



Australian Government

Department of Immigration and Border Protection

Attachment A

DECISION RECORD

Request Details

FOI Request FA 14/03/00204

File Number ADF2014/7696

Scope of request

I am seeking submissions to the REVIEW INTO ALLEGATIONS OF SEXUAL AND OTHER SERIOUS ASSAULTS AT THE MANUS REGIONAL PROCESSING CENTRE of September 2013.

Specifically I am, seeking written submissions to the inquiry by the health service provider IHMS.

I am also seeking a copy of the full report of the Review into the 19 July 2013 Incident at the Nauru Regional Processing Centre which reported on 8 November.

Finally, I am seeking any report or summary of oral submissions to the Nauru incident review by the interim joint advisory committee.

Following consultation with you on 1 April 2014, the scope was narrowed by you to include the following:

Written submissions to the inquiry by the health service provider IHMS and any report or summary of oral submissions to the Nauru incident review by the interim joint advisory committee.

Documents in scope

1. Submission by IHMS – containing 2 folios.
2. Minutes – Nauru iJAC teleconference – containing 7 folios.

Authority to make decision

I am an officer authorised under section 23 of the FOI Act to make decisions in respect of requests to access documents or to amend or annotate departmental records.

Information considered

In reaching my decision, I have considered the following:

- The *Freedom of Information Act 1982*;
- Departmental files and/or documents (identified above);
- The Australian Information Commissioner's guidelines relating to access to documents held by government;

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- The department's FOI handbook

Reasons for decision

I have considered the files within the scope of your request and applied exemptions in part or in full to documents as detailed in the Schedule of Documents. You should read the schedule in conjunction with the exemptions below.

s33 Documents affecting national security, defence or international relations

A document is an exempt document if disclosure of the document under this Act:

- (a) would, or could reasonably be expected to, cause damage to:*
 - (i) the security of the Commonwealth;*
 - (ii) the defence of the Commonwealth; or*
 - (iii) the international relations of the Commonwealth*

Submissions made by members of the Interim Joint Advisory Committee (IJAC) are exempt under s.33(a)(iii) of the FOI Act. The IJAC is a bilateral committee and the disclosure of information in this case may impact international relations of the Commonwealth. In particular, the minutes of the IJAC meeting discuss information sensitive to both Australia and its regional partners. I am satisfied that the information contained in that document is exempt in full.



Steven HOCKING
Assistant Director
FOI and Privacy Policy Section
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Department of Immigration and Border Protection
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28 May 2014



Australian Government

Department of Immigration and Border Protection

Attachment B

SCHEDULE OF DOCUMENTS TO DECISION RECORD

FOI Request FA 14/03/00204

File Number ADF2014/7696

1. Submission by IHMS – containing 2 folios.
2. Minutes – Nauru iJAC teleconference – containing 7 folios.

Departmental File:

Folio	Description	Decision	Legislation
1-2	Submission by IHMS	Release in full	
3-9	Minutes – Nauru iJAC teleconference	Refuse in full	s.33(a)(iii)

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Attachment C

EXTRACT OF RELEVANT LEGISLATION

Division 2—Exemptions

s33 Documents affecting national security, defence or international relations

A document is an exempt document if disclosure of the document under this Act:

- (a) would, or could reasonably be expected to, cause damage to:
 - (i) the security of the Commonwealth;
 - (ii) the defence of the Commonwealth; or
 - (iii) the international relations of the Commonwealth; or
- (b) would divulge any information or matter communicated in confidence by or on behalf of a foreign government, an authority of a foreign government or an international organization to the Government of the Commonwealth, to an authority of the Commonwealth or to a person receiving the communication on behalf of the Commonwealth or of an authority of the Commonwealth.

Note: See also subsection 4(10).

s4 Interpretation

- (10) To avoid doubt, information or matter communicated in the way mentioned in paragraph 33(b) includes information or matter so communicated pursuant to any treaty or formal instrument on the reciprocal protection of classified information between the Government of the Commonwealth, or an authority of the Commonwealth, and:
 - (a) a foreign government or an authority of a foreign government; or
 - (b) an international organisation.

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ATTACHMENT 8



Robert Cornall AO
c/o Department of Immigration and Citizenship
Level 2, North Building
6 Chan Street,
Belconnen, ACT 2616

2 September 2013

Dear Mr Cornall,

RE: Manus Island Review

Thank you for providing International Health and Medical Services (IHMS) with the opportunity to make a formal submission to you in relation to your review of sexual and other serious assault claims at the Manus Island Regional Processing Facility.

Our clinicians at site had extensive dealings with the individuals subject to the alleged assaults and with local stakeholders from DIAC, G4S and the Salvation Army. IHMS National Office staff have also been aware of the case and have had discussions and correspondence regarding the case with Detention Health Operations.

IHMS has taken a wide interpretation of the kinds of records appropriate for submission and have undertaken a document discovery process to all records and correspondence of relevance relating to allegations of sexual and other serious assaults that were reported to our staff between 21 November 2012 and 25 July 2013 at the Facility. Documents that have been submitted include:

- The complete medical record of the client who reported having been sexually assaulted on more than one occasion.
- Psychological Support Program Meeting Minutes. This is a daily meeting run by IHMS Mental Health and attended by all stakeholders which discusses any clients deemed at risk or vulnerable.
- Copies of the IHMS Critical Cases Register. This is a key communication document from IHMS to DIAC which summarises and highlights cases of concern.
- Emails between IHMS and DIAC resulting from escalation of concerns from site staff to National Office.

We understand that several IHMS staff have already given interviews as part of the investigation process and we would be delighted to provide any further information you may require.

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Yours sincerely,



Dr Mark Parrish

Regional Medical Director

International Health and Medical Services

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