

**From:** Stephen HAYWARD  
**Sent:** Wednesday, 10 August 2016 8:09 AM  
**To:** Michael PEZZULLO; Jill CHARKER  
**Cc:** David SEALE; Rachel NOBLE; Strategic Issue Management; Cheryl-anne MOY; Garfield PROWSE; David NOCKELS; Amanda LITTLE; Kingsley WOODFORD-SMITH; Linda GEDDES; Andrew BOTTRELL; zzBRISCOE Cindy; Michael OUTRAM; Roman QUAEDVLIEG; Media Operations; s. 22(1)(a)(ii); s. 22(1)(a)(ii); Lachlan COLQUHOUN; Kylie SCHOLTEN; Brett SCHUPPAN; Phil BREZZO; Susan MATHEW  
**Subject:** RE: MEDIA MONITORING: The Nauru files: 2,000 leaked reports reveal scale of abuse of children in Australian offshore detention - The Guardian [SEC=UNCLASSIFIED]

Secretary, acknowledged.

Steve

Stephen Hayward  
First Assistant Secretary  
Integrity, Security and Assurance Division  
Department of Immigration and Border Protection  
s. 22(1)(a)(ii)  
s. 22(1)(a)(ii)

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

**From:** Michael PEZZULLO  
**Sent:** Wednesday, August 10, 2016 07:51 AM AUS Eastern Standard Time  
**To:** Stephen HAYWARD; Jill CHARKER  
**Cc:** David SEALE; Rachel NOBLE; Strategic Issue Management; Cheryl-anne MOY; Garfield PROWSE; David NOCKELS; Amanda LITTLE; Kingsley WOODFORD-SMITH; Linda GEDDES; Andrew BOTTRELL; BRISCOE Cindy; Michael OUTRAM; Roman QUAEDVLIEG; Portfolio Media; s. 22(1)(a)(ii); s. 22(1)(a)(ii); Lachlan COLQUHOUN; Kylie SCHOLTEN; Brett SCHUPPAN; Philip BREZZO; Susan MATHEW  
**Subject:** RE: MEDIA MONITORING: The Nauru files: 2,000 leaked reports reveal scale of abuse of children in Australian offshore detention - The Guardian [SEC=UNCLASSIFIED]

Please undertake an urgent review of this material, to be led by ISA.

Thanks,

MP

Michael Pezzullo  
Secretary

Department of Immigration and Border Protection

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

**From:** Media Operations

**Sent:** Wednesday, 10 August 2016 7:37 AM

**To:** PEZZULLO Michael; QUAEDVLIEG Roman; MANTHORPE Michael; NOBLE Rachel; CHARKER Jill; CONNELL Jenet; FERNANDEZ Maria; OUTRAM Michael; BRISCOE Cindy; BOTTRELL Andrew; GEDDES Linda; HAYWARD Stephen; PITHAM Claire; MOY Cheryl-anne; s. 22(1)(a)(ii); PROWSE Garfield; NOCKELS David; LITTLE Amanda; SHYQYR Fatime; WOODFORD-SMITH Kingsley; HOLBEN Vanessa; LUDWIG Vicki; s. 22(1)(a)(ii)

**Cc:** s. 22(1)(a)(ii); s. 22(1)(a)(ii); grp-Branch-MEDIA & EXECUTIVE COORDINATION; grp-Section-BORDER MANAGEMENT COMMUNICATION; grp-Section-VISA IMMIGRATION COMMUNICATION; Media Operations; MinMedia; s. 22(1)(a)(ii); s. 22(1)(a)(ii); s. 22(1)(a)(ii); SEALE David; Strategic Border Command Centre; Strategic Issue Management; s. 22(1)(a)(ii); s. 22(1)(a)(ii)

**Subject:** MEDIA MONITORING: The Nauru files: 2,000 leaked reports reveal scale of abuse of children in Australian offshore detention - The Guardian [SEC=UNCLASSIFIED]

<https://www.theguardian.com/australia-news/2016/aug/10/the-nauru-files-2000-leaked-reports-reveal-scale-of-abuse-of-children-in-australian-offshore-detention>

## The Nauru files: 2,000 leaked reports reveal scale of abuse of children in Australian offshore detention

The Guardian Australia

Wednesday 10 August 2016

[Read incident reports written by staff in Australia's immigration detention centre on Nauru](#)

**Exclusive:** The largest cache of documents to be leaked from within Australia's asylum seeker detention regime details assaults, sexual assaults and self-harm

The devastating trauma and abuse inflicted on children held by Australia in offshore detention has been laid bare in the largest cache of leaked documents released from inside its immigration regime.

More than 2,000 leaked incident reports from Australia's detention camp for asylum seekers on the remote Pacific island of Nauru – totalling more than 8,000 pages – are published by the Guardian today. The [Nauru](#) files set out as never before the assaults, sexual abuse, self-harm attempts, child abuse and living conditions endured by asylum seekers held by the Australian government, painting a picture of routine dysfunction and cruelty.

The Guardian's analysis of the files reveal that children are vastly over-represented in the reports. More than half of the 2,116 reports – a total of 1,086 incidents, or 51.3% – involve children, although children made up only about 18% of those in detention on Nauru during the time covered by the reports, May 2013 to October 2015. The findings come just weeks after the [brutal treatment of young people in juvenile detention in the Northern Territory](#) was exposed, leading to the Australian prime minister, Malcolm Turnbull, [announcing a wide-ranging public inquiry](#).

The reports range from a guard allegedly grabbing a boy and threatening to kill him once he is living in the community to guards allegedly slapping children in the face. In September 2014 a teacher reported that a girl had requested a four-minute shower instead of a two-minute shower. "Her request has been accepted on condition of sexual favours. It is a male security person. She did not state if this has or hasn't occurred. The security officer wants to view a boy or girl having a shower."

Some reports contain distressing examples of behaviour by traumatised children. According to a report from September 2014, a girl had sewn her lips together. A guard saw her and began laughing at her. In July that year a child under the age of 10 undressed and invited a group of adults to insert their fingers into her vagina; in February 2015 a young girl gestured to her vagina and said a male asylum seeker "cut her from under".

In the files there are seven reports of sexual assault of children, 59 reports of assault on children, 30 of self-harm involving children and 159 of threatened self-harm involving children.



The reports show extraordinary acts of desperation. One pregnant woman, after being told she would need to give birth on Nauru in October 2015, was agitated and in tears. “I give my baby to Australia to look after,” she pleaded with a caseworker, adding: “I don’t want to have my baby in PNG, the [Nauru hospital] or have it in this dirty environment.”

The files raise stark questions about how information is reported on Nauru, one of Australia’s two offshore detention centres for asylum seekers who arrive by boat. They highlight serious concerns about the ongoing risks to children and adults held on the island. They show how the Australian government has failed to respond to warning signs and reveal sexual assault allegations – many involving children – that have never been previously disclosed.

The most damning evidence emerges from the words of the staff working in the detention centre themselves – the people who compile the reports. These caseworkers, guards, teachers and medical officers have been charged with caring for hundreds of asylum seekers on the island.

The publication is likely to renew calls for an end to the political impasse that has seen children in Australia’s care languish on Nauru for more than three years.

Nauru is the world’s smallest island state, home to fewer than 10,000 people. Australia supplies aid and buys services from Nauru’s government and companies, leading to accusations Nauru is effectively a “client state”. On the last official count at the end of June, 442 people – 338 men, 55 women and 49 children – were held in the Nauru regional processing centre. The other offshore centre, on Manus Island in Papua New Guinea, was holding 854 people, all men. [Australia’s policy has been criticised regularly by the UN.](#)

The Guardian is publishing the files because it believes Australians have the right to know more about the regime at the Nauru and Manus centres, [which costs Australian taxpayers \\$1.2bn a year.](#)

The documents cover the period examined [in a review into allegations of sexual assault](#), the Australian Human Rights Commission’s inquiry [into children in detention](#) as well as the period examined by [a Senate inquiry](#) and beyond. They encompass the final days of Labor’s time in government and the ruling conservative Coalition’s time in office since September 2013.

In each successive inquiry, the Australian government and its contractors, including Broadspectrum (formerly Transfield Services) and its subcontractor Wilson Security, have maintained that they are improving conditions and reporting measures to raise the quality of life on the island.

In April 2015 the Australian immigration minister, [Peter Dutton](#), said he wanted to make Nauru a “safe environment”. He said he had “instructed the department to do whatever they possibly can, both domestically within the detention network here and with our partners in the regional processing centres, to make sure that the standard of care is as high as it possibly can be”.

Wilson Security has [previously told the Australian parliament](#) it had “robust policies, procedures and processes that support the operations in Nauru”.

It continued: “Allegations of sexual assault are treated in a timely and sensitive manner. Where Wilson Security receives an allegation we take immediate action following disclosure or notification.”

But the files show a very different picture. Rather than serious events diminishing, they continued – and in some cases escalated – during the course of 2015. A vast number of incidents from across the timeframe have never before been reported.

Many asylum seekers held on Nauru were unable to leave the detention compounds during the period covered by the files. Some had been granted permission to leave on day trips but were closely monitored to ensure they returned before curfews. Those found to be refugees were released into the Nauruan community – yet still remain effectively detained on the remote island.

The primary evidence from the files backs up testimony from former immigration detention staff members interviewed by the Guardian as part of its investigation.

Access to Nauru is tightly controlled. Events on the island are reported sporadically through refugee advocates and whistleblowers, but the Australian government's policy of shrouding its offshore detention centres in secrecy has prevented the reporting of many serious incidents. The Nauru files shatter that secrecy.

A spokesperson for the Department of Immigration and Border Protection said: "The Australian government continues to support the Nauruan government to provide for the health, welfare and safety of transferee children.

"Alleged incidents within the regional processing centre are investigated and where appropriate referred to the Nauru police force (NPF) for investigation. [Refugees](#) living in the community are encouraged to report all incidents of assault to the NPF.

"The Australian federal police has deployed officers to work alongside the NPF and build their capacity to investigate complex and sensitive incidents. Australia provides comprehensive medical support services to the regional processing centre in Nauru and to the Nauruan government health facilities."

### Sexual violence and threats

Allegations of sexual assault, particularly against young women, are a persistent theme of the files. In one report an asylum seeker described being told she was "on a list" written by local Nauruan guards naming single women they were "waiting for". "She has received offers to get her pregnant when she gets out," the caseworker wrote.

They reveal allegations of misconduct by Wilson Security guards at the detention centre. In one report a "cultural adviser" for Wilson Security, the company that employs guards at the detention camp, allegedly told an asylum seeker who had been sexually assaulted in camp that "rape in Australia is very common and people don't get punished".

The caseworker who filed the report wrote that the female asylum seeker also told her the guard had questioned whether the sexual assault had occurred and said: "If that happened to you why didn't you scream at the time?"

"You have to take it out of your head if you go into Nauru then he [the alleged perpetrator] could be your neighbour or if you go to Cambodia then he could be on the plane next to you," the adviser reportedly told the woman. "You also have to teach your son to treat this man nicely."

[Facebook](#) [Twitter](#) [Pinterest](#)

Secrecy is tight in the Australian-run detention centre on Nauru. Taking photos – even carrying a smartphone with a camera – is banned

There are allegations that bus drivers – employed by Australia's detention contractors – took voyeuristic pictures of women in the camp to use to masturbate. Other reports range from a man facing threats of severe sexual violence from other asylum seekers to a woman threatening self-harm because she doesn't want "men to touch her body".

Speaking before the publication of the Nauru files, Prof Louise Newman, [a former member of the Immigration Health Advisory Group](#), says such attacks have continued. She speaks "on a nightly basis" to women on Nauru who have been sexually assaulted.

"I am prepared to say the sexual assault of women is a major problem on Nauru," Newman says. "Some of the women's descriptions of what is happening to them is incredibly alarming in terms of the lack of process.

"It's not just one incident. If it was one incident and there had been a poor response in a developing nation then maybe it was something to work on. I think what we're seeing is a systemic lack of processes and understanding of this."

## Trauma and self-harm

Health and medical experts have consistently warned of the mental harm caused by prolonged detention. The files show in graphic detail how this harm has manifested.

One man asked a caseworker where he could buy bullets so he could get someone else to shoot him. A woman sharpened a pencil with a razor blade, then cut her wrists. Another wrapped a rope around her neck and tried to hang herself. She had to be held up by guards until she could be cut down.

In one report from January 2015, a teenage girl struggled to cope after her mother's miscarriage. She began having "ongoing hallucinations from a 'small person' ", a Save the Children worker wrote.

"She is unsure if it is a man or women but has a dark face and is the size of a child." The hallucination had threatened to kill her: "At other times the hallucination is encouraging [REDACTED] to kill herself."

The toll on children's mental health is particularly heavy. According to an April 2015 report a girl began screaming "uncontrollably" during a fight in a recreation tent.

"During this time [REDACTED] also gouged at her own face consistently and pulled her own hair," the child protection officer wrote. "It was observed that [REDACTED] could not breath properly and had a glazed look in her eyes."

Other files show the anguished outbursts to which some asylum seekers have become prone since their detention: one report described a woman seeking a bandage after punching a metal pole with both hands. Another told of a woman who began banging her head with her fists after an altercation with guards. Another woman carved her husband's name on to her chest; she wanted a tattoo but could not get one so used a knife instead. Her husband lives in Australia.

Speaking to the Guardian before the publication of the Nauru files, Dr Peter Young, [a former medical director of mental health for Australia's immigration detention system](#), said: "Self-harm and suicide attempts increase steadily after six months in detention. This is driven by hopelessness which is known to be the strongest predictor of suicide.

"Some self-harm, such as lip sewing, has a protest element and is common in prisoners as an expression of feeling powerless and voiceless."

## Squalor

Other reports show the squalor and the difficulties getting medical treatment. One female asylum seeker, who has urinary incontinence, complained about how she was no longer provided with sanitary pads to treat the condition.

According to another report a female guard allegedly refused to let a child under 10 use a toilet and made her squat on the ground instead. Her mother told a caseworker the guard had then shone her torch on the girl's genitals.

## [Twelve of the most harrowing accounts from the Nauru files – in pictures](#)

The logs illustrate the squalid conditions often experienced by asylum seekers at the centre, including frequent complaints of cockroaches infesting tents housing the detainees.

One report showed how the companies' failure to communicate traumatises asylum seekers. The medical provider International Health and Medical Services ran a "mass casualty simulation" that had people daubed with fake blood walking around. But the plan was not reported to the Save the Children teachers at the nearby school.

"The incident prompted every student to start talking about incidents of self-harm they had witnessed," a teacher wrote. "They did not know this one was false and so were forced to experience another incident at school, which should be a safe, distracting environment."

Best Regards,

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

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

**Media Operations**

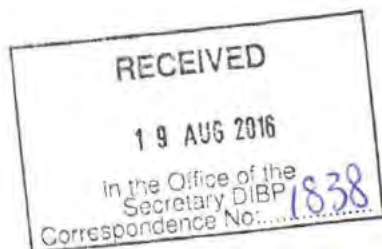
Media and Executive Coordination Branch | Executive Division

Department of Immigration and Border Protection

24-hour media line: 02 6264 2244

E:[media@border.gov.au](mailto:media@border.gov.au)





Save the Children

Estimates

We need to explain our

**Save the Children strongly denies Minister Dutton's claims on leaked documents: statement**

Thursday, 18<sup>th</sup> August, 2016

Save the Children strongly denies claims by Minister Dutton on AM this morning that the organisation leaked documents published on Guardian Australia's website last week.

Save the Children's Director of Policy and Public Affairs, Mat Tinkler, said:

"Many of the leaked documents involve reporting of incidents by Save the Children staff during our time providing welfare, education and recreational services for asylum seekers and refugees in Nauru between August 2013 and October 2015.

"We have respected the terms of our contract with the Australian Government, the provisions of the Australian Border Force Act, and the confidentiality of our clients that prevents us from speaking publicly about the specific incidents and conditions that our staff witnessed in the Nauru detention centre. Minister Dutton's claims on AM this morning that we leaked the documents are false.

"Further claims that the government only has access to the redacted versions published on the Guardian website are clearly wrong – the government is in possession of the original copies of all of the incident reports leaked last week.

"The Australian Government receives copies of all incident reports authored by service providers on Nauru as part of their contractual obligations. In addition, representatives of the Department of Immigration and Border Protection were actively involved in coordinating, managing and responding to all critical incidents that occurred in the Nauru Regional Processing Centre. Save the Children also maintained a sophisticated case management tool that included copies of all Save the Children incident reports and the Australian Government was provided with a full copy of this data at the conclusion of our contract in October 2015. Finally, many of the incidents described were also canvassed in the Moss Review.

"We have not been asked for further detail on these incidents by the Australian Government.

"Save the Children has consistently put the government on notice about the devastating impacts of effective indefinite detention on the children and adults on Nauru, and has urged them to take action to protect vulnerable people from abuse and harm.

"The government has a history of shooting the messenger when it comes to matters relating to Nauru – instead they should be focussing on keeping people safe and urgently finding humane and sustainable resettlement options for the hundreds languishing on the island."

Call Lily Partland on 0416 355 851 for interviews.

Knowledge of the full

suite of SCA

files - esp

hardover

of data

in Oct 2015.

MP

19/08/2015

Released by DIBP under the Freedom of Information Act 1982

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

**From:** s. 22(1)(a)(ii)  
**Sent:** Tuesday, 6 September 2016 3:29 PM  
**To:** s. 22(1)(a)(ii)  
**Cc:** ESU Executive Support Unit  
**Subject:** RE: Sec DIBP no: 2005- 001- MS16-002915- Further update on research into incidents identified in the Nauru files. ~~[SEC-PROTECTED, DLM-Sensitive]~~

**Categories:** Not logged in SP

~~PROTECTED, Sensitive~~

For sure, leave it with me s. 22(1)(a)(ii).

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

~~PROTECTED, Sensitive~~

**From:** s. 22(1)(a)(ii)  
**Sent:** Tuesday, 6 September 2016 3:18 PM  
**To:** s. 22(1)(a)(ii)  
**Cc:** Executive Support Unit  
**Subject:** FW: Sec DIBP no: 2005- 001- MS16-002915- Further update on research into incidents identified in the Nauru files. ~~[SEC-PROTECTED, DLM-Sensitive]~~

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

As discussed, s. 22(1)(a)(ii) has asked ESU to provide the Secretary with the answer to his question on the attached Sec DIBP no: 2005- MS16-002915- Further update on research into incidents identified in the Nauru files, " Have we provided more refined advice to MIBP on 'Nauru Files'".

Are you able to assist us to track down either the answer to this question or provide us with a contact to source the required information.

Thanks  
Cheers

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

s. 22(1)(a)(ii)  
Team Leader | Executive Support Unit (Correspondence)  
Executive Support and Engagement |  
Ministerial, Parliamentary and Communications Branch |  
Executive Division | Policy Group |  
Department of Immigration and Border Protection

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

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Freedom of Information Act 1982





Australian Government

Department of Immigration and Border Protection

**Submission**

For information

PDMS Ref. Number MS16-002915

SECRETARY'S  
COPY

**To** Minister for Immigration and Border Protection

**Subject** Further update on research into incidents identified in the Nauru Files

**Timing** A meeting has been arranged with the Minister and senior departmental officers on 23 August 2016

**Recommendations**

That you:

1. Note the further update on research into incidents identified in the Nauru Files

Minister for Immigration and Border Protection

Signature.....

Date:...../...../2016

RECEIVED  
06 SEP 2016  
in the Office of the  
Secretary DIBP  
Correspondence No:..... 2005

noted / please discuss

Have we provided more  
refined advice to MIBP  
on 'Nauru Files'?

MP

6/09/2016

Released by DIBP under the  
Freedom of Information Act 1982

Minister's Comments				
<b>Rejected</b> Yes/No	<b>Timely</b> Yes/No	<b>Relevance</b> <input type="checkbox"/> Highly relevant <input type="checkbox"/> Significantly relevant <input type="checkbox"/> Not relevant	<b>Length</b> <input type="checkbox"/> Too long <input type="checkbox"/> Right length <input type="checkbox"/> Too brief	<b>Quality</b> Poor 1.....2.....3.....4.....5 Excellent <b>Comments:</b>

## Key Issues

1. On 10 August 2016, The Guardian Australia published an online news article under the web-handle *The Nauru files*, which included 2107 incident reports from the Nauru Regional Processing Centre (RPC). The incident reports encompass the period May 2013 to October 2015. The reported figure of 2101 incidents has increased to 2107 as a result of continuing in depth analysis and interpretation on the available datasets. The detailed breakdown of incident types by table is at Attachment A.
2. The incidents are broken down into the following categories:
  - 21 Critical;
  - 272 Major incidents;
  - 963 Minor; and
  - 851 Information and unclassified incidents.

### Critical Incidents

3. Of the 21 reports categorised as being critical, two of which concerned the disciplining of children, the Department has confirmed that immediate and appropriate actions were taken in all cases.

### Major Incidents

4. Of the 272 reports listed as being major, 255 incidents have had an immediate action taken and 219 of those responses have been judged as appropriate. Work is currently underway to further understand those incidents where no immediate action was taken, the action is unknown or has been judged as not appropriate.

### Minor Incidents, Information and incidents not categorised

5. Of the 1814 incidents categorised as Minor, Information or not categorised at all, the Department has reviewed these with a particular focus on the salient underlying issue, derived from an analysis of the incident description rather than its category.



6. From the review of the 1814 incidents highlighted above, 185 incidents were identified as requiring further scrutiny and are broken down as follows:
- 56 reports identified from the incident descriptor as potentially being sexualised behaviour incidents in children including one duplicate record (55 in total). Of these, 32 reports were classified as not meeting the sexualised behaviour threshold set by Child Protection and Wellbeing Branch. These incidents were either normal interactions between adults and children (such as comforting a crying child or age appropriate but inappropriate behaviours exhibited by children);
  - 78 minor/information/unclassified reports identified from the incident descriptor as potentially being parental discipline/hitting incidents in children;
  - 40 minor/information/unclassified reports identified from the incident descriptor as potentially being sexualised behaviour incidents in adults; and
  - 11 minor/information/unclassified reports identified from the incident descriptor as potentially being hitting/assault incidents in adults.
7. All Critical and Major incidents have been reviewed to consider who was the person of interest involved. Approximately 48% of incidents involved a single resident, 31% involved resident on resident and approximately 12% related to incidents involving service providers. A more detailed breakdown of these statistics is at Attachment A.

#### Next Steps

8. Further work continues as outlined below:
- The Department is reviewing a number of reports involving children which were not reviewed by CPP to see whether they have been responded to in accordance with Australian child protection best practice principles, noting the historical nature of these incidents and the variable availability of referral and legislative mechanisms of the Government of Nauru over the time period;
  - Work is currently underway to identify, where possible, that appropriate actions have been undertaken in all Major Incidents, including sexual assaults and the 185 incidents highlighted at Paragraph 6
  - All incidents involving accusations of inappropriate staff behaviour were referred to service providers to ascertain the outcome of their internal investigations. All BRS responses have been received and added to the data holdings. International Health and Medical Service and Save the Children Australia (SCA) responses are still outstanding.

#### Background

9. Examples of overclassified 'critical' incidents:
- A transferee disclosed that she had filmed a video of her voicing her concerns and that the media in Australia already had the footage. She refused to provide further information.
  - The transferee informed a SCA worker that she had her photo taken by a Nauruan local security employee and that photo had been sent to the ABC or SBS. She further advised the SCA worker that it was a Nauruan Client Service Officer who used a camera phone. The transferee later advised that she had received emails from The Guardian newspaper because she had not yet given permission for the person who took the video to send it.
  - A 16-year old transferee had submitted a forged permission slip and was able to exit RPC3 under 'open centre' arrangements without parental consent. The



minor left the facility with a 36 year-old female transferee and her son. Wilsons made attempts to contact the woman by phone but were unsuccessful. The minor's family were not distressed as they knew and were comfortable with the people with whom he left the RPC. The minor returned to RPC3 at 6.00pm and was spoken to about the parameters of the open centre arrangements.

10. Examples of overclassified 'major' incidents include:

- An unaccompanied minor on a beach excursion touched a sea urchin, which resulted in her finger being discoloured and swollen. Water was poured over the finger and the excursion was terminated. IHMS examined the finger and provided the transferee with antibiotic and scheduled a check-up appointment.
- Two minors were playing badminton, and got into an argument which resulted in a fight. Both had arms around each other's necks and had their hands on a racquet. They were split up and told to stop. After being spoken to about their behaviour, the two engaged in a fight grabbing on to each other's arms and were again split up.

11. Examples of minor, unclassified or information incidents include:

- Unclassified: Construction had started early in the morning and an SCA worker was unable to fulfil working duties due to being unable to sleep.
- Minor: Microwaves were not working and transferees were agitated.

12. SCA was previously contracted to provide welfare services to transferee families and children with the Nauru Regional Processing Centres between 1 August 2013 and 31 October 2015. In this period, SCA maintained data holdings including (but not limited to) learning plans, educational attendance and evaluation records for children, and internal processes for providing welfare support as part of the response to reporting and managing incidents.

13. At the conclusion of the SCA contract it was determined that SCA would provide their data holdings to the Department on secure USB drives. The information would then be saved on the Department's protected network.

14. The Department has entered into contracts with KPMG and Hudson's Recruitment to:

- bring forensic data investigation capability;
- build necessary databases (including comprehensive search, retrieval and cross-matching functionalities) to interrogate the Nauru Files as published by The Guardian Australia against Departmental holdings; and
- source suitably cleared personnel to assist in basic data entry and data matching.

**Consultation – internal/external**

15. Consultation has occurred with I&PSD, CCSSD, DSD and Service Providers.

**Consultation – Secretary/Commissioner**

16. The Secretary and Commissioner were not consulted on the approach in the submission.

## Client service implications

17. N/A

## Sensitivities

18. All incident data is regarded as sensitive and has reputational risks for the Department, service providers and the Government of Nauru.

## Financial/systems/legislation/deregulation implications

19. N/A

## Attachments

**Attachment A** Detailed breakdown of incident types by table

Authorising Officer
Cleared by:  Kingsley Woodford-Smith Assistant Commissioner Detention Compliance and Removals Division  Date: 22 August 2016 s. 22(1)(a)(ii)

**Contact Officer** Vicki Ludwig, A/g Commander, Offshore Operational Coordination Branch, s. 22(1)(a)(ii)

**Through** Deputy Commissioner Operations (cleared)

**CC** Secretary  
Commissioner  
Deputy Commissioner Briscoe

#### Records Matched - by Classification

Row Labels	Match	No Match	Total
Critical	21		21
Major	267	5	272
Minor	756	207	963
Information	258	172	430
Unclassified	192	229	421
<b>Total</b>	<b>1494</b>	<b>613</b>	<b>2107</b>

#### Taxonomy of All Critical Incidents

Row Labels	Resident	Resident and Unknown	Resident on Resident	Service Provider on Resident	Total
Abusive or aggressive behaviour				1	1
Actual self-harm	9				9
Assault			2		2
Assault on a minor				1	1
Concern for a minor		1	3		4
non-compliance	1				1
Sexual assault		1		1	2
Voluntary starvation	1				1
<b>Total</b>	<b>11</b>	<b>2</b>	<b>5</b>	<b>3</b>	<b>21</b>



### Taxonomy for All Critical Incidents involving Children

Row Label	Resident	Resident and Unknown	Resident on Resident	Service Provider on Resident	Total
Abusive or aggressive behaviour				1	1
Actual self-harm	6				6
Assault			2		2
Assault on a minor				1	1
Concern for a minor		1	3		4
Sexual assault				1	1
<b>Total</b>	<b>6</b>	<b>1</b>	<b>5</b>	<b>3</b>	<b>15</b>

### Adult Sexual Assaults

Row Label	Local on Resident	Resident and Unknown	(blank)	Total
<b>Critical</b>		1		1
Sexual assault		1		1
<b>Major</b>	2			2
Sexual assault	2			2
<b>Minor</b>			1	1
Sexual assault			1	1
<b>Information</b>			3	3
Sexual assault			3	3
<b>Unclassified</b>			3	3
<b>Total</b>	<b>2</b>	<b>1</b>	<b>7</b>	<b>10</b>

## Minor Sexual Assaults

Row Label	Local on Resident	Resident on Resident	Service Provider on Resident	(blank)	Total
<b>Critical</b>			1		1
Sexual assault			1		1
<b>Major</b>	1	3	1	1	6
Sexual assault	1	3	1	1	6
<b>Minor</b>				2	2
Sexual assault				2	2
<b>Information</b>				2	2
Sexual assault				2	2
<b>Unclassified</b>				1	1
<b>Total</b>	1	3	2	6	12

## Action Taken Stats

Row Label	Total	Immediate Action Taken (Y)	Immediate Action Taken (N)	Immediate Action Taken (Unknown)	Immediate Response Appropriate (Y)	Immediate Response Appropriate (N)	Immediate Response Appropriate (Unknown)
Critical	21	21	0	0	21	0	0
Major	272	255	2	15	219	38	15
Sexual assault adult*	10	9	1	0	5	4	1
Sexual assault minor*	12	10	2	0	5	4	3
Sexualised behaviour minor high priority	23	15	1	7	9	10	4
Hitting/assault: parental discipline (78)	78	52	11	15	40	20	18
Sexualised Behaviour - Involving adult (40)	40	28	4	8	16	15	9
Hitting / Assault - Involving adult (11)	11	6	0	5	3	0	8
Sexualised behaviour minor low priority**	32	28	3	1	31	0	1
<b>Total</b>	<b>499</b>	<b>424</b>	<b>24</b>	<b>51</b>	<b>349</b>	<b>91</b>	<b>59</b>

\*10 sexual assaults are included in other categories.

\*\*Sexualised behaviour did not make threshold (included age appropriate but inappropriate behaviour)

## Taxonomy of all Major Incidents

Row Label	Local on Resident	Resident	Resident and Unknown	Resident on Resident	Resident on Service Provider	Service Provider on Resident	(blank)	Total
Abusive or aggressive behaviour	1	1	1	7	3	4		17
Accident or injury		6		3				9
Actual self-harm		28					1	29
Assault		1	2	17	3	6		29
Assault on a minor	2	1	1	32		15		51
Complaint		3						3
Concern for a minor		1	1	5				7
Demonstration		1						1
Disturbance		3						3
Family violence				6				6
Fighting			2	12	1	2		17
Medical incident		2						2
misbehaviour		6						6
Obscene behaviour		2		1		3		6
Property damage			1					1
Sexual assault	3			3		1	1	8
Threatened self-harm		65						65
Unclassified		1						1
Unclassified		2				1		3
Voluntary starvation		8						8
<b>Total</b>	<b>6</b>	<b>131</b>	<b>8</b>	<b>86</b>	<b>7</b>	<b>32</b>	<b>2</b>	<b>272</b>



Taxonomy for All Major Incidents involving Children

Row Label	Local on Resident	Resident	Resident and Unknown	Resident on Resident	Resident on Service Provider	Service Provider on Resident	(blank)	Total
Abusive or aggressive behaviour		1		6	1	3		11
Accident or injury		6		2				8
Actual self-harm		3						3
Assault		1	1	15	2	4		23
Assault on a minor	2	1		32		15		50
Complaint		3						3
Concern for a minor		1	1	5				7
Demonstration		1						1
Disturbance		2						2
Family violence				6				6
Fighting			1	11	1	2		15
Misbehaviour		5						5
Obscene behaviour		2				2		4
Sexual assault	1			3		1	1	6
Threatened self-harm		36						36
Unclassified		2				1		3
Voluntary starvation		2						2
<b>Total</b>	<b>3</b>	<b>66</b>	<b>3</b>	<b>80</b>	<b>4</b>	<b>28</b>	<b>1</b>	<b>185</b>

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**Taxonomy for All Minor Incidents Involving Children**

Row Label	Total
Abusive or aggressive behaviour	87
Accident or injury	40
Actual self-harm	3
Assault	13
Assault on a minor	6
Complaint	40
Concern for a minor	53
Contraband	5
Disturbance	10
Family violence	14
Fighting	40
Information	7
Lost items	2
Medical incident	12
Misbehaviour	98
non-compliance	58
Obscene behaviour	5
Property damage	8
Sexual assault	2
Theft	4
Threatened self-harm	38
Unclassified	8
Voluntary starvation	1
<b>Total</b>	<b>554</b>

Taxonomy for All Information and Unclassified Reports Involving Children

Row Label	Total
Abusive or aggressive behaviour	18
Abusive/Aggressive Behaviour	1
Accident or injury	21
Actual self-harm	3
Assault	3
Complaint	35
Concern for a minor	74
concern for minor	12
Contraband	1
Family violence	17
Fighting	26
Information	52
Medical incident	4
Misbehaviour	20
non-compliance	2
Property damage	2
Safety hazard	3
Sexual assault	3
Theft	4
Threatened self-harm	19
Unclassified	40
<b>Total</b>	<b>360</b>



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

**From:** s. 22(1)(a)(ii)  
**Sent:** Wednesday, 7 September 2016 11:42 AM  
**To:** ESU Executive Support Unit; s. 22(1)(a)(ii)  
**Cc:** BUCHHORN Wayne; s. 22(1)(a)(ii)  
**Subject:** FW: Sec DIBP no: 2005- 001- MS16-002915- Further update on research into incidents identified in the Nauru files. ~~[SEC=PROTECTED, DLM=Sensitive]~~  
**Attachments:** 2005.pdf; QB16-000135.docx  
**Categories:** s. 22(1)(a)(i).

~~PROTECTED, Sensitive~~

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

I've spoken to AC DCR's Office s. 22(1)(a)(ii) is the EO to Kingsley).

The long answer is that two ministerials have been produced on the Nauru Files, however the last significant update was contained in a QTB on 1/9/16 (attached and will be updated in anticipation of next sitting period). The QTB provided a further update on activities relating to the Nauru Files. No further updates have been provided since, and I'm advised that this is due to all critical and major incidents, including sexual assaults and Child Protection incidents having been previously examined and reported to the MO. I understand that currently the Nauru Files Task Force are continuing to review all Minor, for information/ unclassified incident reports (approximately 1600 records).

Thinking this through, a QTB is clearly not the best – nor primary - mechanism to fully brief the Minister, and notwithstanding the advice above, I'd be inclined to task out an additional submission updating the Minister on this issue anyway.

I'll flag this with the Ag DCO (cc'd here) and suggest just that but let me know how you go providing this into s. 22(1)(a)(ii) /Secretary and we can tie it all up from there.

Regards

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

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

Executive Officer to Michael Outram APM | Deputy Commissioner Operations  
Australian Border Force

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

Wise course of action.  
This would close out  
the work that has been  
led by Ops Group.

MP

7/09/2016

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**QUESTION TIME BRIEF (QTB)**  
**NAURU FILES**

**QUESTION: What has the Department done regarding allegations contained in the leaked files?**

**KEY POINTS:**

- The Department has undertaken a review of all 2107 incidents released by the Guardian to establish that actions have occurred in response to these reports.
- The incidents fall into the following four categories:
  - 21 Critical;
  - 272 Major;
  - 963 Minor; and
  - 851 Information and unclassified reports

**Critical incidents**

Incident types	Count
Abusive or aggressive behaviour	1
Actual self-harm	9
Assault	2
Assault on a minor	1
Concern for a minor	4
Non-compliance	1
Sexual assault on a minor	1
Sexual assault on an adult	1
Voluntary starvation	1
<b>Total</b>	<b>21</b>

**Major incidents**

Incident types	Count	Incident types	Count
Abusive or aggressive behaviour	17	Fighting	17
Accident or injury	9	Medical incident	2
Actual self-harm	29	Misbehaviour	6
Assault	29	Obscene behaviour	6
Assault on a minor	51	Property damage	1
Complaint	3	Sexual assault on a minor	6
Concern for a minor	7	Sexual assault on an adult	2
Demonstration	1	Threatened self-harm	65
Disturbance	3	Unclassified	4
Family violence	6	Voluntary starvation	8
<b>Total</b>	<b>272</b>		

- Of the 21 reports categorised as being Critical, a large number of these relate to threatened or actual self harm. Other incidents include the assault of a minor by a Nauruan security officer, two concerning the disciplining of children (one by the parent, one by the parent of another child) a child who had a local security officer place his hands up his shorts and play with his bottom (the child was being



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**NAURU FILES**

transported with his father and had occurred some four months earlier), and a woman who indicated she had been raped a month earlier. The Department has confirmed that in all cases action was taken, such as referral to the Nauru Police Force, health service providers and where appropriate, termination of employment where a service provider was identified.

- Of the 272 major incident reports, 260 incidents had an immediate action taken such as referral to the Nauru Police Force, health service providers and where appropriate, termination of employment where a service provider was identified. The remaining 12 reports require further investigation to confirm the response action.
- Of these critical and major incidents, 16 were referred to the Nauru Police Force (NPF). The Department is consulting with the NPF to determine the current status of incidents referred to the NPF for further investigation.
- The review of the Critical and Major incidents indicate that approximately 48 per cent of incidents involved only a single resident, 31 per cent involved resident on resident, and approximately 12 per cent related to incidents involving service providers.
- 1814 of the reports are low level incidents categorised as minor, information and unclassified. An example of these incidents include: "microwaves were not working and transferees were agitated".
- Notwithstanding that these reports indicate low level incidents, the Department is ensuring that in all cases reported there has been appropriate follow-up and response.
- I encourage anyone who may have additional information in relation to any incidents of concern, raise these with the Department.

***If Asked***

How many sexual assaults are in the major and critical categories?

- There are a total of 22 incidents of sexual assaults across all incident categories. Eight of these incidents are classified in the major category and two in the critical category.

How many involve minors

- 12 of these 22 incidents involve a minor.

How many were referred to NPF?

- Of the 22 sexual assault incidents across all categories, nine were referred to the NPF. Five of these incidents were in the critical and major incident categories (two involving a minor and three involving adults).



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What is the status of those investigations?

- In the critical and major categories, the two alleged sexual assault cases against children were both referred to the NPF. In the most serious of these cases involving a three year old, the NPF has advised they will not progress the case until family return to Nauru (currently they are in Australia). This case has been reviewed by both Moss and the CPP. The second of these cases involved a complaint from a young girl that the boys at school were touching her on the bottom. The complaint did not proceed as the NPF advised that there was no offence.
- Three cases of alleged sexual assault cases against adults were referred to the NPF. In one case, the resident was unable to identify her attacker and in the second case, the victim withdrew her complaint and stated that the act had been consensual. In the third case, involving a local on a resident, the alleged victim is now in Australia, the matter was investigated but no suspect has been identified. The victim has three times failed to cooperate to assist with face-fit drawing process

How many involve service providers?

- Of the 22 sexual assault cases six involve allegations that include service provider personnel.

How many were reviewed by Moss & CPP

- Across the 22 sexual assault incidents, there are five cases were considered by the Moss Review, seven considered by the CPP with three cases were considered by both.

What was the involvement of service providers in these incidents?

There were six cases in total that involved service providers. One case was a complaint that a service provider had been sexually harassed while out jogging. There was one incident of a service provider being inappropriately touched by a bus driver. Two cases involved service provider staff sexually harassing residents and two cases of inappropriate touching of a child resident by guards.

Did any service provider staff have their employment terminated as a result of these allegations?

One incident of alleged sexual misconduct resulted in the termination of a service provider employee (Transfield Cleaner).

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Save the Children Australia (SCA) was previously contracted to provide welfare services to transferee families and children with the Nauru Regional Processing Centres between 1 August 2013 and 31 October 2015. In this period, SCA maintained data holdings including (but not limited to) learning plans, educational attendance and evaluation records for children, and internal processes for providing welfare support as part of the response to reporting and managing incidents.

A review of all incidents are broken down into the following general descriptors :

- 1063 – sexual nature, child hit/abused by adult, domestic violence, mental health, medical
- 528 – such as minor misbehaving, offensive language, threat to harm, threat/actual self-harm)
- 492 – Amenity issues (such as accommodation, cleaning, construction, internet/phones, issues with buses, vandalism)
- 24 – Other (do not fit in the above categories, such as communications)

Generally, the incidents have been appropriately classified; however, other incidents have been misclassified and have not had their classification downgraded. Examples of misclassification in each of the “critical”, “major” and “minor” categories include:

Examples of ‘critical’ incidents include:

- A transferee disclosed that she had filmed a video of her voicing her concerns and that the media in Australia already had the footage. She refused to provide further information.
- The transferee informed a SCA worker that she had her photo taken by a Nauruan local security employee and that photo had been sent to the ABC or SBS. She further advised the SCA worker that it was a Nauruan Client Service Officer who used a camera phone. The transferee later advised that she had received emails from The Guardian newspaper because she had not yet given permission for the person who took the video to send it.
- A 16-year old transferee had submitted a forged permission slip and was able to exit RPC3 under 'open centre' arrangements without parental consent. The minor left the facility with a 36 year-old female transferee and her son. Wilsons made attempts to contact the woman by phone but were unsuccessful. The minor’s family were not distressed as they knew and were comfortable with the people with whom he left the RPC. The minor



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returned to RPC3 at 6.00pm and was spoken to about the parameters of the open centre arrangements.

- Examples of 'major' incidents include:
  - An unaccompanied minor on a beach excursion touched a sea urchin, which resulted in her finger being discoloured and swollen. Water was poured over the finger and the excursion was terminated. IHMS examined the finger and provided the transferee with antibiotic and scheduled a check-up appointment.
  - Two minors were playing badminton, and got into an argument which resulted in a fight. Both had arms around each other's necks and had their hands on a racquet. They were split up and told to stop. After being spoken to about their behaviour, the two engaged in a fight grabbing on to each other's arms and were again split up.
- Examples of minor, unclassified or information incidents include:
  - Microwaves were not working and transferees were agitated.
  - Construction had started early in the morning and a SCA worker was unable to fulfil working duties due to being unable to sleep.
- On 3 October 2014, the then Minister for Immigration and Border Protection, the Hon. Scott Morrison MP, announced a review into allegations relating to conditions and circumstances at the Nauru Regional Processing Centre between July 2013 and October 2014, "the Moss Review".
- As at 31 March 2016, the Department has implemented 16 of the 19 recommendations from the Moss Review, and 35 of the 38 associated action items.
- In response to findings from the Moss Review an Incident Management Group was established in February 2015. This group comprises representatives from the Government of Nauru, ABF, AFP and service providers and meets each morning (Monday to Friday) to review appropriate actions and where necessary re-categorise incidents. Prior to this, Wilsons Security would review incidents entered by their staff and Departmental staff could request reclassification of all incidents.
- The Department established the Child Protection Panel (the Panel) in March 2015 to provide independent advice on issues pertaining to the wellbeing and protection of children in regional processing centres and immigration detention. Of the 36 incident reviews of Nauru incidents assessed by the Panel, 18 were originally

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identified in the Moss Review. The Panel provided assurance that a comprehensive and contemporary framework relating to the protection of children was in place and provided their advice and recommendations for addressing any outstanding matters on these incidents, in particular any systemic issues.

- The Panel was supported by a Departmental Taskforce, which was stood up in March 2016. This Taskforce has progressed action items identified by the Panel, following the completion of the Panel's tenure (April 2016).
- The Government of Nauru (GoN) established a Family and Community Services Division with the Ministry of Home Affairs in October 2013.
- In June 2015, the GoN established a dedicated Child Protection Unit with a staff of 6 people.
- The Child Protection Unit has the lead responsibility for the care and protection of children in Nauru and has established systems and processes to respond to cases of child abuse and neglect.
- In early 2016, the GoN's mandatory child protection reporting policy was endorsed. The NPF has introduced a permanent police presence at the Regional Processing Centre.
- The Department has funded the deployment of five Australian Federal Police officers to Nauru to support, mentor and train NPF officers in investigations, community policing and dealing with the investigation of child abuse and sexual assault claims reported to the NPF.
- The GoN recently established a Gender Violence Unit and a gender violence hotline within the Home Affairs Ministry. The Unit provides first response to an incident, and the Victim Support Service provides welfare, support and counselling services.

Contact: Kingsley Woodford-Smith  
Division: ABF - Detention Compliance and Removals  
Date first prepared: 24 August 2016  
Originating Source: (MO)

Phone: S. 22(1)(a)(ii)  
Action Officer: S. 22(1)(a)(ii)  
Date last Updated: 1/09/2016 - 10:00 AM

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