

From: s 47F
To: s 22
Cc: s 22 ; s 22 ; [National WHS](#)
Subject: Follow up on notification issue - Manus incident [DLM=For-Official-Use-Only]
Date: Monday, 22 May 2017 11:19:12 AM

For-Official-Use-Only

Dear s 22

I am just following up on some discussions that s 47F had with s 22 over the weekend.

s 47F asked s 22 (via email) to confirm that Comcare's assessment of notification status remains the same as ours and earlier advice from s 22 as the Inspector (ie indicating the matter was not notifiable).

s 47F had an initial response from s 22 (via text message) advising that is his understanding and he committed to check with you and get back via email. I understand s 47F has not yet received an email response, hence the follow up with you.

I'll also give you a call to follow up on this email.

Thanks
s 47F

Dr s 47F
Director National Work Health and Safety
Work Health and Safety & Enterprise Branch | People Division
Corporate Group
Department of Immigration and Border Protection
P: s 47F | M: s 47F
E: s 47F

s 22

For-Official-Use-Only

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From: s 47F
To: s 22 ; s 22
Cc: s 22 ; s 47F s 47F
Subject: For clarification pls: Update - DIBP Inspections - Offshore [DLM=Sensitive]
Date: Monday, 26 February 2018 10:06:19 PM
Attachments: [5 Dec 2017 - s 22](#) - [DIBP - Offshore Inspections.docx](#)

Sensitive

Dear s 22 and s 22

We have taken a question on notice tonight s 33

Before your estimates and to ensure consistency in responses – can you please confirm that the Comcare inspector report is still outstanding for this issue, and if, as we understand it was not notifiable, can you confirm if there will be a final report?

And if there is a report, do you have an estimated time for Home Affairs to receive. I note we are meeting tomorrow with s 22 and s 22 but I thought I'd follow up with you tonight – if s 22 can provide an update tomorrow that would be good.

Thanks
s 47F

Sensitive

From: s 22
Sent: Tuesday, 5 December 2017 11:40 AM
To: s 47F
s 47E(d) s 47F

Cc: s 22

Subject: Update - DIBP Inspections - Offshore [DLM=Sensitive]

Sensitive

Hi s 47F,

Update - Comcare (s 22) - DIBP Inspections Offshore

s 22

s 22

s 22

If you need to communicate anything in my absence please don't hesitate to contact either Director s 22 or Assistant Director s 22

My very best wishes!

s 22

Senior Inspector
Regulatory Operations Group
ACT Inspectorate
Inspector Appointed under the Work Health and Safety Act 2011
ps 22 M s 22

GPO Box 1993, Canberra, ACT 2601
1300 336 979 www.comcare.gov.au

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SENSITIVE

5 December 2017

s 22 – DIBP – Offshore Inspections:

Comcare Reference	Date Action Commenced	Who Notified	Name of Transferee	S 231 Referral – Yes / No.	Draft Complete – Yes / No	Under Review – Yes / No
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s 22

SENSITIVE

s 22

MC00000117	18/4/2017	WHS Concern / Media.	Manus Is. Good Friday Shooting Incident.	No	Yes	Yes
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SENSITIVE

SENSITIVE

s 22

Inspector

From: [s 47F](#)
 To: [s 22](#)
 Cc: [National WHS; DIBP Point of Contact](#)
 Subject: FW: DIBP RESPONSE to Comcare Intervention MC00000117-NT01 - DIBP - Attack on Manus Island (MI), Regional Processing Centre (RPC) - 14 April 2017 [DLM=Sensitive:Legal]
 Date: Wednesday, 31 May 2017 1:03:36 PM
 Attachments: [s155 Notice - DIBP - Manus Island shooting Incident - 14 April 2017.pdf](#)
[TMM-3050-SA-0001 Work Health & Safety Management Plan .pdf](#)

Sensitive:Legal

Dear [s 22](#),

Please find below and attached the Department’s response regarding: **Comcare Intervention MC00000117-NT01 - DIBP - Attack on Manus Island (MI), Regional Processing Centre (RPC) - 14 April 2017**

NOTE: The Department expressly request that Comcare treat the below information as need-to-know and asks that any requests for further dissemination be consulted with the Department prior to any release. This matter remains under investigation by the [s 33](#) and a separate [s 33](#) enquiry. Information detailed below provides context to operations planned and underway to mitigate risk and ensure the good order of the centre.

I can confirm that I am a duly authorised representative of DIBP to provide the information sought in the s155 Notice for **MC00000117-NT01**. I acknowledge that the information provided below in response to the fore mentioned notice will be used by yourself, Inspector [s 22](#) to assess compliance with the *Work Health and Safety Act 2011* (Cth).

In response to the s155 notice for **MC00000117-NT01** the below is provided in response to Items 1-3 of Attachment A of the s155 Notice. One document has been provided in support of this response and is reference below. *TMM-3050-SA-0001 Work Health and Safety Management Plan*, is a supporting document provided against Item 3 of the s155 Notice.

Prior to the events of 14 April 2017 the Department had a number of measures in place to mitigate the risks associated with its role within the Manus RPC. These included, but were not limited to:

- Fortnightly Centre Security Committee meetings (this committee will be amalgamated as per action item 1 in the table below).
- Fortnightly Joint Intelligence Group meeting (this committee will be amalgamated as per action item 1 in the table below).
- Emergency Command Organisation.
- Onsite EAP services for workers (including interpreters). Onsite support is scheduled for a week each month and this is monitored and evaluated for any additional needs. The periodic on site EAP presence is supplemented by EAP support available by telephone and online.
- Centre risk assessment (this is currently under review as per action item 16 in the table below).
- Emergency protocols and processes which were enacted during the event of 14 April 2017 and proved to be successful in protecting the safety of workers and residence within the RPC.
- Work Health and Safety Management Plan [s 47G](#) – reviewed annually in August) – Regional Processing Centre Manus Island, attached at *TMM-3050-SA-0001 Work Health and Safety Management Plan* (currently under review following incident).

As Comcare are aware, the Department, and its contractors, are currently supporting the [s 33](#) to make arrangements for centre closure. The closure of the centre will bring to an end the Department’s business or undertaking (to the extent it has one) in relation to the centre. Until such time and following the events of 14 April 2017, the Department is working in collaboration with the [s 33](#) and stakeholders to eliminate and/or minimise the risk(s), within our control, to protect RPC residents and workers in the RPC on Manus Island. Action continues to be considered as further investigations progress and as we move closer to centre closure. The below table provides a summary of actions to-date following the incident of 14 April 2017.

Risk Event	Risk Treatment			How will implementation be monitored?	Implementation Status
	Treatment Action	Accountable	Completion Date		
Dangerous incident - outside perimeter threat	s 33	1. s 33	1. 31 May 2017	1. Fortnightly meetings, standing agenda and minutes 2. Contract reporting and monitoring 3. Contract reporting and monitoring 4. Contract reporting and monitoring 5. Ongoing communications 6. Ongoing communications 7. Briefings 8. Briefings	1. In progress
		2. s 47G	2. 16 June 2017		2. In progress
		3. s 47G	3. 31 May 2017		3. In progress
		4. s 33	4. 31 May 2017		4. In progress
	s 47G	5. s 33	5. 16 June 2017		5. In progress
	s 47G	6. DIBP & s 33	6. Ongoing		6. Ongoing
	s 47G	7. DIBP & s 33	7. Complete		7. Complete
		8. s 33 , DIBP, s 47G Wilsons & s 33	8. Complete		8. Complete
Dangerous incident - inside centres	5. Additional security contracts to be put in place by s 33			9. s 47G and Offshore Operations contract management	9. Ongoing
	6. Regular discussions with s 33			10. s 47G and Offshore Operations contract management	10. In progress
Heightened tensions between different cohorts	7. Secretary meet with s 33			11. s 47G and Offshore Operations contract management 12. Committee meetings and engagement with s 33	11. Complete
	8. s 33 meet with DIBP, s 47G Wilson, s 33				12. Ongoing
High risk behaviour outside the perimeter	13. s 33	11. s 33 and contractors	11. Complete	13. s 33 updates and regular information meetings/exchange 14. s 33 updates and regular information meetings/exchange	13. Pending
	14. s 33	12. s 33	12. Ongoing		14. Pending
Violent and disruptive	15. s 33	13. s 33	13. 30 June 2017	15. s 33 updates	15. Pending

protest action and behaviour outside the perimeter	s 33		ongoing	and regular information meetings/exchange	
Safety and security threat	s 47G	16. DIBP & s 47G	16. Ongoing	16. Offshore Operations ^{s 47F} and Offshore Contract Management (SMB)	16. Ongoing
Psychological impact	17. Need for additional onsite EAP services needed for workers (additional services put in place following the event and to be monitored for ongoing need and/or amendments) 18. Ongoing provision of welfare services for residents and transferees.	17. DIBP 18. s 33 and contractors	17. Ongoing review of need 18. Ongoing	17. Committee meetings and evaluation of needs 18. Contractor reporting and Offshore Operations contract management	17. Ongoing 18. Ongoing
Access to weapons	19. s 33	19. s 33	19. Complete	19. s 33	19. Complete

The Department continues to work closely with the s 33 and stakeholders to ensure appropriate measures are being put in place following the incident of 14 April.

The Department considers that the above provides a complete response to the information sought in Attachment A of s155 MC0000117-NT01.

Kind regards,

s 47F

Assistant Director
National Work Health & Safety
Work Health and Safety & Enterprise Agreement Branch | People Division
Corporate
Department of Immigration and Border Protection
P: s 47F | M: s 47F
s 22

E: s 47F
South Building, Level 1, 6 Chan Street Belconnen ACT
Safety through systems – Not by chance!

Sensitive: Legal

Sensitive: Legal

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REQUIREMENT TO PROVIDE INFORMATION AND/OR DOCUMENTS

This notice is issued under sub-section 155(2)(a) and 155(2)(b) of the *Work Health and Safety Act 2011* (Cth) (**WHS Act**). This notice requires the person to whom it is issued to produce requested information and/or documents. **Further information is detailed on the back of the notice.**

NOTICE ISSUED TO:		Notice number:	MC00000117 – NT01
Name of person:	Commonwealth of Australia, in right of the Department of Immigration and Border Protection (DIBP) care of its 'competent officer'		
ABN:	33 380 054 835	ACN:	380 054 835
Trading as:	Department of Immigration and Border Protection		
Address line 1:	6 Chan Street		
Address line 2:	Belconnen, ACT 2617		

REGARDING:

Comcare's current investigation into the circumstances surrounding the incident at the Manus Island Regional Processing Centre (RPC) on 14 April 2017, when it appears that shots were fired into the RPC and Papua New Guinea (PNG) locals and RPC residents engaged in violent behaviour, resulting in injuries to RPC residents and workers (the incident).

Specifically, this notice requires the provision, pursuant to s 155 of the *Work Health and Safety Act 2011* (Cth) (**WHS Act**) of information and documents regarding the action that DIBP has taken and proposes to take to ensure, as far as reasonably practicable, the health and safety of the RPC residents and workers.

The information and/or documents requested in this notice were first requested from DIBP on a voluntary basis on 19 May 2017.

This notice is for the purpose of assisting Comcare to monitor or enforce the DIBP's duties under the **WHS Act** in relation to DIBP's business or undertaking at the Manus Island RPC.

Comcare has reasonable grounds to believe that DIBP is capable of giving information and/or producing documents to assist Comcare in relation to a possible contravention of the **WHS Act** or that will assist Comcare to monitor or enforce compliance with the **WHS Act**.

I, **s 22** am an Inspector appointed under section 156 of the **WHS Act**. I require DIBP to give me the information and/or produce to me the documents described below in accordance with sections 155(2)(a) and 155(2)(b) of the **WHS Act** by **5 pm on Tuesday 30 May 2017**.

INFORMATION/DOCUMENTS REQUIRED:

1. Refer to the information and documents set out in **Attachment A** to this Notice.
2. Provide the following information:
 - a) A letter or statement signed by a competent officer stating they are authorised by 33 380 054 835, for the purposes of section 155 of the **WHS Act**, to provide the documents and information sought in this Notice
 - b) A letter or statement signed by the competent officer that contains the responses to each numbered requirement of this Notice for which information is to be provided.
 - c) A letter or schedule signed by the competent officer that identifies which documents are produced in response to each numbered requirement of this Notice. The letter or schedule is to include a brief description of the title or content of each document.
 - d) If you provide no document/s in response to a numbered requirement of this Notice that requires a document to be produced, provide information in the required schedule stating why you have not done so.
 - e) Where you are aware of the existence of a document which is not held by you but is held by another party, and would be required to be produced if it was held by you, provide information in the required schedule which includes a description of the document and the name/s of the party or parties you believe hold the document.

DJA

ISSUING INSPECTOR:

<p>s 22</p> <p>(Signature)</p>	<p>Inspector name: s 22</p> <p>Inspector ID number: 124</p> <p>Phone Number: s 22</p>
<p>DATE OF ISSUE: 26 MAY 2017</p>	<p>Respond via:</p> <p><input checked="" type="checkbox"/> Email address: Enter text</p> <p><input type="checkbox"/> Delivery address (by hand): Enter text</p> <p><input type="checkbox"/> Postal address: Comcare, GPO Box 1993, CANBERRA, ACT, 2601</p>

ATTACHMENT A: INFORMATION/DOCUMENTS REQUIRED

1. A summary of the actions DIBP has taken (or which have been taken on its behalf) since the incident, to identify interim control measures to address the risks associated with violent incidents of this kind;
2. A summary of the planned actions to be taken by or on behalf of DIBP to ensure that the risks associated with violent incidents of this kind, are controlled so far as is reasonably practicable at the Manus RPC, in the long term.
3. Provide any supporting documentation in relation to the above.

DJA.

RELEVANT LEGISLATION

Section 155

Comcare has power to obtain information under s155 of the WHS Act. An appointed Comcare Inspector is delegated this power under s154 of the WHS Act.

Section 155(2)(a) of the WHS Act requires the information requested in the notice to be provided in writing and signed by the individual and/or body corporate to whom the notice was issued to.

Section 155(2)(b) of the WHS Act requires the documents if requested in the notice to be produced.

Section 172

Under s172 of the WHS Act, an individual (and/or a body corporate) is not excused from providing documents or information on the ground that the documents or information may tend to incriminate or expose that individual to a penalty. However, if an individual provides documents or information in response to this notice, it will not be admissible as evidence in civil or criminal proceedings against that individual. Furthermore, any information, document, or thing obtained as a direct or indirect consequence of an individual providing documents or information in response to this notice will be inadmissible as evidence in civil or criminal proceedings against that individual.

This immunity does not apply to bodies corporate or politic.

Section 269

This notice does not require a person (whether an individual, body corporate or body politic) to produce a document that would disclose information, or otherwise provide information, that is the subject of legal professional privilege.

A legal practitioner may be consulted for further information regarding obligations, requirements and what constitutes legal professional privilege.

DEFINITIONS

Document means any record of information, and includes: anything on which there is writing; and anything on which there are marks, figures, symbols or perforations having a meaning for persons qualified to interpret them; and anything from which sounds, images or writings can be reproduced with or without the aid of anything else; and a map, plan, drawing or photograph.

Information has its ordinary meaning and means information as referred to in sections 155(1) and s155(2)(a) of the WHS Act.

Provide in regard to providing documents, means produce complete, accurate and legible copies of the documents, and where colour has a particular meaning, significance or purpose in the document, provide colour copies.

Provide in regard to providing information, means to provide information of which the person has knowledge, in a written response under the signature of a competent officer and in any other manner specified in this Notice.

PENALTIES

You must comply with this notice within the period specified, unless you have a reasonable excuse not to do so. Failure to comply with this notice may incur a maximum penalty of:

- \$10 000 for an individual
- \$50 000 for a body corporate.

PRIVACY STATEMENT

Your privacy is important to us. We will only collect, use or disclose personal information in accordance with the *Privacy Act 1988* (Cth) and if it is reasonably necessary for, or directly related to, one or more of our functions, powers and/or activities. These include functions and activities under the *Safety, Rehabilitation and Compensation Act 1988* (Cth), the *Work Health and Safety Act 2011* (Cth) (**WHS Act**), the *Seafarer's Rehabilitation and Compensation Act 1992* (Cth), and the *Asbestos-related Claims (Management of Commonwealth Liabilities) Act 2005* (Cth). If Comcare does not collect personal information from you, for the purposes of its legislated functions or related functions, we may not be able to respond appropriately.

Comcare is the Commonwealth agency authorised by the WHS Act to collect personal information relevant to the exercise of functions and powers under the WHS Act, *Work Health and Safety Regulations 2011* and the administration and evaluation of Comcare's WHS programs. Any personal information collected in these forms will be used for those purposes.

In exercising our functions and powers, we may disclose personal information, subject to confidentiality of information provisions under the WHS Act, to the following bodies and agencies, including but not limited to:

- Comcare's internal and external legal advisers
- the Safety, Rehabilitation and Compensation Commission
- a court or tribunal
- state or territory work health and safety regulatory agencies
- personnel engaged by Comcare to conduct research related activities
- enforcement agencies or bodies
- state and territory Coroners
- Commonwealth, state or territory industry regulators
- any other person assisting Comcare in the performance of its functions or exercise of its powers, including contractors and consultants
- any other person where there is an obligation under law to do so (for example but not limited to, responding to the direction of a court to produce documentation).

For further information on how Comcare handles personal information, please read our Privacy Policy on our website. To request a change to your personal information or to make a complaint, please phone or email us at privacy@comcare.gov.au.



Work Health & Safety (WHS) Management Plan

Immigration Contract - Manus Island

ABF - Regional Processing Centre

August 2016



ABF - Regional Processing Centre – Manus Island
Work Health and Safety Management Plan
 TMM-3050-SA-0001

Revision	Description	Prepared by:	Approved by:	Date
A	Draft Plan	s 47F		31/01/2016
0	Final	s 47F	s 47F	February 2016
1	Updated to reflect processes on site	s 47F	s 47F	August 2016
2	Updated Scope, typos, provided context to Legal and Other Register.	s 47F	s 47F	September 2016



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Work Health and Safety Management Plan

TMM-3050-SA-0001

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1 Purpose & Scope

1.1 Site Contacts

Name	Title	Contact Number
Various	Principal HSE Advisor	s 47F
s 47F	HSE Manager	s 47F
s 47F	Executive Manager HSEC	s 47F
Wilson Control	Wilson Control	+675 7090 6900
s 47F	Operations Manager	s 47F

1.2 Purpose

The purpose of this Workplace Health & Safety Management Plan (WHSMP) is outline the management of WHS activity for the Manus Immigration Regional Processing Centre.

1.3 Scope

The Scope includes:

- ▶ Broadspectrum employees, contractors, visitors and others under Broadspectrum's operational control
- ▶ "Others" in the workplace include Residents in our care.

Out of Scope includes:

- ▶ Activities out of Broadspectrum's operation control and/or not directly contracted to Broadspectrum, e.g. International Health and Medical Services (IHMS) activity.
- ▶ Although "other" stakeholders are not controlled by this WHS Plan, they are still bound by the requirements in the Workplace Health and Safety Act 2011.

1.4 Project Description

Broadspectrum is contracted to provide Garrison Services in support of the ABF operation on Manus Island. The services include:

- ▶ Security and Intelligence
- ▶ Logistics (including freight, transport, stores)
- ▶ Environmental services (including waste, cleaning, pest and vermin, grounds)
- ▶ Catering Management & Accommodation support services
- ▶ Asset Maintenance and Management
- ▶ Care & Welfare.



3 HSEC Legal & Other Requirements

3.1 Legal and Other Reference Register

The HSE Manager is responsible for maintaining the Immigration Legal & Other Requirements Register.

A summary of the relevant Legislation and other requirements that apply, or may impact BroadSpectrum during the Contract can be found in the Legal & Other Obligations Register.

This WHS Plan has been developed in accordance with OHSAS 18001:2007 Occupational Health & Safety and AS/NZS 4801:2001 Occupational Health and Safety Management Systems.

3.2 Contract Requirements

The HSE Manager will consider contract requirements in the development of the Legal & Other Requirements Register.

3.3 Document Control

The Document Controller will record the following in the revision history box (front page of this document):

- ▶ sign off of this version of the WHSMP;
- ▶ their acknowledgement of all changes made in this revision on the WHSMP; and
- ▶ Acceptance by ABF.

BroadSpectrum utilises an intranet-based system, "INFORM", to control technical documents, including all documents subject to revision and approval, e.g. procedures, and forms.

The HSE Manager will maintain a Document Review schedule to ensure all relevant documents are current and accurate.

3.4 Control of Records

The HSE Manager will maintain a register of minimum WHS records. All employees must ensure records generated under their control shall be identified, collected and stored in accordance with BroadSpectrum's quality system, e.g.:

- ▶ Management review minutes and agendas
- ▶ Internal and external audit reports
- ▶ Incidents, non-conformance, complaints, corrective action reports
- ▶ Training records
- ▶ Maintenance reports on environmentally significant systems.

Reference:

[TMP-0000-QA-0005](#)

Document Control Procedure

[TMP-0000-QA-0016](#)

Filing & Records Control

[TMP-0000-SA-2008](#)

HSE Legal Requirements ID, Action and Review Procedure

4 Hazard Identification & Risk Management

4.1 HSEC Hazard Management

The Service Line Manager is responsible for maintaining their Hazard Register in consultation with the Principal HSE Advisor and other relevant stakeholders to determine the safety aspects and impacts, and to identify the risk profile.

The Operations Manager shall approve the Hazard Register.

4.2 Job Analysis/Job Start

The Service Line Manager must ensure Safe Work Method Statements (SWMS) are developed for high risk activities and Job Starts are utilised for medium and low risk activities, both tools must be completed prior to the activity commencing. Broadspectrum's S.T.A.R.T Right (stop, think, assess, review, talk) process is to be promoted by Service Line Managers as an informal process designed to improve hazard awareness and alertness for routine activities.

4.3 Job Safety Observation

The Principal HSE Advisor, Operations Manager, Service Line Managers and Supervisors/Team Leaders are responsible for completing and recording Job Safety Observation in accordance with the Job Safety Observation Procedure.

4.4 Emergency Response

The Principal HSE Advisor will work with the Emergency Control Organisation (ECO) to review the Emergency Management Plan to ensure a state of readiness is maintained.

Reference:

TMS-0000-SA-0003	HSE Hazard Management – Operational Standard
TMP-0000-SA-2006	Job Observation Procedure
TMF-0000-SA-2022	Job Safety Observation Report
TMP-0000-SA-0003	Job Analysis/Job Start



5 Planning Objectives & Targets

5.1 WHS Objectives and Targets

The HSE Manager must maintain this WHS Management Plan and an annual HSE Improvement Plan with objectives & targets. Both plans shall be approved by the Operation Managers.

The HSE Improvement Plan should align the contract Hazard Register priorities and with individual performance objectives.

5.2 HSEC Responsibilities

Responsibilities & accountabilities are recorded in a range of places including Position Descriptions, Performance Reviews, Annual Improvement Plans and meeting minutes etc. Key safety responsibilities are outlined in this WHSMP and described below.

Roles	Responsibilities
Executive General Manager – Care & Welfare	<ul style="list-style-type: none"> ▶ Provide relevant resources ▶ Responding proactively to monthly HSE reports ▶ Verifying effectiveness of MSR/class two incidents to assist with managing safety risks.
General Manager – Immigration	<ul style="list-style-type: none"> ▶ Assist client in communications with the local community and other external stakeholders ▶ Negotiate and authorise contractual requirements.
Operations Manager	<ul style="list-style-type: none"> ▶ Drive or contract safety management ▶ Assist client in communications with the local community ▶ Negotiate and authorise contract wide safety initiatives ▶ Ensure the management of non-compliances.
Service Line Manager	<ul style="list-style-type: none"> ▶ Establish individual safety accountabilities, responsibilities and objectives for their staff ▶ Refer to each element of this WHSMP to understand responsibilities, e.g. training, subcontractors, risk and incident management.
HSE Manager	<ul style="list-style-type: none"> ▶ Drive a high performing culture ▶ Report on compliance of safety monitoring schedule ▶ Maintain this WHSMP and annual improvement plans, including: <ul style="list-style-type: none"> ○ Hazard Registers ○ The HSE component of Role based training profiles ○ Health Surveillance Schedules etc.
Principal HSE Advisor	<ul style="list-style-type: none"> ▶ Provide technical safety support and coach operations ▶ Complete risk assessments ▶ Implementing the inspection, monitoring and reporting requirements of this WHSMP.
Employees, Contractors and sub-contractors	<ul style="list-style-type: none"> ▶ Undertake work in accordance with procedures and systems ▶ Adhere to all regulatory and contract specific requirements ▶ Report any complaints, incidents or close calls to management immediately ▶ Participate in workplace inspections.

HSE Objectives and Actions Procedures

**Reference:**[TMP-0000-EV-0011](#)[TMP-0000-QA-0001](#)

Management Responsibility

6 Communication and Consultation

The Operations Manager is responsible for leading meaningful consultation and communication to manage safety risks.

The Principal HSE Advisor will maintain an annual calendar of HSE Communication as a guide for targeted communications.

Typical internal communications may include:

- ▶ Management monthly meetings and annual Management Reviews
- ▶ Induction Training and Toolbox sessions (see 5.1)
- ▶ WHS Committee meetings (See 5.2)
- ▶ Continuous Improvement Process, including the Better Way system for reporting innovations, process faults etc.
- ▶ Intranet HSEC Centre of Excellence (COE) & Discussion Board
- ▶ Yammer, Team Sites and collaboration tools
- ▶ HSE Monthly Reporting
- ▶ Site noticeboards
- ▶ Incident Alerts

Typical external communications may include:

- ▶ ABF meetings & directives
- ▶ PNGICSA meetings & directives
- ▶ Government and Industry Alerts
- ▶ Community engagement and participation (e.g. Public Service Day)
- ▶ Other stakeholders and community initiatives

6.1 Toolbox Talks

The Principal HSE Advisor will provide a quarterly outlook of Toolbox Talk topics.

The Supervisor will conduct Toolbox Talks encouraging two-way communication and participation in the continuous improvement process. Attendance must be recorded on a Training Attendance Record.

Attendance at all training sessions will be recorded by the Training representatives in the LMS, scanned and saved to the training shared drive, then maintained in the contract filing system.



6.2 HSE Committee and HSR's

The HSE Committee is to actively promote the contract's policies and procedures aimed at ensuring the safety of personnel through communication and cooperation between all levels of management and the workforce and external stakeholders.

The HSE Committee meeting provides a forum by which personnel can be:

- ▶ Involved in developing, reviewing and revising HSE policies, procedures and setting safety goals
- ▶ Informed and knowledgeable of safety efforts and activities on the contract.

There are 2 separate HSE Committee Meetings conducted by Broadspectrum:

- ▶ Broadspectrum HSE Committee: Internal meeting held every 3 weeks and will be comprised of the Principal HSE Advisor, Team Leaders or Supervisors, Safety and Health Representatives, and the Chairperson.
- ▶ Stakeholder HSE Committee: Meeting between all RPC stakeholders (external to Broadspectrum) held every month.

Reference:

[TMS-0000-SA-0001](#)

HSE Consultation & Communication – Operational Standard



7 Client Relationship

7.1 Client Relationship

The General Manager – Immigration shall identify relevant client personnel to assist with stakeholder engagement.

7.2 Health of Relationship Program

The General Manager – Communities shall consult with General Manager – Immigration to determine the best methods to consult and obtain stakeholder feedback.

Action plans should be developed to drive continuous improvement.

Reference:

[TMS-0000-CS-0002](#)

Client Relationships – Operational Standard

8 Stakeholder & Community Engagement

8.1 Community Engagement

The Community Liaison Officers should consider health safety and environmental risks and opportunities.

Reference:

[TMS-0000-CS-0003](#)

Community Engagement – Operational Standard

[TMS-0000-CS-0001](#)

Customer Service – Operational Standard

9 Operational Process

9.1 Health

9.1.1 Health, Well Being and Fitness for Work

"Fit for work" means an individual is in a state (physical, mental and emotional) that allows them to perform assigned tasks competently and in a manner which does not compromise or threaten the safety or health of themselves or others.

As part of the recruitment process, the HR Advisor will arrange for all employees to undergo a pre-employment medical assessment, prior to any offer of employment.

As per section 11.3, Principal HSE Advisors conduct random Breath Alcohol Content (BAC) tests and drug test on all employees.

Broadspectrum promote the use of employee assistance programs including Psycare and Broadspectrum's Employee Assistance Program.

9.1.2 Fatigue Management

The Service Line Manager must ensure all employees and subcontract employees comply with the Fatigue Management Instruction and relevant Fatigue Management Plans.

9.1.3 Traffic Management

The Site Manager shall ensure the Traffic Management Plan is completed, signed off and available, and implemented on site.

All personnel will be provided information and instruction, they must ensure they understand and comply with the plan.

9.1.4 Manual Handling

The Service Line Manager shall ensure all personnel understand the requirement of the Manual Handling Procedure, prior to commencing work.

All personnel required to undertake manual handling activities shall endeavour to reduce the need for manual handling through use of mechanic aids, where this is not possible they must comply with the requirements of the Manual Handling Procedure.

9.2 Safety

9.2.1 Confined Space

The Service Line Manager, in consultant with Principal HSE Advisor, is responsible for ensuring the Confined Spaces are identified and compliance with the Entry Operational Standard.

All personnel required to enter a confined space must comply with the applicable Procedure and Operational Standards.



Work Health and Safety Management Plan

TMM-3050-SA-0001

9.2.2 Cranes Rigging and Lifting Equipment

The Service Line Manager is responsible for planning the crane activities, consideration must be given to the below in conjunction with the Cranes, Rigging and Lifting Operations Procedure:

- ▶ The selection and use of the crane
- ▶ Ensuring that sufficient competent personnel and suitable equipment is available for the duration of the activities
- ▶ Ensuring the crane and associated lifting equipment meet all relevant standards e.g. Australian/New Zealand Standards and Codes of Practice
- ▶ Ensuring all involved personnel understand their responsibilities and work in accordance with the Cranes, Rigging and Lifting Operations Procedure.
- ▶ The Crane Operator must be qualified and competent in crane operations and shall inspect the crane prior to starting work each day.
- ▶ The Dogman/Rigger must be qualified and competent, and shall inspect all rigging components to ensure they are free from defects and have sufficient capacity to support the load.
- ▶ The sole responsibility of the Spotter during a lift is to make sure that no parts of the crane, lifting equipment, load or people enter a prohibited zone i.e. under loads or within a barricaded area.

9.2.3 Hand and Portable Power Tools

The Service Line Manager shall ensure all personnel understand the requirement of the Hand and Portable Power Tools Procedure, prior to commencing work.

All personnel required to use hand and/or portable power tools in the course of their activities must comply with the applicable Procedure.

9.2.4 Isolated Plant & Equipment

The Service Line Manager in consultant with Principal HSE Advisors must ensure:

- ▶ work is carried out in accordance with the Procedure
- ▶ equipment specific Lock Out-Tag Out procedures are developed and implemented
- ▶ existing equipment can be isolated / locked out
- ▶ danger tags and Out of Service tags to be used as per the procedure
- ▶ purchasing requirements identify that all new equipment is compatible with the procedure.

All personnel working on plant and equipment must comply with the requirements of the Isolation and Tagging of Plant and Equipment Procedure.

9.2.5 Permit to Work

The Service Line Managers shall maintain registers of Permits. The Principal HSE Advisors will assist identify high risk activities requiring permits as part of the Hazard Register.

9.2.6 Plant and Equipment

The Service Line Manager shall develop and maintain a site Plant and Equipment Register.



The Service Line Manager in consultation with Principal HSE Advisor and specific personnel must determine all items of plant and equipment requiring a risk assessment and have these developed prior to the activity commencing. Refer to section #11 Assessment & Surveillance.

9.2.7 Storage & Handling of Hazardous Substances & Dangerous Goods

The Service Line Manager, in consultant with Principal HSE Advisor, is responsible for ensuring the procurement, clean up and disposal, storage, transportation and training are completed in accordance with the Working with Hazardous Substances & Dangerous Goods – Operational Standard.

The Service Line Manager is responsible for creating and maintaining the Substances Register.

All employees are to immediately report the discovery or presence of asbestos to their Service Line Manager. The Service Line Manager will ensure that all work in or around asbestos is to be conducted in accordance with the Asbestos Management Procedure.

All personnel working with, or handling hazardous substances and dangerous goods must comply with the applicable Procedure and Operational Standards.

Operational Control	Action	Responsible
SDS	SDS will be available for all substances used on site and stored at the depot. An SDS Register will be kept and reviewed regularly.	Service Line Manager
Register	If hazardous substances are encountered the location will be recorded in a Register.	Service Line Manager
Risk Assessments	Risk assessments of hazardous substances will be completed and retained within the contract electronic files.	Service Line Manager

9.2.8 Working at Heights

The Service Line Manager in consultation with the Principal HSE Advisor must ensure:

- ▶ work is carried out in accordance with the Procedure
- ▶ specific SWMS's are developed and applied
- ▶ all personnel required to Work at Heights comply with the requirements of the Working at Heights Operational Standard
- ▶ works being conducted in an elevated work platform (EWP) is to be conducted in accordance with the Elevated Work Platforms Procedure.
- ▶ all works involving scaffolding are to be in accordance with the Scaffolding Procedure and Temporary Scaffold Modifications Procedure
- ▶ all works involving the use of ladders are to be in accordance with the Ladder Use & Care Procedure.

9.2.9 Hot Works

Hot work applies to all electric welding, gas welding, grinding, cutting, heating and arc/air gouging activities. The Service Line Manager will ensure that any hot work must be carried out in accordance with



Work Health and Safety Management Plan

TMM-3050-SA-0001

local regulatory requirements and Broadspectrum's Welding, Grinding and Hot Work procedures/instructions.

9.2.10 Excavations and Ground Breaking Activities

The Service Line Manager will ensure that prior to excavation, drilling or ground breaking activities commence, potential hazards associated with work are identified and recorded in accordance with the Excavation, Drilling & Ground Breaking Activities Procedure TMP-0000-SA-2017.

9.2.11 Driving

The Service Line Manager in consultation with the Transport Manager will ensure that all relevant employees are appropriately licensed, verified as competent and approved to drive BRS vehicles. All driving is to be conducted in accordance with the Traffic Management Plan and the BRS Operational Standard – Plant & Equipment.

The Transport Supervisor will ensure all approved drivers are issued with an individual IVMS key and maintain the IVMS & Dallas Key Register.

9.3 Environment

Refer to the Environmental Management Plan (EMP) for Environmental Operational Process.

Reference:

TMP-0000-SA-2019	Asbestos Management Procedure
TMS-0000-SA-0009	Confined Space Entry – Operational Standard
TMP-0000-SA-2016	Cranes, Rigging & Lifting Operations
TMP-0000-SA-2011	Driver Fatigue
TMP-0000-SA-2022	Elevating Work Platforms (EWPs)
TMP-0000-SA-2017	Excavation, Drilling & Ground Breaking Activities procedure
TMI-3053-SA-0002	Fatigue Management Instruction – Immigration
TMI-3053-SA-0001	Fitness for Duty Instruction – Immigration
TMI-0000-SA-0016	Hand and Portable Power Tools
TMP-0000-SA-0101	Hot Work Procedure
TMP-0000-SA-0009	Isolation and Tagging of Plant & Equipment
TMP-0000-SA-0027	Ladders – Use & Care
TMP-0000-EV-0010	Management of Substances
TMP-0000-SA-0011	Manual Handling
TMP-0000-SA-2003	Noise Management
TMS-0000-SA-0013	Plant and Equipment – Operational Standard
TMP-0000-SA-0040	PPE Requirements procedure
TMP-0000-SA-0106	Safe Welding and Oxy Cutting
TMI-0000-SA-0019	Safe Work Instruction - Grinder
TMP-0000-SA-0008	Scaffolding
TMS-0000-SA-0014	Spill Management
TMP-0000-SA-2001	Standard for Low Voltage Electrical Safety
TMP-0000-SA-0052	Temporary Scaffold Modifications Procedure
TMS-0000-SA-0015	Vehicles and Driving – Operational Standard
TMI-3050-SA-0001	Vehicles and Mobile Plant Isolation Instruction
TMS-0000-SA-0016	Work at Heights – Operational Standard



10 Contractor & Supplier Management

10.1 HSEC Purchasing and Procurement

The Service Line Manager is responsible for ensuring purchased goods conform to HSE requirements and that non-conformances are addressed prior to the goods becoming operational. The Service Line Manager must ensure that employees are trained in the control measures before any purchased product is used and any appropriate Register is maintained.

Prior to the purchase of high risk equipment and tools, the Service Line Manager, in consultation with the Subject Matter Expert, will complete a formal pre-purchase risk assessment.

All personnel must ensure the control measures highlighted during training are in place prior to use and that the requirements of the procedure are complied with.

10.2 Contractor Engagement

The Service Line Manager shall ensure that contractors and suppliers are selected, evaluated and managed as outlined in the Subcontractor Management Procedure. The following areas should be considered:

Stage	Action	Responsible
i) Selection	Consult HSE during tendering stage	Subcontractor Manager
ii) Engage	Setting expectations following contract award and ensure SWMS, Chemical Registers and Training Registers for high risk work are reviewed prior to commencement	Service Line Manager
	Track the review of SWMS, Chemical Registers and Training Registers for high risk work are reviewed prior to commencement	Service Line Manager
iii) Mobilise	Support the review of HSE documents	HSE Principal Advisor
	Inductions and site access arranged by the person engaging subcontractors	Service Line Manager
iv) Manage	Ensure the implementation of Risk assessments, SWMS, Job Starts	Service Line Manager
v) Monitor & Review	Maintain a subcontractor Audit Schedule	Exec. QA Mgr. (NE Region)
	Maintain OPC/CPC schedules and monitor performance	Offshore HSE Principal Advisor

Reference:



- [TMP-0000-SA-0007](#) HSE Purchasing and Procurement
- [TMF-0000-SA-0062](#) Purchasing HSE Assessment
- [TMP-0000-SC-0027](#) Subcontractor Management
- [TMP-0000-QA-0005](#) Subcontractor / Supplier Assessment Checklist
- [TMF-0000-SA-2002](#) SWMS Review Checklist

11 Training and Competency

All personnel working on the contract will have the necessary competencies to undertake their work safely. No employee or subcontract employee will be permitted to perform work unless that person holds the required qualifications/licences and competencies.

The HR/Training representative will undertake a training needs analysis to determine the training requirements and competency needs, including specialised duties such as confined space, high voltage etc, for all personnel engaged on the contract.

Service Line Managers are responsible for training, competency and building the capability of individuals and teams, including where the nature of work during the contracted period changes or the responsibility of an individual is changed.

Operational Control	Action	Responsible
Role Based Training Profiles	Work with Training Advisor to identify relevant HSE training and competency needs.	HSE Manager
Individual & Team Competency	Ensure all employees have: <ul style="list-style-type: none"> ▸ Development plans ▸ Current mandatory training and licences. 	Service Line Managers
Annual Training Plan	Work with Training Advisor to ensure an Annual Training Plan is developed based on a Training Needs Analysis (TNA).	HSE Manager HSE Principle Advisor
Reporting	Provide monthly reports of outstanding mandatory training and licences.	HR Advisor

The HR Advisor will arrange a facilitator and appropriate resources to conduct inductions as follows:

- Site Induction for all stakeholders
- BRS specific induction delivered by BRS Training Advisor.

All employees and subcontractors are required to attend induction training. Upon completion participants complete a HSE Induction Questionnaire to demonstrate their understanding of the material covered.

The Facilitator will record attendance by ensuring all participants sign a Training Attendance Record. The Training Advisor will enter attendance into the Learning Management System (LMS). These records will be scanned and saved to the training shared drive, then maintained in the contract filing system.

Security personnel will grant Site Access only after the successful completion of the Immigration and site specific inductions.



11.1 New Starter – Young Starter

HR Advisor shall identify a New Starter – Young Starter and communicate this to the Service Line Manager prior to commencement.

The relevant Service Line Manager is to assign an appropriate mentor for the identified New/Young starter.

Service Line Managers and Principal HSE Advisors are responsible for completing the New Starter – Young Starter Critical Process Confirmation monthly for at least the first 6 months.

Reference:[TMF-0000-SA-3012](#)[TMP-0000-SA-0050](#)[TMF-0000-LD-0004](#)[TMF-0000-SA-2079](#)

Critical Process Confirmation: New Starter – Young Starter

New Starter – Young Starter Procedure

Training Attendance Record

Training Needs Analysis

12 Assessment & Surveillance

12.1 Health Assessment & Surveillance

The Service Line Manager in consultation with HR Advisor, is to ensure medical assessments are conducted prior to any significant change in duties. This includes:

- ▶ where required by legislation, or
- ▶ where there is the likelihood of exposure to regulated hazards, and/or
- ▶ hazards that may have a cumulative effect, such as noise, toxic exposures, etc.

The Service Line Manager in consultation with HR Advisor, may also arrange a medical assessment following an incident, injury or illness.

The HSE Manager in consultation in HR Advisor arrange for periodic health assessments to be carried out for personnel performing tasks which are potentially detrimental to their health or where the health and fitness of the person is considered of particular importance to perform a role.

This may include, but is not limited to:

- ▶ Personnel who may be exposed to chemicals (Lead, Asbestos, Mercury etc.)
- ▶ Emergency Services/Response Team Members
- ▶ Any other personnel performing a task, or required to be present in a working environment which may be detrimental to their health.
- ▶ Any other personnel that need to perform tasks where a specified level of fitness or absence of designated medical conditions (e.g. vision, colour blindness, etc.) is required.

12.2 Workplace Amenities and Facilities

The Site Manager must review and approve compliance with the site establishment requirements, using the Site Establishment checklist, in accordance with the Workplace Amenities and Facilities Procedure.

The Site Manager should revise the assessment when significant changes to the worksite or provisions occur, or when an incident prompts that site provisions may be a contributing factor.

12.3 Drug and Alcohol

The Principal HSE Advisor will, in line with the developed Testing Regime, facilitate the random testing of employees and subcontract employees in accordance with the Drug and Alcohol Testing Procedure.

12.4 Workplace Inspection

The HSE Manager is responsible for developing a yearly schedule for Workplace Inspections.

The Principal HSE Advisor is responsible for conducting Workplace Inspections for all areas using the applicable Workplace Inspection Checklist as outlined on the Workplace Inspection Schedule, to ensure each area is inspected at least once a month. All inspections are to be recorded in IMS.

The Maintenance Planner shall maintain an Inspection and Testing Schedule for all plant & equipment.



12.5 External Audit and Review

The HSE Manager will develop a yearly audit and assessment schedule that is targeted and risk based. At a minimum:

- ▶ Critical Process Confirmations (CPC's)
- ▶ Operational Process Conformation (OPC's)
- ▶ HSEC Management System audits.

This schedule must compliment the Global Audit Schedule for Operational Systems and other audits.

12.6 Process Confirmations

Critical Process Confirmations (CPC's) and Operational Process Confirmations (OPC's) are simple tools designed to check that the key requirements of processes and procedures are understood and implemented.

Reference:

TMP-0000-QA-0017	Global Audit Framework
TMF-3050-SA-0003	Catering OHS Inspection
TMF-3050-SA-0004	Cleaning OHS Inspection
TMI-0000-QA-0012	Critical Process and Operational Process Confirmations
TMP-3053-SA-1002	Drug and Alcohol Testing Procedure
TMS-0000-SA-0008	Employee Well Being – Operational Standard
TMI-3053-SA-0001	Fitness for Work Instruction
TMF-3050-SA-0005	Gym / Recreation OHS Inspection
TMP-0000-SA-2021	Health Surveillance & Assessment
TMP-0000-SA-0015	HSE inspection
TMS-0000-CI-0001	Improvement & Innovation – Operational Standard
TMS-0000-SA-0005	Measuring HSE Performance – Operational Standard
TMF-3050-SA-0006	Office OHS Inspection
TMF-0000-SA-3042	Operational Process Confirmation
TMP-2000-HR-0015	Pre-Employment Medical Procedure
TMF-0000-SA-2023	Site Establishment Checklist
TMF-3050-SA-0007	Stores OHS Inspection
TMF-3050-SA-0008	Trades OHS Inspection
TMF-3050-SA-0009	Transport OHS Inspection
TMP-0000-SA-2005	Workplace Amenities and Facilities
TMF-0000-SA-0008	Workplace Inspection Checklist
TMF-3050-SA-0010	Workshop OHS Inspection

13 Incident Management

13.1 Incident Management

Employees must report all incidents to their supervisor immediately upon becoming aware of them, as outlined in the Incident Management Procedure including injuries, illnesses, environmental and near miss events.

13.2 Reporting, Investigation and Recording

The Service Line Manager responsible for the plant, people or environment associated with the incident, in consultation with Principal HSE Advisor, is responsible for recording all incidents using IMS. This includes, the incident reporting, investigation and corrective actions.

The Service Line Manager must report all high and extreme incidents, including all motor vehicle collisions and high potential incidents, within 1 hour by phone to the Operations Manager and the Principal HSE Advisor. This is also applicable after hours.

The Operations Manager must notify the General Manager – Immigration within 1 hour by phone and relevant ABF management representatives in line with the ABF Reporting Guidelines.

The Principal HSE Advisor must notify the HSE Manager with within 1 hour by phone.

All extreme, high and high potential incidents must be investigated using the Integrity Investigation tool within IMS. This does not include a breach of Mandatory Safety Rule 10: never consume or be under the influence of alcohol or illicit drugs while at work, when identified through random drug and alcohol testing conducted prior to commencing work.

The General Manager – Immigration, Operations Manager, Service Line Manager and HSE Manager will meet to review these investigations, the Team Leader or Supervisor may be invited as required.

13.3 Hazard and Close Call Reporting

All personnel have a responsibility to identify, control and report hazards, and close call events. Broadspectrum's Hazard and Close Call Reporting Procedure provides examples of hazards and close call events, explains how they are identified and outlines the requirements for reporting. Hazard ID's and Close Calls are to be recorded in IMS where the likely outcome has high potential consequences or corrective actions remain outstanding.

13.4 First Aid

The Principal HSE Advisor must ensure all work areas with no immediate access to IHMS facilities are provided with a First Aid Kit suitable for the location and number of staff.

The HSE Representative for the work area is responsible for inspecting the First Aid Kit at least monthly and for replenishing the kit, as required.

All personnel have access to attending the onsite medical clinic, IHMS, should additional treatment be required.

13.5 Injury Management

Broadspectrum's management strategy is to prevent injuries and illnesses as our first priority. However, in the event of an injury or illness, effective workplace based Rehabilitation Programs following injury, illness or other personal events are essential to optimise recovery and ensure early return to meaningful, productive and sustainable work.



Work Health and Safety Management Plan

TMM-3050-SA-0001

All injuries on the contract will be managed in accordance with the requirements of BroadSpectrum's Fitness for Work Instruction.

The Rehabilitation and Return to Work Managers are Australian based, contact details can be provided through the Principal HSE Advisor.

13.6 Worker's Compensation

All personnel wishing to submit a claim to Workers Compensation must complete the following forms and submit to their Service Line Manager:

- ▶ Medical Release Authority
- ▶ Early Notification of Injury

The Workers Compensation Department will assess the claim to determine liability and once a decision has been reached, the injured worker will be contacted to advise the outcome.

Reference:

[TMP-0000-SA-0044](#)

First Aid

[TMI-3053-SA-0001](#)

Fitness for Work Instruction

[TMP-0000-SA-2007](#)

Hazard and Close Call Reporting

[TMS-0000-SA-0004](#)

HSE Incident Management – Operational Standard

[TMS-0000-SA-0002](#)

Injury & Incident Classification – Operational Standard

[TMF-0000-SA-3032](#)

Operational Process Confirmation – First Aid

[TMF-0000-SA-3037](#)

Operational Process Confirmation – Hazard Id and Close Call Reporting

14 Monitor, Review & Improvement

14.1 Monitor, Review & Improvement

The Operations Manager, in conjunction with HSE Manager, will lead an annual Management Review. The agenda for management reviews will typically include, but will not be limited to the following:

- ▶ WHSMP effectiveness
- ▶ Changes to legislation, standards or other requirements
- ▶ Resource adequacy for management of the WHSMP
- ▶ Achievement of objectives and targets
- ▶ Results of internal and external audits
- ▶ Non-compliance or non-conformance's and resulting corrective action
- ▶ Training and competency
- ▶ Customer and public complaints
- ▶ Improvements and/or innovations in safety management
- ▶ Review of safety impacts and aspects, and risk.

The HSE Manager will provide recommendations for change or improvement to the safety management system, which will be reflected through amendments to the relevant system element including the WHSMP, procedures or for ABF.

14.2 HSEC Performance Reporting

The HSE Manager will prepare a monthly HSE Performance Report and provide to Operations Managers and senior management.

The Executive HSE Manager, Logistics & Facilities Management will prepare a strategic quarterly report to align with Safety Council meetings.

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From: s 47F
To: s 22
Subject: Manus stills document - update [SEC=UNCLASSIFIED]
Date: Friday, 19 May 2017 8:39:52 PM

UNCLASSIFIED

Dear s 22 and s 22

I have not forgotten about this and I have asked a colleague to send this to you s 22 over the weekend.

We can touch base on Monday if needed too.

Thanks
s 47F

s 47F

Director National Work Health and Safety
Work Health and Safety & Enterprise Branch | People Division
Corporate Group
Department of Immigration and Border Protection
P: s 47F | M: s 47F
E: s 47F

s 22

UNCLASSIFIED

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From: s 47F
To: s 22 National WHS
Cc: s 47F DIBP Point of Contact; s 47F
Subject: RE: Comcare Intervention MC00000117 - DIBP - Attack on Manus Island (MI), Regional Processing Centre (RPC) - 14 April 2017 [SEC=UNCLASSIFIED]
Date: Saturday, 20 May 2017 8:39:43 AM
Attachments: [image001.jpg](#)

Dear s 22

Confirming receipt of your email and noted timeframe for response.

Thanks
s 47F

Sent with Good (www.good.com)

-----Original Message-----

From: s 22
Sent: Friday, May 19, 2017 02:46 PM AUS Eastern Standard Time
To: National WHS
Cc: s 47F ; DIBP Point of Contact
Subject: Re: Comcare Intervention MC00000117 - DIBP - Attack on Manus Island (MI), Regional Processing Centre (RPC) - 14 April 2017 [SEC=UNCLASSIFIED]

UNCLASSIFIED

To: NationalWHS Border,

Re: Comcare Intervention MC00000117 - DIBP - Attack on Manus Island (MI), Regional Processing Centre (RPC) - 14 April 2017

On 15 May 2017, Comcare received an email, (attached), from the Department of Immigration and Border Protection (DIBP) in relation to the above described incident. The attached email, inter alia, provides information about injuries sustained to Papua New Guinea (PNG) Nationals, RPC Residents, and “workers” as a result of the subject incident.

About 1000hrs on 19 May 2017, Work Health and Safety (WHS) Inspectors s 22 and s 22 attended the Department of Immigration and Border Protection (DIBP) Office at 6 Chan Street, Belconnen in the Australian Capital Territory, (ACT). A short time later Inspectors s 22 and s 22 viewed CCTV footage in relation to the above described incident. s 33

Although the above incident appears to have now been managed, s 47C

s 47C

Accordingly, I seek confirmation of the actions taken by DIBP or its contractors to eliminate and / or control the risk(s) so far as reasonably practicable to protect RPC Residents and Workers in the RPC Workplace on Manus Island.

It is Comcare's understanding that the s 33 and the s 33 are currently conducting their own separate investigations into the incident and that DIBP/its contractors may be awaiting the results of these inquiries before determining enduring controls. Comcare seeks to understand the actions taken by DIBP to control the relevant risks in the interim.

Please provide a summary of the actions taken to identify and implement interim controls in addition to the planned actions to identify and implement enduring controls.

It is requested that DIBP provide its response to this email request by COB Thursday 25 May 2017.

Thank you

s 22

Senior Inspector
Regulatory Operations Group
ACT Inspectorate
Inspector Appointed under the Work Health and Safety Act 2011
P s 22 M s 22

GPO Box 1993, Canberra, ACT 2601
1300 336 979 www.comcare.gov.au

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From: s 47F
To: s 22
Cc: s 47F [DIBP Point of Contact](#); [National WHS](#); s 22
Subject: RE: Comcare Intervention MC00000117 - DIBP - Attack on Manus Island (MI), Regional Processing Centre (RPC) - 14 April 2017 [SEC=UNCLASSIFIED]
Date: Thursday, 25 May 2017 1:59:00 PM
Attachments: [image001.jpg](#)

UNCLASSIFIED

Dear s 22

I spoke briefly with s 22 this morning on another request for information.

Having discussed further in our office can I please request that you provide us with a formal letter requesting the information below using your section 155 powers set down in the Work Health and Safety Act 2011. If you can provide this to me today we will provide the information later today as requested in your email of 18 May 2017.

Regards
s 47F

s 47F

Director National Work Health and Safety
 Work Health and Safety & Enterprise Branch | People Division
 Corporate Group
 Department of Immigration and Border Protection
 P: s 47F | M: s 47F
 E: s 47F

s 22

UNCLASSIFIED

From: s 22
Sent: Friday, 19 May 2017 2:46 PM
To: National WHS
Cc: s 47F ; [DIBP Point of Contact](#)
Subject: Re: Comcare Intervention MC00000117 - DIBP - Attack on Manus Island (MI), Regional Processing Centre (RPC) - 14 April 2017 [SEC=UNCLASSIFIED]

UNCLASSIFIED

To: NationalWHS Border,

Re: Comcare Intervention MC00000117 - DIBP - Attack on Manus Island (MI), Regional Processing Centre (RPC) - 14 April 2017

On 15 May 2017, Comcare received an email, (attached), from the Department of Immigration and Border Protection (DIBP) in relation to the above described incident. The attached email, inter alia, provides information about injuries sustained to Papua New Guinea (PNG) Nationals, RPC Residents, and “workers” as a result of the subject incident.

About 1000hrs on 19 May 2017, Work Health and Safety (WHS) Inspectors s 22 and s 22 attended the Department of Immigration and Border Protection (DIBP) Office at 6 Chan Street, Belconnen in the Australian Capital Territory, (ACT). A short time later Inspectors s 22 and s 22 viewed CCTV footage in relation to the above described incident. s 33

Although the above incident appears to have now been managed, s 47C

Accordingly, I seek confirmation of the actions taken by DIBP or its contractors to eliminate and / or control the risk(s) so far as reasonably practicable to protect RPC Residents and Workers in the RPC Workplace on Manus Island.

It is Comcare’s understanding that the s 33 and the s 33 are currently conducting their own separate investigations into the incident and that DIBP/its contractors may be awaiting the results of these inquiries before determining enduring controls. Comcare seeks to understand the actions taken by DIBP to control the relevant risks in the interim.

Please provide a summary of the actions taken to identify and implement interim controls in addition to the planned actions to identify and implement enduring controls.

It is requested that DIBP provide its response to this email request by COB Thursday 25 May 2017.

Thank you

s 22

Senior Inspector
Regulatory Operations Group
ACT Inspectorate
Inspector Appointed under the Work Health and Safety Act 2011
P s 22 M s 22

GPO Box 1993, Canberra, ACT 2601
1300 336 979 www.comcare.gov.au

03740_CMG_GHS_email_banner_400x90_v1



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From: s 47F
To: s 22
Cc: [National WHS](#)
Subject: RE: Follow up on notification issue - Manus incident [DLM=For-Official-Use-Only]
Date: Monday, 22 May 2017 12:11:41 PM

For-Official-Use-Only

Dear s 22

As discussed, I'd appreciate clarification if it is section 38 or section 37. I'd like clarity on this as I note s 22's email does not refer to section 38.

I'd also appreciate as a courtesy a call to s 47F from s 22 or s 22 given the change from advice received on Friday noting executive are currently at estimates and s 47F has requested updates from s 22 on this matter over the weekend.

Thanks
s 47F

s 47F
 Director National Work Health and Safety
 Work Health and Safety & Enterprise Branch | People Division
 Corporate Group
 Department of Immigration and Border Protection
 P: s 47F | M: s 47F
 E: s 47F

s 22

For-Official-Use-Only

From: s 22
Sent: Monday, 22 May 2017 12:05 PM
To: s 47F
Subject: FW: Follow up on notification issue - Manus incident [DLM=For-Official-Use-Only]

For Official Use Only

s 42
 •

From: s 22
Sent: Monday, 22 May 2017 11:31 AM
To: s 47F
Cc: s 22 ; National WHS; s 22
Subject: RE: Follow up on notification issue - Manus incident [DLM=For-Official-Use-Only]

For Official Use Only

s 47F

Having discussed the matter with s 22 this morning who has reviewed all the information known (including his viewing the CCTV footage of the incident/event), the Comcare position is as follows:

- The incident of 14 April 2017 is a *notifiable incident*, (s35 refers). The information provided by DIBP details injuries to 2 x RPC Residents, (suffered lacerations), both of which were treated by IHMS at the Manus Island (MI) RPC and then discharged, and 2 x Wilson Security Officers being assaulted. More importantly, the incident itself falls within the category of a *dangerous incident*, (s37 refers), as it did expose Residents and Workers to a serious risk to a person's health and safety emanating from an immediate or imminent exposure, that being, rocks being thrown and a firearm being discharged several times into the RPC.
- It appears that after some facts were established, DIBP thought the incident was required to be notified. Comcare encourages DIBP to continue to adopt that approach in the future – in other words, if DIBP thinks it should be notified, then notify. Noting, there is no correlation between notifying an incident and whether the general duty provisions (*under s 19*) have been complied with – they are completely separate issues.

Regards

s 22

s 22 | Senior Director | National Compliance | Regulatory Operations Group | Comcare
 T s 22 | F s 22 | M s 22 | E s 22
 GPO Box 9905, CANBERRA, ACT, 2601.

From: s 47F
Sent: Monday, 22 May 2017 11:19 AM
To: s 22
Cc: s 22 ; National WHS
Subject: Follow up on notification issue - Manus incident [DLM=For-Official-Use-Only]

For-Official-Use-Only

Dear s 22

I am just following up on some discussions that s 47F had with s 22 over the weekend.

s 47F asked s 22 (via email) to confirm that Comcare's assessment of notification status remains the same as ours and earlier advice from s 22 as the Inspector (ie indicating the matter was not notifiable).

s 47F had an initial response from s 22 (via text message) advising that is his understanding and he committed to check with you and get back via email. I understand s 47F has not yet received an email response, hence the follow up with you.

I'll also give you a call to follow up on this email.

Thanks

s 47F

s 47F

Director National Work Health and Safety
Work Health and Safety & Enterprise Branch | People Division
Corporate Group
Department of Immigration and Border Protection
P: s 47F | M: s 47F
E: s 47F

s 22

For-Official-Use-Only

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From: s 47F
To: s 22
Cc: s 22 : [National WHS](#); s 22 ; s 47F s 47F
Subject: RE: Follow up on notification issue - Manus incident [DLM=For-Official-Use-Only]
Date: Monday, 22 May 2017 12:05:21 PM

For-Official-Use-Only

Dear s 22

I've left messages on your landline, mobile and also with your EA^{s 22} for a return call. I've also left messages with s 22 and s 22 to discuss your email.

I have a number of questions that I am seeking clarification on:

I note that the advice from s 22 on 18 May was (as below):

s 47C

Can you clarify that Comcare is now of the belief that based on the information at hand this has arisen from the Department's business or undertaking?

Also, it is my understanding that minor lacerations are not notifiable and that treatment within IHMS would not be considered as treatment as an inpatient

Can you please let me know what has given rise to the change in determination since speaking with s 22 and s 22 on Friday?

I note that s 22 email (afternoon 20 May 2017) to the department did not mention the notification issue but stated:

s 47C

Accordingly, I seek confirmation of the actions taken by DIBP or its contractors to eliminate and / or control the risk(s) so far as reasonably practicable to protect RPC Residents and Workers in the RPC Workplace on Manus Island.

Can I please seek clarification that it is a notification under section 37, as a dangerous incident?

Thanks
s 47F

For-Official-Use-Only

From: s 22
Sent: Monday, 22 May 2017 11:31 AM
To: s 47F
Cc: s 22 National WHS; s 22
Subject: RE: Follow up on notification issue - Manus incident [DLM=For-Official-Use-Only]

For Official Use Only

s 47F

Having discussed the matter with s 22 this morning who has reviewed all the information known (including his viewing the CCTV footage of the incident/event), the Comcare position is as follows:

- The incident of 14 April 2017 is a *notifiable incident*, (s35 refers). The information provided by DIBP details injuries to 2 x RPC Residents, (suffered lacerations), both of which were treated by IHMS at the Manus Island (MI) RPC and then discharged, and 2 x Wilson Security Officers being assaulted. More importantly, the incident itself falls within the category of a *dangerous incident*, (s37 refers), as it did expose Residents and Workers to a serious risk to a person's health and safety emanating from an immediate or imminent exposure, that being, rocks being thrown and a firearm being discharged several times into the RPC.
- It appears that after some facts were established, DIBP thought the incident was required to be notified. Comcare encourages DIBP to continue to adopt that approach in the future – in other words, if DIBP thinks it should be notified, then notify. Noting, there is no correlation between notifying an incident and whether the general duty provisions (*under s 19*) have been complied with – they are completely separate issues.

Regards

s 22

s 22 | Senior Director | National Compliance | Regulatory Operations Group | Comcare
 T s 22 | F s 22 | M s 22 | E s 22
 GPO Box 9905, CANBERRA, ACT, 2601.

From: s 47F
Sent: Monday, 22 May 2017 11:19 AM
To: s 22
Cc: s 22 National WHS
Subject: Follow up on notification issue - Manus incident [DLM=For-Official-Use-Only]

For-Official-Use-Only

Dear s 22

I am just following up on some discussions that s 47F had with s 22 over the

weekend.

s 47F asked s 22 (via email) to confirm that Comcare's assessment of notification status remains the same as ours and earlier advice from s 22 as the Inspector (ie indicating the matter was not notifiable).

s 47F had an initial response from s 22 (via text message) advising that is his understanding and he committed to check with you and get back via email. I understand s 47F has not yet received an email response, hence the follow up with you.

I'll also give you a call to follow up on this email.

Thanks

s 47F

Dr s 47F

Director National Work Health and Safety
Work Health and Safety & Enterprise Branch | People Division
Corporate Group

Department of Immigration and Border Protection

P: s 47F | M: s 47F

E: s 47F

s 22

For-Official-Use-Only

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From: s 47F
To: s 22
Cc: s 22 [National WHS](#); s 22 ; s 47F
Subject: RE: Follow up on notification issue - Manus incident [DLM=For-Official-Use-Only]
Date: Monday, 22 May 2017 12:40:54 PM

For-Official-Use-Only

Thank you

s 47F

For-Official-Use-Only

From: s 22
Sent: Monday, 22 May 2017 12:18 PM
To: s 47F
Cc: s 22 ; National WHS; s 22 ; s 47F
Subject: RE: Follow up on notification issue - Manus incident [DLM=For-Official-Use-Only]

For Official Use Only

Hi s 47F

I will clarify with s 22 and then come back to you.

Regards

s 22

From: s 47F
Sent: Monday, 22 May 2017 12:05 PM
To: s 22
Cc: s 22 National WHS; s 22 s 47F
Subject: RE: Follow up on notification issue - Manus incident [DLM=For-Official-Use-Only]

For-Official-Use-Only

Dear s 22

I've left messages on your landline, mobile and also with your EA s 22 for a return call. I've also left messages with s 22 and s 22 to discuss your email.

I have a number of questions that I am seeking clarification on:

I note that the advice from s 22 on 18 May was (as below):

s 47C

s 47C

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s 47C

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Can I please seek clarification that it is a notification under section 37, as a dangerous incident?

Thanks

s 47F

For-Official-Use-Only

From: s 22

Sent: Monday, 22 May 2017 11:31 AM

To: s 47F

Cc: s 22 ; National WHS; s 22

Subject: RE: Follow up on notification issue - Manus incident [DLM=For-Official-Use-Only]

For Official Use Only

s 47F

Having discussed the matter with s 22 this morning who has reviewed all the information known (including his viewing the CCTV footage of the incident/event), the Comcare position is as follows:

- The incident of 14 April 2017 is a *notifiable incident*, (s35 refers). The information provided by DIBP details injuries to 2 x RPC Residents, (suffered lacerations), both of which were treated by IHMS at the Manus Island (MI) RPC and then discharged, and 2 x Wilson Security Officers being assaulted. More importantly, the incident itself falls within the category of a *dangerous incident*, (s37 refers), as it did expose Residents and Workers

to a serious risk to a person's health and safety emanating from an immediate or imminent exposure, that being, rocks being thrown and a firearm being discharged several times into the RPC.

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Regards

s 22

s 22 | Senior Director | National Compliance | Regulatory Operations Group | Comcare
 T s 22 | F s 22 | M s 22 | E s 22
 GPO Box 9905, CANBERRA, ACT, 2601.

From: s 47F
Sent: Monday, 22 May 2017 11:19 AM
To: s 22
Cc: s 22 ; National WHS
Subject: Follow up on notification issue - Manus incident [DLM=For-Official-Use-Only]

For-Official-Use-Only

Dear s 22

I am just following up on some discussions that s 47F had with s 22 over the weekend.

s 47F asked s 22 (via email) to confirm that Comcare's assessment of notification status remains the same as ours and earlier advice from s 22 as the Inspector (ie indicating the matter was not notifiable).

s 47F had an initial response from s 22 (via text message) advising that is his understanding and he committed to check with you and get back via email. I understand s 22 has not yet received an email response, hence the follow up with you.

I'll also give you a call to follow up on this email.

Thanks
 s 47F

s 47F
 Director National Work Health and Safety
 Work Health and Safety & Enterprise Branch | People Division
 Corporate Group
 Department of Immigration and Border Protection
 P: s 47F | M: s 47F
 E: s 47F

s 22

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From: s 47F
To: s 22
Cc: s 47F ; s 22
Subject: RE: FOR ACTION PLS - copy of still images Manus incident [DLM=For-Official-Use-Only]
Date: Monday, 22 May 2017 10:57:57 AM

For-Official-Use-Only

Dear s 22

Just confirming that you got my email on this one the weekend. Happy to discuss.

Thanks
s 47F

s 47F

Director National Work Health and Safety
 Work Health and Safety & Enterprise Branch | People Division
 Corporate Group
 Department of Immigration and Border Protection
 P: s 47F | M: s 47F
 E: s 47F

s 22

For-Official-Use-Only

From: s 47F
Sent: Sunday, 21 May 2017 12:55 PM
To: s 22
Cc: s 47F ; s 22
Subject: RE: FOR ACTION PLS - copy of still images Manus incident [DLM=For-Official-Use-Only]

Dear s 22

My voicemail message today refers. I am writing to request a section 155 be issued for the document containing the still images from the Manus incident 14 April.

As soon as I receive this we will respond.

Many thanks
s 47F

Sent with Good (www.good.com)

-----Original Message-----

From: s 22

Sent: Friday, May 19, 2017 02:07 PM AUS Eastern Standard Time

To: s 47F

Cc: s 47F ; s 22

Subject: RE: FOR ACTION PLS - copy of still images Manus incident [DLM=For-Official-Use-Only]

For Official Use Only

s 47F ,

We will lock down the TRIM file to the following personnel:

s 22 - Inspector

s 22 - Director

s 22 – Assistant Director

Regards,

s 22

Director

Regional Operations - ACT

Regulatory Operations Group

Comcare

P s 22 | M s 22

s 22

GPO Box 1993, Canberra, ACT 2601 | www.comcare.gov.au

From: s 47F

Sent: Friday, 19 May 2017 2:02 PM

To: s 22

Cc: s 47F ; s 22

Subject: FOR ACTION PLS - copy of still images Manus incident [DLM=For-Official-Use-Only]

For-Official-Use-Only

Dear s 22 and s 22

Thank you for your time this morning. I have confirmed that we can provide the PDF of the still images that we referenced this morning while viewing the CCTV. Before providing I need confirmation from Comcare that the document will be appropriately secured and only accessed by staff with a genuine need-to-know.

Can you please provide a return email indicating who will have access to this document and that it will be secured appropriately and made available to those with a need to know?

Many thanks

s 47F

s 47F

Director National Work Health and Safety
Work Health and Safety & Enterprise Branch | People Division
Corporate Group
Department of Immigration and Border Protection
P: s 47F | M: s 47F
E: s 47F

s 22

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From: s 47F
To: s 22
Cc: s 47F ; s 22
Subject: RE: FOR ACTION PLS - copy of still images Manus incident [DLM=For-Official-Use-Only]
Date: Sunday, 21 May 2017 1:04:51 PM

Dear s 22

My voicemail message today refers. I am writing to request a section 155 be issued for the document containing the still images from the Manus incident 14 April.

As soon as I receive this we will respond.

Many thanks

s 47F

Sent with Good (www.good.com)

-----Original Message-----

From: s 22
Sent: Friday, May 19, 2017 02:07 PM AUS Eastern Standard Time
To: s 47F
Cc: s 47F ; s 22
Subject: RE: FOR ACTION PLS - copy of still images Manus incident [DLM=For-Official-Use-Only]

For Official Use Only

s 47F ,

We will lock down the TRIM file to the following personnel:

s 22 - Inspector
s 22 - Director
s 22 - Assistant Director

Regards,

s 22

Director
Regional Operations - ACT
Regulatory Operations Group
Comcare

p s 22 | M s 22

s 22

GPO Box 1993, Canberra, ACT 2601 | www.comcare.gov.au

From: s 47F
Sent: Friday, 19 May 2017 2:02 PM
To: s 22
Cc: s 47F s 22
Subject: FOR ACTION PLS - copy of still images Manus incident [DLM=For-Official-Use-Only]

For-Official-Use-Only

Dear s 22 and s 22

Thank you for your time this morning. I have confirmed that we can provide the PDF of the still images that we referenced this morning while viewing the CCTV. Before providing I need confirmation from Comcare that the document will be appropriately secured and only accessed by staff with a genuine need-to-know.

Can you please provide a return email indicating who will have access to this document and that it will be secured appropriately and made available to those with a need to know?

Many thanks
s 47F

s 47F

Director National Work Health and Safety
Work Health and Safety & Enterprise Branch | People Division
Corporate Group
Department of Immigration and Border Protection
P: s 47F | M: s 47F
E: s 47F

s 22

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From: s 47F
To: s 22
Cc: s 47F ; s 22 ; [National WHS](#)
Subject: RE: FOR ACTION PLS - copy of still images Manus incident [DLM=For-Official-Use-Only]
Date: Monday, 22 May 2017 6:50:35 PM

For-Official-Use-Only

Dear s 22

Thanks for your email.

I can inform you that the word document with CCTV stills is on the DIBP TRIM file ADF 2017/52075 and the document reference is ADD 2017/1313875.

Thanks
s 47F

s 47F

Director National Work Health and Safety
 Work Health and Safety & Enterprise Branch | People Division
 Corporate Group
 Department of Immigration and Border Protection
 P: s 47F | M: s 47F
 E: s 47F

s 22

For-Official-Use-Only

From: s 22
Sent: Monday, 22 May 2017 2:55 PM
To: s 47F ; s 22
Cc: s 47F ; s 22
Subject: RE: FOR ACTION PLS - copy of still images Manus incident [DLM=For-Official-Use-Only]

For Official Use Only

Hi s 47F

Re. your request for an s155 Notice for the images

Can I suggest that you let me know the name of the DIBP Corporate file that contains the images, and that will suffice as an alternative to serving DIBP an s155 Notice for the images. Comcare does not need to hold a copy of the images!

For your consideration.

s 22

Inspector

From: s 47F
Sent: Sunday, 21 May 2017 1:05 PM
To: s 22
Cc: s 47F ; s 22
Subject: RE: FOR ACTION PLS - copy of still images Manus incident [DLM=For-Official-Use-Only]

Dear s 22

My voicemail message today refers. I am writing to request a section 155 be issued for the document containing the still images from the Manus incident 14 April.

As soon as I receive this we will respond.

Many thanks
s 47F

Sent with Good (www.good.com)

-----Original Message-----

From: s 22
Sent: Friday, May 19, 2017 02:07 PM AUS Eastern Standard Time
To: s 47F
Cc: s 47F ; s 22
Subject: RE: FOR ACTION PLS - copy of still images Manus incident [DLM=For-Official-Use-Only]

For Official Use Only

s 47F ,

We will lock down the TRIM file to the following personnel:

s 22 - Inspector
s 22 - Director
s 22 - Assistant Director

Regards,

s 22

Director
Regional Operations - ACT
Regulatory Operations Group
Comcare
p s 22 | M s 22

s 22

GPO Box 1993, Canberra, ACT 2601 | www.comcare.gov.au

From: s 47F**Sent:** Friday, 19 May 2017 2:02 PM**To:** s 22**Cc:** s 47F ; s 22**Subject:** FOR ACTION PLS - copy of still images Manus incident [DLM=For-Official-Use-Only]**For-Official-Use-Only**

Dear s 22 and s 22

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Can you please provide a return email indicating who will have access to this document and that it will be secured appropriately and made available to those with a need to know?

Many thanks

s 47F

s 47F

Director National Work Health and Safety
Work Health and Safety & Enterprise Branch | People Division
Corporate Group
Department of Immigration and Border Protection
P: s 47F | M: s 47F
E: s 47F

s 22

For-Official-Use-Only

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From: s 47F
To: s 22 s 47F
Cc: s 22
Subject: RE: Issuance of Comcare Inspector Report – DoHA – Shooting Incident – 14 April 2017 – Manus Island Regional Processing Centre [DLM=Sensitive]
Date: Tuesday, 3 April 2018 11:46:51 AM

Sensitive

Dear s 22

Many thanks – acknowledging receipt for the Department of Home Affairs and ABF.

s 47F

Sensitive

From: s 22
Sent: Tuesday, 3 April 2018 11:25 AM
To: s 47F

s 47E(d)

s 47F

Cc: s 22

Subject: Issuance of Comcare Inspector Report – DoHA – Shooting Incident – 14 April 2017 – Manus Island Regional Processing Centre [DLM=Sensitive]

Sensitive

s 47F

A/Commander s 47F

s 47F

s 47F

Comcare Inspector Report – DoHA – Shooting Incident – 14 April 2017 – Manus Island Regional Processing Centre

Attached is the Comcare Inspector Report (IR) for the above-described incident. If you have any queries regarding the IR please do not hesitate to contact me.

This matter is now closed.

Regards.

s 22

Senior Inspector
Regulatory Operations Group
ACT Inspectorate

Inspector Appointed under the Work Health and Safety Act 2011

P s 22

M s 22

GPO Box 1993, Canberra, ACT 2601
1300 336 979 www.comcare.gov.au

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Sensitive: This document may contain sensitive information as defined under Section 6 of the Privacy Act.

From: s 47F
To: s 22
Cc: s 22 _____, s 47F ; s 22 [National WHS](#); s 47F
Subject: REPLY: DIBP LIAISON INSPECTIONS [DLM=For-Official-Use-Only]
Date: Monday, 22 May 2017 3:12:43 PM

For-Official-Use-Only

Dear s 22

As s 47F has discussed with s 22 today we are having some major IT Issues that have impacted our ability to provide this information today (22 May 2017). s 47F is unable to access emails and documents on our system and we are working closely with IT to retrieve the necessary information.

We are aware that the information below was requested and is due for submission to Comcare today. We will continue to work closely with our IT area to reconstruct the information and have it available to you as soon as possible.

I wanted to ensure that I notified you of this issue and provide assurance that we are prioritising getting this information to you as soon as possible.

Thanks
s 47F

s 47F

Director National Work Health and Safety
Work Health and Safety & Enterprise Branch | People Division
Corporate Group
Department of Immigration and Border Protection
P: s 47F | M: s 47F
E: s 47F

s 22

For-Official-Use-Only

From: s 47F
Sent: Monday, 8 May 2017 5:07 PM
To: s 22
Cc: s 22 ; s 47F
Subject: RE: DIBP LIAISON INSPECTIONS [DLM=For-Official-Use-Only]

For-Official-Use-Only

Dear s 22

Many thanks for this advice. I will follow up with colleagues this end and appreciate the timeframes you have set down in the below email.

Cheers
s 47F

s 47F

Director National Work Health and Safety
Work Health and Safety & Enterprise Branch | People Division
Corporate Group
Department of Immigration and Border Protection
P: s 47F | M: s 47F
E: s 47F

s 22

For-Official-Use-Only

From: s 22
Sent: Monday, 8 May 2017 4:44 PM
To: s 47F
Cc: s 22
Subject: FW: DIBP LIAISON INSPECTIONS [DLM=For-Official-Use-Only]
Importance: High

For Official Use Only

s 47F

As briefly discussed on the telephone, I am following up regards my earlier email (please see below).

Thank you for the information provided thus far. s 22

s 22

s 22

s 22

Once again, I seek your support in resolving these matters.

Regards,

s 22

Director
Regional Operations - ACT
Regulatory Operations Group
Comcare

P s 22 | M s 22
s 22

GPO Box 1993, Canberra, ACT 2601 | www.comcare.gov.au

From: s 22

Sent: Monday, 3 April 2017 5:20 PM

To: s 47F

Subject: DIBP LIAISON INSPECTIONS [DLM=For-Official-Use-Only]

For Official Use Only

s 47F

s 22

s 22

Regards,

s 22

Director
Regional Operations - ACT
Regulatory Operations Group
Comcare

p s 22 | M s 22

s 22

GPO Box 1993, Canberra, ACT 2601 | www.comcare.gov.au

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From: s 47F
To: s 22
Cc: National WHS; s 47F ; s 22
Subject: REPLY: MC00000117: MANUS ISLAND INCIDENT 14 APR 17 [DLM=For-Official-Use-Only]
Date: Monday, 15 May 2017 7:29:48 PM
Attachments: image001.jpg

For-Official-Use-Only

Dear s 22

Further to your request for more information in relation to Comcare's intervention into the matter, (MC00000117 refers). Please find below information. DIBP has also obtained the CCTV footage from Manus and this will be available in Australia now at DIBP for Comcare to view anytime. If Comcare wishes to review this footage please let me know and we can arrange this for you anytime this week.

I am also following up on your request relating to the Amnesty International report and hope to come back to you further on this tomorrow.

Regards

s 47F

Incident classification (death of a person, serious injury or illness, dangerous illness or 'other')

- Severity – Critical
- Incident Type - Disturbance

Who was involved in the incident

- A large number of Residents of Manus Regional Processing Centre
 - 12 residents reported at one time
 - 20 residents reported at another time
- Wilsons Security Staff

s 33

The location where the incident occurred, including the part of the facility

- Manus Regional Processing Centre

The time and date of the incident

- Incident commenced at approximately 1800hrs (Manus Local Time) on 14APR2017

The cause of the incident

- The incident is currently under investigation by the s 33 and the s 33

The nature of the injury, treatment received

- Anyone who was injured in the incident was treated by IHMS at the MRPC and discharged.

s 33

What has been done or what is going to be done to manage the incident

- ABF have provided relevant documents to s 33 for referral to s 33 and s 33 for their investigation of the incident
- s 33 and s 33 are currently undertaking an investigation into the incident.

Incident Summary

s 33

s 47F

Director National Work Health and Safety
Work Health and Safety & Enterprise Branch | People Division
Corporate Group
Department of Immigration and Border Protection
P: s 47F | M: s 47F

E: s 47F

s 22

For-Official-Use-Only

From: s 22
Sent: Monday, 15 May 2017 12:57 PM
To: s 47F
Subject: RE: MC00000117: MANUS ISLAND INCIDENT 14 APR 17 [SEC=UNCLASSIFIED]

UNCLASSIFIED

Hi s 47F, this is the job that I spoke with u by telephone this morning (with email).
Relates to the Amnesty Report being released today. So I do need some more information.

Regards.

s 22

Sent with BlackBerry Work (www.blackberry.com)

From: s 47F
Date: Monday, 15 May 2017, 12:53 pm
To: s 22
Cc: s 47E(d)
Subject: RE: MC00000117: MANUS ISLAND INCIDENT 14 APR 17 [SEC=UNCLASSIFIED]

UNCLASSIFIED

Dear s 22

Many thanks. I know we provided a verbal notification and that we provided a written notification to you last week (9 May).

Can you let me know today if you require anything further on this one?

Many thanks

s 47F

s 47F

Director National Work Health and Safety
Work Health and Safety & Enterprise Branch | People Division
Corporate Group
Department of Immigration and Border Protection
P: s 47F | M: s 47F
E: s 47F

s 22

UNCLASSIFIED

From: s 22
Sent: Monday, 15 May 2017 11:15 AM
To: s 47F
Subject: FW: MCOUUU0117: MANUS ISLAND INCIDENT 14 APR 17 [SEC=UNCLASSIFIED]

UNCLASSIFIED

Hi s 47F ,

Reference email below. I refer you to this because you may or may not have been aware / advised that Comcare has commenced an Inspection into the incident.

FYI.

s 22

From: s 22
Sent: Friday, 21 April 2017 2:09 PM
To: s 47F
Subject: MCOUUUU117: MANUS ISLAND INCIDENT 14 APR 17 [SEC=UNCLASSIFIED]

UNCLASSIFIED

Hi s 47F

Re: Comcare Intervention MCO0000117: MANUS ISLAND INCIDENT 14 APR 17

I have been advised that s 22 and you spoke about the Manus Island Incident dated 14 April 2017 earlier this week. The DIBP view at that time was the matter was not notifiable as it was unrelated to the undertaking.

Notwithstanding DIBP's view, Comcare has made a decision to review the matter to determine what if any regulatory action should occur. The reasoning being, it is unclear what actually happened as media reports differ. Accordingly, a Comcare intervention has been established to look into the matter, (MCO0000117 refers).

To ensure that Comcare has documentary evidence of DIBP's understanding of the situation, I would be grateful if DIBP would provide Comcare a report (assessments/investigation) for the matter. We would require this preliminary documentation by COB 28 April 2017.

If you have any queries please call me to discuss further.

Regards.

s 22

Senior Inspector
Regulatory Operations Group
ACT Inspectorate
Inspector Appointed under the Work Health and Safety Act 2011
P s 22 M s 22

GPO Box 1993, Canberra, ACT 2601
1300 336 979 www.comcare.gov.au

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From: s 47F
To: s 22
Subject: FW: DIBP - Key Brief on WHS [DLM=Sensitive]
Date: Tuesday, 16 May 2017 7:19:26 AM

Sensitive

For your information also s 22 and s 22 .

s 47F

Sensitive

From: s 47F
Sent: Tuesday, 16 May 2017 2:23 AM
To: s 22
Cc: s 47F
Subject: RE: DIBP - Key Brief on WHS [DLM=Sensitive]

Sensitive

Hi s 22 .

Sorry to have missed the opportunity to catch up last week.

Let me know if there is any aspect of the brief we have provided that requires clarification or discussion.

In addition to the brief, there are a couple of topical investigations that would be good to have a common understanding of in case there are questions about status, outstanding information requests, etc.

Ones that come to mind for me that I can provide an update on are:

Easter incident at Manus

Amnesty report

Following the Amnesty report on this incident today, we have some cleared talking points that we will use in response to questions (media or estimates).

We are sending these on to your team in the morning for the investigation that is underway but also providing for you here as follows:

If asked about the Amnesty International Report in general:

- The Department is aware of this report.
- Consistent with previous reports from Amnesty International, the Department was not consulted nor provided an advance copy of this report before it's publication.
- The s 33 and the s 33 are

- conducting concurrent investigations into this incident.
- This is a matter for the s 33 .

If asked about why we initially said shots were fired ‘into the air’ and whether we stick by this when there is physical evidence shots were fired into the actual RPC.

- The Department recognises that there is a high level of public interest in its activities and does everything it can to provide information to the media in an accurate and timely manner.
- On the day of the incident, the Department engaged with the media and provided information to the best of its ability and knowledge.
- Information received from Manus Island initially indicated that shots were fired into the air during the incident.
- The Department subsequently revised its statement to say that ‘shots were fired’ as further information became available.
- As this matter is currently under investigation by s 33 it would not be appropriate to provide further comment on the circumstances surrounding this matter.

Notifiable incident status

While we have reported this one through the notifiable incident channel, our first inclination was that it did not meet the definition of a notifiable incident. We made this assessment on the basis that:

- The incident arose from an altercation between RPC residents and PNG nationals outside of the RPC – not out of the Department’s business or undertaking;
- The perimeter of the centre had not been breached; and there had been no discharge of weapons within the centre or by staff or service providers (reports, at that time, were that gunfire had occurred in the vicinity of the [naval base]Oval/RPC)
- There were no injuries that would be regarded as injuries creating a notifiable incident.

Notwithstanding the initial assessment, we have been in close contact with your team on this one since 18 April (the Tuesday after the incident) to provide details at hand, run through our thinking about notifiable status and since then, to follow up with further information (incident notification, and a more detailed, written summary of events). We have secured images of damage that was caused and footage of some of the events outside of the RPC that we have proposed your team come to our premises to view – we can facilitate as early as tomorrow if that would assist.

In relation to status as a notifiable incident, I would welcome your thoughts as to whether our initial assessment was correct against the criteria established in the Act. If there are factors we should have considered differently in coming to a decision, grateful if we can maybe have a quick discussion tomorrow. If you are in Canberra, I am happy to catch up.

Visits to RPCs

We are working to lock in the Nauru visit in the week of 5 June and possibly the Manus visit the

week after if that would work. Nauru dates we have arrived at in discussion with s 22
Manus we hope to be in a position to confirm in the next couple of days.

s 22

Let me know if there are others; and, as always, happy to discuss.

Regards,

D

s 47F

Assistant Secretary

Work Health and Safety and Enterprise Agreement Task Force People Division Department of
Immigration and Border Protection

Telephone: s 47F

Mobile: s 47F

Email: s 47F

Sensitive

From: s 22

Sent: Monday, 15 May 2017 12:01 PM

To: s 47F

Cc: s 47F

s 22

Subject: RE: DIBP - Key Brief on WHS [SEC=UNCLASSIFIED]

UNCLASSIFIED

Thanks ^{s 47F} ,

Much appreciated.

^{s 22}

Sent with BlackBerry Work
(www.blackberry.com)

From: ^{s 47F}

Date: Monday, 15 May 2017, 8:44 am

To: ^{s 22}

Cc: ^{s 47F}

^{s 47F}

^{s 22}

Subject: DIBP - Key Brief on WHS

Hi ^{s 22} ,

Thank you for your time on Tuesday last week, it was nice to see you, ^{s 22} and ^{s 22}

As promised, please find the brief that has been prepared for Senate Estimates on **Work Health and Safety (including application of the Work Health and Safety Act 2011 (Cth) to Nauru and Manus Regional Processing Centres)**.

Should any points of clarification be required, please do not hesitate to contact us.

Regards

^{s 47F}

Director

WHS & Enterprise Branch | People Division

Corporate Group

Department of Immigration and Border Protection

P: ^{s 47F}

E: ^{s 47F}

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From: s 47F
To: s 22
Cc: [National WHS](#)
Subject: RE: MC00000117: MANUS ISLAND INCIDENT 14 APR 17 [SEC=UNCLASSIFIED]
Date: Monday, 15 May 2017 12:53:37 PM
Attachments: [image001.jpg](#)

UNCLASSIFIED

Dear s 22

Many thanks. I know we provided a verbal notification and that we provided a written notification to you last week (9 May).

Can you let me know today if you require anything further on this one?

Many thanks
s 47F

s 47F

Director National Work Health and Safety
Work Health and Safety & Enterprise Branch | People Division
Corporate Group
Department of Immigration and Border Protection
P: s 47F | M: s 47F
E: s 47F

s 22

UNCLASSIFIED

From: s 22
Sent: Monday, 15 May 2017 11:15 AM
To: s 47F
Subject: FW: MC00000117: MANUS ISLAND INCIDENT 14 APR 17 [SEC=UNCLASSIFIED]

UNCLASSIFIED

Hi s 47F ,

Reference email below. I refer you to this because you may or may not have been aware / advised that Comcare has commenced an Inspection into the incident.

FYI.

s 22

From: s 22
Sent: Friday, 21 April 2017 2:09 PM
To: s 47F
Subject: MC00000117: MANUS ISLAND INCIDENT 14 APR 17 [SEC=UNCLASSIFIED]

UNCLASSIFIED

Hi s 47F ,

Re: Comcare Intervention MC00000117: MANUS ISLAND INCIDENT 14 APR 17

I have been advised that s 22 and you spoke about the Manus Island Incident dated 14 April 2017 earlier this week. The DIBP view at that time was the matter was not notifiable as it was unrelated to the undertaking.

Notwithstanding DIBP's view, Comcare has made a decision to review the matter to determine what if any regulatory action should occur. The reasoning being, it is unclear what actually happened as media reports differ. Accordingly, a Comcare intervention has been established to look into the matter, (MC00000117 refers).

To ensure that Comcare has documentary evidence of DIBP's understanding of the situation, I would be grateful if DIBP would provide Comcare a report (assessments/investigation) for the matter. We would require this preliminary documentation by COB 28 April 2017.

If you have any queries please call me to discuss further.

Regards.

s 22

Senior Inspector
Regulatory Operations Group
ACT Inspectorate
Inspector Appointed under the Work Health and Safety Act 2011
p s 22 M s 22

GPO Box 1993, Canberra, ACT 2601
1300 336 979 www.comcare.gov.au

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From: s 47F
To: s 22
Cc: s 22 [National WHS](#); s 47F
Subject: REPLY: Comcare Intervention MC00000117: MANUS ISLAND INCIDENT 14 APR 17 and Amnesty International Report - Request for information [DLM=For-Official-Use-Only]
Date: Tuesday, 16 May 2017 6:44:49 AM
Attachments: [image001.jpg](#)

For-Official-Use-Only

Dear s 22

Re: Comcare Intervention MC00000117: MANUS ISLAND INCIDENT 14 APR 17

Following the Amnesty report on this incident, and your request for information, we have some cleared talking points (as below) that DIBP will use in response to questions (media or estimates). I also confirm my advice late yesterday that we have some limited CCTV footage of the incident and images of damage caused and would be pleased to provide an opportunity for you to review at our premises this week if that would assist.

Please let us know if there is anything further we can provide or do to assist on this matter.

Regards
s 47F

If asked about the Amnesty International Report in general:

- The Department is aware of this report.
- Consistent with previous reports from Amnesty International, the Department was not consulted nor provided an advance copy of this report before it's publication.
- The s 33 and the s 33 are conducting concurrent investigations into this incident.
- This is a matter for the s 33.

If asked about why we initially said shots were fired 'into the air' and whether we stick by this when there is physical evidence shots were fired into the actual RPC.

- The Department recognises that there is a high level of public interest in its activities and does everything it can to provide information to the media in an accurate and timely manner.
- On the day of the incident, the Department engaged with the media and provided information to the best of its ability and knowledge.
- Information received from Manus Island initially indicated that shots were fired into the air during the incident.
- The Department subsequently revised its statement to say that 'shots were fired' as further information became available.
- As this matter is currently under investigation by s 33 it would not be appropriate to provide further comment on the circumstances surrounding this matter.

s 47F

Director National Work Health and Safety
Work Health and Safety & Enterprise Branch | People Division
Corporate Group
Department of Immigration and Border Protection
P: s 47F | M: s 47F
E: s 47F

s 22

For-Official-Use-Only

From: s 22
Sent: Monday, 15 May 2017 9:57 AM
To: s 47F
Cc: s 22
Subject: Amnesty International Report - Request for information. [SEC=UNCLASSIFIED]

UNCLASSIFIED

Hi s 47F ,

s 47C

Thanks.

s 22

Senior Inspector
Regulatory Operations Group
ACT Inspectorate
Inspector Appointed under the Work Health and Safety Act 2011
P s 22 | M s 22

GPO Box 1993, Canberra, ACT 2601
1300 336 979 www.comcare.gov.au

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From: s 47F
To: s 22
Cc: s 22 ; s 47F ; [National WHS](#)
Subject: viewing of CCTV - details [DLM=For-Official-Use-Only]
Date: Wednesday, 17 May 2017 6:48:24 PM

For-Official-Use-Only

Dear s 22

Further to your call this morning. I am still confirming the final arrangements for location for the viewing of the CCTV on Friday. Our operational area are comfortable with the 10am Friday timing and I hope to send through the final details tomorrow in terms of location etc.

How long are you planning on spending – I understand some of the CCTV may be up to 4 hours duration. The team are trying to work through an approach that will make viewing easier and more streamlined and hope to have this settled more tomorrow. We may be able to provide some stills as one way of navigating through the video.

Will be in contact tomorrow with more firm details.

I've also let s 47F know that Comcare is considering the issue of notification and you are in discussions with your legal area on this point and hope to have advise to us soon.

Thanks

s 47F

s 47F

Director National Work Health and Safety
Work Health and Safety & Enterprise Branch | People Division
Corporate Group
Department of Immigration and Border Protection
P: s 47F | M: s 47F
E: s 47F

s 22

For-Official-Use-Only

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From: s 47F
To: s 22
Cc: s 47F
Subject: Re: Comcare Intervention MC00000117: MANUS ISLAND INCIDENT 14 APR 17. [DLM=For-Official-Use-Only]
Date: Tuesday, 9 May 2017 2:09:16 PM
Attachments: [Manus RPC.DOCX](#)

For-Official-Use-Only

Hello s 22

Please see the attached formal notification for the above incident as requested.

If you have any further queries please feel free contact me at any time.

Regards

s 47F

s 47F

Senior WHS Advisor | National Work Health & Safety | Safety
EA Taskforce | People Division
Corporate

Department of Immigration and Border Protection

PH: s 47F

s 47F

For-Official-Use-Only

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Notification of an incident

This notification form is approved by Comcare for the purposes of section 38(5) of the *Work Health and Safety Act 2011* (Cth).

Management of an individual’s privacy

This form seeks to collect information—including personal information—for the purpose of administering and enforcing the WHS Act and the Work Health and Safety Regulations 2011 (Cth) (WHS Regulations).

Comcare is authorised by law to collect personal information under section 38 of the WHS Act where it is reasonably necessary to do so when administering and enforcing the Act and Regulations. Information on how Comcare manages an individual’s privacy is available at http://www.comcare.gov.au/about_us/privacy.

Instructions

The red numbers in the form indicate the relevant section in the attached ‘Guidance and examples’. All questions marked with an asterisk (*) are mandatory.

For further guidance refer to Comcare’s *Guide to work health and safety incident notification*.

The duty to notify is held at all times by the person conducting the business or undertaking. (1)

Notifications can be given to Comcare by fax on 1300 305 916.

1. Details of the person conducting the business or undertaking (PCBU) which gave rise to the incident

- * Agency/department/authority/company
- * Australian Business Number (ABN) (2)
- * Australian Company Number (ACN) (2)
- * Street address
- * Town/suburb
- * State
- * Postcode

Department of Immigration and Border Protection
33 380 054 835
6 Chan Street, Belconnen
Canberra
ACT
2617

Person with management or control (PWMC) of the workplace where the incident occurred (2a)

- * As above Other

If you have selected ‘other’ please complete the following

- * Agency/department/authority/company
- * Australian Business Number (ABN) (2)
- * Australian Company Number (ACN) (2)
- * Street address
- * Town/suburb
- * State
- * Postcode

2. Previous notification of this incident

Has this incident been notified to Comcare previously, by telephone or in writing (fax or email)?

- Yes No

If you have selected 'yes', please tick one of the following reasons for subsequent notification:

- Required by Comcare after previous telephone notification
 Requested by Comcare after previous written notification
 Additional information being notified
 Change to information previously notified
 Other

If 'other', what is the reason?

Method of first notification to Comcare

- Telephone In writing Other

Date first notified to Comcare

Comments—include Comcare reference number if known

s 22, dangerous incident, approximately 1400. Site to release noting time lapsed and action to make site safe.

3. Details of the incident

* Date of incident

* Time of incident

* Type of incident (3)

- The death of a person
 A serious injury or illness of a person
 A dangerous incident

* Serious injury or illness type (if applicable) (4)

- Treatment as inpatient in a hospital
 Amputation of any part of body
 Serious head injury
 Serious eye injury
 Serious burn
 Separation of skin from underlying tissue (such as degloving or scalping)
 Spinal injury
 Loss of a bodily function
 Serious lacerations
 Medical treatment within 48 hours of exposure to a substance

Did the injury or illness require the person to have 'immediate' treatment?

- Yes No

* Dangerous incident type (if applicable) (5)

- An uncontrolled escape, spillage or leakage of a substance
 An uncontrolled implosion, explosion or fire
 An uncontrolled escape of gas or steam
 An uncontrolled escape of a pressurised substance
 Electric shock
 The fall or release from a height of any plant, substance or thing
 The collapse, overturning, failure or malfunction of, or damage to, any plant that is required to be authorised for use in accordance with the regulations
 The collapse or partial collapse of a structure
 The collapse or failure of an excavation or of any shoring supporting an excavation
 The inrush of water, mud or gas in workings, in an underground excavation or tunnel
 The interruption of the main system of ventilation in an underground excavation or tunnel

Was there a serious risk to a person’s health and safety that was ‘immediate or imminent’?

Yes No

Did this incident occur at a major hazard facility? (6)

Yes No

Where did the incident occur?

* Workplace known as (7)	Manus Regional Processing Centre
* Street address	
* Town/suburb	Los Negros Island in Manus Province
* State	
* Postcode	
* Country	Papua New Guinea

* Describe the exact location of the incident (8)

Manus Regional Processing Centre, Manus Island. Primarily the Navy Oval at Lombrum Naval Base, Manus Island.

* Describe the sequence of events immediately leading up to the incident, including what, if anything, may have gone wrong (9)

A number of residents were playing soccer on the oval. At 1800 curfew, officers requested residents depart so children/others could play on oval. A small number of residents did not comply and engaged in verbal and physical disagreement with staff which accelerated into a major disturbance.

* What activity was being performed when the incident occurred? (10)

A number of residents were playing soccer on the oval. Normal co-ordinating and supervision of oval by Wilson Security officers.

* What, if any, plant, vehicles, equipment, substances or things were involved in the incident? (11)

Rocks, vehicles, guns.

4. Details of persons who died or suffered serious injury or illness

Note: You must include the full names and details of all persons who died or suffered a serious injury or illness.

Person 1

* Title	
* First names	
* Last name	
* Date of birth	
* Residential address	
* Town/suburb	
* State	
* Postcode	
* Occupation (if relevant)	
* Employer (if relevant)	
* Telephone number	
* Email address (if known)	

* Relationship to the PCBU(12)

- Employee
- Contractor/Self-employed
- Labour hire worker
- Group training apprentice or trainee
- Volunteer
- Member of the public
- Defence youth cadet
- Other

* Injury/illness details (13)

* Details of any treatment received or needed (14)

* Where was the injured person taken for treatment?

Person 2 (if applicable)

- * Title
- * First names
- * Last name
- * Date of birth
- * Residential address
- * Town/suburb
- * State
- * Postcode
- * Occupation (if relevant)
- * Employer (if relevant)
- * Telephone number
- * Email address (if known)

* Relationship to the PCBU

- Employee
- Contractor/Self-employed
- Labour hire worker
- Group training apprentice or trainee
- Volunteer
- Member of the public
- Defence youth cadet
- Other

* Injury/illness details (15)

* Details of any treatment received or needed (16)

* Where was the injured person taken for treatment?

Additional injured persons (if applicable)

* Details of any other persons injured in the incident (17)

5. Details of workers involved in a dangerous incident (if not already named above)

Note: These persons may be contacted to provide additional information about this incident.

- * First names
- * Last name
- * Role for the relevant work task giving rise to the incident
- * Employer (if not the PCBU)
- * Telephone number
- * Email address (if known)

Worker 2 (if applicable)

- * First names
- * Last name
- * Role for the relevant work task giving rise to the incident
- * Employer (if not the PCBU)
- * Telephone number
- * Email address (if known)

6. Action taken or proposed to prevent a recurrence of a similar incident

* What action was taken immediately following the incident to prevent a recurrence of a similar incident—or to minimise any risk to health and safety that was present because of, or in the aftermath, of the incident? (18)

Australian Border Force provided relevant documents to ^{s 33}
for their investigation of the incident. ^{s 33}
are currently undertaking an investigation into the incident

* Describe any longer term action taken or proposed to prevent a recurrence (if known) (19)

All CCTV footage and photo's taken by any person are to be provided to Comcare.

7. Disturbance/preservation of incident site

The person with management or control of a workplace (PWMC) at which a notifiable incident has occurred must ensure, so far as is reasonably practicable, that the site where the incident occurred is not disturbed until an Inspector arrives at the site—or any earlier time that an Inspector directs (s39(1) of the WHS Act).

* Has the site where the incident occurred been disturbed?

No Yes Don't know

If you have ticked 'no' proceed to section 8.

If you have ticked 'yes' or 'don't know' please answer the following question.

* Has a Comcare Inspector arrived at the site or authorised disturbance of the incident site? (20)

Yes No Don't know

If you have ticked 'yes' please complete the following.

* Inspector's name	N/A
* Date authorised	N/A
* Time authorised (if known)	N/A

If you have ticked 'no' please answer the following.

* Has the incident site been disturbed for one of the reasons set out in section 39(3) of the WHS Act? (20)

Yes No Don't know

*Primary reason for disturbance (20a)

- To assist an injured person
- To remove a deceased person
- To make the site safe or to minimise the risk of a further notifiable incident
- Police investigation
- Inspector of the regulator has given permission

*How was the site disturbed? (20b)

8. Details of person completing this form

*Title	Miss
*First name	s 47F
*Last name	s 47F
*Position/designation	Assistant Director, National Work Health and Safety
* Telephone number	s 47F mobile s 22
* Email address	s 47F

9. Contact person for further enquiries

As above Other

If you have ticked 'other' please complete the following

*Title	
*First name	
*Last name	
*Position/designation	
* Telephone number	
* Email address	

10. Person responsible for implementing longer term remedial action

As in 8 above As in 9 above Other

If you have ticked 'other' please complete the following

*Title	
*First name	
*Last name	
*Position/designation	
* Telephone number	

* Email address

Guidance and examples

1	<p>Who should complete this form?</p> <p>The duty to notify is not transferable and is held at all times by the relevant person (entity) conducting a business or undertaking (PCBU).</p> <p>However, the way in which the PCBU discharges this duty may involve arranging for another entity or person to submit notifications on their behalf. For example, this could be:</p> <ul style="list-style-type: none"> the person with management or control (PWMC) of the workplace the supervisor of the injured worker any other person with identified responsibility to notify. <p>Any failure by that person or entity to submit a notification on behalf of the PCBU may result in the PCBU having liability for a breach of section 38 of the WHS Act.</p>
2	<p>Australian Business Number (ABN)</p> <p>The ABN is a unique 11-digit identifying number that businesses use when dealing with other businesses, the Australian Taxation Office and other government agencies. If you do not know your organisation's ABN number, you can search for it at: http://www.abr.business.gov.au/AdvancedSearch.aspx</p> <p>Australian Company Number (ACN)</p> <p>Under the <i>Corporations Act 2001</i>, every company in Australia has been issued with a unique, nine-digit number known as an Australian Company Number (ACN). The purpose of the ACN is to ensure adequate identification of companies for business transactions. It must be shown on a range of documents.</p> <p>If you do not know your organisation's ACN number, you can search for it at: http://www.search.asic.gov.au/gns001.html</p> <p>If your company has an ABN, you may use it with your company's name in place of the ACN, provided that the ABN includes your nine-digit ACN.</p>
2a	<p>Person with management or control (PWMC)</p> <p>The person with management control of a workplace refers to the person conducting a business or undertaking to the extent the business or undertaking involves the management or control of the workplace—in whole or in part (section 20(1) of the WHS Act).</p>
3	<p>Type of incident</p> <p>A single incident may result in multiple outcomes. For example, a crane collapse may result in a serious injury and also be a dangerous incident. The type of incident selected must relate to the most severe outcome. In this example, the type of incident would be serious injury.</p> <p>The WHS Act (section 35) defines notifiable incidents as:</p> <ul style="list-style-type: none"> (a) the death of a person (b) a serious injury or illness of a person (c) a dangerous incident. <p>Please refer to the WHS Act for definitions of serious injury or illness (section 36) and dangerous incident (section 37).</p> <p>For assistance with interpreting these terms please refer to <i>Comcare's Guide to work health and safety incident notification</i>.</p>
4	<p>Serious injury or illness type</p> <p>The dropdown box in the form contains the treatment and injury details specified in the WHS Act and Regulations for serious injury or illness. Select the one that most adequately represents the highest level of treatment and injury that resulted from the incident.</p> <p>Serious injury or illness is defined in section 36 of the WHS Act. The Regulations may also include or exclude other injuries or illnesses as serious injuries or illnesses, but do not currently do so.</p>

5	<p>Dangerous incident type</p> <p>The dropdown box in this form contains a list of events specified in the WHS Act and Regulations as dangerous incidents. Select the dangerous incident type that best represents the incident in terms of the risk to health and safety of workers and other persons.</p> <p>Dangerous incident is defined in the section 37 of the WHS Act as an incident in relation to a workplace that exposes a worker, or any other person, to a serious risk to health or safety emanating from an immediate or imminent exposure to certain events. The Regulations may also include or exclude other events as dangerous incidents, but do not currently do so.</p> <p>An accident may involve a number of incident types. For example, 'the collapse or partial collapse of a structure' may have lead to 'an uncontrolled escape, spillage or leakage of a substance'. In this case determine whether the health and safety of workers or other persons was more at risk from the collapse of the structure, or from exposure to the spilled substance, and record that incident type. If the risk is the same for each incident type, record the incident that occurred first.</p>
6	<p>Did this incident occur at a major hazard facility?</p> <p>Major hazard facilities (MHFs) are sites that have the potential to cause major accidents, where consequences may rival natural disasters in terms of loss of life, injury, damage to property and disruption of services. To be a MHF a facility must be:</p> <p>(a) determined by Comcare to be a MHF and/or licensed under Part 9 of the WHS Regulations</p> <p>(b) a facility at which chemicals listed in Schedule 15 of the Regulations are present, or likely to be present, in a quantity that exceeds the prescribed threshold quantities.</p>
7	<p>Workplace known as</p> <p>The general workplace where the incident occurred may have a name by which it is commonly known. For example: Robertson Army Barracks, HMAS Stirling, Melbourne Delivery Centre, National Gallery, Yulara Visitors Centre, Black Mountain Laboratories.</p> <p>A full street address must also be given in the relevant fields of the form.</p>
8	<p>Describe the exact location of the incident</p> <p>This is intended to provide accurate details of where the incident occurred, for example:</p> <ul style="list-style-type: none"> • On the corner of Barry Drive and Baldwin Close at the traffic light situated across from the Caltex petrol station in Braddon ACT 2612. • Storage room across from the lift on the north side on Level 1, 14 Moore St Canberra ACT 2601. • Bridge pier number 206, adjacent to the southern office compound on South Road, 200 metres north of the intersection with Days Road Regency Park SA 5010.
9	<p>Describe the sequence of events immediately leading to the incident</p> <p>Examples:</p> <ul style="list-style-type: none"> • The crane operator was performing a pick and carry of a 6 tonne load with a mobile crane. After lifting the load, the operator was driving the suspended load to another area in the yard when the crane tipped over. • A contractor was conducting fault testing on an electrical cabinet when he touched a live socket and received an electric shock. • The worker was mixing cement using a machine called a paddle mixer. As the worker attempted to remove material from the open hatch, his fingers were caught by the rotating blades.
10	<p>What activity was being performed when the incident occurred?</p> <p>Examples:</p> <ul style="list-style-type: none"> • The worker was lifting and shifting drums manually. • The soldier was loading his rifle, following the safe operating procedure (SOP) for rifle loading. • The worker was driving through the traffic lights when a person walked in front of the truck.

<p>11</p>	<p>What, if any, plant, vehicles, equipment, substances or things were involved in the incident?</p> <p>Section 5 of the WHS Act defines plant as including:</p> <p>(a) any machinery, equipment, appliance, container, implement and tool</p> <p>(b) and any component of any of those things</p> <p>(c) anything fitted or connected to any of those things.</p> <p>Substance is defined as ‘any natural or artificial substance, whether in the form of a solid, liquid, gas or vapour’.</p> <p>Examples:</p> <ul style="list-style-type: none"> • Company truck, 2 tonne, rego ABC-123 and 25kg drums (empty). • F88 Steyr automatic rifle. • Paint solvent—methyl ethyl ketone—and leather work gloves. • 20 tonne Linmac mobile crane, registration number 123-456.
<p>12</p>	<p>Relationship to the notifying entity</p> <p>Select from the drop down list to show the relationship the injured person had to the entity that conducts the business or undertaking that gave rise to the incident.</p>
<p>13</p>	<p>Provide injury/illness details</p> <p>This should be as descriptive and precise as possible.</p> <p>Examples:</p> <ul style="list-style-type: none"> • Suffered a broken left leg, sprain to the right ankle and a suspected broken rib. • Received minor laceration to front of head/temple and possible concussion. • Suffered an amputation of part of the little finger of left hand, severe laceration of the ring finger, and ligament and tendon damage to the left wrist.
<p>14</p>	<p>Details of any treatment received or needed</p> <p>Examples:</p> <ul style="list-style-type: none"> • Worker taken to hospital with breathing difficulties and was admitted for observation overnight. • Worker taken to hospital in an ambulance, treated in casualty where burns were dressed and worker was referred for skin grafts. • First aid administered by first aid officer on site. Ice pack applied. Worker taken to emergency dental practice to replace knocked out tooth.
<p>15</p>	<p>Provide injury/illness details (Person 2)</p> <p>(Same as 13)</p>
<p>16</p>	<p>Details of any treatment received or needed (Person 2)</p> <p>(Same as 14)</p>
<p>17</p>	<p>Details of any other persons injured in the incident</p> <p>List each of the persons named on a different line, including details of their injuries and treatment received. Where possible include the relationship to the entity that conducts the business or undertaking that gave rise to the incident.</p> <p>Examples:</p> <ul style="list-style-type: none"> • Joe Smith—member of the public, taken to hospital and an x-ray was taken confirming fracture of the left index finger. • Jane Brown—employee, could be suffering from concussion, went to her local GP who advised her to apply a cold compress and gave her two days off work.
<p>18</p>	<p>What action was taken immediately following the incident to prevent a recurrence?</p> <p>List all immediate action that has been taken to prevent such an incident from occurring again.</p> <p>Example:</p> <p>The hydraulic lift was immediately returned to the loading dock and all employees were reminded to wear their personal protective gear (i.e. helmets) when in the loading zone.</p>

<p>19</p>	<p>Describe any longer term action taken or proposed to prevent a recurrence</p> <p>Describe what action will be undertaken, or is proposed, to prevent future recurrences. If remedial action has not yet been determined, describe the process to determine the remedial action.</p> <p>Examples:</p> <ul style="list-style-type: none"> • An internal investigation will be undertaken to review the manual loading process and update it, if necessary. • Signs will be placed around the loading area reminding staff of their duty to wear appropriate safety gear at all time. • Check with the manufacturer and/or supplier that the guard for the power-take off shaft is the correct size and length for the drive shaft, and replace where necessary.
<p>20</p>	<p>Disturbance/preservation of incident site</p> <p>Subsection 39(1) of the WHS Act sets out the requirement for the PWMC to ensure the site where an incident occurred is not disturbed until an Inspector arrives at the site—or any earlier time that an Inspector directs.</p> <p>For example, if the incident site is confined to a particular physical location within an office building, and no immediate risk to health and safety remains for people in other parts of that office, then the entire office would need to be isolated (preserved) until Comcare Inspectors advise otherwise.</p> <p>In terms of subsection 39(3) of the WHS Act, subsection (1) does not apply to any action:</p> <p>(a) to assist an injured person (b) to remove a deceased person (c) that is essential to make the site safe or to minimise the risk of a further notifiable incident (d) that is associated with a police investigation (e) for which an Inspector or the regulator has given permission.</p>
<p>20a</p>	<p>Primary reason for disturbance</p> <p>There may be more than one permitted reason for the site to be disturbed. For example, it may have been necessary to disturb an incident site to assist an injured person and to make the site safe. Choose from the list the reason that caused the most disturbances or, if equal, choose any one of the relevant reasons.</p>
<p>20b</p>	<p>How was the site disturbed</p> <p>Examples:</p> <ul style="list-style-type: none"> • The crane that had tipped over was leaking fuel onto the ground. To prevent ignition of the fuel several loads of sand were spread on the fuel and around the crane. • Emergency services personnel cut into the cabin of the truck, removing the roof and the passenger side door, in order to gain access to the injured driver. Police removed several items, including a mobile phone, from the cabin. • Several pallets of stock were moved from the area to enable emergency vehicles to have access. The chemical spill was cleaned up to limit the spread of harmful fumes to neighbouring properties and prevent discharge into the nearby lake. All warehouse doors were opened to increase ventilation to the area.



ON-CALL TELEPHONE ADVICE or NOTIFICATION OF AN INCIDENT

Once completed send to
notify@comcare.gov.au
 or fax to 1300 305 916

NATURE OF CALL AND OUTCOME

A caller telephoned Comcare:

To notify a notifiable incident in terms of section 38 of the WHS Act

To enquire whether or not an incident was notifiable

As a result of the telephone call the caller:

Notified the incident to Comcare on behalf of the PCBU

Did not notify the incident – caller considered incident to be **not notifiable**

Did not notify the incident – caller had **no authority to notify** for the PCBU

CALLER'S DETAILS

PCBU involved *	DIBP		
Inspector's Name	s 22		
Date of call *	30/04/2017	Time*	1:55pm

INCIDENT / ISSUE

Incident date	14/04/2017	Time	6pm
Sequence of events * (Activity performed, plant/equipment involved etc.)	Comcare reference MC00000117 12 RPC residents were using the PNG Navy oval after hours permitted. s 33 No injuries were sustained.		

RISK ASSESSMENT AND CONTROL (*Notifiable incidents only*)

1. Has the activity associated with this incident now ceased at this workplace?
2. What has been done to make this incident site safe and prevent further activity of this nature or more harm?
3. Is the activity that resulted in this incident undertaken at any other workplace or location?
4. If so, what has been done to prevent a similar incident at those workplaces?

Is there likely to be CCTV or other video footage of the incident? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
Have photographs been taken of the incident scene? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
Unsure on CCTV, s 47F will request that any found is held for Comcare.

Incident address *	RPC Manus Island, PNG
Exact location *	PNG Navy Oval

NOTE FOR INSPECTOR – If there remains a serious risk to health and safety, and there are any doubts as to the PWMC’s attention to immediately eliminating or minimising those risks, consider issuing an oral **prohibition direction**, to be followed up with a written Prohibition Notice as soon as practicable (s195).

Preliminary Assessment by PCBU for incident notifications

The incident is likely to be: (tick box style for options below)

- Notifiable – Death
- Notifiable – Serious Injury or Illness
- Notifiable Dangerous Incident
- Not-Notifiable

SITE DISTURBANCE (Notifiable incidents only)

Has the incident site been disturbed?	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>
If yes, how and why?	<p>Is the disturbance an allowable reason? (s39(3) of WHS Act)</p> <p><input type="checkbox"/> to assist an injured person</p> <p><input type="checkbox"/> to remove a deceased person</p> <p><input type="checkbox"/> essential to make site safe/minimise the risk of a further incident</p> <p><input type="checkbox"/> associated with a police investigation</p> <p><input type="checkbox"/> an Inspector or Regulator has given permission</p> <p>Was not deemed notifiable in the first instance.</p>

INSPECTOR'S AUTHORITY TO DISTURB INCIDENT SITE

PMCW of site	Currently a jurisdictional issue
Phone number	s 47F

- I have NOT AUTHORISED site disturbance. I have advised the caller that the person with management or control of the site must ensure so far as is reasonably practicable that the incident site is not disturbed until an inspector arrives at the site or until an inspector directs.
- I have AUTHORISED FULL SITE DISTURBANCE
- I have AUTHORISED PARTIAL SITE DISTURBANCE (explain below)

Site was already disturbed

Authority Date	30/04/2017	Time	2:05pm
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ORAL PROHIBITION DIRECTION ISSUED? (Notifiable incidents only)

Record details of any verbal prohibition direction given:

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PERSONS INVOLVED

How many?	12 plus unknown number of service providers
Relationship to PCBU	RPC residents and contractors
Any details known (including names any persons hospitalised)	Any admitted to hospitalised? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO

INSPECTOR'S DETAILS:

Inspector	s 22 _____		
Signature	s 22 _____		
Date	30/04/2017	Mobile	s 22 _____

RESPONSIBLE PARTY

Caller's name *	s 47F _____		
Caller's position *	AD National WHS		
Phone *	s 47F _____		
Email *	s 47F _____		

INSPECTOR ACTIONS/RECOMMENDATIONS

<input type="checkbox"/> No Further Action <input type="checkbox"/> Provide Information and Advice <input type="checkbox"/> Compliance Monitoring <input type="checkbox"/> Investigation <input checked="" type="checkbox"/> Undecided (forward to R&A) <input type="checkbox"/> Internal referral <input type="checkbox"/> External referral	Notes Add to current MC
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Is immediate site attendance necessary? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
Reason (consider risks associated with site/evidence preservation; minimisation of risks; securing best evidence; need to liaise/coordinate with other regulators; Comcare's reputation):
Authorisation to attend site - Assistant Director or Director (include any details):

Other regulatory/law enforcement agencies - involvement required or informed? <input type="checkbox"/> YES <input type="checkbox"/> NO Details:
--

CRITICAL INCIDENT BRIEF required? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO (Inspector to complete if yes)

WRITTEN NOTIFICATION

I have advised the caller to ensure the PCBU must submit a written notification within 48 hours: YES NO Not applicable

If no, why not?

* Mandatory field in IRIS. Information must be provided for the record to "Save" in IRIS.