

## **QUESTION TAKEN ON NOTICE**

**ADDITIONAL ESTIMATES HEARING : 08 February 2016**

IMMIGRATION AND BORDER PROTECTION PORTFOLIO

**(AE16/021) - Nauru - Incident Report 5 year old child - Programme 1.5: IMA Offshore Management**

Senator O'Sullivan, Barry (L&CA 47) asked:

Senator O'SULLIVAN: With respect, my question feeds into the line of questioning that I was pursuing earlier. I think sometimes we need to collect some data in relation to what the genesis of some of these complaints is, see if there is a course of conduct with advocates or a particular advocate or a particular group of advocates who take the ball under their arm and run with it when in fact there is no ball at all, no game, no whistle.

Mr Pezzullo: In the interests of being entirely precise as best as we can be we might take on notice a review of the initial incident report; who made the report. I am not sure it will exactly shed light on who might have motivated the making of the report and, as I said, we just take the reports of such matters on face value. Ms Moy has already indicated that the report was made at some period after the alleged events occurred. What we do know, just from the age of the child and the nature of the original complaint, is that there is no five-year-old child, there is no report of a rape.

*Answer:*

The Department notes that the ABC Lateline programme has apologised for misreporting that a five year old child, now in Australia, was raped in Nauru. They further advised in their statement of 8 February 2016 that Dr Zwi had discussed two cases in her interview; one case of an older child she claims was raped on Nauru (a claim she stands by), and the other being a five year old who she claims was sexually assaulted on Nauru.

The Department undertook a review of the case of the older child and provided evidence at Additional Estimates on 8 February 2016.

The Department undertook a review of all children from the Nauru Regional Processing Centre who were within the age bracket, of 3-7 years, as discussed by Dr Zwi. The review included contacting the NSW Police and NSW Child Protection Agency (FaCS). Both agencies were unable to identify a child protection report that aligned with the information provided by Dr Zwi regarding a five year old.

Further, the Department wrote to Dr Zwi on 10 February 2016 requesting assistance from her in identifying the child to ensure that all medical and welfare support was being provided to the individual and their family. The enquiry was referred to the NSW Health Department who have provided an initial response. The Department will work with NSW Health to identify the case discussed by Dr Zwi.