

Appendix 4

Recommendations of the Moss Review

RECOMMENDATION 1: The Department and the Nauruan Government take into account the personal safety and privacy of transferees when making decisions about facilities and infrastructure at the Centre.

RECOMMENDATION 2: Contract service providers review their guidelines relating to sexual harassment and sexual relationships to ensure that staff members understand what behaviour is acceptable in the context of a Centre with a diversity of cultures.

RECOMMENDATION 3: The Department give consideration to how it could support the Government of Nauru to enhance forensic services to investigate, record and prosecute incidents of sexual and other physical assault in the Centre.

RECOMMENDATION 4: Nauruan Government officials and the Department review and enhance the existing policy framework for identifying, reporting, responding to, mitigating and preventing incidents of sexual and other physical assault at the Centre. All staff members working at the Centre (Nauruan, Departmental and contract service provider) must understand the framework and their responsibilities under it.

RECOMMENDATION 5: The Department liaise with the Government of Nauru to ensure that child protection issues are reflected in the work currently being done on the Nauruan criminal code.

RECOMMENDATION 6: The Department and the contract service providers continue to work with the Nauruan Government to ensure that a robust child protection framework is developed.

RECOMMENDATION 7: All contract service providers review their existing policies in relation to social media to ensure that their staff members have a clear understanding of their obligations concerning its use.

RECOMMENDATION 8: The Department review contract provisions and other guidelines to ensure that the obligation on contract service providers to report any data loss is explicit.

RECOMMENDATION 9: Noting the current AFP investigation, the Department review its decision which required Save the Children to remove ten of its staff members from providing services in Nauru and in so doing consider the staff members individually. The review would include providing:

- a. Save the Children with the information the Department relied on; and
- b. the opportunity for Save the Children to address the allegations concerning its staff members.

In the event that the decision in relation to any of the ten Save the Children staff members is reversed, the Department make representations to the Government of Nauru about the Nauruan removal order and its consequences.

RECOMMENDATION 10: The Department ensure that Nauruan operation and management of the Centre is enhanced through a more joined-up approach between the Nauru an operations managers and the contract service providers.

RECOMMENDATION 11: Greater cooperation between the contract service providers be encouraged, including through the Department:

- a. ensuring that contract service provider staff members have a clear understanding of each other's roles and responsibilities;
- b. reviewing the range of meetings at the Centre to ensure that information is shared effectively; and
- c. taking a more proactive role to ensure that contract service providers are working cooperatively together and are responsive to each other.

RECOMMENDATION 12: The Department ensure that the relationship between Transfield Services/Wilson Security and the Nauruan Police Force becomes more structured and is based on cooperative and consistent interaction.

RECOMMENDATION 13: The Department consider the feasibility of assisting the Nauruan Police Force to increase its effectiveness through the appointment, on a limited term basis, of an AFP officer with executive authority.

RECOMMENDATION 14: The Nauruan Police Force have greater visibility in the Centre based on community policing and explore ways to include transferees and refugee settlers in community policing and law enforcement roles.

RECOMMENDATION 15: The Department ensure that there is a more joined-up approach between the Wilson Security intelligence unit and the Nauruan Police Force.

RECOMMENDATION 16: The Department work with the Nauruan Government to extend the Nauruan Police Force Community Liaison Officers Program to the Centre.

RECOMMENDATION 17: The Department and contract service providers review and enhance existing efforts to ensure that Nauruan staff members are treated with respect and that there is courteous regard shown for the Republic of Nauru. This requirement could be enhanced through:

- a. the induction programs for all non-Nauruan contract service provider staff members about Nauruan culture and Nauruan society be delivered by Nauruans;
- b. establishment of a framework to deliver positive messaging about Nauru;
- c. the Department taking the lead with its contract service providers to assist Nauruan authorities to continue to find ways to introduce transferees and Nauruans to each other's cultures and traditions.

RECOMMENDATION 18: The Department work with Nauruan authorities and contract service providers to develop new strategies and training programs to build the capacity of the contract service providers' Nauruan workforces.

RECOMMENDATION 19: The Department consider the draft protocol suggested by the AFP for protest and incident management to assess whether it adds value to existing emergency management plans.