

National Inquiry into Children in Immigration Detention 2014

Melbourne Public Hearing

Wednesday, 2 July 2014

<p>President</p>	<p>Thank you very much. Well if I may welcome Mr Cormack, Mr Cahill and Ms Katie Constantinou from the Department of Immigration and Border Protection to this inquiry. I thank you for patiently waiting. This is your second time that you've come to give evidence and I greatly appreciate it. We know that the questions we've been asking you take up a lot of your resources and we really appreciate that you've answered the questions as fully as you have. I just wanted to put it on the record as well that over the last few months of this inquiry we've had a very high level of cooperative work with the Department, with the support of the Minister and the Head of the Department and with a team set aside to help our inquiry to get to the factual basis on which the detention of children is being maintained. So we very much appreciate that and, in particular, if I may mention Katie Constantinou who's been with us on some of our detention centre visits, we've very much appreciated it and that's been helpful. We don't need to go over old ground but I think we do need to pick up some of the issues that have emerged as being critical ones from the evidence that we've been receiving. The one that I do want to return to is mental health of children and, in particular, the self-harm statistics. These, on the material that we have and in fact your departmental figures, these appear to be really unacceptably high levels of self-harm. My first question is what is the Department's strategy to prevent and respond to these rather alarming figures?</p>
<p>Mr Cormack</p>	<p>Thank you President. I'd like to make an opening statement if I could. Thank you for the opportunity to appear ...</p>
<p>President</p>	<p>Sorry I should have asked you in the first place. Thank you very much.</p>
<p>Mr Cormack</p>	<p>Thank you for the opportunity to appear at this second public hearing of the Department and on behalf of the Department of Immigration and Border Protection. If I could just introduce my colleagues, Ms Katie Constantinou, who is the acting First Assistant Secretary, Community Programmes and Children's Division; Mr John Cahill is the First Assistant Secretary, Infrastructure and Services Division, and I'm Deputy Secretary of the Department of Immigration and Border Protection. Before commencing we'd like to acknowledge the</p>

	<p>Wurundjeri people who are the traditional custodians of this land. I'd also like to pay respect to Elders past and present, and extend that respect to the Aboriginal and Torres Strait Islander peoples present here today. At the first public hearing, I outlined the significant body of work that the Department has undertaken in the 10 years since the previous inquiry in 2004. I spoke about the many improvements that had been made in the administration of immigration detention in Australia, including strength and models of governance, case management, service delivery and care. I also spoke about the introduction of more flexible accommodation options, such as immigration residential housing and about the introduction of community detention, which along with the greater utilisation of bridging visas has seen significant movements of children out of held detention over almost the last four years in particular.</p>
	<p>I also mentioned the Department's continuing commitment to the improvement of services and arrangements for children in detention, and while I cannot touch on all aspects of this improvement and work that has been undertaken since the last public hearing in this brief statement, I would like to focus on a few of those that I know have been of particular concern to the Commission and which are similarly important to the Department. While I cannot comment in this forum on the individual cases raised in the course of the inquiry, the Department has been transparent about its processes and diligent in working through any issues and concerns raised with us. Throughout the course of this inquiry, the Commission has been provided with comprehensive responses on over 200 individual cases raised. The Department has been also responsive to the thematic issues raised by the Commission. Where there is evidence to support the need for improvement, the Department has resolved these issues. The Department generally tries to ensure that a consistent standard is maintained across the immigration detention network, but recognises that the particular amenities and services provided at a facility will always depend on environmental and design factors, and on the particular profile of the people accommodated at the facility. I think the closing comments of the previous witnesses are good examples of that.</p>
	<p>Notwithstanding this, the Department remains open to feedback from the Commission regarding ways to improve the consistency of service delivery. The Department is aware that during the course of the inquiry the Commissioners had particular concerns regarding the health and mental healthcare to people provided in immigration detention and the ability of individuals to access medical services, and this was covered by the previous witnesses. I'm also pleased to note that since the last public hearing the Commission has met on two occasions with the Department and IHMS to further discuss and clarify its concerns regarding health and mental health service provision. The Commission has been provided with a large amount of information regarding IHMS's policies and</p>

	<p>procedures in data on health and mental health presentations and treatment. And I would encourage the Commission to continue to engage with the Department and IHMS to access the information it requires in order to be satisfied that the health and mental health services in place for families and children are appropriate and sufficient to meet care that is commensurate with Australian community standards.</p>
	<p>The Commission has been provided with a large amount of information across a range of issues through a notice issued on the Department. This includes raw data in relation to the number and ages of children in immigration detention, to policies and procedures of the Department and service providers and down to individual case files. Again, the Department encourages the Commission to continue to engage with us about this information in interpreting the data to have a sound evidence base for any findings or recommendations to be made in this inquiry's report. Both the Commission and the Department noted at the last hearing the need for improved education services on Christmas Island. The Commission is aware of the considerable work that has been done to establish services since this time and I'm pleased to note that the Department has reached agreement with the Catholic Education Office in Western Australia to provide education from kindergarten to Grade 12 for children in detention on Christmas Island, commencing in July for term 3 with an assessment team already undertaking the preparatory work. There's been a considerable reduction in the accommodation pressure on Christmas Island moving from 1500, approximately 1500 people, in family groups including 566 children, as at the 20 June 2013, to 484 people in family groups including 160 children 12 months later, as at 20 June this year. This has allowed much greater flexibility in the use of the facilities and I particularly note that the Aqua and Lilac facilities that were of concern to the Commission are no longer used to accommodate families and they are scheduled for closure later this year. The Department also recognises the impacts that longer durations of detention can have on individual's health and wellbeing and remains committed to moving people out of held detention arrangements where this is consistent with the legislative and policy framework. Since the last public hearing, 341 individuals have been moved from held detention to community detention including 171 children. In addition, 293 individuals have been granted a bridging visa and released from held detention, including 14 children. Since the last hearing, the Commission has raised with the Department a number of individuals who arrived after 19 July 2013 and are therefore subject to offshore processing. The Department has been open with the Commission regarding the policy implications for managing the placement of individuals who are subject to offshore processing. I would also like to again note, for the record, the Department's position that the accommodation and care of children and families at offshore processing centres</p>

	<p>do not fall within the scope of this inquiry and as such the Department will not discuss these matters at a public meeting.</p> <p>We would like to extend our thanks to the Commission and the President for inviting the Department to appear at this hearing and the previous hearing and look forward to any recommendations of the inquiry that will assist us in improving the services offered to children in immigration detention within the current legislative framework. My colleagues and I are very happy President to respond to your specific questions.</p>
President	<p>Thank you Mr Cormack and of course we are pleased that many of our concerns have been addressed directly by the Department and of course we while we of course are pleased to see two of the compounds closed at Christmas Island it does raise questions as to what the conditions are like where people are now have been to on Christmas Island, but perhaps we'll perhaps come back to that a little bit later. But where I would like to begin is the issue that you've acknowledged as well is this core problem of mental health and self-harm. We've had a lot of discussion about the level of self-harm incidents among children in closed detention over the last year including attempted suicides by unaccompanied children which of course is particularly distressing but also raises the point that the Minister is their legal guardian. So I would like to return then to the question what is the Department's strategy to prevent self-harm in children and to assist them when it's clear that they are, that incidents in relation to a particular child are arising?</p>
Mr Cormack	<p>Thanks President. As it's been described by IHMS earlier today mental and healthcare support through IHMS is provided by general practitioners, mental health nurses, psychologists and counsellors who are onsite at most of our facilities and psychiatrists are on a visiting basis all through external appointments. The Department's got four key policies applicable to mental health care and support and detention and these are: mental health screening identification and support for people who are victims of torture and trauma, the Psychological Support Program or PSP, and a range of mental health policies that apply to minors. So I won't go into the detail of each of those although I'm happy to, yet conscious of the time, but our approach, and I think the previous witnesses advised similarly, we contract the assessment and management of all of our health requirements of detainees to IHMS, which is a skilled international provider of such services. We rely on their advice. We rely on their guidance in relation to individual cases, in relation to community-wide matters in relation to public health and mental health issues. And our general approach is that consistent with the contract if a matter is raised that requires a change or a modification or an adjustment to the service level which could be due to the size of the population, the length of time that people have been spending in</p>

	<p>detention, the specific needs of individuals, we will either request or more often than not simply receive unsolicited advice from IHMS and then, in certainly all instances that I'm aware of, we have responded to those requests. So President we don't purport to be the experts in all matters of health mental health etc. although we do have access to many people who are, but our arrangement is to contract that to a skilled provider and through that arrangement we exercise our duty of care.</p>
President	<p>Well in that sense then you meet your acknowledged duty of care by simply contracting it out to a health care provider</p>
Mr Cormack	<p>No I didn't say that. What I said was that through the arrangements that we have in place, we take a range of advice on board from them. If they feel that there is a need to modify change or adapt the service offering we take that advice on board and respond accordingly and in so doing, that enables us to meet our duty of care.</p>
President	<p>And in meeting that duty of care, how do you report these incidents of harm to children to the Minister? What is the knowledge, a level of knowledge that he has?</p>
Mr Cormack	<p>We provide a range of information to the Minister. We have an incident reporting system which is a requirement of the contract we have with the detention services provider Serco. Within that incident reporting and monitoring system there is an agreed range of conditions or incidents or occurrences that are required under contract to be reported to us and they are generally reported on a real time basis, 24 hours a day, 7 days a week and each of those incidents is signed off by a senior officer and in most cases for the more significant incidents are signed off by a senior executive service member. We provide that information routinely through to the Minister and his staff. We also provide regular incidence and incidents - I should say it's 'ence' and 'ents', they are different things - reports through to the Minister. He gets those on a regular basis some of them on a regular basis, some of them on a weekly basis. And in addition we publish on our website, generally speaking, within 10 to 15 working days of the closure of the previous month a report on a range of detention related matters. So we believe that all matters, from some cases relatively minor, certainly through to significant incidents are appropriately brought to the attention of the Minister and we also, as you would be well aware President, we for specific cases that require specific consideration by the Minister for which we do not have an authority under our legislation to act as officials, we bring those matters to the attention of the Minister to seek, in many instances, his intervention or his decision to put in place a more appropriate care arrangement</p>

	for that individual.
President	One of the issues that people come back to quite frequently in their evidence, including from that of IHMS, is that one of the things that's led to increased numbers of, or mental health issues but particularly self-harm, is the sense of hopelessness that they have no half-way, as asylum seekers, they don't know when their claims are going to be assessed and/or they're concerned about the Government policy that after the 19 th of July they will not be moved into community detention and will not and never be resettled in Australia. I think we know now the impact of that uncertainty on asylum seekers and refugees, but perhaps what is also distressing is in sending people to Nauru there are continuing long delays in processing. Do you agree that this level of uncertainty is leading to high levels of psychological distress and, in some cases, mental illness and may be even self-harm amongst parents and ultimately children?
Mr Cormack	The way I'd respond to that President is to say that, and I think you've got abundant evidence available to you, but for the record I'll repeat it, I think there is a strong evidence base to suggest that the longer a person spends in detention the higher the incidence of a range of health conditions, so I'm not going to have any ... I have no challenge to that. In relation to the individual sub-components of that, the individual factors, the individual responses to specific Government policies. It's very difficult for us to provide any evidence that one way or the other that one particular factor or not is contributing to mental illness only to restate that it is clear that, from well-established medical evidence, that mental illness and mental health does suffer through extended periods of time in detention. I would also say that, specifically in relation to the amount of time it takes people to be processed off-shore in Nauru, it's actually, the average time is 10 months from entry into the system into the receiving of a determination. So it's actually quicker, President, in Nauru than it is ...
President	Hmmm, indeed, indeed. Perhaps you could give us the point of contrast? You're telling us 10 months in Nauru. How long in Australia?
Mr Cormack	It's difficult to, because there are different cohorts, there are people who arrived under a certain policy regime. For example, you'd be aware that people who arrived in Australia prior to August 2012 are subject to one set of refugee status determination processes. A second cohort are those that arrived from August 2012 up to just before July 19. There's a second set and then, of course, the third set, the ones that we've just referred to that are subject to offshore processing and settlement. So it's difficult to compare and contrast, and also the current delays in processing some of the cohorts that are in Australia, in the Australian system, are really due to matters that are not yet settled in Parliament

	between the House of Representatives and the Senate, and I'm sure you ...
President	Well I appreciate that there are different cohorts and it's not always easy to be absolutely precise in your answers, but I think perhaps you could confirm or otherwise the understanding that we have, that something like 25,000 people, at least in Australia, are yet to have their claims to asylum seeker refugee status assessed. Is that true?
Mr Cormack	I could get back to you with a more specific figure but they're certainly, and I think the Government's on the record here, that there is a significant backlog of people who had not had their asylum seeker claims progressed when they took office and there are still ...
President	Which is now, what 8, about 10 months ago?
Mr Cormack	Yeah, it's certainly over 20,000. I don't have the precise figure in front of me, but it's ...
President	Well what I'm trying to get to, and that's a different point from Nauru, and it is somewhat heartening that Nauru with its political and legal difficulties can nonetheless assess people within 10 months. We have people here who've been here for years, like in the time of this Government about 9 months when their claims are not even begun to be assessed. The relevance of that question goes to the mental health of the families and children, and we know that one of the reasons that mental health is deteriorating is partly the length of time, but as we've heard from the medical evidence, it's also a reflection of the uncertainty and hopelessness of the condition in which the people find themselves. So there is a very strong point of contrast between the curious better circumstances of off-shore processing in some respects, at least they get an answer, from the internal Australian position.
Mr Cormack	Well look, I think that that's not necessarily a valid comparison. The reason is this-the over 20,000 cohort that we're talking about, approximately 22,000 of those are not in detention.
President	Uhuh.
Mr Cormack	They're living in the community. So the numbers of people in held detention in the mainland is at an historic low President.
President	But is about four and a half thousand people held in closed detention.
Mr Cormack	No, it's not, no.

President	What is the number now?
Mr Cormack	On the mainland it's a little bit over 2,000 and on Christmas Island it is approximately 1,000, but my colleague will get the figures for you.
President	So about 3,000 we now have in closed detention?
Mr Cormack	Approximately that figure. We'll have precise figures...
President	So the figures that I quoted at the beginning of this inquiry have changed significantly since they were produced. I think in May, I think March figures?
Mr Cormack	Yes, that's correct and as I outlined in my opening statement, we have a significant number of people who have moved onto bridging visas, and at the time of the previous hearing that process was just really getting underway having paused for some time. So the numbers have decreased significantly in ...
President	So we have about 3,000 people then in closed detention at the moment on Christmas Island or the Australian mainland?
Mr Cormack	Yes, just over 3,000. I'll get you the precise figures.
President	Okay. Well that will be interesting, because there does seem to be a significant change from even a month ago on the figures that we understand. The question I'd like to move to then is we still have a number of people prior to 19 July who are still being held in closed detention and have not yet been moved into community detention or into the general community on bridging visas, and we also have statistical, or your own figures in fact that confirm that children, including of course their families, are being held for longer periods of time than has been the case in the past. Can you explain why we seem to have these very long delays now occurring?
Mr Cormack	Well there are a number of reasons for that, President. Many of the people that are still in held detention are subject to a policy regime that was introduced in August 2012 and continued up 'til July, I think would be July 19 2013, which determined that people who arrived after that commencement date would not be given any advantage in terms of having their processing simply by the fact that they arrived as UMAs. So the effect of that is to have a significant number of people already in held detention and there are a range of policy measures which the Government, the current Government, took to the election that have not been able to be progressed. And the consequence of that is that for a number of people in held detention and also a number of people in community detention and on bridging visas have not been able to have their processing commenced. So there's always a mix, President, of the overall UMA population that are in

	<p>held detention, community detention, bridging visas and typically the very large majority of the overall cohort are in the community on bridging visas. And so there's always been that mix but for a number of them, because they're subject to delays in the commencement of the rapid audit which was a Government policy commitment, that has led to increased period of time on a bridging visa in community detention or in held detention.</p>
President	<p>One of the observations that we've made in the nine visits we've been to detention centres is the very stark difference between the conditions that pertain in Australia in detention centres which, in the main and indeed overwhelmingly, are least acceptable given Government policy, the conditions are acceptable. But when we compare that with Christmas Island and I've obviously have not been to Nauru, that when we compare that with Christmas Island the conditions are vastly different, and we find families crammed together and so on. Do you accept firstly, that conditions on Christmas Island are significantly inferior to those available in Australia?</p>
Mr Cormack	<p>I think there are some specific regional factors at play, and I think that previous witnesses gave very good case study in relation to, well they basically cited the incidence of birthing and also access to optometry services. So Christmas Island is a remote part of Australia and its residents, its residents there, because they're part of a remote community have less access, or don't have the same timely access to services that people in the metropolitan areas do. So I think there are a number of unavoidable regional factors that will impact on accessibility of services. So I think that's, we have to work within that. Similarly, across our onshore footprint we have our onshore detention footprint.</p>
President	<p>Well I accept that it's four hours' plane ride from Perth.</p>
Mr Cormack	<p>Yes.</p>
President	<p>That's a long way. It's expensive. There's not a time difference of any great significance, but it's expensive, but I still need an explanation as to why you can't get glasses over 11 months, why there's no education for children on the island, why these things that have been pointed out time and time again have taken so long to address.</p>
Mr Cormack	<p>Well look, I think we're on the record, President, in relation to the education services. We acknowledged there'd been shortcomings and we've acted to remedy those, and effectively they will have a community standard education service in place from the beginning of the next term. So let's just acknowledge that. In relation to, you know, other services, we've heard from IHMS that there are certainly some improvements that can now be made, or that are being made</p>

	to access to optometry services, but we need to bear in mind that the community standard for the permanent residents of Christmas Island is they get to see an optometrist once a year unless they choose to fly to the mainland.
President	Because there's a difference that people who live on Christmas Island as part of a community choose to live there.
Mr Cormack	Yes.
President	These people are virtually imprisoned there in compounds in shipping containers.
Mr Cormack	Sure.
President	Not for a few weeks, but now increasingly towards a year.
Mr Cormack	Yeah.
President	They are totally, I would have thought, dissimilar.
Mr Cormack	And we acknowledge, and I think as IHMS acknowledged earlier, that there's a shortcoming there that is being rectified. We've also, on advice from IHMS, put in place a number of enhancements, telemedicine.
President	I'm sorry?
Mr Cormack	Telemedicine, video conferencing.
President	Oh, uhuh.
Mr Cormack	Which is a, you know, a well-established modality for providing healthcare, if you like, capital city standard healthcare, to people who live in rural and remote parts of Australia. So that's a measure that we've put in place, but you also need to recognise that it's unlikely for a population of 1,000 living in as remote a location as Christmas Island, it would ever be appropriate or safe to put in place a birthing service. It is far more effective and safer to have the arrangement that we've put in place there, which is we focus on good quality primary care, antenatal care, and then make arrangements to move women onshore in a timely fashion so that they can get access to good care.
President	Well I think it's the same point in relation to babies and mothers, but I'd like to talk a little bit more about the actual conditions in which children are being held for now, 11 months.
Mr Cormack	Sure. The conditions the children have been held in, in fact Christmas Island certainly up until certainly the last sort of five or six months, there was a rapid

	<p>explosion if you like, in the population of Christmas Island due to the highest ever number of boat arrivals on record and I think July and August of this, sorry of 2013, we saw record arrivals. We were able to deal with those arrivals through transferring some to the mainland, some to offshore processing centres, but there was a very significant pressure put upon a limited infrastructure. Now that the boats, there hasn't been a boat arrival since December-</p>
President	<p>This is really not an opportunity to get to the Government position – I am trying to get to what the circumstances are.</p>
Mr Cormack	<p>No no, I'm just trying to explain to you that since that time we've put in place an estate management plan where we've been able to look at the long-term requirements of our overall detention network. We were able to put in place a forward programme of investments and improvements, and indeed I mentioned in my opening remarks that two of the least suitable facilities, Aqua and Lilac, have effectively been decommissioned and we will be able to progressively improve the amenity, and that's assisted by less boat arrivals.</p>
President	<p>Then I want to come to grip ... sorry.</p>
Mr Cahill	<p>If you wish I can just add a little bit to that in terms of the particular investment at Christmas Island. So over the next 18 months or so we expect to spend another 14 million dollars or thereabouts in improving facilities there. There's quite significant work that's underway or commencing now that will provide, for example, a learning centre that has ten classrooms, a library, teachers' offices, multi-purpose play areas, assembly areas. We're looking at opportunities to provide facilities, cooking, kitchenettes, those sorts of things that will potentially allow some greater engagement by detainees in their own living arrangements. We've installed or are installing a range of additional recreation equipment, multi-purpose rooms, access to internet facilities, more and larger TV facilities. So there's a whole host of work that's going on at the present time, so Mr Cormack's comment about the situation that we're in where the population has stabilised and indeed declined, the opportunities that the Government has taken from the announced closures or the imminent closure of some eleven detention facilities provides the capacity now to look at those more significant investments, look at those locations, particularly at Christmas Island where certainly for a fairly extended period of time it's been operating at very high tempo in a surge sort of capacity, been very difficult even to do basic maintenance on facilities. So those opportunities now are there and we're certainly accelerating the programme that will improve living conditions.</p>
President	<p>Well I think of course we must acknowledge that there will be a new programme for education at Christmas Island. That's got to be acknowledged and it's</p>

	<p>important for the future. You're describing the very significant infrastructure investment that's being made for the future, and there are a lot of questions that arise as a consequence of that for the future. They're not quite where I want to go to for the moment, but I will ask you the question, does this mean that you expect that children will be held on Christmas Island for longer periods, even longer periods than currently is the case?</p>
Mr Cormack	<p>It doesn't mean that.</p>
President	<p>Is that the ... what does this mean?</p>
Mr Cormack	<p>No, it doesn't mean that at all. It just recognises that we need to, we can't assume that this ... we can't necessarily assume that because there's been no boat arrivals for the last six months that that's necessarily going to be the case for the future. So I think what we need to do is to make sure that we look at and plan appropriately for known requirements, and also contingency requirements for the future. So there is nothing in here that necessarily suggests that we are planning for a longer period of detention on Christmas Island. We are simply recognising, as Mr Cahill said, that we now have the opportunity to put in place many of the services in many of the facilities that have not caught up with the previous surge in boat arrivals so that we can in fact, while ever we have children in detention, we can provide the best possible environment, the best possible service and amenity for them and that's what we're trying to do.</p>
President	<p>Well I think that gives us at least some indication for the future that conditions will improve. My concern at the moment is what the current conditions are, but particularly in light of the role of the Minister as being the guardian for unaccompanied children. We are particularly concerned about exactly what the current conditions are. You've said that Aqua and Lilac have been closed and that has to be a good thing, but Construction Camp and Phosphate Hill, of course, leave a great deal to be desired as well. One thing that was very obvious to us and to others is that this is a very difficult environment. There is no grass, there's no shelter. There is dust, phosphate dust everywhere. The ground is full of sharp stones. The questions I'm asking is, is detention for a prolonged period on Christmas Island in the current conditions an acceptable environment for children to be sent to?</p>
Mr Cormack	<p>We recognise that we should be keeping people for the least possible period of time in a detention environment. We also recognise that as public officials, President, that we operate within the policy and legal framework set by the Government of the day. So Mr Cahill has outlined for you what we intend to do to remedy and improve the amenity, not just on Christmas Island, in fact there's a whole estate management programme that we're working through at the</p>

	moment and we aim to make it as liveable and the best possible amenity that we can.
President	But you haven't really answered my question. Are the conditions on Christmas Island at the moment acceptable for the detention of children over many months, if not more than a year?
Mr Cormack	We believe that with the improvements that we have put in place, in particular, the improvements in the educational arrangements and the opportunity that we have now have to decommission some of the less satisfactory accommodation, we believe that it is an acceptable and safe environment for children and it will be our aim to ensure that it remains that way. I think we had a very good description of the health service offering which I certainly believe is of a very good quality. I've spent 30 years of my life as an administrator in the healthcare system and I can assure you that the primary healthcare facilities now for Christmas Island ...
President	Well I think we've heard about the healthcare.
Mr Cormack	... are better than any remote setting that I've seen in Australia and indeed in many regional and rural settings.
President	Well that's a judgment you've made and clearly you have an interest in ensuring the contracts...
Mr Cormack	I am just keen to put evidence before you, you are interested in evidence President, I'm providing evidence.
President	Well I'm asking you the question, is it acceptable to have children held on Christmas Island in shipping bunkers, containers on stony grounds surrounded by phosphate dust in that heat with no education at the moment an acceptable environment into which to send children accepting for the moment that genuine efforts are being made to ensure proper health care. I should say an acceptance that's highly under challenge from the evidence that we are receiving but we will put that to one side at the moment, are the current conditions ones in which children could acceptably be sent for long periods of time?
Mr Cormack	We operate within the policy of the Government of the day, we put in place measures that recognise that there will be, consistent with Government policy requirement to detain children, and the last time I looked President, there was no container, they are containerised accommodation, they are not shipping containers.

President	Thank you very much, is that not a shipping container?
Mr Cormack	No it's not.
President	Well what is it then?
Mr Cormack	It's not, its modular accommodation. It is, well if you want to use these emotive terms this is modular accommodation
President	Is it an emotive term to say that these are shipping containers?
Mr Cormack	They are not shipping containers.
President	It's exactly the same design as a shipping container.
Mr Cormack	No it's not. Shipping containers don't have windows, they don't have doors, they don't have air-conditioning President. So you can call them shipping containers because it suits you...
President	But modified for the purposes of holding people.
Mr Cormack	No, they are containerised accommodation, they are modular accommodation, that's what they are. The fact that they have got the same shape as a shipping container is because it is used
President	And they are moved around like a shipping container.
Mr Cormack	Sorry?
President	They are moved around and readjusted like shipping containers.
Mr Cormack	Because it is in a remote environment and this is what is a service delivery you look at mining communities, you look at remote service delivery, you look at education, they all use containerised accommodation as a cost-effective, safe endurable form of accommodation.
President	So it is appropriate for a child to live in a container to use your language?
Mr Cormack	Well, they are living in appropriate accommodation.
President	Alright, well I have your answer. Now what I would like to do is move to a slightly different question. One of the issues we are concerned about of course is that children be in appropriate circumstances. We understand that there are about 700 places free in the Darwin Reception Centres and Detention Centres and we've been there on a couple of occasions. Would you agree that Darwin is

	a more appropriate place to detain children than Christmas Island?
Mr Cormack	Well, what I would say is the reason why we have a population on Christmas Island is that they are subject to transfer to an off-shore processing centre and we are progressively moving a number of adults and subject to the resolution of commitments that we've given for the remaining unaccompanied minors we will resume transfers to off-shore processing centres consistent with Government policy and we continue to transfer children.
President	That's not the question I asked, I said the 700 places that are currently free in Darwin, would that provide a more appropriate place to hold children. I am not asking about Government policy.
Mr Cormack	Well Government policy is that people
President	I don't want to know about Government policy, I want to know is Darwin a more appropriate place for children?
Mr Cormack	The policy of the Government is that illegal boat arrivals are managed at Christmas Island prior to transfer to an off-shore processing centre. That is the policy under which we operate.
President	What is the cost of holding a child or adult or most particularly a child you wouldn't have this figure particularly of a detainee on Christmas Island compared with holding them in Darwin.
Mr Cormack	I would have to take that on notice, I don't have those figures available.
President	You have it on notice already. We would like an answer to it.
Mr Cormack	Okay, you will get it but I don't have it here.
Ms Constantinou	We undertook to see if we could provide that information.
President	And you haven't provided it yet.
Ms Constantinou	We are still trying to ascertain how to break it down in that way
President	You don't know how much it costs per unit per child per adult to have them in Darwin versus Christmas Island? Why don't you know statistics like this? Don't your financial managers know how much it costs?
Mr Cormack	Look, we manage all of our services across the network, we don't manage our services on a per room, per location basis.

President	You can hardly dismiss this as just one element out of a broad policy.
Mr McCormack	I'm not dismissing it, we are saying we are taking the question on notice and will undertake to provide you.
President	Well, we have given it to you on notice, that is my point. We have given you notice about this question and I would like an answer.
Mr Cormack	Okay, you will get one but not now.
President	Well, when will I get an answer?
Mr Cormack	You will get it once we have been able to undertake the necessary analysis because it is not readily available information.
President	Is it a difficult question to answer? How much does it cost to have an individual held in Christmas Island, how much does it cost to hold them in Darwin? That cannot be too difficult.
Mr Cormack	Well, it can be and it is and it takes time to analyse that sort of information, once we have analysed it we will provide it.
President	Well, we have given you the question on notice and I would very much like to have an answer to it, because I think it is a relevant question, especially as I cannot get an answer to the question, is Darwin a more appropriate to hold children given that we have a capacity of 700 places and given what I suspect to be the case that it is significantly less expensive to hold those children in Australian facilities than it is to ferry them to Christmas Island and back..
Mr Cormack	You have asked for an opinion. I'm a public official and I deliver on the Government's policy, the Government of the day's policy, and that's my answer.
President	Alright, well I think we will leave it there. I think we will leave it there. Thank you for coming to this. Katie, would you like to make a point?
Ms Constantinou	I just wanted to come back to the question on notice about the number of people held in detention at the moment, its and I said just over 3,000, I do apologise it is approximately 3,600.
President	Three thousand and six hundred (3,600). You don't need to apologise because I know that these figures are very, very hard to pin down because the numbers are changing across the system. But to conclude then we have 3,600 in immigration detention totally, that is not counting of course Nauru.
Mr Cormack	That's right.

President	So that is in other words Christmas Island and Australian mainland. Thank you very much for appearing again, I know that it takes a great deal of work. Thank you very much indeed. Thank you we will reconvene at 2 o'clock if we may. Thank you very much.
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