

s22(1)(a)(ii)

From: s47E(c), 47F s22(1)(a)(ii) @border.gov.au
Sent: Thursday, 25 August 2016 3:40 PM
To: s47E(c)
Cc: s47E(c), 47F
Subject: RE: Meeting tomorrow [DLM=For-Official-Use-Only]
Attachments: Draft referral discussion AFP - Nauru Files.docx

For-Official-Use-Only

Hello s47E(c)

Thanks for the heads up last night relating to the rescheduling of the meeting to discuss a possible referral of unauthorised release of information "Nauru Files".

As discussed, I have attached a synopsis of the release of information by the Guardian newspaper and Mr Stevenson, the likely releaser. The document is provided to create discussion and questions, prior to any referral by the Department.

Hopefully we can reschedule early next week, otherwise if you have any questions let me know.

Best regards, s47E(c), 47F

s47E(c), 47F

A/g Director – Special Investigations Unit Integrity and Professional Standards Integrity, Security and Assurance Division Corporate Group I Immigration and Border Protection Portfolio
Telephone: s22(1)(a)(ii)
Mobile: s22(1)(a)(ii)
Email: s22(1)(a)(ii) @border.gov.au

-----Original Message-----

From: s47E(c) [mailto:s22(1)(a)(ii) @afp.gov.au]
Sent: Wednesday, 24 August 2016 5:49 PM
To: s47E(c), 47F
Subject: Meeting tomorrow [DLM=For-Official-Use-Only]

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Hi s47E(c), 47F

Unfortunately Commander Osborne and I are caught up managing the s22(1)(a)(ii) at present. Grateful if we could please move our meeting until early next week.

Grateful if you could please let me know what suits.

Thanks, s47E(c)

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I&PS - AFP Referral Discussion – Unauthorised disclosure of Departmental information

Synopsis

This discussion paper outlines key elements of a suspected unauthorised disclosure of Departmental information relating to Irregular Maritime Arrivals (IMAs) detained in offshore processing centres located in Nauru and Manus Island, PNG. The information titled "Nauru Files" was published on "The Guardian" website on 10 August 2016.

The Department has acted swiftly to ensure all incidents reported by The Guardian have been dealt with at the time the incidents were raised; however, the source of the information is unclear.

The following key elements provide information which may assist AFP in advising the Department of potential action relating to investigation by AFP into the unauthorised disclosure, prior to a formal referral being made.

Key elements

- Guardian information
- Mr Paul Stevenson
- AFP referrals
- The Guardian
- Other information.

1. The Guardian information

On 20 June 2016, "The Guardian" published an article in relation to a number of official incident reported to be provided by trauma specialist Paul Stevenson, whilst on Nauru <https://www.theguardian.com/world/nauru> and Manus. The Guardian reported that they were aware of more than 2,000 pages of information that revealed a near-constant stream of despair, privation, and self-harm, by detainees.

The report included a sample of documents (10) that depicted the summary of the publication. Additionally, The Guardian reported that the incidents published represented a tiny proportion of those which occurred on Nauru and Manus during Stevenson's time on the islands.

On 10 August 2016, The Guardian published another release of information pertaining to the alleged incidents on Nauru. This published information refers to documents dated between May 2013 and October 2015 and was named "*The Nauru files: cache of 2,000 leaked reports reveal scale of abuse of children in Australian offshore detention*".

2. Mr Paul Stevenson

Mr Stevenson was formerly engaged as a psychologist by Pyscare, who was contracted by Wilson Security for the provision of Employee Assistance Program (EAP) services to staff on both Nauru & Manus. Mr Stevenson, was employed by Pyscare between July 2014 to July 2015 and visited Nauru on 14 occasions.

In providing EAP services, Pyscare consultants were provided an "AM/PM Summary" report from the Wilson Security reporting system, which detailed all incidents that had occurred in the previous 24 hours. The purpose of providing the report to EAP staff was to facilitate information to the consultant to enable a proactive approach to staff who were involved in a significant incident and to offer them immediate psychological intervention. The consultants were provided these reports in a generic mailbox wilsonsecurity@psycare.com.au which was available to the duty consultant on island at the time through a secure webmail.

Mr Stevenson completed a Deed of Confidentiality and Deed of Non-Disclosure in relation to conducting his work with Pyscare and the Department advised Pyscare that an injunction for Mr Stevenson to cease further unauthorised communication regarding his employment, was issued, prior to the second publication by The Guardian on 10 August 2016 (This is to be confirmed).

Mr Stevenson, as President of the Qld Democrats stood for election at the last federal election as an independent; however, was not successful. Mr Stevenson has also publicly stated:

"I do have a political agenda, and I don't hide it. I'm very much of the opinion politically, that Australia should do the honest, decent thing. We have the ability to give people a new start in life. And I think it's shameful that our politicians are bipartisan in stopping this from happening."

MR Mums 4 Refugees
5 hrs · Politics

This is what a #hero looks like 

Paul Stevenson -psychologist and traumatologist - has outed himself as the #NauruFiles #Whistleblower.

Paul has worked at front lines of Boxing Day Tsunami and Bali Bombings and he still describes Nauru and Manus as the "worst trauma I've ever seen".

Give this guy a Nobel Peace Prize.

Read about him here:
<https://www.theguardian.com/.../the-worst-ive-seen-trauma-exp...>



Like Comment Share

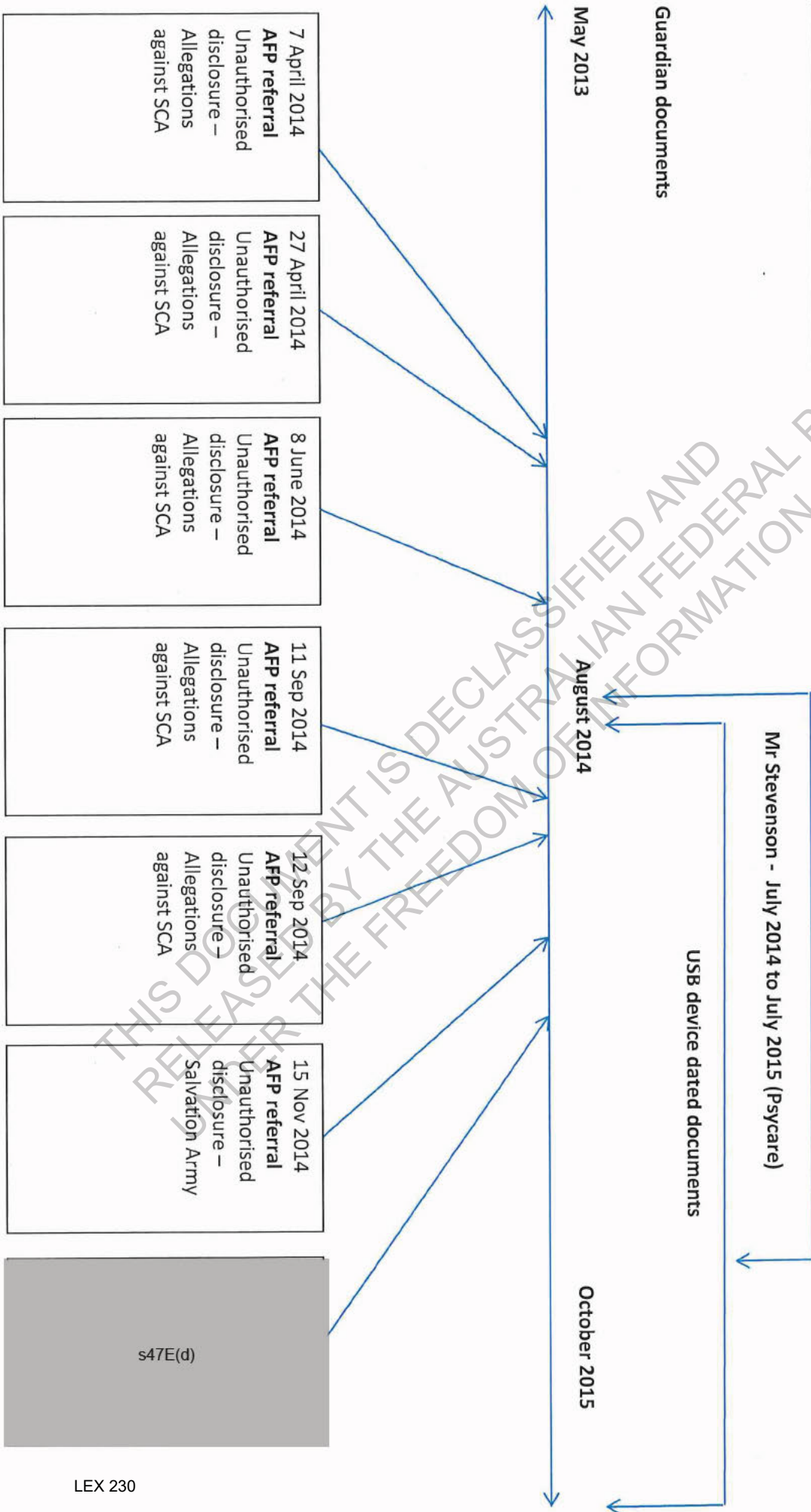
   1.4k

378 shares Chronological

3. AFP Referrals – Alleged unauthorised release of information

Since May 2013, the Department has referred a number of allegations of unauthorised disclosure to the AFP for investigation (see below). Of those referrals all have been either rejected for investigation or investigated and closed as insufficient evidence was obtained to identify the source of the release.

Time line diagram – Allegations of Unauthorised disclosure



s47E(d)

4. The Guardian

The Guardian has been reporting on detention issues for a significant period of time and had made the Department aware that they were in possession of numerous files relating to treatment of detainees in Nauru. Of particular note, the most recent footnote to the published Nauru Files, identifies numerous reporters that have been working on contributing to the "Nauru Files" release.

Nauru files reporting team: Paul Farrell, Nick Evershed, Helen Davidson, Ben Doherty, Ri Liu, Anna Livsey, David Constable, Tom Ross, Josh Wall, Nikki Marshall, Merran Hitchick and Patrick Keneally

5. Other information - USB devices

On completion of the SCA contract (July 2015) with the Department, SCA data holdings in regard to (families and children) was downloaded onto USB devices for the Department to record. The files included incident reports, learning plans, educational attendance and evaluation records for children.

The files were collected from SCA on Secure USBs and then saved to the Department's Protected Network (G:drive) and later recorded in TRIM (records keeping system).

On 20 November 2015 the Government of Nauru (GoN) requested the SCA data to support the Gender Violence Unit and Child Protection (CP) Unit. *Administrative Arrangements for Nauru 4.1.2 the GoN is able to access all information regarding an individual in management of their welfare either in an RPC or in Settlement.*

The data was provided to GoN on two secure Iron Key, password protected, USB sticks. The USBs were hand delivered by a Departmental officer when they visited Nauru on 15 December 2015. The passwords were conveyed to the head of the CP Unit s47E(c)

Departmental encrypted USB 1 note: data collected was for the period 29 August 2014 - 20 October 2015

Departmental encrypted USB 2 note: data collected was for the period 21 October 2015 - 31 October 2015.

I&PS Assessment

1. It is likely that Mr Stevenson has provided the majority of the information contained in the "Nauru Files" to The Guardian:
 - Mr Stevenson has not denied the reports he released the information
 - Mr Stevenson has been publicly acclaimed for releasing the information
 - The Guardian had previously reported on 20 June 2016, Mr Stevenson had provided them information regaing Nuaru
 - Mr Stevenson had opportunity to obtain the information reltaed to the publication
 - Mr Stevenson had access to the released information
 - Mr Stevenson has opnely criticised the Government in regards to its handling of detainees in Nuaru/Manus therefore has intent

2. It is likely that The Guardian has been building its database of information since 2013 through other reported unauthorised releases of information:
 - 7 Separate AFP referrals of unathorised disclosure or theft of Departmental information (see diagram1)
 - Mr Steveson posted his Facebook page 19 August 2016 – Nauru Files – *Since my first exposure to the Guardian of 2000 pages of incident reports from Nauru and Manusland in June, others have contributed, culminating in what has now been termed "the Nauru Files".*

Possible offences

Crimes Act 1914 - s70

Disclosure of information by Commonwealth officers

(1) A person who, being a Commonwealth officer, publishes or communicates, except to some person to whom he or she is authorized to publish or communicate it, any fact or document which comes to his or her knowledge, or into his or her possession, by virtue of being a Commonwealth officer, and which it is his or her duty not to disclose, commits an offence.

(2) A person who, having been a Commonwealth officer, publishes or communicates, without lawful authority or excuse (proof whereof shall lie upon him or her), any fact or document which came to his or her knowledge, or into his or her possession, by virtue of having been a Commonwealth officer, and which, at the time when he or she ceased to be a Commonwealth officer, it was his or her duty not to disclose, commits an offence.

"Commonwealth officer" means a person holding office under, or employed by, the Commonwealth, and includes:

(c) for the purposes of section 70, a person who, although not holding office under, or employed by, the Commonwealth, a Territory or a public authority under the Commonwealth, performs services for or on behalf of the Commonwealth, a Territory or a public authority under the Commonwealth; ...

Penalty: Imprisonment for 2 years.

Australian Border Force ACT 2015**Entrusted person**

Although the recorded events occurred prior to 1 July 2015, these were reported to the media following the enactment of the *Australian Border Force Act 2015* and therefore the following elements may apply; (*the definition of the term 'protected' in that below requires legal clarification as to whether it refers to official information or information classified at the PROTECTED level*). The material released was not classified PROTECTED.

Summary of Section 42 Secrecy – ABF Act 2015

An entrusted person must not make a record of or disclose protected information unless the making of the record or disclosure is authorised by a provision of this Part, is in the course of the person's employment or service as an entrusted person or is required or authorised by law or by an order or direction of a court or tribunal.

(1) A person commits an offence if:

- (a) the person is, or has been, an entrusted person; and
- (b) the person makes a record of, or discloses, information; and
- (c) the information is protected information.

Penalty: Imprisonment for 2 years.

Contact officer:

s47E(c), 47F A/g Director, Special Investigations Unit
 Integrity and Professional Standards
 Integrity, Security and Assurance Division, Telephone s22(1)(a)(ii) and
 Email: s22(1)(a)(ii) [@border.gov.au](mailto:s22(1)(a)(ii)@border.gov.au)

Date / Time	Particulars of Duties, Places Visited or Searched, Names of Persons Seen	Claims
28/5/16	KAC - Saturday	
28/5/16	KAC - Sunday	
29/5/16	KAC - Monday	
30/5/16		
0800	Commerce unit - Tuesday	
1100	[Redacted]	
	[Redacted]	
	[Redacted]	
1335	Meeting with [Redacted] DIBP re New Zealand	
	[Redacted] s47E(c), 47F	
	- AFP not liking it as at present & will continue having contact with DIBP to ensure they do not require assistance	
1700	[Redacted]	
31/5/16	[Redacted]	
0800	[Redacted]	
1130	[Redacted]	
	[Redacted]	
	[Redacted]	
	[Redacted]	
	[Redacted]	
	[Redacted]	
	[Redacted]	
	[Redacted]	

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s22(1)(a)(ii)

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s47E(c), 47F

s22(1)(a)(ii)

Meeting to discuss a possible referral of unauthorised release of information "Nauru Files" [SEC=UNCLASSIFIED]

Meeting Notes

Calendar

ICT Shift Report

Team Email

Reply & Delete

To Manager

Done

Create New

Move

Rules

Mark Unread

Categorize Tags

Follow Up

Translate

Find

Related

Select

Zoom

Marking Policy

CLASSIFICATION UNCLASSIFIED

TTUS One Click Classification

When: Tuesday, 30 August 2016 1:30 PM-2:30 PM Location: AFP HQ, EBB, Level 5, Core 6 (Macquarie St Entrance)

Meeting to discuss a possible referral of unauthorised release of information "Nauru Files" [SEC=UNCLASSIFIED]

- 1 PM Meeting to discuss a possible referral of unauthorised release of information "Nauru Files" [SEC=UNCLASSIFIED]
- 2 AFP HQ, EBB, Level 5, Core 6 (Macquarie St Entrance)
- 3 Osborne, Paul

UNCLASSIFIED

Hi [REDACTED]

Please let me know if the time does not suit and I can reschedule for you.

Regards

[REDACTED] 47E(c)

PROJECT OFFICER TO MCO
CRIME OPERATIONS

Tel [REDACTED] s22(1)(a)(ii) www.afid.gov.au

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Claims	Date / Time	Particulars of Duties, Places Visited or Searched, Names of Persons Seen	Claims
	1505	[Redacted]	
	1700	s22(1)(a)(ii)	
	19/2/16	[Redacted]	
	0800	[Redacted]	
	1040	[Redacted]	
	1545	s22(1)(a)(ii)	
	1645	[Redacted]	
	1800	[Redacted]	
	20/8/16	NCO - Saturday	
	21/8/16	NCO - Sunday	
	22/8/16	Commence duty - Monday	
	0730	[Redacted]	
	1450	s22(1)(a)(ii)	
	1600	[Redacted]	
	1615	Phone contact with [Redacted] s22(1)(a)(ii)	
		to meet with AFP - non-authorized disclosure allegations. Meet 11am @ AFP HQ with MCO & DIBP FAS. - Thursday.	
	1650	Leave duty.	

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From: s47E(c)
Sent: Thursday, 25 August 2016 4:26 PM
To: s47E(c), 47F
Cc: s47E(c)
Subject: RE: Meeting tomorrow [DLM=For-Official-Use-Only]

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We'll give it a go, thanks s47E(c), 47F

s47E(c) can you please update the Boss's diary.

Thanks.

s47E(c)

COORDINATOR HEAD OFFICE INVESTIGATIONS
CRIME OPERATIONS
AUSTRALIAN FEDERAL POLICE

Tel + s22(1)(a)(ii) Ext s22(1)(a)(ii) Mob s22(1)(a)(ii) www.afp.gov.au

-----Original Message-----

From: s47E(c), 47F [mailto:s22(1)(a)(ii)@border.gov.au]
Sent: Thursday, 25 August 2016 4:24 PM
To: s47E(c)
Subject: RE: Meeting tomorrow [DLM=For-Official-Use-Only]

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Hi s47E(c) Our Assistant Secretary is only available after 1300h, does that suit.

47E(c); 47F

A/g Director – Special Investigations Unit Integrity and Professional Standards Integrity, Security and Assurance Division Corporate Group I Immigration and Border Protection Portfolio
Telephone: s22(1)(a)(ii)
Mobile: s22(1)(a)(ii)
Email: s22(1)(a)(ii)@border.gov.au

-----Original Message-----

From: s47E(c) [mailto:s22(1)(a)(ii)@afp.gov.au]
Sent: Thursday, 25 August 2016 3:56 PM
To: s47E(c), 47F
Subject: RE: Meeting tomorrow [DLM=For-Official-Use-Only]

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Thanks s47E(c), 47F Grateful if we could please schedule in 10:30am on Tuesday 30 August 2016 with myself and Commander Paul Osborne at AFP.

s47E(c)

COORDINATOR HEAD OFFICE INVESTIGATIONS
CRIME OPERATIONS
AUSTRALIAN FEDERAL POLICE

Tel s22(1)(a)(ii) Mob + s22(1)(a)(ii) www.afp.gov.au -----Original Message-----

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s22(1)(a)(ii)

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