



THE SENATE

SENATE FOREIGN AFFAIRS, DEFENCE AND TRADE COMMITTEE

MEDIA RELEASE

Friday 31 October 2014

The Senate Foreign Affairs, Defence and Trade References Committee today tabled its report into processes to support victims of abuse in Defence. The full report is available from the committee's website: http://www.aph.gov.au/senate_fadt.

The report examines the accessibility and adequacy of support mechanism for victims of abuse in Defence, taking into account the Defence Abuse Response Taskforce (Taskforce) processes and the response to the DLA Piper Review reports.

The inquiry was referred to the committee in March 2014. The inquiry received 26 submissions (including a number of confidential submissions) and two public hearings were held in Canberra on 13 August 2014 and 26 September 2014.

Taskforce processes

In general the committee has been impressed with the achievements of the Taskforce which has delivered, and continues to deliver, positive outcomes for a large number of complainants. This has included the provision of counselling services, participation in restorative engagement conferences, the referral of complaints to law enforcement and to Defence and reparation payments of up to \$50,000. The outcomes delivered by the Taskforce to victims of abuse will never compensate for the suffering they experienced, however the committee hopes the support and, importantly, the clear acknowledgement that wrongs occurred will assist them.

A key criticism of the committee is that insufficient awareness raising and the cut-off dates for applications has meant that there are a large number of complainants who have not been able to bring their claims to the Taskforce. Accordingly, the committee has recommended the activities of the Taskforce in supporting victims of abuse in Defence be extended to allow new complainants to make claims by 30 June 2015.

Defence cultural reforms

Defence has progressed a large number of reforms following the Defence cultural reviews initiated by former Minister of Defence, the Hon Stephen Smith MP. In the view of the committee, these cultural reforms appear to be gradually achieving results. It should not be forgotten that Defence is not unique in having to address the issue of abuse. Unfortunately, it will be an issue that Defence will have to face for as long as it is an issue in broader Australian society. It is important that these reforms, which include additional support for victims of abuse, continue within Defence.

In particular the establishment of the Sexual Misconduct Prevention and Response Office (SeMPRO) appears a valuable resource for victims of sexual assault, as well as managers and commanders seeking advice about supporting complainants. However, the committee has recommended that SeMPRO improve its information regarding the collection of forensic evidence and services available for former members of Defence. It has also recommended SeMPRO receive additional resources to facilitate further outreach activities and personal support to victims of sexual assault.

Veterans' benefit and entitlements

The difficulties for victims of abuse in Defence in claiming veterans' benefits and entitlements were repeatedly highlighted during the inquiry. Accordingly, the committee has recommended that amending legislation be introduced to remove the three year service requirement for eligibility for Non-Liability Health Care. Further, the committee has recommended that the Minister for Veterans' Affairs direct his department to (in consultation with veterans' groups) examine the barriers to eligibility for victims of abuses and how they can be overcome.

Systemic issues identified in DLA Piper Review

In its previous report into Defence abuse the committee indicated concern that the systemic issues identified in the DLA Piper Review have not been adequately responded to. The committee has recommended the Minister for Defence respond to these issues in the Parliament.

Royal Commission

During the inquiry some people urged the committee to support the establishment of a Royal Commission into abuse in Defence. However, this issue is currently part of the terms of reference of the Taskforce. The committee considers the Chair, the Hon Len Roberts-Smith QC, is best-placed to make a decision on this issue. However, the committee has recommended the Taskforce and the Australian Government keep an open mind and also consider alternative approaches which could be taken. The welfare of victims of abuse in Defence should be the primary consideration in any decision made.

Volume 2 of the DLA Piper Review

A key term of reference for the inquiry was the desirability of releasing Volume 2 of the DLA Piper Review report in redacted or summary form. Volume 2 contained the details of the individual allegations of abuse in Defence received in confidence by the DLA Piper Review.

The committee made arrangements with the Defence Abuse Response Taskforce and the Minister of Defence to view Volume 2 in a private room at Parliament House. The committee had three opportunities to access Volume 2 during the inquiry. As part of the inquiry process some general summary and explanatory parts of Volume 2 were released to the committee. However, the committee was very conscious of the sensitive nature of the material contained in Volume 2 and has recommended that no further part of Volume 2 be released in summary or redacted form.

Conclusion

The committee thanks all of those who contributed to the inquiry and particularly acknowledges the contribution of victims of abuse in Defence who assisted the committee by sharing their personal experiences.

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