

## **Follow up on recommendations made in s15 report on Silverwater transfer**

7 April 2014

In 2102 the Ombudsman published a s 15 report on the circumstances of [the transfer of 22 detainees from Villawood Immigration Centre to the Metropolitan Remand and Reception Centre at Silverwater](#) following the Villawood riots in April 2011.

The report made four recommendations, all of which were accepted by the Department of Immigration and Citizenship.

In its response to the report the department indicated how it had already taken steps to update its processes and procedures and how it would implement the Ombudsman's recommendations.

This office followed up the implementation of the recommendations with the department and in August 2012 it advised details of updates to the relevant procedures. These updates were noted and we informed the department that we would conduct a further follow up in six months to monitor how the revised procedures were being implemented.

In 2013 we asked the department for details of all people transferred from immigration detention facilities to correctional facilities in 2012 to observe if the revised procedures were being implemented, and if there were aspects of the procedures that required further review.

The department advised that there were five detainees who had been transferred to a correctional facility in 2012 and it provided details of:

- the notification of the transfer to the detainee, and/or their legal representative or migration agent, and how this notification was given
- the location of the correctional facility and the duration of their stay at this facility, and
- copies of each detainee's record showing details of all welfare checks, and all other contact between DIAC staff and detainees and their representatives.

Analysis of the information provided by the department satisfied the Ombudsman's office that the new procedures were being appropriately implemented, and that none of the shortcomings of the department's actions during the transfer of detainees in 2011 were in evidence in the subsequent transfers in 2012.

*Note: The original report is available on the Commonwealth Ombudsman's web site at the following web address: [http://www.ombudsman.gov.au/files/DIAC\\_Silverwater\\_report.pdf](http://www.ombudsman.gov.au/files/DIAC_Silverwater_report.pdf)*