



**Australian Government**  
**Department of Immigration and Citizenship**

27 September 2013

Mr Robert Patch  
Email: [foi+request-326-c769057b@righttoknow.org.au](mailto:foi+request-326-c769057b@righttoknow.org.au)

**In reply please quote:**

FOI Request FA 13/08/01274  
File Number ADF2013/28201

Dear Mr Patch

**Freedom of Information request – Decision on access request**

This letter refers to your request received on 28 August 2013 seeking access under the *Freedom of Information Act 1982* (the FOI Act) to the following documents:

*‘Incident Detail Report 1-2SOSIL from the Department's Compliance, Case Management, Detention and Settlement Portal. I also request any documents attached to the detailed report.’*

**Decision**

I am a delegated decision maker under Section 23 of the *Freedom of Information Act 1982* (the FOI Act). In reaching my decision, I have considered the following:

- The *Freedom of Information Act 1982*;
- Departmental files and/or documents (identified above);
- FOI Guidelines published by the Office of the Information Commissioner; and
- Relevant areas within the department

My decision is to release, in full, the documents within the scope of your request.

**Documents in scope**

- Incident Detail Report 1-2SOSIL.

**Review Rights**

**Internal review**

If you disagree with my decision, you have the right to apply for an internal review by the department of a primary decision to refuse access to documents you have requested.

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6 Chan Street Belconnen ACT 2617

PO Box 25 BELCONNEN ACT 2616 • Telephone: 02 6264 1111 • Fax: 02 6225 6970 • [www.immi.gov.au](http://www.immi.gov.au)

If you wish to make a request for internal review this must be sent within 30 days of being notified of the decision. Where possible please attach reasons why you believe review of the decision is necessary. The internal review will be carried out by an officer other than the original decision-maker and the department must make a review decision within 30 days. Applications for review should be sent to:

Post	FOI and Privacy Policy Section Department of Immigration and Citizenship PO Box 25 BELCONNEN ACT 2616
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Email	FOI@immi.gov.au
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### **Review by the Office of the Australian Information Commissioner**

You may apply directly to the Australian Information Commissioner for a review of my decision. The OAIC has advised that ‘...going through the agency’s internal review process gives the agency the opportunity to reconsider its initial decision, and your needs may be met more quickly without undergoing an external review process’. For more information please see FOI fact sheet 12 ‘Freedom of information – Your review rights’, available online at [www.oaic.gov.au](http://www.oaic.gov.au).

If you wish to apply for review directly to the OAIC you must apply in writing within 60 days of this notice. You can lodge your application in one of the following ways:

Post	GPO Box 2999 CANBERRA ACT 2601
or	GPO Box 5218 SYDNEY NSW 2001
Online	<a href="http://www.oaic.gov.au">www.oaic.gov.au</a>
Email	<a href="mailto:enquiries@oaic.gov.au">enquiries@oaic.gov.au</a>
Fax	+61 2 9284 9666
In person	Level 3, 25 National Circuit FORREST ACT
or	Level 3, 175 Pitt Street SYDNEY NSW

An application form is available on the OAIC’s website at [www.oaic.gov.au](http://www.oaic.gov.au). Your application should include a copy of the notice of the decision to which you are seeking review of, and your contact details. You should also set out why you are seeking a review of the decision.

### **How to make a complaint about the handling of your FOI request**

You may complain to the Australian Information Commissioner if you have concerns about how the department has handled your request under the FOI Act.

Your complaint must be in writing and must specify the agency you are complaining about. You can send your complaint to the Australian Information Commissioner using the details above. A complaint form is also available at [www.oaic.gov.au](http://www.oaic.gov.au).

If you are unhappy with the department's decision about giving or refusing access to documents, you should ask for the decision to be reviewed, which is a separate process which has been outlined in the previous section.

### **Client Service Charter**

Our Client Service Charter explains our service commitment to you. We are committed to service delivery that is timely, open and accountable, and responsive to your needs. The Charter explains how you can help us and how you can provide feedback or make a complaint. You can read our Client Service Charter on our website, or in a printed copy available from any of our offices.

### **Service satisfaction**

The department remains committed to ensuring that all clients, both in Australia and overseas, receive not only fair and reasonable treatment, but also an efficient standard of service that is sensitive to each client's needs.

To provide a compliment, complaint or suggestion to the department you can:

- telephone the Global Feedback Unit (toll-free within Australia) on 13 31 77 during business hours
- complete a feedback form online at [www.immi.gov.au](http://www.immi.gov.au)
- write to:  
The Manager  
Global Feedback Unit (DIAC)  
GPO Box 241  
MELBOURNE VIC 3001  
AUSTRALIA
- contact us directly through any of our offices.

If you wish to discuss this matter, I can be contacted using the details provided below.

Yours sincerely



Mel Heggart  
PN 60008303  
FOI Case Officer  
FOI & Privacy Policy  
Department of Immigration and Citizenship

Telephone 02 6264 3131  
Facsimile 02 6264 1818  
Email [FOI@immi.gov.au](mailto:FOI@immi.gov.au)

### **Attachment:**

- Incident Detail Report 1-2SOSIL.

## **CLIENT SERVICE INFORMATION**

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- write to:  
The Manager  
Global Feedback Unit  
GPO Box 241  
Melbourne VIC 3001  
Australia
- contact us directly through any of our offices.



**Australian Government**  
**Department of Immigration and Border Protection**

**DECISION RECORD**

**Client Details**

FOI Request FA 13/08/01274  
File Number ADF2013/28201

**Scope of the request:**

*'Incident Detail Report 1-2SOSIL from the Department's Compliance, Case Management, Detention and Settlement Portal. I also request any documents attached to the detailed report.'*

**Documents in scope**

- Incident Detail Report 1-2SOSIL.


**Information considered**

I am a delegated decision maker under Section 23 of the *Freedom of Information Act 1982* (the FOI Act). In reaching my decision, I have considered the following:

- The *Freedom of Information Act 1982*;
- Departmental files and/or documents (identified above);
- FOI Guidelines published by the Office of the Information Commissioner; and
- Consultation with relevant areas within the department.

**Reasons for decision**

My decision is to release, in full, the documents within the scope of your request.

 <b>Australian Government</b>	<b>Sensitive</b> <b>Incident Detail Report</b>	
<b>Department of Immigration and Citizenship</b>	As at 16/08/2013	

### Incident Summary

Incident Number:	1-2SOSIL	DIAC Notified:	21/11/2009 08:55:00 PM
Type:	Disturbance - Major	DIAC Notified By:	MARK BONACORSO
Level:	Major	DIAC Contact:	MICHAEL FRITSCHY
Version:	2	Initial Release On:	22/11/2009 08:08:57 AM
Status:	Closed	Version Released On:	26/11/2009 05:31:51 PM
Location:	North West Point Immigration Facility	Transport ID:	
Occurred On:	21/11/2009 08:50:00 PM	Sensitive:	N
Informed By:	Service Provider Staff	Summary:	On Saturday the 21st of November 2009 at 8.50PM a physical confrontation took place between approximately 150 Clients of both Afghanistan and Sri Lankan nationalities. This Incident lasted for approximately 30 minutes.
Informed On:	21/11/2009 08:50:00 PM	Organisation:	Serco
Location Details:	Green 1 compound, Green Heart area North West Point Christmas Island.	CCTV Recording Number:	

### Incident Details

Version: 1      Created On: 22/11/2009 09:19:03 AM      Created By: MARK BONACORSO

Report generated by ROWAN  
PATTERSON on Friday  
16/08/2013, 9:50:17 AM


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**Sensitive**

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Freedom of Information Act 1982

 <b>Australian Government</b> <b>Department of Immigration and Citizenship</b>	<p style="text-align: center;"><b>Sensitive</b></p> <h2 style="text-align: center;">Incident Detail Report</h2> <p style="text-align: center;">As at 16/08/2013</p>	
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**Description:** On Saturday the 21st of November 2009 at 8.50PM a physical confrontation took place between approximately 150 Clients of both Afghanistan and Sri Lankan nationalities. This Incident lasted for approximately 30 minutes. This incident followed a smaller incident at 1630hours on the 21st of November within Green 1 involving both Sri-Lankan and Afghani Clients of which a number of clients were involved.

The Incident at 8.50PM started within Green 1 Compound involving numerous clients from different Compounds but it was between only Afghanistan and Sri Lankan nationalities. Clients within Green 1 compound began to strike each other with plastic outdoor chairs and sticks.

Staff attended the location and attempted to intercede but the sheer volume of clients prevented this taking place. All roller doors were secured within North West Point in a attempt to cease further involvement from other Clients and ensure the safety of clients not involved.

Clients forced the roller doors within both Green 1 and Green 2 compounds and had propped this open with chairs to allow more clients to become involved.

Staff members attempted to disarm clients and withdraw clients to safe areas as the situation spilled into the Green Heart area, approximately 150 clients from both nationalities continued to strike each other with chairs and tree branch?s that they had pulled from trees within the compounds and Green heart.

A number of Afghanistan clients who where in the Green Heart area as the disturbance spilled from Green 1 compound armed themselves with branch?s and poles from soccer nets that were destroyed.

Staff disarmed clients and at the same time moved others not involved and injured clients to safe locations. The situation within the Green Heart continued as the Sri-Lankan clients attempted to strike and isolate groups of Afghanistan clients from the main group of about 50 Afghanistan clients who were moving toward property and Medical. Staff members interceded on a number of occasions in attempts to take weapons from clients and protect injured or isolated clients from harm or further injury.

The situation ended when all Afghanistan clients had been isolated from the Sri-Lankan clients. The Sri-Lankan clients then made there way to the middle of the Green Heart and refused to return to there accommodation areas.

Staff members then continued to take sticks and poles from the clients which where secured, staff members then began to attend to injured clients within numerous areas a total of 37 Clients the majority being Afghani clients were transported to medical, at 0340 hours this morning 16 Clients were at Christmas Island Hospital some who will remain but of which a majority will return to North West Point.

Three staff members were injured within this incident. Australian Federal Police attended North West Point and began to process evidence in relation to this incident.

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16/08/2013, 9:50:17 AM


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Staff members at 0200 hours began to move clients from alternate locations back to there compound. Afghani clients still have not been placed back into Green 1 and Green 2 compound and this will not happen until dayshift on the 22nd of November 2009.

All Afghani clients from Green 1 and Green 2 have been housed with Education 3.

More to follow.

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