
From: Neil SKILL
Sent: Monday, 19 October 2015 7:23 AM
To: John WISEMAN
Subject: RE: Somali woman medical consults in Aust [DLM=Sensitive:Personal]

We need to be careful - she has not given us approval to access her refugee health record but ihms has confirmed she was seen between 3 September and arrival in Australia - attached brief gives some info.

Neil Skill
First Assistant Secretary
Detention Services
Australian Border Force
s. 22(1)(a)(ii)

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

From: John WISEMAN
Sent: Monday, October 19, 2015 07:20 AM AUS Eastern Standard Time
To: Neil SKILL
Subject: RE: Somali woman medical consults in Aust [DLM=Sensitive:Personal]

Sensitive:Personal

Neil

Do we also have a treatment history on Nauru - her lawyer said on Friday night she had not had any treatment since September 3.

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

From: Neil SKILL

Sent: Monday, 19 October 2015 7:19 AM


To: John WISEMAN

Cc: Roman QUAEDVLIEG; Amanda LITTLE; Cindy BRISCOE

Subject: Somali woman medical consults in Aust [DLM=Sensitive:Personal]

Outline of IHMS contact as per below:

s. 47F(1)



We are confirming with ihms the aspect of 'counselling' while on the mainland - it is not explicitly mentioned in the advice above that they provided to us late last night.

Suggest she had a significant level of medical and mental health support up to and after her decision.

Regards

Neil Skill

First Assistant Secretary

Detention Services

Australian Border Force

s. 22(1)(a)(ii)

Sensitive:Personal


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**Department of Immigration and Border Protection
Supplementary Estimates –October 2015**

Nauru Somali refugee seeking Government of Australia assistance

Statistics

s. 22(1)(a)(ii)



Key Talking Points

- I am aware of some cases in Nauru in which refugee and transferee women have alleged sexual assault.
- Investigation of alleged criminal activity in Nauru is a matter for the Government of Nauru.
- The Australian Government funds the ongoing deployment of Australian Federal Police officers to support and mentor Nauru Police Force (NPF) officers in investigations, community policy and dealing with child abuse and sexual assault matters.
- The Government of Nauru has also recently established a Gender Violence and Child Protection Unit within the Department of Home Affairs and a gender violence hotline will commence shortly.
- The Government of Nauru operates a Community Liaison Officer (CLOs) programme under the watch of the NPF. CLOs provide a neighbourhood watch presence and are equipped to respond and report incidents, assist transferees and refugees with information and directions and contribute to the general safety and security throughout the community. The Government of Nauru intends to expand this programme following the announcement of full open centre arrangements.
- The Department continues to work closely with the Government of Nauru to support the safety and security of all refugees living in the community.

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Background

- s. 47F(1), a Nauru-determined refugee from Somalia is pregnant and seeks to be brought to Australia for termination of the pregnancy. s. 47F(1) claims she became pregnant after being sexually assaulted in the Nauruan community.
- Since January 2013 s. 47E(d) transferees and s. 47E(d) refugees have been brought to Australia from Nauru s. 47E(d) (as of 8 October 2015).
- s. 47E(d) have been returned to Nauru s. 47E(d) and s. 47E(d) remain in Australia s. 47E(d) which is preventing their return to Nauru and s. 47E(d) a Bridging Visa E).

s. 33(a)(iii)

Current situation

- International Health and Medical Services (IHMS), the contracted provider for transferee and settlement health in Nauru, advised that, "should s. 47F(1) not be transferred, there are risks of deteriorating mental health and psychological distress relating to an unwanted pregnancy under these circumstances."
- Based on this medical advice, s. 33(a)(iii) the Department agreed to bring s. 47F(1) to Australia for the TOP.
- Her procedure was scheduled for 16 October and arrangements were made for the transfer from Nauru to Australia on the next available commercial flight.
- s. 47F(1) was informed of the arrangements as soon as transfer arrangements were confirmed and a letter sent to her legal representative confirming arrangements.
- IHMS anticipated that s. 47F(1) would require a stay in Australia of one to two weeks following the procedure. s. 47F(1) does not have any dependants and the Department does not anticipate any refugees accompanying her to Australia.
- Following counselling and medical review, s. 47F(1) declined to consent to the termination of pregnancy procedure. s. 47F(1) was returned to Nauru on 16 October 2015.
- s. 47F(1)

Public commentary on this case

- High profile anti-detention and anti-regional processing advocates s. 47F(1) have been lobbying for the provision of TOP services to s. 47F(1) and will continue to lobby publicly, including referencing the alleged sexual assault.
- The Department has also received representation on this matter from s. 22(1)(a)(ii)
- s. 22(1)(a)(ii)

Timeline – Case of s. 47F(1)

Date	s. 47F(1)
s. 47F(1)	s. 47F(1) was transferred to Nauru Regional Processing Centre (arrived CI s. 47F(1))
s. 47F(1)	s. 47F(1) received refugee status and was settled on Nauru.
s. 47F(1)	s. 47F(1)
s. 47F(1)	Date of alleged sexual assault regarding s. 47F(1)
s. 47F(1)	s. 47F(1) attended the settlement health clinic s. 47F(1)
s. 47F(1)	s. 47F(1) was reviewed by female GP at the settlement clinic s. 47F(1)
s. 47F(1)	s. 47F(1) was reviewed by female GP at the settlement health clinic s. 47F(1)
s. 47F(1)	s. 47F(1) was reviewed by female GP for dizziness and nausea. Diagnosed with s. 47F(1) pregnancy s. 47F(1) s. 47F(1)
s. 47F(1)	s. 47F(1) was reviewed by GP at the settlement clinic s. 47F(1)
s. 47F(1)	s. 47F(1) pregnancy confirmed s. 47F(1)
01/09/2015	s. 47F(1) disclosed to her Connect Case Manager that on s. 47F(1) at approximately at s. 47F(1) Nauru local time she had been hitch hiking from s. 47F(1) and received a lift from an unknown male. s. 47F(1) s. 47F(1) further indicated that the pregnancy was as a result of an alleged sexual assault. s. 47F(1) also informed Connect that she did not wish to report the assault to the NPF. Following s. 47F(1) disclosure of alleged sexual assault, Connect contacted the IHMS s. 47F(1) and arranged an appointment for s. 47F(1) with IHMS Mental Health Services s. 47F(1). Connect reported the alleged sexual assault to the ABF Reporting Line at 11:23am local Nauru local time. s. 47F(1) subsequently requested a termination of pregnancy.
s. 47F(1)	s. 47F(1) had an appointment to see the Republic of Nauru Hospital Obstetrician.
s. 47F(1)	IHMS medical records note seen by IHMS s. 47F(1) and referred to s. 47F(1) on Nauru.
s. 47F(1)	s. 47F(1)

Date	s. 47F(1)
s. 47F(1)	Connect met with the Offshore Services for Survivors of Torture and Trauma (OSSTT) today. OSSTT confirmed that s. 47F(1) was engaged in their services. s. 47F(1)
s. 47F(1)	Connect met with s. 47F(1) for a more extensive assessment with an ABF Interpreter. Approval given for s. 47F(1) to be transferred to Australia for a Termination of Pregnancy. IHMS to confirm appointment time prior to transfer date being confirmed. Appointment secured for s. 47F(1) to undergo her procedure at a clinic in Sydney.
	s. 47F(1)
	s. 47F(1)
14/10/2015	Attended Marie Stopes Clinic for counselling and medical specialist appointment. (Interpreter present). Procedure declined, further appointment offered for following week; s. 47F(1) declined the appointment.
15/10/2015	Attended IHMS appointment with GP and Nurse. Found to be FTT and continuing to decline TOP, though states she knows she may want this in the future and knows she has until 20 weeks to access this procedure in NSW.
16/10/2015	DIBP Pre Transfer Assessment undertaken. s. 47F(1)
s. 47F(1)	Attended appointment with IHMS reviewed by GP and assessed by MH nurse.
s. 47F(1)	s. 47F(1) contacted by Connect Settlement Services for a welfare check s. 47F(1)

Consultation

Internal: Principal Lawyer and Director, Customs Law and Prosecutions Section, Legal Division

External agencies consulted: Nil

Responsible Officer

Neil Skill,

FAS Detention Services

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