

## *Submission 67*

I am writing this submission following my employment with Save the Children working with children and their families in the Nauru Offshore Processing Centre 3. My reports is based on my observations, interactions and assessments as a result of my professional training. I have over 10 years experience in the field as a social worker and have worked with children and young people who have been subject to child abuse and neglect. I also have worked for an extended period as a trauma counsellor with children and young people. I've since ceased my employment with Save the Children.

I wish to comment on several components of the terms of reference.

### ***The appropriateness of facilities in which children are detained***

Families remain in plastic marquee style tents, with individual family's accommodation separated by a plastic sheet. There is no door on any of the accommodation, instead the plastic sheets overlap to create a flap. The temperature inside the tent is approximately 40c during the day, with most families only having access to one single 30cm diameter fan. Parents complained that there was no privacy, and they could hear other children crying through the night. No accommodation had chairs or tables, therefore families could not sit with their children to do homework or eat with them, as they wanted to. There is no separate room for children and parents, as a result adolescent girls and boys are forced to share a space with their adult parents, and on some occasions stepparents. One [REDACTED] girl expressed her embarrassment sharing a space with her stepfather, stating that, she was embarrassed having her underwear seen by him.

Another 13-year-old girl felt so unsafe in the tent that she began to wet the bed, and could not sleep without holding her Mother's hand. Her Mother was alone in the camp and reported that men have come into the tent in the evening, stating they had mistaken it for their own. Consequently this Mother placed containers of water at the entrance of the tent to prevent intruders, and increase her daughters sense of safety.

The centre is set up as a prison, with a perimeter fence, and security guards on the one and only exit. Detainees are unable to leave the camp and their movement is restricted by the security guards at the exit. Contrary to the international convention on the rights of the child, children are also denied their freedom of movement. For children to leave the camp they must first have a reason, they then have a metal detector scanned over them before they are allowed to get on a bus to exit. On return children are again scanned before being allowed back into the camp. Families are told that they may have their visa cancelled should they leave the camp. Children are aware of the restrictions placed on their movement after observing altercations between security and their family members. On one occasion a Father walked out of the camp, and was advised by security staff that he would be arrested if he continued. He continued and was arrested and put in jail for 3 days. This incident was particularly distressing for his 8 year old son, who was in the camp without his Father. On another occasions, a father of two was assaulted by security staff as he was talking (Farsi) in an animated manner. As a result of this incident he sustained a broken arm. His two children were also aware of this incident. Such events reinforce to children that they are in an environment much like a prison where security guards are there to enforce the rules rather than to protect the children and their families.

The physical environment is harsh and unsafe. The Offshore Processing Centre 3 (OPC3) is built in an abandoned quarry; the ground is covered with white rocks that cut into children's shoes or feet, as often they did not have suitable shoes or shoes at all. The white rocks appear to attract the heat of the sun, and given the location a breeze can never be felt at OPC3. There are no areas to sit in the camp; therefore children have to sit on the hot stones. There is also virtually no shade, so the sun cannot be avoided.

Many of the children have to walk a distance to the toilets, they complain at night they do not feel safe, and must be accompanied by an adult. In addition to this people are only entitled to a 4

## *Submission 67*

minute shower every day. For children that wet the bed, this is difficult as they rush to be washed properly.

In addition to the physical environment, there is a profound lack of clothing and shoes for children. Children complain constantly that they don't have appropriate shoes, or their shoes have broken because of the stones. Some children have only thongs, which if broken they strap to their feet with wire. On one week, children experienced further distress as a result of the lack of footwear. After being promised a chance to attend a holiday program at the local school, which meant they could leave the camp, a number of children were denied this opportunity due to their footwear. On this occasions children were asked to line up to get on the bus, DIBP officials attended however and told all the children who did not have closed in footwear that they could not go and had to leave the line. Half of the children had to remain in the camp, this caused a great deal of distress as the children cried. A similar event occurred the following day, when the children were supposed to be provided with footwear, but again many missed out and were told they could not go again. Another 8-year-old girl, had ongoing problems with her foot and required arch support to prevent permanent physical injury. She was not provided suitable footwear and complained of the pain in her foot, and the way that her foot rolled in, which effected her ability to walk. Due to a lack of suitable footwear, children injured their feet from the rocks and discarded construction waste, that had not been removed from the site.

Other children asked for weeks to be given a change of clothes, while others wore flannel pyjamas for weeks on end because there was no suitable clothing for children. Some children were also forced to wear the same outfit over and over as they had nothing else, this meant their clothes weren't able to be cleaned. Some of the clothes the children wore were beyond repair, one example is a primary school aged child that attended school with a large hole in his shorts. He was subsequently ridiculed by the other students as they saw his genitals. The heat is so intense, yet the lack of clothing available, means children are wearing winter clothes, which is not suitable for the harsh climate. One Mother told me she would cut up a mosquito net and make it in to clothing for her daughter. Another child was seen walking around in the offcut of a woman's pant leg, worn like a tube dress that covered her torso and bottom only. Some adolescent girls requiring underwear due to the commencement of menstruation or bras, they waited weeks for anything to be provided.

### ***The impact of the length of detention on children***

I completed multiple rotations working with the children in OPC3. During this time I witnessed a marked deterioration in children's mental health as children began to realise that they would be in Nauru for a long time. Children would ask me "why are we here" and "when can we leave". One young person stated being here is like a "slow suicide". Another young person talked about missing out on her life, as she will be in detention for years. She stated her peers will get to go to school, and complete high school but she will miss out on this because she is in indefinite detention. An 11 year old girl stated during a visit from the International Red Cross, "we did not choose this, why are we here?".

In completing my regular assessments, and updating Individual Management Plans for the children, I reported the following:

8 year old boy, has been noted to be crying a lot more, he refuses to attend school anymore. When he was going he would return from school crying. Mother has reported that he is very clingy, and that he has started to wet the bed.

7 year old girl. Parents stated that their daughter presents with increased level of anxiety and distress. She cries frequently, and asks when they will get out and when are they going to Australia.

## *Submission 67*

7 year old girl. Her parents stated that after 5 weeks in the camp she has started to have frequent bad dreams, is increasingly defiant and will no longer express her emotions openly. The parents stated before arriving in the camp their daughter was generally happy, polite and obedient. That she talked openly about her feelings with them. I observed drawings done by this little girl, that showed her at the bottom of the ocean, with an electric fish. She wrote messages like "there is no where for me", "I have no place to go".

18 year old boy. He reported being scared for his life in the camp, and presented with a persistent sense of hopelessness. He stated to myself that he believes that someone in the camp would kill him.

13 year old girl began to withdraw, and present as depressed. She stated she was very scared in the camp and felt sad. Her mother reported that she had started bed wetting and was scared to go to sleep at night.

11 year old girl stated that she feels angry and sad all the time. That she has problems going to sleep and that she cries every night.

8 year old boy, he described himself as sad and stated he does not eat anymore. His Mother expressed concern that he is fearful and has emotional outbursts over small things. His teacher has also stated that he has emotional outbursts often. This boy's Father had died, and he was taken from his Mother and subject to emotional abuse in his country of origin. He was accessing counselling through mental health services (IHMS), but his psychological symptoms had not improved.

Children had often started to wet the bed after being in Nauru for 1-2 months. Parents consistently reported changes in their children's behaviour. Such changes, and the behaviour outlined above are consistent with behaviour that you would see in children subjected to abuse and neglect. They are therefore indicative of trauma.

### ***Measures to ensure the safety of children***

While working in the centre, a 16 year old boy was indecently assaulted by a local staff member, who worked in the centre [REDACTED]. This occurred on the 16/11/2013 in OPC3 near the clients toilets. Security became aware of the assault as they heard the young man yelling, and found him pushing the offender off him. No local staff are required to under go police checks, as Nauru does not have the legislative infrastructure necessary to implement such checks.

Staff have access to children, while they are supposed to be in pairs (male/female), there are frequent opportunities for staff to be alone with children. I have observed inappropriate physical contact between children and adult security staff as well as inappropriate conversations. For example I witnessed a 14 year old boy giving a female staff member a massage, I have also observed a male staff member stroking a 15 year old girl's hair.

I have extensive experience in working with sexual violence, and a core element of protecting children from such violence is to ensure that adults and communities address safety issues. This includes doing rigorous police checks of staff, and to put in place and, enforce regulations related to appropriate interaction with children. However even with these regulations in place, children cannot be protected 100% from abuse and sexual exploitation in this type of environment, because they are unable to escape. Currently no effective measures have been put in place in Nauru to prevent institutional abuse of children. The Royal Commission into Institutions Sexual Abuse has recently demonstrated the need for strict measures to be put in place to prevent such abuse of children within institutions.

In addition to the safety issues related to sexual violence, there were persistently high levels of physical violence and threats of violence. There were regular reports of children being threatened or actually assaulted by adult detainees in the camp. It was alleged by a single

## *Submission 67*

Mother that her 8 year old boy had been threatened by an adult male, who said “if your son comes near my child again I will kill him”. On the 22/12/2013 there was an incident where 3 men attempted to approached a 17 year old boy in the shower block, they yelled abuse at the boy and tried to hit him, when security staff intervened they assaulted the security staff. This resulted in 3 families being placed in isolation, it was feared further violence may be directed at this boy and his family members. The boy reported to myself that he felt fearful for his life, and stated that the men had said repeatedly “we’re going to kill you”. On a previous occasion, an 11-year-old girl from one of the families that was put in isolation, had overheard people saying that they wanted to “kill her and her sister”. These families remained in isolation for approximately 2 weeks, and were escorted to the main camp, due to fear of further incidents.

On the 31<sup>st</sup> of December 2013, the camp was placed on high alert as security staff had intelligence to suggest there would be a riot. The camp was raided by Police and security staff and all rooms were searched. While the majority of children were out of the camp on a holiday program, some children were unable to attend as they did not have the correct footwear. These children and their families were removed from their accommodation and made to wait for hours in the sun while their rooms were searched. All people in the camp that day were subject to a pat down search. Children who were presented reported being scared during the raid and when having their body and belongings searched. The camp was locked down until approximately 10:30pm. At which time the children were able to return to their parents. This had an emotional impact on many of the children. Those children outside of the camp attending the holiday program in the local Nauru school were told that they could not return to the camp until later. Children were kept in the administration camp for approximately 4 and half hours. During this time I witnessed several children begin to cry because they wanted to return to their parents. Children spoke of being scared, and those from single parent families, stated they were worried about their parent.

The raid aimed to address some of the safety concerns in the camp with regard to a possible riot. Homemade weapons in the form of tent pegs and fashioned knives were found in people’s tent. While it was a positive that these items were found and confiscated. The distress caused to the children who were separated from their parents and those that were subjected to the raid; inevitably impacts on their mental health as it constitutes yet another traumatic experience. For some children it would trigger past experiences of abandonment, or police raids on property. What’s more it reinforced that the camp is not a safe place. A safe, predictable and stable home living environment is essential for children as it fosters the achievement of developmental milestones and positive attachment with caregivers. For those children held in Nauru, this development and attachment in jeopardy as they are regularly exposed to an environment that does not meet their safety needs.

### ***Provision of education, recreation, maternal and infant health services***

The education facilities are grossly inadequate in the OPC, children complain often about the lack of an appropriate education space. Instead children have classes in tents. No chairs and tables are available, families are unable to purchase stationary, and so children must share such things when in the classroom. The class tents are incredibly hot, (approximately 40c), there are sometimes pedestal fans in operation, but they cause so much noise it makes it difficult to hear. Furthermore the classes are separated primary and middle primary and high school groups with most classes sharing a space. This means that students in each class have a variety of academic levels, it also causes distraction and difficulty for children to learn as they share the space with other classes.

I had an 8 year old boy who stopped attending school, he said it would make him cry, as there were no chairs, no fans and they didn’t study things like maths. Other children complained that there was no set curriculum, that they did not learn things such as maths, science, history or geography as there were not the facilities. An 11 year old girl, who spoke 5 languages and had aspirations to go to University, commented that she was missing out on school and when she was finally released she would be too far behind her peers to catch up. She explained that she

## *Submission 67*

would have been the first girl in her family to get an education, but now she was going to lose that chance.

Children are unable to draw, read or play at home, as there is no where to buy toys, books of colouring pencils. A 4-year-old girl asked if she could keep an instruction book I had with me which explained strategies for using a therapeutic tool, because she wanted a book to read. Her Mother asked if they could please stock toys, books and colouring pencils in the shop so she could buy items for her children. As children have no toys, they play in the dirt, with sticks and stones. One playground had been built, however there are currently 170 children on island, therefore this will be inadequate to meet the needs of all the children. The international convention on the rights of the child, comments on the right of children to play, as it is essential component for children's psychological development. Yet in Nauru this right is being deprived, as the conditions in the camp do not facilitate play opportunities for children.

### ***The separation of families across detention facilities in Australia***

While I did not have contact with families that were separated across detention facilities, I was particularly concerned regarding the separation of children from parents due to the new Government policies implemented relating to mandatory offshore processing. A family of 5 were separated from their Father who travelled to Australia by boat 3 years prior. The family were promised permanent protection visas under the 'people swap' arrangement developed under Julia Gillard's Government. This arrangement fell through, so the family saved up enough money to come by boat to join their father. They are however now permanently in Nauru and will never be resettled with their Father in Australia. The 5-year-old daughter, cries frequently for her Father. The 11-year-old son, frequently withdraws from other children, and can be found lying on his back with tears in his eyes. When I asked what's wrong he states "I need to see my father" "I need my father". He talks often about not seeing his Father, and asks questions about the city his Father lives and Australian life..