
The Parliament of the Commonwealth of Australia

Not the Hilton

Immigration Detention Centres: Inspection Report

Joint Standing Committee on Migration

September 2000
Canberra

© Commonwealth of Australia 2000

ISBN 0642 452636



Contents

Foreword.....	ix
Membership of the Committee.....	xi
Terms of Reference	xiii
List of Abbreviations	xiv
Executive Summary and Recommendations.....	xv
1 Overview	1
The Committee's Inspection of Detention Centres	1
Background	1
Committee's Approach	2
The Centres.....	2
Detention	3
Detention Administration	4
Detention Locations	5
Detainees.....	6
Duration of Detention.....	7
2 Management of DIMA facilities	9
Background.....	9
Delegation of DIMA Authority	9
Services.....	10

Staff.....	10
ACM approach	11
Conclusion	12
PART 1: "Boat people"	15
3 Port Hedland	17
Immigration Reception and Processing Centre	17
Management and Staffing.....	18
Detention	18
Amenities	19
Interpreting Services.....	19
Health.....	19
Education	19
Cultural	20
Recreation	20
Security	21
Conclusion	21
4 RAAF Base Curtin (Derby)	23
Temporary Immigration Reception and Processing Centre	23
Management and Staffing.....	23
Detention	24
Legislative changes	24
Amenities	25
Interpreting Services.....	25
Health.....	25
Education	26
Cultural	26
Recreation	27
Security	27
Conclusion	28
5 Woomera	31
Immigration Reception and Processing Centre	31

Management and Staffing.....	32
Detention	32
Amenities	33
Interpreting Services.....	34
Health.....	34
Education	35
Cultural	36
Recreation	36
Security	36
Conclusion	37
 PART 2: Urban Centres.....	 39
 6 Perth.....	 41
Immigration Detention Centre.....	41
Management and Staffing.....	41
Detention	41
Amenities	42
Interpreting Services.....	43
Health.....	43
Education	43
Cultural	43
Recreation	44
Security	44
Conclusion	44
 7 Villawood	 47
Immigration Detention Centre.....	47
Management and Staffing.....	48
Detention	48
Amenities	49
Interpreting Services.....	49
Health.....	49
Education	49

Cultural	49
Recreation	50
Security	50
Conclusion	51
8 Maribyrnong	53
Immigration Detention Centre	53
Management and Staffing	53
Detention	54
Amenities	54
Health	54
Interpreting Services	55
Education	55
Cultural	55
Recreation	55
Security	56
Conclusion	56
PART 3: Fishers	59
9 Willie Creek (Broome)	61
AFMA Facility	61
Management and Staffing	62
Detention	62
Amenities	63
Health	64
Recreation	64
Conclusion	64
10 Darwin	67
AFMA Facilities	67
Shed Point Proposed Site	67
Darwin Harbour Moorings	68
Management and Staffing	68
Detention	69

Facilities	69
Health.....	69
Recreation	69
Conclusion.....	70
 PART 4: Offshore Detention	 71
 11 Christmas Island.....	 73
Background.....	73
The Island.....	73
Unauthorised Arrivals.....	74
Arrival	75
Reception	75
Temporary Detention Arrangements.....	76
Duration of Detention.....	76
Detention Issues.....	77
Facility not purpose built.....	77
Lack of staff	77
Lack of resources	78
Potential Remedies	79
Detention accommodation.....	79
Effect on islanders	79
Conclusion.....	80
 12 Conclusions	 83
DIMA Detention Centres	83
Operations	83
Management and Staffing	84
Amenities.....	84
Detainees	84
AFMA Detention Centres	87
Operations	87
Management.....	87
Facilities.....	88

Detainees	88
Summary	89
Appendix A: Committee Inspections	91
Appendix B: Persons in Detention Centres*	93
Appendix C: Time in detention.....	94
Appendix D: References	95
Table 1 Unauthorized Arrivals and Detainees: 1994/95-1999/2000	6
Table 2 Christmas Island: Unauthorized arrivals by sea	74



Foreword

The Committee commenced its inspections of detention facilities at a time of extreme pressure on the facilities from the arrival of unprecedented numbers of “boat people”.

The Committee was therefore able to see the processing of new arrivals and examine the capacity of the detention centres to handle this pressure.

The Committee did not formally meet with or talk to the detainees.

The Committee was impressed by the competence of the personnel involved in managing and, in the case of the Curtin and Woomera centres, actually establishing detention facilities.

However, the Committee also noted the potential for problems to arise as a result of holding large numbers of people in single facilities.

This report deals with issues specific to detention centre infrastructure and services. The Committee notes that the Government has taken a number of steps aimed at reducing the numbers of unauthorised arrivals, and also announced initiatives in relation to detention centres. The Committee, in looking solely at infrastructure and services, has not specifically investigated these changes. This report, therefore, reflects the views of the Committee at the conclusion of its inspection visits.

Mrs Chris Gallus MP
Chair



Membership of the Committee

Chair Mrs C. Gallus MP

Deputy Chair Senator J. McKiernan

Members Senator A. Bartlett

Senator A. Eggleston

Senator J. Tierney

The Hon D. Adams MP

(from 12 August 1999)

The Hon B. Baird MP

Mrs J. Irwin MP

Mrs M. May MP

Mr B. Ripoll MP

Hon Dr A. Theophanous MP (until 9

August 1999)

Committee Secretariat

Secretary Gillian Gould

Inquiry Secretary Dr Steve Dyer

Research Officer Emma Herd

Administrative Officers Rohan Tyler

Grace Cassoni (to Oct 1999)

Rachel Carew (Nov 1999- Mar 2000)

Vishal Pandey (from Mar 2000)



Terms of Reference

The Committee has a responsibility to Parliament to monitor the immigration and multicultural affairs portfolio. This responsibility extends to examining custodial services operating at detention centres under DIMA control.

The operation of migration detention centres and issues to do with suspected unlawful non-citizens detained at some of these centres were the subjects of previous reports:

- *The Management of Boat People*, Australian National Audit Office Report No 32, February 1998;
- *Those who've come across the seas: Detention of unauthorised arrivals*, Human Rights and Equal Opportunities Commission, May 1998; and
- *Administrative Arrangements for Indonesian Fishermen Detained in Australian Waters*, Ombudsman, July 1998.

The Committee took account of these reports when arriving at the recommendation in its *Immigration Detention Centres Inspection Report* (August 1998) that:

“...the Joint Standing Committee on Migration continue to monitor detention practices and suggests that the Minister for Immigration and Multicultural Affairs request that the committee again inspect the facilities in the next Parliament.”

The Minister, in his response to the Report in September 1999, agreed with this recommendation, and the Committee resolved to conduct inspections of detention centres.



List of Abbreviations

ACM	Australasian Correctional Management Pty Ltd
ACS	Australasian Correctional Services Ltd
AFMA	Australian Fisheries Management Authority
AFZ	Australian Fishing Zone
DIMA	Department of Immigration and Multicultural Affairs
DOTRS	Department of Transport and Regional Services
IDC	Immigration Detention Centre
IRPC	Immigration Reception and Processing Centre
RAN	Royal Australian Navy
RRT	Refugee Review Tribunal
SIEV	Suspected Illegal Entry Vessel
SUNC	Suspected Unlawful Non Citizen
UNHCR	United Nations High Commissioner for Refugees.

Executive Summary and Recommendations

1. This summary outlines the conclusions reached by the Committee during its visit to detention centres, and the recommendations which arise from those conclusions. There were no recommendations arising from the first two chapters which deal with the conduct of the inspections and an overview of the management of DIMA facilities.

Chapter 3: Port Hedland

2. The location of the facility in Port Hedland provides a number of advantages for the detainees, allowing them access to off-site facilities and amenities.
3. Although the centre was close to capacity, the Committee did not consider it overcrowded.
4. The Committee considered that it was undesirable for detainees to have their privacy compromised through media coverage.

Recommendation 1

5. **The Committee recommends that the centre be screened to minimise photographic intrusion.**

Chapter 4: RAAF Base Curtin (Derby)

6. The Committee felt that, despite the newness of the Curtin site at the time of its visit, the centre was providing the basic amenities and services required.
7. However, the Committee considered that the climatic conditions at the centre merited the provision of more washing and toilet facilities.

8. The Committee noted the way in which the practical demands of setting up a site had not been permitted to overshadow the humanitarian aspects. The centre's staff showed concern for the detainees and the preservation of their dignity.
9. The Committee considered that the short-term staff contracts would diminish the corporate knowledge of the particular dynamics and needs of detainees in a temporary centre. Increased continuity of staff would assist in monitoring and assessing the internal security of the centre.
10. The Committee considered that, even taking into account the medical support available from outside Curtin, the physical medical arrangements appeared to be inadequate for routine health requirements of 1,000 detainees.
11. In view of the unrest already experienced at Curtin, the Committee was concerned that there was potential for problems to arise which would require action by the staff. The Committee observed the lack of internal subdivision of the centre at the time of its visit. It considered that this could hamper the staff in keeping order should a tense situation arise.
12. As a consequence of these conclusions the Committee makes the following recommendations:

Recommendation 2

13. **The Committee recommends that the ratio of showers and toilets to detainees be increased.**

Recommendation 3

14. **The Committee recommends that ACM endeavour to maintain staffing continuity by re-engaging staff to maximise the use of their skills and knowledge.**

Recommendation 4

15. **The Committee recommends that the expansion of on-site medical facilities be given priority.**

Recommendation 5

16. **The Committee recommended that internal fencing be erected for security reasons.**

Chapter 5: Woomera

17. The Committee considered that the existing medical clinic at Woomera was too small both for the requirements of the staff and for the handling of the large detainee population.
18. The Committee noted that the development of Woomera provided another centre for the detention of suspected unlawful non-citizens. This helped to moderate the population pressure on Curtin IRPC. It also probably reduced the strain on management associated with large numbers in a restricted environment.
19. The Committee also noted that the establishment of the centre provided an economic boost to the host rural area and demonstrated that unexpected demands on Australia's migration process can be met quickly, provided there is useable infrastructure in existence.
20. Despite its large population, the Woomera IRPC had yet to commence processing and review operations. The Committee was aware that the pressure of new arrivals on existing centres had meant that Woomera had been brought into operation very quickly, and that there would be some delays in the processing. However, the Committee was concerned that there were, at the time of its visit, no separation detention facilities.

Recommendation 6

21. **The Committee recommends that the expansion of on-site medical facilities be given priority.**

Chapter 6: Perth

22. The Committee noted that the IDC was operating at its effective design capacity. This produced the challenge of accommodating people of differing ethnic and cultural backgrounds with a minimum of friction in a restricted amount of space.

23. The Committee considered that there had been some improvement in the recreational facilities since its previous visit, particularly better shading of the outdoor area. Nevertheless the Committee concluded that the small outdoor recreation area makes the IDC unsuitable for accommodating detainees for long periods of time.
24. Overall, the Committee considered the IDC to be overcrowded at the time of its visit. As it operates at capacity most of the time there is a need for additional space at the facility.
25. The Committee observed that the current configuration of the centre did not provide adequate toilet facilities for all detainees. This deficiency also needs to be addressed.
26. The Committee noted the arrangements for the use of tranquillisers and anti-depressants, and wanted appropriate protocols to be followed.
27. The Committee was concerned that provision of massage therapy would be misinterpreted both by the Australian public and the detainees.
28. As a consequence of these conclusions the Committee makes the following recommendations:

Recommendation 7

29. **The Committee recommends that the IDC pursue acquisition of the adjoining areas in its current building to:**
 - **expand the interviewing capacity to expedite processing of detainees; and**
 - **provide more space for accommodation.**

Recommendation 8

30. **The Committee recommends that the centre be used only for short-term detention.**

Recommendation 9

31. **The Committee recommends that the provision of toilet and ablution facilities be increased.**

Recommendation 10

32. **The Committee recommends that, in relation to tranquillisers and anti-depressant medication, DIMA ensure that:**
- **detainees provide informed consent; and**
 - **clear documentation of such treatments is kept for each individual.**

Recommendation 11

33. **The Committee recommends that the practice of providing massage to detainees on a regular basis is discontinued, and that massage is only provided when recommended by a doctor for substantial medical reasons.**

Chapter 7: Villawood

34. In its report on its visit to Villawood in June 1998, the Committee noted that major redevelopment works were planned or underway. Following the visit in February 2000, the Committee noted that:
- the two establishments, while currently being adequate for their purpose, are both ageing properties;
 - the redevelopment which had been scheduled for completion in mid 1999 had not begun;
 - had it been completed, the new centre's capacity would have been only marginally in excess of the actual numbers in the existing centre;
 - the improved security promised by the redevelopment would have reduced the number of escapes; but
 - it would not remove the security problems associated with having a centre in a built-up suburban area.
35. The Committee also noted that planning for the redevelopment had been undertaken when annual detainee day numbers were declining.¹

¹ From 242,000 detainee days per year in 1994/95 to 152,061 in 1997/98. DIMA, *Annual Report, 1994/95-1998/99*.

36. In late 1999 this situation had changed with the influx of suspected unlawful non-citizens by sea and air. This rise in numbers has placed a continuous high level of demand on the existing detention centres, which DIMA has met through the creation of additional temporary detention accommodation.
37. This change may only be temporary, but the Committee considered that the volatility of numbers arriving unlawfully and their impact on the detention centres across Australia should also be factored into DIMA's planning for the Villawood upgrade.

Recommendation 12

38. **The Committee recommends that DIMA proceed with the redevelopment of Villawood, taking account of:**
- **the security issues increasingly associated with detention sites in urban areas; and**
 - **the need for flexibility to deal with potential changes in the numbers and mix of suspected unlawful non-citizens arriving in Australia.**

Chapter 8: Maribyrnong

39. As at the Perth IDC, the Committee could see the benefits of the provision of massage therapy for detainees at Maribyrnong, and understood the reasons for its use. The Committee, however, doubted that such opportunities needed to be provided to all detainees. As with the Perth IDC, the Committee was concerned that provision of such therapy would be misinterpreted both by the Australian public and the detainees. Therefore the Committee reiterates its previous recommendation (No. 11) that:

the practice of providing massage to detainees on a regular basis is discontinued, and that massage is only provided when recommended by a doctor for substantial medical reasons.²

40. Maribyrnong, although an old facility, remains functional. At the time of the Committee's visit families could not be retained as units because of the lack of space but this was not considered by the Committee to be a permanent state of affairs.

2 See Chapter 6.

-
41. The Committee noted the plans for improved security and noted that the re-opening of the large recreation areas would ease pressure on the existing communal areas.

Recommendation 13

42. **The Committee recommends that the necessary security upgrading be undertaken as a matter of priority, both to improve security and permit fuller use of the centre's grounds.**

Chapter 9: Willie Creek (Broome)

43. The presence of the Caretaker's family and friends produced a level of informality not apparent in other detention centres. While this relaxed atmosphere was congenial, the Committee regarded it as inappropriate both for security and in the context of the exercise of delegated Commonwealth migration powers.
44. The Committee noted that there had been little change in the limited physical amenities since its previous report. The Committee appreciated that delays pending the release of the Ombudsman's report had impeded improving the land-based facilities. Nevertheless, it was concerned at the state of the facility. In particular, a large deep excavation, remarked upon in the Committee's 1998 report as "potentially dangerous", remained unfenced.³
45. The Committee was concerned that there were health and safety issues with the site as it is, and that the appropriate duty of care was not in evidence.
46. The Committee believed that the extended lines of communication from AFMA through Fisheries Western Australia might have contributed to the unsatisfactory aspects of the situation at Willie Creek.
47. Overall, given the lack of response to its 1998 report, the Committee was unconvinced that a longer-term contract would result in a marked improvement in the facility.
48. In the light of these conclusions, the Committee recommended as follows:

³ Joint Standing Committee on Migration, *Immigration Detention Centres Inspection Report*, 1998.

Recommendation 14

49. **The Committee recommends that consideration be given by AFMA of a clear physical separation of the family's and detainees' on-land areas.**

Recommendation 15

50. **The Committee recommends that the obvious safety risks of incomplete structures be addressed immediately.**

Recommendation 16

51. **The Committee recommends that DIMA and AFMA monitor the operation of the Willie Creek facility more closely.**

Recommendation 17

52. **The Committee recommends that AFMA examine the desirability of a new facility at Broome.**

Chapter 10: Darwin

53. The Committee considered that the existing mooring arrangements in Darwin were less acceptable than those at Willie Creek. Because there was little opportunity to go ashore there was little relief from the cramped conditions on the boats and few opportunities for exercise. Willie Creek also offered a more secure site than the current Darwin Harbour mooring arrangements.
54. The Ombudsman's view that improvements are required at Darwin, such as those proposed for Shed Point, therefore gained support from the Committee.
55. The Committee, however, noted that the estimated cost of the facility quoted to it seemed extremely low, and was not based on any detailed study of the proposed construction.
56. The Committee was also mindful of the fact that Willie Creek was the preferred destination of the RAN escorts, rather than the more distant Darwin.

Recommendation 18

57. **The Committee recommends investigation of the relative costs and benefits of centralising detention facilities currently at Darwin and Willie Creek, bearing in mind the necessary role of the RAN in apprehension and escort duties.**

Chapter 11: Christmas Island

58. The Committee, having inspected the temporary accommodation at Christmas Island, concluded that it was inappropriate and inadequate for use as a holding or detention facility for more than very short periods of time. Nevertheless, the Committee did not consider that the sporadic nature of unauthorised arrivals merited the construction of a permanent, purpose-built holding or detention facility.
59. The Committee considered that there may be merit in the proposal to make minor adaptations to the proposed recreation complex to facilitate temporary, short-term detention of SUNCs.
60. The Committee considered that there was merit in the idea of creating a stockpile of non-perishables and re-useable equipment to ease the pressure on the Island's resources caused by having to accommodate detainees.
61. Further, the Committee supported the pursuit of a formal arrangement with State health authorities to medical emergencies.

Recommendation 19

62. **The Committee recommends that the current practice of removing unauthorised arrivals to mainland detention centres be continued.**

Recommendation 20

63. **The Committee recommends that the plans for the proposed recreational complex be drafted with sufficient flexibility in its construction to permit short-term housing of unauthorised arrivals.**

Recommendation 21

64. **The Committee recommends that DIMA, in consultation with the Department of Regional Services, Territories and Local Government, provide a stock of equipment such as washable stretcher beds and non-perishables for use in the temporary detention of suspected unlawful non-citizens.**

Recommendation 22

65. **The Committee recommends that arrangements with State medical authorities to cover emergency medical arrangements be finalised.**

Chapter 12: Conclusions

66. Although the numbers of suspected unlawful non-citizens arriving may decline in future, there remains considerable global movement of undocumented people seeking new homes. This provides a potential for future increases in arrivals, and it would be prudent to retain at least some of the recently created detention capacity.
67. The Committee believes that DIMA should attempt to maximise the return from its expenditure on the development of the Curtin centre and the creation and expansion of the Woomera centre. As both Curtin and Woomera are on Commonwealth land, to which entry is restricted, it should be possible to allow much of these newly established centres to be cocooned once they are no longer required to house detainees.
68. The Committee believes that Australia's detention administration is appropriate and professional. It is currently handling the demands of unprecedented numbers of arrivals well.
69. However, as the changes in the demands on detention facilities during the Committee's inspection period indicate, there is a need for continued monitoring.

Recommendation 23

70. **The Committee recommends that DIMA examine the costs and benefits of deactivating, but retaining, structures and infrastructure at the current temporary detention centres.**

Recommendation 24

71. **The Committee recommends that it continue to inspect and monitor detention facilities.**

Recommendation 25

72. **The Committee recommends that, in future, in addition to inspection visits, arrangements also be made to meet with representatives of the detainees.**

