



# AUSTRALIAN DEFENCE FORCE LEAKS, WHISTLE BLOWERS & ABUSE

Peter Adamis 17 June 2014

For the past few years the Australian Defence Force has been rocked by allegations of abuse, harassment, intimidation and abuse of power. Such allegations in the past were always handled effectively internally by the military and there is sufficient evidence both factual and anecdotal to support the military practices and methodologies to get things done and to be seen as having done the right thing.

Put aside the allegations for the moment, what the public does not understand and probably fails to comprehend is that the Australian military ethos mirrors that of the Australian community in such matters as giving it your best shot, not being afraid of having a go, standing up for the battle, fair crack of the whip so to speak, NEVER hitting, belting or abusing an individual under command, be there for your mates, pulling your weight and never stealing from your mates.

Despite the above unwritten military ethos and traditions that go with the military culture, unfortunately and only occasionally some incidents and escapades of misadventure go unheard and unseen and never brought to justice. However there comes a time at one point where such incidents appear to become common place and creep into the military culture by stealth and by complacency on the part of the military leaders and all ranks. In such cases these recalcitrant types may go unnoticed for many years and their misdeeds are hidden from public view.

In the cases of abuse of an individual by another, internal justice takes its own form and that somewhere somehow that abuser is brought to justice in a manner that is not what we in the world outside of the military would call kosher or given a fair trial. I must confess that such internal means of justice being meted out to an individual and/or individuals was not the right method but it was extremely very effective. The sad and unfortunate thing with such internal justice is that the perpetrator once removed from the scene was free to commit such acts again somewhere else, but with one small minor difference. That persons reputation and credibility was tarnished forever and the individual themselves made a conscious decision to separate from the services.

Incidents of mental abuse, harassment, unwarranted targeting, physical assault, psychological intimidation, negative counselling, lack of personal development, undue and unrealistic workplace targets to be met, sexual harassment, abuse of power and privileges, racism, denied personal support and withholding of privileges to induce an

individual towards a certain course of action. These are but some of the actions that an individual entering the Defence Force could and may encounter depending upon the duration of their military contract. Although there are many more incidents that can be catalogued, many may appear frivolous to some and to other appear normal. Whatever the case may be all of the incidents would fail to meet today's standards expected of any employer whose duty of care to their employees.

The review by the Australian Defence Force is long overdue and for those parents whose children are considering a military career, they can rest assured that their sons and daughters will be in good hands. They always have been always will be. Suffice to say, one hopes that the review will identify the cracks and the irrelevancies of past negative military cultural paradigms and bring them into line with today's communities standards. However, these changes should not interfere with the training methodologies and practices that make the Australian Defence Force retain its fighting spirit and edge.

There must be access to services that will not affect the well being of the individual in his or her military career should they take that option. Alternatively as matter of duty of care, those responsive for handling such matters must take into consideration that of the individual first and not of the service. This is an extremely important point as sometimes an individual responsible to listen to potential military misdeeds may find themselves torn between doing the right thing and that of service and as such need also to be protected from any backlash. If such measures are not put into place how can an individual be given a fair go.

The Defence Force of the future will be vastly different to that of previous generations whether we like it or not. By that I mean that there will be far more gender mix even in combat roles. Technology is such today that gender appears to be no longer an issue and as a result of this women will become more and more involved inn combat such situations. as an ex serving soldier I am not agree or even like it but I must add that I am fully aware and have trust in the superb training that our men and women have today. There is no other organisation that is dedicated to the well being and safety of its people than that of the Australian Defence Force. Having said this, parents can feel confident that their sons and daughters will return into the public arena and away from the Defence Force umbrella in better shape than what they went in.



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## NAILING THE LEAK PRIORITY FOR ARMY

THE AUSTRALIAN JUNE 17, 2014 Anthony Klan Reporter Investigations Unit Sydney & Dan Box Crime Reporter Sydney

THE Australian Army has launched an investigation into the source of a leak that revealed its own cadet service may have failed to deal appropriately with allegations a cadet officer had mistreated children. In April, *The Australian* revealed the Australian Defence Force had been made aware of allegations cadet leader Christopher Williams had inappropriately touched three 16-year-old female cadets dating from 2012, but had allowed him to continue working with minors.

Internal documents revealed serious concerns within the ADF about the handling of the case, including a "failure of (Australian Army Cadets) to handle complaints/allegations of inappropriate behaviour", saying "the length of this series of incidents is of serious concern". Following the revelations, the Chief of Army, Lieutenant-General David Morrison, ordered a high-level investigation into the handling of the matter led by a brigadier and a colonel from the regular army. A series of internal defence documents, also obtained by *The Australian*, reveal this inquiry will target the source of the "media leak" that sparked the investigation itself.

One cadet source said the ADF was seeking to discover "where the initial leak came from", and how "*The Australian* got that". The source said he had confidence in the officers conducting the current investigation, but not with those senior cadet officers responsible for handling the Williams allegations in the past. "I don't have confidence in the guys above the unit and how this has been dealt with," he said. Other internal documents also show defence is scrambling to implement a proper child-protection policy across its army, navy and air force cadet services.

The defence documents show the military has implemented a temporary child-protection policy that includes a "common tri-Cadet Force approach" requiring cadet officers to complete formal Working With Children checks. *The Australian* understands Williams, who was jailed on Friday for sending an indecent Facebook message to a 13-year-old girl, was able to join the cadets in 2012 after receiving only minimal background checks. A final ADF cadet service child-protection policy is not expected to be in place before December.

Williams was arrested in September last year, although he was not stood aside from the cadet service before the revelations in *The Australian* in April this year. On Friday, he received a maximum 15-month sentence after pleading guilty to sending an indecent Facebook message to a 13-year-old girl suggesting she should "masturbate, that will make you feel terrific". The message was one of almost 3000 he exchanged with the

girl after meeting through other voluntary positions that he held outside the military. The investigation into the cadet service's handling of the allegations against Williams is due to report its findings next month.

The Defence Department yesterday said it was inappropriate to comment until after the inquiry findings. "The Australian Army inquiry seeks to establish the facts and examine all the circumstances surrounding the allegations of unacceptable behaviour at an army cadet unit. This includes a review of Australian Army Cadets' policies, procedures and the management of complaints," a spokesperson said.

<http://www.theaustralian.com.au/national-affairs/policy/nailing-the-leak-priority-for-army/story-e6frg8yo-1226956560534#>

## **CLAIMS ADF ABUSE VICTIMS IGNORED BY SPECIALIST TASKFORCE**

June 10, 2014 Timna Jacks

Victims of rape and sexual abuse at the Defence Force were never told about a Government taskforce set up to investigate instances of abuse in the military and provide compensation to those affected. The ABC TV's Four Corners program has broadcast four case studies of former cadets who report being sexually assaulted and raped at the Australian Defence Force Academy in the 1990s and 2009 but have not had their cases investigated by a specialist taskforce, the Defence Abuse Response Taskforce (DART).

DART was established to assess complaints of abuse, particularly of the ADFA 24 cases - a group of about two dozen cadets who were sexually abused at the military college between 1994 and 1998. It would also determine whether any ADFA 24 victims or perpetrators are still serving members of the ADF. However, the Four Corners investigation revealed only seven of the ADFA 24 have lodged submissions, and the deadline for submissions was in May last year.

It also revealed that many of the sexual assault victims had made formal complaints with the Defence Force at the time of their abuse, but their complaints were not followed up by the military and have laid dormant since. It was shown there were cases where the alleged perpetrators of sexual abuse from the 1990s still serve as ADF officers, in some cases holding senior ranks. One ADFA 24 victim, Kellie Gunnis, said she was never made aware of the government scheme and dismissed the initiative as a tokenistic gesture by Defence, calling the initiative an "excuse".

"How can they have this whole taskforce, have this whole system set up for people who had been through what I'd been through, and we weren't made aware of it?" she said in an interview on the ABC 1. Gunnis said she was sexually harassed in her first year as a ADFA cadet in 1996, when she was subject to a demeaning ritual "bishing". She said she shoved into a wheelie bin and had food and water poured on her, before she was left out in the cold.

She reported the incident to Queensland Police but was "talked out of it". It was reported that the alleged perpetrator continues to hold a senior rank in Defence. DART has already assessed more than 2,400 complaints of abuse, paid \$28 million in compensation and referred 63 matters to police. Former West Australian Supreme Court judge Len Roberts-Smith QC, who chairs DART said it was not DART's policy to approach victims, and that it was decided that victims should approach the task force "voluntarily".

He added that DART had publicised their campaign for some time and appealed to any other victims of sexual assault to contact DART. A new project, known as Plan Millennium, has gathered and digitised 63,000 service police records from across the ADF and has been made available to DART, yet victims remain skeptical about the capability of the taskforce. Victims were joined by former Australian Defence Force magistrate Ken Northwood in calling for a royal commission to unearth the full extent of abuse that took place in the military. The outgoing Chief of Defence, David Hurley asked anyone with information about the ADFA 24 cases to contact him directly.

<http://www.smh.com.au/national/claims-adf-abuse-victims-ignored-by-specialist-taskforce-20140609-39thv.html>

### **Army Chief Lt. General Morrison takes to the stage at anti-rape summit in London**

Sat 14 Jun 2014 Mary Gearin

Australia's Army Chief has made a powerful speech at the Global Summit to End Sexual Violence in Conflict, in London. Lieutenant General David Morrison, well known to many for his video address to his forces during a sexual abuse scandal last year, was invited to the summit by British foreign secretary William Hague.

<http://www.abc.net.au/news/2014-06-14/army-chief-lt-general-morrison-takes-to-the-stage/5523932>

### **Anzac reverence creates defences too strong for any ADF sex assault inquiry**

The tendency to give those in uniform the benefit of the doubt will stifle any judicial inquiry into decades of abuse. As a venerable brand it is hard to look past the Australian Defence Force. Perhaps Australia's most revered and nation-defining story – that of Anzac, the centenary of which Australia is about to spend more than \$300m on – is constructed on the backs of our men and women who have served in the army, navy and air force.

But the stories we are told of Anzac are all too often the myths – the legends that have grown around fallacies. Such as that our first world war diggers were always wearing the white hats, that they were invariably the knockabout, tough but egalitarian soldiers who had a monopoly on resourcefulness in the trenches and, of course, on that supposedly most Australian of virtues, mateship. In Australia the tendency – culturally, politically – is to give those who wear our military uniforms, especially at officer rank,

the benefit of the doubt. And so, the story of Anzac has grown around the good. It has left precious little room for the bad or the ugly – of which there was, and still is, plenty.

Which brings us swiftly to the new furore over a plethora of sexual assaults, including among the elite officer trainees of the Australian Defence Force Academy (ADFA), that the ABC's Four Corners disclosed this week. The program highlighted the immense difficulty the federal government's Defence Abuse Response Taskforce (Dart) – established to look into widespread allegations of sexual assault including rape that happened before April 2011 – is encountering in its investigations.

Dart was established in response to the DLA Piper external review of sexual assault in defence, which was itself set up after the so-called Skype incident (in which a cadet filmed himself having sex with another and streamed it over the internet to his mates). DLA Piper was overwhelmed with allegations of abuse going back decades. Dart has subsequently assessed more than 2,400 abuse complaints and awarded \$28m in reparation. It has referred 63 matters to police.

A particular focus of the taskforce is the so-called ADFA 24, a group of cadets who were sexually abused at the Canberra college for officers between 1994 and 1998, and other shocking claims about behaviour at HMAS Leeuwin in Western Australia. Dart was tasked with determining if any of the victims and perpetrators were still serving in the defence force. Victims had until the end of May 2013 to lodge a complaint with Dart and, therefore, to be eligible for reparation.

But Four Corners found one ADFA 24 victim, Kellie Gunnis, who did not know about the taskforce or the compensation scheme. Several other victims had the same experience. Meanwhile, alleged perpetrators have been exposed as still serving as officers or elsewhere in defence. Some victims are, shockingly, still in the force alongside them. The head of the taskforce, Len Roberts-Smith – a former defence force magistrate and WA supreme court Justice – gave an assurance that the taskforce would now remain open to ADFA 24 victims while the defence force chief, General David Hurley, urged victims of sexual assault in the services to come forward.

Regardless, Roberts-Smith couldn't guarantee whether all perpetrators identified by Dart would ultimately face military or civilian justice. This is despite the taskforce having access to more than 60,000 defence police records dating back to the 1950s, which the defence force digitised for ease of access in a process called Plan Millennium after the DLA Piper report. OK, if you're confused with the investigative processes that are being undertaken by defence and the federal government to get to the bottom of a terrible problem that has been festering in our military institutions – including ADFA and its bases – you are not alone.

Instructively, the defence minister, David Johnston, said he was concerned that sexual assault victims within defence may not be reporting crimes. "... we can't unilaterally start to punish people when we don't have formal allegations," he said. Which is, of course, the very crux of this deep institutional scandal that has beset the defence force. Clearly the investigative processes need to be completely removed from defence, and a wide-ranging, independent, judicial inquiry – such as that which is currently

investigating institutional child abuse nationally – is desperately needed. Such an inquiry needs to actively seek out, reassure and encourage victims to testify. Alleged perpetrators need to be subpoenaed and forced to give evidence.

The federal government and the defence hierarchy must prove they are listening and, once and for all, acting. But don't hold your breath for a much-needed judicial inquiry or royal commission into the scourge of sexual assault in the ADF. The cultural and political reverence that we afford Anzac, for all its strengths and all its fallacies, will almost certainly prevent such unforgiving scrutiny of Australia's most venerated brand.

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<http://www.theguardian.com/world/postcolonial/2014/jun/11/anzac-reverence-creates-defences-too-strong-for-any-adf-sex-assault-inquiry>