



Royal Commission Update - Canberra Day 25 - 4 April 2022

RSL References

Positive:

- Gallipoli Medical research centre to appear – RSL Queensland mentioned as funder
- Ben Hoffman to appear – Veterans Support Centre – Currumbin Palm Beach RSL sub-Branch
- Richard Kelloway to appear – RSL NSW member and advocate with Mid-North Coast Veterans' Centre

Negative:

NA

General Summary

- Summary of hearing block content
- Summarised some of the good work being done by ADF on addressing sexual harassment, assault and discrimination
- Summarised some of the operations and benefits of previous Defence reparations schemes

10:00am - 11:00am Counsel Assisting Opening Summary

- Commissioners outlined that hearing block will focus on urgent issues, claims processing, impact on families and support available during and after service
- Impact of ADF culture, including sexual assault and sexual discrimination
- Legislation to be examined, including possible legislative reform
- Families, the support available to them and their involvement in the welfare Defence members and veterans
- Parenting and intergenerational trauma to be examined
- Point of transition to be examined
- Claims processing to be heard, including a panel of advocates:
 - Richard Kelloway advocate with Mid-North Coast Veterans' Centre
 - Nikki Woakes – Veterans Centres Australia
 - Ian Lindgren – Australian Peacekeepers and Peacemakers Veterans' Association
- Commcare will have a hearing
- Information sharing to be examined, including between ADF and DVA, policies and practices and access to information for families
- There will be two lived experience witnesses – Ben Hoffman from Veterans Support Centre Currumbin Palm Beach sub-Branch and Mark Schroffel from Australian Veterans' News, Legacy and Shout Out
- Liz Cosson will also be appearing

11:15am - 1:00pm Kate Jenkins - Sex Discrimination Commission

Partnership

- Partnership between ADF and Sex Discrimination Commissioner is first of its kind in the world - based on ongoing relationship - first began in 2011
- 'Culture' - broader group systems and assumptions on how a group works, with wider socialisation. In an organisation, it is the set of systems, processes and assumptions that determines how an organisation work, with the sets of attitudes and beliefs seen in practice
- 'Cultural reform' - reform to improve culture
- 7 action domains:
 - Better leadership and governance
 - Culture and risk
 - Improved knowledge and education
 - Better measurement of performance
 - Better transparency
 - Person-centred response
 - Recognition of need to do better
- Review individual challenges as they arise, sometimes at the unit levels - review, report and deliver reports - including the use of surveys and focus groups

ADF system and systemic Issues

- Unique ADF culture:
 - Command and control organisation
 - Lethal force
 - Physical prowess and attributes
 - Male-dominated history
 - Unique social conditions - i.e. deployment and posting cycles
 - Long training and big investment in people
 - The job and industry are one
 - Importance of teamwork v. the individual
- Despite significant strides by the ADF, ongoing systemic issues may include:
 - Retention and promotion of women and diverse groups
 - Unacceptable behaviour towards diverse groups
 - Questions re. reporting culture, although this has improved
 - Flexibility, lifestyle and work-life balance (acknowledging the difficulties in the working environment)
 - Data collection and the 'One Defence' approach

Unacceptable Behaviour

- Defence uses a broad definition of unacceptable behaviour - this is a good thing - while the manuals have more specific examples
- Drivers of unacceptable behaviour include:
 - Unique workplaces
 - Male domination
 - Alcohol
 - Culture and leadership in the workplace
 - Lack of understanding of what constitutes unacceptable behaviour
 - Inequality and power disparity

- How do you fix this?
 - Leadership, role modelling, communication and accountability
 - Systems and structures, particularly promotion
 - Reporting avenues
 - Prevention, including data analysis to target this prevention
 - Better response and supports

Data, reporting, accountability and big organisations

- Inclusive workplaces bring benefits for productivity, innovation, decision-making, leadership, even in the military context
- Gender balance has the potential to improve working conditions for everyone
- Challenges in large organisations include:
 - Better access to resources and expertise
 - Making it a systemic priority
 - People leaders need to have responsibility for creating a safe workspace
- However, Defence has been delivering change - this can accelerate a little
- Performance reviews are important - those promoted need to show the desired values - can be traumatic if those promoted or retained are abusers
- Underreporting is significant in Australia
- Ongoing surveys are critical for measuring success - including the use of properly de-identified data

2:00pm - 3:45pm AIRCDRA Lara Gunn - Former Chief of Staff Australia Defence Force Headquarters

Defence Force Ombudsman Reporting Abuse in Defence Reparations Payment

- For serious abuse in the ADF, and if there was an element of mismanagement - significant number of payments - although significant systemic abuse mainly occurred prior to 2014 - can include minors who were in the ADF
- Process: Information received → possible conferences with Commonwealth Ombudsman → possible conference to discuss → possible referral of abuser if still serving (very limited)
- May be further referral to other agencies through this process
- Can take a while for someone to engage with the Reparations scheme - impact of the abuse
- Scheme may need to be extended - both the eligibility to report and therefore engage with the scheme, but also the definitions of what constitutes abuse - otherwise, may leave some people out who are ready to report
- Does not hold the data on whether this has been an effective remedy - held by Commonwealth Ombudsman
- Engagement with families is very limited - this may have some value if set up in future
- Can use de-identified case studies as an educational tool at Defence College - potential to be systematised - case studies and tangible instances make it more real for Defence members - but would have to do this in a way that maintains privacy
- Discussed Defence reporting of unacceptable behaviours - although AIRCDRA Gunn noted this was not her area of expertise