.

Response:

The Government **notes** this recommendation. However, given the passage of time since the report was tabled, a substantive Government response is no longer appropriate.

Recommendation No.18:

If private management of immigration detention centres continues, the contracts must emphasise the need to put welfare outcomes ahead of security and compliance to ensure that no private operator with only a prison services background is awarded the contract.

Response:

The Government **notes** this recommendation. However, given the passage of time since the report was tabled, a substantive Government response is no longer appropriate.

Recommendation No.19:

As a priority, guidelines must be implemented into the Immigration Detention Standards, to include the protection of rights for detainees to speak freely to the media.

Response:

The Government **notes** this recommendation. However, given the passage of time since the report was tabled, a substantive Government response is no longer appropriate.

Recommendation No.20:

Given the tender process for the service contracts is over, the detention standards that service delivery operators adhere to must be made public to ensure transparency of detention processes and procedure is upheld.

Response:

The Government **notes** this recommendation. However, given the passage of time since the report was tabled, a substantive Government response is no longer appropriate.