

AASW Opinion Piece

Welfare professionals will not be silenced on abuse

Ten professional workers should never have been scapegoated and summarily removed from Nauru. The Moss Review has made this quite clear. These and other workers may only have been doing what our society would expect of them: protecting children from harm or at least reporting that harm was being perpetrated.

The Department of Immigration and Border Protection (DIBP) claimed to the Moss Review that the removal of 10 Save the Children Australia (SCA) staff was needed as a circuit breaker to “shut down” protests on Nauru. Phillip Moss was sceptical of this view and noted that *“the protest activity which was peaceful and involved on various occasions between 10-120 persons continued. The last protest was on 21 October 2014 shortly before the Review’s first visit to Nauru.”* Both Wilson Security and a number of asylum seekers made the point that when the Minister made a statement that asylum seekers did not want to hear, then protests followed. There can be little doubt that Minister Morrison’s [confrontational video](#) in which he told asylum seekers on Nauru that they would never be settled in Australia was what sparked the protests. The DIBP then had limited ability to control the protests, became extremely anxious and needed to hold someone responsible.

Indeed we then saw a number of unsubstantiated claims against Save the Children staff, including that they orchestrated and facilitated protest activity, they coached and encouraged self harm and that they fabricated allegations. Phillip Moss could find no substantive evidence to support any of these allegations.

Why all this focus on workers whose role Moss describes as perhaps the hardest and most complex because they involve *“the human aspect of working with and supporting people who are in difficult circumstances?”* The answer almost certainly lies in [Submission 183](#) to the National Inquiry into Children in Immigration Detention 2014. This submission by past and current employees of SCA was extremely useful to the Inquiry in understanding the desperate situation of children on Nauru. As we now know, the Government did not want Professor Triggs to enquire about children on Nauru. Submission 183 shone a light in dark places that the Government would have preferred to stay hidden.

The removal of 10 SCA staff from Nauru was intended to create a shock, and send a clear message that releasing information about the dire situation of children that might embarrass the Government would not be tolerated.

The authors of Submission 183 are unknown. It is uncertain whether authoring Submission 183 involves a breach of section 70 of the Crimes Act regarding misuse and unauthorised disclosure of sensitive and confidential information. The Australian Federal Police are still investigating. Leaving aside the legal question for the moment, there are a number of important moral questions.

Professionals have an obligation to report serious harm being done to children. Most people would agree with this proposition, in fact ‘mandatory reporting of suspected child abuse’ is testament to legislative if not ethical support to this notion. What happens, however, if this harm is being caused by the State? Recently, 15 of Australia’s peak health professional bodies [called](#) for the release of all children and their families from Nauru and commented on the *“devastating impact of detention on the health and wellbeing of children and their families.”* This is the same message as Submission 183. Submission 183, however, gave a more detailed and graphic account that helps the reader understand what “devastating” really means. It is the type of account that governments are particularly afraid of because it shows the true impact of inhumane policies.

This is the reason why secrecy provisions in contracts are becoming increasingly draconian. These secrecy provisions are not to protect the public interest but principally to protect the image of the government of the day, by keeping hidden that which should be made public.

A professional faced with the dilemma of choosing between reporting serious harm to a child and breaking a law of the land has a hard choice. They certainly should seek advice, particularly from senior people in their organization and their profession. They should look for ways round the dilemma so that the child can be protected without breaking any law. However, it is hoped that professionals will always ultimately choose protecting children, even if it involves significant personal cost.

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