

s 22(1)(a)(ii)

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**From:** s 47F(1)  
**Sent:** Friday, 7 November 2014 4:53 PM  
**To:** Quinn, Martin  
**Cc:** Da Rin, Jenny  
**Subject:** Nauru Assessment Report

Dear High Commissioner

Please find attached a letter I am sending on behalf of Stuart Schaefer, Director of International Programs at Save the Children Australia. Please also find attached the Nauru Assessment Report referred to in the letter.

Regards,

s 47F(1)

| Contract Administrator, Nauru Program | Save the Children Australia  
Level 6, 232 Victoria Parade, East Melbourne, Victoria 3002 | Locked Bag 5000, Fitzroy, Victoria  
3065

s 47F(1)

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Thank You.

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**Image removed by sender. Save the Children Australia**



We save and protect children's lives and strive to give every child a safe and happy childhood.  
[Find out more.](#)

**Save the Children Australia  
Nauru Assessment Report  
30<sup>th</sup> June 2014**

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s 22(1)(a)(ii)

s 22(1)(a)(ii) Child  
protection issues, including neglect, violence and abuse, and their exacerbation with alcohol and  
kava use, were highlighted by key stakeholders s 33(a)(iii)

· s 22(1)(a)(ii)

s 22(1)(a)(ii)

s 22(1)  
(a)(ii)

s 22(1)(a)(ii)

s 22(1)(a)(ii)

s 22(1)(a)(ii)

Based upon secondary information of the context on Nauru and Save the Children's core areas of expertise, the assessment looked at the areas of s 22(1)(a) child protection, s 22(1)(a)(ii)

s 22(1)(a)(ii)

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### 3.3 Child Protection

#### 3.3.1 Laws and Policies

**National Child Protection Systems:** There is no National Child Protection system, with no specific agency/ombudsperson dedicated to child protection, and no evidence gathering agency to document and assess levels and categories of child abuse. There is no local authority, legislation and legal/professional framework to remove children when they have suffered or likely to suffer significant harm. There is also no system for medical forensic evidence gathering. s 33(a)(iii)

s 22(1)(a)(ii)

**Child Abuse laws:** Child abuse statistics are not compiled. One offender was convicted in 2011 and served time in prison. There is no specific law against child pornography. There is no specific law against sexual harassment, but harassment involving physical assault can be prosecuted under assault laws.

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s 22(1)(a)(ii)

s 33(a)(iii)

s 22(1)(a)(ii)

s 22(1)(a)(ii)

### 3.3.3 Activities/Outcomes & Gaps

Key Protection Issues for children on Nauru include:

s 22(1)(a)(ii) **child abuse: s 22(1)(a)(ii)**

Informants stated that child abuse (including violence and sexual abuse) often goes unreported. Consultations with key stakeholders indicated that there are high rates of domestic and sexual abuse, including rape. s 22(1)(a)(ii)

s 22(1)(a)(ii)

s 22(1)(a)(ii)

s 22(1)(a)(ii)

Some refugee families also expressed fear when walking along the road, near the lodge. One mother said that she and her teenage daughter were sexually harassed while walking, and is now fearful of leaving home<sup>47</sup>.

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<sup>47</sup> Feedback to Nauru Development Assessment Team from focus group with refugees, 19<sup>th</sup> June, 2014



s 22(1)(a)(ii)

As identified in Section 3.3 above, domestic and sexual violence, including rape are key issues, exacerbated by alcohol use and abuse, yet the systems and capacity do not currently exist within the health system to adequately respond. UNFPA is currently supporting the Family Health and Safety Survey which will go towards providing an evidence base of the scale and nature of the problem which, in turn, would enable design of appropriate interventions and services. [s 22\(1\)\(a\)\(ii\)](#)

s 22(1)(a)(ii)

s 22(1)(a)(ii)

Violence against women and children has been identified in the 2009 Nauru Sustainable Development Strategy as factors impeding the achievement of development milestones.

s 22(1)(a)(ii)

s 22(1)(a)(ii)

Nauru has a Women's Crisis Centre where, between June and December 2013, 18 women resided. Out of a population of approximately 10,000 this is not an insignificant number, especially given the small population and land size, it appears difficult for survivors of violence to remain anonymous, if required.

s 22(1)(a)(ii)

s 22(1)(a)(ii)

WHO proMIND  
Nauru: Profiles  
on Mental  
Health in  
Development

WHO 2012

<http://www.mindbank.info/item/2502>

Report including a timeline of mental health support in Nauru. Factors include domestic and sexual violence including rape. Mental health operating from RON Hospital/visiting specialists.  
s 33(a)(iii)

Health/  
child  
Protection

s 22(1)(a)(ii)



**AMNESTY  
INTERNATIONAL**



Submission to the

**Select Committee on the Recent Allegations relating to Conditions  
and Circumstances at the Regional Processing Centre in Nauru**

**28 April 2015**

Submitted by  
**Amnesty International Australia**

s 47F(1)

s 22(1)(a)(ii)

- (6) In offering ongoing Australian assistance to the government of Nauru in rewriting the Nauru Criminal Code, urgently prioritise amendments to the Nauru Criminal Code which address child protection issues.

s 22(1)(a)(ii)

s 22(1)(a)(ii)

While some allegations have been referred to the Nauru Police for investigation it is not clear what action has been taken in response to these allegations or whether any perpetrators have been apprehended. s 22(1)(a)(ii)

s 22(1)(a)(ii)

2.9 The Australian and Nauruan authorities have failed to implement appropriate policies and procedures to protect asylum seekers, including children, who are in immigration detention on Nauru from sexual and physical violence.

s 22(1)(a)(ii)

s 22(1)(a)(ii)

- Based on the findings of the Moss Review, the Australian government has failed to provide adequate health and safety institutions and structures for protection of children, including from all forms of physical or mental violence, abuse, neglect or negligent treatment, maltreatment or exploitation.<sup>31</sup>

s 22(1)(a)(ii)

s 22(1)(a)(ii)















## REPUBLIC OF NAURU

Government Information Office

## MEDIA RELEASE

For Immediate Release

18 November, 2014

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**Statement from Republic of Nauru - Re: letters containing alleged threats against refugees**

The priority of the Government of Nauru is implementing a successful refugee resettlement program. Furthermore our police force is highly capable of handling law and order issues that arise. Nauruan police are currently investigating letters left at various places that contain threatening language. We do not believe there is any increased risk to refugees on the island.

There continues to be a campaign of misinformation by refugee groups both outside and within Nauru, backed by some sections of the media. These people clearly have a political agenda and they are willing to do and say anything to achieve it.

The letters in question are unsigned and at this stage we have no evidence to suggest that they are genuine or have been authored by any Nauruan group or individual. We currently cannot confirm if these were authored by a Nauruan, a refugee, refugee advocates or any other party who seeks to jeopardise the resettlement program. We call on the Australian and New Zealand media to be responsible and report the facts without the sensationalism and without an agenda. It should be noted that some previous reports of alleged violence reported by media have proven inaccurate.

This alleged letter is full of inaccuracies, leading our police to question its origin. For the record, refugees are not "taking all job opportunities" however

we are pleased to report that job opportunities are open to refugees as the nation experiences very low unemployment.

Police are seeking local help to find those responsible. Our country has embraced our guests with open arms and they can feel very safe here. Many have commented how safe they feel on Nauru compared to countries they have left. We will provide more information on these letters as it becomes available.

ENDS///



**From:** s 47F(1)  
**Sent:** Friday, 31 October 2014 9:26 PM  
**To:** s 47F(1)  
**Subject:** Statement by Minister David Adeang, MP., Guardian of Unaccompanied Minors on Nauru

## **Statement by Minister David Adeang, MP Guardian of Unaccompanied Minors on Nauru**

On behalf of the Government of Nauru, I wish to make very clear that we will not tolerate or condone any violence, whether physical or verbal, against refugees, who are guests in our country.

The attacks on unaccompanied children over the weekend were racist, opportunistic, and fuelled by alcohol. I am very aware that this is the work of a small minority of people and that the vast majority of Nauruans are welcoming and hospitable to the refugees on the island. We have proud traditions of welcoming foreigners to our shores. Unfortunately, the attacks have unfairly brought shame and disrepute to our country as a whole. The refugees on Nauru have fled violence and fear, they are here seeking safety and should be able to find it on our peaceful Pacific island.

I am particularly concerned about the unaccompanied minors as I am their legal guardian while they are on Nauru. I am determined that those responsible for the attacks will be identified and that they will be brought to justice. The police will continue to work tirelessly to ensure that this happens, and happens quickly. I have also asked police, the Government of Nauru Settlement Team and Community Liaison Officers to work together to ensure that such incidents do not happen again and will be regularly monitoring their progress and the strategies they put in place.

I wish to thank the majority of Nauruans who have made our guests welcome and to urge any others to voice their opposition to the settlement policy through democratic means, not through violence, targeting defenceless and vulnerable people. I wish to remind Nauruans that our guests are here temporarily, and are bringing tangible and intangible benefits and skills to our small nation.

I wish to reiterate my determination to ensure that those unaccompanied children in my care, and indeed all refugees on Nauru, continue to feel welcome and safe in Nauru.

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*Circulated by the Nauru Government Information Office on behalf of:  
Minister for Justice and Border Control, Hon David Adeang, MP*

s 22(1)(a)(ii)

s 47E(d)

**Title:** Nauru: Review of recent allegations regarding the OPC s 33(a)(iii)  
s 33(a)(iii)

**MRN:** s 47E(d) 02/10/2014 06:55:44 PM ZE10

**To:** Nauru

**Cc:** PP : Bangkok, Chennai, Colombo, Dhaka, Geneva UN, Islamabad, Jakarta, Kabul, Kuala Lumpur, New Delhi, Port Moresby, Rangoon, Tehran, UN New York

**From:** Canberra  
(CHCH/CUSTOMS/OSBJATF)

**From File:**  
**EDRMS**

**Files:**

**References:** s 47E(d)  
The cable has the following attachment/s -  
141002 - Draft Terms of Reference - 2 October 2014.docx

**Response:** Priority, Information Only

### Summary

In response to general claims of sexual misconduct and/or sexual assault in the OPC, and reports raising concerns about the general conduct of some employees of contracted service providers in the OPC, DIBP referred a number of allegations to the AFP. DIBP has also initiated an independent review into the allegations, to be led by Mr Philip Moss, which will report by the end of the year. Minister Morrison intends to publicly announce both actions on 3 October 2014. s 33(a)(iii)  
s 33(a)(iii)

Two actions have been taken in response to general claims of sexual misconduct and/or sexual assault in the Nauru Offshore Processing Centre (OPC), and reports raising concerns about the general conduct of some employees of contracted service providers in the OPC. DIBP referred a number of allegations to AFP, and the AFP will consider whether any Commonwealth offences have been committed and then investigate accordingly. Separately, A/g DIBP Secretary Mark Cormack has initiated an independent review to investigate and report on the key issues surrounding these allegations. Former Integrity Commissioner, Mr Philip Moss, will lead the independent review.

2. The Minister for Immigration and Border Protection intends to publicly announce the AFP referral and the independent review on 3 October 2014. s 33(a)(iii)  
s 33(a)(iii)

s 33(a)(iii)

s 22(1)(a)(ii)

s 22(1)(a)(ii)

4. The independent review will be due at the end of the year, with an interim report to be delivered by mid-November. Draft Terms of Reference for the review are attached for post's background only. Once finalised they will be placed on the DIBP website ([www.immi.gov.au](http://www.immi.gov.au)) and post might like to then share with interlocutors, as appropriate.

s 33(a)(iii)

6. Cable sent on behalf of the Joint Agency Task Force and the Department of Immigration and Border Protection.

text ends

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**Sent by:** s 22(1)(a)(ii)  
**Prepared by:**  
**Approved by:** Mark Cormack / LTGEN Angus Campbell  
**Topics:** IMMIGRATION & ENTRY CONTROL/People Smuggling, POLITICAL-ECONOMIC/International Political

**DRAFT: SENSITIVE**

**Review into recent allegations relating to conditions and circumstances at the  
Regional Processing Centre in Nauru**

**TERMS OF REFERENCE**

A number of allegations have been made recently regarding conditions and circumstances at the Regional Processing Centre in Nauru (also known as 'the centre'). These allegations include issues relating to the conduct and behaviour of staff employed by contracted service providers, claims of sexual and other physical assault of transferees, the orchestration and facilitation of transferees to engage in non-compliant or harmful behaviour and protest actions potentially endangering the safety and security of all persons at the centre, and the misuse and unauthorised disclosure of sensitive and confidential information, including to undermine the proper management of the centre.

The purpose of this review is to provide a complete and accurate account of the circumstances, to determine the substance (if any) of the allegations and to provide recommendations to relevant authorities to strengthen arrangements at the Regional Processing Centre in Nauru.

The Acting Secretary of the Department of Immigration and Border Protection has initiated a review to investigate and report on the key issues, in particular:

- to determine exactly what the facts are;
- to ensure that those facts are available to any authorities for any action required as a result;
- to ensure that the department is provided with clear recommendations on any improvements that can be made to support the Republic of Nauru with the ongoing management of the Regional Processing Centre in Nauru.

Consistent with the *Memorandum of Understanding between The Republic of Nauru and the Commonwealth of Australia, relating to the transfer to and assessment of persons in Nauru and related issues* (dated 3 August 2013), the security, good order and management of the centre, including the care and welfare of persons residing in the centre, remain the responsibility of the sovereign Government of Nauru.

In relation to service providers, the scope of this review is limited to an examination of those service providers and staff engaged by the Commonwealth of Australia for the purposes of providing services of any kind at the Regional Processing Centre in Nauru. Should it become apparent in the course of the review that there is information of concern in relation to service providers engaged by the Republic of Nauru, this information will be provided to the Government of Nauru.

The Government of Nauru has indicated its full support for the review.

The review will involve, but is not limited to, assessing:

- the accuracy of the allegations;
- the adequacy of arrangements identifying, reporting, responding to, mitigating and preventing incidents of sexual and other physical assault at the centre;

**DRAFT: SENSITIVE**

**DRAFT: SENSITIVE**

- the conduct and behaviour of service providers and their staff at the centre;
- the adequacy and secure management of information by service providers and their staff;
- the extent of any prior indicators or intelligence that would have assisted in the prevention of unsatisfactory professional conduct and/or professional misconduct by service providers and their staff;
- breaches of security, including information security;
- the clarity of roles and responsibilities, including the adequacy of training and supervision of service provider staff;
- the ability of service providers to appropriately and professionally manage protest and other activity within the centre;
- any other issues deemed necessary by the Secretary of the Department of Immigration and Border Protection.

Any material obtained by the review that may be of assistance to relevant authorities in managing actual or possible criminal charges or activity will be made available to relevant authorities.

The review may make recommendations to strengthen relevant arrangements relating to the provision of services at the centre, and the conduct of service providers and staff.

The review is to commence immediately and report to the Secretary of the Department of Immigration and Border Protection by the end of the year, or other such dates as may be negotiated, with a progress report to be provided by approximately mid-November 2014.

**DRAFT: SENSITIVE**