Dear Secretariat

I note certain press reporting of today's date concerning apparent ambiguity in roles and responsibilities of the AFP, NSW Police and DIMIA with respect to security incidents at the Villawood Detention Centre.

Whether the press reporting is accurate or not is of course questionable.

If however the reporting is accurate, it is noted that the "blame" for failing appear to be laid at the feet of the AFP or NSW Police. Potential problems of the type reported were clearly obvious many years ago and policing agencies (in particular) sought to have clearly defined roles, responsibilities and reporting lines established. Perhaps the inquiry ought have regard to certain historical events reported, for instance, in the Annual Report of the Australian Federal Police many years ago where, agreed protocols had been implemented which would, if followed, have averted the circumstances complained of.

Regards

Gordon Williamson

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Detention Centres

The AFP's role at immigration detention centres is to investigate referrals of serious or complex criminal activity within centres in accordance with the provisions of the AFP's Service agreement with DIMIA which was signed on 1 February 2002 and consistent with the AFP's section 37 (2) Ministerial Direction. The AFP has no role in providing security at immigration detention centres and is not resourced or trained to provide crowd control outside centres in the event of major disturbances or demonstrations.

The AFP is currently negotiating with DIMIA and the NSW Police regarding the development of a protocol that identifies the respective roles and responsibilities of the agencies in relation to the provision of policing services at Villawood Immigration Detention Centre in Sydney.

During the reporting period, the AFP investigated a number of serious or complex incidents at immigration detention centres around Australia. In the case of the Woomera Immigration Reception and Detention Centre (WIRPC) and the Port Hedland Immigration and Processing Centre, this has resulted in a significant commitment of limited AFP resources. This has inevitably impacted on the work that can be undertaken by Adelaide office and the AFP officer located in Port Hedland.

Referrals from the WIRPC accepted for investigation include arson, serious assaults, serious criminal damage and the investigation of possible criminal conspiracy in relation to escapes from the Centre. The AFP also organised and facilitated an operational debrief of all stakeholders involved in a major incident at the WIRPC during Easter 2002. The debrief sought to develop a coordinated response to this type of incident in the future and included representatives from the South Australia Police, the AFP, APS, DIMIA and AGD.

In recognition of the high quality service provided by the AFP, the Adelaide office received a letter of appreciation from the Minister for Immigration Multicultural and Indigenous Affairs for its response to serious disturbances at the WIRPC during December 2001-January 2002.

The AFP conducted a joint investigation with DIMIA into the escape in July 2001 of 46 detainees from the Villawood Immigration Detention Centre in Sydney. The focus of the AFP was to ascertain if there was a criminal conspiracy by any person outside the Detention Centre assisting the escape of the detainees. By 30 June 2002, 11 escapees had been recaptured.

IMMIGRATION DETENTION CENTRES

The AFP's role at immigration detention centres is to investigate referrals of serious or complex criminal activity within centres in accordance with the provisions of the AFP's service agreement with the Department of Immigration and Multicultural and Indigenous Affairs (DIMIA), signed on 1 February 2002, and with the AFP's s. 37 (2) Ministerial Direction.

The AFP has no role in providing security at immigration detention centres and is not resourced or trained to provide crowd control outside centres in the event of major disturbances or demonstrations (other than in the ACT where the AFP performs a community policing role). Generally speaking, less serious incidents such as common assaults, indecent assaults, self harm, racial vilification, minor damage to Commonwealth property and theft are the responsibility of DIMIA and/or the State police services.

The Villawood and Perth immigration detention centres (IDCs) mainly accommodate over-stayers, people in breach of the visa conditions, etc, while the Port Hedland, Baxter, Woomera and Curtin Immigration Reception and Processing Centres (IRPCs) were used primarily for unauthorised boat arrivals. During 2002-03, the Curtin and Woomera IRPCs centres were decommissioned.

As noted in last year's Annual report, the AFP has been negotiating with DIMIA and the NSW Police on the development of a protocol that identifies the respective roles and responsibilities of the agencies in relation to the provision of policing services at Villawood IDC in Sydney. The AFP and DIMIA have agreed the draft protocol. Once DIMIA and NSW Police have agreed it, it is anticipated that the protocol can be signed by all parties. Before finalisation of the draft protocol, the AFP has responded, in accordance with the draft protocol, to major incidents at Villawood IDC. A separate bilateral agreement between DIMIA and SAPOL is currently being finalised for the provision of specified policing services to IRPCs detention centres in SA.