



Australian Government

DEFENCE ABUSE RESPONSE TASKFORCE

Report on abuse at the Australian Defence Force Academy





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NOVEMBER 2014

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DEFENCE ABUSE RESPONSE TASKFORCE

26 November 2014
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Attorney-General
PO Box 6100
Senate
Parliament House
CANBERRA ACT 2600

Senator the Hon David Johnston
Minister for Defence
PO Box 6100
Senate
Parliament House
CANBERRA ACT 2600

Dear Attorney-General and Minister

I am pleased to present the Defence Abuse Response Taskforce (Taskforce) *Report on abuse at the Australian Defence Force Academy (ADFA)*, which provides a detailed discussion of the complaints received by the Taskforce relating to abuse that occurred at ADFA.

It is tabled alongside the Taskforce *Report on abuse in Defence*. That report contains the Taskforce's recommendation in relation to whether a Royal Commission is merited into abuse at ADFA.

Yours sincerely

A handwritten signature in black ink that reads "Len Roberts-Smith".

The Honourable Len Roberts-Smith RFD, QC
Chair
Defence Abuse Response Taskforce

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Foreword

My time at ADFA can be summarised as three years spent being terrified, and on occasion, scared for my life. I was psychologically and physically abused during this time. [...] The worst thing was that no staff members helped. (Cadet, late 1980s)

After I was raped [he] told me that if I made an official complaint I would not be allowed to stay at ADFA and that no one would believe me. I made no report of the incident at this time. (Cadet, mid 1990s)

He left after this and I stayed awake for a lot of that night as I was too scared to sleep in case he would enter my room again whilst I was sleeping and try something else again. (Cadet, early 2000s)

The next thing I remember is waking up for a few seconds, and I was outside and on my back. I was on the ground and it was grassy and cold. [The male cadet] was having sex with me. He was on top of me. I don't know how I got there. I tried to push him off but I didn't feel in control of my body and I couldn't do it [...] I couldn't move. (Cadet, mid 2000s)

Accounts of abuse at the Australian Defence Force Academy (ADFA) have featured in media reports, cultural reviews and court cases since its establishment in 1986 and continuing to the present day. In 2011, allegations of sexual misconduct at ADFA—the 'Skype incident'—prompted a raft of cultural reviews not only into ADFA, but also into Defence more broadly. Since the ADFA Skype incident, the issue of abuse at ADFA has featured prominently in our public discussions about Defence's culture.

The Defence Abuse Response Taskforce (Taskforce) was established in November 2012 as part of the Government's response to the review conducted by law firm DLA Piper (DLA Piper Review). The Taskforce has placed a high priority upon assessing allegations of abuse at ADFA—in particular, the cluster of allegations of sexual abuse occurring in the 1990s noted in the DLA Piper Review.

This report is based on the personal accounts of complainants who experienced abuse at ADFA. Some recounted serious incidents of sexual abuse where those responsible appear not to have been held to account. Others spoke of relentless sexual harassment and bullying, particularly of female cadets and cadets in their first year of training at ADFA, often perpetrated by more senior male cadets. Many complainants described a culture at ADFA, which discouraged reporting and enabled abuse to occur and remain unpunished.

We do not doubt that some people had positive and formative experiences at ADFA, and have gone on to pursue successful careers as officers in Defence. However, the information provided by complainants and other people who have contacted the Taskforce raises a significant number of allegations, some very serious, of sexual abuse, sexual harassment, physical abuse and harassment and bullying at ADFA. Virtually all ADFA complaints assessed as raising one or more plausible allegations of abuse have also been assessed as including one or more plausible cases of Defence mismanagement.

In particular, the Taskforce has found that there was a disturbingly high incidence of sexual abuse of female cadets at ADFA in the 1990s; that in some cases, reports of sexual abuse were seriously mismanaged by Defence; and that a number of individuals allegedly responsible for perpetrating sexual abuse are still serving in Defence.

The majority of cadets enter ADFA directly following or shortly after high school. This means that those who suffered abuse during their time of living and studying at ADFA were between 17 and 20 years old, living away from their homes and family, sometimes for the first time.

Unsurprisingly, the serious abuse experienced by complainants at ADFA has had a significant impact on their lives and careers, both at the time and for many years afterwards. These impacts have included physical injuries; severe emotional distress; serious psychological disorders; ostracism by peers; ruined careers; suicidal ideation; social isolation and many others.

In this report, the Taskforce has drawn some overarching conclusions about the nature and extent of abuse that occurred at ADFA. However, we must acknowledge that it is very likely that many of those who experienced abuse at ADFA did not come forward to the Taskforce or the DLA Piper Review—and may never reveal the abuse they suffered.

It is important to note that the Taskforce is only able to look at complaints of abuse occurring before April 2011. Recent cultural reviews indicate that ADFA is now a very different institution to when it was first established. However, the disturbing accounts of abuse that the Taskforce has received and the fact that there are individuals responsible for this abuse still serving in Defence remain matters of grave concern.

There has been significant public discussion regarding whether a Royal Commission should be established in relation to abuse at ADFA. The Taskforce's recommendation in relation to this issue is provided in the *Report on abuse in Defence*, tabled alongside this report. The brief discussion below should be read alongside the *Report on abuse in Defence*.

The Taskforce considers that the only way of ensuring confidence that the allegations of very serious abuse at ADFA can be thoroughly and completely investigated, and appropriately dealt with is by way of a Royal Commission. Accordingly, in the *Report on abuse in Defence*, the Taskforce recommends that the Government establish a Royal Commission to inquire into, report and make recommendations in respect of allegations of abuse, and the management of reports of abuse, at ADFA from its inception to the present day.

I would like to take this opportunity to thank all those individuals who have so courageously shared their stories with the Taskforce. It is my hope that the personal stories and lessons contained in this report will contribute to Defence's ongoing efforts to instil a culture that prevents abuse from occurring in the future, particularly at recruit and training establishments where Defence's youngest and most vulnerable members serve.



The Honourable Len Roberts-Smith RFD, QC
Chair
Defence Abuse Response Taskforce

Glossary, abbreviations and acronyms

Glossary

Bastardisation—an umbrella term referring to bullying, harassment, victimisation and illegitimate initiation practices, in the context of training and educational institutions. In this report, the term ‘abuse’ is used to describe practices including those that might otherwise be known as bastardisation.

Bishing—a practice which involved other cadets interfering or destroying a cadet’s room or property.

Bogging—a term used by cadets commonly referring to being made to clean the toilets or bathroom, although may also refer to other domestic activities such as ironing or polishing, as part of their duties or as a punishment.

Cadet—a general term used in this report referring to both midshipmen and officer cadets at ADFA.

Chamber of Horrors—a reference to a filing cabinet at ADFA in the 1990s containing allegations of abuse by cadets which were placed in individual envelopes and sealed and not opened again without the consent of the cadet. See Sealed envelopes.

Chit—a card advising of medical treatment or limitation required by a cadet.

Corps of Officer Cadets—the term for the cadet hierarchical structure that existed at ADFA until the late 1990s.

Crossing the road—reporting an issue to staff members.

Dining in—formal social gathering at the Mess. See Mess.

Div/Division—a formal grouping of cadets based on their allocation to accommodation blocks.

Equity Officer/Adviser—a staff member who acts a contact point to provide support and advice to cadets in relation to unacceptable behaviour issues.

Fratting—fraternisation, usually perceived as a cadet engaging in some form of intimate behaviour or relationship with another.

Hazing—also known as initiation, practices to which cadets were subjected, often upon entry to ADFA, which could range from good-humoured to violent or abusive.

Jacking—making a complaint about another cadet to a staff member, perceived as disloyalty.

Malingerer—a derogatory term used to describe cadets, predominantly female, who do not or cannot meet acceptable standards of physical fitness, academic, military and/or social performance. The cadet may be on some form of medical restriction and other cadets perceive that the cadet has faked the illness or injury or should have recovered, irrespective of the gravity of the original illness or injury.

Mess—club and dining facilities at ADFA.

Padre/Chaplain—a staff member who provides pastoral care at ADFA.

Provost Marshal ADF—the commander of ADFIS, reports directly to the CDF.

Sealed envelopes—a reference to envelopes containing individual allegations of abuse made by cadets at ADFA in the 1990s which were sealed and placed in a filing cabinet and not opened without the consent of the cadet. See Chamber of Horrors.

Squadron—a grouping comprised of several divisions.

Squid—a derogatory term for female cadets, common at ADFA in the late 1980s and 1990s.

Squeezer—See Malingerer.

Tri-Service—a term referring to all three Services—Navy, Army and Air Force.

Turkey slapping—being hit or touched by another person’s genitals, usually on the face.

Woofering—a hazing/initiation practice which involved a group of cadets restraining another cadet and forcibly applying a vacuum cleaner hose to the cadet’s genitals and turning the vacuum on.

Abbreviations and acronyms

- AAT**—Administrative Appeals Tribunal
- ADFA**—Australian Defence Force Academy
- ADF**—Australian Defence Force
- ADFIS**—Australian Defence Force Investigative Service
- AHRC**—Australian Human Rights Commission
- ARA**—Australian Regular Army
- CAMU-D**—Canberra Area Medical Unit—Duntroon
- CDF**—Chief of the Defence Force
- CO**—Commanding Officer
- COL**—Colonel
- DART / Taskforce**—Defence Abuse Response Taskforce
- DO**—Divisional Officer
- DVA**—Department of Veterans' Affairs
- LEUT** —Lieutenant
- LCDR**—Lieutenant Commander
- MIDN**—Midshipman
- NCO**—Non-Commissioned Officer
- OC**—Officer Commanding
- OCDT**—Officer Cadet (Army cadet)
- OFFCDT**—Officer Cadet (Air Force cadet)
- PTSD**—Post Traumatic Stress Disorder
- RAAF**—Royal Australian Air Force
- RAN**—Royal Australian Navy
- RMC**—Royal Military College
- RSO**—Residential Support Officer
- SeMPRO**—Sexual Misconduct Prevention and Response Office
- SOSP Network**—Sexual Offence Support Person Network
- SST**—Single Service Training
- UNSW**—University of New South Wales
- XO**—Executive Officer

1. Summary

The Defence Abuse Response Taskforce (Taskforce) was established on 26 November 2012 as part of the Government's response to the review conducted by law firm DLA Piper into allegations of sexual or other forms of abuse in Defence (DLA Piper Review).¹

Among approximately 2400 complaints of alleged abuse in Defence received by the Taskforce, as at 2 October 2014, 50 have been assessed as raising plausible allegations of abuse at the Australian Defence Force Academy (ADFA), a tri-Service military training establishment of the Australian Defence Force (ADF), in Canberra, Australian Capital Territory (ACT). At ADFA, midshipmen from the Navy and officer cadets from the Army and Air Force (referred to in this report collectively as 'cadets') undertake military education and training in combination with a university education.

These complaints relate to allegations of abuse spanning from 1986, the year ADFA was established, until 2011. The vast majority of complainants² were cadets at ADFA at the time.³ Women are significantly over represented as ADFA complainants (64 per cent of ADFA complainants) compared to the proportion of women at ADFA at any time (for example, women represented approximately 21 per cent of the cadet population in 2014).⁴

Many cadets no doubt had positive and formative experiences at ADFA, and have gone on to pursue successful careers as officers in Defence. However, the information provided by complainants and other people who have contacted the Taskforce raises a significant number of very serious allegations of abuse occurring at ADFA over a long period of time.

The complaints made to the Taskforce raise a significant number of allegations of sexual abuse, sexual harassment, physical abuse and harassment and bullying, where the alleged abusers were either cadets, ADFA staff members or other more senior ranking members of Defence (including medical staff or members of Defence at locations where cadets attended for training or other purposes).

While some complainants reported being subjected to one incident of abuse, many claim to have been subjected to multiple types of abuse and/or to ongoing incidents of abuse throughout their time at ADFA. A significant number of complainants reported experiencing serious incidents of sexual or physical abuse that may have constituted criminal conduct. This report includes numerous first-hand accounts of abuse experienced by complainants at ADFA, both in short extracts quoted throughout and in longer case studies in Appendix A.

As at 2 October 2014, the Taskforce has assessed 63 of the 76 complaints received relating to ADFA. Fifty of these complaints have been assessed as falling within the scope of the Taskforce Terms of Reference and as raising one or more plausible allegations of abuse. In these cases, complainants are now being provided with access to Taskforce outcomes appropriate to their individual circumstances. These may include: counselling; a Reparation Payment; referral for criminal investigation; a recommendation to Defence that administrative and/or disciplinary action be taken; and the opportunity to have their personal story of abuse heard, acknowledged and responded to by a senior Defence representative through the Defence Abuse Restorative Engagement Program.

Analysis of the complaints made to the Taskforce about ADFA reveals disturbing features of abuse and mismanagement including: widespread harassment and bullying across the entire period of ADFA's operation, particularly of female cadets, cadets in their first year, or cadets who were ill or injured, frequently perpetrated by more senior cadets; a disturbing incidence of sexual abuse by cadets, including some serious incidents where it appears that those responsible were not held to account; a significant amount of gender-based harassment and bullying and sexual harassment experienced by female cadets; and some serious physical assaults of cadets.

Virtually all ADFA complaints assessed as raising one or more plausible allegations of abuse have also been assessed as including one or more plausible cases of Defence mismanagement. In many cases, complainants indicated that they reported abuse to ADFA staff members who did not respond appropriately.

In many other cases, complainants indicated that they did not report abuse for a number of reasons including: a culture that did not support reporting of abuse; a perceived lack of effective reporting mechanisms; stigma and shame associated with having been abused; threats of further abuse or fear of reprisal; lack of confidence in staff members; or because staff members or more senior cadets in a position of authority were responsible for the abuse. The Taskforce has found that many such complaints raise plausible cases of Defence mismanagement, as particular patterns or practices of abuse existed during certain periods at ADFA such that the Taskforce is satisfied Defence knew or ought to have known about the abuse and yet failed to take appropriate action to prevent or stop the abuse occurring.

In line with its Terms of Reference, the Taskforce has examined allegations of sexual abuse of women at ADFA in the 1990s using all available sources of information, including numerous documents provided by Defence relating to that period and material from accounts provided by complainants to the Taskforce.

The Taskforce has concluded that there was a disturbingly high incidence of sexual abuse of female cadets during that time period; that in some of these cases, reports of sexual abuse were seriously mismanaged by Defence; and that a number of individuals allegedly responsible for perpetrating sexual abuse are still serving in Defence. The Taskforce is continuing to accept complaints from women who experienced sexual abuse at ADFA during this period.

Individuals who have come forward to the Taskforce have told of the lasting impacts of the abuse they experienced at ADFA, in many cases including ruined careers, severe emotional distress, impacts on relationships, physical impacts, psychological disorders, suicidal ideation and social isolation. In some cases they have never told anyone about the abuse prior to reporting it to the Taskforce, and the experience of re-living the trauma has been a difficult one. The Taskforce continues to offer support to complainants engaging with this difficult process.

This report primarily focuses on complaints made to the Taskforce about abuse at ADFA. The report:

- provides background information regarding the work of the Taskforce and about ADFA;
- outlines the complaints that have been assessed as raising plausible allegations of abuse at ADFA;
- examines the Defence response to reports of abuse at ADFA;
- considers the incidence of sexual abuse of women at ADFA during the 1990s;
- identifies some of the significant factors contributing to abuse at ADFA;
- outlines the impacts of abuse on complainants;
- summarises the outcomes provided to complainants by the Taskforce to date; and
- draws some overarching conclusions about the nature and extent of abuse at ADFA.

2. Background

2.1 Defence Abuse Response Taskforce

(a) Taskforce establishment, scope of work and assessment process

In April 2011, following the so-called 'Skype incident'⁵ at the Australian Defence Force Academy (ADFA) a significant number of individuals made allegations of sexual and other forms of abuse in Defence. In response, the Secretary of Defence engaged law firm DLA Piper to conduct an independent review into the allegations and to develop recommendations for further action (DLA Piper Review).⁶

The Defence Abuse Response Taskforce (Taskforce) was established on 26 November 2012 as part of the Government's response to the DLA Piper Review.

Under its Terms of Reference (see Appendix B), the Taskforce is required to assess the findings of the DLA Piper Review and the material gathered by that review, and any additional material available to the Taskforce concerning complaints of sexual and other forms of abuse by Defence personnel alleged to have occurred prior to 11 April 2011.

The Taskforce was established to assess and respond to individual cases of alleged abuse in Defence. The fundamental work of the Taskforce is to determine, in close consultation with complainants, the most appropriate outcome in individual cases. The Taskforce assesses complaints of alleged abuse in Defence where:

- the complaint was made to the DLA Piper Review and consent was subsequently given to refer it to the Taskforce;
- new allegations and complaints were made to the Taskforce by the reporting deadline of 31 May 2013; and
- the allegations and complaints refer to abuse that is alleged to have occurred prior to 11 April 2011.

Approximately 2400 complaints of abuse have been made to the Taskforce. Of those, 76 complaints relate to alleged abuse at ADFA, as at 2 October 2014.

The Taskforce is only able to provide outcomes to complainants whose allegations fall within the scope of its Terms of Reference and which the Taskforce has assessed to be 'plausible'. For further information about the Taskforce assessment process and the plausibility threshold, see Appendix C and Appendix D.

If the Taskforce is satisfied that an allegation is within the scope of its Terms of Reference and meets the plausibility test, the Taskforce consults with the complainant about appropriate outcomes, which might include:

- a referral for free counselling under the national Defence Abuse Counselling Program;
- a Reparation Payment of up to \$50 000 under the Defence Abuse Reparation Scheme, with the amount of payment determined by the independent Reparation Payments Assessor;
- referral of appropriate matters to civilian police for their assessment and possible investigation and prosecution;
- referral to the Chief of the Defence Force (CDF) for administrative and/or disciplinary action; and/or
- participation in the Defence Abuse Restorative Engagement Program, which gives complainants the opportunity to have their personal story of abuse heard, acknowledged and responded to by a senior Defence representative which may include an expression of regret or an apology by the Defence representative.

Further information about the establishment, structure, operation and scope of work of the Taskforce is provided on the Taskforce website and in the Taskforce Interim Reports.⁷

(b) Taskforce focus on ADFA

The Taskforce Terms of Reference include a requirement to focus on allegations of abuse at ADFA.⁸ Specifically, the Terms of Reference require an assessment of 'the 24 Australian Defence Force Academy (ADFA) cases noted by DLA Piper'. These cases are a cluster of allegations of sexual abuse of women at ADFA in the 1990s, discussed in the 2011 report of the DLA Piper Review, and examined in more detail in section 5 of this report.⁹ The Terms of Reference also require the Taskforce to advise 'whether a Royal Commission would be merited into any categories of allegation raised with the DLA Piper Review or the Taskforce, in particular the 24 ADFA cases'.

As the Taskforce was established to assess and respond to individual cases of alleged abuse in Defence, in line with its Terms of Reference, the Taskforce considered ADFA related complaints of abuse referred or made to the Taskforce, and the circumstances surrounding them, as a matter of priority.

As at 2 October 2014, the Taskforce had assessed 63 of the 76 complaints received relating to ADFA. Fifty of these complaints have been assessed as falling within the scope of the Taskforce Terms of Reference and as raising one or more plausible allegations of abuse. The Taskforce is continuing to accept complaints from women who experienced sexual abuse at ADFA during the time period of the '24 ADFA cases' (that is, between 1991 and 1998) because these individuals are part of a group which is specifically named in the Taskforce Terms of Reference (but the composition of which remains uncertain) and because the Taskforce had already completed significant work on most of these cases prior to the cut-off date.

Complaints relating to alleged abuse at ADFA have been individually assessed by the Taskforce taking into consideration all relevant and available information, including information provided by complainants (verified by statutory declaration) and by Defence. In some cases this has included copies of contemporaneous records, for example, personnel, medical or disciplinary records. In particular, the Australian Defence Force Investigative Service (ADFIS) provided the Taskforce with a large number of Defence documents relating to allegations of sexual abuse at ADFA in the 1990s, as well as other incidents of abuse and unacceptable behaviour at ADFA and at other Defence locations.

Further information about complaints of abuse received by the Taskforce relating to ADFA is set out in section 3 of this report and a statistical summary is provided in Appendix F. Section 4 addresses the Defence response to reports of abuse at ADFA; section 5 considers sexual abuse of women at ADFA in the 1990s; section 6 considers some of the most significant factors contributing to abuse at ADFA; and section 7 details the impacts of abuse on complainants.

In the case of complaints which have been assessed by the Taskforce as falling within its Terms of Reference and as raising plausible allegations of abuse, complainants are now being provided with access to outcomes appropriate to their individual circumstances. Further information about outcomes available to complainants is provided in section 8.

In addition to assessing individual complaints, the Taskforce conducted research into allegations of abuse at ADFA and the circumstances surrounding incidents of alleged abuse. This research included: a review and analysis of material available on the public record, including a number of major reviews which have been conducted into ADFA as well as media reporting of allegations of abuse; a significant amount of documentation provided by Defence; and material provided to the DLA Piper Review. The combination of this research and the assessment of 50 individual complaints found to have raised plausible allegations of abuse has allowed the Taskforce to form the observations and conclusions contained in this report, with overarching conclusions outlined in section 9.

2.2 DLA Piper Review

The DLA Piper Review received 70 complaints relating to ADFA, accounting for approximately six per cent of the number reported to that Review.¹⁰ Of the incidents reported to the DLA Piper Review to have occurred at ADFA, 25 occurred during the 1980s, 26 during the 1990s, 14 during the 2000s,¹¹ and the dates for five incidents were unknown. The DLA Piper Review notes that several incidents occurred over more than one period.¹²

The DLA Piper Review raised serious concerns about the high incidence of sexual assault at ADFA during the 1990s. It referred to the cluster of 24 allegations of sexual abuse at ADFA identified during the time of the 1998 *Report of the Review into Policies and Practices to Deal with Sexual Harassment and Sexual Offences at the Australian Defence Force Academy* (the Grey Review) and concluded that it appears 'very likely' that most, if not all, of the alleged perpetrators of the sexual assaults at ADFA during this period were not called to account.¹³ The DLA Piper Review also found that '[i]t is possible that male cadets who raped female cadets at ADFA in the late 1990s and other cadets who witnessed such rape and did not intervene may now be in "middle" to "senior" management positions in the ADF'.¹⁴ These allegations of sexual abuse of women at ADFA in the 1990s are discussed in more detail in section 5 of this report.

The DLA Piper Review also made a number of findings in relation to abuse of young people in Defence, which are relevant to ADFA, including that:

- until recently the ADF and successive Governments had failed to put in place any specific protections to take into account the special needs and vulnerability of young people—male and female—to protect them from other young people and from more mature adults in some of the ADF environments;
- it is certain that many young males and females have been subjected to serious sexual and physical assault and other serious abuse while they were in the ADF;
- some of the young men who suffered such abuse later participated in inflicting similar abuse on other young men in the ADF (the DLA Piper Review was not aware of any female victims of abuse who subsequently perpetrated abuse on other females); and
- many women who endured such abuse and many men who endured and/or participated in inflicting such abuse may have suffered, or be at risk of suffering, mental health, alcohol and drug problems and consequent physical health problems affecting not only them but their families.¹⁵

In addition to these findings, the DLA Piper Review identified factors that contributed to the risk of abuse of young people in Defence.¹⁶ These risk factors have relevance to the ADFA environment.

The DLA Piper Review was also tasked with identifying a range of options for dealing with allegations of abuse, including the possibility of setting up a Royal Commission.¹⁷ The DLA Piper Review concluded that a Royal Commission 'could' or 'may be' the most appropriate mechanism for investigating the cases of sexual assault occurring at ADFA in the 1990s before the Grey Review, and recommended that the next phase 'explore the possibility of a Royal Commission' to address these allegations of abuse.¹⁸ However, the DLA Piper Review did not recommend a Royal Commission in relation to allegations of abuse occurring after the Grey Review, commenting that a Royal Commission, Judicial Inquiry or Parliamentary Committee would be 'too formal and cumbersome for the task of identifying persons who might be deserving reparation'.¹⁹ The question of a Royal Commission is addressed further in section 9 of this report and examined in detail in the *Report on abuse in Defence*.

2.3 Background to ADFA

ADFA is a tri-Service officer training establishment of the ADF, situated in Canberra, ACT. ADFA provides the opportunity, in partnership with the University of New South Wales (UNSW), for cadets to undertake military education and training in combination with a university education.²⁰ During their time at ADFA cadets receive a full time salary.²¹

ADFA was established in 1986 as both a military college and academic institution,²² and involved the integration of officer training across the Navy, Army and Air Force to form a tri-Service establishment.²³ ADFA's stated purpose is 'to serve Australia by providing the Australian Defence Force with tertiary graduates who have the appropriate attributes and skills relevant to the needs of each Service'. Its charter is to provide:

- military education and training for cadets for the purpose of developing their professional abilities and the qualities of character and leadership that are appropriate to officers of the ADF; and
- cadets with a balanced and liberal tertiary education within a military environment.²⁴

Cadets complete a three year Academic and Military Education and Training (AMET) Program at ADFA which is designed to provide cadets with the fundamental knowledge, skills and attitudes required by junior officers in the ADF.²⁵ The AMET program includes Common Military Training, Single Service Training (SST) and academic studies.²⁶

The majority of cadets enter ADFA directly following or shortly after high school.²⁷ Cadets at ADFA are generally aged between 17 and 23 years old, and the average age of first year cadets is 18 years.²⁸ There is also an 'Advanced Students' division which includes those who are already graduates of ADFA undertaking honours studies or fourth year engineering, or officers and senior non-commissioned officers undertaking undergraduate or postgraduate studies.²⁹

The institution is mixed gender but male-dominated, with women comprising approximately 21 per cent of the total cadet population in 2014.³⁰ Over the last four years, the representation of women has remained reasonably steady, ranging from 18.4 per cent to 22.8 per cent.³¹ There have, however, been periods of higher and lower representation. In 1992, women comprised only 16.4 per cent of the cadet population, while in 1997 women comprised 33.2 per cent.³²

Although cadets come from a diverse range of national backgrounds, only a small minority of ADFA's first year cadets have a non-English speaking background.³³

There is a single chain of command at ADFA based on Service personnel who are posted to ADFA as military staff. All cadets hold the same equivalent rank.³⁴ No cadets or Advanced Students are within the chain of command, or have any command authority. This is different from the situation which existed when ADFA was first established, when a formal cadet command structure existed within the Corps of Officer Cadets (the organisation providing the military environment within which cadets' officer qualities were developed) in which third year cadets had some authority and responsibility over more junior cadets.³⁵

Cadets generally live in purpose-built, on-site accommodation at ADFA.³⁶ First year cadets live in single-sex corridors, with living arrangements progressively integrated in second and third years.³⁷ All accommodation divisions are tri-Service³⁸ (with the exception of third year cadets who live in a single Service environment).³⁹ On arrival at ADFA, a cadet is allocated to a division of up to 47 cadets.⁴⁰ Each accommodation block is made up of one division. The most important command relationship for a cadet is with their Divisional Officer (DO) and their Divisional Senior Non-Commissioned Officer (DSNCO), who are responsible for 'their [d]ivision's health, welfare, morale and discipline'.⁴¹ Although the organisational structure has changed somewhat over the years, currently, four to five divisions are grouped together to form squadrons, with each squadron commanded by an Officer Commanding (OC). Cadets are assigned to a single squadron for three years however will move through divisions within this time.⁴²

2.4 Public accounts of abuse at ADFA

Accounts of abuse at ADFA have featured in the public domain since its establishment in 1986 and continue to the present. Several high profile reviews of the institution have been conducted, a number of court and tribunal cases have taken place, and there has been significant media reporting of allegations of abuse. More recently, the Government response to the Skype incident in April 2011 continues to generate public interest in ADFA as new allegations of abuse have emerged.

(a) Previous reviews of ADFA

ADFA has been the subject of significant scrutiny through a series of reviews into various aspects of the institution over the years. The most significant of these are the Grey Review, conducted in the mid 1990s, and a number of reviews conducted following the Skype incident in 2011. These key reviews are outlined below. A list of all reviews with relevance to ADFA is contained in Appendix E.

(i) The Grey Review

In 1998, Defence released the report of the Grey Review, led by the then Director of the Defence Equity Organisation, Bronwen Grey, following numerous allegations of bastardisation, sexual harassment and sexual assault reported in the media in the years prior.⁴³

The Grey Review constituted one of the most extensive examinations of the culture of ADFA since its establishment, and found that there were high levels of unacceptable behaviour at ADFA, including sexual harassment and sexual offences. The Grey Review found that this behaviour had become a 'pervasive and public feature' of the ADFA environment and that there was a 'high level of tolerance' of this behaviour amongst both cadets and staff.⁴⁴

The Grey Review made extensive recommendations to support a lasting 'cultural change program' at ADFA.⁴⁵ These recommendations included changes to policies; cadet and staff organisation; management and facilitation of complaints processes; record keeping; and training and education for cadets and staff. Notably, the Grey Review identified the cadet hierarchical structure as a cause of significant cultural deficiencies within ADFA.⁴⁶

In parallel with the Grey Review, an Investigation Team, led by then Colonel Ken Northwood, examined individual complaints made by cadets during the course of the Grey Review. Defence provided the Taskforce with an unredacted version of the 1998 Investigation Team report.⁴⁷ This report concluded that sexual assault, sexual harassment, intimidation and other forms of abuse were part of the 'daily way of life' for many cadets and that there was a 'paralysis' in responding to unacceptable behaviour at ADFA in the 1990s.⁴⁸

The Investigation Team conducted interviews with current and former cadets and staff, examined media reports,⁴⁹ and reviewed records (where consent was provided by the subject of the allegations) held in a filing cabinet at ADFA, referred to as 'the Chamber of Horrors'.⁵⁰ Inside the filing cabinet were 'sealed envelopes', each containing records of allegations of abuse by cadets made to ADFA staff members. After the complaint was recorded, these envelopes were sealed and not opened again without the consent of the complainant.

The Investigation Team identified 24 allegations of sexual assault occurring at ADFA in the 1990s which are the '24 ADFA cases' specifically referred to in the Taskforce Terms of Reference. These allegations are examined further in section 5.

(ii) Reviews following the Skype incident

In 2011, in the aftermath of the Skype incident, the then Minister for Defence announced various initiatives and reviews into ADFA and Defence more broadly,⁵¹ including:

- an inquiry into the management of the ADFA Skype incident and its aftermath (primarily to determine whether the ADFA Commandant at the time acted appropriately in the circumstances); and
- a review into the treatment of women at ADFA.

The Australian Human Rights Commission (AHRC), led by Sex Discrimination Commissioner Elizabeth Broderick, conducted the first independent review into ADFA to examine the culture of the institution with respect to the treatment of women (AHRC Review).⁵² The AHRC Review found that ADFA was a 'vastly improved institution' since the Grey Review of 1988 and that many of the extreme cultural concerns documented in the Grey Review were no longer apparent. However, despite this progress the AHRC Review identified ongoing cultural deficiencies, including: 'widespread, low-level sexual harassment; inadequate levels of supervision, particularly for first year cadets; an equity and diversity environment marked by punishment rather than engagement; and cumbersome complaints processes'.⁵³ The AHRC Review made 31 recommendations which were all accepted by Defence, with 30 accepted in full and one in principle.

Pursuant to the Terms of Reference for the AHRC Review, 12 months after the initial report an audit was conducted to assess the extent to which the recommendations had been implemented (AHRC Audit Report). The AHRC Audit Report was released on 23 July 2013.⁵⁴

Significantly, following the completion of the reviews conducted by the AHRC into ADFA and the broader ADF, the AHRC has commenced a new role assisting in the ongoing monitoring of the implementation of strategies to address cultural change in Defence.⁵⁵

Some of the recommendations and findings of these reviews are discussed further in section 6.

(b) Court and Tribunal cases

Allegations of abuse at ADFA have been raised in courts and tribunals in both civil and criminal jurisdictions. In a number of civil cases, former cadets have either brought an action for damages against Defence for abuse suffered while at ADFA or appealed an unsuccessful compensation claim (made to the Department of Veterans' Affairs (DVA)) in the Administrative Appeals Tribunal (AAT) or other tribunals or courts. In addition, a number of criminal cases involving allegations of sexual and other offences at ADFA have been heard in the ACT Magistrates Court or Supreme Court, some of which have been the subject of further appeal.⁵⁶

Civil cases have included matters where former cadets have sought damages from Defence following sexual abuse at ADFA, for example:

- in the early 1990s, a female cadet was awarded compensation for injuries sustained from a sexual assault by a fellow cadet at ADFA in 1991;⁵⁷ and
- in 2013, during an interview the complainant in the Skype incident indicated her intention to initiate legal proceedings against Defence.⁵⁸

In *Military Rehabilitation & Compensation Commission v SRGGGG*,⁵⁹ the Federal Court of Australia upheld a decision by the AAT to award compensation to a former cadet for mental injury related to his experiences at ADFA in the early 1990s.⁶⁰ The initial proceedings before the AAT contained references to allegations of abuse of varying severity,⁶¹ including allegations of serious sexual abuse, such as 'turkey slapping' (being hit or touched with another cadet's genitals, usually on the face) and 'woofering' (forcibly applying a vacuum cleaner hose to another cadet's genitals).⁶²

Criminal cases regarding ADFA have included legal proceedings following allegations of sexual or other abuse involving cadets since 1986. For example:

- in the early 1990s, there were reports of five cadets being court-martialled following an incident of woofering at ADFA;⁶³ and
- in the late 1990s, other criminal matters arose, including a case of physical assault appearing before a military court and a sexual assault before the ACT Magistrates Court.⁶⁴

Most recently, following the Skype incident (in which a female cadet was unknowingly filmed having consensual sex with another cadet and this footage was streamed to another room where other cadets were watching), two cadets were charged with using a carriage service in an offensive manner, with one of the cadets also charged with an act of indecency.⁶⁵ Following the Skype incident, a number of additional cases involving allegations of sexual offending at ADFA have come before the criminal courts, including the following:

- In 2012, a male cadet was charged with committing an act of indecency in the presence of the victim, after a female cadet discovered his mobile telephone in a shower vent at ADFA. The defence successfully argued that there was no case to answer in that the male cadet had not committed an act of indecency in the presence of the female cadet because he was not physically present at the time of the act.⁶⁶
- In 2013, a cadet was sentenced in the ACT Supreme Court, having previously been charged and found guilty of an act of indecency without consent.⁶⁷ The cadet was ordered to sign a good behaviour undertaking for a period of 18 months.⁶⁸
- As recently as 30 October 2014, a cadet was committed to stand trial in the ACT Supreme Court after pleading not guilty to two counts of sexual intercourse without consent in relation to two female cadets. This matter was still before the Court in November 2014.⁶⁹

(c) Media reporting of alleged abuse at ADFA

The media spotlight has been directed at allegations of abuse at ADFA on many occasions over the years, focusing on specific incidents as well as the culture of the institution more broadly. In several cases, current or former cadets have reported allegations of abuse at ADFA directly through the media. Media reports ranging from 1986 to 2014 highlight patterns of abusive behaviour at ADFA, some of which have changed over the years. While some reports refer to low level harassment and bullying, others raise serious allegations of sexual assault and refer to a culture at ADFA which provided fertile ground for such behaviour.

Articles published in the late 1980s and early 1990s refer to allegations of harassment, bullying and sexual assault, with a focus on accounts of 'bastardisation' of junior male cadets by more senior male cadets.⁷⁰ This media reporting included allegations of first year male cadets being forced by third year cadets to simulate sexual movements and a first year cadet being forced to lick whipped cream from the underpants of another cadet while others watched.⁷¹ There were also reports in the media of five male cadets being charged in relation to allegations of woofing.⁷²

Despite the smaller numbers of women at ADFA during this period, some media reports from this time also highlighted problematic gender issues emerging, such as the pervasive use of the derogatory term 'squid' for female cadets.⁷³

As the number of women at ADFA increased, the focus of media reporting in the mid 1990s shifted to abuse of female cadets.⁷⁴ This reporting included a significant number of articles relating to incidents of sexual harassment and sexual assault of female cadets, including the gang rape of a female cadet.⁷⁵ There was also discussion in the media of the 'growing sexual assault and harassment problems' at ADFA.⁷⁶

In recent years, reports of specific incidents of alleged abuse at ADFA have continued to be prevalent in the media. There has also been significant media coverage focusing on broader cultural issues associated with the treatment of women at ADFA, as well as articles and television programs reporting in greater depth on the subject of sexual assault at ADFA historically.⁷⁷

One of the catalysts for this increased media attention was the female cadet involved in the Skype incident coming forward to the media in March 2011.⁷⁸ Following on from this, the ABC program Four Corners aired a report in 2011, called 'Culture of Silence', which interviewed former cadets who had been physically or sexually assaulted at ADFA.⁷⁹ A further Four Corners report in 2014, called 'Chamber of Horrors', examined records of allegations of sexual assault and other abuse made by cadets which were filed away by ADFA staff members in 'sealed envelopes' and never acted upon. The program contained interviews with former cadets who spoke about their experiences of sexual assault at ADFA.⁸⁰

Recent media coverage has also included reports of some incidents of abuse similar to those reported on in the late 1980s and early 1990s. For example, in 2013 there were media reports regarding a group of male cadets referred to as 'Love of My Life'. The group allegedly engaged in sexual acts with each other as part of an initiation process.⁸¹

Media reporting of ADFA has played an important role in its public profile. It is important to note that there have also been criticisms in the public domain about a lack of balance or sensationalism in some of this reporting.⁸² Other accounts also highlight the positive aspects of the culture and the individuals who study and work at ADFA.⁸³ It is clear, however, that media attention has led to closer public scrutiny and greater transparency, resulting in the commission of various reviews into both specific incidents and the culture at ADFA more generally. It has also provided an avenue for cadets to share their experiences in a way not otherwise possible.

3. Complaints of abuse at ADFA

3.1 Overview

Approximately 2400 complaints of abuse have been made to the Taskforce, 76 of which relate to alleged abuse at ADFA. These complaints involve abuse alleged to have taken place from the time ADFA was first established in 1986 up until 2011. The vast majority of these complainants were cadets at ADFA at the time of the alleged abuse.⁸⁴

At the outset it should be noted that many cadets have no doubt had positive and formative experiences at ADFA, and have gone on to pursue successful careers as officers in Defence. However, the information provided by complainants and other people who have contacted the Taskforce raises a significant number of allegations, some very serious, of sexual abuse, sexual harassment, physical abuse and harassment and bullying at ADFA.

As at 2 October 2014, the Taskforce had assessed 63 of the 76 complaints relating to ADFA. Of these, 50 complaints were assessed as falling within the scope of the Taskforce Terms of Reference and as raising one or more plausible allegations of abuse, as detailed below. In a significant number of the remaining complaints no further action could be taken as these were reports by a third party without the consent of the subject of the abuse, as discussed below.

This report includes numerous firsthand accounts by complainants of abuse experienced at ADFA, both in short extracts quoted throughout and in longer case studies in Appendix A. The Taskforce has obtained consent from all complainants whose personal experiences are directly quoted at any length,⁸⁵ and wishes to acknowledge and thank those complainants for being willing to share their stories.⁸⁶ In some cases, the most troubling stories of abuse have not been included because the complainant did not provide consent, or because information provided to the Taskforce suggested that it would not be appropriate to contact a complainant to seek his or her consent.

3.2 Statistical summary

As at 2 October 2014, of the 76 complaints the Taskforce received relating to alleged abuse at ADFA:

- 63 had been assessed;
- seven were in the process of being assessed, or the complainant and/or Defence had been asked to provide further information; and
- six had been withdrawn.

Of the 63 complaints that had been assessed by the Taskforce as at 2 October 2014:

- 50 were found to raise one or more plausible allegations of abuse that fell within the scope of the Taskforce Terms of Reference;
- four were found to fall outside the scope of the Taskforce Terms of Reference in their entirety, because, for example, the abuse occurred after the Taskforce cut-off date of 11 April 2011 or because the allegations they described did not amount to abuse; and
- nine were assessed as complaints in which no further action could be taken because, for example, the complaint was made by a third party without the consent of the subject of the abuse, or the complainants had contacted the Taskforce to provide general information about ADFA rather than to raise specific allegations of abuse.

It is noted that the plausibility test used by the Taskforce is a low threshold. As discussed in section 2, this was determined by the Australian Government to be the appropriate threshold for acceptance of claims of abuse in Defence. The intention was to enable the Taskforce and Defence to accept and act upon allegations of abuse which may not have been able to be acted on under existing formal processes.

However, there were many complainants who raised multiple allegations of abuse at ADFA within their complaint and in some of these cases the Taskforce assessed one or more of the allegations to be not within the scope of the Taskforce Terms of Reference (for example, because the allegation could not be categorised as abuse) or not plausible.

This report focuses on the 50 complaints of abuse at ADFA that the Taskforce has assessed as within the scope of its Terms of Reference and as raising one or more plausible allegations of abuse—that is, abuse that the Taskforce accepts occurred (as discussed in section 2). This report therefore refers to ‘abuse’ rather than ‘alleged abuse’.⁸⁷

Of the 50 ADFA complainants whose complaints have been assessed as containing one or more plausible allegations of abuse:

- 33 experienced sexual abuse (66 per cent of complainants);
- 18 experienced sexual harassment (36 per cent of complainants);
- 20 experienced physical abuse (40 per cent of complainants); and
- 35 experienced harassment and bullying (70 per cent of complainants).⁸⁸

These figures reflect that although some complainants experienced only one category of abuse, a significant majority reported experiencing two or more categories of abuse (for example, harassment and bullying as well as sexual abuse). Many complainants also experienced more than one form of abuse within these broad categories (for example, a complainant may have experienced sexual abuse in the forms of indecent assault and sexual assault, as well as harassment and bullying in the form of ‘bishing’⁸⁹).

Of the 50 complaints raising plausible allegations of abuse at ADFA, 12 complaints related to the first four years of ADFA’s operation between 1986 and 1989, 23 complaints related to the 1990s, and 15 complaints related to the 2000s.⁹⁰

Almost all 50 complainants experienced abuse as former cadets at ADFA. These complainants were young people, aged 20 years or less at the time of the abuse. At least 15 complainants (approximately a third of ADFA complainants) experienced some form of abuse when they were only 17 years of age. One complainant experienced abuse while working as a staff member at ADFA.

The majority of the abuse identified in the ADFA complaints was perpetrated by other cadets (42 complainants reported experiencing at least one form of abuse by other cadets). Nineteen complainants reported experiencing at least one form of abuse by staff members or other more senior ranking members of Defence (including medical staff, supervising staff at Single Service Training locations, or more senior ranking members of Defence at ADFA or at other locations where cadets attended for training or other purposes). Many complainants experienced abuse both by other cadets and by staff members.

Of the 50 complainants whose complaints have been assessed as containing plausible allegations of abuse:

- 32 complainants are female (approximately 64 per cent); and
- 18 complainants are male (approximately 36 per cent).⁹¹

It appears that women are significantly overrepresented as ADFA complainants when these figures are compared to the proportion of women at ADFA (for example, women represented approximately 21 per cent of the cadet population in 2014).⁹²

While some complainants experienced one isolated incident of abuse, many complainants reported experiencing more than one incident of abuse. Many also indicated that they experienced ongoing abuse during their time at ADFA, and in particular, ongoing abuse during their first year at ADFA. However, the statistics recorded by the Taskforce do not include measures of frequency of abuse, as complainants often did not specify the number of times they were subjected to different categories or forms of abuse.

It should also be noted that the statistical information cited in this report pertains only to abuse reported to the Taskforce and is not able to be extrapolated to make broader conclusions about the nature or levels of abuse occurring at ADFA, due to the inherent limitations in the statistics collected. Further details and a summary of these statistics are set out in Appendix G. It is also noted that the statistical analysis provided in this report relates to complaints of abuse assessed as at 2 October 2014 as raising one or more plausible allegations of abuse. As the work of the Taskforce is not complete, the statistics provided in this report will necessarily change when the Taskforce analysis of all complaints is finalised.

Despite these limitations, the statistics drawn from the complaints of abuse assessed by the Taskforce are useful in understanding and illuminating the prevalence of various types of abuse experienced by complainants at ADFA.

3.3 Sexual abuse

In the context of the Taskforce, sexual abuse means unwanted conduct of a sexual nature, committed against a person without their consent.⁹³ It does not require physical contact between the person and the alleged abuser and it can include conduct in the presence of the person.

Sexual abuse may include (but is not limited to) incidents where, without the consent of the person, an individual or group:

- has sexual intercourse with the person;
- penetrates the vulva, vagina or anus of the person with a finger, tongue or other object;
- indecently assaults the person;
- forces the person to perform or witness sexual acts or to be in a state of undress;
- touches the person's genitals;
- inappropriately touches the person with sexual connotations;
- exposes genitals while making lewd or suggestive comments;
- attempts to perform sexual acts of the kind referred to above on the person;
- makes a deliberate threat to perform sexual acts of the kind referred to above;
- procures or distributes images, sound recordings or video footage of the person engaged in sexual acts or acts with a sexual connotation; or
- performs an act of indecency which involves the person.

The Taskforce interprets an act of indecency as an act that has a sexual connotation which is offensive to the ordinary modesty of an average person. It can include circumstances where there is no contact between the abuser and the person, such as watching a person shower or use a toilet without the person's consent.

The Taskforce notes that many allegations of sexual abuse are likely to also include an element of sexual harassment (as discussed in section 3.4). Some allegations of sexual abuse are likely to also include an element of physical abuse (as discussed in section 3.5).

As at 2 October 2014, the Taskforce had assessed 50 complaints as containing in scope and plausible allegations of abuse at ADFA. Of these, 33 complaints involved allegations of sexual abuse. The complaints relate to sexual abuse alleged to have taken place from the late 1980s up until 2011.

All of the complainants who experienced sexual abuse were cadets at ADFA at the time of the abuse. In a significant number of complaints of sexual abuse both complainants and alleged abusers were cadets.

Of the 33 complainants who reported experiencing sexual abuse:

- 25 complainants were female; and
- eight complainants were male.

Of these 33 complainants:

- 28 complainants reported at least one form of sexual abuse by other cadets either from the same year or by more senior cadets;
- four complainants reported at least one form of sexual abuse by staff members at ADFA or more senior ranking members of Defence at other locations where cadets were undertaking training, or at Canberra Area Medical Unit—Duntroon (CAMU-D), the nearby Defence medical centre which provided medical services to ADFA; and
- one complainant reported at least one form of sexual abuse but was unable to identify the alleged abuser.

Complainants experienced sexual abuse in several forms including sexual assaults, indecent assaults and other forms of sexual abuse. In all complaints of sexual abuse, the alleged abusers were male. The majority of complainants who reported sexual abuse experienced sexual assault, and all of those who were sexually assaulted were women.

In contrast to the experience of female complainants, who were largely subjected to sexual abuse by one alleged abuser, male cadets typically experienced sexual abuse at the hands of multiple alleged abusers acting in groups. This abuse often occurred in the context of initiation practices which included a sexual element, specifically the practice of woofering, where a vacuum cleaner hose was forcibly applied to the genitals.⁹⁴ In some cases complainants experienced this form of sexual abuse on more than one occasion.

Complainants who experienced sexual abuse told the Taskforce about suffering a range of physical impacts or injuries at the time and many complainants spoke of experiencing lasting psychological and physical impacts of being subjected to this type of abuse at a young age. These impacts are discussed in section 7.

(a) Sexual assault

The next thing I remember is waking up for a few seconds, and I was outside and on my back. I was on the ground and it was grassy and cold [...] We were behind a hedge. [The male cadet] was having sex with me. He was on top of me. I don't know how I got there. I tried to push him off but I didn't feel in control of my body and I couldn't do it [...] I couldn't move.⁹⁵

Of the 33 complainants who experienced sexual abuse at ADFA, 18 complainants reported experiencing sexual assault (involving sexual intercourse or vaginal, anal, digital or other forms of sexual penetration without consent). All of the complainants who reported sexual assault were young women, many of whom were aged 17 years, and almost all of whom were aged 20 years or less, at the time of the abuse.

Complainants reported sexual assaults occurring at ADFA from 1986 until 2011:

- three complainants experienced sexual assault in the late 1980s;
- 10 complainants experienced sexual assault in the 1990s;
- four complainants experienced sexual assault in the 2000s; and
- one complainant experienced sexual assault between 2010 and 2011.

“[H]e inserted himself into me. I was frozen, I couldn't move or fight back or cry out.”

The types of sexual assaults experienced by complainants included incidents where a complainant was sexually penetrated without consent, either vaginally, anally or digitally. One complainant described the following experience:

[H]e inserted himself into me. I was frozen, I couldn't move or fight back or cry out.⁹⁶

Of those complainants who reported experiencing sexual assault while at ADFA, 14 experienced sexual assault by cadets, three experienced sexual assault by staff members or more senior ranking members of Defence and one experienced sexual assault by an unknown perpetrator. All alleged abusers in complaints of sexual assault were male. Some of the abuse was carried out by individuals and some by groups.

Some complainants reported being sexually assaulted by a more senior ranking member of Defence in a particular role of care, including one complainant who reported being subjected to sexual abuse whilst in hospital.⁹⁷

Some complainants experienced an isolated incident of sexual assault, while others experienced repeated sexual assaults by the same alleged abuser. For example, the Taskforce was made aware of one complainant who was raped on two consecutive evenings by the same senior cadet.⁹⁸

Some complainants were sexually assaulted by more than one cadet. For example, one complainant reported that she was subjected to a range of sexual abuse, including attempted sexual assaults, on a regular basis by one or more cadets.⁹⁹ The complainant stated that these incidents would take place after senior male cadets returned from drinking:

This usually occurred in the hallway [of the] female corridor—away from the rest of the division—and would sometimes involve one or more senior male cadets. I was groped, had hands shoved down my pants and up my shirt and had males try to insert digits inside me—on occasion they also tried to pressure me into having sex. When I refused to have sex, I was groped again or pushed against the wall for refusing—these people were often (in my opinion) under the influence of alcohol. This could happen as often as twice a week some weeks.¹⁰⁰

“I was groped, had hands shoved down my pants and up my shirt and had males try to insert digits inside me—on occasion they also tried to pressure me into having sex.”

Overwhelmingly, the sexual assaults occurred at or nearby to the accommodation blocks at ADFA. However, some complainants reported that they were sexually assaulted in other locations, including at Single Service Training and in the ADFA car park.

In one case, a complainant reported that following celebrations in the cadet mess, she was walking back to her room with a small group of people:

I was at the back of the group and was starting up the stairs to the rec. room when I was grabbed by [him], by the arm and forced into his room [...] He then proceeded to hold me down and rape me whilst making very disturbing comments.¹⁰¹

In at least 16 complaints involving sexual assault, complainants stated that they knew their alleged abuser, and some also reported that they had actively resisted their alleged abuser’s advances earlier in the evening or in the days preceding the abuse. One complainant recalled:

His advances toward me were normal and appropriate to start with but I declined [...] Eventually the remarks became more scornful like: “look at you showing off your arse [...]” and “prick tease” [...] He repeatedly told me that I can’t run around teasing him [...] and expect not to “put out” and that I would not “prick tease” him if I didn’t really “want it”.¹⁰²

Some complainants told the Taskforce that they were sexually assaulted following social occasions, typically involving alcohol consumption. One complainant reported that after she had been out socialising with others, she felt unwell as she believed her drink had been spiked, and recalled waking up lying on the ground with a male cadet sexually assaulting her.¹⁰³

Other complainants said that they were asleep in bed when a male cadet entered uninvited or broke into their room and sexually assaulted them.¹⁰⁴ One complainant reported:

[A] fellow [...] cadet entered my room when I was sleeping, forced himself on me and had sexual intercourse with me without my consent.¹⁰⁵

Another complainant reported:

I was woken by the sound of someone entering my cabin [...] he removed his pants and climbed into my bed and lay down on top of me.¹⁰⁶

Some complainants reported experiencing sexual assault as well as other abuse on more than one occasion by different alleged abusers. For example, one complainant reported experiencing several forms of abuse at ADFA over a year long period including sexual harassment, threats of physical harm and sexual assault and reported being 'fearful for the remainder of my time in the military'.¹⁰⁷

In many cases, these allegations of sexual assault appear to have been accompanied by a disturbing level of physical violence. In some cases, complainants were subjected to physical violence in the course of the sexual assault resulting in bleeding, bruising and sore genital areas.¹⁰⁸ One complainant described the following experience:

I felt a sharp pain inside my vagina as he was turning me over. The fact that he was having intercourse with me after I said no was completely unexpected to me along with the fact that he had turned me over so suddenly. I then cried out: 'No!' I wanted him to stop right away. He then said: 'It's too late now. You might as well enjoy it' I shut my eyes and started to cry. The pain was really hurting and I was in a state of shock as to what was happening. I felt trapped and I didn't want to believe what was happening to me. He continued to thrust his penis back and forth inside my vagina while holding my biceps. I was freaking out at this stage. I am not the type of person to yell and scream in a severe crisis. I just go really quiet and I was just hoping for this to end.¹⁰⁹

(b) Indecent assault

That first night, [a male cadet] squeezed very close to me. He started touching my body—reaching under my shirt and tried to touch my breasts. I was very frightened, and didn't want anyone else to wake or know what was happening to me. I froze and didn't know what to do. He unbuttoned the top of my pants, and reached his hand into my underwear and started to touch me. I just didn't know what to do. I couldn't move [...] This was my first sexual experience, and has not only impacted me emotionally but has impacted my experiences of intimacy ever since.¹¹⁰

Several complainants reported experiencing sexual abuse in the form of indecent assault (unwanted sexual behaviour involving inappropriate touching of a person without their consent). Some of these incidents included:

- non-consensual touching of the complainant's genital regions, anus and breasts;¹¹¹ and
- inappropriate touching with sexual connotations or overtones.

"I froze and didn't know what to do. He unbuttoned the top of my pants, and reached his hand into my underwear and started to touch me. I just didn't know what to do. I couldn't move [...] This was my first sexual experience, and has not only impacted me emotionally but has impacted my experiences of intimacy ever since."

Sixteen complainants reported experiencing indecent assault. Of these, nine complainants were female. Seven male complainants also reported experiencing indecent assaults, all of which occurred in the specific context of a hazing/initiation practice known as woofing.¹¹² Complaints involving woofing are discussed separately in section 3.3(c) below.

The nine female complainants who experienced indecent assault reported that the alleged abusers in these incidents were often cadets in the same year, or were more senior cadets or staff members. Similarly to sexual assaults, indecent assaults occurred in the ADFA accommodation blocks significantly more than any other location.

One complainant reported that she was in her room studying when a male cadet entered and began to talk about his sexual habits. The complainant became uncomfortable and turned away from him, however, following this she stated:

[H]e was unzipping his pants as he sat on the desk. He held his penis. I did not move or say anything. He touched the back of my head with his other hand and began to pull my head towards it. I resisted and said no.¹¹³

Complainants reported that indecent assaults were carried out by both individuals and groups. In some cases, complainants experienced an isolated incident of indecent assault by another cadet, while others experienced repeated incidents of indecent assault. Some complainants also reported being indecently assaulted by more than one cadet.

For example, one complainant reported an incident where she publicly had her underwear removed by a number of male cadets. She stated:

I was walking through the rec room and they pulled my undies down and [...] grabbed me.¹¹⁴

In other cases, it was reported that the alleged abuser physically overpowered or forcefully restrained the complainant in some way. One complainant told the Taskforce:

I recall not being able to move at the time, even to push him off as he was so heavy and I was quite small in comparison to his build. He proceeded to try and remove my underwear and I know that at this point I was clearly articulating no in my response and asking him to stop.¹¹⁵

Some complaints reported to the Taskforce that indecent assaults were carried out by cadets with the encouragement, knowledge or involvement of other cadets or staff members.

Complainants who experienced indecent assaults told the Taskforce about suffering a range of physical and psychological impacts. One complainant referred to her fear of further harm after she was indecently assaulted and stated:

He left after this and I stayed awake for a lot of that night as I was too scared to sleep in case he would enter my room again whilst I was sleeping and try something else again.¹¹⁶

(c) Woofering

A common form of sexual abuse perpetrated by cadets as part of a hazing/initiation practice was woofering, where a vacuum cleaner hose was forcibly applied to a cadet's genitals. As noted above, seven complainants reported being subjected to woofering. All of the complainants who reported woofering were young men aged less than 20 years old at the time of the abuse. This practice was perpetrated by male cadets against other male cadets. One complainant described the abuse as follows:

I fought as hard as I could but was held down and had a vacuum cleaner placed on my penis and testicles.¹¹⁷

The Taskforce received seven complaints of woofering at ADFA from former male cadets:

- one complainant experienced woofering in the 1980s; and
- six complainants experienced woofering in the 1990s.

Complainants commonly described being set upon by a small group of cadets, being restrained while their underwear was removed, and having a vacuum cleaner hose forced onto their penis and/or testicles. One complainant described his experience as follows:

I was in my cabin sleeping one night when I was awoken by a bunch of drunken guys breaking in to my cabin. I knew they were drunk as I could smell it on their breaths. There were 6 or 7 men, all wearing balaclavas. They were fellow officer cadets and midshipmen at ADFA. They held me down, stripped me naked then attacked me continuously with a vacuum cleaner, suctioning my genitals.¹¹⁸

Complainants reported their experiences of woofering as being extremely painful, terrifying and/or embarrassing. For example, one complainant stated:

They pulled down my pants and applied the suction hose of an industrial strength vacuum cleaner [...] to my genitals for about 10 minutes. They all took turns with the vacuum cleaner. It was very painful and all three of them were laughing [...] my genitals were badly bruised and swollen and I was still having trouble walking and going to the toilet. I also had “hickey” type marks all over my body from the vacuum cleaner.¹¹⁹

“They all took turns with the vacuum cleaner. It was very painful and all three of them were laughing [...] my genitals were badly bruised and swollen and I was still having trouble walking and going to the toilet. I also had ‘hickey’ type marks all over my body from the vacuum cleaner.”

In some cases, complainants who experienced woofering were also subjected to other forms of physical abuse during their time at ADFA. For example, one complainant who reported experiencing woofering also reported being punched a ‘fair amount’ on other occasions.¹²⁰

In some cases, complainants implied that woofering was carried out by cadets with the encouragement, knowledge or involvement of other cadets. One complainant described his experience as follows:

After several hours of being abused in this fashion I was in extreme and unbearable pain [...] I was screaming for them to stop and the pain was truly unbearable. I don’t know exactly how many people were involved as it happened so many times and seemed to me to be continuous over at least 4 hours. There must have been at least 15 individuals involved and more witnessing the abuse, but no one got me any assistance.¹²¹

Another complainant reported:

The hose was then placed back onto my penis for about 3–4 seconds after which it was removed. They all then got off me and [one of the cadets] took hold of my hand and shook it, congratulating me as he did so.¹²²

(d) Other sexual abuse

A number of complainants reported being subjected to other forms of sexual abuse by cadets, or being forced to watch or take part in humiliating or degrading conduct of a sexual nature.

Examples reported by both male and female cadets, included having another cadet expose their genitals to them,¹²³ or being forced to watch pornography against their will.¹²⁴ One female complainant told the Taskforce:

I was physically restrained in a chair, in the recreation room, and made to watch pornography- much to the amusement of second and third year male cadets.¹²⁵

A male complainant stated he was made to watch pornography and then ‘forced to strip to prove I was not overtly aroused’.¹²⁶

There were also reports of sexual abuse involving technology, for example, where non-consensual photographs were taken of a complainant’s genital region.¹²⁷ One complainant who was subjected to sexual abuse involving technology reported, ‘my privacy was invaded and I [felt] complete[ly] violated’.¹²⁸

The Taskforce also heard from former cadets who described living in constant fear of being subjected to these forms of sexual abuse or other inappropriate sexual conduct. One complainant stated that 'for the next 6 months I would literally rope up my door in an attempt to make sure it didn't happen again'.¹²⁹ Another complainant fearful of being subjected to further sexual abuse said:

I often slept in the cupboard in my room, and 'toggle roped' my door handle to my rifle rack, out of fear they'd get in. I also placed a broom handle in the window tracks to prevent my window being forced open.¹³⁰

3.4 Sexual harassment

In the context of the Taskforce, sexual harassment is considered to be unwanted and non-consensual conduct of a sexual nature, which makes a person feel offended, humiliated or intimidated. Sexual harassment can be obvious or indirect, physical or verbal, repeated or one off and perpetrated by males and females against people of the same or opposite sex.

Sexual harassment can involve:

- staring, leering;
- unnecessary familiarity, such as deliberately brushing up against a person, pinching, slapping, fondling, hugging, or other unwelcome touching;
- suggestive objects, comments or jokes;
- insults or taunts of a sexual nature;
- innuendo or sexually explicit pictures, SMS, voice or written messages, emails, blogs, Facebook, Twitter, Pinterest, Skype, online chat, letters, faxes;
- request for sex or repeated unwanted invitations to go out on dates;
- intrusive questions or statements about a person's private life or body;
- intimate or physical contact;
- indecent exposure or public masturbation; and
- stalking or obscene communications (by phone, letters, email, social media or SMS).

It is important to note that in some cases abuse involved both sexual abuse and some sexual harassment, however it was only categorised as sexual abuse as this was the most apparent and central form of abuse described by the complainant.

As at 2 October 2014, the Taskforce had assessed 50 complaints as containing in scope and plausible allegations of abuse at ADFA. Of these, 18 complaints involved allegations of sexual harassment. While some incidents of sexual harassment occurred in the 2000s, the majority of the sexual harassment reported occurred during the period between the late 1980s and mid 1990s. Of the 18 complainants who reported sexual harassment:

- 16 complainants were female; and
- two complainants were male.

Of these 18 complainants:

- 17 complainants reported sexual harassment by other cadets; and
- one complainant reported sexual harassment by both other cadets and a staff member.

Complaints involving sexual harassment by cadets covered a wide range of behaviours, including: male cadets exposing their genitals to female cadets in public forums such as the recreation room; forcing cadets to watch pornographic movies; making degrading and humiliating sexual comments; and engaging in sexually intimidating and offensive behaviour.

Some complainants also spoke about a sexualised environment at ADFA during the late 1980s, which was exacerbated by the lack of privacy in the accommodation blocks, particularly the shared shower and toilet facilities.

Complainants reported that there was a culture at ADFA that was sexist and degrading towards female cadets. Many complainants stated that they experienced repeated instances of sexual harassment as part of a campaign by male cadets 'to make life difficult for their female colleagues'.¹³¹ One cadet stated:

I was repeatedly harassed because of my gender and was subjected to sexual acts and discussion which often made me feel uncomfortable and threatened.¹³²

One complainant specifically reported:

Male cadets regularly fondled their genitals in the common room and in full view of all attendees in the room. Male cadets regularly discussed their sexual activities, and this included detailed descriptions of their genitals. By way of example a male cadet told of defecating on a female civilian the night before in his ADFA room.¹³³

Another complainant recalled that on some occasions female cadets were sitting in the recreation room when:

[Male cadets] would grab their erections underneath their clothing and hold them out in front of female [cadets'] faces.¹³⁴

"I was repeatedly harassed because of my gender and was subjected to sexual acts and discussion which often made me feel uncomfortable and threatened."

Complainants also reported that they were subjected to vulgar and degrading sexual comments and gestures. One complainant stated that 'the men would then make lewd suggestions, asking the women to "lick their balls"'.¹³⁵ The Taskforce also heard that female cadets were often the subject of untrue rumours about supposed promiscuity.¹³⁶ One complainant stated that after she had been sexually assaulted other cadets gossiped about her:

[O]ther cadets believed that I had "fratted" with [the alleged abuser] and therefore I became known and bullied for being a "Fratter".¹³⁷

One former cadet also reported being ordered by third year cadets on multiple occasions to 'salute' pornographic movies and being forced to watch acts of oral sex. She stated:

This occurred on more than one occasion and included being forced to watch oral sex acts. I had only limited experience with the opposite sex and this experience continued to traumatise me for many years into the future. The non compliance with the order would have resulted in further harassment and punishment.¹³⁸

The same complainant also reported that pornographic material was displayed in the common room in full view which made many female cadets uncomfortable:

The Common Recreation space was decorated with pornographic material. This was x rated material and was plastered over the main wall—this was in full view of all staff, cadets, and visitors. No move was ever made to remove this material. This made use of the common room by the female cadets extremely uncomfortable and I avoided the room as much as possible.¹³⁹

In one case, a staff member made sexually suggestive comments and taunts towards a female cadet.¹⁴⁰

In many cases, complaints of sexual abuse may have included elements that could have been categorised as sexual harassment. For example, one complainant described the following experience:

On one occasion I walked into the [...] Rec Room and a group of male cadets all had their penises out seeing who could make certain shapes and calling out to demonstrate what they had done; there was also the procedure of "turkey slapping" where a male cadet would try to sneak up behind a female sitting down and try to "slap" her on the forehead with his penis, or a group would pin someone down to give them a turkey slapping. There is no other place of employment in the world where these things would be considered acceptable workplace behaviour.¹⁴¹

3.5 Physical abuse

In the context of the Taskforce, physical abuse includes, but is not limited to, incidents where, without the consent of the person, an individual or group, either directly or indirectly:

- punches, strikes, kicks, touches, or spits on the person;
- restrains or moves the person;
- deprives the person of their liberty or takes the person hostage;
- applies force to the person;
- forcefully interferes with the person's clothing (while it is on the person);
- orders a person to undertake an activity that is contrary to a medical restriction;
- drugs the person;
- threatens physical violence to the person;
- causes the person to apprehend that they will be subjected to physical violence;
- engages in harsh or excessive disciplinary practices that do not have a nexus to a training or educational exercise and which cause physical injury;
- unreasonably fails to provide or allow access to medical assistance; and
- engages in hazing/initiation of the person (for example, pressuring/forcing the person to consume things such as food that has gone off, faeces or excessive amounts of alcohol).¹⁴²

As at 2 October 2014, the Taskforce had assessed 50 complaints as containing in scope and plausible allegations of abuse at ADFA. Of these, 20 complaints involved allegations of physical abuse at ADFA. All 20 complainants who reported experiencing physical abuse were cadets at ADFA at the time the abuse occurred. This included:

- 15 complainants who reported physical abuse by other cadets;
- four complainants who reported physical abuse by staff members; and
- one further complainant who reported physical abuse by both other cadets and by staff.

Complainants experienced three main forms of physical abuse at ADFA:

- physical abuse of a general nature (often involving direct physical violence);
- threats of physical violence; and
- an unreasonable failure to allow or provide access to medical assistance and/or ordered activity contrary to medical restrictions.

Complainants who experienced physical abuse told the Taskforce about suffering a range of impacts as a result, including bruising, burns, exacerbation of existing injuries or conditions, and fear and humiliation. In some cases, these included more long lasting psychological impacts. These impacts are discussed in section 7.

(a) General physical abuse

All first years in my Division were relentlessly harassed and abused by the third year cadets [...] First year female cadets in my corridor were responsible for cleaning the male living spaces in the adjoining corridor—these were senior cadets in

“First year female cadets in my corridor were responsible for cleaning the male living spaces in the adjoining corridor these were senior cadets in my division/squadron. On several occasions, if I had not finished this in time and was still cleaning the toilet when the senior male cadets returned from the bar at night, they would urinate on me as though I was not even there.”

my division/squadron. On several occasions, if I had not finished this in time and was still cleaning the toilet when the senior male cadets returned from the bar at night, they would urinate on me as though I was not even there. I had one incident where I was cleaning the shower and was urinated on because someone else was using the toilet and the third year cadet did not want to wait.¹⁴³

Thirteen complainants, all of whom were former cadets, reported that they experienced physical abuse of a general nature, often involving isolated physical assaults.¹⁴⁴ This took a number of forms, including being held and punched,¹⁴⁵ jumped on,¹⁴⁶ thrown,¹⁴⁷ hit with objects,¹⁴⁸ or blasted with a fire hose.¹⁴⁹ General physical abuse also included being urinated on,¹⁵⁰ locked up,¹⁵¹ forced to carry heavy loads,¹⁵² and forced to consume alcohol or other substances.¹⁵³

Complainants frequently reported that incidents of general physical abuse took place within a broader context of ongoing harassment and bullying by more senior cadets at ADFA. Most of these complaints related to the period between the late 1980s to the mid 1990s, when there was a cadet hierarchy at ADFA (discussed further in section 3.6 and section 6). One complainant also reported being the target of physical abuse by a staff member.¹⁵⁴

The different types of physical abuse experienced by junior cadets in the context of ongoing harassment and bullying are well illustrated by the following example. This complainant reported that in his early years at ADFA he was subjected to serious physical abuse after he stood up to bullying by more senior cadets:

On occasion, I did fight back, to my personal cost. Some of the things I experienced include[d] being threatened with a plugged in iron. It was late and I woke with three or four people in my room. They had been drinking. An iron had been plugged in and lots of threats were being shouted. I was determined not to give in and fought back, eventually forcing them out of my room. [I was] pinned against a wall while someone vomited on me. [I had] an unloaded rifle fired at me. [I was] threatened with electrocution while in the shower. [I was] pushed out the window. [I had] my hand held over a gas lighter to see how long I could endure the pain. I received bad burns.¹⁵⁵

Another complainant told the Taskforce that senior cadets would ask first year cadets questions and punish them if they gave the wrong answer, including by throwing objects at them:

On one occasion a basketball was used, being thrown closer and closer. The ball eventually hit me in the face and I thought it had broken my nose, the pain was so terrible. This was a blatant bully tactic used to remind first year cadets of the control third year cadets had over them.¹⁵⁶

In another example, a complainant stated that he was the target of bullying and physical abuse by other cadets from the same year, which was instigated by a senior cadet:

I was physically assaulted, bastardised, harassed, bullied and degraded at ADFA ... [One cadet] decided one night to jump me and initiated a "stacks on". This is where a pile of Cadets jumped on top of me forcing me to the ground. Unfortunately, this resulted in my left knee dislocating at a 90 degree angle and a complete patella dislocation. I was hospitalised for the injury.¹⁵⁷

Some complainants reported that they were subjected to physical abuse involving degrading and humiliating conduct, particularly during their first year at ADFA. For example, one complainant was made to clean senior cadets' toilets while they were urinating and was urinated on as a result, while another was urinated on while cleaning the shower.¹⁵⁸ Another complainant stated that other cadets broke into his room and poured 'foul concoctions' over him.¹⁵⁹

One complainant was locked in a cupboard and forced to squat and make animal noises before she was let out.¹⁶⁰ The Taskforce was told of another incident in which several cadets tried to force a complainant to eat dog biscuits as a 'punishment', while others watched.¹⁶¹

Other complainants reported being subjected to physical abuse in addition to hazing or initiation practices. For example, one complainant described an incident in which he was subjected to woofing by a group of male cadets, and also subjected to violent bashing where male cadets entered his room, dragged him out of bed, held him against the wall and punched him, as they went through his room.¹⁶²

Furthermore, the Taskforce was told that more senior cadets would pressure younger cadets to consume alcohol in excessive amounts. One complainant told the Taskforce:

I was exposed to a culture of excessive drinking and was expected to drink to excess. I was forced to drink alcohol and on more than one occasion at official functions I was seated in a position where I was surrounded by senior cadets and forced to drink resulting in blackouts and memory loss. I was also forced to drink alcohol in the accommodation area during night time suppers.¹⁶³

Several women reported that they experienced violent conduct by male cadets. Some of these incidents occurred in the context of ongoing harassment and bullying, while others appeared to be isolated incidents. For example, one complainant described the following experience when she was suddenly attacked without reason by a male cadet:

[He] physically assaulted me, threw me against a wall, then on the ground and proceeded to attempt to punch me around my head. Two other cadets [...] pulled him off me. The incident happened after some verbal bantering between [the cadet] and myself, but for some reason [he] “snapped” and the physical attack occurred.¹⁶⁴

“[He] physically assaulted me, threw me against a wall, then on the ground and proceeded to attempt to punch me around my head.”

Other female complainants reported that they were picked up and thrown by one, or sometimes more male cadets against a wall, onto the ground, or into a shower.¹⁶⁵ One female complainant reported that she had heard of other cadets being hung out windows, and that she herself had been held over the stairs by male cadets while she was sitting in a chair, which was ‘meant to be in fun’.¹⁶⁶ As discussed in section 3.3 above, apart from these incidents of physical abuse, some complainants also experienced sexual abuse accompanied by a disturbing level of physical violence, or reported that they were subsequently threatened with harm.¹⁶⁷

Other female complainants stated that although they were not physically punched or hit in any way, they and other female cadets were subjected to other kinds of physical abuse which on occasion caused bruising or other injuries:

They did things like wet T-shirt competitions where they’d spray us with a fire hose, which caused bruising. Like, you’d be walking past in your PT clothes and they’d just squirt you with a fire hose and shout out, “Wet T-shirt competition”, and they’d all scream and run around like idiots. And you’d end up with bruises from a close-range fire hose on you.¹⁶⁸

Another complainant stated that while she was on a training exercise, a senior male cadet deliberately gave her excessively heavy loads to carry, which caused her to suffer pain and injury:

During physical activities and training, I was often made to carry inappropriately heavy loads, often such that other male cadets carried far less. [On one such occasion] the force of [the load] crushed my back, causing incredible [pain]. I said nothing at the time, because when girls complained of injuries they were belittled and treated as though they were faking them. I was in constant pain for the rest of the exercise, which continued after I returned to ADFA.¹⁶⁹

“I said nothing at the time, because when girls complained of injuries they were belittled and treated as though they were faking them.”

(b) Threats of physical violence

[He] was walking up and down the corridors banging on doors and walls threatening that if we didn’t come out, he would find us and kill us. He was yelling and swearing, saying that he would “Fucking beat us” as soon as he found us. We hid in one of our rooms and called another Officer Cadet in the Division to see if they could help us. We were terrified, as [the male cadet] was considerably larger than both of us and could easily have caused

us a great deal of harm if he found us. We continued to hide for about half an hour, refusing to leave the room. He continued to stay in the section yelling, saying that he would wait for us to come out, and that he would kill us when we did.¹⁷⁰

“[He] was walking up and down the corridors banging on doors and walls threatening that if we didn’t come out, he would find us and kill us. He was yelling and swearing, saying that he would ‘Fucking beat us’ as soon as he found us.”

In addition to the general physical abuse which was experienced by complainants, five complainants reported that they experienced threats of physical violence. Some complainants, who were at ADFA in the 1980s, reported that they experienced threats which caused them to fear for their physical safety as part of ongoing harassment and bullying by more senior cadets. For example, as noted in the general physical abuse section above, one complainant stated that a group of cadets threatened him with an iron on one occasion and on another occasion threatened to electrocute him in the shower.¹⁷¹ Another complainant stated that cadets invaded his room at night and threatened him while he was sleeping.¹⁷²

Other complainants reported experiencing threats of violence when they were cadets at ADFA in the mid to late 2000s. This included more than one instance of complainants being subjected to death threats,¹⁷³ and an example of two female cadets being subjected to threatening and aggressive behaviour by a male cadet.¹⁷⁴

(c) Physical abuse related to illness or injury

I participated in a training exercise on [an] obstacle course which resulted in a broken elbow after falling [...] I experienced severe pain [...] When I reported the situation I was yelled at to keep going, had to undertake Monkey bars (suspending my weight from my arms) and other climbing exercises. Was too scared to complain further, however sought medical treatment afterwards. The broken elbow injury resulted in temporary unfitness for physical activities.¹⁷⁵

At least five complainants reported that staff members at ADFA unreasonably failed to provide them with, or allow them access to, medical assistance in circumstances assessed by the Taskforce to amount to physical abuse. Some of these complainants also reported that staff members ordered them to undertake activities when they were under medical restrictions which risked exacerbating their condition or injuries or causing further injuries. For example, one complainant stated that while undertaking a training exercise she reported a neck injury to a staff member but was told that she had to continue with the exercise:

I reported to [the staff member] that I had hurt my neck immediately after the exercise but was told to get dressed and continue with the exercise. Despite also mentioning to both [the staff member and another staff member] on the day it happened and again reporting the next morning that I had vomit[ed] during the night, I was told by them that I was dehydrated and to have some aspirin and denied medical access until 2 days later when I went to the Duntroon Hospital.¹⁷⁶

The complainant stated that subsequently, she felt dizzy during an activity involving climbing high ropes due to this neck injury, however, the same staff member was again dismissive of the injury:

She indicated that I looked completely fine and instead was attempting to get out of the exercise as I was fearful of heights [...] I remember being very distressed at the fact I was in such pain and was not given any medical assistance other than given aspirin. I felt pressured into doing the exercise even though I was not up to it.¹⁷⁷

Another complainant stated that a medical staff member did not believe her when she became unwell during a function at ADFA and had to be assisted by a friend to attend the medical centre:

Once I arrived at the medical centre the staff accused me of being drunk and discussed simply sending me back to my room. (Even if I had been drinking the policy at the academy was for drunken cadets to be admitted to CAMU-D overnight). I tried to explain the situation however by this point I was barely conscious and I remember

being yelled at to pay attention to the instruction she was giving and to stand up. When I could not comply the nurse on duty simply dragged me out of my chair and expected me to walk. When I once again collapsed on the floor she returned to demanding that I follow her orders. At this point I attempted to explain that I was not drunk nor “putting it on” and I was in fact incapable of following her instruction.¹⁷⁸

A further complainant reported being instructed by a physical training instructor to lift a truck tyre, although the complainant was on a medical restriction to undertake physical training ‘at own pace’. This resulted in the complainant experiencing severe pain and cramping.¹⁷⁹ Another complainant reported the following incident:

I attended PT training with my division and whilst I was on restrictions that included “Walking at own pace” I was made to participate and keep up with my division in a forced march. This caused my health to deteriorate for days following this incident. Whilst discussing my participation with our PTI he threatened to charge me with insubordination.¹⁸⁰

3.6 Harassment and bullying

In the context of the Taskforce, harassment includes offensive, belittling or threatening behaviour towards an individual or a group. Bullying is a form of harassment and involves repeated behaviour that a reasonable person would consider to be humiliating, intimidating, threatening or demeaning. Bullying can also include abusive group behaviour or ‘ganging up’ against one or more individuals.

Harassment and bullying can take many forms, including, for example:

- physical behaviour, such as intimidating or aggressive body language;
- verbal or written abuse;
- harsh or excessive disciplinary practices that do not have a nexus to a training or educational exercise;
- behaviour or language that threatens, frightens, humiliates or degrades—shouting and screaming, tone of voice, sarcasm and insults, whether face-to-face, in emails, or in graffiti;
- initiation practices or pranks;
- interfering with a person’s personal property or work equipment;
- inappropriate and unfair application of work policies and rules—involving, for example, performance management or access to leave; and
- subtle patterns of behaviour such as:
 - ostracism—isolating or excluding a person or group;
 - undermining—persistent and baseless criticism, unwarranted removal of responsibility, ridicule, taunts, spreading rumours or making inappropriate remarks; and/or
 - sabotage—giving meaningless tasks, confusing and/or contradictory instructions, inappropriately and frequently changing targets and work deadlines, deliberately withholding important information, insisting on petty work requirements.

In some cases harassment and bullying may also constitute physical abuse, for example, where it includes unwelcome physical contact, threats of violence or, in some circumstances, where physical injury results. Some harassment and bullying may also constitute sexual abuse or sexual harassment, for example, in the case of hazing/initiation practices which have a sexual element, target the genital area or are otherwise sexually degrading.

As at 2 October 2014, the Taskforce had assessed 50 complaints as containing in scope and plausible allegations of abuse at ADFA. Of these, 35 complaints involved allegations of harassment and bullying at AFDA. Of the 35 complainants who reported experiencing harassment and bullying, the vast majority were cadets at ADFA at the time the abuse occurred (34 complainants). Only one complainant reported experiencing harassment and bullying while serving as a staff member at ADFA. Of the complainants who reported being subjected to harassment and bullying at ADFA:

- 19 complainants reported harassment and bullying by other cadets, particularly cadets from more senior years;
- eight complainants reported harassment and bullying by staff members (in most of these cases the alleged abusers were staff members based at ADFA, however, in a small number of cases, they were staff members or more senior ranking members of Defence at other locations where ADFA cadets were undertaking Single Service Training, or at Canberra Area Medical Unit—Duntroon (CAMU-D), the nearby Defence medical centre which provided medical services to ADFA); and
- a further eight complainants reported harassment and bullying by both other cadets and by staff members.

Complaints of harassment and bullying related to the entire period of ADFA's operation, from 1986 up until 2011.

Harassment and bullying was reported most frequently by female cadets and cadets in their first year of training at ADFA, and was most often perpetrated by more senior cadets. Complainants often highlighted the existence of an environment of widespread harassment and bullying within the cadet body at ADFA.

It is notable that between the late 1980s and late 1990s, complainants experienced harassment and bullying by third year cadets within the cadet hierarchy which existed during that time.¹⁸¹ Also during this period, female cadets reported experiencing campaigns of anti-female harassment and bullying by male cadets, aimed at driving them out of ADFA. Complaints of harassment and bullying by staff members related to various years throughout the 1990s and 2000s.

Complainants who experienced harassment and bullying, particularly where this was part of an ongoing course of conduct, told the Taskforce about suffering a range of impacts as a result, including fear, loss of self-confidence, and being unable to perform effectively in their studies, training or work. In some cases, these included more long lasting psychological impacts. These impacts are discussed in section 7.

Harassment and bullying experienced by complainants ranged from low-level but persistent behaviour, to more overt or extreme bullying and intimidation. The most common forms of bullying and harassment reported by complainants included:

- verbal or written abuse and intimidation;
- interference with personal property or bishing;
- unreasonable tasks and demands;
- unreasonable training or disciplinary practices; and
- other forms of harassment and bullying (such as being ostracised, excluded or victimised for reporting abuse).

In some cases, harassment and bullying extended to instances of physical abuse or sexual abuse, as discussed earlier in this section.

"I was screamed at 'Don't you ever look at any of us in the eye! Don't you ever speak until you are spoken to! You are a nothing!' The yelling continued in this light and I was speechless. Eventually he walked out and shut the door."

(a) Verbal abuse and intimidation

About 30 minutes after my arrival there was a knock on my door. I opened the door immediately and greeted the more senior officer cadet with a smile [...] I was shocked that he stepped into the room yelling very loudly at me. I was screamed at "Don't you ever look at any of us in the eye! Don't you ever speak until you are spoken to!" You are a nothing!" The yelling continued in this light and I was speechless. Eventually he walked out and shut the door.¹⁸²

A significant majority of complaints of harassment and bullying involved some form of verbal abuse and/or intimidation. At least 29 complainants reported experiencing harassment and bullying in the form of verbal abuse and intimidating words or behaviour by other cadets or by staff members.

The conduct reported by complainants included offensive, snide or disparaging comments,¹⁸³ 'vilification',¹⁸⁴ 'badgering',¹⁸⁵ derogatory remarks, racist taunts or sexual slurs,¹⁸⁶ being called nasty nicknames,¹⁸⁷ being laughed at,¹⁸⁸ being verbally abused, humiliated or ridiculed in front of other cadets,¹⁸⁹ being screamed or yelled at and berated,¹⁹⁰ having rumours spread about their sexual activities, promiscuity, sexuality or mental health,¹⁹¹ and receiving abusive notes or hate mail.¹⁹²

Complainants told the Taskforce that they were subjected to verbal abuse and intimidation for a range of reasons. In many cases, complainants reported that they were targets of verbal abuse or intimidation because of certain factors which marked them as 'different'. Complainants commonly reported this conduct occurring in the following contexts:

- verbal abuse and intimidation of junior cadets by more senior cadets;
- verbal abuse and intimidation of female cadets within the male-dominated environment at ADFA;
- verbal abuse and intimidation based on a person's appearance, perceived race or religion or other personal characteristics;
- verbal abuse and intimidation of cadets following illness or injury; and
- verbal abuse and intimidation by staff members.

(i) Verbal abuse and intimidation by more senior cadets

Most frequently, complainants reported that they were subjected to verbal abuse and intimidation by more senior cadets. Complainants from the late 1980s and early 1990s stated that this was a common experience for most cadets in their first year of joining ADFA:

All first years in my Division were relentlessly harassed and abused by the third year cadets [...] There was also a lot of psychological abuse [...] [W]hen I came back [after a relative's funeral] the senior cadets made me stand to attention in the rec room and verbally abused me saying things like "you're weak" and "your [relative] was a slut".¹⁹³

One complainant stated that he remembered occasions when he was 'summoned to the common room at any time of day or night, often when the senior cadets had been drinking, and being verbally abused, shouted at and humiliated'.¹⁹⁴ Another complainant told that the Taskforce that she was screamed at by a senior cadet on her first day after arriving at her ADFA accommodation.¹⁹⁵

Several cadets reported that other cadets would wake them in the middle of the night shouting offensive or derogatory words. One complainant told the Taskforce about the following experience:

I was constantly spoken aggressively to by one Under Officer in my Division [...] One evening I was woken by yelling and banging on my door to let this known Under Officer in to my room at approximately 2 to 3am in the morning. It was evident in his voice that he was intoxicated and he repeatedly demanded that I open the door whilst he banged on the door with his fists. He yelled "[...] open the door, you must let me in" "Open the door now I order you". I was terrified. I called back "Go away, I am not opening the door". The yelling and banging continued and he yelled statements such as "Open the door now, you must do what I say". I was very fearful of what a drunk man [...] would want from a 17 year old female at this time of night. I decided that for my own safety I would not let him in. I placed the linen over me head and buried my face in the pillow to try to block out the noise. The aggression in his voice was frightening. He eventually gave up and walked away. The next morning [...] I was summonsed to a meeting with a selection of Under Officers [...] I was reprimanded for not obeying an Under Officer and was told that "No matter what the request was, I was to obey".¹⁹⁶

The complainant in this case told the Taskforce that she feared the 'drunk older' senior cadet may have been attempting to enter her room to sexually assault her.¹⁹⁷ In some other cases, complainants also reported that they were the target of threatening or aggressive language and behaviour by other cadets, causing them to feel intimidated and fearful of their physical safety. Threats of physical violence are discussed further in section 3.5(b) above.

Being the target of ongoing verbal abuse, derogatory or intimidating language by more senior cadets had a significant effect on many complainants. One complainant who was subjected to taunts and verbal abuse on a daily basis stated: 'I felt so insecure and that at any moment they could hurt me',¹⁹⁸ while another complainant stated:

[T]here was a continued and escalating program of harassment designed to drive me to breaking point and to ultimately quit.¹⁹⁹

(ii) Verbal abuse and intimidation of female cadets

The Taskforce received several complaints from women who were cadets in the first five years of ADFA's operation, when women formed a significant minority of the cadet population. Each of these complainants said that they experienced and witnessed examples of sexist attitudes and hostile language and behaviour by male cadets towards females. One complainant told the Taskforce that she 'battled anti-female attitudes and comments on a daily basis with little or no respite'.²⁰⁰ Another complainant stated:

[A]ll girls were Squids. There wasn't a single girl there that they didn't call a Squid. It was just the general term for girls at ADFA.²⁰¹

One complainant explained that the term 'squid' was used as a derogatory term for women at ADFA, meaning 'cannot get anywhere without opening its legs'.²⁰² One complainant told the Taskforce about an occasion when she was frightened by a group of male cadets who broke into her room while she was sleeping:

I remember waking up one night and there was a whole group of them in my room going, "Oh, the Squid's asleep. Oh, the Squid's asleep. Get out of bed".²⁰³

Another told the Taskforce that male cadets would shout out insults, sit behind her in lectures and 'throw spit balls' or make 'pig noises' as she would walk past:

[One male cadet] just used to, like, make pig noises when I walked past, and call out Squid and, sort of, insult me, saying I'd slept with people [...] [T]hey would say things about females who were there, but he particularly used to just insult me verbally, mostly making pig squealing noises. [...] You were a Scaling Squid if you had an injury [...] They had lots of insulting terms for women [...] that pig noise was some part of—we were supposed to all be wild pigs or something.²⁰⁴

The Taskforce was also told that male cadets would try to bully young female cadets to leave so they could create an all male or 'Stag Division':

At the commencement of my first year the female cadets were addressed by the 3rd year male cadets and informed that [the] Division was a "Stag Division" and females were not welcome or wanted. Further it was stated that the objective of the third year male cadets would be to ensure that no females graduated from the Division. The first year male cadets were "ordered"... to make life difficult for their female colleagues and that their goal was to ensure that there would be no first female cadets left by the end of first year.²⁰⁵

One complainant referred to a 'pack mentality' that quickly developed amongst the male cadets, as these attitudes filtered down from the seniors to the more junior male cadets:

Because of the perceived lack of action from staff the Division turned into a boys' club. There was a real pack mentality and the stronger senior cadets would harass and bully the females—as well as the younger and weaker male cadets. They had a goal that they would force all females out of the 'corps'

"There was a real pack mentality and the stronger senior cadets would harass and bully the females—as well as the younger and weaker male cadets. They had a goal that they would force all females out of the 'corps' by the end of third year and had a mantra that they'd chant over and over 'squid free by RMC'—squid being an extremely derogatory term for the females."

by the end of third year and had a mantra that they'd chant over and over "squid free by RMC"—squid being an extremely derogatory term for the females and 'RMC' representing the fourth year when the Army cadets would leave ADFA and go across to RMC to complete their training.²⁰⁶

In some cases, complainants reported that they were fearful of leaving their rooms due to the constant verbal abuse and intimidation they experienced.

I clearly recall being afraid to leave my assigned room due to the verbal abuse that was constantly yelled at me from all accommodation blocks at ADFA. On many occasions, if I needed to 'march', as we were not allowed, as first years, to 'walk' anywhere- we had to 'march', to get to another area of the complex, I received a barrage of abuse. I was frequently publicly called 'bushpig', 'slut', 'whore', and 'bitch'. I would attempt to save my errands until absolutely necessary to avoid the insults that came from male cadets who were not in my section [...] I was physically ill from fear and emotional hurt.²⁰⁷

One complainant was subjected to ongoing harassment and bullying by a cadet who would constantly shout insults and abuse at her, and told the Taskforce about being too scared to leave her room for fear of running into the alleged abuser:

I never went to meals because I was too scared to leave [...] And I didn't go to church when I was there because I was too scared because the one time I did, [the alleged abuser] was there and kept abusing me as I left the chapel, so I was too scared to go over there any more.²⁰⁸

Even after the number of female cadets at ADFA increased over subsequent years, many complainants were subjected to abusive and sexist language directed towards women. Examples were provided from the 1990s and 2000s of numerous and often repeated instances of female cadets being called terms such as 'whore', 'slut face' and 'bitch'.²⁰⁹ One complainant reported being told by another cadet: "'hey you're a whore. How many abortions have you had? Good thing [Defence] gives you free medical'".²¹⁰

A significant number of former female cadets also reported unwelcome sexual comments directed towards them by male cadets and being the subject of rumours about their sexual activities or sexuality. This is discussed further in section 3.4 above on sexual harassment.

(iii) Verbal abuse and intimidation on the basis of personal characteristics

Both male and female complainants also reported being the target of abusive comments by other cadets on account of their physical appearance. One complainant told the Taskforce that within her first few months at ADFA, she and other female cadets were given a lecture by female third year cadets that they were 'fat and disgusting', that they 'needed to lose weight' and 'were an embarrassment to the Corps'. The same complainant reported that there were 'No Fat Chicks' stickers put around the place at ADFA.²¹¹

Complainants reported that male cadets were also subjected to disparaging or demeaning comments about their appearance or stature or called 'weaklings'.²¹² One complainant said 'I was verbally abused and belittled in relation to my ability and anything else [the senior cadets] wished to make reference to'.²¹³ Another complainant told the Taskforce:

I joined ADFA as a 17 year old who was very skinny [...] with chicken legs and braces. During my 1st year at ADFA, particularly the first 6 weeks, I was regularly singled out while on parade by the 3rd year cadets and teased/ bastardised about my appearance in front of large groups of people. I was often called cabin boy, nail (as with my wide brim hat I looked like a nail as I was so skinny), sunflower (for the same reason), mouth (because of my teeth) and told I had a face only a mother could love. This continued daily for a prolonged period.²¹⁴

Some complainants experienced name-calling or derogatory comments about their perceived race, such as a complainant who was called a 'Nazi'²¹⁵, and another who was called a 'fucked up Asian' because of their injuries.²¹⁶

(iv) Verbal abuse and intimidation following illness or injury

[My Divisional Officer instructed me] to attend an interview with him. At the interview, he wanted to discuss my medical restrictions. I was left in no doubt that he did not accept the advice of the medical staff, nor the genuine nature of my illness and symptoms. I remember clearly his advice to me to participate in and complete a challenge. He told me to 'suck it up and just do it'. I was actually not at all surprised, as he had said similar things previously, but I will never forget them.²¹⁷

A significant number of both male and female complainants reported harassment and bullying in the form of derogatory comments about their medical condition or injuries. Complainants told the Taskforce that they were called names such as 'squeezer', 'chitter', 'malingerer' or 'gimp';²¹⁸ received negative comments about being 'below standard', or were otherwise teased or harassed because they were absent or unable to participate in physical training, drill, sports or other exercises or aspects of their studies due to a medical condition or injury.

One complainant reported that he endured sustained 'harassment, abuse and bullying' over two and half years by both cadets from his own year and more senior cadets because of his injuries:

[Senior cadets] in the year above routinely taunted, humiliated, bullied, verbally abused and would use any opportunity to point me out as a "squeezer" or "squid" (a derogatory term banned at ADFA used to describe women) and torment me in front of other class mates or Division members. For the entire year I was forced to avoid the use of common spaces, like the recreation room in our Division, or computer room, as if they saw me in there, they would automatically start to harass me.²¹⁹

Another complainant said that cadets would 'bang on [her] door at all hours of the day and night' and yell 'squeezer' at her.²²⁰ A further complainant reported that after she was injured during training, she was accused of 'malingering':

After the activities, other trainee officers would belittle us, express their unqualified medical opinions about our medical conditions and start the name calling. I often heard ADFA staff and cadets make statements that "doesn't matter if she's shit, she'll pass because of tit-assist". This was a reference that the military needed to employ a certain number of females to please the Australian public.²²¹

(v) Verbal abuse and intimidation by staff members

Fourteen complainants reported that during their time as cadets they were subjected to verbal abuse and intimidation by staff members. In several cases, the staff member was a member of the complainant's divisional staff at ADFA. For example, one complainant observed:

I was severely targeted by my Divisional Officer who was directly in charge of me. Especially as now an older and more experienced person, I can see quite clearly that I was the subject to a very personalised and ongoing attack [...] From very early on, I would say just after the first week, my divisional officer took a disliking to me and I could feel it. [My Divisional Officer] made things very hard for me and [...] I felt very alone and helpless [...] [The harassment and bullying] continued throughout the coming months and I constantly found myself being verbally abused by [my Divisional Officer] whenever other people were not present, but [this] poor treatment of me was evident to the other cadets.²²²

One complainant also reported fearing for their safety because they were being harassed by a more senior ranking member of Defence who was attending ADFA. Although this person was not a staff member, the complainant feared that the alleged abuser would use their rank to further abuse the complainant.²²³

"After the activities, other trainee officers would belittle us, express their unqualified medical opinions about our medical conditions and start the name calling. I often heard ADFA staff and cadets make statements that 'doesn't matter if she's shit, she'll pass because of tit-assist'. This was a reference that the military needed to employ a certain number of females to please the Australian public."

Some complainants also reported that they were verbally abused, threatened and intimidated by supervising staff members at other locations outside ADFA while undertaking Single Service Training:

We were effectively shunted around to be “counselled” (mostly yelled at) by any directing staff [...] that had an inclination at the time. We were kept in a constant state of fear and anxiety. More than 10 plus instructors of all ranks would have threatened us with discipline offences up to discharge over that short period.²²⁴

One complainant reported being ordered to kill an animal during survival training, and when the complainant refused she was demeaned by staff members in front of others. The complainant reported that these staff members continued to harass her about her unsuitability for Defence after the incident.²²⁵

Another complainant described the following encounter with a staff member she had not previously met while on a training exercise:

I was pulled aside by [the staff member], a man who I had never met before nor had any direct dealings with and verbally abused by him telling me that I had an attitude problem, and that I was a great disappointment to [a relative] who he thought he knew within Defence. He also implied I was most unsuitable for [Defence] and stood out. This upset me very much and I broke down crying afterwards due to the particular nastiness in which he addressed me. He called me all sorts of horrible things then made me address him by rank [and] reply “Yes Sir” to understanding that I was an embarrassment to [my relative].²²⁶

Another complainant described his experience of being verbally abused and intimidated by staff members, after accusations were made against him, however, he was not told what he was supposed to have done:

[M]embers of the directing staff spoke to us, usually to reinforce the earlier threats [...] such as “your careers are over”, “you’ll have a black mark against you forever”, “you’ll swing for this”. This continued throughout the afternoon and into the evening. Any time we asked what was going on we were treated as being “smart arses” and intimidated from asking questions. [...] At this time I was extremely fearful from the intimidation I was subjected to by the directing staff.²²⁷

In some cases, complainants reported that they were verbally abused by staff members because of their medical condition or injuries. One complainant told the Taskforce about an occasion when she had collapsed during an exercise and was assisted by some of her fellow cadets. She stated that afterwards she was taken aside by a staff member:

[The staff member] told me once alone she did not believe that I had fainted but rather “faked” it because I was finding the exercise too difficult and created an “episode” to get out of it. I was a liar and that I did not belong at ADFA as I was a “malingerer”.²²⁸

The complainant told the Taskforce that following this incident, another staff member had stated in a report that the complainant was ‘using her femininity as an excuse to gain support or assistance’.²²⁹ Another complainant observed that staff members frequently ‘made ambiguous, vaguely joking comments suggesting annoyance and a belief that people could still do an activity, again making people feel like they should not report injury or illness’.²³⁰

A number of complainants who had ongoing medical issues during their time at ADFA, which impacted on their ability to participate in physical activities, reported that staff members tried to bully and intimidate them into resigning:

During [the] year I was constantly told there was nothing wrong with me by staff and other senior cadets, I was harassed, laughed at and bullied during sport, PT and drill because I couldn’t participate and my [health] worsened under this added bullying. Towards the end of the year I was spoken to directly by [the OC] and told that I should leave ADFA because I was unable to pass any of the assessments for second year that involved physical activity.²³¹

One complainant told that Taskforce that she was called into a meeting in which she was threatened with disciplinary action if she did not resign:

At the conclusion of [the meeting regarding discharge] I was shaken and emotionally distraught. Upon returning to my division, my divisional staff requested a meeting in the divisional NCO office, and proceeded to degrade me

for having a witness present at the meeting and how it was a further testament to how “unprofessional” I was and further proof that I was just a “malinger” as I had to have someone to “hold my hand” even though it was a right of mine [...] [to have a support person] present.²³²

(b) Interference with personal property or bishing

[T]hey come in and trash your room and spray stuff all over it and tip all your drawers out and, yep, basically, kind of vandalise your own property, or they could do it to you. [R]ubbish bins tipped out of windows on top of me, stuff like that. [T]hey trashed my room a few times and took some of my stuff—some of my clothes, ah, pretty juvenile stuff. They tipped up my pot plants. Oh, killed my goldfish, put a safety pin through its tail.²³³

At least 11 complainants reported that they experienced bullying by other cadets in the form of interference with their personal property, often involving other cadets breaking into and vandalising their rooms (known as bishing). Almost all complaints of bishing occurred during the late 1980s, with a few occurring during the 1990s.

In many cases, complainants stated that other cadets would carry out such acts with the intention that the person whose property was vandalised would subsequently fail their room, equipment or uniform inspections and would be punished as a result. One complainant told the Taskforce that he was ‘systematically bullied and abused’ over three years, and that other cadets who were his peers and senior cadets would ‘continually try to “bish” him out of ADFA. He reported that they repeatedly bished his room by knocking out the panel above his door and throwing cocoa, talcum powder or substances such as semen or rotten milk around his room, by throwing everything out of his room, or by stealing items of his uniform so he would not pass inspections.²³⁴

Another complainant described his experience of being bished as follows:

I opened my room door to find a “wheely bin” had been balanced up against my door. As I opened the door, tens of litres of water (I guess a half full bin) emptied into the carpet of my room as the bin fell into my room.²³⁵

One complainant told the Taskforce that she and other female cadets would tie their door handles up so male cadets could not get into their rooms and disturb their property:

I think they were just trying to scare us a lot of the time. And there were all kinds of little things that really were unnecessary, like, when they did our inspections of our drawers and everything, if you folded your bras so that there was a bit of lace showing on the side, they’d throw out all our underwear and throw it down the corridor and, like, wave it all around in front of everyone and which is kind of insulting [...] just lots of degrading things.²³⁶

Another complainant reported that other cadets opened his mail and food parcels and broke into his room and took his possessions:

One night I came back to find that everything in my room had been moved outside and we had a full room inspection in three hours. Temperatures were freezing and I had to move everything back inside [...] I was made to wreck all my uniforms and would then have to clean and iron them again throughout the night; people would break into my room at night using a coat hanger. After six months this stopped as I took to sleeping with my bayonet next to me again throughout the night.²³⁷

Some complainants reported that they were bished a number of times, usually in the context of ongoing harassment and bullying. One complainant had been continuously taunted, humiliated and verbally abused by senior male cadets because of his medical restrictions, and told the Taskforce that he hid for fear of bishing by these cadets:

As I knew my birthday was coming and had suffered relentless abuse at the hands of two particular senior members, for the weekend before my birthday, I suspected they would be after me. So I actually bought food and drink, and literally locked and secured my window and door with further devices and blackened out my door and stayed in my room for the entire weekend. I kept very quiet and only came out at midnight for the toilet.²³⁸

(c) Unreasonable tasks and demands

One of our second years either moved from the division or left ADFA towards the end of our first year. [Another female cadet and I] were tasked to clean [his] room after he left. He was a complete pig and we were made to scrub his semen stains off the wall near his bed. Even now writing this the memory of [his] sticky and cracked yellow stains on the right hand wall near his bed make me feel diminished and nauseous.²³⁹

Thirteen complainants reported experiencing harassment and bullying in the form of being made to perform unreasonable or physically demanding tasks or chores, or accede to unreasonable demands. Almost all these cases related to harassment and bullying by more senior cadets in the late 1980s and 1990s when a cadet hierarchy existed at ADFA. Complainants frequently reported that they were given unreasonable tasks by senior cadets who were appointed to positions within the cadet hierarchy, and who were given a degree of authority to report on them or punish them.

Examples given by complainants included being made to drive around running errands or get food for senior cadets,²⁴⁰ being made to stand against a wall and answer obscure questions or be 'punished' for giving the wrong answer,²⁴¹ being repeatedly made to 'stand fast' on the way to the bathroom and have to ask permission to be excused,²⁴² having to 'lend' money to more senior cadets,²⁴³ and having to clean toilets ('bogging'),²⁴⁴ showers or common areas which were deliberately made dirty beforehand.

One complainant described how a certain senior cadet would deliberately make a mess in areas which the complainant was responsible for cleaning so that the complainant would be punished for failing inspections:

"One of our second years either moved from the division or left ADFA towards the end of our first year. [Another female cadet and I] were tasked to clean [his] room after he left. He was a complete pig and we were made to scrub his semen stains off the wall near his bed. Even now writing this the memory of [his] sticky and cracked yellow stains on the right hand wall near his bed make me feel diminished and nauseous."

Knowing it was my duty to keep that space clean, he regularly went out of his way to try to make the space filthy, as it would result in me having "extra training" (basically a punishment which would mean re-inspections and lead to denial of leave privileges—confinement to ADFA). He would also go to the bathroom and spit into the sink at night allowing it to harden overnight. I had to clean this every morning for months.²⁴⁵

Another complainant stated that senior cadets would give her 'an impossible number of tasks' to complete by sunrise the following day, such as spit polishing numerous pairs of boots or ironing. She stated that if she failed to complete these tasks she would be refused weekend leave and as such had to battle 'constant sleep deprivation'.²⁴⁶ Other complainants reported that senior cadets would deliberately and repeatedly fail complainants in their cleaning or room inspections, or would berate them for trivial infringements.²⁴⁷

One complainant told the Taskforce that such bullying tactics were used as a reminder to first years of the control that third year cadets had over them:

Frequently, whilst a first year cadet at ADFA, we were made to stand against a wall and were asked obscure, unanswerable questions. When we got the answer wrong, as we inevitably did, the senior male cadets would punish us. Punishments included being verbally abused and ridiculed, being forced to run to a monument a long way away to memorise the inscription on it, having toilet paper rolls thrown at us.²⁴⁸

Another complainant reported the following experience as a new cadet:

The new officer cadets were informed before entering the mess that we were not to start eating our meal until the Under Officer sat down at the head of the table and we were given a time that we needed to line up outside for our return to our rooms. We all had a meal positioned in front of us and we waited and waited until the seat, at the head of the table, was occupied by the Under Officer. He sat down when we had approximately one minute left to eat. This routine happened regularly [...] I was incredibly hungry in the evenings due to this bullying evening strategy employed by the Under Officer.²⁴⁹

(d) Unreasonable training or disciplinary practices

Our supervising and training officers were generally ex-cadets from abusive environments such as ADFA and Duntroon prior to reviews and reform in the late 1990s and therefore had a certain expectation/perception on what constituted unacceptable behaviour, and it sometimes felt like they cherished their position of power to act with impunity. Bullying tactics from staff members, e.g. could spot check rooms at any time (even searching personal belongings without suspicion), resulted in me being constantly vigilant, always worried I could get in trouble [...] for something any time. Most of these difficulties are associated with [a] controlled living arrangement which seemed like a prison without privacy or safe haven. This was ok for the initial period but to sustain this over several years was extremely difficult without feeling like a prisoner.²⁵⁰

“[E]veryone knew they were completely at the mercy of superiors who would find a way to charge or punish people who they found to be unpleasant.”

Nine complainants reported that they experienced harassment and bullying in the form of unreasonable training or disciplinary practices. In most of these cases, such unreasonable training or disciplinary practices were imposed by staff members, however occasionally, unreasonable punishments were imposed by more senior cadets.

In some cases, complainants stated that certain staff members believed an emphasis on discipline was a necessary part of military culture.²⁵¹ Complainants also reported incidents where staff members imposed warnings or punishments which were unfair or unreasonable in the circumstances. As one complainant stated:

[E]veryone knew they were completely at the mercy of superiors who would find a way to charge or punish people who they found to be unpleasant.²⁵²

Another complainant stated that while he was undertaking Single Service Training supervising staff members imposed extra duties on him and other cadets:

This involved hours of pointless tasks such as moving dozens of jerry cans back and forth across a section of dirt, and in my case, poking through the contents of portaloos to identify (and presumably remove) any rubbish.²⁵³

The Taskforce was told about an incident where a cadet on medical restrictions was made to participate in a forced march with the rest of the division and experienced deteriorated health as a result. When the cadet attempted to discuss this with the Physical Training Instructor, the cadet was threatened with a charge of insubordination.²⁵⁴ Another complainant reported that she was given an official warning when she was unable to perform to standard due to experiencing constant pain:

I tried so very hard to keep improving, despite the constant pain but [...] was called to the OC's office to receive an official warning [for] the behaviour I exhibited during the first six weeks when this all happened. I reported to his office firstly when he was not present and when I inquired about what I was summoned for I was told "because I was a pile of shit" by his [...] personal secretary.²⁵⁵

The Taskforce was also told about an incident during a physical training activity when cadets on medical restrictions were ordered to line up by staff members in front of the rest of their division:

Because of these restrictions, ADFA military staff believed that I was malingering and needed encouragement to stop exploiting medical for these exemptions. As a result, while the Division was undergoing intense physical activity, I (as well as other injured officers) were lined up in front of the Division so they could observe us "taking the easy road".²⁵⁶

In addition, several complainants reported that they were made to undergo physically demanding training practices or other physical activities while injured or otherwise under a medical restriction, and that in some cases this exacerbated their condition or caused them pain or further injury. This is discussed further in the physical abuse section above at 3.5.

The Taskforce was also told of some particularly serious abuses of power by senior cadets in imposing 'punishments' on junior cadets. In one case, the complainant reported that she was punished by more senior cadets for not 'obeying an order' when she had refused to allow an intoxicated senior cadet into her room in the middle of the night:

I was then told of the punishment I was to have which was to be marching around an oval for hours on a weekend with full army greens, pack, and rifle. The heat in Canberra at this time was at least in the high 30s. The heat was stifling and I was dehydrated. I had an excruciating headache from the sun. I was fearful of the unjust situation that was unfolding and I had nowhere to turn.²⁵⁷

(e) Other forms of harassment and bullying

Overall my time at ADFA was one of "isolation" and ostracisation. Mainly the bullying, abuse and harassment came from the Army class members. Their abuse and harassment was observed, but ignored by all around. Like most organisations, I feel, people keep quiet on such issues to avoid becoming a target themselves. This is even more so the case at ADFA; as to graduate you really needed a support network to get you through.²⁵⁸

At least nine complainants reported that they also experienced other forms of harassment and bullying, including ostracism, exclusion and victimisation in the form of being excluded from social events, being isolated from others, having others refuse to work with them or having others withhold work-related information.

As noted above, the Taskforce received one complaint by a former staff member at ADFA who reported experiencing harassment and bullying involving other staff members undermining the complainant's performance and abilities.²⁵⁹ However in all other cases, complainants reported that such conduct was perpetrated by other cadets when they were cadets at ADFA.

For example, one complainant stated that she became increasingly isolated from other cadets when she was bullied because she was on medical restrictions:

[My fellow] cadets formed the opinion that I was not sick and was simply faking my illness to get out of participating in training. Cadets would refuse to work with me and would actively work to make my time more difficult when ever possible. Other cadets would verbally point out all the reasons why they did not believe I was sick [...] This [led] me to withdraw from my division as frequently as possible so I would not have to face the constant barrage of accusations. As the military trains us to work through pain I attempted to carry on despite the struggle. Other cadets viewed this as proof that I was not sick.²⁶⁰

Other complainants similarly reported that they were ostracised by other cadets because they were seen to be 'different' in some way. One complainant said:

As time went on, I started feeling as if I was not accepted by the group, possibly because I stood out since I was unaware of some slang terms and cultural references. This was evidenced by not forming close bonds like others did, and becoming a target for ridicule.²⁶¹

Another complainant told the Taskforce that she did not drink alcohol and went to bed early on the weekends. She stated that this led to her being excluded from attending division meetings and that other cadets would spread rumours about her, and laugh and whisper about her within earshot.²⁶²

Complainants reported that cadets feared being ostracised themselves if they stood up to this bullying behaviour because of the pressure to conform to this culture of abuse against more junior cadets. One complainant reported that in her senior year she was subjected to bullying and physical abuse by other senior cadets because she was seen to be 'going easy on the first year cadets'.²⁶³

Several complainants told the Taskforce that when they did report abuse they were subsequently victimised by their fellow cadets because they were seen to be breaking the unwritten rule of 'not jacking on your mates' (not making a complaint about other cadets).²⁶⁴ For example, a complainant who had reported a sexual assault described the following experience:

Having made my report, I was then increasingly isolated by behaviour from ADFA Cadets, enduring snide and disparaging remarks for proceeding formally and "causing problems for other female Officers". This behaviour escalated my stress and impacted by my psychological wellbeing.²⁶⁵

Some complainants reported receiving unfair punishments from more senior cadets after they were seen to have reported abuse or 'jacked' on their peers, while others were even threatened with further abuse.²⁶⁶ For example, one complainant reported:

[M]y complaint got back to the senior cadets and I was told to shut my mouth. I was also bullied and threatened not to make another complaint.²⁶⁷

One complainant described the feeling of 'sustained persecution' from cadets from the same year as well as senior cadets after reporting an incident of abuse,²⁶⁸ while another said that the derogatory names and comments subsequently directed towards her made her feel 'worthless and guilty' for reporting.²⁶⁹

The existence of a culture which discouraged the reporting of abuse, and the victimisation of cadets who did report abuse, significantly contributed to under-reporting of abuse at ADFA. This is discussed in more detail in section 4.3.

"[M]y complaint got back to the senior cadets and I was told to shut my mouth. I was also bullied and threatened not to make another complaint."

4. Defence management of reports of abuse at ADFA

4.1 Taskforce approach to management of reports of abuse by Defence

One of the key questions the Taskforce has considered is how many individuals who experienced abuse at ADFA reported that abuse to Defence and whether reports of abuse were appropriately managed. Complainants have repeatedly told the Taskforce how important it is to them that complaints of abuse are well managed, and of the very significant impacts on them when their complaints of abuse were mismanaged by Defence.

The significance of this issue is reflected by the acknowledgement in the Defence Abuse Reparation Scheme Guidelines (the Guidelines) that 'mismanagement by Defence in relation to abuse is unacceptable';²⁷⁰ and the availability of a specific Reparation Payment of \$5000 if a complaint of abuse contains a plausible account of Defence mismanagement.²⁷¹

According to the Guidelines, a complainant may qualify for a mismanagement payment when there has been 'mismanagement by Defence [that] occurs after a verbal or written report or complaint of abuse has been initiated and where the report or complaint was made prior to 11 April 2011'; or there is 'any other circumstance where the Reparation Payments Assessor is satisfied mismanagement by Defence has occurred in respect of alleged abuse which occurred before 11 April 2011'.²⁷²

Importantly, the Guidelines also stipulate that 'a reference to mismanagement by Defence' includes 'circumstances where the Reparation Payments Assessor is satisfied Defence failed to take reasonable management action to prevent, stop or respond to abuse'.²⁷³

As such, it is not critical that an actual report of abuse was made in order for Defence mismanagement to be found. Where the circumstances of the abuse contributed to a complainant not reporting the abuse and/or Defence knew or ought to have known about the abuse, the Taskforce deems there to have been a 'constructive report' of abuse.²⁷⁴ For example, mismanagement might be found where:

- there was a pattern or practice of abuse such that Defence plausibly knew or ought to have known about the abuse and failed to prevent or stop it;
- the abuse was effected by a person of seniority or higher rank to the complainant to whom the complainant could have otherwise reported the abuse;
- the abuse was witnessed by a person in a position of seniority or higher rank but who took no steps to prevent or stop it; and/or
- the complainant presented to a superior or other person in authority with signs of injury as ought reasonably to have given rise to concern that the complainant was being or may have been abused, and they failed to make any reasonable enquiry.

For the reasons discussed below, almost all plausible complaints of abuse at ADFA have been assessed by the Taskforce as containing a plausible case of Defence mismanagement. This does not mean that within these complaints every single allegation of abuse at ADFA has been accompanied by a finding of Defence mismanagement (as many complaints raised a number of different allegations of abuse, some of which were managed appropriately by Defence). Rather, each of these complaints of plausible abuse at ADFA has been assessed as a whole as including at least one case which involved Defence mismanagement:

- in many cases, Defence mismanagement was found on the basis that Defence failed to respond at all, or failed to respond appropriately to actual reports of abuse;
- in some cases, the abuse was effected or witnessed by staff members, or more senior cadets who held a position of authority within the cadet hierarchy, and who were persons to whom the complainant could or would otherwise have reported the abuse; and

- in several other cases, Defence mismanagement was found due to the widespread nature and patterns of certain forms of abuse at ADFA which Defence (including ADFA staff members) plausibly knew or ought to have known about, and failed to take reasonable management action to prevent or stop.²⁷⁵

Of those individuals who reported abuse, some experienced abuse only once and reported that abuse. Others experienced abuse on more than one occasion and reported it each time it occurred. However, several complainants experienced abuse on a number of occasions and reported only some of the abuse. In most of these cases, the individuals initially reported incidents of abuse, however they stopped reporting for a range of reasons, usually because they received an inadequate or inappropriate response from staff members regarding their initial reports.

4.2 Actual reports of abuse at ADFA

The mechanisms through which cadets report and/or make formal complaints of abuse have evolved since the establishment of ADFA, particularly in relation to policy guidance regarding handling of sexual offences and the provision of access to support for victims of abuse. The chain of command provides the structural foundation for reporting abuse within Defence. At ADFA, a cadet who wishes to report abuse would generally do so through their division or squadron chain of command, in the first instance.²⁷⁶

Prior to the late 1990s when the cadet hierarchy was abolished, selected third year cadets were appointed to honorary positions of authority to assist staff members in the running of the Corps of Officer Cadets.²⁷⁷ These third year cadets held positions including Section Commander, Section Under Officer, Lance Under Officer or Divisional Cadet Captain, among others. The Grey Review observed that these positions were held by third year cadets who may have performed well in their military or academic studies, but who had no particular skills or training in dealing with abuse or unacceptable behaviour.²⁷⁸

Many complainants who were cadets at ADFA in the late 1980s and 1990s told the Taskforce that they reported incidents of abuse to senior cadets who occupied these positions of authority in the cadet hierarchy. As discussed further below, many complainants who experienced abuse, not only during this period but well into the 2000s, told the Taskforce that they did not report incidents directly to divisional or other staff members because of the culture which discouraged reporting and not 'crossing the road'.²⁷⁹

(a) Adequate management of actual reports of abuse

Of the 50 complaints assessed by the Taskforce as raising plausible allegations of abuse at ADFA, it appears that in a small number of cases, there was some appropriate management by Defence of actual reports of abuse.

From the reports provided to the Taskforce by complainants, in some instances both divisional staff and professional staff (such as psychologists or legal officers) provided appropriate levels of support to alleged victims of sexual assault. It appears that in some cases where a complainant wished to report the abuse to the civil police, the complainant was assisted to do so.

For example, after one complainant had reported suffering sexual abuse, their Divisional Officer recommended that the cadet see a psychologist, allowed the cadet to take leave and informed the cadet of support services available.²⁸⁰ In other cases, complainants told the Taskforce of incidents of sexual abuse which were reported to staff members and appropriately referred to the Service Police for investigation.²⁸¹ It is noted, however, that in many of these cases a finding of Defence mismanagement was made on a different basis.

Instances where reports of abuse were taken seriously and where there was an appropriate Defence response, however, appear to be a small minority. The majority of complainants who indicated that they reported abuse to staff members at ADFA told the Taskforce that either there was no response to their report of abuse; or that the response was inadequate or inappropriate for a range of reasons, as discussed below.

(b) Inadequate management of actual reports of abuse

Many complainants who made an actual report of abuse they experienced indicated that they were dissatisfied with both the nature of the Defence response and the outcome they received. These cases included staff members failing to take appropriate action to investigate the abuse, failing to provide adequate support to the complainant, and subjecting the complainant to official punishment or discipline after reporting.

Thirty-seven complainants reported at least one incident of abuse which they experienced to staff members, and except for in a small minority of cases, the Taskforce found that Defence either did not respond or failed to respond adequately or appropriately to those reports of abuse. As noted above, some complainants told the Taskforce that they reported their initial experiences of abuse, but after discovering that reporting the abuse was ineffective, they chose to not report any further experiences of abuse.

(i) No response to an actual report of abuse

Many complainants told the Taskforce that reports of abuse to staff members frequently elicited no response from Defence. At least 13 complainants indicated that no action was taken by staff members following an actual report of abuse. Some of these complainants told the Taskforce that when a report of abuse was made no action was taken for a number of reasons, including that staff members:

- did not believe the account of abuse;
- treated the abuse as inconsequential;
- discouraged them from pursuing their complaint;
- treated the abuse as an integral part of life and training at ADFA; and/or
- accused them of weakness.

Some complainants, specifically those who had experienced sexual or physical abuse, reported not being believed by staff members. One complainant told the Taskforce:

It was pretty terrible. [Another cadet] tried to help me. She went and saw [a senior ranking officer] and spoke to him about it, and we were accused of making it up.²⁸²

“I complained to the Divisional Officer on three separate occasions, but each time was dismissed. I was told that senior Cadets were in charge of the building and that I was causing trouble.”

Another complainant stated the following:

[My Divisional Officer] told me he didn't believe me at this first meeting. [...] At a subsequent meeting with my DO, he told me that even if the incident had occurred, I had invited it by my behaviour.²⁸³

Some complainants told the Taskforce that staff members to whom they reported abuse treated the abuse as inconsequential and were dismissive of their complaints. One complainant stated:

I complained to the Divisional Officer on three separate occasions, but each time was dismissed. I was told that senior Cadets were in charge of the building and that I was causing trouble.²⁸⁴

Another complainant subjected to bullying stated the abuse 'was reported to my Divisional Cadet Captain to no avail and to Divisional Officer to no avail'.²⁸⁵

Many complainants reported that staff members told them to put up with the abuse or to ignore it. The lack of confidence that a report of abuse would be taken seriously and responded to appropriately contributed to cadets' reluctance to report further instances of abuse. For example, one complainant told the Taskforce:

[T]he culture that existed at ADFA did not allow for incidents to be reported to divisional staff and incidents and inappropriate behaviour were overlooked and ignored by Academy Staff.²⁸⁶

Other complainants told the Taskforce that their complaints were 'not taken at all seriously'²⁸⁷ and that 'when I went to report this I was counselled that I should "let it go"'.²⁸⁸ Another was told by her Divisional Officer upon reporting the abuse that she 'was attention seeking'.²⁸⁹

In some cases, cadets were specifically discouraged by staff members from making a complaint:

[W]hen we asked if they would be investigated/counselled etc, I distinctly remember being informed words to the effect by [a member of the senior leadership at] ADFA, "not to rock the boat as [...] we would make it harder for ourselves".²⁹⁰

In other incidents reported to the Taskforce, family members concerned for the welfare of the complainants contacted staff members regarding the abuse. In some of these cases, the Taskforce was informed that staff members took no action in response to the family member's complaint and that the complainant subsequently suffered further abuse. For example, after a family member reported the abuse of one complainant to a staff member this 'got back to [other] cadets and [the complainant] was given more punishments'.²⁹¹

Several other complainants referred to staff members being dismissive of the abuse as being a part of life and training at ADFA. One example was provided by a complainant who reported that a senior staff member had stated: 'bullying is what he had to go through, everyone had to undergo it, and it separated the men from the boys'.²⁹²

(ii) Inadequate or inappropriate responses to actual reports of abuse

The Taskforce received many complaints where an actual report of abuse was made and staff members took some action to respond to the report of abuse. However in at least 19 of these cases, the Taskforce found that the response to an actual report of abuse by staff members, or by senior cadets to whom abuse was reported, was inadequate or inappropriate to varying degrees. For example, complainants' accounts included the following:

- staff members not following mandatory protocols once the abuse was reported, specifically:
 - subjecting the complainant to unreasonable and insensitive interrogation;
 - failing to provide adequate assistance to report the abuse to Service Police or the civilian police; or
 - failing to provide access to counselling or medical services;
- complainants not being informed of the reporting process or the outcome of their report; and
- unsupportive and condescending responses from staff members, including by suggesting that the complainant was in some way to blame for the abuse occurring, or by pressuring the complainant to pursue a particular course of action against their wishes.

A number of complainants who had experienced sexual abuse informed the Taskforce of inappropriate responses by staff members when they reported the abuse. One complainant told the Taskforce that she was interrogated by staff members after reporting that she had been sexually assaulted:

The next day [after reporting the sexual assault] I became "the accused" and was questioned for an hour by [a staff member] about my sexual history with members of the Academy.²⁹³

She further stated:

I had a meeting with [staff members] where I was told that I had 2 days to decide whether to resign or face show cause action. I was told it was highly likely that I would be dishonourably discharged.²⁹⁴

The complainant stated that she was 'strongly advised' that she should resign:

I was told that if I didn't sign the attached documents stating that I was being fairly treated action would be taken against me. I therefore signed the statement under duress. [...] Instead of receiving some acknowledgement of the gravity of the crime against me, I was charged with fraternisation and left no option but to resign.²⁹⁵

Another complainant told the Taskforce that she arranged an interview with her Divisional Officer to report incidents of harassment and bullying, and that when she arrived for the interview the alleged abuser was also present. The complainant stated:

I was told that my statement would be drafted and that I would need to sign it. The next day, [the alleged abuser] came into my room and told me that he had my statement and that I was to sign it in front of him. He gave me the statement, stood over my shoulder, and said words to the effect of "Are you sure you want to sign that?" and "Do you know what will happen to you if you sign that?" I proceeded to sign the statement.²⁹⁶

"I was left in the dark as to how any investigation went regarding the abuse. Abuse was accepted as just the way it was. I was not provided with any support from Defence. You were just supposed to grin and bear it, boys will be boys."

The complainant stated that following this '[t]he harassment then increased, I was ridiculed in front of my division'.²⁹⁷ The complainant reported that the management of this matter by Defence was later subject to a formal review which referred to the investigation as 'one of the worst handled cases'.²⁹⁸

Many complainants said that they were not given adequate support or provided with access to services after reporting abuse to staff members. This included being provided with limited information on the progress of their report and limited or no access to counselling or legal services.

For example, some complainants stated that after they had made a report of abuse, staff members did not inform them of the status of their report or the outcome. One complainant stated:

I was left in the dark as to how any investigation went regarding the abuse. Abuse was accepted as just the way it was. I was not provided with any support from Defence. You were just supposed to grin and bear it, boys will be boys.²⁹⁹

Another complainant described a similar experience:

I didn't hear any more about the complaint and when I asked [my Divisional Officer] [...] he advised me it had been dealt with and I didn't need to know about the outcome.³⁰⁰

A further complainant stated that although her matter was investigated she did not receive any formal counselling or support.³⁰¹

Other complainants who reported sexual abuse to staff members described the unsupportive and condescending responses they received. One complainant reported that she felt pressured by staff members to make a police statement, and stated:

I was used by ADFA as a mechanism to remove [the alleged abuser] and there was no regard for me or the subsequent impact that this incident would have on my remaining time at ADFA and subsequent [...] career.³⁰²

Another complainant said that after she reported a sexual assault to a staff member, his response was as follows:

[I] remember relaying part of this assault to him [...] He stated that I had acted in a sexual way towards the man who assaulted me [...] and this has provoked him and it was my fault.³⁰³

The Taskforce was also told that a member of the senior leadership at ADFA said to the mother of a complainant who had been sexually assaulted and who had reported the assault that if the complainant 'can't cope with something like that [she should] perhaps consider another career path'.³⁰⁴

Another complainant told the Taskforce that the unsupportive attitude of staff members to reports of abuse appeared intended to weed out people who 'made waves':

I feel that the lack of support from ADFA at the time for those that reported sexual assault, was done consciously and publicly in order to either continue a pretence that these incidents did not occur, or place those of us that 'made waves' in a situation where we felt our only recourse was to leave ADFA.³⁰⁵

(iii) Defence mismanagement regarding interpretation and application of Defence Instructions

A number of complainants told the Taskforce that after they reported abuse to staff members, Defence failed to further investigate or take appropriate action because of the way in which Defence Instructions were being interpreted and applied.

In particular, complaints illustrated that staff members acted under the presumption that they were unable to take administrative or disciplinary action in relation to allegations of sexual offending as such matters could only be dealt with by civilian police. In some cases, where the complainant chose not to make a formal report to civilian police, it appears that some staff members believed that they could not investigate or prosecute a sexual assault.³⁰⁶ This inevitably resulted in a situation where although a serious disciplinary issue had been identified, staff members believed they were unable to take action to address it.

In other cases, where allegations of sexual assault were reported and referred to civilian police, there was no further consideration by staff members as to whether any further administrative or disciplinary action may have been appropriate, even where the circumstances indicated that a criminal prosecution may have been difficult.³⁰⁷

The Taskforce notes that Defence have since taken steps to address these issues regarding the interpretation and application of Defence Instructions. For example, the latest version of the relevant Defence Instruction (General) PERS 35-4 on 'Reporting and management of sexual misconduct including sexual offences', specifically provides the following in relation to incidents of sexual misconduct:

41...In appropriate circumstances, administrative action may be initiated while a sexual misconduct incident is under investigation, while criminal or disciplinary proceedings are pending, or after such proceedings have concluded...

42. The fact that an individual is convicted or acquitted of an offence does not necessarily preclude administrative action being taken in respect of sexual misconduct. Administrative action may still be initiated where there is sufficient evidence to show that the individual's behaviour has fallen short of expected Defence values and standards.

43. Appropriate support to all parties should continue notwithstanding that disciplinary and/or administrative action is occurring.³⁰⁸

(iv) Official punishment or discipline resulting from reporting abuse

Complainants told the Taskforce that reporting the abuse they experienced sometimes led to staff members taking disciplinary action against them. Complainants reported being punished or disciplined as a result of reporting abuse, including by being charged with fraternisation and being required to 'show cause'.

One complainant told the Taskforce that after reporting sexual abuse:

[I] was informed that show cause action would be taken. This is a mil[i]tary court where I would have to show reason why the Commandant should not terminate my position.³⁰⁹

Another complainant stated:

I reported all incidents to the Divisional Under Officer [a senior cadet position in the cadet hierarchy]. I explained the attempt to get into my room by the Under Officer in detail and they would not listen. They punished me instead for not obeying an Under Officer.³¹⁰

Some complainants also reported that staff members either commenced an investigation into allegations of fraternisation or that they themselves were charged with fraternisation as a result of reporting the abuse. One complainant stated:

I made a complaint to my OC that my DO had not [appropriately] addressed my previous sexual harassment complaint. Within a day of lodging this complaint to the OC, I myself was charged with fraternisation [...] by my DO. [...] This punishment meant I was denied support from my support network at a time when it would have been useful.³¹¹

Another complainant reported being subjected to unreasonable, irrelevant and insensitive questioning regarding their abuse and then as a disciplinary measure being effectively forced to resign.³¹²

(v) Further abuse following actual reports of abuse

As discussed in section 3.6(e), the Taskforce was told of situations where, after making a report of abuse, cadets were subjected to further abuse ranging from being bullied or ostracised, to physical abuse and sexual harassment, by other cadets.

One complainant reported that in addition to no action being taken to investigate her claims, the complaint was bullied and threatened by senior cadets to not make another complaint.³¹³

Other complainants recalled being isolated or excluded by other cadets after reporting the abuse. For example one complainant stated, 'if a complaint was made, usually everyone found out soon after and the complainant then suffered abuse as a squealer and faced exclusion'.³¹⁴

Another complainant stated that 'when complaints were made the treatment worsened significantly',³¹⁵ while a further complainant stated that her experience of reporting abuse led to her 'being more vulnerable to the sexual predators at ADFA and contributed to [a] subsequent incident [of sexual abuse]'.³¹⁶

4.3 Reasons for under-reporting of abuse at ADFA

At least 13 complainants told the Taskforce that they experienced abuse at ADFA on one or more occasions but did not report the abuse to Defence. As noted above, many complainants told the Taskforce that they reported some of the abuse they experienced, but after receiving a poor response from staff members or being victimised by other cadets for reporting, they did not report subsequent abuse that they experienced. Complainants provided a wide range of reasons for not reporting abuse, including:

- a culture at ADFA that did not support the reporting of abuse;
- a perceived lack of effective reporting mechanisms;
- stigma or shame associated with having been abused, particularly in the case of sexual abuse;
- threats of being subjected to further abuse or fear of reprisal; and
- lack of confidence in staff members at ADFA.

In many cases, complainants became aware of the above reasons for not reporting abuse either when they reported abuse themselves and experienced the negative consequences, or when they witnessed or knew of this having happened to others.

(a) A culture that did not support reporting of abuse

Complainants to the Taskforce indicated that there was a strong culture amongst cadets at ADFA which discouraged reporting. This culture was evident in complaints of abuse ranging from the late 1980s to the 2000s. Complainants discussed a number of aspects of this culture, including: an expectation amongst cadets that they would not 'jack' on their mates; victimisation of those who reported abuse; being discouraged or talked out of reporting by peers; and the belief that a report of abuse would not be appropriately acted upon. For example, one complainant stated:

[T]here was this thing of keep it all within the corps of cadets, like, don't go to the staff. I was too scared to talk to the staff a lot of the time.³¹⁷

"[T]here was this thing of keep it all within the corps of cadets, like, don't go to the staff. I was too scared to talk to the staff a lot of the time."

Consistent with what complainants reported to the Taskforce, the Grey Review found that several elements of the culture which existed at ADFA in the 1990s contributed to 'paralysis in dealing with unacceptable behaviour'. These elements included what was referred to as the 'holy trinity' of cadets: 'loyalty to the "Corps"', 'don't jack on your mates' and 'don't cross the road', as well as the failure of staff members to take appropriate action, even where such behaviour was brought to their attention.³¹⁸ As discussed further in section 6, subsequent reviews have found that this culture has continued to exist at ADFA well into the 2000s.

One complainant who spoke about the culture of not reporting had been subjected to relentless harassment and bullying by other cadets because of her medical condition, and stated that 'harassment was a part of my daily life' and that 'the culture at ADFA, from Squadron Staff and peers was of acceptance of this kind of behaviour'.³¹⁹

A number of complainants believed that if they reported abuse it would 'make the situation worse'.³²⁰ One complainant stated that he did not make a formal complaint regarding the harassment and bullying behaviour he was subjected to by a senior cadet as he feared how other cadets would view him:

I had made no formal complaint [...] Had I done so it would only have made my situation worse [...] [I]f I had reported this I would have lost a lot of respect from my fellow cadets. It was just something that wasn't done and made the person reporting it seem weak.³²¹

Several complainants expressed that they were reluctant to report the abuse they experienced for fear of being victimised for making a complaint.³²² One complainant told the Taskforce that it was easier to keep quiet than to risk the consequences of reporting abuse:

I made few official complaints due to the negative ramifications, it was easier just to try and cope and keep quiet and get through.³²³

The same complainant told the Taskforce:

I did not report this incident because of shame and fear of retaliation, and people were generally accepting of this [as] the done thing, and the perpetrators were merely living up to established behaviour to be accepted by their older peers.³²⁴

Complainants who experienced abuse as first year cadets said they did not report because they were fearful of third year cadets. One complainant who was bullied by senior cadets because of his appearance said that he did not report the abuse due to the culture at ADFA, stating that: 'I was too scared to say or do anything'.³²⁵

Another complainant who was subjected to woofing by other cadets and did not report the attack stated:

As a first year cadet you had no rights or status. All I wanted to do was survive the training.³²⁶

Former female cadets who experienced sexual abuse during the late 1980s to 1990s spoke about the pressures on them to not report sexual abuse. One complainant stated:

While I wanted to act to preserve my sense of right and wrong, the reality of being at ADFA and the prevailing culture meant I felt I had no option, but to not formally report the rape.³²⁷

Another complainant, who had been subjected to an indecent assault by a more senior male cadet, told the Taskforce:

I did not report this incident immediately as my fellow Divisional cadets had made their opinions very clear in that they detested female cadets who claimed they had been assaulted and it was difficult to live in close quarters with these cadets when they had formed a judgement.³²⁸

Although the male cadet's conduct was subsequently disclosed to staff members, this same fear also prompted the complainant not to proceed with criminal charges:

I did not want to press charges as I didn't want everyone to find out what had happened [...] I didn't want a reputation as someone who made allegations about assault (as these people were judged harshly by cadets at the time). It was important to me that I remained as "grey" as possible in the Academy environment.³²⁹

As discussed in section 3 and section 4.2(b) above, complainants reported being ostracised and victimised after making a report, and so did not report any subsequent incidents of abuse for fear they would suffer similar treatment from their fellow cadets. One complainant described this experience as follows:

I reported the matter to my Divisional officer [and the alleged abuser] was made to apologise. I received negative comments about reporting it and "squealing" and started noticing more exclusion. Section members started withholding work-related information and not inviting me to social events [...] At this point I started to realise that reporting unacceptable behaviour would result in additional negative consequences from my peers and was therefore not an option, especially since people always seemed to find out even when a complaint was supposed to be handled confidentially.³³⁰

This complainant told the Taskforce that because he realised how important it was to 'belong' at ADFA, he did not report any further incidents of abuse he experienced.³³¹

(b) Lack of effective reporting mechanisms

As described in section 4.2, although specific policies and procedures were in place at ADFA for reporting abuse, a number of complainants suggested that there was perceived to be an absence of effective mechanisms for reporting abuse. This perception was illustrated in complaints of abuse ranging from the late 1980s through to the 2000s. The reasons for this perceived lack of effective reporting mechanisms included: inadequate or inappropriate processes and procedures for reporting abuse, such as the lack of support given to those experiencing abuse; cadets having to report to more senior cadets through the cadet hierarchy in the 1980s and 1990s; a lack of action by staff members in response to reports of abuse; a lack of knowledge about reporting processes and the ability to report to civilian police; and other general factors which contributed to the overall under-reporting of abuse. One complainant told the Taskforce:

Overall, I had many experiences not to trust my supervisors and the systems in place to address Equity, Diversity, Confidentiality and due process, especially during training.³³²

In some instances, as discussed further in section 4.4 below, those responsible for carrying out abuse were staff members or more senior cadets, to whom a cadet may have otherwise reported the abuse. In such cases, the lack of adequate alternate processes for reporting and the lack of support provided to cadets who had experienced abuse, undermined the confidence of those cadets in the system, and further increased the likelihood that abuse would not be reported.

Complainants explained to the Taskforce the reasons for their lack of confidence in the reporting mechanisms. For example, one complainant who was subjected to an indecent assault told the Taskforce that:

I didn't report the incident to anyone until my discharge, as the last time I reported an incident, it had many witnesses and was not followed up. I was certain no one would believe me.³³³

"I did not want to press charges as I didn't want everyone to find out what had happened [...] I didn't want a reputation as someone who made allegations about assault (as these people were judged harshly by cadets at the time). It was important to me that I remained as 'grey' as possible in the Academy environment."

Another complainant told the Taskforce that after she had reported an incident of abuse to a chaplain, no action was taken to investigate her allegations. However, the fact that she had made a formal complaint was 'leaked back' to senior cadets who then threatened her against making further complaints. Following this, the complainant told the Taskforce that she did not report any further abuse.³³⁴

In some other cases, complainants reported that they were unaware of avenues for reporting abuse available to them. One complainant told the Taskforce that she was raped as a young woman soon after she started at ADFA, and that the only person she confided in was another cadet. The complainant spoke about the reasons why she stayed silent about the incident, which included that she did not know where she could go to seek advice or support:

"We thought it would have been a case of my word against his, and we agreed that if I made any statements or complaints I would put myself on a course of career-destruction, which would have resulted in my being harassed out of ADFA and labelled as a trouble making female. So I stayed silent about this rape."

[We] agreed that if I wanted to graduate that I had to forget the incident happened and not complain. Being naive to any formal investigative processes, we did not know about physical examinations, and if we did, then we would have followed a different course of action. We also did not know we could report the incident outside of ADFA to the police. We thought it would have been a case of my word against his, and we agreed that if I made any statements or complaints I would put myself on a course of career-destruction, which would have resulted in my being harassed out of ADFA and labelled as a trouble making female. So I stayed silent about this rape.³³⁵

(c) Stigma and shame associated with having been abused

Several complainants told the Taskforce that they did not report the abuse they experienced at ADFA because of the associated stigma or shame. This was particularly the case for complainants who experienced sexual abuse.

Sexual abuse in the general population is commonly under-reported for a range of reasons, including fear of repercussions, anxiety about being re-traumatised and doubt as to whether reporting would serve any useful purpose. A number of ADFA complainants spoke about feeling isolated after experiencing sexual abuse and having no one in whom they could trust or confide. For some former female cadets, in particular, this was because they feared what would be said in relation to their own reputation. For example, one complainant stated that she did not report that she was indecently assaulted by a male cadet in her room for this reason:

I was also fearful of having a reputation as being a female cadet who had visitors in the night. The fellow cadets at the time were very judgemental of the girls that [...] were "promiscuous". Reputation was extremely important at the time.³³⁶

As discussed in section 7, some complainants told the Taskforce that they did not feel able to tell their family members about the abuse that they had experienced or their reasons for leaving ADFA. In some cases, this was a source of considerable tension for complainants and their families. As one complainant stated, being unable to tell his family about what was happening and effectively cut off from his main source of support as a result put him under 'enormous strain'.³³⁷ Another complainant who experienced a range of sexual and physical abuse, sexual harassment and bullying told the Taskforce:

I didn't want my parents to know [...] particularly, because my dad—he was a pretty senior officer in [Defence]—I didn't want him to know. I felt like it was my fault.³³⁸

(d) Threats of further abuse or reprisal

A number of complainants told the Taskforce that the main reason that they did not report the abuse they experienced was due to either threats or a perceived risk of being subjected to violence, further abuse or other form of reprisal. For example, one complainant who was subjected to woofing attacks by several other cadets stated the following:

I didn't want to report the assault because I was afraid of being assaulted again. We were taught that if we "jacked" on anyone we would get severely bashed by the 3rd years and I was terrified of the 3rd years and didn't want to be beaten up so I didn't report it at the time.³³⁹

Another complainant spoke about not reporting subsequent incidents of abuse after being threatened by senior cadets:

[M]y complaint got back to the senior cadets and I was told to shut my mouth. I was also bullied and threatened not to make another complaint.³⁴⁰

Some complainants also reported being threatened by their alleged abusers that if they reported the abuse it would impact on their future at ADFA. In one case, a complainant was told by a more senior cadet who raped her that if she reported the incident she would have to leave ADFA:

After I was raped, [he] told me that if I made an official complaint I would not be allowed to stay at ADFA and that no one would believe me. I made no report of this incident at the time.³⁴¹

In another case, a complainant who had been subjected to sexual abuse by a staff member told the Taskforce:

Due to nature of incident, age and being in a training establishment I was too fearful to make a complaint as the accused told me he had the power to end my service immediately if he wished.³⁴²

As noted below, cadets who were subjected to abuse by persons who were in positions of seniority or higher rank to whom they could have otherwise reported the abuse (such as staff members or senior cadets in positions of authority in the cadet hierarchy), were likely to feel very reluctant to report the abuse. This would be compounded in circumstances where a cadet was also threatened against reporting by such persons.

(e) Lack of confidence in staff members

Some complainants told the Taskforce that they did not report the abuse they experienced at ADFA because they lacked confidence that their reports of abuse would be responded to appropriately.

For many cadets, this lack of confidence reflected previous experiences of reporting abuse. As described in section 4.2(b) above, a number of complainants told the Taskforce that they reported abuse to staff members who either did not respond at all or did not respond appropriately.

One complainant reported that after she had previously reported abuse to staff members and no action was taken, she did not see the point of reporting subsequent abuse:

There was absolutely no recourse within our division, and I had learnt my lesson about 'crossing the road' and formally reporting to staff through [...] experience [...]. Had I reported formally, there is no doubt in my mind that my complaints would have been dismissed or ignored.³⁴³

"I didn't want to report the assault because I was afraid of being assaulted again. We were taught that if we 'jacked' on anyone we would get severely bashed by the 3rd years and I was terrified of the 3rd years and didn't want to be beaten up so I didn't report it at the time."

"Had I reported formally, there is no doubt in my mind that my complaints would have been dismissed or ignored."

In another example, a complainant who had experienced sexual abuse, but whose case was not appropriately investigated, said that as a consequence of this she felt she had been betrayed by her chain of command and that the experience had 'undermined my confidence in my superiors'.³⁴⁴

As discussed in section 4.2, some complainants felt that staff members were unsympathetic, unsupportive or did not take the abuse seriously when cadets turned to them for assistance. For example, one complainant stated that it was difficult to approach a divisional staff member to raise concerns, because he was 'highly unsupportive, condescending and derisive':

I found it very difficult to provide him an account of what had occurred as he was always confrontational and impatient. I remember him raising his voice at me, telling me I could have a lock on my door if I was going to carry on.³⁴⁵

Some complainants also spoke about not reporting abuse they experienced for fear of being punished or not wanting to make a report which would permanently appear on their records.³⁴⁶ One complainant told the Taskforce that after seeking medical assistance from a civilian doctor, she felt unable to tell ADFA doctors about her injury because she feared getting into trouble for seeing a civilian doctor.³⁴⁷

Complainants also stated that they lacked confidence in staff members because they believed that staff members were aware of, or witnessed, abuse but took no steps to stop it, as discussed further in section 4.4(b) below. In such cases, as well as in cases where the abuse was carried out by or encouraged by staff members, cadets who experienced abuse were extremely reluctant to report the abuse.

4.4 Defence mismanagement where there was no actual report of abuse

As noted above in section 4.1, a plausible case of Defence mismanagement was identified in almost all complaints of abuse at ADFA that had been assessed by the Taskforce as raising plausible allegations of abuse, as at 2 October 2014. This was the case even where there was no actual report of abuse that was mismanaged.

(a) Pattern or practice of abuse which Defence failed to address

Information available to the Taskforce identified particular patterns or practices of abuse that existed during certain periods at ADFA which Defence plausibly knew or ought to have known about, but failed to take reasonable management action to prevent or stop from occurring or continuing. The Taskforce has found Defence mismanagement on this basis in at least 18 complaints of abuse at ADFA.

The information considered by the Taskforce included:

- the findings of contemporaneous investigations into incidents of abuse, as well as the findings of reviews conducted into ADFA (particularly the Grey Review during the 1990s), which highlighted that certain types of abuse were prevalent at ADFA during particular time periods and the awareness of staff members of such abuse;
- consistent accounts received by the Taskforce of similar types of abuse occurring during particular time periods; and
- statements by complainants to the effect that certain types of abuse were common and that staff members were aware of the abuse.

For example, consistent with the plausible abuse reported by complainants during the late 1980s and 1990s, as discussed in section 3, the Grey Review found that prior to 1998 there was a high level of unacceptable behaviour at ADFA, which included sexual harassment, and some sexual and physical abuse, as well as widespread harassment and bullying. Several complainants reported to the Taskforce that staff members would have known about the abuse, suggesting that Defence would have been aware of the abuse and failed to take any action to prevent or stop it from occurring or continuing.³⁴⁸

Alongside general harassment and bullying of junior cadets by more senior cadets, the Grey Review also found that there existed within the cadet body a high level of hostility to, and intimidation of, female cadets.³⁴⁹ For example, one

complainant stated that she and other first year female cadets were warned about their personal safety at the start of the year by senior female cadets and were told about previous instances of sexual harassment and inappropriate conduct by male cadets.³⁵⁰ This suggests an existing pattern or practice of harassment and bullying of female cadets by male cadets, which it is plausible that Defence ought to have known about and failed to take reasonable management action to prevent or stop.

Defence documents provided to the Taskforce also show that during the late 1980s and early 1990s there were formal investigations carried out into practices such as woofering which took place prior to incidents of abuse experienced by some complainants, indicating that Defence plausibly failed to take management action to prevent or stop these patterns or practices of abuse from continuing or occurring.³⁵¹

(b) Abuse effected or witnessed by persons in positions of seniority

In at least 19 cases, where there was not an actual report of abuse that was mismanaged, Defence mismanagement at ADFA has been found on the basis that Defence failed to stop abuse from occurring where the abuse was effected or witnessed by a person in a position of seniority or higher rank to whom the person abused would, or could have otherwise reported the abuse.

Thirteen of these cases related to abuse effected or witnessed by a staff member or senior cadet occurring in the 1980s and 1990s. Six cases related to abuse occurring in the 2000s, mainly bullying and physical abuse on the basis of the complainant's medical restrictions, which was effected or witnessed by staff members.

As discussed in section 3, the Taskforce received a number of complaints where the abuse was effected by a staff member or by a more senior cadet who occupied a position of authority within the cadet hierarchy, and was effectively a person in a position of seniority or higher rank to the complainant, to whom the complainant would, or could otherwise, have reported the abuse.

Despite all cadets holding equivalent rank at ADFA, the Grey Review indicated that prior to the late 1990s when the cadet hierarchy was abolished, there was 'significant evidence to prove that cadets confused seniority with rank', leading to a hierarchical system in which first year cadets reported to third year cadets and were required to treat them as though they were in a position of higher authority.³⁵²

For example, in one case where the complainant was subjected to abuse by a group of cadets, one of the main instigators of the abuse was the complainant's Section Under Officer (a third year cadet, who was a person in a position of authority to whom the complainant could otherwise have reported the abuse). The complainant was unable to report the abuse because it was initiated and effected by the person to whom it would usually be reported. Consequently, Defence failed to appropriately exercise its management responsibilities towards the complainant to stop the abuse from occurring.³⁵³

In some cases, the Taskforce made a finding of a constructive report of abuse where complainants stated that the abuse they experienced was witnessed by staff members or senior cadets in a position of authority, who took no steps to prevent the abuse or to intervene. Complainants in these cases told that Taskforce that such persons witnessed the lead up to, some, or all of the abuse, and were effectively aware of what the complainant and others experienced but chose to turn a 'blind eye'. For example, one complainant reported to the Taskforce that the 'abuse and harassment was observed, but ignored by all around'.³⁵⁴ Defence mismanagement in these cases sometimes overlapped with a finding of mismanagement based on patterns or practices of abuse, discussed in section 4.4(a) above.

Some complainants also described the widespread and often public nature of some of the abuse they experienced, in particular more overt forms of harassment and bullying and sexual harassment, as discussed in section 3. For example, former female cadets spoke about incidents including: pornographic material being left in the common recreation spaces in the accommodation areas where it was visible to staff, cadets and visitors, but where no management action was taken to have it removed;³⁵⁵ "No Fat Chicks" stickers which were put 'around the place' at ADFA,³⁵⁶ and a snowman with 'huge breasts' which was built by male cadets that staff members failed to have removed from public view.³⁵⁷

Complainants reported that this attitude of turning a 'blind eye' to abuse served to encourage such behaviour. One complainant stated:

Unfortunately the inaction and ongoing avoidance have only served to legitimize the behaviour and culture.³⁵⁸

A further complainant who had been subjected to a woofering attack did not report the incident for fear of further assault. Although staff members did not witness the assault itself, the complainant stated:

I believed that senior officers at ADFA knew what had happened and saw the impact the incident had on my welfare.³⁵⁹

In this case, the Taskforce made a finding of mismanagement because the complainant had presented to staff members with signs of injury that should have been an indicator of abuse, but where staff members failed to make enquiries as to how the complainant was hurt.

5. Sexual abuse experienced by women at ADFA in the 1990s

5.1 The focus on sexual abuse at ADFA in the 1990s

The Taskforce Terms of Reference require an assessment of 'the 24 Australian Defence Force Academy (ADFA) cases noted by DLA Piper'.³⁶⁰ These cases are a cluster of allegations of sexual abuse of women at ADFA in the 1990s, first identified in 1998 during the Grey Review and discussed by the DLA Piper Review in its 2011 report.³⁶¹

The Terms of Reference also require the Taskforce to:

- include in its assessment of these cases 'whether the alleged victims, perpetrators and witnesses in relation to these cases remain in Defence'; and
- advise 'whether a Royal Commission would be merited into any categories of allegation raised with the DLA Piper Review or the Taskforce, in particular the 24 ADFA cases'.

(a) The Grey Review

The Grey Review found that there was a high level of unacceptable behaviour at ADFA, including sexual harassment and sexual offences, in the years prior to its finalisation (approximately 1991 to 1998), as outlined in section 2 of this report.

In parallel with the Grey Review, an Investigation Team led by then Colonel Ken Northwood (Investigation Team) examined individual complaints made by cadets during the course of the Grey Review.³⁶² The Investigation Team identified 24 allegations of sexual assault occurring in the 1990s (with most occurring between 1994 and 1998), where details were known about the female cadets who were sexually assaulted and some of the alleged perpetrators.³⁶³ In addition, the Investigation Team received information about further incidents of sexual assault in this period apart from these 24 allegations, but stated that 'where the alleged victims were not prepared to speak to the Team or to provide evidence, these matters were not recorded for statistical purposes'.³⁶⁴

In June 1998, then Colonel Northwood gave the following evidence to the Joint Standing Committee on Foreign Affairs, Defence and Trade during its *Inquiry into Military Justice Procedures in the Australian Defence Force*:

[W]e, on the investigation side, identified 26 cases of what we believe were rape—and the old term "rape" is the best way to describe the particular form of sexual assault to which I am referring—between I think it was the beginning of 1994 and the end of 1997. Of those, to the best of my recollection... only two have ever proceeded to complaints made to the civil courts and have gone to trial. One of those two matters is awaiting trial in the ACT at the present time. It is an appalling situation that, in serious matters like that, the ADF is not in a position to take any action at all because of the present policy.³⁶⁵

(b) The DLA Piper Review

This cluster of allegations of sexual assault was discussed in detail by the DLA Piper Review in 2011. The DLA Piper Review became aware of these allegations and expressed concern about the extent to which the Investigation Team had identified male cadets who were under a high level of suspicion of having been perpetrators of rape.³⁶⁶ The DLA Piper Review raised concern about the high incidence of sexual assault at ADFA during the 1990s and that it appeared 'very likely' that most, if not all, of the alleged perpetrators of sexual assault around the time of the Grey Review were not called to account.³⁶⁷

In its report, the DLA Piper Review noted that in their discussions with Bronwen Grey, (who had led the Grey Review), Ms Grey had recalled that there were approximately 20 male cadets who were strongly suspected of involvement in one or more sexual assaults at ADFA. Ms Grey also estimated that approximately 30 per cent of female cadets at ADFA had (in the years prior to the Grey Review) experienced sexual abuse in the form of rape or serious indecent assault. This estimate was based on an extrapolation of data from a survey conducted by the Grey Review.³⁶⁸

The Taskforce has identified more than 20 former male cadets suspected of involvement in alleged incidents of serious sexual abuse and a significant number of women who experienced serious sexual abuse at ADFA during this period.

However, for reasons discussed further below, it is not possible to come to a firm conclusion as to whether the number of women who experienced serious sexual abuse approximated 30 per cent of female cadets at ADFA during this period. It is also noted that Ms Grey further recalled to the DLA Piper Review that there were a small number of male victims of sexual assault around the time of the Grey Review, however, the Taskforce has not received any information in relation to such allegations.³⁶⁹

The DLA Piper Review stated that the lack of accountability of alleged perpetrators of sexual assault during this period raised significant future risks, including:

- that some of the perpetrators of such assault and other abuse may still be serving in the ADF, and may constitute a continuing risk to the safety and wellbeing of other Defence personnel, as well as to the reputation and operational effectiveness of the ADF; and
- that people who witnessed this behaviour and did not report it or initiate any process to bring it to an end may also now be in senior and middle management roles in the ADF.³⁷⁰

The DLA Piper Review recommended that a Royal Commission could be the most appropriate mechanism for considering issues in relation to whether any perpetrators of sexual abuse, or others who witnessed sexual abuse and did not intervene, were still serving and may now be in 'middle' to 'senior' management positions in Defence.³⁷¹ The question of a Royal Commission is addressed further in section 9 of this report and examined in detail in the *Report on abuse in Defence*.

(c) Taskforce consideration of cases of sexual abuse of women at ADFA in the 1990s

The Taskforce was established on 26 November 2012, and is required by its Terms of Reference to assess the '24 ADFA cases' referred to by DLA Piper. Commencing in December 2012, Defence provided the Taskforce with a large number of Defence documents relating to the Grey Review and allegations of sexual abuse of women at ADFA in the 1990s. The Taskforce has conducted a comprehensive review of these documents.

Although the Investigation Team in 1998 originally identified 24 allegations of sexual abuse from the period before the finalisation of the Grey Review, for a number of reasons it is not possible to state with certainty the number of allegations that make up the '24 ADFA cases', or to name all the individuals who experienced sexual abuse during this period.

The Taskforce's review of these documents concluded that the cases referred to by DLA Piper included approximately 24 allegations of sexual abuse experienced by 19 women in the period from 1991 to 1998. These cases include a range of allegations from serious sexual assault through to indecent assault.³⁷²

However, the Taskforce review of the Defence documents also revealed a number of additional allegations of sexual abuse experienced by 14 women at ADFA during this time period which do not appear to have been considered by the Grey Review. Furthermore, the Defence documents included references to some reports of allegations where the subject of the abuse was not named.

The Taskforce has also received complaints directly from 14 women in relation to sexual abuse at ADFA occurring during the same period of time as this cluster of cases (between 1991 and 1998). The Defence documents provided to the Taskforce included documents relating to all but three of these matters. The Taskforce has reviewed all additional material provided by these complainants.

Consequently, the Taskforce is aware of altogether at least 36 women alleged to have experienced sexual abuse at ADFA in the 1990s, as well as a further number of cases where the subject of the abuse is not named.

This section of the report focuses on the Taskforce analysis of the allegations in relation to all 36 of these women, not just those 24 allegations identified by the Investigation Team during the Grey Review.³⁷³

5.2 Overview of sexual abuse experienced by women at ADFA in the 1990s

Consistent with the findings of the Grey Review and the DLA Piper Review, the Taskforce assessment of all available sources of information has identified a high incidence of sexual abuse of women at ADFA during the 1990s.

As already noted, the Taskforce is aware of at least 36 women who reportedly experienced one or more forms of sexual abuse at ADFA between 1991 and 1998. Of these women:

- 11 women reportedly experienced sexual abuse between 1991 and 1994;
- 23 women reportedly experienced sexual abuse between 1995 and 1998; and
- two women reportedly experienced sexual abuse between 1991 and 1998, however, the precise date is unknown.

It appears there were allegations of sexual abuse relating to 12 women in 1996 alone.

All of these women were cadets at ADFA at the time of the abuse, with most in their first or second year of study. Almost all these women were aged 20 years or less at the time of the abuse; some women were aged 17 and many were aged 18 or 19.

The alleged abusers were all male and were mostly cadets, including some cadets who were in a position of authority within the cadet hierarchy existing at ADFA at the time. In a small number of cases, the alleged abusers were more senior ranking members of Defence.

These 36 women reportedly experienced sexual abuse in the following forms:

- sexual assault or attempted sexual assault (for example, rape or other forms of sexual penetration); and
- indecent assault or other sexual abuse (for example, acts of indecency).³⁷⁴

Some women reportedly experienced sexual abuse in multiple forms, or experienced sexual abuse on more than one occasion. In some cases, the same alleged abuser was involved in multiple incidents; in other cases, different alleged abusers were involved.

In addition, some of these cases included allegations of other forms of abuse, including physical abuse, sexual harassment and harassment and bullying.

Several women who made complaints to the Taskforce provided information about allegations of sexual and other abuse in their personal accounts additional to the information contained in the Defence documents. In most cases, these women indicated that they felt unable to disclose the full details of what happened to them at the time. Additional allegations made by complainants are discussed further below.

The following discussion outlines the nature of the alleged sexual abuse experienced by women at ADFA in the 1990s. The source material for this section of the report is both the Defence documents provided to the Taskforce by ADFIS, and the personal accounts provided by the 14 women who made complaints to the Taskforce of sexual abuse occurring between 1991 and 1998. The Taskforce sought permission from complainants to quote from their personal accounts in this report, and has only done so where they have provided their explicit consent. The Taskforce wishes to acknowledge and thank these complainants for being willing to share their stories.

(a) Sexual assault

(i) Experiences of sexual assault

Of the 36 women who reportedly experienced one or more forms of sexual abuse at ADFA between the period 1991 to 1998, the Taskforce has identified at least 20 women alleged to have experienced sexual abuse in the form of sexual assault. This figure includes:

- 15 women who experienced a sexual assault;³⁷⁵
- one woman who experienced an attempted sexual assault;³⁷⁶ and
- four women who experienced both sexual assault and indecent assault.³⁷⁷

In the majority of cases, the alleged abuser was a male cadet. One woman was alleged to have been sexually assaulted by a group of three male cadets. In two cases, the alleged abuser was a more senior ranking member of Defence, and in another case, the alleged abuser was a staff cadet at RMC. Another female cadet was sexually assaulted on one occasion by a male cadet in her first year at ADFA, and on a second occasion by a more senior ranking member of Defence.

These women allegedly experienced the following types of sexual assault, and in some cases, experienced multiple types of sexual assault:

- 15 experienced rape;
- four experienced digital penetration without consent; and
- two experienced forced oral sex.

One woman was reportedly subjected to both digital penetration and forced oral sex during the same incident.³⁷⁸ Another woman was digitally penetrated by a male cadet on one occasion, and raped by a different alleged abuser on another occasion.³⁷⁹ At least one woman was reportedly raped on multiple occasions over her three years at ADFA.³⁸⁰

“He raped me violently. During the struggle I received bruising to my face and hips, had hair ripped from my head and had teeth marks and bruising over my chest and breasts.”

In several of these cases, the alleged sexual assaults were accompanied by a disturbing level of physical violence.³⁸¹ In some cases, the alleged abuser was reported to have physically overpowered or forcefully restrained the female cadet, or she struggled to get away and suffered injury as a consequence.³⁸² One complainant told the Taskforce about an incident where a fellow cadet had been in her room; when she asked him to leave, he locked the door and subjected her to a violent sexual assault:

He raped me violently. During the struggle I received bruising to my face and hips, had hair ripped from my head and had teeth marks and bruising over my chest and breasts. There was no-one in my corridor who could assist me as they had gone away for the weekend. I repeatedly asked [him] to stop and tried to prevent the rape.³⁸³

In two cases, the women had their arms pinned down, their pants forcibly removed and they were sexually assaulted in bed.³⁸⁴ Another woman was grabbed from behind and sexually assaulted,³⁸⁵ while another reported that she was grabbed by a male cadet while walking up a stairway and forced into his room, where he held her down and raped her.³⁸⁶ The violence described in these cases resulted in injuries such as bruising, bleeding, swelling, scratches and puncturing of the skin and at least one woman was also threatened with physical harm by the alleged abuser after being sexually assaulted.³⁸⁷

(ii) Location of sexual assaults

The vast majority of sexual assaults were alleged to have taken place in the ADFA accommodation block, after hours. At least eight women were reported to have been sexually assaulted by a male cadet in their own room.³⁸⁸

In some cases, the male cadet had come into the woman’s room with their consent. However, in other cases, the male cadet allegedly entered the woman’s room while she was sleeping. Some women reported that they woke up to find the alleged abuser sitting on their bed or getting into bed with them.³⁸⁹ One male cadet was alleged to have entered a woman’s room at night and after sexually assaulting her, vomited over her in her bed.³⁹⁰ In another case, a group of male cadets were alleged to have broken into a female cadet’s room and raped her.³⁹¹

Four women were reportedly sexually assaulted when they were in their alleged abuser’s room in the ADFA accommodation block.³⁹² In most of these cases, the women had voluntarily gone to their alleged abuser’s room. For example, one complainant told the Taskforce she was sexually assaulted by a male cadet who was her friend after she went to his room to visit him:

As I was not taking contraception at the time, I was never going to have sexual intercourse with [him]. Despite saying no, clearly, several times, he had sex with me. I completely froze during the incident. I don't have clear recollections, other than panic, horror, pain and enduring [the assault] until it was over. In no way was I an active participant in the act. I remember afterwards he said "Don't you want to do it again" and that I was bleeding.³⁹³

In one case, however, the male cadet was alleged to have forcibly taken the female cadet into his room as she was walking inside the division.³⁹⁴ In another case, a female cadet was reportedly subjected to a sexual assault outside the accommodation block but within ADFA grounds.³⁹⁵

Four other female cadets were allegedly sexually assaulted off campus.³⁹⁶ Three of these women were allegedly sexually assaulted while they were at Defence locations outside of ADFA, for training or rehabilitation purposes, while another woman was sexually assaulted after agreeing to go on a drive with the alleged abuser.

(iii) The role of alcohol in sexual assaults

Significantly, alcohol appears to have been a factor in at least 10 of these incidents, particularly, where the alleged sexual assaults took place following an evening function at ADFA, or after the alleged abuser had been out drinking.³⁹⁷ For example, some women were reportedly sexually assaulted after an ADFA 'dining-in night' or a graduation party. Others were sexually assaulted by a male cadet who had come to their room drunk after a night out. In some cases, the women had also been consuming alcohol, which may have left them more vulnerable to sexual abuse. For example, in one alleged incident a female cadet who had been drinking to excess woke up to find she was being sexually assaulted.³⁹⁸

(iv) Alleged perpetrators of sexual assault

In most cases, women were reportedly sexually assaulted by male cadets from their year, or by male cadets from a senior year:

- At least four women were alleged to have been sexually assaulted by more senior cadets who were second or third years at ADFA.³⁹⁹ All of these women were in the first year at ADFA. For example, one complainant told the Taskforce: 'During the initial six weeks of training I was raped by a third year member of my division'.⁴⁰⁰
- At least three women were alleged to have been sexually assaulted by senior cadets who occupied positions of authority in the cadet hierarchy at ADFA. This included two women who were allegedly sexually assaulted by the same senior cadet.⁴⁰¹

Two women were allegedly sexually assaulted by more senior ranking members of Defence who were their superiors at Defence locations outside of ADFA, where the women were attending for training or rehabilitation purposes. In a third case the alleged abuser was a senior cadet from the nearby Royal Military College.⁴⁰²

Of significant concern is that some male cadets may have been responsible for sexual assaults against more than one female cadet. For example, two women were allegedly sexually assaulted by the same male cadet.⁴⁰³ The Taskforce also found information in the Defence documents indicating that at least one other male cadet who allegedly sexually assaulted a named female cadet, may have also sexually assaulted another three female cadets who were not named.⁴⁰⁴

In several cases, the female cadets who were allegedly sexually assaulted knew the male cadets well, either as friends, or because they had some kind of relationship with them.⁴⁰⁵ One woman was alleged to have been raped by a male cadet she had previously been going out with, while another woman was allegedly 'date-raped' and knew the alleged abuser well.⁴⁰⁶ At least two other women were allegedly sexually assaulted by the same male cadet on more than one occasion. For example, one complainant told the Taskforce:

He felt very threatening to me and I felt powerless to do anything about it. [He] always threatened to either kill himself or to harm me if I didn't put up with his sexual assaults.⁴⁰⁷

In another case, a female cadet had allegedly been indecently assaulted by a male cadet on a previous occasion, and on a subsequent occasion was subjected to forced oral sex by him.⁴⁰⁸ In other cases, women experienced sexual assault and incidents of other sexual abuse by different alleged abusers. The circumstances of these cases are discussed below.

(b) Indecent assault or other sexual abuse

(i) Experiences of indecent assault or other sexual abuse

Of the 36 women who reportedly experienced sexual abuse at ADFA in the period from 1991 to 1998, the Taskforce has identified at least 19 women alleged to have experienced indecent assaults or other sexual abuse, including:

- 14 women who experienced an indecent assault;⁴⁰⁹
- one woman who experienced an act of indecency;⁴¹⁰ and
- four women who experienced both a sexual assault and an indecent assault (as discussed in the section on sexual assault above).⁴¹¹

Women who were allegedly subjected to indecent assaults experienced conduct ranging across a broad spectrum, from being kissed or touched outside the clothing on the buttocks, breast or groin area with sexual connotations,⁴¹² to more serious conduct including having their underwear or clothing removed and being touched directly on the genitals or having an exposed penis rubbed on them. One woman reportedly experienced an act of indecency which involved a male cadet entering her room while she was asleep, getting into bed and lying next to her naked.⁴¹³

One complainant told the Taskforce that she was subjected to an indecent assault by an older male cadet, which escalated from unwelcome hugging and kissing:

I did not consent to the hugging and kissing and tried to shake him off and push him away. I ended up on my back with his weight, about twice mine, on top of my chest. I was pinned by his weight and could feel his genitals against my leg. In response to my struggling, he said “you’re pretty strong for a girl” and laughed at me.⁴¹⁴

Another complainant told the Taskforce about an incident where an intoxicated male cadet entered her room at night:

[A]t some point he removed his pants and climbed into my bed and lay down on top of me. [...] He proceeded to try and remove my underwear and I know that at this point I was clearly articulating no in my response and asking him to stop, but again I was scared that alcohol might fuel an anger response and I didn’t want to scream and be found in such a compromising and vulnerable position. At some point the cadet gave up trying to remove my underwear and used his fingers to rub my genitals. He then proceeded to make thrusting movements on top of me with his hips. Fortunately he was unable to insert himself in me. It was after a period of a few minutes of this that the cadet gave up, got up, dressed himself and left my room.⁴¹⁵

As with allegations of sexual assault during this period, in the majority of these cases, the alleged abusers were male cadets. A small number of women were allegedly indecently assaulted by more senior ranking members of Defence.⁴¹⁶

There were a number of women who experienced indecent assaults or other sexual abuse by multiple alleged abusers on more than one occasion. For example, several different male cadets would reportedly visit the room of one female cadet during the night, usually drunk, and sit on her bed and try to touch her.⁴¹⁷ Another woman was woken on more than one occasion by different male cadets who tried to kiss her in her bed, tried to feel her breasts and genital areas, and on one occasion pushed her onto the bed and lay on top of her.⁴¹⁸

In another case, a female cadet was reportedly grabbed repeatedly on the breasts and buttocks by several male cadets through the course of one night, leaving bruises.⁴¹⁹ One complainant who experienced multiple indecent assaults by a number of different male cadets stated:

“He proceeded to try and remove my underwear and I know that at this point I was clearly articulating no in my response and asking him to stop, but again I was scared that alcohol might fuel an anger response and I didn’t want to scream and be found in such a compromising and vulnerable position. At some point the cadet gave up trying to remove my underwear and used his fingers to rub my genitals. He then proceeded to make thrusting movements on top of me with his hips.”

One moment, these guys were humiliating and belittling me. The next, they were drunk and groping.⁴²⁰

Although allegations of indecent assault or other sexual abuse were not generally accompanied by the same level of physical violence as in alleged incidents of sexual assault, several women who experienced indecent assaults were reported to have been pinned down to the bed, to the wall, or to the ground by their alleged abusers. For example, one complainant told the Taskforce:

[H]e proceeded to stroke my inner thighs and then he flipped and pinned me down with his body. After struggling I managed to get free and asked him to leave [...] I remember distinctly at the time that he was aroused.⁴²¹

One woman was allegedly pushed and held against a wall and hit across the face by a male cadet while he demanded sex.⁴²² In some cases, the alleged abuser used force to gain entry into the woman's room without her consent.⁴²³ A number of women reported that they were frightened or that they froze during the incident, because the alleged abuser was much larger than they were or they feared what might happen if they resisted.

(ii) Location of indecent assault or other sexual abuse

As with allegations of sexual assault, the large majority of incidents of indecent assault or other sexual abuse were alleged to have taken place in the ADFA accommodation blocks, after hours. At least 11 women were reported to have been subjected to indecent assaults or other sexual abuse in their own room.⁴²⁴ In most cases, the alleged abuser entered the female cadet's room while they were sleeping. Only one female cadet was alleged to have been indecently assaulted by a male cadet in his room.

Reflecting the nature of this type of abuse, in several incidents women were alleged to have been indecently assaulted in public spaces, sometimes where there were other people around, including in the common areas of the ADFA accommodation blocks, in the ADFA computer lab, in shared tents, and at parties or functions. Seven women reportedly experienced other sexual abuse off campus, including while they were at other Defence locations to undertake training, to receive medical treatment or to attend social events.⁴²⁵

(iii) The role of alcohol in indecent assault or other sexual abuse

As with allegations of sexual assault, alcohol appears to have been a factor in at least six of these incidents (and most likely more). These alleged incidents similarly took place following, or sometimes during, a social event or function. Frequently, female cadets reported indecent assaults by male cadets who had come to their room intoxicated. One complainant described the following experience to the Taskforce:

I was woken by the sound of someone entering my cabin. It was dark and the visitor did not turn on the light but slumped in a chair near my bed. I recall thinking that he must have had a lot to drink as he was slurring and didn't seem to have good control of his physical movements. He also smelled of alcohol. By the general shape I could see of him in the dark and the sound of his voice I could tell that this was one of my fellow cadets and I knew who he was. The male cadet was a very tall and heavysset person. He wasn't saying anything that made sense (probably due to alcohol). I remember thinking that I would have to be careful to get him out of the room quietly without provoking any alcohol related anger, as this cadet was very strong.⁴²⁶

(iv) Alleged perpetrators of indecent assault or other sexual abuse

The alleged abusers were male cadets in at least 15 cases of indecent assault or other sexual abuse. In at least five cases, these male cadets were more senior cadets, and in some cases were in a position of authority within the cadet hierarchy.⁴²⁷ Three women were allegedly indecently assaulted by more senior ranking members of Defence, including a staff member at ADFA, a medical staff member, and a supervising staff member at a Single Service Training location.⁴²⁸

Of significant concern is that three male cadets were alleged to have subjected a number of different women to indecent assaults or other sexual abuse:

- one alleged abuser was reported to have engaged in indecent conduct with three female cadets on separate occasions, including exposing his erect penis, attempting to touch them indecently and getting into their bed naked;⁴²⁹
- another alleged abuser was reported to have indecently touched a female cadet after making numerous demands for sex, and also to have made repeated sexual advances towards and rubbed himself on another female cadet;⁴³⁰ and
- a further alleged abuser who indecently assaulted at least one woman after sexually harassing her, was reported to have sexually harassed a number of other women in the same manner.⁴³¹

(c) Additional allegations of sexual and other abuse

The Grey Review and the DLA Piper Review were specifically concerned with sexual abuse of women in the 1990s at ADFA. The discussion above includes all cases of which the Taskforce is aware that fit into this category. However, the Taskforce's review of all material relating to sexual abuse in this period revealed some additional allegations of sexual and other abuse, including:

- additional allegations of sexual abuse in this period of unnamed women;
- additional allegations of physical abuse and sexual harassment; and
- additional allegations made by complainants that are not included in the Defence documents.

(i) Additional allegations of sexual abuse of unnamed women

The Taskforce also noted in its review of the Defence documents a number of reports of sexual abuse where the subject of the abuse was not named. These included:

- reports of sexual abuse of at least eight unnamed individuals during 1996 and 1998;⁴³²
- a report by one individual that she was aware of at least six other female cadets who were allegedly raped in 1996;⁴³³ and
- a report by a staff member who was aware of between six to 10 first hand complaints of sexual assault in 1997.⁴³⁴

(ii) Additional allegations of physical abuse and sexual harassment

As noted above, many of the women who allegedly experienced sexual abuse at ADFA in the 1990s also experienced a range of other forms of abuse. For example, some women were reportedly subjected to sexual assaults involving physical violence (as discussed above). However, in addition to this, the Taskforce identified at least three cases, and possibly more, in which women who had reportedly experienced sexual abuse also experienced one or more separate incidents of serious physical abuse, involving different alleged abusers. This physical abuse included:

- a more senior ranking male who punched a female cadet;⁴³⁵ and
- a woman who was hit by a male cadet in circumstances which suggested it was because she had rejected his sexual advance.⁴³⁶

In many cases, alleged incidents of sexual abuse of female cadets often took place within the broader context of the sexualised environment which existed within the cadet body at ADFA. Many women who reportedly experienced sexual abuse also experienced sexual harassment or other low level sexual misconduct by male cadets, as well as gender based harassment and bullying, including:

- demonstration of sexist or hostile attitudes towards women;⁴³⁷
- persistent demands for sex;⁴³⁸
- derogatory name-calling of female cadets or rumours being spread about their promiscuity or their sexuality;⁴³⁹
- belittling or degrading behaviour towards female cadets;⁴⁴⁰ and
- sending inappropriate emails with a sexual overtone.⁴⁴¹

(iii) Additional allegations made by complainants not included in the Defence documents

As noted above, several of the women who made complaints to the Taskforce provided information about allegations of sexual and other abuse in their personal accounts in addition to the information available in the Defence documents about their cases. These women frequently indicated that they felt unable to disclose the full details of what happened to them at the time.

For example, some complainants had reported less serious sexual abuse while they were at ADFA (as reflected in the Defence documents) but reported to the Taskforce that they had experienced sexual assault or other sexual abuse of a much more serious nature and had been too fearful, ashamed or embarrassed to disclose the full extent of what had occurred while they were still at ADFA.

Several complainants reported additional allegations of indecent assault or acts of indecency. Complainants also raised numerous additional allegations of sexual harassment, as well as harassment and bullying by other cadets (and in some cases by staff members), particularly as a consequence of having reported the sexual abuse that they experienced.

These additional allegations reported to the Taskforce included:

- one additional allegation of sexual assault;
- four additional allegations of indecent assault;
- one additional allegation of an act of indecency;
- multiple allegations of other low level sexual misconduct;
- three additional allegations of physical abuse; and
- numerous additional allegations of sexual harassment and harassment and bullying.

A few complainants chose not to include in their personal account some allegations of abuse which were identified in the Defence documents relating to their case. In some cases complainants provided reasons for this, including that they felt the matter had been resolved or that they considered the incident to be less important than other abuse that they had suffered.

All of these additional allegations illustrate the difficulties in ascertaining the precise number of incidents of sexual abuse which occurred. Despite these difficulties, the preceding discussion clearly illustrates that there was a high incidence of sexual offending at ADFA in the 1990s. In addition, for the reasons outlined below in section 5.3(a), it is reasonable to assume that a significant number of incidents of sexual abuse were not reported to Defence.

The following discussion considers under-reporting of sexual abuse and how those cases of sexual abuse which were reported were managed by Defence.

5.3 Defence management of reports of sexual abuse of women at ADFA in the 1990s

(a) Under-reporting of sexual abuse

There is evidence in the Defence documents, as well as in accounts provided by complainants, that a number of women alleged to have experienced sexual abuse at ADFA in the 1990s were reluctant to report these incidents. Sexual abuse is under-reported generally, however, there is evidence to show that the culture at ADFA at the time may have further contributed to under-reporting and that cadets felt under pressure to 'not jack on their mates' (as discussed in more detail in section 4 of this report). Other reasons for women not reporting included: anxiety about giving evidence in court; fear that they would not be believed; and/or concerns about the impact on their reputation or career.

In several cases, where Defence took no action in relation to the alleged abuse, this was because the female cadet did not wish to make a formal report or did not disclose the identity of the alleged abuser, particularly where the alleged sexual

abuse had been reported by a third party.⁴⁴² There appears to have been little further action which ADFA staff members could have taken in these circumstances.

(b) Adequate management of reports of sexual abuse

Where allegations of sexual abuse were reported it appears that in approximately 12 cases, there was some degree of appropriate management by Defence, including the following:

- In several cases, divisional staff and professional staff (such as psychologists, legal officers and in some cases Service Police), provided appropriate levels of support to female cadets who disclosed that they had allegedly experienced sexual abuse. This included advising them about their options, referring them to support services, contacting the civil police on their behalf and accompanying them to interviews.⁴⁴³
- In a number of other cases, the matter was investigated and some administrative action was taken or disciplinary charges were laid;⁴⁴⁴ in one case, following an investigation, the charges were found to be unsubstantiated.⁴⁴⁵ It also appears that in almost every case where a female cadet wished to make a complaint to the civilian police, she was assisted to do so.

(c) Inadequate or inappropriate management of reports of sexual abuse

It appears, however, that in a significant number of cases, Defence did not take appropriate disciplinary, administrative or management action, and that some cases were seriously mismanaged by Defence. Consistent with this finding, the Investigation Team that examined some of these cases during the Grey Review in 1998 reported:

Without exception, those females who were interviewed about incidents of sexual assault, expressed dissatisfaction about the manner in which it was handled.⁴⁴⁶

(i) Lack of adequate support

In particular, there were many cases where women who had reported sexual abuse did not feel that they were provided with an appropriate level of support. Several female cadets had concerns with the way their complaints were managed by staff members. In some cases, these were individuals identified by the Investigation Team in 1998 as staff members of concern who would be 'unlikely to support and implement changes'.⁴⁴⁷

One complainant told the Taskforce about the impact of her Divisional Officer's response when she reported an indecent assault:

I don't know what records of conversation or other documents were placed on my training file by my [Divisional Officer], but my most significant memory of this whole affair was the Divisional Officer's obvious displeasure with my reporting the incident and his hostility towards me thereafter.⁴⁴⁸

Another complainant said:

I was only 18 years old at the time of the attack and had come from a very sheltered upbringing, and the people I was meant to trust (divisional and squadron staff) made it very clear that they did not believe anything I said and that I was a trouble maker.⁴⁴⁹

"I was only 18 years old at the time of the attack and had come from a very sheltered upbringing, and the people I was meant to trust (divisional and squadron staff) made it very clear that they did not believe anything I said and that I was a trouble maker."

In several cases, women who were allegedly sexually abused had to continue living in the same accommodation with, or were required to attend classes or continue working with the alleged abuser.⁴⁵⁰ One complainant stated:

I had to live and eat in the same Mess as [the alleged abuser].⁴⁵¹

In another incident, after a female cadet had reported a sexual assault, her request to be transferred to different accommodation at ADFA, so that she did not have to live near the alleged abuser, was refused by more senior cadets.⁴⁵²

(ii) Inappropriate or inadequate investigation or action

Other cases included a failure by staff members to take appropriate action to investigate reports of sexual abuse. In particular, the Taskforce noted a number of cases of serious sexual abuse where there was no further investigation or action taken by Defence after the matter had been referred to civilian police and there was no reference to the allegation on the alleged abuser's records.

In some of these cases, where a cadet disclosed an allegation of sexual abuse to a staff member but did not wish to take any further action, a record of conversation was signed by the cadet and put into a 'sealed envelope' (apparently with a covering note as to whether the cadet consented to the ADFA Deputy Commandant reading the contents), and no further action was taken.⁴⁵³ In its analysis of these cases, the Taskforce examined a number of sealed envelopes which were provided by Defence.

A key issue which arose in almost all these cases (and which was highlighted during the Grey Review), is the apparent understanding of the policy at the time that all matters involving sexual assault had to be referred to the civilian police, and that staff members were of the view they could take no further action, even if a prosecution did not proceed. In many cases where a woman who was allegedly sexually abused indicated that she no longer wished to proceed with civilian police action, there was no further consideration of possible administrative or disciplinary action against the alleged abuser.⁴⁵⁴

Consistent with the Taskforce's findings, the Investigation Team which considered some of these cases during the Grey Review in 1998 reported:

The Review Team was disappointed to find that, under existing policy, DFDA action could have, and should have, been taken with respect to a number of the incidents that had occurred, despite the fact that the complainant did not want to take action. At the very least the members should have been referred for counselling.⁴⁵⁵

There were a number of other examples of inadequate and inappropriate action taken by staff members in these cases. For example:

- In one case, allegations against a male cadet had been substantiated and he was able to leave ADFA without these allegations being communicated to his subsequent posting location.⁴⁵⁶
- In a few cases, following investigations individuals found responsible for abuse appear to have been subject to inappropriate discipline or punishment given the serious nature of the offending. For example, in one case, a serial abuser was punished by way of an 'officer qualities warning', while in another the abuser was given a 'censure'.⁴⁵⁷
- In a number of other cases, it appears that staff members failed to inform the women involved about the outcome of the investigation into their allegations and what action, if any, was being taken against their alleged abuser. For example, one complainant whose allegations were investigated stated that she '[did] not recall being advised formally of an outcome, nor of any disciplinary action against [the alleged abuser]'.⁴⁵⁸

(iii) Cases involving serious mismanagement

The Taskforce also identified several cases which involved very serious examples of Defence mismanagement:

- In one case, a woman reported to staff members that she had been sexually assaulted. Following this, she was subjected to an investigation into her sexual history and allegations of fraternisation as a result of which her 'officer qualities' were questioned. It appears that this woman was subsequently pressured to resign from Defence.⁴⁵⁹
- In one case, where a woman had made a complaint in relation to harassment by a male cadet who had also sexually abused her, the alleged abuser was involved in investigating the complaint made against him and subsequently continued to publicly harass and victimise the female cadet for reporting the abuse.⁴⁶⁰

- In one case, an allegation of sexual abuse by a more senior ranking member of Defence against a female cadet was investigated internally rather than being referred to the civilian police and the cadet was advised by staff members to keep management of the matter ‘in house’ rather than report to the civilian police.⁴⁶¹

In some cases, the Taskforce has referred matters to the CDF to consider taking administrative and/or disciplinary action where individuals involved in serious mismanagement of reports of sexual abuse are still serving members of Defence.

5.4 What has been done about cases of sexual abuse of women at ADFA in the 1990s

(a) Defence consideration of these cases

Defence has held documents relating to over 30 of these cases since the 1990s. Following the publication of the DLA Piper Review report, the then CDF, General David Hurley AC DSC, directed the Australian Defence Force Investigative Service (ADFIS) to conduct a review of all material held by Defence in relation to allegations of sexual abuse at ADFA in the 1990s. In October 2012, the Provost Marshal ADF⁴⁶² provided the then CDF with the ADFIS briefing on these cases, recommending that the allegations of sexual offences and related offences should be referred to the Australian Federal Police. The Taskforce understands that this briefing included the names of victims and perpetrators.

On 28 November 2012, the Provost Marshal ADF informed the Chair of the Taskforce that he had been directed not to refer those matters to civilian police pending the outcome of the Taskforce consideration of them. The Chair formally advised the Provost Marshal ADF that Defence should take whatever action it would ordinarily take about those matters (or any others), including referral to civilian police, without waiting for the Taskforce to consider them.

The Taskforce is not aware of Defence having referred any of these matters to the civilian police following the receipt of the ADFIS briefing in October 2012.

In December 2012, General Hurley reported in the media that approximately ten individuals suspected in the involvement of sexual assault of female cadets were still serving in Defence.⁴⁶³

(b) What the Taskforce has done in relation to these cases

It is important to note that the Taskforce analysis of sexual abuse occurring at ADFA during the 1990s has largely been based upon consideration of Defence documents from that time, and that were provided to the Taskforce by Defence. As the Taskforce has never had the investigative power or authority to take direct action against Defence members, it has always been the case that these matters would be referred back to Defence to take action where possible and appropriate. In addition, the Taskforce is limited in what it can do regarding cases where a complainant has not come forward to the Taskforce.

The Taskforce has consulted with Australian Capital Territory Policing (ACT Policing) Criminal Investigations regarding the information it holds on cases of sexual abuse of women at ADFA in the 1990s. ACT Policing advised the Taskforce that, unless the women in those cases have registered with the Taskforce and consent to their matters being referred to civilian police for assessment and possible investigation, or they have directly provided their consent to a police or other agency, ACT Policing will not initiate unsolicited contact with them.

(i) Recommendations to the CDF regarding still serving alleged abusers

In accordance with the Taskforce Terms of Reference, on 16 October 2013, the Taskforce Chair provided the then CDF with an analysis of the 19 cases which the Taskforce believes were referred to by DLA Piper and identified by the Investigation Team during the Grey Review. This analysis:

- identified at least 12 still serving members of Defence (as at October 2013) as alleged abusers in cases of serious sexual or other abuse of women at ADFA in the 1990s; and
- made recommendations in 13 cases, where the Taskforce concluded that it may be open to Defence to consider taking administrative, disciplinary or other action where there were alleged abusers, or individuals involved in the mismanagement of reports of abuse, who were still serving members of Defence.

The Taskforce Chair subsequently wrote to the CDF on 8 September 2014 to provide an analysis of the additional 14 cases of sexual abuse of women at ADFA during the 1990s identified by the Taskforce in its further review of the Defence documents. This analysis:

- identified a further six still serving members of Defence (as at September 2014, including one member who had transferred to the Inactive/Standby Reserve) as alleged abusers in cases of serious sexual or other abuse of women at ADFA in the 1990s; and
- made recommendations for Defence to consider taking administrative, disciplinary or other action in a further four cases.

In four cases, with the consent of the complainants involved, the Taskforce has subsequently provided Defence with further information relevant to their case.

The Taskforce also requested updated information from Defence to confirm the current service of alleged abusers. Altogether, as at 2 October 2014, the Taskforce has identified that:

- there are at least 13 individuals identified as alleged abusers in cases of serious sexual or other abuse of women in the 1990s still serving in the Permanent Forces or Active Reserve, and an additional three individuals who have transferred to the Inactive/Standby Reserve;
- eight of these alleged abusers are in the Navy, five in the Army and three in the Air Force; and
- the highest rank of any alleged abuser identified as still serving is the equivalent rank of Commander/Lieutenant Colonel/Wing Commander, with most individuals serving at the equivalent rank of Lieutenant Commander/Major/Squadron Leader.

It is of significant concern that at least one alleged abuser involved in two separate cases of sexual abuse against two women is still serving; and that one alleged abuser involved in a case of sexual assault who is still serving may have also been responsible for a number of other sexual assaults against women who are not named.

In his correspondence to the CDF on 16 October 2013, the Taskforce Chair requested that the CDF keep him informed about any action that Defence may take in any of these cases.

Defence subsequently confirmed that it was not initiating contact with subjects of alleged abuse who are part of the '24 ADFA cases', but would examine how to make a further public call for people alleging abuse to contact Defence.⁴⁶⁴ In June 2014, Defence established a 'Report Abuse' portal on both the Defence internet and intranet sites, and has advised that this continues to be available for people to report abuse.⁴⁶⁵

On 25 September 2014, the CDF, Air Chief Marshal Mark Binskin AC, wrote to the Taskforce Chair providing information about Defence's consideration of these cases. Air Chief Marshal Binskin indicated that:

- Defence had reviewed the 19 matters referred in the letter of 16 October 2013 to the then CDF, to identify whether there were any other personnel involved and to gain a better understanding of the ADFA environment in the 1990s, and had referred each matter to ADFIS for formal assessment;

- as the alleged offences occurred outside the five year statutory limitation in the *Defence Force Discipline Act*, disciplinary action against any alleged perpetrator in those cases is no longer possible;
- if complainants provide consent to be contacted by Defence, it may be possible to refer some of those matters to civilian police, and that Defence is working with two of these women to obtain relevant court or civilian police records to assist Defence in determining what, if any, administrative action is available;
- eight matters are still under consideration, however, in a number of these matters without the consent of the subject of the abuse the ability of Defence to obtain evidence to support administrative action is constrained, options are still being considered for one of these matters and three others are likely to be referred to the relevant Service Chiefs; and
- no further action would be taken in relation to 11 of the 19 matters due to a lack of evidence, a lack of a clear allegation, an inability to identify an alleged perpetrator or the lack of consent from the subject of the abuse to be contacted by Defence.

The Taskforce notes Defence's advice that its review of each of the 19 matters included consideration of the initial material referred by the Taskforce, and a wider records search across Defence. This included a holistic review of any relevant files (such as performance reports, personnel files, corporate files, and inquiry and ADFIS records). Defence advised that in a number of instances, this material exceeded that provided to the Taskforce by ADFIS or under the RFI process, and that, with complainant consent, they had been able to access further information including civilian police and court records, which enabled Defence to be more fully informed when assessing possible action.

As noted above, information about more than 30 of these matters is in documents which Defence has held since the 1990s, and the Taskforce analysis has largely been based upon consideration of these Defence documents. The Taskforce has never had the investigative power or authority to take direct action against Defence members, and so these matters have been referred back to Defence to take action where possible and appropriate. This includes Defence assessment and further investigation of these matters on the basis of all the information to which it has access, or which it may obtain by utilising formal investigative or inquiry powers available to it, and not limited primarily to analysis of Defence and other documents.

The Taskforce appreciates that there are real difficulties for Defence in responding to allegations of sexual abuse at ADFA in the 1990s, due to factors such as the amount of time that has passed, the nature of some of the evidence available, and issues related to obtaining the consent of complainants to pursue these allegations. The Taskforce also appreciates that Defence must operate within the legal framework in which administrative or disciplinary action occurs.

However, the fact remains that many of these allegations were not appropriately managed at the time they were made; and the constraints on Defence's capacity to respond to them now; means that a significant cluster of very serious allegations of abuse at ADFA have never been thoroughly investigated, and individuals alleged to have committed very serious offences have never been called to account.

These issues are examined further in section 9 which addresses the question of whether a Royal Commission regarding ADFA is merited. Full consideration of the question of a Royal Commission and further detail regarding the recommendation of the Taskforce is addressed in the *Report on abuse in Defence*.

(ii) Complaints to the Taskforce of sexual abuse of women at ADFA in the 1990s

The Taskforce's primary focus is to assess and respond to individual cases of alleged abuse in Defence occurring prior to 11 April 2011 and reported to the Taskforce prior to 31 May 2013. The Taskforce is required to determine, in close consultation with complainants, the most appropriate outcome in individual cases. In line with its Terms of Reference, the Taskforce placed a high priority on assessing complaints made by women who experienced sexual abuse at ADFA in the 1990s.

As at 2 October 2014, the Taskforce had completed its assessment of 11 of the 14 complaints received, and assessed all of the allegations of abuse made by these 11 complainants as plausible. The complainants' allegations are largely consistent with the accounts of the abuse contained within documents created by Defence at the time of the alleged incidents.

All 11 complainants were subjected to one or more incidents of sexual abuse, and several complainants also raised in scope and plausible allegations of sexual harassment, physical abuse or harassment and bullying. The Taskforce is in the process of providing individual outcomes for these complainants depending on their wishes.

The Taskforce ensured that the Government's cut-off date for making a complaint was advertised widely both within and outside of Defence. Following the report on sexual abuse at ADFA on ABC's Four Corners which aired on 9 June 2014,⁴⁶⁶ the Taskforce confirmed that it is continuing to accept complaints from women who experienced sexual abuse at ADFA during the time period of the '24 ADFA cases' (1991 to 1998). The Taskforce continued to accept these complaints beyond the cut-off date because these individuals are part of a group which was specifically named in the Taskforce Terms of Reference (but the composition of which was uncertain), and also because the Taskforce had already completed significant work on most of these cases prior to the cut-off date.

In relation to other allegations of abuse within the wider ADF which fall outside these parameters, the Taskforce Chair will notify the Minister for Defence as to any new allegations of abuse from people who were unable to be registered because of the 31 May 2013 cut-off date.

6. Factors contributing to abuse at ADFA

Complainants to the Taskforce provided accounts of abuse occurring at ADFA from 1986, the year it was established, until 2011. In its analysis of ADFA complaints, the Taskforce was able to identify some of the factors that contributed to the abuse which occurred over this period of time. While many of these factors were specifically identified by complainants in their accounts, they were equally apparent in the overall body of material that the Taskforce has reviewed in relation to ADFA.

The first part of this section looks at some of the most significant factors identified as contributing to the occurrence of abuse at ADFA, including:

- issues of gender and culture within the male-dominated environment at ADFA, including the formal cadet hierarchical structure which was in place until the late 1990s;
- concerns about the suitability and experience of some staff members in supervising young people in a mixed gender environment;
- inadequate levels of supervision and security in the ADFA accommodation;
- excessive use of alcohol by cadets;
- issues with reporting of abuse, including inadequate policies and procedures regarding the management of reports of abuse and a culture which discouraged reporting of abuse; and
- a failure of leadership to prevent, stop and respond to abuse.

The Taskforce notes that many of these issues have been well-documented through other reviews of ADFA, referred to in section 2 and Appendix E. Reviews which have been conducted since the 2000s, (most significantly the AHRC Review conducted in 2011 and the subsequent audit of the implementation of its recommendations), have found that ADFA has taken steps to address many of these issues and that significant improvements have been made. However, abuse has continued to occur at ADFA throughout the 2000s, indicating that some of the risk factors which have contributed to abuse in the past may continue to be issues of concern.

As complaints received by the Taskforce relate to abuse which occurred prior to 11 April 2011, it is acknowledged that these complaints do not reflect the impact of changes which have taken place after this date. As such, this report does not attempt to provide a detailed examination of the extent to which these factors are still present within ADFA. However, section 6.7 makes some brief observations, based on the findings of more recent reviews, about whether these factors may continue to contribute to abuse occurring at ADFA today.

6.1 Gender and culture issues

Cultural and social norms have a strong influence on guiding individual behaviour, including supporting and encouraging bullying, violence or other abuse.⁴⁶⁷ This is intensified in an institutional setting, particularly one such as ADFA, where a large group of young people in various stages of physical and emotional development live, study and undertake military training together.

Complainants frequently referred to a number of aspects of the culture at ADFA that impacted on their experiences of abuse, including both the cadet culture as well as the culture of the institution more broadly. These included: the male-dominated environment; an emphasis on masculinity and physicality as part of the military culture; an intolerance of those who were considered 'weak' or 'different'; the hierarchical culture within the Corps of Officer Cadet structure until the late 1990s; a culture of excessive alcohol use; and a culture which emphasised loyalty to other cadets above all and discouraged reporting of abuse.

As outlined in section 3, complainants told the Taskforce that issues related to gender and the male-dominated environment at ADFA had a significant role in the abuse they experienced. While this was more overt in cases of sexual abuse and sexual harassment, former female cadets who experienced harassment, bullying and physical abuse also spoke about a broader culture within the cadet body in which sexist attitudes and hostility towards women were displayed, and in which a degree of violence towards women appears to have been tolerated. One complainant described this culture as follows:

the culture at [ADFA] was extremely negative towards female officer trainees [...] there was zero respect for women.⁴⁶⁸

For example, as discussed in section 3.6(a), complainants who were in a significant minority as female cadets in their divisions in the late 1980s, experienced campaigns by male cadets 'to make life difficult for their female colleagues'⁴⁶⁹ and reported that 'getting rid of the girls was a goal of senior cadets'.⁴⁷⁰

In many of these cases, the main instigators of abuse were identified as male Army cadets. The dominant influence of the culture of the nearby Royal Military College (where Army cadets previously undertook their officer training in a male-only environment) was also highlighted by some complainants, particularly in the early years of ADFA.

Female complainants who were cadets during this period also spoke about lacking other females to whom they could turn for support within this hostile environment, either as peers, more senior cadets or staff members. One complainant commented:

I struggled in a heavily hierarchical culture, which was predominantly anti-female with no female peer support.⁴⁷¹

"I struggled in a heavily hierarchical culture, which was predominantly anti-female with no female peer support."

Previous reviews of ADFA have similarly identified an over-emphasis on masculine or 'macho' traits within the predominantly male ADFA cadet body and the focus on physicality and discipline within the 'warrior culture' that is often characteristic of military organisations.⁴⁷²

For example, one complainant who described his early experiences of the military culture as a young cadet, spoke of a perceived 'need to push new recruits to get the most out of them and "break them down"' before building us back up again'.⁴⁷³ Another complainant made the following observation:

When I enlisted I was fully prepared to accept physical hardship and a degree of psychological conditioning. I understood that both were necessary practices to prepare one for life in the forces. However, I soon found that the level of bullying and harassment, the constant belittlement and derogation, far exceeded what was acceptable.⁴⁷⁴

Many complainants reported that male cadets, particularly senior male cadets, frequently displayed aggressive sexist or homophobic attitudes and an intolerance of 'weakness'. Complainants also reported that particular factors which marked them out as 'different'—such as their appearance, personal characteristics, illness or injury—increased their risk of being targeted for abuse by other cadets, and sometimes by staff members.

Another important aspect of the cadet culture which featured strongly in complaints of abuse was the cadet hierarchical structure (the Corps of Officer Cadets) which existed at ADFA until it was abolished in the late 1990s. As discussed in section 3, many complainants reported that they experienced abuse perpetrated by a more senior cadet. In several other cases, as discussed in section 4, incidents of abuse were reported to third year cadets who played a pivotal role in the overall mismanagement of the report of the abuse.

Third year cadets appointed to positions of authority within the cadet hierarchy had some limited powers to impose punishments on more junior cadets, and junior cadets would often report incidents of abuse to third years in the first instance. However, these third year cadets frequently lacked the training or experience to supervise junior cadets only slightly younger than themselves.

In many cases, incidents of serious abuse were reported to third year cadets who dealt with them 'at the lowest level' (the matter was kept within the Corps of Officer Cadets and not reported further up the chain of command), and no further action was taken. Other complainants who experienced bullying in the form of unreasonable tasks or punishments imposed by more senior cadets stated that it was seen as part of the role of the seniors to 'train' first years in the ways of the military, even though they themselves lacked this experience.

The Grey Review highlighted the potential for senior cadets to abuse their power within this hierarchical culture, and noted that this was exacerbated by the general lack of maturity of cadets, a culture of excessive alcohol use, and the unwritten rules underlying the cadet culture: 'loyalty to the Corps, don't jack on your mates and don't cross the road' (taking a complaint about another cadet to staff).⁴⁷⁵ As the experiences of many complainants to the Taskforce illustrate, this culture contributed to an environment which enabled abuse to occur and enabled alleged abusers to remain unaccountable.

The Grey Review identified the Corps of Officer Cadets as a cause of significant cultural deficiencies within ADFA and consequently the formal cadet hierarchy was abolished.⁴⁷⁶

6.2 Staffing issues

As outlined in sections 3 and 4 of this report, many complainants reported concerns about the conduct or attitudes of staff members. It is noted that a posting to ADFA required no special qualifications or experience, meaning that military staff members posted to ADFA were often inexperienced, ill-equipped or ill-suited to a role involving supervision and training of young people, particularly in a mixed gender environment. Complainants reported abusive conduct by some staff members towards cadets, particularly bullying behaviour, which may have reflected their own experiences of the military and the belief that harsh discipline was a necessary part of military training. One complainant observed:

[T]he vicious cycle of previously abused people training the next generation of people must be broken and it will take time to overcome this problem.⁴⁷⁷

The unsuitability of some staff members to their role at ADFA was also illustrated by the many complaints involving staff members who failed to take action, or take appropriate action, upon becoming aware of a report of abuse. One complainant commented on 'the complete lack of control and interest taken by the Divisional Officer in relation to the welfare of vulnerable junior cadets'.⁴⁷⁸ Former cadets also stated that they were reluctant to report abuse because of poor relationships with individual staff members or a lack of trust and confidence in staff members generally.

Some complainants noted the importance of addressing concerns about staffing to encourage a culture of better reporting of abuse at ADFA. For example, one complainant told the Taskforce:

Whilst I am happy that Government is currently driving a response, I'm not confident that sufficient change has occurred to ensure that senior Defence staff and those in authority positions are sufficiently trained or supported to appropriately manage incidents as they are reported.⁴⁷⁹

In 1998, the Grey Review and Investigation Team raised concerns about the actions and attitudes of ADFA staff members, and referred to the need for suitably qualified and experienced staff, and better training and support for staff in dealing with young people and those experiencing abuse. These reviews also raised concerns about the lack of disciplinary action taken by staff members in relation to misconduct or misuse of alcohol by cadets. The Investigation Team observed that the senior leadership at ADFA in 1998 expressed frustration at the administrative difficulties faced in removing staff members about whom they had concerns.⁴⁸⁰

"[T]he vicious cycle of previously abused people training the next generation of people must be broken and it will take time to overcome this problem."

The Investigation Team also noted concerns regarding the lack of proper record keeping by staff members in relation to reports of incidents on cadet files, and staff members dealing with incidents of abuse as administrative matters, rather than as criminal or disciplinary matters.

6.3 Supervision and security

Most complainants reported that they experienced abuse in the ADFA accommodation blocks, frequently after hours. As referred to in section 3, complainants' accounts suggested that the mixed gender residential setting at ADFA raised issues of a lack of privacy (particularly for female cadets using shared bathroom facilities), poor security and inadequate supervision. This placed cadets in an environment where they were vulnerable to experiencing, if not participating in, abusive behaviour.

Several complainants referred to concerns about the physical security of cadets' rooms. For example, one complainant reported:

During first year the female cadets [...] were warned by senior female cadets [...] about personal safety in the Division, referring to incidents that they had endured while in the Division. [F]emale cadets had personal effects and underwear stolen. [W]e were warned that male cadets were known to spy on the female cadets and that we were to be aware of our personal safety at all times.⁴⁸¹

In particular, the Taskforce notes several disturbing cases of complainants waking to find the alleged abuser in their room. Some complainants reported that they had to tie ropes around their door handles so that other cadets could not enter their rooms at night.⁴⁸²

Other complainants highlighted the lack of supervision of cadets after hours. One complainant stated that 'we were left to our own devices too much',⁴⁸³ and that this allowed abusive behaviour to occur:

They were kids who were drunk and they did things. And I don't really blame them, I blame the staff [...] I really think it's because the staff weren't supervising.⁴⁸⁴

Several complainants indicated that the problems which arose because of the lack of supervision in the accommodation were well recognised by staff members. For example, one complainant reported:

[The Divisional Officer] knew what was happening but had no control over what the Under Officers were doing when they were alone with us.⁴⁸⁵

Consistent with the accounts provided by complainants, the Grey Review found that inappropriate behaviour often resulted from insufficient supervision of cadets out of hours. It recommended improvements to supervision, the physical security of the accommodation and personal security of cadets, and improving policies around entry to cadets' rooms.⁴⁸⁶

6.4 Alcohol

Many complainants told the Taskforce about excessive alcohol use by cadets and frequently reported that it was a factor in the abuse they experienced. For example, one complainant stated that '[a]lcohol was such a big part of the culture'.⁴⁸⁷ Another complainant stated:

I was exposed to a culture of excessive drinking and was expected to drink to excess.⁴⁸⁸

"I was exposed to a culture of excessive drinking and was expected to drink to excess."

Similarly, another complainant described that drinking alcohol 'fitted in with the acceptable masculine behaviours' and that 'my alcohol consumption was encouraged by my male peers and the culture'.⁴⁸⁹ One former female cadet said that she was excluded by other cadets as she did not drink alcohol and went to bed early on the weekends.⁴⁹⁰

It is clear that the social norms around alcohol use at ADFA and a culture of acceptance of excessive drinking by cadets, some of whom were underage, were likely to have increased the risk of abuse occurring. There is strong evidence of an association between alcohol consumption and violent and abusive behaviour. In many cases reported to the Taskforce, alcohol use may have encouraged abusive conduct by making the alleged abuser less inhibited.⁴⁹¹ For example, former cadets frequently told the Taskforce that they were subjected to verbal abuse, threats or physical assaults, and in some cases serious sexual abuse, by cadets who were intoxicated following a social event or function or after going out.⁴⁹² In some cases, it appears that alcohol use had the effect of making individuals more vulnerable to abuse by making them less alert and less able to resist a physical or sexual assault.

As discussed in section 7, some complainants also reported that they developed ongoing problems with alcohol, substance abuse or other addictive behaviours, which commenced at ADFA.⁴⁹³ The Grey Review focused on alcohol use in their report, and recommended tighter restrictions on the availability of alcohol at ADFA.⁴⁹⁴

6.5 Reporting of abuse

Section 4 of this report outlined some of the deficiencies in the understanding and application of the Defence policy framework at ADFA with regard to sexual assault and other abuse, which gave rise to a finding of Defence mismanagement in some complaints.

As these cases demonstrate, poor policies and procedures regarding the management of reports of abuse, and a failure to support those who experience abuse or to properly punish abusers, may contribute to a risk that further abuse may occur, if potential abusers believe there is little risk of adverse consequences and they will not be held to account.

As discussed in section 4, many complainants identified a culture at ADFA which did not support the reporting of abuse. One complainant referred to being 'trapped in an organisation that turned a blind eye to this disgraceful culture'.⁴⁹⁵ This culture was reinforced in a number of ways, including through: the attitudes and conduct of staff who either took no action or inadequate or inappropriate action in response to reports of abuse; deficiencies in policies and processes for reporting abuse; and a 'code of silence' amongst cadets.

These factors served to undermine confidence in the system and increased the likelihood that abuse would not be reported in the future. The effect of an institutional culture that did not support the reporting of abuse, and in which abuse when reported was not dealt with effectively, was to create an environment which fostered abuse. Abuse was enabled to flourish within a context in which individuals knew that acts of abuse could go unpunished and in which it was implicitly condoned by the institution itself.

The Grey Review recommended changes to policies and procedures to ensure that complaints were handled effectively and sensitively, and to encourage reporting of abuse.⁴⁹⁶ Some of these recommendations included amendments to Defence policies to clarify the right of staff members to deal with incidents of abusive behaviour, and to correct the perception of staff members that only the complainant could decide on the outcome of a complaint and that Defence could not deal with any issues relating to sexual offending.⁴⁹⁷

Other recommendations of the Grey Review included: better recording and tracking systems to identify repeat offenders;⁴⁹⁸ discontinuing the system of sealed envelopes;⁴⁹⁹ ensuring complete records on cadets being kept on their ADFA training files;⁵⁰⁰ and improvements to ensure both cadets and staff members were aware of and complied with responsibilities to notify and report incidents of abuse.⁵⁰¹

6.6 Leadership issues

Most ADFA complainants who experienced abuse were young people under the age of 20 years at the time of the abuse and approximately a third were still minors, only 17 years of age. The Taskforce analysis of complaints indicates that underpinning many of the issues discussed above was a broader failure of leadership at ADFA to prioritise the protection and welfare of cadets and to provide a safe environment for them.

This failure of leadership was manifest in a number of ways: in the failure of Defence leaders at ADFA in their duty to ensure appropriate staffing and supervision and the physical safety of cadets; the failure to ensure appropriate discipline of those found responsible for abuse; and an associated failure to take proactive steps and to have adequate policies and procedures in place to prevent, stop or respond to abuse. As one complainant stated:

I was subjected to illegal acts at ADFA and the culture of cover up and “closing ranks” in a misguided attempt to protect the reputation of ADFA rather than fixing these issues defies logical explanation. It reflects a culture and failed ongoing senior leadership that has decided that ignoring and covering up the issues is preferable to acknowledging and addressing them to provide what are young Australians only just entering adulthood with a safe and appropriate workplace.⁵⁰²

6.7 The current situation at ADFA

Recent reviews conducted since the 2000s have found that ADFA has taken steps to address many of the factors which have contributed to abuse occurring, and that in some areas significant improvements have been made. This part considers some of these changes and what these more recent reviews indicate about the presence of these factors at ADFA today.

(a) Gender and culture issues

The Grey Review recommended an extensive ‘cultural change program’ to create both a gender balance and better balance between the military and academic sides of ADFA, to improve education around sexuality and sex education and to diversify ADFA’s model of leadership from its emphasis on physical and masculine qualities.⁵⁰³

Considerable change has undoubtedly occurred as a result of the Grey Review; however, subsequent reviews have identified problematic aspects of the culture at ADFA which have continued throughout the 2000s:

- In 2009, for example, an internal Defence Inquiry (the Bastian Inquiry Report) found that many of the issues raised in the Grey Review had ‘resurfaced, albeit to nowhere near the level that existed in 1998’, and there was still a level of tolerance for low level sexual and gender harassment, although female cadets were more willing to stand up to such behaviour.⁵⁰⁴ The Bastian Inquiry Report also found evidence of bullying, harassment, alcohol abuse, pornography availability, fraternisation, and intimidation, generally in the form of ‘low level’ harassment by small pockets of cadets, rather than ‘an aggressive culture of abuse’ within the cadet body.⁵⁰⁵
- In 2010, a report by the then ADFA Commandant Bruce Kafer (the Kafer Report), confirmed that many of the extreme cultural deficiencies such as bastardisation, extreme bullying and harassment were no longer prominent, but that ‘some less overt forms of intolerance, aggression, and negative social behaviours still exist’.⁵⁰⁶ The Kafer Report pointed to the characteristics of the military environment as the main source of continuing cultural deficiencies at ADFA, including ‘the intolerance of weakness, particularly physical, and the still somewhat limited acceptance of females or feminine characteristics’.⁵⁰⁷

Most significantly, in 2011, the AHRC Review concluded that ADFA was a ‘vastly improved institution’ since 1998, and that ‘many of the extreme cultural concerns documented in the Grey Review are no longer apparent’.⁵⁰⁸

The AHRC Review found that since the removal of formal hierarchies following the Grey Review, inter-year bullying and harassment had reduced. However, it also found that new issues had arisen in terms of inter-year interaction, peer support mechanisms and leadership opportunities, and made recommendations in relation to developing mentoring schemes and other forms of support for cadets.⁵⁰⁹

The AHRC Review also found that some ongoing cultural deficiencies remained, including:

widespread, low-level sexual harassment; inadequate levels of supervision, particularly for first year cadets; an equity and diversity environment marked by punishment rather than engagement; and cumbersome complaints processes.⁵¹⁰

The AHRC Review found that the impact of such low level sexual and gender harassment was disproportionately experienced by women, and concluded that further structural and cultural reform was needed,⁵¹¹ including:

- reform in relation to issues of equity and diversity and cadets' understanding of gender relations and the impact of sexualised activities, sexual harassment, the meaning of consent and the appropriate use of technology;⁵¹²
- a better understanding of health needs of women at ADFA and more holistic responses to issues of health and wellbeing including sexual abuse and violence;⁵¹³ and
- an organisational response informed by a survey of levels of harassment and discrimination.⁵¹⁴

In the 12 month audit of the implementation of its recommendations, the AHRC found that ADFA had made significant progress on these recommendations, stating that:

[t]here is evidence that ADFA is changing. ADFA is making steady strides to improve its culture to build a more inclusive place for all its members, including women.⁵¹⁵

(b) Staffing issues

Following the Grey Review, subsequent reviews have continued to raise concerns regarding the need to post high quality military staff with the right skills to work with young people in the mixed gender, tri-Service environment of ADFA. For example, the Kafer Report recommended an 'overhaul' of selection processes and enhanced training for military staff at ADFA.⁵¹⁶

In 2011, the AHRC Review also identified the importance of attracting and retaining suitable staff and emphasised the need to reform induction and training processes to better equip staff members to deal with issues specific to the mixed gender environment at ADFA and the supervision of young people.⁵¹⁷

In the 12 month audit of its recommendations, the AHRC found that although ADFA staff training and induction programs had been enhanced there was still room for progress in relation to policies on staff selection and removal of underperforming staff and undergraduates.⁵¹⁸

(c) Supervision and security

Concerns about the layout of the cadet accommodation at ADFA and its impact on personal safety and hindering supervision have also been raised in subsequent reviews through the 2000s.⁵¹⁹ In 2011, the AHRC made several recommendations regarding the residential setting of ADFA including facilitating better after hours supervision and engagement of staff members,⁵²⁰ and conducting a risk assessment to identify the level of risk to cadets arising from mixed gender living arrangements.

The AHRC audit found that significant progress had been made on safety and security issues, including the establishment of the Residential Support Officers (RSO) program and providing better supervision for undergraduates.⁵²¹ The RSO program involves Advanced Students, who have undertaken training for the role, living in divisions to act as role models and provide additional support, mentoring and supervision for first year cadets.⁵²² However, a further update provided on ADFA in the 2014 AHRC ADF Audit Report, noted that safety and security issues continued to be a concern in light of results of a survey conducted in 2013, which showed that unacceptable behaviour was still most likely to occur in the 'Residential Domain'.⁵²³

(d) Alcohol

Several reviews into ADFA in the 2000s have considered the role of excessive alcohol use by cadets. Some have observed that excess alcohol consumption is a problem occurring more widely in the civilian community and is not unique to the cadet population of ADFA. For example, in 2009, the Bastian Inquiry Report found that although alcohol was widely consumed by cadets, it did not appear to be the cause of most of the incidents of unacceptable behaviour which occurred; rather, it was a factor in a few isolated incidents of verbal or physical aggression and 'rowdy behaviour'.⁵²⁴ The Bastian Inquiry Report noted that most unacceptable behaviour incidents were related to the immaturity of cadets within a confined, communal environment.⁵²⁵

In 2011, as part of the series of reviews into Defence culture announced by the Minister for Defence, an Independent Advisory Panel was established to review the nature and extent of alcohol use and associated problems in Defence (Panel Report).⁵²⁶

The Panel Report noted the early shaping of drinking behaviours amongst recruits, which resulted in an increased probability of risky and potentially harmful alcohol use.⁵²⁷ The Panel Report noted that although there were parallels regarding the use of alcohol by recruits with its use in young civilian populations, particular risk factors arose in relation to alcohol abuse in training institutions.⁵²⁸ For example, during their time at ADFA, cadets receive a full time salary substantially higher when compared to their peers in the civilian community.

In 2011, the AHRC also recommended development of measures to minimise the risks of alcohol abuse by ADFA cadets.⁵²⁹ The AHRC found that, regardless of whether the 'drinking culture' amongst cadets was unique to ADFA, there were clear links between 'alcohol misuse and risk taking and unacceptable behaviour, including sexual misconduct'.⁵³⁰ In the 12 month audit of the implementation of its recommendations, the AHRC found that alcohol pricing had been reviewed at ADFA, that rates of alcohol testing had increased, and that 'the comprehensive approach to alcohol management is evidence of a concerted effort on the part of ADFA to address excessive alcohol consumption'.⁵³¹

(e) Reporting of abuse

The Grey Review recommended that ADFA implement comprehensive support procedures for both those experiencing abuse and alleged abusers, particularly in sexual assault matters.⁵³² Nonetheless, subsequent reviews have found a continued perception amongst cadets that reporting abuse may lead to negative consequences, contributing to ongoing problems of under-reporting.

For example, a key finding of the Bastian Inquiry Report in 2009 was the continuing culture of a 'code of silence'. The Bastian Inquiry Report found that this led to 'a skewed sense of loyalty amongst cadets and placed the protection of their colleagues above ADFA values, instructions and orders', resulting in under-reporting of abuse.⁵³³

In 2011, the AHRC Review found that although there was a comprehensive policy framework for reporting abuse and harassment at ADFA, significant problems still existed with the complaints process which contributed to under-reporting of incidents of unacceptable behaviour.⁵³⁴ The AHRC recommended several strategies for reform, including enhanced training on the complaints process and establishing a comprehensive online database of complaints and incidents.

In the 12 month audit of the implementation of its recommendations, the AHRC found that ADFA had taken significant steps in expanding its Equity and Diversity Network and had established a Sexual Offence Support Person (SOSP) Network to provide guidance and support to personnel in relation to an allegation of a sexual offence.⁵³⁵ The AHRC also noted that the establishment of the Defence-wide Sexual Misconduct Prevention and Response Office (SeMPRO), provided an opportunity for ADFA to enhance its advice and referral processes in relation to complaints and issues regarding sexual misconduct. SeMPRO is intended to provide a specialised, victim focused service, outside and independent of the chain of command and provides a central point of contact for victim support. The AHRC recommended that ADFA widely advertise its functions and facilitate strong linkages between its SOSP Network and SeMPRO.⁵³⁶

In the further update provided on ADFA in the 2014 AHRC ADF Audit Report, the AHRC found that ADFA had made further efforts to ensure greater accessibility to complaints mechanisms and services, that strong linkages have been built between ADFA, the SOSF network and SeMPRO,⁵³⁷ and that there had been an increase in reporting and seeking advice in relation to unacceptable behaviour.⁵³⁸

(f) Leadership issues

In 2011, the AHRC Review made strong recommendations about the fundamental importance of leadership to cultural change at ADFA, reaffirming the need for strong leadership as the single most important factor in building inclusive organisations, and the importance of clear policies and effective training to underpin cultural change.⁵³⁹

In the 12 month audit of the implementation of its recommendations, the AHRC observed that the senior leadership at ADFA was committed to cultural change and had worked with a view to embedding the reforms. However, the AHRC found that there were still instances of 'sexual harassment and behaviours which are unwelcome, inappropriate or offensive' and that most of those who experienced such behaviours still did not report it or seek advice or support.⁵⁴⁰

In the further update provided on ADFA in the 2014 AHRC ADF Audit Report, the AHRC found that there was:

continuing progress on the implementation of the Review's recommendations and substantial evidence that these efforts are being embedded in the systems, processes, training, performance, reviews and ongoing communications undertaken at ADFA.⁵⁴¹

As the various reviews into ADFA conducted in the 2000s clearly indicate, ADFA is a very different institution to what it was when first established and during the period of the Grey Review, particularly in relation to the approaches taken to supervising, educating and managing cadets, and in approaches taken to the management of reports of abuse. However, as complaints received by the Taskforce show, and as the most recent findings of the AHRC confirm, abuse has continued to occur at ADFA throughout the 2000s and some of the risk factors which have contributed to and enabled abuse in the past continue to be identified as issues arising at ADFA today.

7. Impacts of abuse at ADFA on complainants

Personally, I couldn't engage with people anymore. I felt completely numb and empty. I wasn't even able to allow my partner close to me, physically or emotionally. I completely shut myself off to people. I learnt to basically shut my mouth and swallow all of that pain down, without blinking. The 3 years of my time at ADFA was the worst 3 years of my life.⁵⁴²

The sexual abuse and physical abuse, and the pervasive environment of harassment, bullying and sexual harassment experienced by ADFA complainants has had a significant impact on their lives and careers, both at the time of the alleged abuse and for many years afterwards. Individuals who have come forward to the Taskforce have told both of the immediate impacts of the abuse they experienced, as well as the longer lasting impacts of the abuse on their lives. These impacts have included physical injuries, severe emotional distress, ostracism by peers, ruined careers, suicidal ideation, social isolation, ongoing psychological disorders and many others.

7.1 Impacts at the time of the abuse

Many complainants who experienced abuse at ADFA told the Taskforce of the significant physical and psychological impacts they suffered at the time of the abuse. In many cases those impacts were exacerbated because those abused were young people. Many of them were only 17 or 18 years old, and living away from their homes and families, sometimes for the first time, while studying and undertaking their military training at ADFA. Complainants also spoke of their abusive experiences leading to changes in their behaviour or impacting on their studies or, ultimately, their future careers in Defence.

(a) Physical injuries

Several ADFA complainants reported suffering a range of physical impacts or injuries at the time they experienced abuse. These ranged from minor scratches, bruising or bleeding to much more severe impacts such as head injuries, significant pain, broken limbs or physiological issues as a consequence of ongoing abuse.

Some complainants reported suffering physical injuries caused by acts of bullying and physical abuse by other cadets. For example, one complainant reported an occasion when senior cadets who were bullying him burned his hand:

[They held] my hand [...] over a gas lighter to see how long I could endure the pain. I received bad burns and reported to the Lieutenant, but was dismissed. I was therefore not allowed to go to the hospital.⁵⁴³

Another complainant dislocated his knee and was hospitalised after other cadets jumped on top of him.⁵⁴⁴ A complainant who experienced harassment and bullying by other cadets and staff members as a result of being on medical restrictions told the Taskforce about suffering a range of physical impacts:

My time at ADFA can be summarised as three years spent being terrified, and on occasion, scared for my life. I was psychologically and physically abused during this time. I was hospitalised a number of times over these years with things like severe diarrhoea brought on by stress, and now have a chronic [health issue] because I was made to 'push through' injury, or risk being treated even worse for being 'weak'. The worst thing was that no staff members helped.⁵⁴⁵

Other complainants reported suffering other physiological responses to their experience of abuse, including stress-related panic attacks, fainting or other medical conditions.⁵⁴⁶

"My time at ADFA can be summarised as three years spent being terrified, and on occasion, scared for my life."

Complainants who suffered various forms of sexual abuse spoke of suffering a range of particularly disturbing physical impacts or injuries, including extreme pain caused by having a vacuum cleaner applied to their genitals, or pain, bruising or bleeding after being raped.

One complainant who had been subjected to several woofing⁵⁴⁷ attacks by other cadets on the same night stated:

After several hours of being abused in this fashion I was in extreme and unbearable pain.⁵⁴⁸

This complainant told the Taskforce that he was in agony, suffered bruising and had swollen genitals following the incident, which caused him significant pain to the point of tears the following week.⁵⁴⁹

Another complainant described the injuries she received during a violent sexual assault:

During the struggle I received bruising to my face and hips, had hair ripped from my head and had teeth marks and bruising over my chest and breasts.⁵⁵⁰

Complainants also told the Taskforce about other impacts on their health as a consequence of the sexual abuse they experienced or their fears about sexually transmitted disease or pregnancy as a result of the abuse.⁵⁵¹ One complainant reported that apart from the pain she suffered at the time she was sexually assaulted, she had bleeding for days afterwards, suffered gynaecological issues and vaginal tearing.⁵⁵² Another complainant told the Taskforce that she fell pregnant after she was raped:

I also was pregnant as a result of the incident and underwent a termination of that pregnancy.⁵⁵³

(b) Psychological impacts

Many complainants who experienced abuse at ADFA spoke of the psychological impacts they experienced at the time. Some spoke of feeling fearful, ashamed or isolated and having no one they could trust to confide in after experiencing abuse. As discussed in section 4.3, in many cases complainants were too fearful of retribution or being victimised to report the abuse they experienced. Others spoke about feeling anxious or depressed or the damaging impact of ongoing abuse on their sense of self-worth and self-confidence.

Complainants who experienced sexual assault at ADFA reported particularly significant psychological impacts of their abuse. Some complainants spoke of being terrified at the time of the abuse and living in fear for the remainder of their time at ADFA. One complainant who was sexually assaulted told the Taskforce of feeling terrified and helpless during the assault, and that after she was raped, she felt angry at herself for not fighting back:

I completely froze during the incident. I don't have clear recollections, other than panic, horror, pain and enduring [the assault] until it was over [...] I remember shame that I had found myself in the situation, anger at my 'freezing' reaction and that I hadn't fought him physically and screamed for help and feelings of helplessness and despair.⁵⁵⁴

Another complainant who was sexually assaulted spoke about the sense of self-blame she experienced following a sexual assault:

The consequence of this incident is I became highly anxious, hyper-vigilant and at times depressed. [I] blamed myself for the event and believed I had caused it to occur.⁵⁵⁵

"I completely froze during the incident. I don't have clear recollections, other than panic, horror, pain and enduring [the assault] until it was over [...] I remember shame that I had found myself in the situation, anger at my 'freezing' reaction and that I hadn't fought him physically and screamed for help and feelings of helplessness and despair."

Other complainants also reported they suffered from anxiety, stress, depression or had difficulty sleeping after they had been subjected to sexual abuse.⁵⁵⁶ One complainant told the Taskforce:

I was unable to sleep properly at night for many months afterwards, both at the Academy and after returning home. The slightest noise would wake me up and I would have trouble returning to sleep. My time at [ADFA] suffered greatly as with the sleep deprivation I was experiencing, I struggled to keep up with the demands of military life.⁵⁵⁷

Some complainants reported becoming increasingly apprehensive and paranoid after experiencing abuse.⁵⁵⁸ In some cases, complainants felt unsafe because their alleged abuser remained at ADFA, where they had to live and work together. The Taskforce was told by a complainant who had been sexually assaulted by another cadet that she felt betrayed and fearful for her safety at ADFA afterwards:

It is hard to describe the impact of this incident. I felt incredibl[y] unsafe on campus. I was shocked that even people I trusted could act that way.⁵⁵⁹

Several complainants reflected on changes in their personality after they experienced sexual abuse during their time at ADFA:

Up until the end of my first year/beginning of my second year following the assault, I was attending classes, interacting with my peers, generally happy and confident. During my second and third year I became increasingly reclusive and avoided everyone and nearly all contact with people.⁵⁶⁰

Another complainant who experienced sexual assault simply stated: 'I went to ADFA as a 17 [year old] girl, I left as a tortured, broken young woman'.⁵⁶¹

Significant psychological impacts were also reported by those who experienced ongoing harassment and bullying. For example, complainants spoke of the intimidating impacts of being subjected to relentless verbal abuse, which led them to feel isolated from their fellow cadets, and in some cases fearful of leaving their rooms, as discussed in section 3:

I felt alone, isolated and hopeless. Started dreading work so much I would throw up in the morning and avoid getting out of bed where possible.⁵⁶²

Others described how constant harassment by more senior cadets seriously damaged their self-confidence, self-esteem and sense of self-worth:

[I]t felt demoralising and eventually caused me to doubt my ability to perform the simplest tasks. If nothing is ever good enough and privileges are never gained despite acknowledged personal and team efforts you begin to question your worth and ability to continue.⁵⁶³

I was a mess at ADFA and my self-esteem went through the floorboards.⁵⁶⁴

The Taskforce was also told about other very serious psychological impacts of the abuse experienced by former cadets. Some complainants reported that they developed serious psychological disorders or other mental health issues while they were at ADFA as a result of the abuse they experienced. For example, one complainant spoke about suffering psychological issues following a sexual assault:

I suffered nightmares, unpredictable panic, flashbacks and recurring intrusive thoughts of the incident.⁵⁶⁵

Another complainant told the Taskforce that she developed an eating disorder after being bullied about her weight:

"I felt alone, isolated and hopeless. Started dreading work so much I would throw up in the morning and avoid getting out of bed where possible."

It was this lecturing and abuse about being 'fat and disgusting' that led me to develop an eating disorder that I still battle with to this day. Along with the general culture of the Academy, lots of 'No Fat Chicks' stickers around the place and derogatory comments, I personally know of other girls who also suffered from eating disorders whilst at ADFA [...] I also know of the young men and women who committed suicide there due to the culture and pressures of ADFA.⁵⁶⁶

The Taskforce was told by further complainants that they or other cadets they knew had thought about or engaged in acts of self-harm after experiencing abuse while at ADFA.⁵⁶⁷ For example, one complainant stated:

The flash-backs became worse and I became very agitated, nervous and could not sleep. I then became depressive—I even contemplated suicide during this time because I simply could not cope with the thoughts and feelings I was having.⁵⁶⁸

Another told the Taskforce about self-harming after experiencing relentless harassment and bullying by a staff member at ADFA:

I was very heavily verbally abused in private and had a very emotional breakdown straight afterwards which resulted in my causing self harm back in my room.⁵⁶⁹

One complainant told the Taskforce of resorting to alcohol, both to fit in with other cadets and as a means to try to 'escape' the abuse they were experiencing:

At the time I found refuge in consuming alcohol, as this fitted in with the acceptable masculine behaviours, my alcohol consumption was encouraged by my male peers and the culture, I'm not proud of this behaviour. I do suspect, however, that alcohol abuse helped me to escape the daily reality of the negative environment, considering there was little if any other way to escape.⁵⁷⁰

In many cases, complainants reported that they continued to experience these psychological impacts for many years after leaving ADFA, discussed further below.

(c) Impact on studies

ADFA complainants told the Taskforce that the impact of the abuse on their mental wellbeing also impacted on their ability to concentrate on their studies and affected their performance in their training or other activities. One complainant who had problems sleeping after being abused stated:

I struggled to keep up with the demands of military life and was constantly getting sick with infections in the months afterwards.⁵⁷¹

In some cases, this led to failure of subjects or courses, meaning that complainants had to repeat studies or were unable to continue a degree at ADFA. The Taskforce was also told that poor academic performance could risk damage to the reputation of a cadet for the remainder of their time at ADFA.⁵⁷² One complainant reported that following a sexual assault, her studies suffered to the extent that disciplinary measures were taken against her.⁵⁷³ Another complainant reported that her experiences of abuse left her too afraid to leave her cabin to attend lectures, and that she had to leave ADFA early and was unable to complete her degree.⁵⁷⁴

Some complainants told the Taskforce that they were bullied by staff members into resigning. For example, one complainant stated:

I was bullied into discharging from ADFA after being harassed and ridiculed because of my injury and I was told there was nothing wrong with me. There was no help or support, just bullying and name calling. That is part of the Army culture.⁵⁷⁵

The Taskforce was also told that some cadets left ADFA to escape abuse:

I witnessed fellow cadets who sat on the bus with me travelling to ADFA gradually leave in the first 6 weeks physically shaking from the bullying. I was told that there is nothing that can be done. Just grin and bear it until you are in second year and you will no longer be a first year.⁵⁷⁶

This same complainant told the Taskforce that she chose to leave ADFA, despite achieving success in her training and military studies, because of the culture of bullying she experienced:

I successfully completed basic training (3 weeks) and single service training (3 weeks) and initial military studies. Despite this success, the overwhelming bullying tactics could not be endured and I decided that I could not work in a culture that allowed and promoted this treatment of people [...] I knew that I could not change the culture in ADFA and I was in fear of what other abuse could arise. I resigned.⁵⁷⁷

“I witnessed fellow cadets who sat on the bus with me travelling to ADFA gradually leave in the first 6 weeks physically shaking from the bullying. I was told that there is nothing that can be done. Just grin and bear it until you are in second year and you will no longer be a first year.”

(d) Changed views about Defence

Some complainants reported that the abuse they experienced at ADFA, and the responses of staff members, destroyed their faith in authority and in Defence more generally. As noted above, this led some complainants to resign from ADFA, and forego a career in Defence altogether. For example, one complainant observed that suffering abuse for two and a half years ‘had a dramatic effect’ on his ‘desire to serve’.⁵⁷⁸ Another stated: ‘I am afraid of the uniform even today’.⁵⁷⁹

Some complainants stated that although they had expected to be subjected to firm discipline as part of their military training at ADFA, what they experienced in practice went far beyond what they felt was reasonable for young people experiencing a military environment for the first time. One complainant told the Taskforce:

When I enlisted I was fully prepared to accept physical hardship and a degree of psychological conditioning. I understood that both were necessary practices to prepare one for life in the forces. However, I soon found that the level of bullying and harassment, the constant belittlement and derogation, far exceeded what was acceptable.⁵⁸⁰

A complainant who was sexually abused at ADFA told the Taskforce that the way her case was managed impacted on the way she regarded authority:

I am still very distrustful of institutions and have difficulty raising an opinion or issue in a work place for fear of being treated with ridicule and ostracised.⁵⁸¹

Complainants also told the Taskforce that their experiences of abuse, as well as the unsupportive or inadequate responses of ADFA staff, left them feeling disappointed and aggrieved that the institution which they had strived to be accepted into had let them down.⁵⁸² Some complainants reported feeling as though they had been betrayed by staff members or by Defence as a whole, and indicated that they became distrustful of authority figures or people generally after experiencing abuse.

Others reported feeling as though Defence had breached its duty of care to those who were abused as young people at ADFA. As one complainant stated: ‘Defence was supposed to be my guardian. They failed’.⁵⁸³ Another complainant stated:

I signed up for 11 years service to Navy [...] and left after two having been forced out by the very people who were supposed to protect me.⁵⁸⁴

Another complainant viewed Defence as responsible for creating and protecting an environment that encouraged abuse:

I was trapped in an organisation that turned a blind eye to this disgraceful culture, and protected the people who inflicted significant pain and suffering. I know these officers did not join the [Service] like this and that they merely became products of the environment that the [Service] created and fostered.⁵⁸⁵

Another complainant similarly stated 'I can't stand how the culture then and the culture now make us feel ashamed for disclosing what happened'.⁵⁸⁶

In some cases, complainants who had family members with successful careers in Defence did not feel able to tell these family members about the abuse they had been subjected to or their reasons for leaving ADFA. For example, one complainant told the Taskforce that his relationship with his brother and father who had both been in Defence suffered as he could not tell them he was a victim of abuse.⁵⁸⁷ Another complainant who resigned after being subjected to bullying, physical and sexual abuse by his fellow cadets stated that he felt ashamed and unable to talk to anyone about his experiences:

The abuse I suffered put me under enormous strain. I found that being effectively cut off and isolated from all contact and support left me vulnerable. My family were so happy that I had been accepted to ADFA that I found myself unable to tell them about what was happening.⁵⁸⁸

Another complainant who suffered sexual abuse at ADFA told the Taskforce that he was too ashamed to tell his family at the time why he wanted to leave the military:

It has caused arguments between myself and my father as my father is a great defender and advocate for Defence and couldn't understand me expressing desires to leave the military. I was always ashamed of what happened to me and my family not knowing why I was bitter about Defence put pressure on me to stay in. I eventually told my family, but they didn't really understand what I was trying to tell them.⁵⁸⁹

"The abuse I suffered put me under enormous strain. I found that being effectively cut off and isolated from all contact and support left me vulnerable. My family were so happy that I had been accepted to ADFA that I found myself unable to tell them about what was happening."

7.2 Longer term impacts

A small number of individuals who experienced abuse at ADFA told the Taskforce in later years they were able to move on, forge successful careers and form stable and happy relationships. However, the majority of complainants indicated that the abuse they experienced at ADFA had lasting impacts—in many cases, impacts that continue to affect their lives and the lives of their family members today. These include physical impacts, psychological impacts, impacts on their careers and impacts on their relationships with others.

(a) Physical impacts

As noted above, some complainants reported suffering physical injuries while being subjected to abuse at ADFA. In some cases, these injuries have had ongoing impacts, including pain, discomfort, treatment costs and job losses or other impacts on their ability to work.

For example, one complainant who experienced bullying and physical abuse as a cadet in the late 1980s told the Taskforce that he dislocated his knee during one of these incidents, and continued to suffer consequences:

This abuse and the knee injury has continued to affect my life on a daily basis ever since to varying degrees.⁵⁹⁰

Another complainant who had been abused as a cadet while receiving medical treatment for an injury told the Taskforce that her medical conditions worsened over time because she would try to disguise any sickness or injury, and avoid medical assistance whenever possible, for fear of going back to hospital.⁵⁹¹

In some cases, complainants who were harassed and bullied by other cadets and staff members because of their medical restrictions reported that because they felt pressured to participate in training or other physical activities while at ADFA, this had worsened their condition or injury. Some of these complainants told the Taskforce of subsequently requiring surgery or long term medical treatment for years afterwards. In other cases, complainants developed chronic problems with their health as a result of stress from the abuse which they were subjected to at ADFA.

(b) Psychological impacts

Many complainants who experienced abuse at ADFA told the Taskforce of significant and ongoing psychological impacts which they have experienced since then. Some complainants have told the Taskforce of the difficulty of putting the abuse behind them, and of the impact of hearing discussion of abuse within Defence in the media. Others reported very serious ongoing psychological and psychiatric impacts.

The recent public discussion of abuse within Defence has had a significant impact on some complainants. For example, one complainant told the Taskforce:

It wasn't until the Defence Minister's public apology in November last year that I acknowledged that I continue to be affected, no matter how hard I work to repress my memories and feelings about my experiences at ADFA.⁵⁹²

The same complainant said that she was reminded of her own abuse at ADFA when hearing about the abusive experiences of other people while she was employed in Defence:

[T]here was an echo [effect] on me and I had to work to lock down my emotions and not succumb to low mood and depression.⁵⁹³

Other complainants reported having adverse reactions or feeling fear when they saw Defence uniforms or other references to Defence, as it reminded them of the abuse they experienced.⁵⁹⁴

Several complainants also reported that they found it difficult to put the abuse behind them and to move on with their lives. One complainant described her experience as follows:

I find it personally very difficult when these cases arise even though I feel I have now dealt with the incident, the press that surrounds these matters is overwhelming and brings everything from the past to the front of my mind again.⁵⁹⁵

Some complainants indicated that they would relive the abuse or see images of their abuser, even after a long time had passed. For example, one complainant who had been sexually assaulted stated that for years she would wake and think she could see a man in her room standing over her.⁵⁹⁶

Another complainant stated:

I have flashbacks to the moment it occurred regularly. I can't get the images out of my head. [Many] years later I still think about it all the time, and it makes me feel horrible.⁵⁹⁷

"I have flashbacks to the moment it occurred regularly. I can't get the images out of my head. [Many] years later I still think about it all the time, and it makes me feel horrible."

Other complainants reported feelings of shame or embarrassment after experiencing abuse at ADFA. For example, one complainant who was constantly harassed by a senior cadet stated:

The regret, sense of failure, lost opportunity, shame and embarrassment were significant. I used to wake up bolt upright in bed for months after leaving and couldn't stop running things through my head.⁵⁹⁸

Some complainants spoke of years of unhappiness characterised by feelings of anger, aggressive outbursts, violent reactions or mood swings. For example, a complainant who was subjected to a woofing attack by other cadets told the

Taskforce that he subsequently suffered 'years of anger and lost confidence'.⁵⁹⁹ Another complainant who had experienced relentless harassment, bullying and physical abuse by other cadets stated:

Even today, if something reminds me of that time, I find myself upset and often become withdrawn. On some occasions I have also become violent.⁶⁰⁰

Some complainants reported that they developed ongoing problems with alcohol, substance abuse or other addictions, which commenced at ADFA.⁶⁰¹ One complainant who experienced abuse at the hands of more senior cadets stated that he developed addictive behaviours at ADFA as he began drinking and gambling so he would be better 'accepted' by other cadets.⁶⁰²

Several complainants reported that as a result of the abuse and the way they were treated at ADFA they subsequently experienced years of anxiety and depression;⁶⁰³ that they had been diagnosed with a depressive disorder or PTSD;⁶⁰⁴ that they had sought counselling, psychological or psychiatric treatment; or that they were taking prescription medication such as anti-depressants or anti-psychotics.

One complainant who had been subjected to a sexual assault, physical abuse as well as relentless bullying and sexual harassment by senior male cadets told the Taskforce that she was subsequently diagnosed with clinical depression and received counselling and drug therapy for years.⁶⁰⁵ In another example, a complainant who was sexually abused at ADFA and left Defence a year after graduating reported struggling with psychiatric issues, dramatic mood swings and substance abuse issues for years later.⁶⁰⁶

Some complainants reported suffering mental breakdowns which in some cases required periods of hospitalisation.⁶⁰⁷ For example, one complainant reported having a psychological breakdown and subsequently requiring ongoing psychiatric treatment as well as experiencing ongoing depression, stress, anxiety and obsessive compulsive disorder.⁶⁰⁸

Complainants also told the Taskforce they had engaged in acts of self-harm, experienced suicidal thoughts, or attempted suicide in the years following the abuse they experienced at ADFA.⁶⁰⁹ For example, one complainant said that she began to experience flashbacks about the abuse she was subjected to at ADFA after seeing a psychologist. She subsequently became increasingly agitated, nervous and depressive, and contemplated suicide because she could not cope with the thoughts and feelings she was having about the abuse.⁶¹⁰

The Taskforce was told by another complainant who had experienced sexual abuse at ADFA that he had struggled with psychiatric illness, personality problems and behavioural issues after leaving Defence including attempting suicide on multiple occasions and being hospitalised several times:

Together with the ongoing medical expenses incurred, my psychiatric problems have had a huge effect on my ability to live and work in a stable way and the whole situation has been very distressing for my family. I cannot find long term sustainable employment and it is extremely hard to form long standing relationships.⁶¹¹

(c) Career impacts

As noted above, while some complainants reported that the abuse they experienced led them to resign from ADFA altogether, other complainants' studies or performance suffered as a result of the abuse. Some complainants told the Taskforce that this had ramifications for their future careers. Some believed that their earning capacity had been significantly reduced because the abuse they experienced ended their Defence career and impacted on their civilian careers. One complainant noted:

My academic performance in [the year of the abuse] is now a blemish on my professional record which I will have for the rest of my working life.⁶¹²

Some complainants told the Taskforce that they had dreamt of pursuing lifelong careers in Defence, but as a consequence of the abuse they experienced felt that they had no other option other than to discharge, leaving their career aspirations in tatters:

To this day, I am disappointed that I didn't continue [in my chosen] Service as I would have loved to continue [...] but I know that the environment was an unhealthy place for me to rebuild by esteem and try to move on with a career and family.⁶¹³

Similarly, another complainant told the Taskforce:

Time has eased some of the pain, but the loss of everything I knew to be true, my career, dedication to the Corps, friendships [...] are pains that will never completely be gone.⁶¹⁴

Several complainants who resigned from ADFA reported that the physical or psychological impacts of their abuse contributed to their difficulties in obtaining steady employment later in life. One complainant described his experience as follows:

Since the age of 11, my whole life was about becoming an [...] Officer. By 22, I was without a career, unemployed, and needing further surgery. I had to move back home to my parent's house [...] I felt total shame about this and the next [year and a half] could not get employment. I went from being at the elite and prestigious ADFA, to being on unemployment benefits, and truly feeling cut off from society.⁶¹⁵

This complainant told the Taskforce that he could not handle reminders of the abuse 'and the course of actions that led me to lose total confidence, and destruction of my career dream'.⁶¹⁶ Similarly, another complainant stated: 'All my career aspirations were shattered and I had an overwhelming feeling of failure and weakness'.⁶¹⁷

One complainant spoke about being unsettled and unemployed for a long time after leaving ADFA after being subjected to a serious sexual assault. Other complainants who experienced abuse at ADFA told similar stories:

I continue to struggle in my professional life and have trouble maintaining stable employment. In the more recent past I have taken on work on short term contracts for this reason.⁶¹⁸

(d) Personal relationships and social impacts

Many complainants who experienced abuse at ADFA told the Taskforce about the ongoing impacts of this on their personal relationships and social interactions. In some cases, particularly cases of sexual abuse, complainants reported that after experiencing abuse, they were unable to trust other people, to form close relationships or to feel comfortable socialising. One complainant who was sexually assaulted at ADFA stated: 'I still suffer from serious trust issues and avoid a lot of social situations. I also still freeze whenever a man comes up too close behind me unexpectedly'.⁶¹⁹

Another complainant described similar impacts as a consequence of being sexually assaulted as a cadet:

I still feel sick feeling about it today, I am unable to trust men, particularly those in positions of authority over me.⁶²⁰

Complainants reported that the abuse they experienced impacted on their ability to form or maintain close relationships with others. For example, one complainant who had been sexually assaulted by a more senior ranking member of Defence, and also subjected to continuous bullying and sexual harassment by more senior male cadets, told the Taskforce:

[These incidents of abuse] impacted my life in an extremely significant way [and] I still live with inner thoughts that lead me to degrade myself in the manner I was exposed to at ADFA. I have had difficulty forming intimate relationships and still struggle to come to terms with my experiences at ADFA.⁶²¹

"Time has eased some of the pain, but the loss of everything I knew to be true, my career, dedication to the Corps, friendships [...] are pains that will never completely be gone."

Other complainants who experienced sexual abuse described ongoing impacts which affected their relationships with other people, including continued low self-esteem, lack of body confidence and difficulties in having physical relationships with their partners.⁶²² For example, one complainant said:

I do continue to suffer low self-esteem and struggle to have a physical relationship with my husband. I am not body confident and feel that I may have developed PTSD as a result of the way that my case was managed by ADFA.⁶²³

One complainant told the Taskforce about the ongoing impacts of being subjected to a range of sexual and other abuse by male cadets while she was a young woman at ADFA:

The consequences are numerous and very personal. It has impacted every aspect of my life, especially relationships with men. To the point that I was not in a relationship until I was in my thirties.⁶²⁴

Others who had experienced abuse referred to destructive behaviour patterns which developed as a result, and the impact of this on their personal relationships:

My confidence and self esteem were sufficiently hurt that I continued self destructive behaviours and relationships (first marriage was very short). It was not until I made a conscious decision to leave [Defence...] that I felt I had re-gained control of my life and the decisions I was making.⁶²⁵

Others reported that their experience of abuse had a significant impact on their social interactions and ability to socialise or work with others. One complainant who experienced harassment, bullying and physical abuse by other cadets and by staff members at ADFA said that he subsequently developed psychological and psychiatric issues which changed the way he was able to interact with other people:

Before I was able to associate with anyone without fear, going to group gatherings and activities, and had good interpersonal relationships with family, colleagues and friends. The disability has changed my desire to be confined to a safe place, alone, avoiding even remote interactions (phonecalls and internet chat). Significant effort is now required for minimum interaction to get by.⁶²⁶

The Taskforce was told by one complainant that it had taken years before he was able to feel comfortable in group situations,⁶²⁷ while another complainant who experienced abuse by male cadets at ADFA and had continued with a career in Defence stated:

I have undergone a number of years of counselling trying to deal with the behaviour I was subjected to and I still have problems dealing with certain types of "male personality" to this day. I still have trust issues and I still lack confidence and self belief, and I get scared easily—despite outward appearances.⁶²⁸

A further complainant who continued serving in Defence after graduating from ADFA described the ongoing impact of abuse by senior male cadets, which she had experienced as a young woman, and knowing that years later some of these men were also still serving:

It destroyed me in a way—every posting, deployment [...] were clouded by the fear of running into these men.⁶²⁹

Some complainants indicated that the impacts of their abuse were also felt by members of their family. One complainant stated that her parents bore the brunt of the changes in her behaviour and personality as a consequence of being sexually assaulted at ADFA:

The assault and subsequent mishandling of my case whilst I was still at ADFA not only had devastating effects on me and my ability to function and trust people but also had a very strong negative impact on my family. My father [...] (along with my mother) have seen how much I have gone through and how my treatment at ADFA devastated me. They, along with anyone who knew me up until I was 18, noticed a marked difference in my behaviour and my emotional and mental state [...] It has taken a lot for me to come forward and make this complaint now but I am doing so as I feel I need to have one last try at drawing a line under this and move on with my life. I also feel that it will allow my family to also move on.⁶³⁰

Another complainant stated 'the impact at the individual level, both on me, and my family has been unimaginable'.⁶³¹ In other cases, complainants stated that they had not been able to tell their family members about the abuse they experienced. One complainant who had been subjected to relentless bullying and physical abuse by other cadets told the Taskforce:

For years afterwards I felt ashamed and was unable to open up to anybody.⁶³²

*"For years afterwards
I felt ashamed and
was unable to open
up to anybody."*

For many complainants the process of telling their story of abusive experiences to the Taskforce has been a difficult one. As discussed in section 8, the Taskforce continues to offer support to complainants engaging with that difficult process, and to offer outcomes including access to counselling where complaints have been assessed as raising plausible allegations of abuse.

8. Taskforce outcomes and engagement with complainants

8.1 Taskforce engagement with complainants

Coming into contact with the Taskforce has affected the lives of complainants in various ways. The Taskforce acknowledges the distress that some complainants have experienced as a result of sharing their stories of abuse at ADFA, and thanks complainants for being willing to share those stories. As discussed in section 7, some of those who experienced abuse at ADFA had never previously reported their abuse or spoken of it, even to their partners or family members. For those who had shared their stories of abuse previously, recounting them to the Taskforce was still a difficult or distressing experience for many.

For this reason, the Taskforce took measures to ensure that complainants were provided with appropriate support to assist them in reporting their accounts of abuse. The main such measure was the establishment of the Complainant Support Group. Staff of the Complainant Support Group are the only members of the Taskforce to have direct contact with complainants.

The Complainant Support Group provides one-on-one support to complainants throughout the process of their engagement with the Taskforce. Staff members of the Complainant Support Group have wide experience in working with people who have been subjected to violence, discrimination, social disadvantage and trauma. They provide advice, explanations and updates to complainants. They are able to assist vulnerable complainants to receive counselling, including emergency counselling, as required. They can also provide referrals to appropriate agencies for individuals whose complaints do not fall within the Taskforce Terms of Reference or are not assessed as raising plausible allegations of abuse.

The Taskforce has been pleased to hear from many complainants that they have gained personal benefit as a result of coming forward to the Taskforce. Some of those who experienced abuse at ADFA have taken the time to contact the Taskforce to acknowledge the support they have been provided with throughout the complaint process. One complainant, for example, wrote to say 'thank you for your help and support through this process'.⁶³³

Some have indicated that, despite the personal difficulty involved with making a complaint of abuse, there was also a cathartic or healing aspect to their experience. Such complainants said that having their stories heard and their abuse acknowledged provided them with some validation or sense of closure, with one stating:

[It] has provided me with a bit of closure and some resolution [...] It was great to finally close a chapter. I also didn't know the payment was an option when I put my complaint in. I was just wanting to get some form of closure. To read the letter [from the Independent Reparation Payments Assessor], to see it in writing, for my family to see it as well, has provided a great sense of closure for me.⁶³⁴

8.2 Taskforce outcomes

(a) Outcomes the Taskforce can provide

If the Taskforce is satisfied that an allegation is within the scope of its Terms of Reference and meets the plausibility test (as discussed in section 2), the Taskforce consults with the complainant about outcomes appropriate to their individual circumstances, which might include:

- A referral for free counselling under the national Defence Abuse Counselling Program.
- A Reparation Payment under the Defence Abuse Reparation Scheme of up to \$50 000, with the amount of payment determined by the independent Reparation Payments Assessor depending on the nature, seriousness and number of instances of abuse suffered. Reparation Payments are divided into four categories, which recognise increasingly serious abuse:

- Category 1 (Abuse)—a payment of \$5000;
- Category 2 (Abuse)—a payment of \$15 000;
- Category 3 (Abuse)—a payment of \$30 000; or
- Category 4 (Abuse)—a payment of \$45 000.

A separate, additional payment of \$5000 is available when the Reparation Payments Assessor is satisfied that the abuse involved mismanagement by Defence. This is known as a Category 5 (Mismanagement by Defence) payment.⁶³⁵

- Referral of appropriate matters to civilian police for their assessment and possible investigation and prosecution.
- Referral to the CDF for consideration of administrative and/or disciplinary action. Administrative or disciplinary action may be imposed when a Defence member's conduct or performance has been unsatisfactory and that conduct has not been addressed or has been mismanaged. Such action is only possible where an alleged abuser, or someone who was involved in the mismanagement of abuse, is still serving in Defence.
- Participation in the Defence Abuse Restorative Engagement Program which provides complainants with the opportunity to have their personal story of abuse heard, acknowledged and responded to by Defence, and which may include an expression of regret or an apology. Where a complainant is considered suitable and ready to participate in the Restorative Engagement Program, the complainant and a senior representative from Defence engage in a Restorative Engagement conference process which is delivered by a Facilitator accredited by the Taskforce. The Restorative Engagement conference usually takes place by way of a face-to-face private meeting, however, in appropriate circumstances, such as illness or where the complainant lives in a remote location, a conference may be conducted through indirect means using electronic communication, video-conferencing or other modes of communication.

Complainants may receive one or any combination of these outcomes.⁶³⁶

(b) Defence Abuse Counselling Program

As at 2 October 2014, 17 complainants who experienced abuse at ADFA had been referred to the Defence Abuse Counselling Program. At least 15 of these complainants had been referred to counselling service providers and more than 30 counselling sessions had already been undertaken.

There are many possible reasons for the relatively low number of requests for counselling made by ADFA complainants. For example, some complainants told the Taskforce that the length of time since the abuse they experienced at ADFA affected their decision as to whether they would seek counselling. Others had already received a significant amount of counselling or psychological treatment in relation to their abusive experiences and did not feel the need for more, or for assistance from a different source.

(c) Defence Abuse Reparation Scheme

Most complainants who experienced abuse at ADFA requested a Reparation Payment.

ADFA complainants who requested a Reparation Payment indicated that they did so for various reasons. Some wanted the payment to serve as reparation for the abuse and harm they suffered while serving as cadets, and for the lasting detrimental impact this had on their lives. For example, one former cadet told the Taskforce:

If it is granted, I will use the reparation to see psychologists to help me deal with the ongoing stress and trauma caused by my treatment while at ADFA.⁶³⁷

Others wished specifically to be reimbursed for 'educational costs'⁶³⁸ of ceasing their studies or lost wages that they felt resulted from diminished earning capacities or ruined careers, and that they attributed to their abusive experiences at ADFA (as discussed in section 7). One complainant sought 'financial reparation for my undergrad degree and lost income':

I signed up for 11 years service to Navy [...] and left after two having been forced out by the very people who were supposed to protect me. Yes, I had the option to stay but what life would I have had? The conditions in which I served and the lack of support I had made it impossible to stay and were contrary to the Royal Australian Navy Values.⁶³⁹

Still others wanted their past negative experiences to serve some broader social benefit, while for others a Reparation Payment provided a means of attempting to redress the impact on their families of the abuse they suffered at ADFA:

I continue to struggle with treatment by a psychiatrist and the reparation funds would go to helping my children overcome the fact that their Dad suffers severe chronic depression.⁶⁴⁰

As at 2 October 2014, 42 complainants who experienced abuse at ADFA had received a Reparation Payment from the Taskforce. Of these, 21 complainants received a Category 4 (Abuse) payment of \$45 000, 10 complainants received a Category 3 (Abuse) payment of \$30 000, seven complainants received a Category 2 (Abuse) payment of \$15 000 and four complainants received a Category 1 (Abuse) payment of \$5000.

Of the ADFA complainants who had received a Reparation Payment as at 2 October 2014, 41 complainants also received a Category 5 (Mismanagement) payment of \$5000. This type of payment is made where there is an assessment that a complaint contains a plausible account of Defence mismanagement of an actual or constructive report of abuse. In the case of ADFA complaints, many involved the mismanagement of actual reports of abuse. In several cases, the abuse was carried out or witnessed by staff members, or cadets who held a position of authority in relation to the complainant within the cadet hierarchy, and who were persons to whom the complainant could or would otherwise have reported the abuse. In many other cases, mismanagement was found on the grounds that Defence knew or ought to have known that there was a pattern or practice of abuse at ADFA and did not take adequate steps to prevent, stop or respond to this abuse. For further details, see the discussion of Defence management of abuse at ADFA in section 4.

(d) Referral for possible criminal investigation or Defence action

A number of ADFA complainants requested that their case be referred either for civilian police assessment and possible investigation and prosecution, or for possible administrative and/or disciplinary action by Defence. As at 2 October 2014:

- Four ADFA matters have been referred to the Taskforce Crime Group, of which three have been referred on to State or Territory Police; one complainant withdrew consent to have their matter referred to the Taskforce Crime Group.
- Twenty-two ADFA complaints are currently under active consideration by the Taskforce, or expected to be referred for consideration, as to whether a recommendation should be made to the CDF for consideration of administrative and/or disciplinary action against alleged abusers or individuals involved in Defence mismanagement.
- The Taskforce has referred 20 ADFA matters to the CDF for consideration of administrative and/or disciplinary action against an alleged abuser or individual involved in Defence mismanagement, which includes:
 - 11 matters where the subject of the abuse was a complainant to the Taskforce;
 - 17 matters where the subject of the abuse was a woman who experienced sexual abuse at ADFA in the 1990s (including both women who were complainants and women who were not complainants);⁶⁴¹ and
 - two matters where the recommendation was in relation to individuals involved in Defence mismanagement only.
- In eight complaints a decision has been made not to refer the matter to Defence.

Only a small number of ADFA complainants requested referral for civilian police assessment and possible investigation. Referral to policing agencies will only occur where complainants want this and have provided their consent to the Taskforce (except in cases where there is a risk to personal or public safety).

Complainants may not support their matter being referred to civilian police or to Defence despite the serious nature of the abuse they experienced, for a variety of reasons. These include that the passage of time and more onerous standard of proof used in the military justice and civilian criminal systems may make prosecution or sanction within Defence difficult to secure. The Taskforce also identified a number of complainants who experienced abuse at ADFA who themselves

continue to serve in Defence—complainants in this situation may have privacy concerns about a referral or be reticent to request that criminal investigation be undertaken in respect of their current colleagues.

Administrative and/or disciplinary action can only be taken against still serving members of Defence. Many of those serving at ADFA since the commencement of its operation in 1986 have ceased to serve in Defence, including some of those who were identified as alleged abusers. Even where complainants have identified alleged abusers by name, they are often out of reach of such action because they are no longer serving.

In the case of referrals for consideration of administrative and/or disciplinary action, the Taskforce seeks the complainant's view on referral and then the Taskforce Chair makes a decision as to whether a referral to Defence is made. A complainant is informed that if a referral is made to Defence, he or she is likely to be required to provide a statement to Defence (including to service police), that he or she may be required to be a witness in a formal administrative or disciplinary process, and that Defence may refer the matter to civilian police.

The Taskforce has requested information from Defence in relation to named alleged abusers in order to ascertain whether they are still serving in Defence, and as at 2 October 2014 has identified:

- 60 alleged abusers who are still serving in the Permanent Forces or Active Reserve (or who have transferred to the Inactive/Standby Reserve but are currently undertaking active service), or who are Australian Public Service (APS) employees in Defence (this includes those 13 individuals identified as alleged abusers in cases of serious sexual or other abuse of women in the 1990s, as discussed in section 5.4 of this report); and
- an additional 10 alleged abusers who have transferred to the Inactive/Standby Reserve (this includes those three individuals identified as alleged abusers in cases of serious sexual or other abuse of women in the 1990s, as discussed in section 5.4 of this report).

It is noted that these figures will likely change as the Taskforce completes its work. In addition, a person's service status may change over time, either because they have discharged, or because they have moved in or out of the Inactive Reserve.

(e) Defence Abuse Restorative Engagement Program

A number of complainants who experienced abuse at ADFA have requested to take part in the Defence Abuse Restorative Engagement Program. Others have expressed interest in participating after learning more about the opportunity the Restorative Engagement Program offers to receive an acknowledgement, possibly including an apology, from a senior Defence representative—a common request made by complainants. Some complainants do not wish to participate in the Restorative Engagement Program, however express their interest in having some form of acknowledgement and/or apology from Defence.

For example, one complainant, when asked what outcome she would like from her complaint, said simply, 'I need closure and some sort of acknowledgement as to these events'.⁶⁴²

Another complainant requested recognition of the abuse and mismanagement she experienced:

An acknowledgement that what occurred—the assault—and the subsequent treatment of me and my case was severely damaging emotionally and mentally.⁶⁴³

A further complainant requested '[a]cknowledgement that the matter could have been better handled'.⁶⁴⁴

Some complainants stated that they were seeking an apology from Defence more generally. One such complainant stated:

It would be good to share my experience and inform about the cultures in Defence and it would be good to get an apology.⁶⁴⁵

For complainants who are found suitable and ready to participate, the Restorative Engagement Program provides an opportunity to have their personal story of abuse and its implications heard and acknowledged by Defence. Through the Restorative Engagement conference process, complainants are able to meet with a senior Defence representative and engage in a genuine and meaningful interaction about the complainant's story of abuse and its impacts.

A Facilitator carefully prepares the complainant, their support person (should they wish to have one), and a senior Defence representative, before bringing them together in a private meeting (the conference). The conference is a means of directly addressing the harm to the complainant resulting from the abuse, and the ongoing consequences of this, in a forum where the abuse and its impacts are accepted and where Defence has accepted it has a responsibility and obligation to respond.

As at 2 October 2014, 13 ADFA complainants had been referred to the Taskforce Restorative Engagement Group for consideration for participation in a Restorative Engagement conference. An additional 18 complainants had not yet been referred but had expressed interest in participating in the Restorative Engagement Program, and 15 complainants had indicated that they were not interested in participating at this stage. Also as at this date, five Restorative Engagement conference processes involving ADFA complainants had taken place. In some cases, this involved a face-to-face meeting with a senior Defence representative which involved expressions of regret and a personal apology. It is anticipated that a significant number of ADFA complainants will request to participate in the Restorative Engagement Program.

8.3 Other outcomes requested by complainants

Many complainants requested outcomes beyond those that the Taskforce is able to provide to individual complainants. Complainants commonly requested recognition of the abuse that occurred at ADFA, and assurance that there would be systemic change.

The work of the Taskforce has gone some way to providing recognition of the abuse that occurred at ADFA, through finding complaints of abuse plausible, awarding Reparation Payments, establishing the Restorative Engagement Program and producing this report.

Some complainants stated that they wanted Defence to make a public acknowledgement of the abuse that occurred at ADFA, and others said that they wanted lessons to be learned from the publication of the story of the abuse at ADFA that would contribute to cultural and systemic change across Defence. For example, one complainant told the Taskforce:

I would appreciate an opportunity to work with the ADF in the development of policy to improve the level of psychological maturity of cadets to reduce this culture.⁶⁴⁶

Complainants also sought recognition that the abuse they experienced was aggravated by the fact that they were young people at the time and that Defence owed them a duty of care, which in many cases it breached. A significant number of complainants asked for assurance that there had been systemic change in Defence since the time when they had served as cadets, such that young people would not be exposed to the same kinds of abuse they experienced, and that if abuse does occur, the subjects of that abuse are provided with appropriate, timely and sensitive support. For example, one complainant sought 'an improvement of Defence attitude to people who have a complaint'.⁶⁴⁷

Another former cadet stated:

I would like an opportunity to speak to ADFA and senior military staff and make sure that they understand the long term effect they have on the young lives of those entering service today.⁶⁴⁸

Some complainants appear to have reported the abuse they experienced at ADFA in the hope of assisting and providing encouragement to others exposed to such abuse:

Like most organisations, I feel, people keep quiet on such issues to avoid becoming a target themselves. This is even more so the case at ADFA; as to graduate you really needed a support network to get you through. I truly hope Defence takes note of this and changes occur at ADFA. [...] I truly hope the dreams of young men and women that wish to serve their country don't have it destroyed in the same manner as it happened to me [...] I hope for a positive outcome in the culture of our Defence Forces.⁶⁴⁹

The Taskforce hopes that this report meets the desire of complainants that the story of the abuse that occurred at ADFA is placed on the public record. In writing this report, the Taskforce has considered some of the lessons that might be learned from the experiences of abuse at ADFA. These issues are discussed further in section 9.

9. Conclusions regarding abuse at ADFA

This report provides a disturbing account of abuse experienced by 50 complainants, almost all of whom were cadets at ADFA, spanning from 1986, the year ADFA was established, until 2011. These accounts of abuse are particularly serious and troubling because almost all of those who experienced abuse were young people, most of whom were 20 years of age or less and some of whom were 17 years of age. Many of these cadets were living away from their homes and families and experiencing a military environment for the first time.

As recent reviews have made clear, ADFA is a very different institution today compared to when it was first established and at the time of the Grey Review. The Taskforce recognises that there are divergent experiences of ADFA amongst former cadets and also divergent accounts of events at ADFA.

However, having considered the personal accounts of abuse provided by complainants, along with a significant amount of other material about ADFA, the Taskforce believes that some overarching conclusions can be drawn.

This final section of the report:

- draws some overarching conclusions about abuse at ADFA and the response to reports of such abuse by Defence;
- discusses the findings of the DLA Piper Review, including the question of a Royal Commission; and
- considers the implications of these conclusions for ongoing efforts by Defence to address abuse.

9.1 Overarching conclusions about the nature and extent of abuse at ADFA

The 50 complaints received by the Taskforce that were found to raise one or more plausible allegations of abuse at ADFA include a significant number of allegations of sexual abuse, physical abuse, sexual harassment and workplace harassment and bullying, occurring from the time of its establishment in 1986 up until 2011. The vast majority of complainants were cadets at ADFA at the time of the abuse. The complaints indicate that some of the abuse was extremely serious in nature, and that the abuse had very significant impacts on those subjected to it both at the time and subsequently.

The Taskforce recognises that the number of complainants represents a small proportion of the overall number of cadets who have gone through ADFA, and that not all cadets who attended ADFA experienced abuse.

However, for a significant number of individuals, the experiences of abuse at ADFA they have reported to the Taskforce have been extremely damaging, and have had profound and detrimental impacts in both the short and long term. It is also very likely that some of those who experienced abuse at ADFA did not come forward to the Taskforce or the DLA Piper Review—and may never reveal the experiences to which they were subjected.

The following overarching conclusions can be drawn about the nature and extent of abuse that occurred at ADFA from a consideration of the accounts contained in the numerous complaints received by the Taskforce, as well as other sources of information including information provided by Defence and information on the public record.

(a) Abuse occurred at ADFA from the late 1980s until the 2000s

- Fifty individuals made plausible complaints of abuse at ADFA to the Taskforce, and the vast majority were cadets at the time of the abuse.
- The apparent widespread under-reporting of abuse suggests that the actual number of individuals who experienced abuse at ADFA is in fact higher than this.
- Most complainants experienced more than one type of abuse and also experienced abuse on more than one occasion.

- Abuse was reported to have occurred at ADFA well into the 2000s, even after a series of reviews identifying abuse as a concern within the institution.
- Women were significantly overrepresented as ADFA complainants (64 per cent of ADFA complainants were women) compared to the proportion of female cadets at ADFA at any time (in 2014 women represented approximately 21 per cent of the cadet population).
- The majority of the abuse was perpetrated by other cadets, with some abuse also perpetrated by staff members or other more senior ranking members of Defence at ADFA or other locations attended by cadets for training or other purposes.
- There are at least 60 individuals allegedly responsible for sexual abuse, physical abuse, sexual harassment and harassment and bullying who are still serving in the Permanent Forces or Active Reserve (or who have transferred to the Inactive/Standby Reserve but are currently undertaking active service), or who are Australian Public Service (APS) employees in Defence (including at least 13 individuals allegedly responsible for serious sexual or other abuse of women in the 1990s); there are an additional 10 alleged abusers who have transferred to the Inactive/Standby Reserve (including three individuals allegedly responsible for serious sexual or other abuse of women in the 1990s).
- The abuse experienced by cadets at ADFA included:
 - widespread harassment and bullying across the entire period of ADFA's operation, particularly of female cadets and cadets in their first year, perpetrated by other cadets, and frequently by more senior cadets;
 - harassment and bullying of cadets, particularly following illness or injury, by staff members including through verbal abuse and intimidation or training and disciplinary practices that went beyond what was reasonable in the circumstances;
 - a disturbing incidence of sexual abuse by other cadets, which included the sexual assaults of a significant number of female cadets by male cadets; and the indecent assaults of male cadets by groups of other male cadets involving practices such as woofing;
 - some troubling cases of sexual abuse of female cadets by staff members or other more senior ranking members of Defence;
 - a significant amount of sexual harassment of cadets, particularly of female cadets, by other cadets;
 - some serious physical assaults of cadets by other cadets, frequently occurring in the context of ongoing harassment and bullying; and
 - some physical abuse of cadets by staff members related to illness or injury, in the form of an unreasonable failure to provide access to medical assistance, or ordered activity contrary to a medical restriction.

(b) Defence failed to take appropriate action to prevent, stop and respond to abuse at ADFA

- In many cases, those who experienced abuse at ADFA reported the abuse to Defence. A small number of these cases appear to have been appropriately managed. However in a larger number of cases, reports of abuse appear to have been inadequately or inappropriately managed by Defence.
- Some reports were not acted upon at all, while in other cases, staff members appear to have dissuaded cadets from continuing with a complaint or were dismissive of the abuse. Some cadets were not believed or were punished for making a report of abuse. In many cases, staff members did not follow mandatory protocols for reporting, did not keep the subjects of the abuse informed about outcomes of investigations, or did not provide them with adequate support.
- In some cases of sexual abuse, staff members did not consider whether to take administrative and/or disciplinary action where the allegation was referred to civilian police and did not proceed, or where the subject of the abuse did not wish to report to civilian police.

- A number of complainants indicated that they did not report abuse for various reasons including a culture which did not support reporting of abuse; a perceived lack of effective reporting mechanisms; stigma and shame associated with having been abused; threats of further abuse or fear of reprisal; lack of confidence in staff members; or because staff members or other cadets in a position of effective authority were responsible for the abuse.
- In some cases where complainants did not report some or all of the abuse that they experienced, the Taskforce has found plausible Defence mismanagement on the basis that there was a pattern or practice of abuse which existed during certain periods at ADFA which Defence plausibly knew or ought to have known about, and failed to take reasonable management action to prevent or stop. This is particularly the case for the period between the late 1980s and 1990s.
- Other cases where the complainant did not report abuse raised plausible cases of Defence mismanagement because the abuse was effected by a staff member or by a more senior cadet who was effectively in a position of authority, to whom the complainant would, or could otherwise, have reported the abuse; or because staff members witnessed abuse and did not take steps to stop it.

(c) There was a high incidence of sexual abuse of women at ADFA in the 1990s

- There was a disturbingly high incidence of sexual abuse of female cadets which occurred at ADFA during the 1990s. The Taskforce is aware of at least 36 women alleged to have experienced sexual abuse between 1991 and 1998, as well as a further number of cases where the subject of the abuse is not named.
- In a number of these cases, Defence did not take appropriate disciplinary, administrative or management action; and in some of these cases, reports of sexual abuse were seriously mismanaged by Defence.
- There are at least 13 individuals identified as alleged abusers in cases of serious sexual or other abuse of women in the 1990s still serving in the Permanent Forces or Active Reserve, and an additional three individuals who have transferred to the Inactive/Standby Reserve.
- Eight of these individuals are in the Navy, five in the Army and three in the Air Force, and the highest rank of any individual still serving is the equivalent rank of Commander/Lieutenant Colonel/Wing Commander.

(d) Some factors which contributed to abuse at ADFA are continuing issues

- A number of key factors contributed to the occurrence of abuse at ADFA, including: issues of gender and culture within the male-dominated environment at ADFA; the formal cadet hierarchical structure which was in place until the late 1990s; concerns about the suitability and experience of staff; inadequate levels of supervision and security in the ADFA accommodation; excessive use of alcohol by cadets; the existence of a culture which discouraged reporting of abuse; inadequate responses to reports of abuse; and issues of leadership at ADFA.
- Recent reviews have found that ADFA has taken steps to address many of these issues and that significant improvements have been made. However, a number of factors have been identified as continuing issues which need to be addressed, including: ongoing cultural deficiencies resulting in unacceptable behaviour; difficulties in removing unsuitable staff; safety and security of cadets; excessive alcohol use; and continued perceptions amongst cadets that reporting abuse could lead to negative consequences, contributing to ongoing problems of under-reporting.

(e) Abuse at ADFA has had serious and long lasting impacts

- Cadets experienced abuse at ADFA that had serious impacts on their lives, their studies and their careers both at the time of the abuse and for many years afterwards. Immediate impacts included both significant physical injuries and psychological impacts including feelings of fear, shame, isolation, betrayal and distrust.
- Many of those who experienced abuse at ADFA as young people are still suffering the impacts today. Long term impacts of abuse have included ongoing impacts from physical injuries, severe emotional distress, ruined careers, impacts on relationships, psychological disorders, suicidal ideation and social isolation.

9.2 Findings of the DLA Piper Review

As outlined in sections 2 and 5, the Taskforce Terms of Reference require it to assess the findings of the DLA Piper Review and the material gathered by that review. This section considers those findings that are directly relevant to abuse at ADFA.

(a) Findings relevant to abuse of young people

(i) DLA Piper findings

The DLA Piper Review recorded allegations of abuse of young males and females (aged 17 to 20 years) and assessed them in the context of previous reviews into abuse of young people in Defence, particularly the Grey Review.⁶⁵⁰ As outlined in section 2, the DLA Piper Review made a number of findings in relation to abuse of young people in Defence, including that:

- until recently the ADF and successive Australian Governments had failed to put in place any specific protections to take into account the special needs and vulnerability of young people—male and female—to protect them from other young people and from more mature adults in some ADF environments;
- it is certain that many young males and females have been subjected to serious sexual and physical assault and other serious abuse while they were in the ADF;
- some of the young men who suffered such abuse later participated in inflicting similar abuse on other young men in the ADF (note that the DLA Piper Review was not aware of any female victims of abuse who subsequently perpetrated abuse on other females); and
- many women who endured such abuse and many men who endured and/or participated in inflicting such abuse may have suffered, or be at risk of suffering, mental health, alcohol and drug problems and consequent physical health problems affecting not only them but their families.⁶⁵¹

In addition to the findings listed above, the DLA Piper Review also identified factors that contributed to the risk of abuse of young people in Defence. These included that young males lack maturity of judgment and may inflict abusive behaviour on other young males and young females if not supervised, and that young people lack the maturity to keep themselves out of situations where they may be at risk. It also identified that adults and older males in Defence have often had power over young males, based on a combination of physical strength, seniority or 'traditions' of abuse.⁶⁵²

The DLA Piper Review also made general findings regarding the existence of systemic risk factors contributing to abuse in Defence environments, such as the lack of adverse consequences for abusive behaviour; a culture which discouraged the reporting of abuse; problems with abuse occurring within the chain of command; and social/environmental factors, including excessive consumption of alcohol and drugs and isolation from family and friends.⁶⁵³

(ii) Taskforce findings

As indicated throughout this report, complaints received by the Taskforce regarding abuse at ADFA support the findings of the DLA Piper Review relevant to abuse of young people. The Taskforce also found that many former cadets were subjected to serious sexual or physical abuse as young people (as well as other abuse including sexual harassment and harassment and bullying); that such abuse was frequently perpetrated by more senior cadets on junior cadets as part of a cadet hierarchy that existed at ADFA until the late 1990s; and that many complainants have experienced long term detrimental impacts on their physical and mental health as a result of their experiences of abuse at ADFA.

Many of the complaints received by the Taskforce from former cadets who experienced abuse at ADFA tend to support the observations of the DLA Piper Review. These complaints show that young males at ADFA inflicted abusive behaviour on other young males and females, in a context where a lack of supervision was a factor, and that cadets may have found themselves in risky situations as a result of lacking maturity of judgment. The power of older male cadets over younger males (and in many cases younger females) was particularly evident in complaints involving ongoing harassment and bullying, including hazing/initiation practices which were carried out on younger cadets and sometimes involved sexual or physical abuse.

As outlined in section 6, almost all of the risk factors identified by the DLA Piper Review were apparent in complaints to the Taskforce as factors that contributed to the occurrence of abuse at ADFA.

(b) Findings relevant to the extent of past abuse at ADFA

(i) DLA Piper findings

The DLA Piper Review made specific findings in relation to the extent of past abuse at ADFA, which was identified during the Grey Review. In particular, it raised concerns about the high incidence of sexual abuse at ADFA during the 1990s, referring to the cluster of 24 allegations of sexual abuse identified during the time of the Grey Review, and concluded that it appears 'very likely' that most, if not all, of the alleged perpetrators in these cases were not called to account.⁶⁵⁴

As discussed in section 5, the DLA Piper Review noted that Ms Bronwen Grey estimated that there were approximately 20 male cadets who were strongly suspected of involvement in one or more sexual assaults at ADFA, and that approximately 30 per cent of female cadets at ADFA had experienced serious sexual abuse in the years prior to the Grey Review.⁶⁵⁵

(ii) Taskforce findings

As this report clearly illustrates, it does appear to be the case that there was a high level of sexual offending at ADFA in the 1990s, and it is probable that the actual incidence of sexual offending was higher than reported at the time. The Taskforce has identified more than 20 male cadets suspected of involvement in alleged incidents of serious sexual abuse and a significant number of women who experienced serious sexual abuse at ADFA during this period.

Although it is not possible to come to a firm conclusion as to the number of women who experienced sexual abuse, or whether this number approximates 30 per cent of female cadets at ADFA during that period of time, the Taskforce is aware of at least 36 women alleged to have experienced sexual abuse between 1991 and 1998, as well as a further number of cases where the subject of the abuse has not been named.

(c) Findings relating to alleged perpetrators and witnesses of sexual abuse at ADFA

(i) DLA Piper findings

The DLA Piper Review identified significant future risks regarding the lack of accountability of alleged perpetrators of sexual abuse at ADFA during this period, namely that:

- it is possible that male cadets who raped female cadets at ADFA in the late 1990s and other cadets who witnessed such rape and did not intervene may now be in middle to senior management positions in Defence;
- if perpetrators of assault and other abuse are still in Defence, then they may constitute a continuing risk to the safety and wellbeing of other Defence personnel and they may constitute a risk to the reputation and the operational effectiveness of Defence;
- people whose mental health was damaged by this behaviour may be in need of assistance; and
- people may have been driven out of the ADF by this behaviour and may have suffered adverse career consequences.⁶⁵⁶

(ii) Taskforce findings

The Taskforce analysis of sexual abuse of women at ADFA in the 1990s has confirmed that there are a number of individuals allegedly responsible for these incidents of sexual abuse currently serving in Defence. It is likely there may be further individuals still serving in Defence who were responsible for the sexual abuse of women during this period, as it is probable that the incidence of sexual abuse at that time was higher than reported. The Taskforce therefore agrees with the conclusions of DLA Piper that this is an area of significant risk for Defence.

Further, the Taskforce also acknowledges the risk that persons who may have witnessed abuse and who did not intervene to stop abuse, or who failed to report abuse they witnessed, may still be serving in Defence. In complaints involving abuse which was witnessed by, effected by or encouraged by staff members or other members of Defence with effective seniority or higher rank to whom the person subjected to abuse could have otherwise reported abuse, the Taskforce has considered whether those individuals are still serving and, if so, whether they could be referred to Defence for possible administrative and/or disciplinary action. Importantly, this has included individuals who were senior cadets at the time and who occupied positions of effective authority and responsibility, but who failed to appropriately exercise their management responsibilities towards the complainant to stop the abuse from occurring.

However, beyond this, the identification of other witnesses or bystanders who did not intervene or report abuse is not a matter about which complainants reported to the Taskforce, and was not raised as an issue of significance in most complaints.

In relation to the DLA Piper Review's findings regarding those who suffered abuse, as indicated above and in section 7, many complainants to the Taskforce (both female and male, and not just in the 1990s but over many years at ADFA) have reported the impact on them of experiencing sexual abuse at ADFA. These impacts included lasting psychological and physical impacts, and loss of their careers in Defence.

(d) Findings relating to the management of reports of abuse at ADFA

(i) DLA Piper findings

The DLA Piper Review highlights the impact of the absence of accountability for past abuse, stating '[t]o ignore the past and to fail to call past perpetrators to account undermines the efforts made (and being made) to improve the ADF's future'.⁶⁵⁷ The Taskforce has found that Defence management of reports of sexual abuse at ADFA was generally poor; that in a number of cases, Defence did not take appropriate disciplinary, administrative or management action; and that some of these cases were seriously mismanaged by Defence. Of significant concern is that Defence mismanagement of abuse at ADFA has not been limited to the 1990s but has been found across many years of ADFA's operation.

(ii) Taskforce findings

The Taskforce has referred a number of cases of abuse at ADFA, where individuals allegedly responsible for abuse or for the mismanagement of reports of abuse are still serving, to the CDF for consideration of whether action might now be taken. The Taskforce has referred 20 ADFA matters to Defence for possible administrative and/or disciplinary action against alleged abusers or individuals involved in Defence mismanagement. In 11 of these matters the subject of the abuse was a complainant to the Taskforce; and in 17 matters the subject of the abuse was a woman who experienced sexual abuse at ADFA in the 1990s (including both women who were complainants and women who were not complainants). In two matters a recommendation for Defence action was made in relation to individuals involved in Defence mismanagement only.

As discussed in section 5, a number of women who allegedly experienced sexual abuse at ADFA in the 1990s were reluctant to report the abuse. The Taskforce acknowledges that as a form of abuse, sexual abuse is commonly under-reported, however the culture at ADFA at the time may have further contributed to under-reporting insofar as cadets felt under pressure not to 'jack on their mates'.

The Taskforce recognises that there are complex issues and difficulties in dealing with sexual offending generally, not the least of which are issues of under-reporting and proof of such offences. However, the impact of the inadequate efforts made to prevent, stop and respond to abuse, evident during the 1990s and which continue to be evident in complaints of abuse that occurred throughout the 2000s, created an environment which was not conducive to the reporting of abuse. If active steps had been taken to prevent, stop and respond to abuse at ADFA, this may have contributed to a better reporting culture.

(e) ADFA and the question of a Royal Commission

The DLA Piper Review was also tasked with identifying a range of options for dealing with allegations of abuse, including the possibility of setting up a Royal Commission.⁶⁵⁸ The DLA Piper Review concluded that a Royal Commission could be appropriate to clarify the following key questions surrounding the '24 ADFA cases':

- whether 'any of the around 24 persons identified by Colonel Northwood in 1998 as being suspected of having committed rape are still in the ADF';
- whether 'any persons who witnessed and did not intervene to stop rape at ADFA before the 1998 Grey Review are still in the ADF'; and
- if so, how to deal with that situation?⁶⁵⁹

However, for allegations of abuse after the Grey Review, the DLA Piper Review noted that a Royal Commission was not recommended.⁶⁶⁰

Following the DLA Piper Review, there has been significant public discussion regarding the need for a complete investigation into allegations of abuse at ADFA. As discussed in section 5 of this report, the Taskforce is concerned that in most cases of alleged sexual abuse at ADFA in the 1990s, it appears that appropriate action was not taken at the time the abuse was reported to Defence, and that for a number of reasons, Defence appears to be unable to take action in relation to the alleged abusers within existing processes.

The Taskforce appreciates that there are real difficulties for Defence in responding to allegations of sexual abuse at ADFA in the 1990s, due to factors including: the amount of time that has passed; the nature of some of the evidence available; and issues related to obtaining the consent of complainants to pursue these allegations. The Taskforce also appreciates that Defence must operate within the legal framework in which administrative or disciplinary action occurs.

However, the fact remains that a significant cluster of very serious allegations within Defence have never been thoroughly investigated, and that individuals alleged to have committed or acquiesced in very serious offences have never been called to account.

Given the actual or perceived lack of capacity of Defence to deal with the issues outlined above, the Taskforce has come to the view that the only means of doing so is by way of a Royal Commission, to ensure a thorough and complete investigation of abuse that has occurred at ADFA.

A Royal Commission would be able to consider whether existing processes (either within or external to Defence) are adequate to now appropriately deal with the legacy of allegations of serious abuse occurring at ADFA, and if not, to recommend measures which would be able to do so.

The Taskforce accordingly recommends that the Government establish a Royal Commission to inquire into, report and make recommendations in respect of allegations of abuse, and the management of reports of allegations of abuse, at ADFA from its inception to the present day.

Full consideration of the question of a Royal Commission and further detail regarding the recommendation of the Taskforce is addressed in the *Report on abuse in Defence*.

9.3 ADFA and ongoing efforts by Defence to address abuse

Defence recruit and training establishments are among the Defence establishments where there is the greatest risk of abuse occurring, partly because they are the establishments where the youngest and most vulnerable members of Defence serve. This is demonstrated in part by the fact that complaints of abuse occurring at recruit and training schools make up a very high proportion of all complaints received by the Taskforce, as identified in the *Report on abuse in Defence*.

As recent reviews have made clear, ADFA is a very different institution today to what it was when first established and during the period of the Grey Review, particularly in relation to the approaches taken to supervision, education and management of cadets; and in approaches taken to the management of reports of abuse. However, the Taskforce has found that abuse has continued to occur at ADFA and that some of the significant risk factors found to have contributed to the occurrence of abuse continue to be identified as issues at ADFA, as well as in other recruit and training establishments.

The complaints of abuse outlined in this report raise continuing issues of concern for Defence to consider. These issues include: that abuse at ADFA did not stop in the 1990s but continued well into the 2000s; that the abuse, and the inadequate efforts made to prevent, stop and respond to abuse, have had long lasting impacts on those concerned; and that efforts to build an appropriate culture at ADFA, particularly in relation to appropriate sexual conduct, must be ongoing. Most critically, this report illustrates the importance of establishing a safe reporting culture at ADFA as well as at other recruit and training institutions, and the need for ongoing vigilance to ensure that the youngest and most vulnerable members of Defence, who in the case of cadets at ADFA are also its future leaders, are protected from abuse.

Appendices

Appendix A: Case studies

The following case studies have been extracted from personal accounts submitted to the Taskforce by complainants, and are drawn from complaints which have been assessed by the Taskforce as being within the scope of its Terms of Reference and as raising plausible allegations of abuse. They contain just a few stories of abuse at ADFA out of those accounts received by the Taskforce. They have been selected because they portray particularly troubling incidents of abuse, or because they are illustrative of common types of abuse and issues surrounding Defence management of reports of abuse.

The Taskforce has obtained consent from the complainants whose accounts appear below and whose quotes appear throughout this report, and wishes to acknowledge and thank those complainants for being willing to share their stories.

CASE STUDY 1: Cadet, late 1980s

I have three concerns regarding my time at the Australian Defence Force Academy [...]

The first relates to a lack of peer support offered to me as a female midshipman at ADFA during my tenure. [...] I was the only first year female in my division amongst a large group of first year males [...] I did not have interactions with [other female cadets from more senior years] in the initial training weeks.

I struggled in a heavily hierarchical culture, which was predominantly anti-female with no female peer support. The [other female cadets] were ahead of me and not considered my peers. The effect on me was particularly distressing as I did my best to survive the situation. I requested to be moved from the division to another division [...] My request wasn't taken seriously and my concerns discarded.

The subsequent result is that I attempted to fit in to the male dominated situation by becoming masculine in all my behaviours, this process was damaging to my self-esteem and sense of self-concept. I battled anti-female attitudes and comments on a daily basis with little or no respite. At the time I found refuge in consuming alcohol, as this fitted in with the acceptable masculine behaviours, my alcohol consumption was encouraged by my male peers and the culture, I'm not proud of this behaviour. I do suspect, however, that alcohol abuse helped me to escape the daily reality of the negative environment, considering there was little if any other way to escape.

I felt let down by ADFA, at the age of 17 I was placed in a hostile living environment and when I sought help to alter the situation this help was not forthcoming.

The second situation relates to a physical attack on myself by a fellow [cadet]. [He] physically assaulted me, threw me against a wall, then on the ground and proceeded to attempt to punch me around my head. Two other cadets [...] pulled him off me. The incident happened after some verbal bantering between [the cadet] and myself, but for some reason [he] "snapped" and the physical attack occurred.

I was highly distressed by what ha[d] occurred as in the heat of the moment I thought he was going to kill me. I was very shaken by the incident and immediately called my father [...] for advice—he said "there must be someone there who can help you, you should make a complaint". As it was a Saturday I waited until the Monday and complained about the incident to my Divisional Officer [...], I advised him that while I didn't want to make a big scene about what had happened [attempting to protect myself against repercussions as ADFA culture didn't take kindly to anyone who complained outside the corps of officer cadets]—I told him that I felt strongly the incident was wrong, that [the cadet] snapped for no apparent good reason and I thought the behaviour was inappropriate for a future [...] officer and I wanted it investigated. I advised him there were two witnesses to the event.

I didn't hear any more about the complaint and when I asked [my Divisional Officer] he advised me it had been dealt with and I didn't need to know about the outcome.

I felt aggrieved by this result as I had been assaulted and believed something would be done about it. I didn't understand I had rights, or that I could have made an independent complaint outside of Defence relating to the alleged assault. I, like my father, trusted the matter would be dealt with appropriately, as opposed to being ignored and apparently swept under the carpet.

My third concern relates to an incident [where a fellow] cadet entered my room when I was sleeping, forced himself on me and had sexual intercourse with me without my consent.

Having survived the anti-female culture for 1.5 years at that stage, I recall going immediately to a friend's room distressed by what had occurred [...]. We agreed that if I wanted to graduate that I had to forget the incident happened and not complain. Being naive to any formal investigative processes, we did not know about physical examinations, and if we did, then we would have followed a different course of action. We also did not know we could report the incident outside of ADFA to the police. We thought it would have been a case of my word against his—and we agreed that if I made any statements or complaints I would put myself on a course of career-destruction, which would have resulted in my being harassed out of ADFA and labelled as a trouble making female. So I stayed silent about this rape. While I wanted to act to preserve my sense of right and wrong, the reality of being at ADFA and the prevailing culture meant I felt I had no option, but to not formally report the rape.

The consequence of this incident is I became highly anxious, hyper-vigilant and at times depressed. [...] [I] blamed myself for the event and believed I had caused it to occur. I did seek rape counselling some time later, through the [rape crisis centre], which assisted in altering my attitudes towards the event. Yet for years this incident, combined with the lack of female peer support, wreaked havoc with my self-confidence. I believe I have subsequently settled for mediocre on a professional level for fear of being judged and ridiculed due to my gender. I've firmly believed I'm not worthy or good enough- yet I entered ADFA as a functioning, normal 17 year old girl (typical of most ADFA cadets a school Captain, Academic high achiever etc) and emerged under confident and very different. I have suffered and been diagnosed with PTSD, anxiety, and depression and have endured hyper-vigilance and a lack of self-confidence, as a consequence of these incidents.

I do not think the behaviours were borne from a place of malice, I do think a lack of awareness on how to manage females in a training environment and the ADF allowing a misogynistic culture to be cultivated and endured in the early days at ADFA, contributed to the incidents. Sadly for me, the incidents had both [...] immediate and long term impacts on my health.⁶⁶¹

CASE STUDY 2: Cadet, late 1980s

I endured a great deal of psychological, sexual, and physical abuse and assault during my time at ADFA, mostly at the hands of the senior cadets.

My first year at ADFA [...] when I was 18 years old, was the worst. All first years in my Division were relentlessly harassed and abused by the third year cadets. The following is some of the behaviour I was subjected to:

First year female cadets in my corridor were responsible for cleaning the male living spaces in the adjoining corridor—these were senior cadets in my division/squadron. On several occasions, if I had not finished this in time and was still cleaning the toilet when the senior male cadets returned from the bar at night, they would urinate on me as though I was not even there. I had one incident where I was cleaning the shower and was urinated on because someone else was using the toilet and the third year cadet did not want to wait.

I was physically restrained in a chair, in the recreation room, and made to watch pornography—much to the amusement of second and third year male cadets. I was sexually assaulted and verbally abused on a regular basis when the senior males—not always people from my division—returned from the bar/mess after drinking at night. This usually occurred in the hallway [of the] female corridor—away from the rest of the division—and would sometimes involve one or more senior male cadets. I was groped, had hands shoved down my pants and up my shirt and had males try to insert digits inside me—on occasion they also tried to pressure me into having sex. When I refused to have sex, I was groped again or pushed hard against the wall for refusing—these people were often (in my opinion) under the influence of alcohol. This could happen as often as twice a week some weeks. To deal with this, I would try to have everything completed (cleaning, showering etc) and be locked in my room before the bars closed to try to prevent being physically seen by the males, but even with this strategy, sometimes they'd try to break into my room. I often slept in the cupboard in my room, and "toggle roped" my door handle to my rifle rack, out of fear that they'd get in. I also placed a broom handle in the window tracks to prevent my window being forced open [...] I also took to hiding in the "box cupboard" in the corridor so they would think I was not in the Division.

One night when I was hiding in my room cupboard I heard a girl in the next room—it sounded as if she was being forced to have sex against her will—I am not sure if this was my classmate or not as she did not mention it and I never raised it with her. However, I was quite shaken by this event and was very scared. I spoke to the Chaplain [...] and told him about all the things that were happening to us. Nothing was done to investigate my claims that I am aware of, but my complaint got back to the senior cadets and I was told to shut my mouth. I was also bullied and threatened not to make another complaint. After this episode I ended up in hospital with "stress" (vomiting and diarrhoea). [...]

There was also a lot of psychological abuse [...] [W]hen I came back [after a relative's funeral] the senior cadets made me stand to attention in the rec room and verbally abused me saying things like "you're weak" and "your [relative] was a slut". Because of the perceived lack of action from staff the Division turned into a boys' club. There was a real pack mentality and the stronger senior cadets would harass and bully the females—as well as the younger and weaker male cadets. They had a goal that they would force all females out of the "corps" by the end of third year and had a mantra that they'd chant over and over "squid free by RMC" - squid being an extremely derogatory term for the females and "RMC" representing the fourth year when the Army cadets would leave ADFA and go across to RMC to complete their training. [...]

My first year at ADFA was the worst as the bars were open every night—as a first year cadet/midshipman, you had no rights at all. When they changed to just opening the bars on weekends and one night during the week, it made things a bit better, but I would still spend as many weekends as I could off campus so I wouldn't be around when the senior cadets were at their worst. But during that first year I was entirely powerless to do anything and it was clear to me—through experience—that the staff were not interested in providing support. [...]

I didn't get any support for the entire time I was at ADFA.

The flash-backs became worse and I became very agitated, nervous and could not sleep. I then became depressive—I even contemplated suicide during this time because I simply could not cope with the thoughts and feelings I was having. [...]

I am still bitter about the lack of action by staff during my tenure at ADFA—they should have investigated and put a stop to what was going on—when I look back on it now, I cannot believe they did not know what was occurring.

My time at ADFA can be summarised as three years spent being terrified, and on occasion, scared for my life. I was psychologically and physically abused during this time. I was hospitalised a number of times over these years with things like severe diarrhoea brought on by stress, and now have a chronic [health issue] because I was made to "push through" injury, or risk being treated even worse for being "weak". The worst thing was that no staff members helped.

I have undergone a number of years of counselling trying to deal with the behaviour I was subjected to and I still have problems dealing with certain types of “male personality” to this day. I still have trust issues and I still lack confidence and self belief, and I get scared easily—despite outward appearances [...].

I still carry the mental and physical scars of that time [...]. I have also been diagnosed with PTSD, however, despite-counselling and therapy, it is fair to say that the entire episode has changed me as an individual. ⁶⁶²

CASE STUDY 3: Cadet, early 1990s

I was severely and sexually assaulted on the weekend following my 19th birthday at the ADFA base in Canberra. [...]

On the weekend following my birthday other ADFA cadets started to return to the academy [from Single Service Training], a divisional meeting was held at the academy and it was mentioned at that meeting that I'd had a birthday.

The night of the divisional meeting, I was in my room preparing for the following day when a 3rd year and two 1st year cadets [...] came into my room and pinned me to the floor of the room. They pulled down my pants and applied the suction hose of an industrial strength vacuum cleaner (a 'Polyvac Pig') to my genitals for about 10 minutes. They all took turns with the vacuum cleaner. It was very painful and all three of them were laughing. I was told that this was what happened to cadets having birthdays. It was also punishment for “fraternising” i.e. starting a relationship with a girl at the academy. I along with all who witnessed it were being “taught a lesson” about what happens when you “fraternise”.

After they left my room I was in a lot of pain in my genital area. I stayed in my room and laid down.

Sometime later the same night other 3rd and 1st year [cadets] came into my room, pinned me to the floor again and did the same thing to me with the vacuum cleaner. After several hours of being abused in this fashion I was in extreme and unbearable pain.

My room was on the ground floor of the building and my room faced another division. Other cadets from that division witnessed what happened to me and over the next four hours a number of people took turns “woofering” me.

I was screaming for them to stop and the pain was truly unbearable.

I don't know exactly how many people were involved as it happened so many times and seemed to me to be continuous over at least 4 hours. There must have been at least 15 individuals involved and more witnessing the abuse, but no one got me any assistance. [...]

The following day I found out the “woofering” of me was a joke amongst everyone across the squadron and there was a running joke over the next few weeks about the incidents.

The day after the attack, I turned up for the Chief of Defence parade training and was in so much agony that I was not able to walk properly, let alone march.

I didn't want to go to the doctor, so as not to give more air to the jokes about me, but I ended up going to the Five Camp hospital at the academy because the pain in my genitals wasn't going away or getting any better. At the hospital a nurse examined me and gave me some painkillers. My genitals were badly bruised and swollen and I was still having trouble walking and going to the toilet. I also had 'hickey' type marks all over my body from the vacuum cleaner.

Over the next week every time I had to march, or do physical training, the pain was unbearable and I was brought to tears a number of times.

I didn't want to report the assault because I was afraid of being assaulted again. We were taught that if we "jacked" on anyone we would get severely bashed by the 3rd years and I was terrified of the 3rd years and didn't want to be beaten up so I didn't report it at the time. [...]

There is no report of the incident, however, I believed that senior officers at ADFA knew what had happened and saw the impact the incident had on my welfare. [...]

As a result of the incident I have been diagnosed with Post Traumatic Stress Disorder. I also suffer from severe Anxiety and Depression.

Before I entered ADFA I was a bright, happy and ambitious person. I worked hard at my studies and was accepted to ADFA, for which I was very proud to serve my country. [...]

This incident at ADFA has ruined my once happy life. I feel nothing but shame, humiliation, embarrassment, hurt and hate at the treatment I received and what it has done to me and also the lack of action and disregard for what I experienced whilst a member of the military.

It has had a huge effect on my family life, the relationships I have with my parents and my wife and without the love and support they give me I would not be able to function. I have trouble making friends and keeping myself well even with a lot of support.

Due to the criminal actions of people who were supposed to be colleagues I was serving with my whole life has been turned upside down and I will be required to be medicated for the rest of my life due to those actions and [the effect] it had on my mental health.⁶⁶³

CASE STUDY 4: Cadet, late 1990s

My story of abuse at ADFA isn't really about just one single incident, rather it is the sum total of many incidents, moments, interactions, humiliations. And I can't believe I just used the word abuse referring to myself.

I remember getting on the bus at the end of January [...] full of pride and excitement about leaving for what should have been a huge adventure, meeting different people and wondering who I would get to know over the next few years. Arriving at ADFA, getting off the bus, dragging luggage to my division and room, meeting [my new] friend in my corridor, and settling in for the first night. Going to the mess to be handed my tracksuit, runners and t shirts. I will never forget the sound of the swish of our ADFA tracksuits as we walked and marched around ADFA, the cool morning air, the hot as hell days sweating in the tracksuits, and most of all the smell of a Canberra summer.

I started ADFA a confident, outgoing, smart, caring, fit, active, can-do-anything kind of girl. By the end of my first year, I was a shell, a shadow of the [person] who walked off that bus. [...]

Our third years were complete arseholes and the second years who were tasked with helping us were not that far behind for the most part. [...] I clearly recall the "female only lecture" during which all the first year female cadets and midshipmen were counselled to go to the medical centre and start taking the pill, and to not dress provocatively.

My section of first years [...] were a pretty good team in our first week or two. [...] All was not good though—in my first few days [a more senior cadet bullied me]. My first mistake at ADFA was reporting to staff. [The cadet] was informally counselled, [and] told every[body] that I "jacked" [...]. From that day, I was marked.

In our first few weeks, we were taught an extraordinary amount about “security”—I have no idea how many times I shouted “Security Security Security” [...] Yet we were told to leave our doors unlocked at night. I learnt to not only lock my door but physically jack the lock in place using a flat shoe polishing brush, and to live in fear of my “headboard” being bashed in by someone in the division. [...]

Sometime after the first week and during the first six weeks, the Army guys in our division developed the mentality that us female Navy women had no place in the military. They commenced to actively work to “bish us out” of ADFA, encouraged by second and third years.

From this time until the end of my first year, I was harassed, harangued, humiliated, belittled, demeaned and criticised. On a daily basis, I was told I had no place in the military, Navy women are squids and squeezers (terms for sluts and malingerers), I had no integrity.

There was absolutely no recourse within our division, and I had learnt my lesson about “crossing the road” and formally reporting to staff through my experience [...]. Had I reported formally, there is no doubt in my mind that my complaints would have been dismissed or ignored. My divisional officer [...] would have ignored [...] or dismissed my concerns. [...]

When we finally got privileges to use the common recreation room, most of us girls totally avoided it. We all knew the risk of getting “wang tapped”—when someone takes their penis out of their pants and touches you on your head or shoulder. There were numerous occasions when I had sat down and would have a male cadet sneak up behind me and brush my ear or neck with a warm thumb or finger—although I was just touched with a hand the fear was always there that next time it could be a penis. Maybe sometimes it was. The Rec Room was also where the girls would become the Div Toy.

Us Navy girls, and I guess first years in general, hated using the rec room or generally being in the presence of any of our third years when we didn’t have to.

By the end of the first 6 weeks, approaching the Chief of Defence Force Parade, I was starting to crack internally a little. Deep down inside, the things that were happening to me at ADFA and the way I was being treated felt wrong. Our third years continually criticised the first years for not working as a team and told us to “sort our shit out”—the pressure was on for the big parade and us Navy girls were treated as though we were the foundation of all the problems and shortcomings of the first year group within our Div. [...]

Some time after the CDF parade [...] our second years encouraged the first year males to “go down to the hard standing” (the tarmac below the parade ground where we did drill practice) and sort out the issues amongst the first years. So, one afternoon we all went down to the hard standing. It was an opportunity for the first year males in the division to vent all their hatred and misogyny towards the Navy females. We have to “explain” and “account” to them why it was that we were performing in such a substandard way. The Navy girls had no voice, really, because we were shouted down and told to stop jacking on the guys. Every one of our perceived faults was listed in minute detail. This was pretty much an avenue for freely bullying us. Most of this behaviour was driven by [one male cadet in particular]. I to this day still cannot speak of the harm that this day caused me. These were my peers, people who walked onto the bus on the same day that I did to come to ADFA, men and women who undertook the same screening, testing and recruitment checks. I was in no way inferior to them. But on this day, my male peers made it clear to me that I shouldn’t be at ADFA, that they would actively work to have me leave. From this day on my life was hell. I think it was the same for the other Navy girls as well. Somehow in the few weeks since we commenced at ADFA, they had formed the view that they knew best about who did and didn’t belong at ADFA, that they were the primary arbiters as to whether or not the girls in the division had the “goods”. [The male cadet] drove a campaign against us throughout the Cadet Corps, and slowly this harassment extended to other people from other divisions, first to third years. [...]

We couldn't appear to be weak, to cry or feel frustrated was completely unacceptable. The harassment and the bullying from my peers within my division started to affect my academic results. I couldn't sleep, jumped out of bed any time I heard noise in my corridor at night, and did everything I could to avoid [a particular male cadet] and the third years. I started to seek counselling and support from the chaplains and psychology teams. [The male cadet] led a campaign of bullying of me throughout the cadet corps. Male Army cadets who were his friends from other squadrons and divisions would hiss at me, and rumours were spread that were not true. [...]

As a Navy female and someone who did not want to participate in the bishing of others (like banging on the door when talking on the common telephone, locking people in the phone booth and covering them with shaving cream, stealing and hiding belongings, going through the rooms of others), I was reported on during reporting time as not have particularly good officer qualities and having a generally low standard of military bearing. My divisional officer took the word of the third years at face value, and signed off on reports that made me out to be a substandard officer, and put in writing the humiliating and degrading comments about me [...] Although there were instances where it was done to me, I refused to participate in instances of "bishing" other first years in the division—again, this made me stand out.

So, this is the context in which I attended Adventure Training [...] We were eventually broken into small groups, I think of about 8 or 10 cadets. The women who were viewed as being "weak" were pressured into slaughtering and skinning and dressing the [goats] that were to be our food for the next few days. It was in these small but significant moments that staff exercised their influence over our peers and reinforced the anti-female anti-weak behaviour, and the association between being female and therefore weak. [...] We were expected to not pull out of the exercise in any circumstances but the most dire of emergencies. This was made clear to us by the staff and our peers. To pull out for any reason would be letting your "mates" down and not being a team player.

After setting up our "tent", we had our first night sleeping in the desert. [...] We didn't know when the exercise would end. [...] As it was very cold and we had no other clothing than our camouflage uniform, we all squeezed very close to one another whilst we slept. I slept terribly for the entire exercise. That first night, [a male cadet] squeezed very close to me. He started touching my body—reaching under my shirt and tried to touch my breasts. I was very frightened, and didn't want anyone else to wake or know what was happening to me. I froze and didn't know what to do. He unbuttoned the top of my pants, and reached his hand into my underwear and started to touch me. I just didn't know what to do. I couldn't move. I didn't want him to know I was awake and to think that I wanted him to do that to me but I also couldn't say anything because of all the others asleep in the tent. I didn't want them to think that I wanted this or that I was a "slag". I can't remember exactly how, but I eventually managed to turn over and away from him. He moved closer to me. When I eventually had my watch during the night I was able to find another place to sleep. This was my first sexual experience, and has not only impacted me emotionally but has impacted my experiences of intimacy ever since.

I remember the next day that directing staff came to visit our camp. I recall speaking to one of the chaplains and directing staff about the experiences so far, and vaguely mentioning that something had happened. I don't recall the exact details of the conversation however I felt afterwards that I would be targeted and disadvantaged should I report the situation. I spent the remainder of the survival exercise doing everything I could to avoid being on my own with [the male cadet], [I] felt overwhelming relief when we finished.

Unfortunately, the humiliation didn't end there. He then told others about that night, and other male members of his division would make suggestive comments in the queue at the mess whilst waiting for dinner, or if they passed me when walking to and from classes. His division was almost next to ours. I started to eat less and lose weight as I didn't want to visit the mess because of who I might see there.

Much of the powerlessness I felt in the face of this incident stemmed from how I had been treated [throughout] my first few months at ADFA, and the sense that I wouldn't be believed or taken seriously if I reported the situation.

I had months of being belittled and demeaned from my third years and from my peers. I was seen as weak, incompetent and worthless. I was told I was these things. My divisional staff did nothing to intervene. On reflection, though, the worst thing about this was not that it happened, but that in terms of the year of humiliation at the hands of [other cadets], I consider this the least of the abuse that I experienced. This is nothing compared to how I felt over the course of that year.

Later in the year, I experienced similar fear when one of my third years regularly tried to access my room. On a number of occasions, he succeeded. It was normally when he had been out drinking. Although he didn't assault me, he would try to access my room, and would come in and get into bed with me. I didn't want people to know he was in there with me, and didn't want him to know I was awake. I never reported this although I recall that I told one or two of my friends. [...]

One moment, these guys were humiliating and belittling me. The next, they were drunk and groping. [...]

One of our second years either moved from the division or left ADFA towards the end of our first year. [Another female cadet] and I were tasked to clean [his] room after he left. He was a complete pig and we were made to scrub his semen stains off the wall near his bed. Even now writing this the memory of [his] sticky and cracked yellow stains on the right hand wall near his bed make me feel diminished and nauseous.

The final two humiliations of my first year were fronting the Commandant to explain why I had failed a subject and therefore be allowed to continue at ADFA [...] My second year was a much better time—I was actually in a division with people who were truly peers, and I have made lifelong friends of those men and women.

I feel like this story really does not adequately reflect the suffering I experienced in my first year. One of the reasons that I haven't formally reported this before is because when I have brought it up in discussion in general terms with others, I have felt that the attitude was that this just happened to everyone. Well, it didn't happen to everyone and even if it did it was still wrong. Each incident was seemingly small and minor but the collective experience has been extremely damaging and distressing, and still feels humiliating and paralysing.

I have no doubt I have suffered mental injury as a result of my time at ADFA. During my first year I totally retreated into myself, lost a considerable amount of weight, started to perform poorly in my academic studies. I have subsequently suffered anxiety and depression that I believe was at the very least exacerbated by my experiences at ADFA. [...]

This is not as simple as one single action or type of conduct. It reflects an ongoing, daily corrosion of my very self.

I never lodged any formal complaint. The women at ADFA who lodged formal complaints about male cadets were treated like sub-human forms of nothingness. They were considered to be absolute scum, and to have lodged any formal complaint would have made my life a living hell. Also, at the time, the behaviour that occurred in terms of the bastardisation and harassment was considered normal and acceptable—even divisional supervising staff saw no issue with what was going on. I firmly believe in some instances that the staff in fact encouraged it.

I was completely voiceless for that year at ADFA. All I could do to survive was keep my head down and try not to be noticed by my third years [...].

Because my experiences of suffering [were] shut down and belittled when I was there, I still don't believe deep down that there is any validity to what I experienced. I can't talk to people about it and expect that they will understand. I feel completely isolated about this time in my life.⁶⁶⁴

CASE STUDY 5: Cadet, mid 2000s

I was sitting in my room in the division at my desk. My room was the one closest to the doors into our 'tower' of the division, on the bottom floor. People visiting friends would often stop and say hi if my door was open as they headed upstairs to visit others, and I often had to open the door for visitors.

[The alleged abuser] was a higher-ranked officer cadet who was friends with my boyfriend at the time. [...] I don't remember his first name as we were never friends, more just acquaintances. [...]

This day he came into the division to visit my boyfriend. I can't remember if I let him into the division or if he came in himself. I was sitting on my desk chair at my desk, though, when he came in and sat on my desk very close to me. We chatted casually for a few minutes, I don't remember what about. He began to talk about his girlfriend and his sexual habits and I turned away or closed my eyes, becoming very uncomfortable with the situation. If I had been in someone else's room I would have left. He was higher ranked than me and I didn't know what to say.

When I opened my eyes or looked back at him, he was unzipping his pants as he sat on the desk. He held his penis. I did not move or say anything. He touched the back of my head with his other hand and began to pull my head towards it. I resisted and said no. He quickly stopped, laughing, and put it away. He laughed more and joked that 'It was a test' and he 'wanted to see what I would do'. He left nearly immediately.

I didn't report the incident to anyone until my discharge, as the last time I reported an incident, it had many witnesses and was not followed up. I was certain no one would believe me.

I reported it to a woman who was processing the final stages of my discharge. [...] She was asking me a series of questions and one of them related to whether I had experienced sexual abuse during my time at ADFA. I told her of this and one other incident [...]. She said words to the effect that she *could* pursue the incidents, but it could hold up my discharge for months or even years if I did. If I wanted my discharge to continue, I would have to make no formal complaints about what happened. I agreed, as my parents were separating at the time, and I needed to discharge and leave ADFA as soon as possible to return home to support my [family].

I got the distinct impression she had no interest in pursuing either complaint. She did not offer any support and was unwilling to discuss any other options.

It is hard to describe the impact of this incident. I felt incredibl[y] unsafe on campus. I was shocked that even people I trusted could act that way. I felt, and still feel, so much guilt that I did not do more to resist at the time—I was just so shocked and scared during the incident I didn't know what to do. I felt in a way I caused it, and hated myself for it. I still feel sick feeling about it today, I am unable to trust men, particularly those in positions of authority over me. I have flashbacks to the moment it occurred regularly. I can't get the images out of my head. [Many] years later I still think about it all the time, and it makes me feel horrible. I should have told him no more firmly. I should have reported it earlier. [...]

I don't remember many details about what happened, it was a long time ago and I've been trying to forget about it for years. It was quite late one night, between about 9 and midnight on a Friday or Saturday night. I was with [another cadet] in either her room or my room—our rooms were next door to each other.

[Another male cadet] was in my section, he had the room closest to mine in the men's corridor of our floor. He came back to the Division that night and I don't know whether we knew or assumed but we thought he was drunk. [He] was walking up and down the corridors banging on doors and walls threatening that if we didn't come out, he would find us and kill us. He was yelling and swearing, saying that he would "Fucking beat us" as soon as he found us. We hid in one of our rooms and called another Officer Cadet in the Division to see if they could help us.

We were terrified, as [the male cadet] was considerably larger than both of us and could easily have caused us a great deal of harm if he found us. We continued to hide for about half an hour, refusing to leave the room. He

continued to stay in the section yelling, saying that he would wait for us to come out, and that he would kill us when we did. Over this time, a couple of male Officer cadets made attempts to come down and talk to him. He would not leave. We also contacted the Duty Officer Cadet. Apparently when they came down they could not find anything wrong, so they left.

Eventually, a male Officer Cadet talked and tried to reason with [the male cadet] to distract him, while others helped [us] leave the room without him seeing. We ended up spending the rest of the night on the other side of the division sleeping on the floor of someone else's room because we were too afraid to return to our rooms.

We reported the incident the next day to our Divisional Officer. She said that it was unfortunate but there was nothing she could do because it was "our word against his", and because she wasn't there she couldn't really prove anything. We had to continue working with [the male cadet], in close contact as he was in our section, as though nothing had happened. He had the room next door to mine and I was in constant fear that he had the desire to harm me. [...]

It had a significant impact on my mental wellbeing, as I was forced to work alongside someone who had made threats against my life. I was fearful for the remainder of my time in the military, and withdrew significantly from divisional participation as I was not comfortable working with [the cadet]. I never felt safe in the Division, as I knew that not only was I at risk from other Officer Cadets, but it was also clear that my safety or wellbeing was not a priority to higher ranking Officers. [...]

I had been out with friends from the Academy at Shooters and Mooseheads, two common bars/nightclubs for ADFA cadets. While out with my friends, we kept running into a group of [cadets] some of us knew. I shared some classes with them but otherwise didn't really know them. I didn't drink a lot that night, but felt really out of it. I felt drunk and confused, and nearly ready to pass out when I was in Mooseheads. Somehow I had lost my group of friends and was worried. I ran into the group of [...] cadets, told them what had happened, and stayed with them because I knew I could trust them to take me home with them. One of the male cadets who I had seen in a couple of my classes told me he would look after me. I had no reason to think he wouldn't.

I don't remember what happened next or what period of time passed. My memory for the rest of the night is patchy. The next thing I remember is waking up for a few seconds, and I was outside and on my back. I was on the ground and it was grassy and cold. I was either across the road or a little bit further from Mooseheads, because I could see buildings of the city in the distance. We were behind a hedge. The [male cadet] was having sex with me. He was on top of me. I don't know how I got there. I tried to push him off but I didn't feel in control of my body and I couldn't do it. I can't remember if I said anything. I couldn't move.

I don't remember how I got home that night but I woke up the next morning in my room with the door open. As I hadn't much to drink that night, I have presumed my drink had been spiked. It could have happened at any time and by anyone, but there was unfortunately someone there to take advantage of my loss of control and consent. [...]

As a general result of the incidents I experience[d] during my time at ADFA, I have suffered from depression, anxiety, eating disorders, disturbed sleep, self harm and a general mistrust of others (especially males). I have been treated for all of these both at ADFA and afterwards (afterwards with no support whatsoever from Defence). The impact these incidents have had on my life can hardly be described. My entire mental wellbeing and outlook on life changed during my service—I had never been treated so poorly, both during the incidents and when attempting to report them. None of these mental problems were present prior to these incidents of abuse, and they are still issues I battle with at the present time.⁶⁶⁵

Appendix B: Taskforce Terms of Reference



Australian Government

DEFENCE ABUSE RESPONSE TASKFORCE

APPOINTMENT OF TASKFORCE CHAIR AND TASKFORCE TERMS OF REFERENCE

We hereby appoint the Honourable Len Roberts-Smith RFD, QC to lead the Defence Abuse Response Taskforce to operate in accordance with the following terms of reference as part of the Australian Government's response to DLA Piper's *Report of the Review of allegations of sexual and other forms of abuse in the Australian Defence Force*.

The Taskforce is to:

- (i) assess the findings of the DLA Piper review and the material gathered by that review, and any additional material available to the Taskforce concerning complaints of sexual and other forms of abuse by Defence personnel alleged to have occurred prior to 11 April 2011, the date of the announcement of the DLA Piper Review;
- (ii) include in this assessment the 24 Australian Defence Force Academy (ADFA) cases noted by DLA Piper and the cases of abuse identified by reports into physical violence and bullying at HMAS Leeuwin, and whether the alleged victims, perpetrators and witnesses in relation to these cases remain in Defence;
- (iii) determine, in close consultation with those who have made complaints, appropriate actions in response to those complaints;
- (iv) will also, as appropriate, gather additional information relevant to consideration of the handling of particular allegations eg relevant records held by Defence;
- (v) take account of the rights and interests of alleged victims, accused persons and other parties;
- (vi) liaise with the Minister for Defence, Chief of the Defence Force and the Secretary of the Department of Defence on any implications of its work for Defence's 'Pathway to Change' and other responses to the series of reviews into Defence culture and practices in particular the work done by the Sex Discrimination Commissioner into the Australian Defence Force (ADF) and ADFA;

- (vii) report to the Attorney-General and Minister for Defence every 3 months on its progress and issues arising, including whether the funding it has been provided is adequate so as to enable the Attorney-General and Minister for Defence to report to Parliament as appropriate;
- (viii) report to the Attorney-General and Minister for Defence by October 2013 on whether, in what form, the Taskforce should continue in effect beyond the initial 12 month period and the funding that would be required so as to enable the Attorney-General and Minister for Defence to report to Parliament as appropriate; and
- (ix) to advise whether a Royal Commission would be merited into any categories of allegation raised with the DLA Piper review or the Taskforce, in particular the 24 ADFA cases.

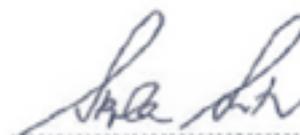
The terms and conditions of the engagement by the Commonwealth of the Honourable Len Roberts-Smith RFD, QC are to be governed by an agreement between the Honourable Len Roberts-Smith RFD, QC and Roger Wilkins AO, Secretary of the Attorney-General's Department.



.....
THE HON NICOLA ROXON MP
Attorney-General, Minister for Emergency Management

DATED:

3 December 2012



.....
THE HON STEPHEN SMITH MP
Minister for Defence

DATED:

16/12/12

Appendix C: Taskforce assessment process

The Taskforce was established to assess and respond to individual cases of alleged abuse in Defence. The fundamental work of the Taskforce is to determine, in close consultation with complainants, the most appropriate outcome in individual cases. The Taskforce is assessing complaints of alleged abuse in Defence where:

- the complaint was made to the DLA Piper Review and consent was subsequently given to refer it to the Taskforce;
- new allegations and complaints were made to the Taskforce by the reporting deadline of 31 May 2013; and
- the allegations and complaints refer to abuse that is alleged to have occurred prior to 11 April 2011.

Approximately 2400 complaints of abuse have been made to the Taskforce.

The Taskforce is only able to act on allegations or complaints that fall within the scope of its Terms of Reference. To determine whether an allegation or complaint is within scope, the Taskforce must consider:

- the type of abuse alleged (the Taskforce is able to consider allegations of sexual abuse, physical abuse, sexual harassment and workplace harassment and bullying);
- whether the alleged abuse occurred while the complainant was an employee of Defence (this includes serving members of the Australian Defence Force or the Australian Defence Force Reserves, cadets, and employees of Defence including ongoing and non-ongoing employees of the Department, contractors and apprentices);
- whether the alleged abuser was an employee of Defence;
- whether there is a sufficient connection between the alleged abuse and employment (of both the complainant and the alleged abuser) in Defence;
- whether the alleged abuse occurred prior to 11 April 2011; and
- whether the alleged abuse or complaint was reported to the Taskforce prior to the reporting deadline of 31 May 2013.

Once these threshold questions are answered, the Taskforce must assess whether the allegation of abuse is plausible—that is, whether it has the appearance of reasonableness. Satisfaction of the plausibility test means that the Taskforce accepts—to that standard—that the alleged abuse occurred and that the complainant is eligible to be considered for the outcomes the Taskforce is able to provide.

The plausibility test used by the Taskforce was determined by the Australian Government, when establishing the Taskforce, to be the appropriate threshold for acceptance of claims of abuse in Defence. The intention was to enable the Taskforce and Defence to accept and act upon allegations of abuse which may not have been able to be acted on under existing formal processes. The Taskforce process was not intended to be an adversarial one involving adjudication between a complainant and an alleged abuser.

The plausibility test is a standard of proof that is lower than the balance of probabilities (the civil or administrative standard) or beyond a reasonable doubt (the criminal standard). However, in making an assessment as to whether an allegation of abuse is plausible, the Taskforce does not merely accept the unsubstantiated allegation. Complaints are required to be verified by statutory declaration (and the potential penalty for purposely making a false statutory declaration is imprisonment). Further, all relevant material is considered by the Taskforce—this includes medical reports or other documentation provided by the complainant, along with service, medical or disciplinary records provided by Defence.

If the Taskforce is satisfied that an allegation is within the scope of its Terms of Reference and meets the plausibility test, the Taskforce consults with the complainant about appropriate outcomes, which might include:

- a referral for free counselling under the Defence Abuse Counselling Program;
- a Reparation Payment of up to \$50 000 under the national Defence Abuse Reparation Scheme, with the amount of payment determined by the independent Reparation Payments Assessor;
- referral of appropriate matters to civilian police for their assessment and possible investigation and prosecution;
- referral to the Chief of the Defence Force for administrative and/or disciplinary sanction or management action; and/or
- participation in the Defence Abuse Restorative Engagement Program, which gives complainants the opportunity to have their personal story of abuse heard, acknowledged and responded to by a senior Defence representative—including, in some cases, an apology.

Further information about the establishment, structure, operation and scope of work of the Taskforce is provided on the Taskforce website and in the Taskforce Interim Reports.⁶⁶⁶

Guidelines regarding Defence mismanagement

The Defence Abuse Reparation Scheme Guidelines (the Guidelines) state that 'mismanagement by Defence in relation to abuse is unacceptable'.⁶⁶⁷

According to the Guidelines, mismanagement may be found when there has been 'mismanagement by Defence [that] occurs after a verbal or written report or complaint of abuse has been initiated and where the report or complaint was made prior to 11 April 2011'; or there is 'any other circumstance where the Reparation Payments Assessor is satisfied mismanagement by Defence has occurred in respect of alleged abuse which occurred before 11 April 2011'.⁶⁶⁸

Importantly, the Guidelines also stipulate that 'a reference to mismanagement by Defence' includes 'circumstances where the Reparation Payments Assessor is satisfied Defence failed to take reasonable management action to prevent, stop or respond to abuse'.⁶⁶⁹

As such, although a report of abuse can be an actual report, it is not critical that an actual report of abuse was made to Defence in order for Defence mismanagement to be found. In some cases the Taskforce has found Defence mismanagement when there was no actual report of abuse. That is, where the circumstances of the abuse contributed to a complainant not making a report about the abuse and/or Defence knew or ought to have known about the abuse, the Taskforce deems that a 'constructive report' of abuse did in fact take place. For example, mismanagement might be found where:

- there was a pattern or practice of abuse such that Defence plausibly knew or ought to have known about the abuse and failed to prevent or stop it;
- the abuse was effected by a person of seniority or higher rank to the complainant to whom the complainant could have otherwise reported the abuse;
- the abuse was witnessed by a person in Defence in a position of seniority or higher rank but who took no steps to prevent or stop it; and/or
- the complainant presented to a superior or other person in authority with signs of injury as ought reasonably to have given rise to concern that the complainant was being, or may have been, abused, and they failed to make any reasonable enquiry.

Appendix D: Plausibility factsheet



FACT SHEET: PLAUSIBILITY

Plausibility

- Before the Taskforce can consider what outcomes might be available to individual complainants, the Taskforce must be satisfied that the person plausibly suffered abuse or had their allegation of abuse mismanaged by Defence.
- Under the Defence Abuse Reparation Scheme, before the independent Reparations Payments Assessor (Assessor) can make a decision that a Reparation Payment be made to a person, the Assessor must also be satisfied that the person plausibly suffered abuse and/or mismanagement.

What is meant by 'Plausibility'

- To meet the threshold test of plausibility, the Taskforce and the Assessor must be satisfied that the abuse and/or mismanagement has an appearance of reasonableness.
- The Taskforce or Assessor are not required to be satisfied on the criminal burden of 'beyond reasonable doubt' that a person suffered abuse or mismanagement, nor are they required to be satisfied on the civil burden of the 'balance of probabilities' that a person suffered abuse or mismanagement.

How is 'Plausibility' assessed

- There is no one set of criteria that must be present in order for the Taskforce or Assessor to be satisfied that an allegation is plausible.
- The assessment of plausibility is based on all information available to the Taskforce, including information provided by the person in their Personal Account which must be verified in the form of a statutory declaration. The penalty for purposely making a false statutory declaration is imprisonment.
- The Taskforce and the Assessor might also consider, but are not limited to considering, the following when assessing plausibility:
 - medical records;
 - any material referred to in other Review reports and findings;
 - Defence employment and medical records;
 - DVA and/or Comcare records (where there has been a worker's compensation claim);
 - a statement from a third party (for example, a witness, colleague or family member); and/or
 - similar allegations of abuse which have been brought to the attention of the Taskforce, which occurred in the same Defence institution.

DART Hotline: 1800 424 991
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PO Box 6010
Kingston ACT 2604

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Appendix E: Relevant reviews conducted into ADFA or broader ADF

- Senate Standing Committee on Foreign Affairs, Defence and Trade, *Sexual Harassment in the Australian Defence Force*, 1994.
- J S Baker, *Review of the Procedures for Managing Sexual Harassment at the Australian Defence Force Academy*, 1994.
- Joint Standing Committee on Foreign Affairs, Defence and Trade, *Officer Education: The Military After Next*, 1995.
- B D Grey and others, *Report of the Review into Policies and Practices to Deal with Sexual Harassment and Sexual Offences at the Australian Defence Force Academy*, 1998.
- K E Northwood, *Incidents of Sexual Harassment and Sexual Offences in the Australian Defence Force*, 1998.
- J McMillan, *Australian Defence Force: Management of Service Personnel Under the Age of 18 Years*, Defence Force Ombudsman's Report No. 04/2005, 2005.
- A Podger, C Harris and R Powell, *Final Report of the Learning Culture Inquiry into the Learning Culture in the ADF Schools and Training Establishments*, 2006.
- J L Bastian, *Inquiry into Allegations of a Culture of Unacceptable Behaviour at ADFA during 2009*, 2009.
- B J Kafer, *Report of the Review of Australian Defence Force Academy Military Organisation and Culture*, ADFA 2010/1104615/1, 2010.
- A J Kirkham, *Report of Inquiry by an Inquiry Officer into Command Decision Making and Judgements Regarding the ADFA 'Skype Incident'*, 2011.
- C W Orme, *Beyond Compliance: Professionalism, Trust and Capability in the Australian Profession of Arms—Report of the Australian Defence Force Personal Conduct Review*, Report of the ADF Personal Conduct Review, 2011.
- M Hamilton, *The Use of Alcohol in the Australian Defence Force*, Report of the Independent Advisory Panel on Alcohol, 2011.
- G Earley, *Review of the Management of Incidents and Complaints in Defence including Civil and Military Jurisdiction*, Report by the Inspector General Australian Defence Force, 2011.
- R Hudson, *Review of Social Media and Defence*, 2011.
- G Rumble, M McKean and D Pearce, *Report of the Review of Allegations of Sexual and Other Abuse in Defence*, Volume 1, 2011.
- G Rumble and M McKean, *Report of the Review of Allegations of Sexual and Other Abuse in Defence: Supplement to Volume 1*, 2012.
- G Rumble and M McKean and D Pearce, *Report of the Review of Allegations of Sexual and Other Abuse in Defence*, Volume 2, 2012.
- Australian Human Rights Commission, *Report on the Review into the Treatment of Women at the Australian Defence Force Academy*, Phase 1 of the Review into the Treatment of Women in the Australian Defence Force, 2011.
- Australian Human Rights Commission, *Report on the Review into the Treatment of Women in the Australian Defence Force*, Phase 2 of the Review into the Treatment of Women in the Australian Defence Force, 2012.
- Australian Human Rights Commission, *Audit Report: Review into the Treatment of Women at the Australian Defence Force Academy*, 2013.
- Australian Human Rights Commission, *Audit Report: Review into the Treatment of Women in the Australian Defence Force*, 2014.

Appendix F: Statistical summary of ADFA complaints as at 2 October 2014

Indicator	Number of complaints
Assessments	
Complaints received	76
Completed assessments	63
Assessment in progress/awaiting further information	7
Withdrawn complaints	6
Scope and plausibility	
Complaints falling out of scope of the Taskforce Terms of Reference	4
Complaints where no further action could be taken	9
Complaints raising plausible allegations of abuse	50
Type of abuse in complaints	
Sexual abuse	33
Sexual harassment	18
Physical abuse	20
Harassment and bullying	35
Defence mismanagement	
Complaints containing plausible allegations of abuse assessed as including one or more cases of Defence mismanagement	49
Outcomes (in progress or finalised)⁵⁷⁰	
Referred to Defence Abuse Counselling Program	17
Defence Abuse Reparation Payments Scheme (payments made)	42
Category 1 Abuse (\$5,000)	4
Category 2 Abuse (\$15,000)	7
Category 3 Abuse (\$30,000)	10
Category 4 Abuse (\$45,000)	21
Category 5 Abuse (\$5,000)	41
Referred to Defence Abuse Restorative Engagement Program	13
Referred to Defence for consideration of administrative and/or disciplinary action	20
Referred to civilian police	3

Appendix G: Statistical analysis of ADFA complaints as at 2 October 2014

Limitations of statistics

The following statistical analysis is based on the 50 complaints assessed as at 2 October 2014 as falling within the scope of the Taskforce Terms of Reference and as raising one or more plausible allegations of abuse at ADFA.

It is important to note that as the work of the Taskforce is not complete, the statistics provided in this report will necessarily change when the Taskforce analysis of all complaints is finalised. It should also be noted that the statistical information cited in this report pertains only to abuse reported to the Taskforce and is not able to be extrapolated to make broader conclusions about the nature or levels of abuse occurring at ADFA, due to the inherent limitations of the statistics collected.

The Taskforce relied on complainants self-reporting their experiences of abuse. The cohort of ADFA complainants to the Taskforce (the vast majority of whom are former cadets), is therefore a non-random sample, and does not necessarily represent the experiences of all those who attended ADFA. As the Taskforce was established to assess and respond to individual cases of abuse within Defence, it is expected that the proportion of abuse experienced by ADFA complainants to the Taskforce is higher than the proportion of abuse experienced by the wider ADFA population. Many other factors can also either encourage or discourage self-reporting. For example, the presence of severe mental or physical health issues may inhibit reporting, while belonging to an active and close-knit group of former peers which is supportive of the work of the Taskforce, may encourage reporting to the Taskforce.

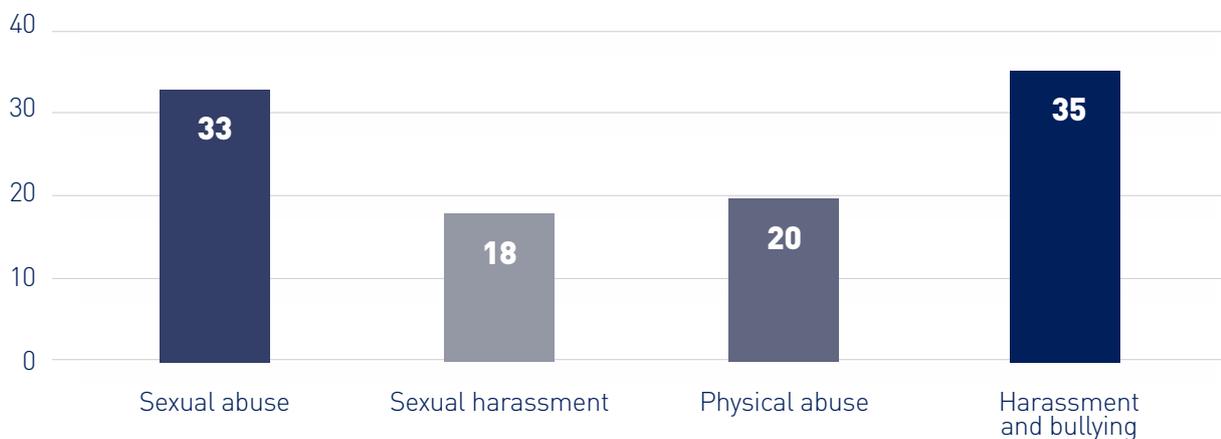
It is also important to note that when drilling down into the statistical information about complaints to analyse particular subcategories of information (such as different forms of abuse over particular time periods), the sample size of these subcategories can become relatively small, and may therefore not produce accurate or representative results.

It is also noted that in some cases, categories of abuse experienced by complaints may overlap. For example, in many cases, complaints of sexual abuse (as discussed in section 3.3) may have included elements that could have been categorised as sexual harassment—for example, where male cadets made derogatory comments of a sexual nature to female cadets while exposing their genitals or in the course of an indecent assault. In many cases, these complaints could potentially have been categorised as involving both sexual harassment and sexual abuse, but were categorised only as sexual abuse because this was the primary form of abuse described by the complainant.

Furthermore, while some complainants were subjected to one isolated incident of abuse, many complainants reported being subjected to more than one incident. Many also indicated that they experienced ongoing abuse during their time at ADFA, and in particular, ongoing abuse during their first year at ADFA. However, the statistics recorded by the Taskforce do not include measures of frequency of abuse, as complainants often did not specify the number of times they were subjected to different categories or forms of abuse.

Categories of abuse

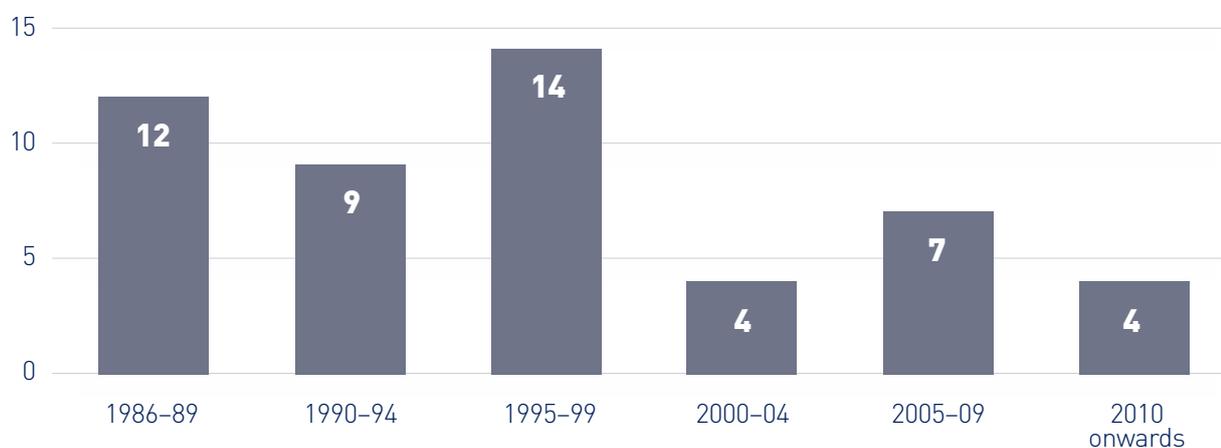
Graph 1: Number of ADFA complainants experiencing each category of abuse



Note that one complainant may have experienced multiple categories of abuse.

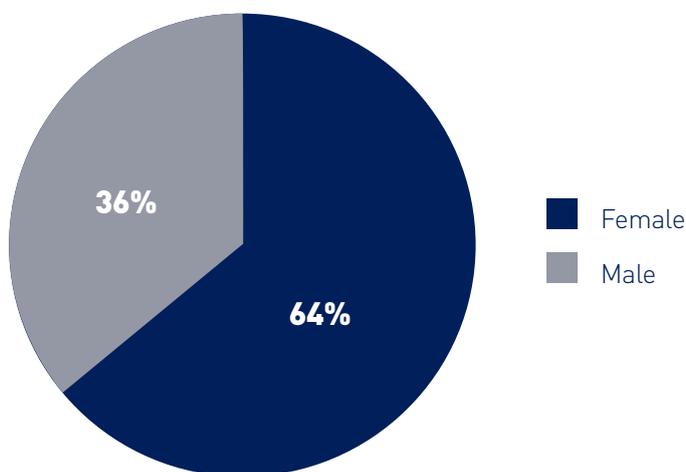
Abuse over time

Graph 2: Number of ADFA complainants experiencing abuse by date range



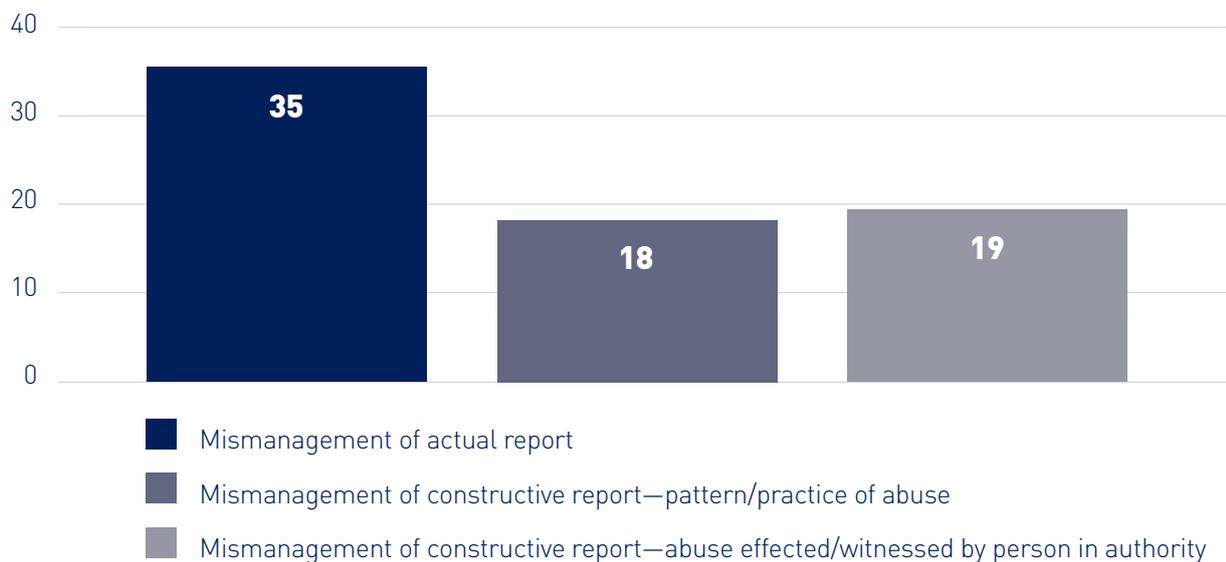
Gender of complainants

Graph 3: Percentage of male and female ADFA complainants



Defence management of reports of abuse

Graph 4: Number of ADFA complaints raising types of Defence mismanagement



Note that one complaint may contain more than one type of report of abuse (for example, an actual report of abuse and a constructive report of abuse in the form of a pattern or practice of abuse that Defence plausibly knew or ought to have known about and failed to prevent or stop). For a discussion on Defence management of actual reports and constructive reports of abuse see section 4.

Endnotes

- 1 G Rumble, M McKean and D Pearce, *Report of the Review of Allegations of Sexual and Other Abuse in Defence: Volume 1*, 2011. The DLA Piper Review was announced in the aftermath of the ADFA 'Skype incident' in 2011. The incident involved the video transmission of an act of sexual intercourse between two first year cadets at ADFA in a room within the cadets' accommodation, using the software application 'Skype', and the viewing of the video of the sexual act by six cadets. The female first year cadet involved in the act was unaware of and did not consent to the videoing and transmission at the time.
- 2 Many people who have experienced abuse do not see themselves as 'victims' and object to that term being used. For this reason the Taskforce uses the term 'complainants' to refer to individuals who have brought their complaints of abuse to the attention of the Taskforce.
- 3 At least four complainants were staff members serving at ADFA at the time of the alleged abuse. A number of other complaints were made by a third party with or without the consent of the subject of the abuse. As outlined in section 3, no further action could be taken in relation to complaints made by a third party without the consent of the subject of the abuse.
- 4 Department of Defence, 'DART—DLO—RFI 2197—CIMS Data—26 September 2-14', provided by the Defence Organisational Response Unit (ORU) to the Taskforce, 26 September 2014.
- 5 The ADFA 'Skype incident' in 2011 involved the video transmission of an act of sexual intercourse between two first year cadets at ADFA in a room within the cadets' accommodation, using the software application 'Skype', and the viewing of the video of the sexual act by six cadets. The female first year cadet involved in the act was unaware of and did not consent to the videoing and transmission at the time.
- 6 Rumble, McKean and Pearce, note 1; G Rumble and M McKean, *Report of the Review of Allegations of Sexual and Other Abuse in Defence: Supplement to Volume 1*, 2012, pp 3, 6. Between April and October 2011, the DLA Piper Review received communications about alleged abuse from 1112 people. Of these, 1095 discrete allegations of abuse, raised by 775 sources, fell within the scope of the DLA Piper Review and were assessed.
- 7 Australian Government, *Defence Abuse Response Taskforce, About Us*, Canberra, 2013, viewed 29 April 2014, www.defenceabusetaskforce.gov.au/Aboutus/Pages/default.aspx; Australian Government, *Defence Abuse Response Taskforce, Reports*, Canberra, 2013, viewed 28 October 2014, www.defenceabusetaskforce.gov.au/reports/Pages/default.aspx.
- 8 Australian Government, *Defence Abuse Response Taskforce, Appointment of Taskforce Chair and Taskforce Terms of Reference*, clause (ii), viewed 28 October 2014, www.defenceabusetaskforce.gov.au/Aboutus/Documents/DefenceAbuseResponseTaskforceTermsofReference.pdf (also in Appendix B of this report).
- 9 Rumble and McKean, note 6.
- 10 Rumble and McKean, note 6, p 37.
- 11 The cut-off date for making complaints to the DLA Piper Review was fixed at 17 June 2011, although complaints made after that date were received and processed up to the end of September 2011. G Rumble, M McKean and D Pearce, note 1, p xxi. The number of incidents is listed as 70 (on p 39) and 62 (on p 37), due to several of the incidents occurring in more than one period.
- 12 Rumble and McKean, note 6, p 39.
- 13 Rumble, McKean and Pearce, note 1, p 117.
- 14 Rumble and McKean, note 6, p xlvii.
- 15 Rumble, McKean and Pearce, note 1, p 69.
- 16 Rumble, McKean and Pearce, note 1, p 70.
- 17 Rumble, McKean and Pearce, note 1, p xxi.
- 18 Rumble, McKean and Pearce, note 1, pp xxxii, 121, 163.
- 19 Rumble, McKean and Pearce, note 1, pp xxxvii, 162.
- 20 Australian Defence Force Academy, *About ADFA*, Canberra, 2005, viewed 4 November 2014, www.defence.gov.au/adfa/about/index.html; Australian Human Rights Commission, *Report on the Review into the Treatment of Women at the Australian Defence Force Academy*, Phase 1 of the Review into the Treatment of Women in the Australian Defence Force, 2011, p 107 (AHRC Review).
- 21 M Hamilton, *The Use of Alcohol in the Australian Defence Force*, Report of the Independent Advisory Panel on Alcohol, 2011, viewed 15 October 2014, www.defence.gov.au/pathwaytochange/Docs/UseOfAlcohol/, p 105.
- 22 Prior to this, the Royal Australian Naval College, Royal Military College and Royal Australian Air Force College provided both tertiary education and military education and training for cadets: see Australian Bureau of Statistics, 1301.0—*Year Book Australia: The Australian Defence Force Academy*, 1988, viewed 5 November 2014, www.abs.gov.au/Ausstats/ABS@.nsf/Previousproducts/1301.0Feature%20Article801988 (Year Book Australia); Australian Defence Force Academy, *About ADFA: Our History*, Canberra, 2005, viewed 28 October 2014, www.defence.gov.au/adfa/about/our_history.html.
- 23 Australian Defence Force Academy, *About ADFA: Our History*, above.
- 24 Australian Defence Force Academy, *Academy Standard Operating Procedures*, provided by the Defence Organisational Response Unit (ORU) to the Taskforce, 15 February 2013, chapter 1, p 1 (*Academy Standard Operating Procedures*).

- 25 Australian Defence Force Academy, *About ADFA: The Program*, Canberra, 2005, viewed 28 October 2014, www.defence.gov.au/adfa/about/program.html.
- 26 Australian Defence Force Academy, *Training at ADFA*, Canberra, 2005, viewed 28 October 2014, www.defence.gov.au/adfa/training/index.html.
- 27 Australian Human Rights Commission, *AHRC Review*, note 20, p 109.
- 28 Above. Figures are from April 2011.
- 29 Australian Defence Force Academy, *Academy Standard Operating Procedures*, note 24, chapter 1, p 9.
- 30 Department of Defence, 'DART—DLO—RFI 2197—CIMS Data—26 September 2-14', provided by the Defence Organisational Response Unit (ORU) to the Taskforce, 26 September 2014, ('RFI 2197').
- 31 The Taskforce received from Defence figures for the representation of women at ADFA from 1990 to 2014: 1990, 19.5%; 1991, 19.5%; 1992, 16.4%; 1993, 20%; 1994, 27.7%; 1995, 24.4%; 1996, 30.2%; 1997, 32%; 1998, 33.2%; 1999, 26.1%; 2000, 26.4%, 2001, 21.4%; 2002, 26.1%; 2003, 23.8%; 2004, 19.8%; 2005, 23.3%; 2006, 25.7%; 2007, 24.1%; 2008, 21.9%; 2009, 21.1%; 2010, 25.2%; 2011, 22.8%; 2012, 18.4%; 2013, 18.9%; 2014, 21.1%.
- 32 Department of Defence, *RFI 2197*, note 30. Between 1990 and 1993, women comprised between only 16.4% and 20% whereas for the remainder of the decade women represented between 24.4% and the highest representation to date of 33.2%. From 2000 to 2014, representation has oscillated within a low of 18.4% and a high of 26.4%.
- 33 Australian Human Rights Commission, *AHRC Review*, note 20, p 110.
- 34 Australian Defence Force Academy, *Academy Standard Operating Procedures*, note 24, chapter 1, p 5.
- 35 Australian Bureau of Statistics, *Year Book Australia*, note 22.
- 36 Australian Defence Force Academy, *Life as a Cadet: Accommodation*, Canberra, 2005, viewed 28 October 2014, www.defence.gov.au/adfa/cadet_life/accommodation.html ('*Life as a Cadet*'). Each division of up to 47 cadets is allocated a single accommodation building, or block. Within that block each cadet has a private room. Each corridor of four individual rooms contains a shared bathroom and laundry facilities. Each block also has a common recreational area.
- 37 Australian Human Rights Commission, *AHRC Review*, note 20, p 111.
- 38 Australian Defence Force Academy, *Life as a Cadet*, note 36.
- 39 Department of Defence, *Defence Jobs, ADF Education: The ADFA Lifestyle*, viewed 28 October 2014, www.defencejobs.gov.au/education/adfa/lifestyle/.
- 40 Australian Human Rights Commission, *AHRC Review*, note 20, p xvii.
- 41 Australian Defence Force Academy, 'Director ADFA Undergraduates Information for Parents', viewed 28 October 2014, www.defence.gov.au/adfa/docs/Director-ADFA-Undergraduates-Information-for-Parents.pdf.
- 42 Australian Human Rights Commission, *AHRC Review*, note 20, p 15.
- 43 B D Grey and others, *Report of the Review into Policies and Practices to Deal with Sexual Harassment and Sexual Offences at the Australian Defence Force Academy*, 1998.
- 44 Above, p ix.
- 45 Above, p x and chapter 8.1. Recommendations 2.1, 2.2, 2.3 and 2.4 fall under the category 'Chapter 2—Explaining and Recasting the Culture of the Defence Academy'.
- 46 Above, chapter 8.7.
- 47 K E Northwood, *Incidents of Sexual Harassment and Sexual Offences in the Australian Defence Force*, 1998.
- 48 Above, pp 3, 4.
- 49 Chapter one of the Investigation Team Report contains the 'Review of investigations conducted by the Defence Academy' and 'The Sealed Envelope System'. Chapter two addresses 'Interviews with cadets and former cadets, Investigations initiated by the Review Team, and Media cases reviewed'. Chapter three addresses Defence Academy staff issues.
- 50 Northwood, note 47. The term 'Chamber of Horrors' is referred to in the Investigation Team report. The term is also the name of the Four Corners program which aired in 2014 and addressed this subject.
- 51 Many of these reviews, while primarily focusing on the broader ADF, have bearing on ADFA. The Minister commissioned the following reviews: review into the use of alcohol in the Australian Defence Force, review of personal conduct of ADF personnel, review into the treatment of women at ADFA and the wider ADF, review of the management of incidents and complaints, review of social media and Defence, and a review of employment pathways for Australian Public Service women in the Department of Defence. 'Minister for Defence—Reviews and initiatives announced following the so called "ADFA Skype incident"', 7 March 2012, viewed 28 October 2014, www.minister.defence.gov.au/2012/03/07/minister-for-defence-reviews-and-initiatives-announced-following-the-so-called-%E2%80%98adfa-skype-incident%E2%80%99/.
- 52 The AHRC Review did not investigate specific incidents of abuse at ADFA, but rather constituted a broad cultural review with 'a specific focus on the impact of that culture on women'. Australian Human Rights Commission, *AHRC Review*, note 20, p xii.
- 53 Australian Human Rights Commission, *AHRC Review*, note 20, p xii.
- 54 Australian Human Rights Commission, *Audit Report: Review into the Treatment of Women at the Australian Defence Force Academy*, 2013 ('*AHRC Audit Report*').

- 55 Department of Defence, 'Minister for Defence—Pathway to Change Milestones', 23 July 2013, viewed 28 October 2014, www.minister.defence.gov.au/2013/07/23/minister-for-defence-pathway-to-change-milestones/. 'Pathway to Change—Evolving Defence Culture' is the implementation strategy for cultural change and reinforcement in Defence. The document incorporates the recommendations made in various reviews into Defence culture.
- 56 Media reporting has been relied on to provide information about some cases where decisions have not been made publicly available online, such as those cases appearing in the ACT Magistrates Court.
- 57 G Field, 'Maximum award in ADFA sex assault', *The Canberra Times*, Canberra (11 June 1994), viewed 5 November 2014, [trove.nla.gov.au/ndp/del/article/118170388?searchTerm= Maximum award in ADFA sex assault&searchLimits=](http://trove.nla.gov.au/ndp/del/article/118170388?searchTerm=Maximum%20award%20in%20ADFA%20sex%20assault&searchLimits=), p 3.
- 58 M Brissenden, 'Skype sex scandal victim sues the Defence Force', *ABC*, 4 November 2013, viewed 28 October 2014, www.abc.net.au/news/2013-11-04/skype-sex-scandal-victim-sues-the-defence-force/5069078.
- 59 *Military Rehabilitation & Compensation Commission v SRGGGG* [2005] FCA 342 (4 April 2005).
- 60 "*SRGGGG*" and *Comcare (Department of Defence)* [2004] AATA 284 (17 March 2004); *Military Rehabilitation & Compensation Commission v SRGGGG* [2005] FCA 342 (4 April 2005). The cadet had argued that 'he had had very unpleasant and disturbing experiences there [ADFA], of a kind sometimes referred to as "bastardisation" and in consequence had experienced mental injury'.
- 61 The parents of the respondent recounted incidents which they witnessed while visiting ADFA, including seeing the contents of another cadet's room being thrown out of the window of an accommodation block ('bishing', see Glossary), and the respondent being berated by a senior cadet and told that he was weak and would never succeed. See "*SRGGGG*" and *Comcare (Department of Defence)* [2004] AATA 284 (17 March 2004), [39]-[40]. The AAT also heard of other experiences that the respondent faced, including missing meals because of pointless extra tasks imposed by senior cadets and sleeping on the floor in order to keep the bed in inspection order, [41].
- 62 "*SRGGGG*" and *Comcare (Department of Defence)* [2004] AATA 284 (17 March 2004), [42]. See the Glossary for definitions of 'turkey slapping' and 'woofering'. The AAT found that the incidents of abuse were partially corroborated by the then Vice Chief of the Defence to the then Commandant of ADFA in a letter which stated: 'You would be aware of some of the allegations contained in both letters concerning the treatment of First Year Cadets; they have a familiar ring to them' [44]. The Federal Court dismissed the appeal in favour of the respondent and accordingly the respondent was entitled to compensation.
- 63 R Campbell, 'Indecency: Five ADFA cadets to face court', *The Canberra Times*, Canberra (12 December 1992), p 1.
- 64 L Wright, 'Gun, bayonet assault: two ADFA cadets facing court', *The Canberra Times*, Canberra (27 March 1998), p 1.
- 65 The pair were convicted and each cadet received a 12 month good behaviour undertaking (the cadet convicted of two charges received two 12 month good behaviour undertakings). Acting Justice Nield described the effect of the behaviour on the complainant, stating that '[h]er whole world has even shattered, her dignity stolen...her self-worth destroyed. C Knaus, M Inman, 'ADFA Skype scandal cadets sentenced, avoid jail', *The Canberra Times*, Canberra (23 October 2013), viewed 28 October 2014, www.canberratimes.com.au/act-news/adfa-skype-scandal-cadets-sentenced-avoid-jail-20131023-2w0hz.html.
- 66 N Rudra, 'Pakistani ADFA cadet's indecency charge dismissed', *The Canberra Times*, Canberra (25 July 2012), viewed 28 October 2014, www.canberratimes.com.au/act-news/pakistani-adfa-cadets-indecency-charge-dismissed-20120725-22p0v.html.
- 67 *R v Ang* [2014] ACTCA (30 May 2014). The offender, knowing the complainant was heavily intoxicated at the time, entered the complainant's room in the early hours of the morning and asked whether she was asleep. After she did not reply, he lay down beside her, massaged her shoulders, and took hold of her face and attempted to kiss her. When she would not open her mouth, her nose was covered forcing her to open her mouth to breathe, at which time he forced his tongue into her mouth. The Judge was satisfied that it was made clear to the offender that she was not consenting and that his actions were unwelcome.
- 68 *R v Ang* [2014] ACTCA (30 May 2014). The ACT Court of Appeal heard an appeal by the Crown against the making of a non-conviction order in the initial proceedings. The judgment of the Court, in dismissing the appeal, noted that while 'his Honour's sentence was very lenient', the 'Court is not entitled to substitute its own opinion for that of the sentencing judge merely because it disagrees with that sentence.' The initial sentence was found not to be 'manifestly inadequate' and therefore not susceptible to amendment.
- 69 M Inman, 'ADFA cadet Harlan Agresti committed for trial over two alleged rapes', *The Sydney Morning Herald*, Sydney (30 October 2014), viewed 21 October 2014, www.smh.com.au/act-news/adfa-cadet-harlan-agresti-committed-for-trial-over-two-alleged-rapes-20141030-11eh85.html; C Knaus, 'ADFA cadet charged over two alleged sexual assaults', *The Canberra Times*, Canberra (20 August 2014), viewed 28 October 2014, www.canberratimes.com.au/act-news/adfa-cadet-charged-over-two-alleged-sexual-assaults-20140820-1061kw.html.
- 70 'Cadets claim harassment', *The Canberra Times*, Canberra (12 February 1986), cited in D Sibley, 'On Parade: What's really happening inside the Australian Defence Force Academy', *The Canberra Times*, Canberra (21 June 1992), p 17; '50 bullied out of officer training school', *The Sydney Morning Herald*, Sydney (4 May 1988); J Brough, 'Bastardisation or student pranks? ADFA hits back', *The Canberra Times*, Canberra (4 May 1992), p 1; R Campbell, 'Indecency: Five ADFA cadets to face court', *The Canberra Times*, Canberra (12 December 1992), p 1.
- 71 Sibley, above, p 17. The article also refers to incidents of punishments imposed on first year cadets by third year cadets such as being prevented from eating meals and being deprived of sleep. Coverage at this time also included discussion on whether these bastardisation practices constituted 'student pranks' or sexual assault.
- 72 R Campbell, 'Indecency: Five ADFA cadets to face court', *The Canberra Times*, Canberra (12 December 1992), p 1. See Glossary for a definition of 'woofering'.
- 73 Sibley, note 70, p 17. See Glossary for a definition of 'squid'.
- 74 While these articles started appearing in greater frequency in the mid 1990s, many of the complaints include allegations of abuse in the early 1990s.

- 75 H Gilmore, 'Women Take Aim at Navy', *The Sun Herald* (19 October 1997). For example, the article reports on the plan by several naval women to initiate legal action against Defence over allegations of sexual assault. The article also refers to an allegation of 'pack rape and subsequent cover-up' and notes that Australian Federal Police officers had been called to investigate three separate claims of sexual assault involving ADFA cadets, and that five other claims of sexual assault were made in 1995 at ADFA. Similarly, the *Sunday Program* on 23 November 1997 featured five women who complained about sexual assault and sexual harassment, several of whom were cadets.
- 76 H Gilmore, 'Women Take Aim at Navy', *The Sun Herald* (19 October 1997).
- 77 For example, this includes the following two televised programs: M Brissenden, C Hichens, 'Chamber of Horrors', Four Corners, 9 June 2014, viewed 28 October 2014, www.abc.net.au/4corners/stories/2014/06/09/4019501.htm; G Thompson and C Hichens, 'Culture of Silence', 13 June 2011, viewed 4 November 2014, www.abc.net.au/4corners/content/2011/s3242652.htm.
- 78 Although the story was initially broken on *Ten News at Five* on 5 April 2011, the cadet (known only as 'Kate' to protect her identity) was subsequently interviewed by other news networks and a series of investigative stories reported on the allegations and raised broader questions about the treatment of women in Defence. See, for example: A McDonald, M Brissenden, *Victim of ADFA Skype sex scandal to take legal action against Defence Force*, viewed 23 September 2014, www.abc.net.au/news/2013-11-04/skype-sex-scandal-victim-sues-the-defence-force/5069078. The ABC conducted an interview with 'Kate', in which she indicated her intention to take legal action against the ADF. She discussed how she was determined to pursue a career in the ADF even after the incident, however constant harassment, such as being referred to as the 'Skype slut', made this impossible.
- 79 G Thompson and C Hichens, 'Culture of Silence', Four Corners, 13 June 2011, viewed 28 October 2014, www.abc.net.au/4corners/content/2011/s3242652.htm.
- 80 M Brissenden, C Hichens, 'Chamber of Horrors', 9 June 2014, viewed 28 October 2014, www.abc.net.au/4corners/stories/2014/06/09/4019501.htm. In particular, the program follows the story of one woman who was sexually assaulted and 'reported the crime but her case was dropped. Now she lives with the fear of meeting her attacker, even as she works to protect her country.' The program addresses the hardships that complainants face, such as being made to feel that it is their fault. The program also contains discussions as to what the most appropriate course of action would be, including discussions on the possibility of a Royal Commission. Also see Glossary for definition of 'Chamber of horrors'.
- 81 E Gilbert, 'ADFA Skype sex scandal 'destroyed my life': victim', *ABC News* (15 October 2013), viewed 28 October 2014, www.abc.net.au/news/2013-10-14/adfa-skype-sex-cadet-linked-to-second-scandal/5020704.
- 82 N James, 'Cadet film case: lessons to be learnt in the way it was reported', *Crikey* (8 April 2011), viewed 28 October 2014, www.crikey.com.au/2011/04/08/cadet-film-case-lessons-to-be-learnt-in-the-way-it-was-reported.
- 83 'Graduates deny culture of sexism at ADFA', *ABC News* (12 April 2011), viewed 28 October 2014, www.abc.net.au/news/2011-04-11/graduates-deny-culture-of-sexism-at-adfa/2619752.
- 84 At least four complainants were staff members serving at ADFA at the time of the alleged abuse. A number of other complaints were made by a third party with or without the consent of the subject of the abuse. No further action could be taken in relation to complaints made by a third party without the consent of the subject of the abuse.
- 85 In some cases this report quotes single words or short phrases from complaints relating to alleged abuse at ADFA. Consent was not sought from complainants in such cases as the portions quoted are very short and do not identify complainants.
- 86 The Taskforce has retained a record of all documents relied upon in this report. However, names have been removed from the public report in order to protect the privacy of those quoted.
- 87 The exception to this is in section 5 of this report. Section 5 focuses on allegations of sexual abuse of women at ADFA in the 1990s which in many cases have not been made by complainants to the Taskforce, and as such have not been the subject of an assessment as to scope and plausibility by the Taskforce.
- 88 See Appendix G, Graph 1.
- 89 Bishing is a practice involving interference or destruction of a cadet's room or property. See Glossary.
- 90 See Appendix G, Graph 2.
- 91 See Appendix G, Graph 3.
- 92 See section 2.3 for more details.
- 93 Consent in this context means consent given freely and voluntarily by a person with the cognitive capacity to give the consent.
- 94 Woofering refers to a hazing/initiation practice which involved a group of cadets restraining another cadet and forcibly applying a vacuum cleaner hose to the cadet's genitals and turning the vacuum on. See Glossary.
- 95 Cadet, mid 2000s, [Name redacted], p 71.
- 96 Cadet, late 2000s, [Name redacted], p 15.
- 97 Cadet, mid 2000s, [Name redacted], p 17.
- 98 Cadet, mid 1990s, [Name redacted], p 16.
- 99 Cadet, late 1980s, [Name redacted], p 4.
- 100 Cadet, late 1980s, [Name redacted], p 4.
- 101 Cadet, mid 1990s, [Name redacted], p 16.
- 102 Cadet, late 1990s, [Name redacted], pp 26, 27.

- 103 Cadet, mid 2000s, [Name redacted], p 71.
- 104 Cadet, mid 1990s, [Name redacted], p 13; Cadet, late 1980s, [Name redacted], p 4.
- 105 Cadet, late 1980s, [Name redacted], p 4.
- 106 Cadet, mid 1990s, [Name redacted], p 13.
- 107 Cadet, mid 2000s, [Name redacted], pp 45, 48.
- 108 Cadet, mid 1990s, [Name redacted], p 52.
- 109 Cadet, mid 1990s, [Name redacted], p 9.
- 110 Cadet, late 1990s, [Name redacted], p 21.
- 111 Cadet, late 1980s, [Name redacted], p 4.
- 112 See Glossary.
- 113 Cadet, mid 2000s, [Name redacted], p 18.
- 114 Cadet, late 1980s, [Name redacted], p 44.
- 115 Cadet, mid 1990s, [Name redacted], p 13.
- 116 Cadet, early 2000s, [Name redacted], p 16.
- 117 Cadet, early 1990s, [Name redacted], p 17.
- 118 Cadet, mid 1980s, [Name redacted], p 3.
- 119 Cadet, early 1990s, [Name redacted], p 19.
- 120 Cadet, early 1990s, [Name redacted], p 3.
- 121 Cadet, early 1990s, [Name redacted], p 20.
- 122 Cadet, early 1990s, [Name redacted], p 4.
- 123 Cadet, late 2000s, [Name redacted], p 4.
- 124 Cadet, late 1980s, [Name redacted], p 4.
- 125 Cadet, late 1980s, [Name redacted], p 4.
- 126 Cadet, mid 1980s, [Name redacted], p 19.
- 127 Cadet, mid 2000s, [Name redacted], p 32.
- 128 Cadet, mid 2000s, [Name redacted], p 24.
- 129 Cadet, mid 1980s, [Name redacted], p 3.
- 130 Cadet, late 1980s, [Name redacted], p 4.
- 131 Cadet, late 1980s, [Name redacted], p 55.
- 132 Cadet, late 1980s, [Name redacted], p 55.
- 133 Cadet, late 1980s, [Name redacted], p31
- 134 Cadet, mid 2000s, [Name redacted], p 3.
- 135 Cadet, mid 2000s, [Name redacted], p 3.
- 136 Cadet, late 2000s, [Name redacted], p 21.
- 137 Cadet, late 1990s, [Name redacted], p 14.
- 138 Cadet, late 1980s, [Name redacted], p 55.
- 139 Cadet, late 1980s, [Name redacted], p 55.
- 140 Cadet, mid 1990s, [Name redacted], pp 13-14.
- 141 Cadet, mid 1990s, [Name redacted], pp 7, 8.
- 142 Physical abuse does not extend to a failure to provide or refer a person to psychological support where psychological injury is alleged (although in some cases this may amount to workplace harassment and bullying or be relevant to mismanagement of a report of abuse by Defence—see further section 3.6).
- 143 Cadet, late 1980s, [Name redacted], p 4.
- 144 Cadet, early 1990s, [Name redacted]; Cadet, late 1980s, [Name redacted]; Cadet, mid 1990s, [Name redacted].
- 145 Cadet, early 1990s, [Name redacted], p 3.
- 146 Cadet, late 1980s, [Name redacted], p 20.
- 147 Cadet, mid 1990s, [Name redacted], pp 52, 53; Cadet, late 1980s, [Name redacted], p 36.

- 148 Cadet, late 1980s, [Name redacted], p 2.
- 149 Cadet, late 1980s, [Name redacted], p 46.
- 150 Cadet, late 1980s, [Name redacted]; Cadet, late 1980s, [Name redacted], p 4.
- 151 Cadet, late 1980s, [Name redacted], p 4.
- 152 Cadet, late 1980s, [Name redacted], p 2.
- 153 Cadet, late 1980s, [Name redacted], p 11; Cadet, late 1980s, [Name redacted], p 3.
- 154 Cadet, late 1980s, [Name redacted], p 4.
- 155 Cadet, mid 1980s, [Name redacted], p 19.
- 156 Cadet, late 1980s, [Name redacted], p 2.
- 157 Cadet, late 1980s, [Name redacted], pp 18, 20.
- 158 Cadet, late 1980s, [Name redacted], p 4; Cadet, late 1980s, [Name redacted], p 4.
- 159 Cadet, mid 1980s, [Name redacted], p 29.
- 160 Cadet, late 1980s, [Name redacted], p 22.
- 161 Cadet, late 1980s, [Name redacted], p 3.
- 162 Cadet, early 1990s, [Name redacted], p 3.
- 163 Cadet, late 1980s, [Name redacted], p 11.
- 164 Cadet, late 1980s, [Name redacted], p 3.
- 165 Cadet, mid 1990s, [Name redacted], p 52; Cadet, late 1980s, [Name redacted], p 36.
- 166 Cadet, late 1980s, [Name redacted], p 66.
- 167 Cadet, mid 1990s, [Name redacted], p 9; Cadet, early 1990s, [Name redacted], p 5; Cadet, late 2000s, [Name redacted], p 28; Cadet, late 1980s, [Name redacted], p 44, Cadet, early 1990s, [Name redacted], p 20; Cadet, mid 1980s, [Name redacted], p 3; Cadet, mid 2000s, [Name redacted], pp 45, 48.
- 168 Cadet, late 1980s, [Name redacted], p 46.
- 169 Cadet, late 1980s, [Name redacted], p 2.
- 170 Cadet, mid 2000s, [Name redacted], p 45.
- 171 Cadet, mid 1980s, [Name redacted], p 19.
- 172 Cadet, mid 1980s, [Name redacted], p 14.
- 173 Cadet, mid 2000s, [Name redacted], p 5; Cadet, late 2000s, [Name redacted], p 1.
- 174 Cadet, mid 2000s, [Name redacted], p 45.
- 175 Cadet, early 2000s, [Name redacted], p 25.
- 176 Cadet, early 2000s, [Name redacted], p 3.
- 177 Cadet, early 2000s, [Name redacted], p 3.
- 178 Cadet, mid 2000s, [Name redacted], p 16.
- 179 Cadet, mid 2000s, [Name redacted], p 17.
- 180 Cadet, mid 2000s, [Name redacted], p 16.
- 181 For further discussion of the cadet hierarchy, see section 6.
- 182 Cadet, late 1980s, [Name redacted], pp 16, 17.
- 183 Cadet, late 1980s, [Name redacted], p 19; Cadet, mid 1990s, [Name redacted], p 18; Cadet, mid 1990s, [Name redacted], p 21.
- 184 Cadet, mid 2000s, [Name redacted], p 21; Cadet, early 2000s, [Name redacted], p 23.
- 185 Cadet, late 1990s, [Name redacted], p 26.
- 186 Cadet, mid 2000s, [Name redacted], p 4; Cadet, mid 1990s, [Name redacted], p 7.
- 187 Cadet, mid 1980s, [Name redacted], p 14.
- 188 Cadet, mid 1990s, [Name redacted], p 9.
- 189 Cadet, mid 1980s, [Name redacted], pp 19, 20; Cadet, late 1980s, [Name redacted], pp 2, 3.
- 190 Cadet, early 2000s, [Name redacted], p 24; Cadet, late 1980s, [Name redacted], pp 16, 17.
- 191 Cadet, late 2000s, [Name redacted], p 21; Cadet, mid 2000s, [Name redacted], pp 4, 5, 8.
- 192 Cadet, mid 1990s, [Name redacted], p 52.

- 193 Cadet, late 1980s, [Name redacted], p 4.
- 194 Cadet, mid 1980s, [Name redacted], pp 19, 20.
- 195 Cadet, late 1980s, [Name redacted], pp 16,17.
- 196 Cadet, late 1980s, [Name redacted], pp 17, 18. Under Officer was a position of authority within the cadet hierarchy which previously existed at ADFA.
- 197 Cadet, late 1980s, [Name redacted], p 2.
- 198 Cadet, late 1980s, [Name redacted], p 3.
- 199 Cadet, late 1980s, [Name redacted], p 19.
- 200 Cadet, late 1980s, [Name redacted], p 3.
- 201 Cadet, late 1980s, [Name redacted], p 65. See Glossary for definition of 'squid'.
- 202 Cadet, late 1990s, [Name redacted], p 24.
- 203 Cadet, late 1980s, [Name redacted], p 69.
- 204 Cadet, late 1980s, [Name redacted], p 65.
- 205 Cadet, late 1980s, [Name redacted], p 31.
- 206 Cadet, late 1980s, [Name redacted], p 4.
- 207 Cadet, late 1980s, [Name redacted], p 1.
- 208 Cadet, late 1980s, [Name redacted], pp 57, 58 9.
- 209 Cadet, mid 2000s, [Name redacted], p 4; Cadet, mid 1990s, [Name redacted], p 52.
- 210 Cadet, mid 2000s, [Name redacted], p 4.
- 211 Cadet, mid 1990s, [Name redacted], p 7.
- 212 Cadet, early 1990s, [Name redacted], pp 18, 39.
- 213 Cadet, late 1980s, [Name redacted], p 20.
- 214 Cadet, late 1990s, [Name redacted], p 17.
- 215 Cadet, early 2000s, [Name redacted], p 23.
- 216 Cadet, mid 2000s, [Name redacted], p 4.
- 217 Cadet, early 1990s, [Name redacted], p 19.
- 218 Terms used in relation to cadets, predominantly female, who do not or cannot meet acceptable standards of physical fitness, academic, military and/or social performance. The cadet may be on some form of medical restriction and other cadets perceive that the cadet has faked the illness or injury or should have recovered, irrespective of the gravity of the original illness or injury. See Glossary for definitions of 'squeezer' and 'malingerer'. For example, see: Cadet, early 2000s, [Name redacted], p 25; Cadet, mid 1990s, [Name redacted], p 13.
- 219 Cadet, early 1990s, [Name redacted], pp 3, 4.
- 220 Cadet, early 1990s, [Name redacted], pp 18, 19.
- 221 Cadet, mid 1990s, [Name redacted], p 4.
- 222 Cadet, early 2000s, [Name redacted], pp 1, 4.
- 223 Cadet, mid 2000s, [Name redacted], pp 21-22.
- 224 Cadet, mid 1990s, [Name redacted], p 3.
- 225 Cadet, late 1990s, [Name redacted], p 25.
- 226 Cadet, early 2000s, [Name redacted], p 2.
- 227 Cadet, mid 1990s, [Name redacted], p 14.
- 228 Cadet, early 2000s, [Name redacted], p 3.
- 229 Cadet, early 2000s, [Name redacted], p 2.
- 230 Cadet, early 2000s, [Name redacted], p 25.
- 231 Cadet, mid 1990s, [Name redacted], p 9.
- 232 Cadet, mid 2000s, [Name redacted], p 18.
- 233 Cadet, late 1980s, [Name redacted], p 63.
- 234 Cadet, mid 1980s, [Name redacted], pp 9, 14.
- 235 Cadet, early 1990s, [Name redacted], p 5.

- 236 Cadet, late 1980s, [Name redacted], pp 38, 39.
- 237 Cadet, mid 1980s, [Name redacted], p 19.
- 238 Cadet, early 1990s, [Name redacted], p 5.
- 239 Cadet, late 1990s, [Name redacted], p 22.
- 240 Cadet, late 1980s, [Name redacted], p 4; Cadet, late 1980s, [Name redacted], p 68.
- 241 Cadet, late 1980s, [Name redacted], p 2.
- 242 Cadet, mid 1990s, [Name redacted], p 77.
- 243 Cadet, late 1980s, [Name redacted], p 4; Cadet, early 1990s, [Name redacted], p 62.
- 244 See Glossary.
- 245 Cadet, early 1990s, [Name redacted], p 5.
- 246 Cadet, late 1980s, [Name redacted], pp 1, 2.
- 247 Cadet, late 1990s, [Name redacted], p 26; Cadet, late 1980s [Name redacted], pp 35, 50; Cadet, early 1990s, [Name redacted], p 16.
- 248 Cadet, late 1980s, [Name redacted], p 2.
- 249 Cadet, late 1980s, [Name redacted], p 17.
- 250 Cadet, early 2000s, [Name redacted], p 24.
- 251 Cadet, early 2000s, [Name redacted], p 24; Cadet, early 2000s, [Name redacted], p 124.
- 252 Cadet, early 2000s, [Name redacted], p 24.
- 253 Cadet, mid 1990s, [Name redacted], p 14.
- 254 Cadet, mid 2000s, [Name redacted], p 16.
- 255 Cadet, early 2000s, [Name redacted], p 4.
- 256 Cadet, mid 2000s, [Name redacted], p 4.
- 257 Cadet, late 1980s, [Name redacted], p 18.
- 258 Cadet, early 1990s, [Name redacted], p 7.
- 259 Staff member, 2000s, [Name redacted], p 25.
- 260 Cadet, mid 2000s, [Name redacted], p 16.
- 261 Cadet, early 2000s, [Name redacted], p 23.
- 262 Cadet, late 1990s, [Name redacted], pp 24, 25.
- 263 Cadet, mid 1990s, [Name redacted], p 38.
- 264 'Jacking' refers to the making of a complaint about another cadet to a staff member, perceived as disloyalty. See Glossary.
- 265 Cadet, mid 1990s, [Name redacted], pp 22, 23.
- 266 Cadet, early 1990s, [Name redacted], p 18.
- 267 Cadet, late 1980s, [Name redacted], p 4.
- 268 Cadet, mid 1990s, [Name redacted], pp 18, 19.
- 269 Cadet, mid 1990s, [Name redacted], p 52.
- 270 Australian Government, *Defence Abuse Reparation Scheme Guidelines*, 2013, viewed 28 October 2014, www.defenceabusetaskforce.gov.au/Outcomes/Documents/DefenceAbuseReparationSchemeGuidelines.pdf, [1.5.2(c)] ('*Defence Abuse Reparation Scheme Guidelines*').
- 271 Above, [4.6.1].
- 272 Above, [1.4.3(b)]. The Reparation Payments Assessor is an independent position established to make administrative decisions associated with the making of a Reparation Payment under the Scheme. The Assessor is responsible for deciding whether or not a person satisfies the criteria to qualify for a Reparation Payment and, if so, the amount of the Reparation Payment in each case.
- 273 Above, [1.4.4].
- 274 Defence Abuse Response Taskforce, *Third Interim Report to the Attorney-General and Minister for Defence*, 2013, viewed 28 October 2014, www.defenceabusetaskforce.gov.au/reports/Documents/Defence%20%20Abuse%20Response%20Taskforce%20Third%20Interim%20Report%20to%20the%20Attorney-General%20and%20%20Minister%20for%20Defence.pdf, p 10 ('*Third Interim Report*'); Defence Abuse Response Taskforce, *Fourth Interim Report to the Attorney-General and Minister for Defence*, December 2013, viewed 28 October 2014, www.defenceabusetaskforce.gov.au/reports/Documents/dart-fourth-interim-report.pdf, p 9 ('*Fourth Interim Report*').
- 275 See Appendix G, Graph 4.

- 276 For example, a division is responsible to a Divisional Officer (DO) of LEUT or equivalent rank; several divisions form a Squadron, headed by an Officer Commanding (OC) of LCDR or equivalent rank, who reports to the Executive Officer (XO).
- 277 See Glossary for definition of Corps of Officer Cadets.
- 278 See Grey and others, note 43, pp 142-143.
- 279 See Glossary.
- 280 Cadet, mid 1990s, [Name redacted], p 27.
- 281 Cadet, early 1990s, [Name redacted], p 21; Cadet, late 1980s, [Name redacted], p 3; Cadet, early 1990s, [Name redacted], p 3.
- 282 Cadet, late 1980s, [Name redacted], p 36.
- 283 Cadet, mid 1990s, [Name redacted], p 16.
- 284 Cadet, mid 1980s, [Name redacted], p 20.
- 285 Cadet, mid 1980s, [Name redacted], p 16.
- 286 Cadet, mid 1980s, [Name redacted], p 11.
- 287 Cadet, mid 1990s, [Name redacted], p 20.
- 288 Cadet, late 1980s, [Name redacted], p 20.
- 289 Cadet, late 1980s, [Name redacted], p 46.
- 290 Cadet, mid 1990s, [Name redacted], p 3.
- 291 Cadet, early 1990s, [Name redacted], p 19.
- 292 Cadet, late 1990s, [Name redacted], p 42.
- 293 Cadet, early 1990s, [Name redacted], p 6.
- 294 Cadet, early 1990s, [Name redacted], p 6.
- 295 Cadet, early 1990s, [Name redacted], pp 6, 7.
- 296 Cadet, mid 1990s, [Name redacted], p 3.
- 297 Cadet, mid 1990s, [Name redacted], p 3.
- 298 Cadet, mid 1990s, [Name redacted], p 3.
- 299 Cadet, mid 1980s, [Name redacted], p 3.
- 300 Cadet, late 1980s, [Name redacted], p 3.
- 301 Cadet, mid 1990s, [Name redacted], p 20.
- 302 Cadet, mid 1990s, [Name redacted], p 20.
- 303 Cadet, early 2000s, [Name redacted], p 19.
- 304 Cadet, late 2000s, [Name redacted], p 1.
- 305 Cadet, mid 1990s, [Name redacted], p 18.
- 306 Cadet, mid 1990s, [Name redacted], p 2.
- 307 Cadet, mid 1990s, [Name redacted], pp 52-53.
- 308 Defence Instructions (General) PERS 35-4 Reporting and management of sexual misconduct including sexual offences, 4 March 2014, p 5.
- 309 Cadet, early 1990s, [Name redacted], p 6.
- 310 Cadet, late 1980s, [Name redacted], p 20.
- 311 Cadet, early 2000s, [Name redacted], p 3.
- 312 Cadet, early 1990s, [Name redacted], p 47.
- 313 Cadet, late 1980s, [Name redacted], p 4.
- 314 Cadet, early 2000s, [Name redacted], p 30.
- 315 Cadet, late 1980s, [Name redacted], p 20.
- 316 Cadet, mid 1990s, [Name redacted], p 23.
- 317 Cadet, late 1980s, [Name redacted], p 58.
- 318 Grey and others, note 43, [6.14].
- 319 Cadet, early 1990s, [Name redacted], p 19.
- 320 Cadet, mid 2000s, [Name redacted], p 17; Cadet, late 1990s, [Name redacted], p 28.

- 321 Cadet, late 1990s, [Name redacted], p 28.
- 322 Cadet, mid 1990s, [Name redacted], p 21.
- 323 Cadet, early 2000s, [Name redacted], p 28.
- 324 Cadet, early 2000s, [Name redacted], p 23.
- 325 Cadet, late 1990s, [Name redacted], p 20.
- 326 Cadet, early 1990s, [Name redacted], p 19.
- 327 Cadet, late 1980s, [Name redacted], p 4.
- 328 Cadet, mid 1990s, [Name redacted], p 13.
- 329 Cadet, mid 1990s, [Name redacted], p 16. A compilation of cadet language from the late 1980s contains a definition for 'Greyman', as somebody who never gets into trouble for anything. B Cowham, *Legolingo: The Cadets' Language*, 1987, p 10.
- 330 Cadet, early 2000s, [Name redacted], p 24.
- 331 Cadet, early 2000s, [Name redacted], p 23.
- 332 Cadet, early 2000s, [Name redacted], p 27.
- 333 Cadet, mid 2000s, [Name redacted], p 18.
- 334 Cadet, late 1980s, [Name redacted], pp 4-5.
- 335 Cadet, late 1980s, [Name redacted], p 4.
- 336 Cadet, mid 1990s, [Name redacted], p 13.
- 337 Cadet, mid 1980s, [Name redacted], p 20.
- 338 Cadet, late 1980s, [Name redacted], p 70.
- 339 Cadet, early 1990s, [Name redacted], p 20.
- 340 Cadet, late 1980s, [Name redacted], p 5.
- 341 Cadet, mid 1990s, [Name redacted], p 3.
- 342 Cadet, mid 2000s, [Name redacted], p 61.
- 343 Cadet, late 1990s, [Name redacted], p 18.
- 344 Cadet, mid 1990s, [Name redacted], p 20.
- 345 Cadet, mid 1990s, [Name redacted], p 22.
- 346 Cadet, late 1980s, [Name redacted], p 3; Cadet, late 1980s, [Name redacted], p 2.
- 347 Cadet, late 1980s, [Name redacted], p 2.
- 348 See, for example: Cadet, late 1980s, [Name redacted], p 6.
- 349 Grey and others, note 43.
- 350 Cadet, late 1980s, [Name redacted], p 55.
- 351 For example: Cadet, early 1990s, [Name redacted], p 17.
- 352 See Grey and others, note 43, pp 142-143.
- 353 Cadet, early 1990s, [Name redacted], pp 34, 35.
- 354 Cadet, early 1990s, [Name redacted], p 7.
- 355 Cadet, late 1980s, [Name redacted], p 31.
- 356 Cadet, mid 1990s, [Name redacted], p 9.
- 357 Cadet, late 1980s, [Name redacted], p 36.
- 358 Cadet, late 1980s, [Name redacted], p 12.
- 359 Cadet, mid 1990s, [Name redacted], p 21.
- 360 The Taskforce Terms of Reference are in Appendix B.
- 361 See Rumble, McKean and Pearce, note 1, chapter 6; Grey and others, note 43.
- 362 Northwood, note 47, Introduction, p 3.
- 363 Northwood, note 47, Introduction, p 5 and Annex to chapter 2.
- 364 Northwood, note 47, Introduction, p 5.

- 365 Colonel K Northwood, Evidence to the Joint Standing Committee on Foreign Affairs, Defence and Trade *Inquiry into Military Justice Procedures in the Australian Defence Force*, 19 June 1968, viewed 20 October 2014, parlinfo.aph.gov.au/parlInfo/search/display/display.w3p;query=Id:committees%2Fcommjnt%2Fb0000181.sgm%2F0004.
- 366 Rumble, McKean and Pearce, note 1, p 105.
- 367 Rumble, McKean and Pearce, note 1, p 117.
- 368 Rumble, McKean and Pearce, note 1, p 118 and Appendix 22, p 514. It appears from the DLA Piper Review report that Ms Grey was extrapolating from the statistics regarding the 'Sexual Experiences Questionnaire' in Appendix 6 to the Grey Review report. This survey was held in January 1998 and canvassed experiences of cadets during 1997. Of those female cadets surveyed (208 individuals), approximately 7% of female cadets reported experiencing sexual assault or attempted sexual assault at least once or twice during 1997. Ms Grey viewed the 7% figure for a calendar year period as generally consistent with the 30% estimation for the years prior to the Grey Review, however, the basis for this extrapolation is not provided.
- 369 Rumble, McKean and Pearce, note 1, p 118.
- 370 Rumble, McKean and Pearce, note 1, p 118.
- 371 Rumble, McKean and Pearce, note 1, p 121.
- 372 Letter from the Taskforce Chair to the CDF, General David Hurley AC DSC, 16 October 2013.
- 373 Unlike the rest of this report, this section includes consideration of allegations of abuse which in many cases have not been made by complainants to the Taskforce, and as such have not been the subject of an assessment as to scope and plausibility by the Taskforce.
- 374 In the context of the Taskforce, sexual abuse means unwanted conduct of a sexual nature, committed against a person without their consent. See further section 3.3.
- 375 Defence document, Statutory Declaration; Defence document, Statement; Defence document, Transcript of Conversation; Defence document, Case Note; Defence document, Service Police Statement; Defence document, Statement; Defence document, Service Police Report; Defence document, Transcript of Interview, pp 5-6; Defence document, Statement, p 2; Defence document, Note of Action; Defence document, Report of Allegations; Defence document, Brief; Defence document, Statement; Defence document, Sealed Envelope; Defence document, Statement; Cadet, 1990s, [Name redacted], p 16.
- 376 Defence document, Transcript of Interview, pp 6-7.
- 377 Defence document, Statement; Defence document, Service Police Report; Defence document, Record of Conversation; and Defence document, Statement; Defence document, Case Summary; and Defence document, Sealed Envelope; Defence document, Service Police Statement, pp 11-12; Defence document, Review.
- 378 Defence document, Service Police Statement.
- 379 Defence document, Record of Conversation; and Defence document, Statement; Defence document, Sealed Envelope.
- 380 Defence document, Transcript of Conversation, p 35.
- 381 Defence document, Transcript of Conversation; Defence document, Record of Conversation; and Defence document, Statement; Defence document, Statutory Declaration; Defence document, Case Summary; and Defence document, Sealed Envelope; Defence document, Transcript of Interview, pp 7-8; Defence document, Statement.
- 382 Defence document, Statement, p 1; Defence document, Statutory Declaration; Defence document, Record of Conversation; Defence document, Transcript of Interview; Cadet, 1990s, [Name redacted], p 53.
- 383 Cadet, 1990s, [Name redacted], p 5.
- 384 Defence document, Sealed Envelope, p 7; Defence document, Incident Report; Defence document, Service Police Report.
- 385 Defence document, Case Note, p 1.
- 386 Cadet, 1990s, [Name redacted], p 16.
- 387 Defence document, Transcript of Conversation; Defence document, Statutory Declaration; Cadet, 1990s, [Name redacted], p 53.
- 388 Defence document, Statutory Declaration; Defence document, Transcript of Conversation; Defence document, Statement; Defence document, Record of Conversation; Defence document, Service Police Report; Defence document, Report of Allegations; Defence document, Investigation Report, p 3; Defence document, Review; Defence document, Brief.
- 389 Defence document, Transcript of Conversation; Defence document, Service Police Report; Defence document, Statement.
- 390 Defence document, Transcript of Conversation, p 9.
- 391 Defence document, Report of Allegations.
- 392 Defence document, Service Police Report; Defence document, Transcript of Interview, pp 6-7; Defence document, Sealed Envelope, p 7; Defence document, Incident Report.
- 393 Cadet, 1990s, [Name redacted], p 52.
- 394 Cadet, 1990s, [Name redacted], p 16.
- 395 Defence document, Case Note, p 1.
- 396 Defence document, Service Police Statement; Defence document, Note of Action; Defence document, Case Summary; and Defence document, Sealed Envelope; Defence document, Sealed Envelope.

- 397 Defence document, Transcript of Conversation; Defence document, Case Note; Defence document, Record of Conversation; Defence document, Service Police Report; Defence document, Transcript of Interview, pp 5-7; Defence document, Transcript of Interview, pp 6-7; Defence document, Brief; Cadet, 1990s, [Name redacted], p 16.
- 398 Defence document, Transcript of Interview, pp 5-6.
- 399 Cadet, 1990s, [Name redacted], p 38; Defence document, Note of Action; Defence document, Service Police Report; Cadet, 1990s, [Name redacted], p 10.
- 400 Cadet, 1990s, [Name redacted], p 3.
- 401 Defence document, Transcript of Interview, pp 5-6; Defence document, Investigation Report; Defence document, Review; Defence document, Notes of Interview.
- 402 Defence document, Service Police Statement; Defence document, Sealed Envelope; Defence document, Statement, p 2.
- 403 Defence document, Investigation Report; Defence document, Review; Defence document, Brief.
- 404 Defence document, Case Note; Defence document, Statement; Defence document, Statement; Defence document, Statement, p 36.
- 405 Defence document, Statutory Declaration; Defence document, Case Note; Defence document, Statement, p 1; Cadet, 1990s, [Name redacted], p 38; Defence document, Transcript of Interview, p 7; Defence document, Transcript of Interviews, p 4.
- 406 Defence document, Statement, p 1.
- 407 Cadet, 1990s, [Name redacted], p 5.
- 408 Defence document, Case Summary; and Defence document, Sealed Envelope.
- 409 Defence document, Record of Conversation; Defence document, Service Police Statement; Defence document, Statement, p 1; Defence document, Statement; Defence document, Case Note; Defence document, Documentation Database; Defence document, Minute; Defence document, Minute; Defence document, Service Police Statement; Defence document, Record of Conversation; Defence document, Service Police Statement; Defence document, Military Police Report; Defence document, Transcript of Interview, p 12; Cadet, 1990s, [Name redacted], Defence document, Service Police Statement.
- 410 Defence document, Service Police Statement.
- 411 Defence document, Statement; Defence document, Service Police Report; Defence document, Record of Conversation; and Defence document, Statement; Defence document, Sealed Envelope; Defence document, Case Summary; and Defence document, Sealed Envelope; Defence document, Investigation Report.
- 412 Defence document, Statement; Defence document, Transcript of Interview; Defence document, Transcript of Interview; Defence document, Transcript of Interview; Defence document, Statement; Defence document, Service Police Statement.
- 413 Defence document, Service Police Statement.
- 414 Cadet, 1990s, [Name redacted], p 20.
- 415 Cadet, 1990s, [Name redacted], p 13.
- 416 Defence document, Sealed Envelope; Defence document, Statement; Defence document, Minute.
- 417 Defence document, Statement, p 1.
- 418 Defence document, Service Police Statement, pp 11-12.
- 419 Defence document, Record of Conversation, p 2.
- 420 Cadet, 1990s, [Name redacted], p 22.
- 421 Cadet, 1990s, [Name redacted], p 19.
- 422 Defence document, Case Summary.
- 423 Defence document, Record of Conversation.
- 424 Defence document, Record of Conversation; Defence document, Statement, p 1; Defence document, Statement; Defence document, Service Police Statement, pp 11 –12; Defence document, Minute; Defence document, Service Police Statement; Defence document, Service Police Statement; Defence document, Record of Conversation; Defence document, Transcript of Interview, p 12; Cadet, 1990s, [Name redacted], p 22; Defence document, Service Police Statement.
- 425 Defence document, Service Police Statement; Defence document, Statement, p 3; Defence document, Sealed Envelope; Defence document, Case Note; Defence document, Documentation Database; Defence document, Minute; Defence document, Record of Conversation; Cadet, 1990s, [Name redacted], p 21.
- 426 Cadet, 1990s, [Name redacted], p 13.
- 427 Defence document, Record of Conversation; Defence document, Statement; Defence document, Statement, p 1; Defence document, Transcript of Interview, p 12; Defence document, Record of Conversation.
- 428 Defence document, Sealed Envelope; Defence document, Statement; Defence document, Minute.
- 429 Defence document, Service Police Statement; Defence document, Service Police Statement; Defence document, Service Police Statement.
- 430 Defence document, Record of Conversation.

- 431 Defence document, Report.
- 432 Defence document, Record of Conversation; Defence document, Statement; Defence document, Minute; Defence document, Minute; Defence document, Transcript of Interview, p 6.
- 433 Defence document, Transcript of Interview, p 4.
- 434 Defence document, Transcript of Interview, p 24.
- 435 Defence document, Record of Conversation, p 1.
- 436 Defence document, Transcript of Interview, pp 18-19.
- 437 Defence document, Note of Action; and see Defence document, Case Summary.
- 438 Defence document, Record of Conversation; Defence document, Report; Defence document, Case Summary, p 3.
- 439 Defence document, Statement; Cadet, 1990s, [Name redacted], p 24.
- 440 Defence document, Report of Investigation.
- 441 Defence document, Statement.
- 442 Defence document, Statement, p 1; Defence document, Statement, p 2; Defence document, Statement, p 2; Defence document, Transcript of Conversation; Defence document, Case Summary, pp 2-3; Defence document, Transcript of Interview, pp 5-6; Defence document, Investigation Report; Defence document, Minute; Defence document, Statement, p 2.
- 443 Defence document, Brief; Defence document, Record of Conversation; Defence document, Record of Conversation.
- 444 Defence document, Case Note; Defence document, ADFA Trainee File, p 125; Defence document, Military Police Report, Defence document, Charge Sheet.
- 445 Defence document, Minute, pp 4-5.
- 446 Northwood, note 47, p 5.
- 447 Northwood, note 47, chapter 3; Grey and others, note 43.
- 448 Cadet, 1990s, [Name redacted], p 16.
- 449 Cadet, 1990s, [Name redacted], p 20.
- 450 Defence document, Statutory Declaration; Defence document, Notes of Interview.
- 451 Cadet, 1990s, [Name redacted], p 21.
- 452 Defence document, Statutory Declaration, p 2.
- 453 Northwood, note 47, chapter 1, [1.4]. See Glossary.
- 454 Defence document, Statement; Defence document, Case Summary, p 3; Defence document, Case Note, pp 2-3; Defence document, Letter; Defence document, Letter; Defence document, Sealed Envelope, p 13; Defence document, Incident Report. As discussed in section 4.2, the Taskforce notes that Defence have since taken steps to address these issues regarding the interpretation and application of Defence Instructions.
- 455 Northwood, note 47, chapter 1, [1.6].
- 456 Defence document, Situation Brief.
- 457 Defence document, Situation Brief; Defence document, Statement.
- 458 Cadet, 1990s, [Name redacted], p 21.
- 459 Defence document, Statutory Declaration,.
- 460 Defence document, Note of Action.
- 461 Defence document, Statement.
- 462 The Provost Marshal commands ADFIS. See Glossary.
- 463 D Wroe, 'Sex attack cadets still in military', *The Sydney Morning Herald*, Sydney (18 December 2012), viewed 29 September 2014, www.smh.com.au/federal-politics/political-news/sex-attack-cadets-still-in-military-20121218-2blaf.html.
- 464 Minutes of Meeting between Defence Abuse Response Taskforce and the Organisational Response Unit, 27 June 2014.
- 465 Letter from the CDF Air Chief Marshal Binskin AC to the Taskforce Chair, 30 October 2014.
- 466 M Brissenden, C Hichens, 'Chamber of Horrors', *Four Corners*, 9 June 2014, viewed 10 October 2014, www.abc.net.au/4corners/stories/2014/06/09/4019501.htm.
- 467 See, for example, World Health Organization, 'Changing cultural and social norms supportive of violent behaviour', *Briefings on violence prevention: the evidence*, 2009, viewed 16 October 2014, pp 3-4, www.who.int/violence_injury_prevention/violence/norms.pdf.
- 468 Cadet, late 1980s, [Name redacted], p 31.
- 469 Cadet, late 1980s, [Name redacted], p 31.
- 470 Cadet, late 1980s, [Name redacted], p 2.

- 471 Cadet, late 1980s, [Name redacted], p 3.
- 472 For example: Australian Human Rights Commission, *AHRC Review*, note 20, chapter 1; C W Orme, *Beyond Compliance: Professionalism, Trust and Capability in the Australian Profession of Arms –Report of the Australian Defence Force Personal Conduct Review*, Report of the ADF Personal Conduct Review, 2011, p 4; Grey and others, note 43; B J Kafer, *Report of the Review of Australian Defence Force Academy Military Organisation and Culture*, ADFA 2010/1104615/1, 2010; A Podger, C Harris and R Powell, *Inquiry into the Learning Culture in the ADF Schools and Training Establishments*, 2006.
- 473 Cadet, late 1990s, [Name redacted], p 26.
- 474 Cadet, mid 1980s, [Name redacted], p 18.
- 475 See Glossary for definitions of 'jacking' and 'crossing the road'. Northwood, note 47, p 3; Grey and others, note 43, [6.14].
- 476 Grey and others, note 43, p 5-24; Australian Human Rights Commission, *AHRC Review*, note 20, p 15.
- 477 Cadet, early 2000s, [Name redacted], p 33.
- 478 Cadet, mid 1980s, [Name redacted], p 20.
- 479 Cadet, mid 1990s, [Name redacted], p 18.
- 480 Northwood, note 47, Annex to Chapter 2, [3.7].
- 481 Cadet, late 1980s, [Name redacted], p 55.
- 482 Cadet, mid 1980s, [Name redacted], p 3; Cadet, late 1980s, [Name redacted], p 38.
- 483 Cadet, late 1980s, [Name redacted], p 37.
- 484 Cadet, late 1980s, [Name redacted], p 44.
- 485 Cadet, late 1980s, [Name redacted], p 21.
- 486 Grey and others, note 43, p 8-3.
- 487 Cadet, late 1980s, [Name redacted], p 44.
- 488 Cadet, late 1980s, [Name redacted], p 11.
- 489 Cadet, late 1980s, [Name redacted], p 3.
- 490 Cadet, mid 1990s, [Name redacted], pp 24-25.
- 491 See, for example, A Morgan and A McAtamney, 'Key issues in alcohol-related violence, *Research in practice no. 4*, Australian Institute of Criminology, December 2009, viewed 20 October 2014, www.aic.gov.au/publications/current%20series/rip/1-10/04.html.
- 492 Cadet, mid 2000s, [Name redacted], p 71.
- 493 See section 7.2(b).
- 494 Grey and others, note 43, pp 1-40, 8-4.
- 495 Cadet, mid 2000s, [Name redacted], p 9.
- 496 Grey and others, note 43, p x.
- 497 Above, p 8-2.
- 498 Above, p 8-2.
- 499 See Glossary.
- 500 Grey and others, note 43, p 8-9.
- 501 Above, p 8-8.
- 502 Cadet, late 1980s, [Name redacted], p 11.
- 503 Grey and others, note 43, pp x, 2A-2.
- 504 J L Bastian, *Inquiry into Allegations of Unacceptable Behaviour at ADFA during 2009*, 2009, pp 1, 6.
- 505 Above, p 1.
- 506 Kafer, note 472, p 9.
- 507 Above, p 6; the Report's recommendations included improved education for cadets around mental illness: p 14.
- 508 Australian Human Rights Commission, *AHRC Review*, note 20, p xii.
- 509 Above, p xiii.
- 510 Above, p xii.
- 511 Above, p xxii.
- 512 Above, p xxiv.
- 513 Above, p xxvi.

- 514 Above, p xxv.
- 515 Australian Human Rights Commission, *AHRC Audit Report*, note 54, p 1.
- 516 Kafer, note 472, p 6.
- 517 Australian Human Rights Commission, *AHRC Review*, note 20, p xxiii.
- 518 Australian Human Rights Commission, *AHRC Audit Report*, note 54, p 185.
- 519 Kafer, note 472, p 8.
- 520 Australian Human Rights Commission, *AHRC Review*, note 20, p xxiv.
- 521 Australian Human Rights Commission, *AHRC Audit Report*, note 54, p 1.
- 522 Australian Defence Force Academy, 'Director ADFA Undergraduates Information for Parents', viewed 13 October 2014, www.defence.gov.au/adfa/docs/Director-ADFA-Undergraduates-Information-for-Parents.pdf, p 4.
- 523 Australian Human Rights Commission, *Audit Report: Review into the Treatment of Women at the Australian Defence Force*, 2014, p 187 ('*AHRC ADF Audit Report*').
- 524 Bastian, note 504, pp 1, 6.
- 525 Above, p 1.
- 526 Hamilton, note 21.
- 527 Hamilton, note 21, p 12.
- 528 Hamilton, note 21, p 14.
- 529 Australian Human Rights Commission, *AHRC Review*, note 20, p 22.
- 530 Above, p 45.
- 531 Australian Human Rights Commission, *AHRC Audit Report*, note 54, p 9.
- 532 This included a range of short and long term measures which were 'proactive, ongoing and included protection from ostracism and victimisation' following the making of a complaint: Grey and others, note 43, pp xii, 8-10, 6-18.
- 533 Bastian, note 504, pp 1, 4.
- 534 Australian Human Rights Commission, *AHRC Review*, note 20, p xxv.
- 535 Australian Human Rights Commission, *AHRC Audit Report*, note 54, p40.
- 536 Above, p 11.
- 537 Australian Human Rights Commission, *AHRC ADF Audit Report*, note 523, p 189.
- 538 Above, p 191.
- 539 Australian Human Rights Commission, *AHRC Review*, note 20, pp 20-21.
- 540 Australian Human Rights Commission, *AHRC ADF Audit Report*, note 523, p 2.
- 541 Above, p 192.
- 542 Cadet, mid 2000s, [Name redacted], p 24.
- 543 Cadet, mid 1980s, [Name redacted], p 19.
- 544 Cadet, late 1980s, [Name redacted], p 20.
- 545 Cadet, late 1980s, [Name redacted], p 6.
- 546 Cadet, late 2000s, [Name redacted], p 32; Cadet, late 1990s, [Name redacted], p 18.
- 547 See Glossary.
- 548 Cadet, early 1990s, [Name redacted], p 20.
- 549 Cadet, early 1990s, [Name redacted], p 20.
- 550 Cadet, early 1990s, [Name redacted], p 5.
- 551 Cadet, mid 1990s, [Name redacted], p 6; Cadet, early 1990s, [Name redacted], p 14.
- 552 Cadet, mid 1990s, [Name redacted], pp 53, 56.
- 553 Cadet, early 1990s, [Name redacted], p 14.
- 554 Cadet, mid 1990s, [Name redacted], p 52.
- 555 Cadet, late 1980s, [Name redacted], p 4.
- 556 Cadet, mid 1990s, [Name redacted], p 14; Cadet, mid 1990s, [Name redacted], p 18; Cadet, mid 2000s, [Name redacted], p 9.
- 557 Cadet, early 2000s, [Name redacted], p 21.

558 Cadet, early 1990s, [Name redacted], p 19.
559 Cadet, mid 2000s, [Name redacted], p 21.
560 Cadet, mid 1990s, [Name redacted], p 20.
561 Cadet, mid 1990s, [Name redacted], p 56.
562 Cadet, early 2000s, [Name redacted], p 24.
563 Cadet, late 1990s, [Name redacted], p 26.
564 Cadet, late 1980s, [Name redacted], p 19.
565 Cadet, mid 1990s, [Name redacted], p 52.
566 Cadet, mid 1990s, [Name redacted], p 7.
567 Cadet, late 1980s, [Name redacted], p 20.
568 Cadet, late 1980s, [Name redacted], p 6.
569 Cadet, early 2000s, [Name redacted], p 5.
570 Cadet, late 1980s, [Name redacted], p 3.
571 Cadet, early 2000s, [Name redacted], p 21.
572 Cadet, mid 1990s, [Name redacted], p 16.
573 Cadet, mid 1990s, [Name redacted], p 16.
574 Cadet, late 1980s, [Name redacted], p 21.
575 Cadet, mid 1990s, [Name redacted], p 11.
576 Cadet, late 1980s, [Name redacted], p 18.
577 Cadet, late 1980s, [Name redacted], p 18.
578 Cadet, mid 1990s, [Name redacted], p 6.
579 Cadet, late 1980s, [Name redacted], p 19.
580 Cadet, late 1980s, [Name redacted], p 18.
581 Cadet, mid 1990s, [Name redacted], p 20.
582 Cadet, late 1980s, [Name redacted], p 21.
583 Cadet, late 1990s, [Name redacted], p 18.
584 Cadet, mid 2000s, [Name redacted], p 5.
585 Cadet, mid 2000s, [Name redacted], p 9.
586 Cadet, early 1990s, [Name redacted], p 22.
587 Cadet, early 1990s, [Name redacted], p 6.
588 Cadet, mid 1980s, [Name redacted], p 20.
589 Cadet, mid 1980s, [Name redacted], pp 3, 4.
590 Cadet, late 1980s, [Name redacted], p 20.
591 Cadet, early 2000s, [Name redacted], p 21.
592 Cadet, mid 1990s, [Name redacted], p 55.
593 Cadet, mid 1990s, [Name redacted], p 55.
594 Cadet, late 1980s, [Name redacted], p 19.
595 Cadet, mid 1990s, [Name redacted], p 4.
596 Cadet, early 2000s, [Name redacted], p 21.
597 Cadet, mid 2000s, [Name redacted], p 21.
598 Cadet, late 1990s, [Name redacted], p 27.
599 Cadet, early 1990s, [Name redacted], p 22.
600 Cadet, late 1980s, [Name redacted], p 20.
601 Cadet, late 1980s, [Name redacted], p 3.
602 Cadet, late 1980s, [Name redacted], p 18.
603 For example, Cadet, mid 2000s, [Name redacted], p 9.

- 604 For example: Cadet, mid 1990s, [Name redacted], p 52; Cadet, mid 1990s, [Name redacted], p 19.
- 605 Cadet, late 1980s, [Name redacted], p 12.
- 606 Cadet, early 1990s, [Name redacted], p 21.
- 607 Cadet, 1990, [Name redacted], p 21; Cadet, late 1980s, [Name redacted], p 16.
- 608 Cadet, early 1990s, [Name redacted], p 23.
- 609 Cadet, mid 1990s, [Name redacted], p 3; Cadet, late 1980s, [Name redacted], p 6; Cadet, early 1990s, [Name redacted], p 22.
- 610 Cadet, late 1980s, [Name redacted], p 6.
- 611 Cadet, early 1990s, [Name redacted], p 21.
- 612 Cadet, mid 1990s, [Name redacted], p 19.
- 613 Cadet, mid 1990s, [Name redacted], p 17.
- 614 Cadet, early 1990s, [Name redacted], p 17.
- 615 Cadet, early 1990s, [Name redacted], p 6.
- 616 Cadet, early 1990s, [Name redacted], p 6.
- 617 Cadet, late 1980s, [Name redacted], p 18.
- 618 Cadet, early 1990s, [Name redacted], p 21.
- 619 Cadet, mid 1990s, [Name redacted], p 22.
- 620 Cadet, mid 2000s, [Name redacted], p 21.
- 621 Cadet, late 1980s, [Name redacted], p 11.
- 622 Cadet, mid 1990s, [Name redacted], p 19.
- 623 Cadet, mid 1990s, [Name redacted], p 21.
- 624 Cadet, late 1980s, [Name redacted], p 21.
- 625 Cadet, mid 1990s, [Name redacted], p 18.
- 626 Cadet, early 2000s, [Name redacted], p 95.
- 627 Cadet, late 1990s, [Name redacted], p 18.
- 628 Cadet, late 1980s, [Name redacted], p 6.
- 629 Cadet, late 1980s, [Name redacted], p 21.
- 630 Cadet, mid 1990s, [Name redacted], p 20.
- 631 Cadet, late 1980s, [Name redacted], p 12.
- 632 Cadet, mid 1980s, [Name redacted], p 20.
- 633 Cadet, early 2000s, [Name redacted], Email from complainant to Taskforce Case Coordinator, 30 August 2014.
- 634 Email from complainant to Taskforce Case Coordinator, [Name redacted], 1 August 2014.
- 635 See Australian Government, *Defence Abuse Reparation Scheme Guidelines*, note 270, pp 4-6, 12. The Reparation Payments Assessor is an independent position established to make administrative decisions associated with the making of a Reparation Payment under the Scheme. The Assessor is responsible for deciding whether or not a person satisfies the criteria to qualify for a Reparation Payment and, if so, the amount of the Reparation Payment in each case.
- 636 For more information about the outcomes available through the Taskforce, see Defence Abuse Response Taskforce, *Third Interim Report*, note 274, pp 8-15; Defence Abuse Response Taskforce, *Fourth Interim Report*, note 274, pp 7-15; Defence Abuse Response Taskforce, *Fifth Interim Report to the Attorney-General and Minister for Defence*, March 2014, viewed 21 October 2014, www.defenceabusereparationscheme.gov.au/reports/Pages/default.aspx, pp 16-27; Defence Abuse Response Taskforce, *Sixth Interim Report to the Attorney General and Minister for Defence*, June 2014, viewed 21 October 2014, www.defenceabusereparationscheme.gov.au/reports/Pages/default.aspx, pp 11-20; Defence Abuse Response Taskforce, *Seventh Interim Report to the Attorney-General and Minister for Defence*, September 2014, viewed 21 October 2014, www.defenceabusereparationscheme.gov.au/reports/Pages/default.aspx, pp 13-23.
- 637 Cadet, late 2000s, [Name redacted], p 25.
- 638 Cadet, mid 2000s, [Name redacted], p 20.
- 639 Cadet, early 2000s, [Name redacted], p 5.
- 640 Cadet, late 1980s, [Name redacted], p 2.
- 641 See further section 5.4(b).
- 642 Cadet, late 1980s, [Name redacted], p 22.
- 643 Cadet, mid 1990s, [Name redacted], p 22.

- 644 Cadet, mid 1990s, [Name redacted], p 24.
- 645 Cadet, mid 1980s, [Name redacted], p 4.
- 646 Cadet, early 1990s, [Name redacted], p 18.
- 647 Cadet, early 2000s, [Name redacted], p 31.
- 648 Cadet, mid 1990s, [Name redacted], p 19.
- 649 Cadet, mid 1990s, [Name redacted], p 7.
- 650 Grey and others, note 43.
- 651 Rumble, McKean and Pearce, note 1, pp xxix, 69.
- 652 Rumble, McKean and Pearce, note 1, p xxix.
- 653 Rumble, McKean and Pearce, note 1, p xxii.
- 654 Rumble, McKean and Pearce, note 1, p 117.
- 655 Rumble, McKean and Pearce, note 1, p 118 and Appendix 22, p 514. Ms Grey appeared to be extrapolating from the statistics regarding the 'Sexual Experiences Questionnaire' in Appendix 6 to the Grey Review report. This survey was held in January 1998 and canvassed experiences during 1997. Of those female cadets surveyed (208 individuals), approximately 7% of female cadets reported experiencing sexual assault or attempted sexual assault at least once or twice during 1997. Ms Grey viewed the 7% figure for a calendar year period as generally consistent with the 30% estimation for the years prior to the Grey Review, however, the basis for this extrapolation is not outlined further in the DLA Piper Review report.
- 656 Rumble, McKean and Pearce, note 1, pp 117-118.
- 657 Rumble, McKean and Pearce, note 1, p 117.
- 658 Rumble, McKean and Pearce, note 1, p xxi.
- 659 Rumble, McKean and Pearce, note 1, p 121.
- 660 Rumble, McKean and Pearce, note 1, p 162.
- 661 Cadet, late 1980s, [Name redacted].
- 662 Cadet, late 1980s, [Name redacted].
- 663 Cadet, early 1990s, [Name redacted].
- 664 Cadet, late 1990s, [Name redacted].
- 665 Cadet, mid 2000s, [Name redacted]; Email from complainant to the Taskforce, 3 October 2014.
- 666 Australian Government, *Defence Abuse Response Taskforce, About Us*, Canberra, 2013, viewed 29 April 2014, www.defenceabusetaskforce.gov.au/Aboutus/Pages/default.aspx; Australian Government, *Defence Abuse Response Taskforce, Reports*, Canberra, 2013, viewed 29 April 2014, www.defenceabusetaskforce.gov.au/reports/Pages/default.aspx.
- 667 Australian Government, *Defence Abuse Reparation Scheme Guidelines*, note 270, [1.5.2(c)].
- 668 Above, [1.4.3(b)]. The Reparation Payments Assessor is an independent position established to make administrative decisions associated with the making of a Reparation Payment under the Scheme. The Assessor is responsible for deciding whether or not a person satisfies the criteria to qualify for a Reparation Payment and, if so, the amount of the Reparation Payment in each case.
- 669 Above, [1.4.4].
- 670 The Taskforce is currently in the process of delivering outcomes for complainants. Therefore the figures within the 'outcomes' section are expected to rise as the Taskforce progressively finalises complaints.

