



Mr Denis Fitzgerald  
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Dear Mr Fitzgerald

Thank you for your correspondence of 9 March 2017 to the Minister for Immigration and Border Protection, the Hon Peter Dutton MP, concerning onshore immigration detention operations. The Minister appreciates the time you have taken to bring this matter to his attention and has asked that I reply on his behalf.

The Australian Government views immigration detention as an essential component of strong border control. Immigration detention supports Australia's well-managed migration system and is used to identify individuals and manage potential risks to the Australian community, including national security, health and character risks.

Immigration detention is subject to both administrative and judicial review, and to full parliamentary scrutiny for accountability. The length and the conditions of detention are subject to regular review by senior Department of Immigration and Border Protection officers and the Commonwealth Ombudsman.

The Government is committed to providing appropriate conditions for people held in immigration detention. It has always been the Government's policy that children are accommodated in the least restrictive environment possible.

Placement decisions for people in immigration detention are made taking into consideration each individual's circumstances and risks, with a view to seeking a balance between the best interests of individuals, and operational and security factors. These may include:

- the individual's character, any identity and security issues, age and family composition, health and well-being;
- any unique or exceptional circumstances;
- cooperation with immigration processes; and
- the likelihood of the person's compliance with any conditions (such as reporting regularly, staying at the specified address and not working).

Options for accommodation of illegal maritime arrival families with children in Australia include living in the community on bridging visas or in community detention (that is, residence at a specified address and subject to certain reporting conditions), or in alternative places of detention. The Government has routinely used the community detention programme for unaccompanied minors, families with children and other vulnerable people, given the additional support that this programme provides.

Health care services for detainees are comparable to those available to the Australian community, under the Australian public health system.

Services are provided through onsite primary and mental health clinics with referral to allied and specialist health providers, as required. Acute care is provided by hospitals.

Outside clinic hours, Detention Service Provider staff can contact a nurse-led telephone service, which can include a video-conferencing capability to enable visual review of detainees by a nurse, if required. Detention Service Provider staff are also trained to call an ambulance if a person needs emergency care while the Health Services Provider is not onsite.

The Department works hard to ensure that detainees and persons visiting Immigration Detention Facilities (IDFs) are treated with respect, dignity and fairness at all times.

The rules applicable to visiting IDFs have been implemented to prevent excluded, controlled and restricted items entering IDFs. The Australian Border Force strives to create a secure immigration detention network and a safe environment for detainees, visitors and employees, and implements policies, procedures and processes designed to mitigate identified risks.

Gifts are allowed, however, certain conditions apply. A list of excluded, controlled and restricted items is available on the Department's website and may provide guidance on what is and what is not permitted to be gifted to detainees. Details are available at <http://www.border.gov.au/about/immigration-detention-in-australia>.

Services provided at IDFs in Australia are subject to parliamentary scrutiny and accountability. IDFs are regularly visited by the Australian Human Rights Commission and the Commonwealth Ombudsman's Office, both of which can investigate complaints and advise the Department on possible improvements. The Australian Red Cross also conducts periodic humanitarian visits to all IDFs and provides the Department with recommendations.

Thank you for bringing your concerns to the Minister's attention.

Yours sincerely

