

Report on Implementation of the Recommendations
of the Independent Review of the Incidents at the
Christmas Island Immigration Detention Centre and
Villawood Immigration Detention Centre

September 2012

Department of Immigration and Citizenship

Introduction

On 18 March 2011, following a significant incident at the Christmas Island Immigration Detention Centre (IDC), the Minister for Immigration and Citizenship, the Hon Chris Bowen MP, commissioned Dr Allan Hawke AC and Ms Helen Williams AO to undertake an independent review of issues associated with the management and security of Christmas Island IDC.

On 20 April 2011, following a significant incident at the Villawood IDC, the Minister expanded the scope of the review to include a review of issues associated with the management and security of Villawood IDC.

Dr Hawke and Ms Williams' report, the Independent Review of the Incidents at the Christmas Island Immigration Detention Centres and Villawood Immigration Detention Centre, made 48 recommendations and was released on 29 November 2011.

The Government's response and the Department of Immigration and Citizenship's response to the report were also released on 29 November 2011. The Government agreed to all 48 recommendations made by the review.

The department has undertaken to implement the recommendations made by the review as a matter of priority. The majority of the recommendations have been fully implemented and, in many instances, the department has gone beyond its stated commitments in order to comprehensively address the broader issues raised by the review and to facilitate continued improvement in the effective operations of the immigration detention network.

Since the review commenced, there have been a significant number of changes made to the infrastructure, services and operations within the immigration detention network. The department has developed new infrastructure and improved security at existing facilities, significantly developed its critical incident management response capabilities, improved the quality and availability of training to staff, strengthened contract management and put in place broader incident prevention strategies.

Continued use of the community detention program and the expansion of the bridging visa program allowing eligible irregular maritime arrivals (IMAs) to reside in the community while their claims for protection are assessed has enabled more flexible management of IMAs. These initiatives have also substantially reduced the average time IMAs are in held detention.

While significant risks remain in this complex area of public policy administration, there has been a significant decrease in the number of disturbances that have occurred since April 2011 and, where incidents have occurred, they have been shorter in duration and have not escalated in the prolonged mass protest action and destruction seen during the Christmas Island and Villawood incidents.

The department considers that, as a result of the measures implemented, it is much better placed to manage and respond to serious incidents in immigration detention facilities.

An overview of the improvements made in relation to the infrastructure, incident management, staffing and training and contract management is provided below. A detailed account of the measures put in place in response to each of the review recommendations is at the addendum to this report.

Infrastructure

The department has operationalised several purpose-built IDCs, made improvements to existing infrastructure and strengthened its future infrastructure planning. This has enabled more flexible use of immigration detention facilities and better planned client placement across the immigration detention network.

Purpose-built immigration detention centres at Wickham Point and Yongah Hill have been completed and operationalised. Considerable advancements have also been made in the early stages of the Villawood IDC Redevelopment Project.

The department, in conjunction with Serco, has enhanced dynamic security. The Electronic Detection and Deterrence System (EDDS) at the Christmas Island IDC has been activated and Serco personnel have been trained in use of the EDDS. Serco is responsible for maintaining and regularly testing the system.

Panel fencing between Lilac and Aqua compounds has been reinstated and security enhancement work has been completed at Christmas Island IDC to support a more secure environment. Interim infrastructure changes have been made at Villawood IDC to restrict access to the roof of the Macquarie Residential block.

The department has also finalised its Strategic Infrastructure Plan and continues to focus on longer-term infrastructure planning which supports strategic client management across the immigration detention network.

Incident Management

The department has enhanced inter-agency coordination, strengthened incident management protocols, procedures and training and implemented better incident reporting processes.

The department has actively progressed Memoranda of Understanding (MOU) for the provision of policing services at immigration detention facilities around Australia. MOU have been signed with the Northern Territory and Tasmanian Police Forces. Negotiations with the Australian Federal Police (AFP) and other State law enforcement agencies are at an advanced stage with the core elements of the agreement in relation to roles and responsibilities already in place.

As part of the MOU, an Implementation Protocol has been developed which articulates the role of the detention service provider in responding to an incident, with further procedures being developed to assist departmental staff during critical incidents.

An internal Incident Management Working Group has been established to review the department's incident management structures and processes. The work progressed by the Incident Management Working Group will support the development of a robust incident management framework, applicable across all aspects of detention.

The Christmas Island Joint Intelligence Group continues to operate successfully, meeting on a fortnightly basis and sharing information between meetings. The department has also established a National Joint Intelligence Group which regularly brings together representatives from the department, Serco, the AFP and the Australian Customs and Border Protection Service to share information which could have an impact across the represented parties.

Serco has established an Emergency Response Team (ERT). The ERT has been training with the AFP to enhance its incident management capabilities and is now better placed to respond to critical incidents within the immigration detention network. Serco has also implemented a range of contingency plans across all facilities which include appropriate escalation pathways with emergency services and local police authorities.

The department has reviewed the situation reporting system and has developed and implemented enhanced incident rating categories and escalation processes. The department has also worked closely with Serco to improve the accuracy and quality of the information contained in incident reports. The department has undertaken a review of the quality, accuracy and timeliness of incident reporting and post-incident reviews, in relation to Serco's contractual obligations.

Staffing and Training

The department has improved the quality and availability of training available to its staff working in the immigration detention network and related roles.

The department has expanded role specific training to include training for executive level staff performing Detention Operations and Case Management roles within the detention network. This includes face to face training, workshops and mentoring and onsite facility handovers and inductions. The department has also undertaken a Training Needs Analysis Survey of detention operations roles and has used the results of this to inform a long term training plan.

The number of staff working in Case Management roles has increased through bulk recruitment and training. Case management capacity for IMAs is now commensurate with the compliance caseload.

The department provides opportunities for Service Delivery Managers in the immigration detention network to study a Diploma of Government (Contract Management). This training is being reviewed to ensure that the generic

components of contract management are revised to emphasise the practical application of contract management across the detention network. Regional Manager training has also been revised to include Contract Management training.

The department has also worked with Serco to in relation to its staff training. Serco training programs have been improved, ensuring that staff are trained to de-escalate situations, better able to detect potential problems and are better prepared to work within the detention environment, particularly in times of heightened tension. In addition, Serco has implemented a more rigorous program of refresher training. Serco has engaged Human Resources (HR) compliance officers to undertake regular audits on compliance with mandatory HR requirements, including AFP and working with children checks.

Contract Management

The department has revised its governance framework to strengthen its management of contracted service providers.

The department engaged a suitably qualified independent auditor to conduct an audit of Serco's contractual obligations relating to Security Risk Assessments of IDC's and People in Detention and is currently considering the outcomes of that audit. The department has confirmed that security risk assessments for each IDC are in place, and are reviewed on a monthly basis. Client security risk assessments by Serco are also completed and reviewed on a monthly basis.

The department has worked with Serco regarding their contractual obligations relating to visitor screening. Serco is implementing a new visitor pass system to provide more consistent application of visitor policy and is actively enforcing the consistent application of visitor policy. Serco has advised that it will undertake audits in visitor processing practices later in 2012. The department is also undertaking an internal Quality Assurance Review of the visits process in close consultation with Serco.

The department and Serco reached an in-principle agreement to vary the Detention Services Contract to refine the contract's articulation of the Immigration Detention Values. The department is progressing the necessary contract variation.

Addendum

Recommendation 1: It is recommended that DIAC consider possible amendment to the Detention Services Contract, in consultation with Serco, to improve the enunciation in the purpose of detention in the Objectives Section of the Contract in line with the Immigration Detention Values.

The department has agreement-in-principle from our service provider (Serco) that the current contract would benefit from refinements to the context and the ongoing role of detention in the broader migration system.

The department is progressing a variation to the Detention Services Contract to enact this amendment.

Recommendation 2: It is recommended that DIAC finalise and publish the “incident management and reporting” section of its DSM, ensuring clear delineation of Serco and DIAC’s roles.

In response to the Hawke-Williams Review, an Incident Management Working Group has been established to review the department’s incident management structures including the supporting definitions, reporting and accountability lines. The Incident Management Working Group is reviewing the Incident Management and Reporting arrangements, with a view to developing a more robust framework.

In order to clarify current incident management processes, an interim update to the Incident Management & Reporting instruction within the Detention Services Manual (DSM) is being prepared and is expected to be finalised and published in the second half of 2012.

As part of the Memoranda of Understanding (MOU) being negotiated with police forces across Australia (see recommendation 4), an Implementation Protocol has been developed which articulates the role of the Detention Service Provider in responding to an incident, ensuring a clear delineation of Serco and the department’s roles.

Recommendation 3: It is recommended that the three core incident management documents for Christmas Island are revisited, finalised and promulgated among relevant parties.

The department is actively progressing work to finalise the three core incident management documents. However, the finalisation of these documents is dependent on the implementation of number of other Review recommendations, relating to the finalisation of the MOU with the Australian Federal Police (AFP) and State and Territory Police Authorities.

Recommendation 4: It is recommended that an MOU concerning the operational roles and responsibilities of DIAC, the AFP and local Police Forces in relation to incident management be finalised in all jurisdictions, operationally tested and made known to all relevant staff.

The department is continuing to actively progress discussions with relevant jurisdictions regarding the implementation of a MOU for the provision of policing services at immigration detention facilities (IDF) within Australia.

The MOU are designed to formalise arrangements currently in place and outline the operational roles and responsibilities of each party being the department, the AFP and the State or Territory law enforcement agency.

To date, Tasmania Police and the Northern Territory Police have signed the MOU. The department is continuing to work closely with the remaining jurisdictions to finalise their agreements as soon as practicable.

The department has also held a number of desktop exercises with some jurisdictions to ensure that all parties have an 'on the ground' understanding of their operational roles and responsibilities. Further desktops exercises will be undertaken as appropriate.

Recommendation 5: It is recommended that the issue of hand-over between DIAC and the AFP or the local Police Force be clarified, a protocol developed, tested and promulgated to support the hand-over, and consideration be given to whether the Contract should be amended to provide greater clarification in this area.

As part of the MOU (see recommendation 4), an Implementation Protocol has been developed which articulates the role of the Detention Service Provider in responding to an incident. This is in addition to the clarification provided under the MOU itself and the specific state/territory annexures.

Further clarification is provided through the inclusion of a Handover/Handback Form as an attachment to the MOU. This form clearly outlines who has responsibility for an incident and when the incident is handed back.

In addition, the department is developing procedures to assist departmental staff during critical incidents and is also developing a training module covering this area for inclusion in its contract management training. This work is ongoing.

A formal change to the contract has been considered, however, the department is pursuing other options, including a working group with the AFP and Serco's Emergency Response Team. This team has been training with the AFP to better respond to situations. This enhanced capability has been supported by the AFP and state and territory police forces.

Recommendation 6: It is recommended that, as was intended by the design of the CIIDC, the roller doors to the NWP Accommodation Compounds not be used as the primary means by which detainees enter or exit these compounds. It is also recommended that consideration be given to the value of reactivating the key-card system for use at times of increased tension.

The relevant infrastructure works were completed in the last quarter of 2011. The facility level policy on internal routine and emergency movement has been revised and now supports the access control arrangements.

Recommendation 7: It is recommended that more substantial weld-mesh or solid materials be used rather than chain-link gates and fencing in medium or high security IDCs to provide additional protection against damage and breach.

New and existing centres are fitted, or are being fitted, with gates and fencing appropriate to the risk profile of detainees housed at those facilities.

A program of work on the security features at the Christmas Island IDC was completed in August 2012.

Recommendation 8: It is recommended that staff induction training and procedures emphasise the need to secure vehicles and storage areas in the vicinity of immigration detention facilities.

The department has stipulated and will continue to stipulate the need for greater attention to security, including the importance of securing vehicles, during its induction process and has emphasised to service providers the need to do likewise during their induction processes.

Recommendation 9: It is recommended that the use of aerosol cans be banned and prevented from entering medium and high security IDCs.

Aerosol cans are a controlled item at all immigration detention facilities, as outlined in the departmental instructions (“DOU2007/03 – Items not permitted in IDCs”).

Serco has provided assurances that they have implemented the departmental instructions (“DOU2007/03 – Items not permitted in IDCs”) at all IDCs.

Recommendation 10: It is recommended that consideration be given to means of disconnecting electricity supply to detainee accessible areas during serious incidents without interfering with the operation of security infrastructure, such as lights and CCTV cameras.

Disconnecting electricity to detainee accessible areas during serious incidents is not practical within existing infrastructure as it would involve a disproportionate cost to rewire existing facilities, as foreshadowed in the department's response to the Review.

However, electrical designs to allow the isolation of power circuits, consistent with this recommendation, will be taken into consideration when infrastructure is redeveloped or commissioned within existing facilities.

Recommendation 11: It is recommended that thorough and consistent risk assessments be conducted for secure compounds within the Immigration Detention Network, particularly following significant alterations to the design of an IDC, and that control and restraint equipment not be located within them unless these risk assessments have been carried out.

As required under the contract, Serco undertakes monthly risk assessments of immigration detention centres. Serco have noted the need for securing control and restraint equipment in secure compounds, which are covered as part of the centre security risk assessment.

In conjunction with the department, Serco undertook a review in relation to the storage of, and access to, restraint equipment. The review resulted in the development and implementation of procedures and protocols for access to those particular items. All control and restraint equipment is now secured and locked away in locations external to client's access.

Recommendation 12: Given the impact of detainees on the roof of the Macquarie Residential Block on Serco's ability to maintain control during the April 2011 incident, it is recommended that DIAC and Serco consider further strategies to maintain effective dynamic security within Fowler in a range of possible scenarios, such as the provision of appropriate "anti-climb" infrastructure to prevent people from accessing roofs.

Serco has developed a structured capability, the 'Emergency Response Team', to respond to incidents across the network. This enhanced capability has been supported by law enforcement agencies.

Serco is building on existing practices and developing better strategies to enhance dynamic security arrangements and manage potential non-compliant behaviour by clients. This has included further development of risk assessment strategies and dedicated intelligence support aimed at the

mitigation, detection and efficient response to potential problems. To enhance the effectiveness of dynamic security, Serco is also developing a better capability to de-escalate situations through the implementation of rigorous staff training and refresher programs.

The focus on active communication with clients is playing a significant part in behaviour management within the IDCs. Serco has enhanced its use of Behaviour Management Plans to inform the placement of clients in accommodation commensurate with their level of risk and to assist with the management of behaviour.

The department has completed the removal of external cabling and hardened the internal ceiling to restrict access to the roof of the Macquarie Residential block. The existing tile roof has been replaced with a colorbond type product.

Recommendation 13: It is recommended that more stringent screening of visitors to IDCs be undertaken in line with controls at Australia's airports and that improved exclusion zones be put in place around IDC perimeters.

The department is working with Serco to improve the Policy and Procedures Manual to ensure that stringent and consistent screening is enforced (as required by the contract) at all facilities. Serco is in the process of implementing a new visitor pass system and is actively enforcing the consistent application of visitor policy. Serco has advised that it will be undertaking audits in visitor processing practices this year.

In addition, the department is undertaking an internal Quality Assurance Review of the process. The objectives of the review include:

- establishing whether procedures and practices in managing visits are efficient, effective and consistent across all immigration detention facilities;
- establishing whether the department's and Serco's procedural advice and training provide adequate support to staff managing visits processes; and
- improving service delivery.

The review is scheduled to be finalised by December 2012.

The prospect of improved exclusion zones around facilities has been considered, however, due to access roads available to the general public extending exclusion zones is not practical at most centres.

Recommendation 14: It is recommended that dangerous items usually located in kitchens or Medical Centres be appropriately secured within those locations, and that a protocol be developed that dangerous items be removed from such places at times of increased tension within an IDC.

Chapter 8 of the Detention Services Manual, 'Safety and Security' - 'Items not permitted in immigration detention', has been revised to address securing of dangerous items in IDC Medical Centres. The revised instruction was released on 15 May 2012.

As part restoration works at the Villawood IDC, the kitchen is now located outside of the sterile area. No potentially dangerous kitchen items such as metal knives are available within the compounds.

A written instruction has been released to Serco staff detailing security requirements for controlled items (knives, etc). Contingency plans have been updated to ensure potential weapons and controlled drugs are removed from the medical centre and accounted for during times of heightened tension.

Recommendation 15: It is recommended that DIAC articulate more clearly the responsibility of public order management so that an agreed position is established with DIAC, Serco, the AFP and other police forces.

The department, Serco and law enforcement agencies have worked together to clearly articulate responsibility for public order. There has been greater involvement with the state and national police forces.

The department has finalised MOU with Tasmania and the Northern Territory, and is in the process of finalising the remainder, to formalise the roles and responsibilities of State and Territory police. In those jurisdictions where MOU have not been signed, public order responsibilities and response arrangements are in place.

Serco has established an Emergency Response Team that has been training with the AFP to better respond to public disorder situations. Serco have implemented a range of contingency plans across all sites, including appropriate escalation paths with emergency services and other detention service providers.

The department is working towards finalising all law enforcement MOU as a matter of priority.

Recommendation 16: It is recommended that Serco's commitments under the Contract in relation to both Security Risk Assessments at each Centre, and People in Detention Risk Assessments for each detainee be met fully as a matter of priority.

Security risk assessments for each IDC are in place now, and are reviewed at a minimum on a monthly basis. Client security risk assessments are also completed and reviewed on a monthly basis.

To ensure client security risk assessments can be moderated and consistently applied across the immigration detention network, Serco has implemented a computerised tool. The initial trialling of the tool demonstrated the potential benefits for intelligence operations. As at the end of July 2012, the tool had been implemented at all IDCs, with work progressing to complete the implementation at the remaining IDFs by the end of September 2012.

The department engaged an independent auditor to conduct an audit of Serco's contractual obligations relating to Security Risk Assessments of IDC's and People in Detention. The audit was completed in May 2012.

Recommendation 17: It is recommended that consideration by DIAC and Serco be given to whether additional qualifications are required for Detention Service Provider Personnel undertaking the security intelligence function and that the Contract be amended to specify the level of qualification required.

Serco has appointed a National Intelligence Risk Manager to oversee security intelligence activities across the immigration detention network.

Serco has also reviewed position descriptions, qualifications and staffing for the security intelligence function. This has resulted in increased requirements for role-specific training and relevant experience, and the employment of additional appropriately qualified intelligence officers across the immigration detention network, including on Christmas Island.

The department is currently negotiating a contract variation that would stipulate standardised training qualifications for Serco intelligence staff.

Recommendation 18: It is recommended that a protocol be developed between DIAC, Serco and the AFP on the formation and operation of a Joint Intelligence Group as part of incident response and management, with specific reference being given to the respective parties' roles and responsibilities.

A Joint Intelligence Group (JIG) continues to operate successfully on Christmas Island. The JIG comprises the department, Serco, the AFP and the Australian Customs and Border Protection Service (ACBPS). The JIG

meets fortnightly and produces regular reports for promulgation throughout the detention network. A working arrangement has been agreed to by all parties.

A National Joint Intelligence Group (NJIG) has also been established which is chaired on rotation and includes representatives from the department, Serco, the AFP and ACBPS. The group meets every three weeks with ad hoc meetings also being held as required. The group assesses information which could have an impact across the represented parties.

Recommendation 19: In order to ensure that the EDDS remains an effective means of monitoring the extensive NWP perimeter, it is recommended that the EDDS be regularly activated, maintained and tested by Serco, and that upgrading with appropriate materials be placed on DIAC's capital expenditure plan.

The repair and upgrade of the Electronic Detection and Deterrence System at North West Point has been completed.

Serco maintain and regularly test the EDDS system.

Recommendation 20: It is recommended that DIAC investigate use of more sturdy material in the construction of gates and roller doors and their locking and operation mechanisms in medium and high security compounds.

The department commissioned an engineering assessment to determine how to best address the concerns raised by the Reviewers in this recommendation. The assessment considered the feasibility of replacing some roller doors (which give access from compounds to the Green Heart) with hinged steel doors that could withstand greater force. The department accepted recommendations made by the engineers. The recommended works were completed in August 2012.

Most other detention facilities, particularly those used to house medium or high risk detainees, already have strong gates and locking mechanisms.

Recommendation 21: It is recommended that the panel of fencing removed to allow the runway access to Lilac and Aqua Compounds be fully reinstated and maintained to re-establish NWP perimeter security.

Panel fencing between Aqua and Lilac Compounds was fully reinstated in March 2011.

Recommendation 22: It is recommended that future construction or upgrading of detention infrastructure be planned to allow for sufficient medium and high risk infrastructure within the Immigration Detention Network to match the risk profile of detainees.

Modifications to strengthen the White 1 and 2 Compounds at the Christmas Island IDC have been completed. Further security enhancement work in order to modify the facility to provide a more secure environment was completed in August 2012.

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Yongah Hill IDC has been operationalised. The IDC is designed to house medium risk clients and features appropriate security infrastructure.

Recommendation 23: It is recommended that DIAC prepare options to maintain contingent immigration detention infrastructure capacity for Government consideration.

The department has finalised its strategic infrastructure plan and client placement model for facilities based detention.

The client placement model for facilities-based detention take into account individual client circumstances, such as immigration status, individual security risks and ongoing health issues, as well as broader operational requirements such as accommodation availability and the security and good order of the facility.

Contingency capacity levels are closely monitored and adjustments to reflect capacity needs are made as required.

Recommendation 24: Further to Recommendation 22, given the limitations of the “open centre” compound formation, which is suitable only for low risk detainees, it is recommended that DIAC commission further design work to determine the compound formations most appropriate for the different types of detainee security risk.

New facilities and facilities undergoing modification have security profiles that are appropriate for the detainee profile they will accommodate incorporated into their construction plans.

Recommendation 25: Particularly if medium or high risk detainees are to be accommodated in a Compound, it is strongly recommended that fencing be supported by detection or deterrence infrastructure, including CCTV, and that Serco personnel be trained in its operation.

All centres used to accommodate medium/high-risk detainees, have detection and deterrence fencing infrastructure in place, either around the whole centre or the sections used to house medium/high-risk detainees. These systems include CCTV coverage and EDDS.

Serco staff receive training in the use of detection and deterrence infrastructure.

Recommendation 26: It is recommended that Red Compound be regularly tested and maintained and all staff familiarised with its operation and use.

The Support Unit (formally known as Red Compound) has been extensively refurbished.

Revised policy and procedures for the use of this placement option have been implemented and tested following extensive consultations with both external and internal stakeholders. The revised policy and procedures for use are subject to revision and oversight by the department at local and national levels.

Continued accommodation of clients in the Support Unit is subject to strict governance and reporting arrangements with placements in the Unit monitored and approved by senior departmental officers.

Recommendation 27: It is recommended that an infrastructure solution be developed to address the ease with which detainees accessed the Macquarie Residential Block roof, having regard to any impact on the overall security of Fowler.

A major centre redesign is being undertaken as part of the Villawood IDC re-development project.

Interim actions have been taken to restrict access to the roof of the Macquarie Residential block, including:

- placing external cabling which was used by clients to access the roof underground; and
- hardening ceilings in parts of the building to resist intrusion into the roof cavity.

Recommendation 28: It is recommended that the POS be fully implemented at all IDCs in the network in line with the requirements of the Contract and that Serco ensure IMPs are completed for all detainees and regularly reviewed in partnership with DIAC Case Management.

The department is working with Serco to implement the Personal Officer Scheme (POS) in all detention facilities as a priority.

The department is implementing a stakeholder pilot to support the collaboration between POS, IHMS and Case Managers. The pilot will take place at Curtin IDC, Wickham Point IDC and Villawood IDC, with staggered commencements at each Centre. The aim of the pilot is to foster collaborative and integrated work practice between DIAC case management, IHMS and Serco characterised by strong communication and information sharing as well as consistent reporting by all stakeholders.

Recommendation 29: It is recommended that DIAC enhance further its Case Management capacity with a view to aligning IMA oversight more closely with the domestic Compliance caseload, and complete CCMA's for all IMAs in accordance with its Detention Related Decision-Making Control Framework provisions.

Targeted, bulk recruitment exercises have been run, and Certificate IV Case Management training programs have been delivered to increase the supply of Case Managers for deployment to meet operational demand at immigration detention facilities.

The ratio of Case Managers for IMAs is now commensurate with the compliance caseload. In addition, recent data indicates high completion rates for Comprehensive Case Management Assessments.

Recommendation 30: It is recommended that DIAC provide Case Managers with accurate information on the options available to detainees and progress of their case.

The department continues to improve the availability, quality and consistency of information given to IMAs, informed by the earlier review of messaging and principles contained in the 'Strategic Framework for communicating with irregular maritime arrivals: A status resolution approach'.

An intranet-based IMA communications toolkit for case managers has been developed and has been well-received by staff. It contains an increasing number of discussion guides, fact sheets, posters and other tools that have been translated into a range of languages. These tools help staff to flexibly respond to client information needs while providing consistency. In addition, an IMA communications consultation group meets regularly to share best practice, work collaboratively across departmental programs on common issues of concern and promote the toolkit as a resource.

Regular visits to centres by senior staff continue, with frequent communication in the form of video or telephone conferences (including information sessions) to help to underpin a two-way communication process. This process ensures Case Managers have accurate information about policy parameters that can help inform clients of how they can regularise their immigration status.

While Case Managers have provided Protection Obligations Determination decisions in the past, following the move to single processing, this is done by Immigration Advice and Application Assistance Scheme (IAAAS) providers.

Recommendation 31: It is recommended that DIAC give priority to finalising and implementing its Status Resolution Focussed Communication Framework and that this include the development of more specific engagement strategies for detainees on arrival concerning the importance of providing full and complete identity information wherever possible.

The department finalised the ‘Strategic Framework for communicating with irregular maritime arrivals: A status resolution approach’ in August 2011 and has disseminated this to all program owners involved in the management of IMAs.

The IMA Strategic Communications Framework encourages client cooperation and self-agency as IMAs undertake processes to resolve their immigration status through exercising informed choices. The department continues to improve the availability, quality and consistency of information given to IMAs, informed by the earlier review of messaging and principles contained in the Strategic Framework.

Identified elements of the framework are at the final stage of implementation. This includes the dissemination of a ‘client personal record’ folder in which IMAs collate and hold generic and specific information about their case, as well as communication tools/guides to simply and clearly educate IMAs about the processes they will undertake as part of seeking Australia’s protection. As a part of this, the department provides all newly arrived IMA clients on Christmas Island with a Client Personal Record (CPR). The intention of the CPR is to provide IMA clients with the means to understand their immigration situation, role and responsibility to assist the department in the resolution of their immigration status. Providing clients with accurate, consistent information that they can access at any time, should assist in their understanding and self agency. The CPR folder contains translated fact sheets, in a range of languages, and a summary of client details which can act as a client's own resource to keep immigration related documents.

In addition, the department has created an online, interactive education tool, which aims to improve IMAs’ comprehension of the protection

assessment process, their options and the decision points where they need to take action. This is intended to be a resource available to clients, staff and stakeholders. Further to this, the department is also focusing on developing information to support IMAs transitioning into the Australian community, particularly on Bridging visa Es.

The early provision of identity related documentation continues to be a key client management issue. This issue is reflected in the framework and the department has already undertaken action in this area. Compliance Status Resolution Identity Officers have now been deployed to a range of key locations to ensure continual engagement with clients about identity is maintained and a range of supporting communication tools such as, fact sheets, posters and a DVD loop of identity messaging are now in use.

IMAs are now better educated about the importance of providing identifying documentation and its value in aiding the timely processing of claims. This has been reflected by a significant increase in the number of clients providing identity documentation.

The effectiveness of this work is also expected to further improve as a result of linking identity messaging to community placement opportunities for clients in detention.

Recommendation 32: It is recommended that Serco and DIAC develop and deploy a revamped programs and activities model, focussing specifically on:

- **enhancing self determination and decision making;**
- **providing skills for life after detention, whether that be in Australia or elsewhere;**
- **maintaining or promoting a work ethic; and**
- **enhancing detainee well being, by providing the detainee with achievable goals.**

The department established a Programs and Activities Working Group to support a consolidated departmental approach to improving the quality and appropriateness of the programs and activities (P&A) within immigration detention facilities.

The Working Group developed a P&A Framework that covers all of the focus areas identified in this recommendation.

The framework was circulated to the service providers in July 2012, and the department is now engaging with service providers on the immediate development and implementation of a new operating model.

Recommendation 33: It is recommended that Serco and DIAC finalise the development and implementation of the Client Incentive and Earned Privilege Scheme.

The Individual Allowance Program has been implemented across the immigration detention network.

The Client Incentive and Earned Privilege Scheme (CIEPS) has been delayed, pending finalisation of the Programs and Activities Operating Model. The CIEPS will form an important element of client participation management within the immigration detention facility environment.

Recommendation 34: It is recommended that consultative committees, a visits program and social education programs be features of the Security Services Plan of each IDC.

Serco has revised its intelligence and security functions to better integrate intelligence gathering and client participation management. This includes Serco Intelligence Officers attending Client Consultative Committees regularly. The visits program and social education programs are components of the Programs and Activities Framework.

The department is working with and continues to monitor Serco's monthly provision of the programs and activities schedule and the IDC Security Risk Assessments.

Recommendation 35: It is recommended that DIAC finalise their end-to-end business model for resolving IMA status.

The end-to-end business model for resolving the status of IMAs has been adjusted to reflect changes in government policy implemented after the Hawke Williams Review reported, including the implementation of onshore processing arrangements, introduction of the single process and complementary protection, and transition of the merits review function from the Independent Protection Assessment Office to the Refugee Review Tribunal.

The department has also adjusted the business model to improve processing economies of scale, integration and oversight arrangements to manage higher numbers of arrivals. This includes implementation of a revised client placement model that enables processing activity to be undertaken in the most practical and efficient location and better management of client risks, establishment of clearer lines of accountability for each step in the status resolution process, greater alignment of organisational structures to the end-to-end process model and strengthening of governance arrangements to provide a single point of escalation and oversight to ensure client cohorts are progressing through the process as efficiently as possible.

Recommendation 36: It is recommended that DIAC develop advice for the Government on options for managing detainees on a negative pathway, particularly those who have been found not to be refugees, but where removal is problematic.

Where a client has exhausted all avenues of visa consideration and their removal becomes problematic, the department does, where appropriate, refer their case to the Minister on an individual basis for his consideration of other management options, such as community detention and temporary visa options. In addition, options for client placement in community detention or on temporary bridging visa have been extended since the Hawke-Williams Review was undertaken and may be available for those clients who have not engaged Australia's protection obligations.

Whilst this approach addresses cases on an individual basis, the department continues to provide advice to the Minister regarding strategies to resolve the status for groups of clients who may be difficult to remove from Australia.

Recommendation 37: It is recommended that DIAC agree on a system for collecting Serco staffing metrics and assessing staffing capability at each Centre and that this be distributed for use across its network.

Serco has provided assurance to the Department that it has appropriate staffing arrangements and management practices, specifically:

- each IDC has a business operating model which specifies the types and numbers of staff;
- staffing numbers match the staffing requirements based on the bands of numbers of clients. Noting the ratio of staffing types is influenced by: infrastructure, client cohorts, risk factors, geographic location, and proximity to emergency services; and
- a flexible workforce.

Recommendation 38: It is recommended that DIAC require Serco to maintain records on the certification and qualifications for personnel that are provided under the Contract, and Regional Management Teams audit these regularly.

Serco completed an audit of qualifications in the first half of 2012, and have engaged Human Resources (HR) compliance officers to undertake regular audits on compliance with mandatory HR requirements, including AFP and working with children checks. The department commenced a review of qualification, certification and storage of records in May 2012. This review is expected to be finalised by the end of 2012.

Recommendation 39: It is recommended that Serco run live exercises in incident management based on joint incident management protocols involving all relevant stakeholders at least annually and

preferably more often where there is a risk of volatility in the detainee population.

In the past 12 months the department and Serco in conjunction with the AFP and other relevant stakeholders, have conducted live and desktop incident management exercises at all immigration detention facilities, resulting in an understanding of protocols between each stakeholder.

The department receives regular updates on the exercises Serco conducts through the Detention Service Provider Governance Committee.

Recommendation 40: It is recommended that DIAC review its training requirement in contract management for senior level staff in IDCs to ensure both that they have skills in contract management more generally and that they understand the more specific requirements of the Detention Contract and its provisions.

The department has implemented changes in its regional manager training, including training on the Detention Services Contract. The department requires executive level officers to undertake training, which encompasses principles of contract management, prior to being deployed.

The department also supports service delivery managers within the detention network to complete the Diploma of Government (Contract Management). Currently a review of the diploma is being undertaken, to ensure that the generic components of contract management emphasise the practical applications in the context of the contracts in the detention services network. It is envisaged that the revised diploma content will improve consistency in contract management practices.

Recommendation 41: It is recommended that the DIAC training model continue to be sufficiently resourced to provide role specific training that incorporates face-to-face training, mentoring and site induction.

The department conducts role specific training for staff at the APS 4, 5, and 6 levels performing Detention Operations and Case Management roles within the immigration detention network.

The department has expanded the number of courses available and is developing role specific training for executive level staff, including face to face training, workshops and mentoring and onsite facility handovers and inductions.

A Training Needs Analysis and its associated report have been completed. The results have and will continue to inform what new training programs need to be developed, the effectiveness of current training programs and how well prepared departmental staff are for working in Detention Operations roles within immigration detention facilities across the network.

As a result of the Training Needs Analysis, the department has developed or is developing for implementation: skill / role matching, position descriptions for Detention Operations roles, a buddy system to support staff about to be deployed, pre-deployment briefings, post-deployment feedback sessions and a reintegration strategy to support staff returning from deployments

In addition, formal training courses have been refined for APS level staff and introduced for staff at the Executive and SES levels;

The results of the Training Needs Analysis will also assist the department in developing a five year training plan / framework to improve current training and support programs as well as develop new training initiatives within detention operations.

The findings will contribute to Recommendation 42.

Recommendation 42: It is recommended that DIAC improve training of DIAC Regional Managers and their staff following finalisation of joint incident management protocols, with particular reference to identifying:

- **roles and responsibilities in local and national command suites;**
- **methods of communication and coordination within the command suites; and**
- **protocols more generally, including in relation to contractual matters such as “hand-over/hand-back” and the roles and responsibilities of other stakeholders within the command suite.**

The department, in conjunction with Serco is developing joint incident management protocols with particular emphasis on command suites.

There will be a focus on emergency management and working with agencies such as the AFP, local police and service providers to resolve incidents. The department is looking to professional emergency management organisations to assist in the development of appropriate training.

A Training Needs Analysis has been conducted and the findings have contributed to the redesign of the duty statements and position descriptions for all detention operations roles across the immigration detention network. These position descriptions clarify specific role requirements and will ensure role consistency. There has been a roll out of these generic position descriptions for new deployments and the descriptions will be updated if and when required should the specifics of a role and / or associated tasks change.

The findings will contribute to Recommendation 41.

Recommendation 43: It is recommended that DIAC:

- **move to one mandated source of recording detainee location, utilising a single system or database, and that it ensure that data is entered in a timely manner by all relevant parties;**
- **clarify the roles and responsibilities with regard to end-to-end management of IMA caseload needs;**
- **clarify rules for data entry of milestone events for detainees; and**
- **improve the quality and consistency of data entry practices in relation to decision hand downs.**

A forward program of Information and Communications Technology (ICT) and business process enhancements designed to simplify, integrate and further support efficient processing of IMAs is expected to be implemented as part of part of ICT change release seven. Release seven is scheduled for November 2012.

Recommendation 44: It is recommended that DIAC conducts a systemic review of the quality, timeliness and accuracy of incident reporting and post-incident reviews to ensure that Serco is fulfilling its reporting obligations under the Contract.

The department continues to work with Serco regarding the accuracy and quality of the information contained within incident reports.

The department undertook a review of the quality, accuracy and timeliness of incident reporting and post-incident reviews, in relation to contractual obligations. While the review found that Serco were broadly compliant with the contract, the department identified several areas for improvement including; the creation of ongoing Post Incident Review roles in each IDC; the use of appropriate electronic records management for incident reporting and post incident reviews; and establishing National Office responsibilities for post incident reviews.

The department and Serco are working together to ensure that these practices are implemented consistently across the network.

Recommendation 45: It is recommended that DIAC review the SitRep system to consider whether it is the most efficient and effective means of alerting those who need to know about incidents occurring within the Detention Services Network. The review should include development of a priority order of significance or urgency in place of the current single

distribution list so that the most important or urgent SitReps can be directed to key people.

The department has reviewed the situation reporting system and has implemented the changes recommended for the reporting of all incidents in facilities-based detention. As part of the review, an incident characterisation and escalation process was developed.

A post-implementation review of the categorisation and circulation of situation reports has been finalised. The post-implementation review has resulted in a number of incident categories being downgraded to non-reportable incidents (in this framework). The changes to incident category levels have assisted in emphasising significant or urgent incidents to key internal and external stakeholders.

Recommendation 46: It is recommended that DIAC decide whether it needs its own incident logs and adopt clearer protocols in line with Serco's Occurrence Log to ensure record keeping is as comprehensive and accurate as possible.

The department is working with Serco to progress the development of protocols which set out the department's role in the Operational Command Suite. However, work to progress these protocols is subject to multiple dependencies, including the finalisation of recommendations 2, 4 and 5.

Recommendation 47: It is recommended that Serco explore whether it would be useful to have video conferencing capacity between its existing Canberra Command Suite and local Command Suites during an incident, noting that there may not be standing Command Suites in all locations.

The department, in conjunction with Serco, has considered installing video conferencing capabilities across the immigration detention network, and has agreed there would be value to have video conferencing capacity between its existing Canberra Command Suite and local Command Suites during an incident. The majority of mainland IDCs will have this capability installed this financial year.

Recommendation 48: It is recommended that DIAC and Serco develop a Command Suite protocol document which sets out the level of responsibility of the key players in incident management and defines the purpose, structure and personnel required.

The department, in conjunction with Serco, is developing a Command Suite protocol which will set out the responsibilities of the key players and defines the purpose, structure and personnel required.

The protocol will be for departmental staff however, the department will involve Serco in the implementation process noting that Command Suites are the responsibility of the detention service provider.

In addition, work is progressing on the development of the training module around Command and Control management to be delivered to senior staff.