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Submission to the Senate Inquiry into the Defence Amendment (Sexual Assault Prevention, Intervention and Response Commission) Bill 2025

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Introduction

Thank you for the opportunity to provide a submission to this Inquiry. My position is this: Any reform to address sexual assault and abusive behaviour within Defence must recognise that harm extends beyond the workplace - to families, spouses, domestic or intimate partners, and civilian victims.

As we learned from the Royal Commission into Defence and Veteran Suicide, “so-called low-level forms of sexual violence may not in-fact have a low impact for victims”<sup>1</sup> and so, in order to create meaningful pathways to recovery, we must genuinely understand the harm generated for all victims of sexual violence at the hands of Defence personnel, this includes partners and civilian victims as well as other serving members.

As a civilian who has lived within the defence and veteran community for nearly 20 years, I have experienced, and continue to experience, misconduct from serving and ex-serving personnel, including abuse of power, intimidation, technology-facilitated sexual violence, harassment, and intimate partner violence. When I was 19 years old, I was sexually assaulted and raped by a serving member who, at the time, was 28.

There is no place for this type of misconduct within the values of Defence: Excellence, Integrity, Respect, Courage and Service. Values that are present in the vast majority of the Defence personnel and ex-service members that I have met, lived with, loved and spoken to. However, I have also spoken to many other civilians living in this community who have experienced some form of sexual violence and in many many cases, much worse than what I have, and this cannot be ignored.

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What We Know

**There is a culture of disrespect within Defence**

At the time of the Royal Commission, Defence’s own figures showed that close to 800 sexual assaults had been reported within the Australian Defence Force (ADF)

over the previous five years<sup>2</sup> and this is in the context of an estimated 60% under-reporting rate for sexual assaults in Defence<sup>3</sup>.

The data presented to the Royal Commission by the Office of the Director of Military Prosecutions showed that between 2018-2023, it did not prosecute the majority of sexual offence matters referred to it.<sup>4</sup>

The most common reason was that there was no reasonable prospect of conviction, followed by prosecution being deemed 'not in the service interest'.<sup>4</sup>

The criteria used by the Office of the Director of Military Prosecutions to decide whether to prosecute include measures that could be seen to favour the perpetrator, including effect on morale; operational requirements; the nature of the accused, including rank and seniority; and whether the accused is leaving or about to leave the ADF.<sup>4</sup>

The Royal Commission highlighted that this lack of consequence has contributed to ongoing harm. Defence survey data shows that the most common reason for not reporting sexual misconduct is the belief that nothing will change.<sup>5</sup>

### **There are members who have been convicted of sexual offenses still serving**

The Royal Commission process revealed that there were at least 31 current serving members in the ADF who had been convicted of sexual and related offences through the military justice system and that they did not know how many current serving members had been convicted of sexual offences in the civilian courts.<sup>6</sup>

Civilian offending pathways are disconnected between Defence, police, and community support sectors; and so even if a civilian was to report an incident, there is a strong chance it would not be counted in the member's military reporting. Instead, we heard evidence that Defence relied on their members to voluntarily disclose if they had been convicted of sexual offences under state and territory legislation, with no safeguards in place to ensure complete reporting.<sup>7</sup>

This evidence contributed to Recommendation 23, insisting that the ADF must have complete and reliable records of all serving members' convictions of serious crimes and sexual offences in civilian courts.<sup>8</sup>

This recommendation was agreed to in the Australian Government's response, alongside several other initiatives underway to address this issue, including a policy to ensure that service convictions would appear on a member's criminal history record, even after they left the ADF.<sup>9</sup>

Minister Keogh made his personal views clear in his Press Club address in December 2025: "If there's one message I want perpetrators to take from my address today it's that if you engage in sexual violence you can presume you no longer have a job in Defence."

While this was welcome commentary for me, and I would assume many other victims, we need to also acknowledge that for many of us, the damage has already been done. Restorative action through acknowledgement and access to support services for victims, alongside these reforms, is essential.

### **Behaviours displayed within Defence have civilian consequences**

Members who behave abusively within military workplaces may also behave abusively in civilian social settings - on Saturday nights at pubs, in dating environments, in nightclubs, online, and in public spaces.

Minister Keogh highlighted the reform work that has commenced in this space in his comments to the Press Club in December 2025: “From next week, Defence will be reporting service convictions of sexual and related offences to the National Police reference system. This means that personnel who commit civilian equivalent offences, can no longer hide their conduct within the Military Justice System.”

The data, including that from our ex-service families, shows that perpetrators also continue their behaviour long after the uniform comes off. Intimate partner violence (IPV) is experienced by 46% of partners of transitioned ADF members, and 24% of partners of current serving personnel.<sup>8</sup> IPV rates among Defence-connected families significantly exceed baseline national prevalence, where around 23% of Australian women report IPV since the age of 15.<sup>10</sup>

For prevention to succeed and community safety to improve, any Inquiry or Commission must be empowered to understand and report on harmful behaviour that manifests outside Defence settings, including behaviour that is aimed at civilians, and behaviours which occur long into ex-service life.

### **There is not enough support for, or focus on civilian victims**

At present there are many significant gaps to the education, support and reporting mechanisms for civilians reporting sexual violence at the hands of serving members.

Reporting pathways for spouses, partners, and non-military victims are often unclear or unsafe. Civilian partners often face the complex dilemma of reporting violence, knowing that a disclosure could impact the perpetrator’s military career, and therefore their reputation, housing, income, identity, and community status. There is also significant fear of not being believed or supported within military environments. Any reporting mechanism must take this into account.

Civilian victims, including partners and ex-partners, fall outside Defence accountability systems, as the Royal Commission heard, because there is no comprehensive complaints mechanism available for first-instance complaints of unacceptable behaviour outside the chain of command.<sup>11</sup>

Non-partnered civilian victims have even less visibility. Data on IPV and sexual violence connected to Defence service is not systematically collected or publicly

reported, and I have anecdotally experienced many civilian victims who do not even realise that what they are experiencing is IPV or Domestic Violence, due to lack of understanding, awareness or education.

### **A review cannot work in isolation**

The scale and seriousness of sexual violence connected to Defence is well established. The Royal Commission dedicated an entire volume of findings and recommendations to sexual violence, abuse of power, and cultural drivers of harm, reflecting the systemic nature of the issue. In October 2025, a Class Action was launched against the Australian Defence Force, alleging systemic sexual harassment, assault and discrimination against female members.

Sexual violence has also been a focus of broader national reform efforts, recognising that prevention and response require a whole-of-society approach. In this context, it is essential that any reforms do not duplicate existing work.

Apart from the above, there are also several major reform initiatives currently underway, including the Department of Veterans' Affairs Women Veterans' Strategy, Australia's National Plan to End Violence Against Women and Children, and Defence's Respect@Work Framework<sup>12</sup>. Effective reform must be coherent, cumulative, and connected.

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### Recommendations

To completely address the issues raised above, we need to widen the lens on who is harmed and provide inclusive justice, healing, and recovery programs for all victims.

1. Recognition of Civilian Harm

The scope of any inquiry or reform into Military Sexual Violence should explicitly include harm to civilian partners and non-military victims connected through intimate or social behaviour, this includes inclusion of victim impact statements in matters of sentencing.

2. Training and Awareness on Sexual Violence for Victims

Prevention initiatives should recognise off-duty social behaviour, attitudes, and risk factors, not only formal workplace conduct. Any Awareness Training Programs must explicitly include civilian victims, so that they know what to expect, and what to do.

3. Dedicated Reporting Pathways for Civilian Victims

Any Reporting System frameworks must include partners, family members, and non-military victims, to ensure that there are safe, independent, trauma-informed reporting avenues that are separate to Defence hierarchy or chain of command.

4. Cross-Jurisdictional Information Pathways

The strong links built between Defence and civil justice systems must extend to civilian sexual assault services, to ensure that perpetrators are accountable, and victims are supported, across all environments.

5. Connect concurrent and former reforms

Reforms should leverage existing inquiries and frameworks and consult lived-experience advocates, subject-matter experts, Commissioners in adjacent sectors and relevant Defence, veteran, and civilian stakeholders.

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## References

1. Royal Commission into Defence and Veteran Suicide Final Report (2024), Volume 3, Page 8
2. Royal Commission into Defence and Veteran Suicide Final Report (2024), Volume 3, Page 41
3. Australian Institute of Health and Welfare (2025), Characteristics and health conditions of civilian spouses of veterans
4. Office of the Director of Military Prosecutions referral data (2018–2023), Royal Commission into Defence and Veteran Suicide
5. Royal Commission into Defence and Veteran Suicide Final Report (2024), Volume 3, Page 31
6. Royal Commission into Defence and Veteran Suicide Final Report (2024), Volume 3, Page 89
7. Royal Commission into Defence and Veteran Suicide Final Report (2024), Volume 3, Page 93
8. Royal Commission into Defence and Veteran Suicide Final Report (2024), Volume 3, Page 100
9. Australian Government Response to the Final Report of the Royal Commission into Defence and Veteran Suicide (2024) Page 45
10. Cowlshaw S, et.al. (2022) Intimate partner violence (IPV) in military and veteran populations: A systematic review of population-based surveys and population screening studies- external site opens in new window, International Journal of Environmental Research and Public Health.
11. Royal Commission into Defence and Veteran Suicide Final Report (2024), Volume 3, Page 182
12. Defence Respect@Work Framework, Department of Defence.