

# Submission by Wilson Security

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

27 April 2015

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Committee Secretariat  
PO Box 6100  
Parliament House  
ACT, Australia 2600

Monday, April 27, 2015

Dear Members of the Select Committee,

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

Wilson Security welcomes the opportunity to provide this submission to the Select Committee on the recent allegations relating to conditions and circumstances at the Regional Processing Centre in Nauru.

Wilson Security acknowledges that offshore processing remains one of the most challenging, complex and sensitive areas for government policy and is committed to implementing the Government's policy by providing a security service in Nauru that supports the wellbeing of asylum seekers and minimises harm.

In this capacity, Wilson Security recognises that it can assist the Select Committee in relation to its review of the performance of the Commonwealth Government in connection with the Centre, including the conduct and behaviour of staff employed at the Centre. Our submission seeks to deal only with this aspect of the terms of reference.

In respect to terms of reference that relate to the circumstances that precipitated the Moss Review, including allegations made regarding conditions and circumstances at the Centre and the conduct and behaviour of staff, Wilson Security has provided all available information to the Moss Review. We fully supported the review including the provision of all documents and by providing access to our staff. We accept the findings of the Moss Review and are implementing the recommendations.

Yours faithfully,

John Rogers  
Executive General Manager  
Southern Pacific Operations  
**Wilson Security**



## Executive Summary

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The Regional Processing Centre in Nauru was established under arrangements set out in a memorandum of understanding between the Government of Nauru and the Government of Australia, and operates as the Nauru Regional Processing Centre (“Centre”). The Centre is administered by the representatives from the Government of Nauru, titled Operations Managers. They are supported by representatives from the Department of Immigration and Border Protection (“Department”) who engage Service Providers to provide garrison, welfare and health services to assist them provide for the care of asylum seekers residing in the Centre.

Service Providers engaged by the Department in Nauru include Transfield Services, Save the Children, and International Health and Medical Services. Transfield Services provide garrison services at the Centre. This includes security services, property management, emergency management, asset management, cleaning services, environmental management services, catering, logistics, transport and escort of transferees, and providing access to communication equipment. Transfield Services subcontract the security service to Wilson Security.

In providing security services at the Centre, Wilson Security is required to provide trained security personnel 24 hours a day, managing the following range of functions:

- Access control procedures
- Security and welfare checks
- Perimeter security
- Identification cards
- Incident management
- Intelligence management
- Incident response management
- Conducting safety and security exercises
- Managing instances where transferees are engaged in illegal and antisocial behaviour
- Investigations
- Developing a site risk assessment
- Communicating safety and security information
- Maintaining an operations log
- Property management.

As at the date of this submission, we employ 370 expatriate safety and security personnel and engage two local Nauruan companies, which provide 456 local safety and security personnel in Nauru. For ease of reference these personnel are referred to as Safety and Security Officers throughout the submission.

Wilson Security has robust policies, procedures and processes that support the operations in Nauru. A list of these policies and procedures is included in Appendix 1. An aspect of these policies, procedures and processes is to provide clear guidelines for the conduct of both expatriate and local staff, which is designed to minimise misconduct and provide a framework for dealing with misconduct. Our submission provides an overview of the relevant policies, procedures and processes, including the recruitment process, training and induction framework, supervision, contract management, complaints management, incident reporting protocols, intelligence management, legal framework, risk management, and governance.



## Submission

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### Recruitment

Safety and Security Officers undergo pre-employment screening and background checks prior to the commencement of their employment with Wilson Security. The purpose of the screening is to ensure candidates are of good character and conduct prior to employment.

All applications are submitted through an online recruitment portal. This enables us to capture each candidate's resume, personal details, social media accounts, identification, travel history, experience, clearances and accreditation, training and qualifications, medical history and criminal history. The portal enables candidates to respond to a number of behavioural questions that are focused on communication skills, empathy and understanding of cultural diversity, and scenarios for working with children.

Screening and background checks include professional reference checks and security character checks. Candidates are also required to consent to an Australian Federal Police criminal history check that is designed for those working with vulnerable persons. Shortlisted candidates attend a face-to-face interview to validate the information provided during the recruitment process.

Successful persons attend a medical assessment that includes screening for mental health distress.

Each State and Territory within Australia has its own procedure for obtaining working with children checks. As there is no framework or jurisdiction to obtain working with children checks for employees working in Nauru, we have implemented an additional strategy to validate the background of candidates. This includes obtaining a statutory declaration to disclose any allegation of disciplinary action for inappropriate behaviour involving a child, the removal of a child in the candidates care, or any charge of an offence against a child. Candidates are also required to sign a code of conduct specifically developed for working with children.

All employees are required to sign an employment contract which contains stringent terms regarding conduct and behaviour.

Wilson Security engages two reputable companies in Nauru to provide local Safety and Security Officers. We have a dedicated Manager to develop and mentor the companies, assisting them in operationally delivering the service and auditing their level of compliance. Our approach includes working with the local manager to develop their capacity to provide a similar level of screening and background checks to those conducted in Australia. Local employees are engaged on similar terms and conditions of employment to their Australian counterparts. We will continue to invest in supporting, training and developing local workforce capacity

### Training

We recognise that training influences culture and can have a positive effect on the behaviour and conduct of staff. As a result we invest in training our staff and the local subcontractors to build strong cultural diversity and sensitivity. The purpose of the training is to seek to ensure all our staff and subcontractors have the skills and knowledge to operate in the complex and challenging environment; a common understanding of the standards and behaviour expected; and a strong sense of purpose and values.



Both local and expatriate Safety and Security Officers complete a pre-deployment orientation and induction prior to commencement of services. The pre-deployment orientation program includes the following modules:

- Country brief
- Local cultural awareness
- Cross cultural communication
- Personal security
- Wellbeing planning
- Code of conduct
- Professional boundaries
- Workplace health and safety
- Information security

The induction program includes the following modules:

- Human rights standards
- Duty of care
- Self-harm and suicide awareness
- Mental health awareness
- Psychological support program
- Cultural awareness of asylum seeker cohorts
- Behaviour management
- Working with children
- Security in the centre
- Presence and safety checks
- Searching and screening
- Logbooks, registers and notebooks
- Key control
- Fire awareness
- Radio communication
- Arrivals and departures
- Planning and conducting escorts
- Working with interpreters
- Local legislation
- Situation awareness
- Tactical communication
- Incident management
- Crime scene and investigations
- Report writing
- Intelligence collection
- Risk management
- Operational safety
- Crisis response
- First aid.

We continue to deliver on-going refresher training that includes on-the-job coaching by experienced staff, participation in formal training programs and externally facilitated training programs. Safety and Security Officers complete all required refresher training every 12 months. All trainers have a current Certificate IV in Workplace Training and Assessment qualification.

Trainers complete competency assessments on all training to gauge the effectiveness of training activities and to determine further training requirements. Where relevant, training is conducted in accordance with the Australian Quality



Training Framework standards. Refresher training includes the following modules as a minimum:

- Situational awareness
- Operational safety
- Public order management
- Self-harm and suicide awareness
- Mental health awareness
- Information security
- Working with children safeguards
- Professional boundaries
- First aid
- Department guidelines

We also provide the following training to specialised security teams to effectively manage incidents and emergencies and reduce the safety and security risks associated with the Centre:

- Crisis negotiation
- Public order management
- Team leader command course
- Emergency management
- Escorts involving air security
- Leadership development

We understand that culture shapes people's perception and judgements, which creates challenges and complexities for operating with local workforces. As a result, our training program includes customised courses for local staff in cross cultural communication, conflict resolution and professional boundaries. The purpose of this training is to minimise the risk of inappropriate behaviour as a result of cultural differences.

### **Supervision**

Our effective leadership and supervision minimise inappropriate behaviour and conduct. Our organisational structure in the Centre includes Team Leaders, Supervisors and Managers. Persons in these roles are required, as part of their function, to take action in relation to unacceptable behaviour. Reports or complaints of unacceptable behaviour are taken seriously by these staff and handled in accordance with the complaints management process outlined below.

These staff received specialised leadership training to assist in recognising workplace behaviour or conduct that is not appropriate and to take action to address the behaviour. They are supported by a Human Resource Advisor in Nauru and a human resource team in Australia.

Wilson Security recognises that women and children are particularly vulnerable within the Centre. One of our key strategies for minimising harm is a diverse workforce with a balance of male and female security staff and the inclusion of women in supervisory positions operating within the Centre.

### **Contract Management**

Wilson Security is engaged by Transfield Services to provide security services at the Centre. The contract between Wilson Security and Transfield Services sets out our obligations and minimum requirements for recruitment, training, behaviour standards, performance management, reporting, service delivery, and compliance.



Wilson Security has a contract management team in Brisbane that supports the operational team in Nauru in delivering the service in accordance with our contractual obligations. The contract team monitor and audit our level of compliance and implement continual improvement initiatives.

### **Policy and Procedures**

An essential component of risk management to minimise inappropriate behaviour and conduct is the effective use of policy and procedures.

Wilson Security has developed a safety and security management plan and incident response plan to outline our approach in delivering a safe and secure environment in accordance with our contractual obligations, legal obligations, Department guidelines and corporate policies.

These plans are communicated to Safety and Security Officers during their induction. Relevant sections are incorporated within our standard operating procedures and assignment instructions. These documents are available to Safety and Security Officers in our online document library and at each security post. Safety and Security Officers are expected to be familiar with the detail of these documents. Changes to the plans are communicated during staff briefings and during on-going refresher training.

The plans provide all Safety and Security Officers with guidelines for the delivery of the security service. This provides the Department with our methodology for ensuring the care and control of asylum seekers and to assess our performance.

### **Complaints Management**

It is important to provide an efficient, accessible and transparent complaints management process. This process has been developed by the Department and is managed by Transfield Services, who coordinate responses to complaints and provide information back to asylum seekers. Wilson Security is committed to the fair, equitable and timely resolution of complaints as described in the Department guidelines.

All complaints involving allegations about a service provider are monitored by the Department. Each Service Provider is responsible for taking appropriate steps to investigate an allegation of misconduct or a suspected criminal offence involving the operations of the Centre and their staff.

Wilson Security employs investigators qualified in Certificate IV Government Investigations and with police experience, to provide clear accountability for investigating allegations of misconduct or criminal offence in an equitable, objective and unbiased manner. Investigators will work with interpreters and the complainant to collect and present all the available information to enable the issue to be properly addressed.

Investigations can have a number of outcomes, including taking no further action, implement preventative action, or referral of the investigation to the Nauruan Police. Upon completion of an investigation we provide an update to the complainant including any remedies or redress. Where the investigation identifies inappropriate behaviour or conduct by a staff member, the matter is referred to our Human Resource Advisor to ensure that the matter is dealt with in accordance with our disciplinary procedures ensuring procedural fairness.

We submit a final investigation report to the Department within three days of completing the investigation. The final investigation report includes details of the complaint, how the investigation was conducted, relevant facts, and details of





the investigation result. For protracted investigations the progress of the investigation is reported to the Department every seven days.

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. This includes reporting the allegation within one hour, providing clear information to the transferee about what will happen next (at the time of the complaint), implementing any protective measures to provide a safe environment, and taking action to preserve evidence in some circumstances.

Such action is underpinned by a comprehensive support structure for all asylum seekers. This includes individual support by Case Managers from the Welfare Provider, clinical support from the Health Service Provider and counselling from the Mental Health Team. Where an allegation of sexual assault involves a minor then the Case Manager from the Welfare Service Provider is responsible for making contact with the parents or Guardian of the alleged victim, unless circumstances indicate this should not occur. Where the allegation of sexual assault is against a staff member, then the Security Manager advises the Department of this fact and together we review further action that can be undertaken to minimise any risk whilst the matter is investigated.

### **Incident Reporting Protocols**

Wilson Security maintains a process and procedure for all staff and service providers at the Centre to report safety and security related information. This process enables the reporting of inappropriate behaviour or conduct where it is disclosed through a secondary person. Where the report contains allegations involving staff, the matter is treated in the same process as a complaint.

Safety and security information is defined in a Department guideline. This information is provided to the Department within set nominated timeframes, determined by Department guidelines, and monitored as part of the performance management framework. This includes verbal updates and written reports.

Where the severity of the incident, as defined in the Department guidelines, is assessed as a major or critical incident, then a post incident review is completed by the Security Supervisor to identify the cause and contributing factors, and to review the incident response and management to identify any lessons for continual improvement. Development and implementation of action items from the post incident review are monitored at a weekly meeting with the Department.

Major and critical incidents are discussed at daily operations meetings. This meeting is attended by the Government of Nauru Operations Manager and senior representatives from the Department and each Service Provider. The meeting enables collaboration with all stakeholders and implementation of immediate actions regarding the incident.

### **Intelligence Management**

Wilson Security has an Intelligence Management unit, whose function is to gather security related information to assist in managing safety and security risk within the Centre. The information gathered is used to attempt to identify early warning indicators of upcoming risks to safety and security. On occasion these indicators may relate to the conduct of staff.

The indicators are assessed in terms of the reliability of the information and the likelihood of their being a safety or security incident. These assessments do not purport to supply conclusive evidence or make findings. In many cases the assessment will recommend further investigation to verify the underlying information.



When necessary and appropriate, these assessments are shared with the Government of Nauru Operations Manager and senior representatives from the Department and each Service Provider, for their input into any decision that need to be made.

### Legal Framework

Wilson Security operates in accordance with the local legislation in Nauru and refers allegations of criminal offences to the Nauruan Police Force. Relevant legislation includes:

- Nauru Asylum Seekers (Regional Processing Centre) Act 2012
- Nauru Criminal Code 1899
- Nauru Criminal Procedure Act 1972.

The Nauruan Police Force is responsible for investigating breaches of the criminal code. The Department of Public Prosecution for the Government of Nauru present matters to the District Court of Nauru.

### Risk Management

We have implemented a disciplined approach to identifying, assessing and managing safety and security risk to protect the integrity of the Centre. Our approach to risk management involves the identification of all types of incidents that may impact on the integrity of the Centre. This includes the incidents involving the behaviour and conduct of staff. Risk may be identified from:

- Post incident reviews
- Intelligence assessments
- Hazard reports
- Site visits
- Observation of work practices
- Consultation with stakeholders
- Structured workshops.

For each risk we identify control measures to reduce the risk. Control measures include:

- Changes to policies, procedures, and processes
- Changes to resources
- Additional training
- Physical security measures
- Changes to infrastructure and environment.

Safety and security risks are documented in a site security risk register. The risk register is updated following a critical incident, external event, change to government policy, visiting dignitary, significant media, emerging trend in social media, or change to infrastructure. The risk register is monitored and reviewed at a monthly meeting involving the Government of Nauru Operations Manager and senior representatives from the Department and each Service Provider.

We facilitate an independent comprehensive review of the risk register by a specialised company every six months to ensure best practice in risk management and enhance our overall resilience.

The identification and management of risks are in accordance with AS/NZS ISO 31000:2009 risk management - principles and guidelines.



## Governance

Wilson Security is committed to continual improvement and provides full support to a comprehensive range of governance measures in the delivery of the service within the Centre. This includes attending daily operations meetings with the Government of Nauru Operation Managers and senior representatives from the Department and each Service Provider. The purpose of the daily operations meeting is to discuss the agenda for any events in the coming day and to review key issues or incidents in the last 24 hours.

The Department chairs a weekly review with service providers. The purpose of this meeting is to ensure the development of action items for key issues, incidents, events, risks and monitor the status of implementation of the action items. The Department also monitors the status of outstanding complaints from asylum seekers during weekly meetings.

Key performance indicators are tracked and reported on a monthly basis through a formal performance management framework derived from the Subcontract. The reporting is evidence based and managed by the Department to ensure adherence to required standards of service delivery. This includes the review of all complaints against staff and action taken.

Wilson Security completes a post incident review of all major and critical incidents that occur within the Centre. The post incident review includes an assessment of the incident response and management and the identification of the cause of the incident and contributing factors to further minimise harm.

Wilson Security conducts monthly compliance audits on our adherence to Department guidelines. The purpose of the audits is to ensure we are delivering the service in accordance with contractual obligations. The compliance audits are conducted by our contract management team and provided to Transfield Services and the Department on a monthly basis.

Wilson Security welcomes and supports external reviews to ensure our actions and decision making is fair and reasonable and that proper procedures are followed. External reviews over the last two years have been undertaken by the Commonwealth Ombudsmen, ComCare, Government advisory groups, Human Rights Commission, Red Cross, the Hamburger Review into the July 2013 riot, and the Moss Review.

## Conclusion

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Wilson Security is committed to providing a security service in Nauru that supports the wellbeing of asylum seekers and minimises harm. Our work is supported by a set of robust policies, procedures and processes, which ensure that we continually reduce the number, type and severity of incidents.

We take allegations of misconduct very seriously and have a robust framework for investigating the incident and taking appropriate action. As acknowledged by the Moss Review, the great majority of our employees are security professionals who effectively provide for the care of asylum seekers at the Centre.

Our approach to risk management ensures that we continually reduce the number, type and severity of incidents by improving policy, procedures, process, training, systems and infrastructure.



We look forward to any recommendations of this inquiry that will assist us in improving the services provided at the Centre. Thank you again for the opportunity to make this submission.



## Appendix

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### Appendix One

List of Wilson Security policies and procedures:

- Safety and Security Management Plan
- Behaviour Management Plan
- Incident Response Plan
- Emergency Management Plan
- Workplace Health and Safety Plan
- Wilson Security Integrated Management System
- Wilson Security Workplace Health and Safety Policy
- Wilson Security Quality Policy
- Wilson Security Environmental Policy
- Wilson Security Code of Conduct
- Wilson Security Drug and Alcohol Policy
- Wilson Security Fatigue Policy
- Wilson Security Fitness for Work Policy Statement
- Wilson Security Grievance Policy
- Wilson Security Managing Diversity Policy
- Wilson Security Vehicle Safety Policy
- Wilson Security Document and Records Management
- Wilson Group ICT Acceptable Use Policy
- Wilson Group ICT Information Security Management Policy
- Wilson Group ICT Social Media Policy
- Wilson Group ICT Data Breach Response Policy
- Wilson Group Compliance Policy

