

CHAPTER 12

SEXUAL HARASSMENT IN THE AUSTRALIAN DEFENCE FORCE TERM of REFERENCE 2

This Chapter examines the nature and extent of sexual harassment in the other armed forces.

Women in the Armed Services

12.1 Women have served in the Australian military since the turn of the century. Nurses accompanied the Australian contingents to the Boer War. The Womens' Services were formed during the Second World War, disbanded and then re-established in 1950. These were separate from the mainstream (male) Services with distinct career paths and different conditions of employment for its members. The Women's Services were disbanded and integrated with the mainstream Services in 1977 (Air Force), 1979 (Army) and 1985 (Navy).

12.2 Integration into the Services, together with the granting of equal rank and pay in 1979 broadened the career opportunities for Servicewomen. The range of positions open to females rose from 23.5% in 1984 to 87% in 1992.¹ The only categories still closed to females are those which are particularly physically demanding and, possibly, involve direct contact with members of an opposing force.

12.3 In the past, junior personnel in the Women's Services were, to a degree, protected by their senior personnel, who were also women, through the advice and support they could provide in relation to aspects of Service life. These support and protection mechanisms were lost when the Services were integrated.²

1 HQADF submission, Annex A, Committee Hansard, pp. 1357-1360.

2 MAJGEN S. Gower, Committee Hansard, p.1585.

Monitoring of Sexual Harassment

12.4 Some of the difficulties in collecting data on sexual harassment were canvassed in earlier sections of this Report. In summary, it will be recalled that there are three mechanisms to monitor the incidence of sexual harassment:

- formal complaints about alleged incidents;
- informal complaints and queries about alleged incidents; and
- staff surveys on attitudes to sexual harassment and opinions on the number/type of incidents.³

None of these, on its own, can be relied upon to give an accurate picture of the incidence of sexual harassment in an organisation. For people to lodge complaints of sexual harassment, they must know their rights and have access to mechanisms to investigate and resolve their complaints. Furthermore, they must have confidence that their complaints will be treated seriously. Silence becomes an attractive option if the repercussions from lodging a complaint are worse than or are even just perceived to be worse than, the harassment.

12.5 The rates of formal and informal complaints may reflect the confidence that people have in the mechanisms to address sexual harassment, rather than reflect the actual extent of the problem. A low rate of complaint may show that people are averse to complaining because they are unaware of the avenues for complaint or they are not confident that they will be treated seriously. Similarly a high rate of complaint may reflect the confidence people have that their complaint will be treated seriously.

12.6 Surveys are useful for gauging people's attitudes towards working in a mixed gender environment and sexual harassment as well as indicating problem areas that should be addressed. However, they can vary greatly in the contribution they make to a proper understanding of an issue, depending on the skill of those conducting the survey in framing questions and selecting sample populations. One submission to the Committee noted that *"experience shows that people are often very guarded in what*

3 Public Service Commission, submission, p. 1.

*they are prepared to disclose and, of course, there is no way of knowing if they are being truthful."*⁴

ADF Mechanisms for Monitoring Sexual Harassment

12.7 Although women have been integrated in the ADF for at least nine years, and the Sex Discrimination Act has been in force for a decade, the Committee was disturbed to find that sexual harassment did not become a priority management issue in the Services until the incidents on HMAS SWAN and this inquiry. ADF representatives, in evidence to the Committee, conceded that *"most of the initiatives [to address the issue of sexual harassment] are only post HMAS Swar"*.⁵

12.8 The Services have not had a *"standardised reporting policy ... standard definitions of what sexual harassment was or what the various categories of sexual offences and other unacceptable behaviours were"*.⁶ Nor have they provided internal organisational avenues of complaint outside the chain of command until the implementation of the telephone hot-lines in late 1993.

12.9 The Services have had no mechanism in place to establish to any reliable extent the attitudes of their personnel towards integration and sexual harassment. While the Air Force conducts, each year, a "General Attitude Survey" of a random selection of ten percent of its personnel which covers their perceptions of how Service life and employment compares to non-Service life and employment, there are no questions relating specifically to integration or sexual harassment.

12.10 The Committee notes also that the Services do not, as part of determining their suitability for military life, assess the attitudes of prospective recruits to working in an integrated environment.⁷ Nor do the Services, in their voluntary exit interviews for personnel who resign, seek to establish in any consistent way whether sexual harassment was a factor in their decision to leave.

4 *ibid.*, p. 3.

5 MAJGEN J. Stevens, *Committee Hansard*, p. 1575. Most of the comment in this section refers to the Army and the Airforce. The situation with regard to Navy is considered in greater detail in other sections of this Report.

6 MAJGEN S Gower, *Committee Hansard*, p. 1533.

7 HQADF, Supplementary Submission, Serial 4 (c) and (d), *Committee Hansard*, p. 1483.

Incidence of Sexual Harassment in the Australian Defence Force

12.11 There is no accurate assessment of the extent of sexual harassment in the ADF.

The Sex Discrimination Commissioner

12.12 The Sex Discrimination Commissioner lists 13 cases of complaints of sexual harassment brought against the ADF under the Sex Discrimination Act; the Committee's analysis of these cases shows that:

- 9 of these complaints were made by civilian employees and 5 by Servicewomen;
- all the civilian cases were complaints against single individuals. Five of these respondents were also civilians; and
- three of the Servicewomen's complaints were against multiple respondents (6, 3 and 4). None of these have been resolved. Only one complaint by a Servicewoman against a Service respondent has been resolved.

12.13 HQADF disputes that the Sex Discrimination Commissioner's figures accurately reflect the situation with regard to the ADF. HQADF points out that:

*"only seven are actually complaints against the ADF. Of the other six cases, three involved only civilians and were referred to the Department [of Defence]. The remaining three complaints were never referred to anyone by the Commission because the complainants did not pursue them."*⁸

8 Letter from MAJGEN S. Gower, PERS 93-27478 of 11 May 1994, p.17.

12.14 HQADF advised the Committee that, following the Sex Discrimination Commissioner's evidence to the Committee, discussions between them have led to agreement that of the complaints against the ADF:

- two cases listed by the SDC are actually only one case as a "named ... co-worker ... declined to lodge a complaint".⁹ This complaint has been resolved through public hearing with damages awarded to the complainant;
- three have been conciliated; and
- one is with the HREOC which is yet to decide if it will accept the complaint for investigation.¹⁰

The Committee notes that two of these complaints have been resolved since the Committee began its Inquiry.

Central Point of Contact

12.15 There appears to have been some breakdown in the past in the communication between the Sex Discrimination Commissioner and the ADF.

12.16 The Sex Discrimination Commissioner stated that the absence of a central point of contact for her office to deal with in the ADF had been a hindrance. The ADF was clearly surprised by this, since they considered that this had been established some time ago. Major General Gower confirmed at the Committee's hearings that he, as the Assistant Chief of the Defence Force (Personnel) is the central point of contact for the entire ADF.

Internal ADF records

12.17 Before this Committee's inquiry, the ADF had compiled no records on the incidence of sexual harassment in the Services. Prompted by the need to appear before the Committee, the ADF set about assembling whatever information it had. The

9 *ibid.*, p.18.

10 *ibid.*

differences in the reporting requirements complicated the process considerably. Major General Gower told the Committee that:

*"the statistics you have in our submission had to be produced by a manual search - a very tedious and time-consuming process."*¹¹

12.18 As a result of the different reporting requirements, the Services had to "go right through anything [they] had ... police reports; ... incident reports; ... personnel reports; ... unit reports" to collect this data.¹² As a result of this effort, HQADF found that there were 258 reported cases of sexual harassment or sexual offences across the Defence Force in the period 1989 to 1993 but "accept[s] that the figures ... are understated."¹³

<u>Year</u>	<u>Navy</u> <i>harassment offences</i>		<u>Army</u> <i>harassment offences</i>		<u>Air Force</u> <i>harassment offences</i>	
1989	12	1	9	8	31	19
1990	0	1	4	14	2	10
1991	7	0	5	10	10	10
1992	6	2	12	11	7	8
1993	14	13	10	8	8	6
Totals	39	17	40	51	58	53 ¹⁴

12.19 No readily discernible patterns emerge from the data that has been collected in this way. The number of reported sexual harassment incidents in any one year across the ADF range from six in 1990 to fifty-two in 1989. In 1993 there were thirty-two incidents reported. There is less variation in the number of sexual offences, with the average in any one year being in the low to mid-twenties.

11 MAJGEN S Gower, Committee Hansard, p. 1533.

12 AVM F Cox, Committee Hansard, p. 1579.

13 MAJGEN S. Gower, Committee Hansard, p. 1551. No estimate of the extent of under-reporting was given.

14 HQADF submission, Annex B, Committee Hansard, pp. 1361 - 1364, 1478. See also Committee Hansard, pp. 1442 - 1443 for the definitions of sexual harassment and sexual offences used by HQADF in these tables. In simple terms "sexual harassment is any sexually offensive act without physical contact; sexual offence is one where physical contact is made without the consent of the other person." Committee Hansard, p. 1329.

12.20 The ADF comments that

*"Analysis of these figures show no readily identifiable trend regarding geographic location, type of unit or type of harassment. Reported incidents of harassment have occurred nearly equally at training and non-training establishments/ships and the geographic spread of the incidents is broad."*¹⁵

Defence Force Ombudsman

12.21 The Defence Force Ombudsman's submission lists seven complaints of sexual harassment from female ADF personnel that have been brought to her attention, all lodged between 1989 and 1994. One of those refers to events that occurred in the Air Force some ten years previously, and had been competently investigated by the Air Force. The Ombudsman considered it inappropriate to re-open the case and no compensation resulted. One case involving an Officer Cadet at ADFA, referred to the Ombudsman by the Minister for Defence, revealed serious deficiencies in the Defence Force handling of the matter and resulted in the Chief of Defence Force apologising to the young woman. A claim for compensation is still under consideration. All the remedies sought by a Navy doctor who complained to the Ombudsman in September 1993 of sexual harassment and discrimination at a shore base were provided by Navy. One other Navy approach to the Ombudsman was one of the 1992 SWAN cases. An October 1993 complaint of rape of a female Air Force officer is still under investigation by the Air Force. Two of the complaints relate to harassment on grounds of alleged homosexuality, one in the Air Force and one in the Army.¹⁶

12.22 The Ombudsman notes that:

"the Ombudsman's office, has dealt with a relatively small number of complaints. In recent years, however, the numbers have increased and have been of a serious nature. I suspect, however that the culture is

15 HQADF submission, Annex B, Committee Hansard, p. 1361.

16 Ms Philippa Smith, submission, p. 3.

*such that it is still difficult to complain on such matters and the numbers cannot be regarded as representative in any way".*¹⁷

Surveys

12.23 There is only one comprehensive survey of sexual harassment in the ADF. In 1987, Major Kathryn Quinn undertook a study into the career aspirations of Servicewomen. Although it included a section on sexual harassment this was not the major focus of the study. Of the 162 questions in the survey, only 12 related to sexual harassment. Major Quinn approached a random selection of 2000 Servicewomen, 1400 of whom responded. This *"represented at that time 20 percent of women who were serving in the armed forces."*¹⁸

12.24 Major Quinn conducted her study while on a Defence Fellowship, which is a program to encourage members of the ADF to undertake higher education. Her report was not an official ADF study. Nevertheless, according to Major General Gower, it *"had very wide distribution right up to ministerial level ... [and] ... was a very useful document in the broader subject matter of women in the ADF."*¹⁹

12.25 Major Quinn defined three separate categories of sexual harassment:

Category 1

Category 1 type behaviours relate to your work environment generally.

They include poster displays depicting women as objects of sexual fantasy, the telling of sexually suggestive jokes and the expression of derogatory comments about women. This category also includes leering or wolf whistling.

Category 1 type behaviours will not necessarily be directed at you personally, but such behaviours can create a hostile work place where you feel uncomfortable, embarrassed or intimidated.

17 Ms P. Smith, submission, p. 5.

18 MAJ K. Quinn, Committee Hansard, p. 875. See also Chapter 1 of this Report.

19 MAJGEN S. Gower, Committee Hansard, p. 1556.

Category 2

Category 2 type behaviours are directed at you personally and include uninvited physical contact such as touching, patting, pinching, brushing against you, standing over you or standing too close to you, and cornering you.

Other behaviours which belong in this category include sexually suggestive comments about your body, your appearance or your personal life. This category can also include uninvited requests for sexual contact from co-workers.

Category 3

Category 3 type behaviours include uninvited requests or demands from a superior for sexual contact, especially if you feel that refusal will adversely affect your career, job or course evaluation.

12.26 Major Quinn found that:

***Category one harassment** Fifty-three percent of the women indicated that type of harassment had happened in their workplace in the past (11% to a great extent), and 40 per cent indicated that it was happening to them now. Twenty-five percent said it had been, or was now, a problem for them (4% to a great extent), and 58 percent thought it was a problem generally for Servicewomen.*

***Category two harassment** Forty-two percent of the women indicated that this type of harassment had happened to them in their workplace in the past (6% to great extent), and 24 percent indicated that it was happening to them now. Twenty eight percent said it had been or was now, a problem for them (5% to a great extent), and 53 percent said they thought it was a problem generally for servicewomen.*

***Category three harassment** Eleven percent of the women indicated that this type of harassment had happened to them in their workplace in the past (2% to a great extent), and 2 percent said it was happening to them now. Nine*

percent said it had been, or was now, a problem for them (2% to a great extent), and 29 percent thought it was a problem generally for servicewomen." ²⁰

12.27 Major Quinn also *"found, just generally as an attitude amongst those who were in a position to receive those complaints, that there was generally a denial of the existence of sexual harassment and often - in fact, in many cases - it simply was not taken as a problem."* ²¹

12.28 The consultant to the ADF on sexual harassment, Professor Bryson considers that Major Quinn's survey was *"probably one of the first careful surveys on the issue of sexual harassment in Australia. ... In fact, one of the biggest surveys which was a survey covering 63,000 public sector workers in New South Wales which was done by the Director of Equal Opportunity in Public Employment, used far inferior questions and definitions of sexual harassment"*. ²²

12.29 The Public Service Commission (PSC) representative pointed out to the Committee that a survey of the kind carried out by Major Quinn is not without its difficulties. As discussed earlier, a major difficulty is the verification of the accuracy of the data. The PSC also identified some anomalies in the findings, particularly in relation to the issue of perception. *"It could reasonably be expected that the perceptions of harassment involving others would equate with the level of self reported harassment. However, ... the number of women reporting harassment is well below their perception of the level of harassment generally."* ²³ It may be that this is because the questions were of a *"general nature"*. The survey did not, for example take into account other factors, such as work location or the nature of the work of the respondents.

12.30 In spite of these possible shortcomings, the Committee considers that Major Quinn's survey is a useful benchmark for any future evaluation of the effectiveness of the sexual harassment policies and procedures that are now being put in place.

20 MAJ K. Quinn, submission, Committee Hansard, p. 874.

21 *ibid.*

22 Prof L. Bryson, Committee Hansard, pp. 1557-1558.

23 Public Service Commission, submission, pp. 4-5.

12.31 The Committee finds it difficult to accept that Major Quinn's survey was overlooked by ADF senior management simply because it "*was a small part which was then not subsequently highlighted in the conclusions of the report*".²⁴ It was a clear warning light. The failure to act on it suggests that the ADF, like many managers in the wider community, have had difficulty in recognising and accepting that sexual harassment is a real difficulty that needs to be addressed.

Individual Submissions to the Committee

12.32 The Committee received 138 submissions in all. Of these 85 are from individual service personnel, including:

- 7 from serving or recently retired Army personnel; three of these are from women;
- 10 from serving or recently retired Air Force personnel, eight from women and one from a homosexual male; and
- 68 from serving or recently retired Navy personnel. Eleven of these are related to the incidents on HMAS SWAN, and of the remainder, 24 are from women and 33 from men.

12.33 It is probable that this imbalance in representation between the Services is in large part the result of the Inquiry's focus on the incidents on HMAS SWAN and the situation in the Navy. Several Navy personnel were concerned to set the record straight about the situation in the Navy because they felt it was being misinterpreted by the media reporting of the incidents on HMAS SWAN. The Committee notes also that senior Navy personnel, including the Chief of Naval Staff, made a particular effort to encourage personnel to make their views known to the Committee. Some Commanding Officers also actively encouraged their personnel to lodge submissions. The Committee received, for example, 7 submissions from HMAS IPSWICH and 9 from HMAS SYDNEY, both of which have female crew members.

12.34 The Committee makes no claim that the submissions it has received constitute a representative sample of opinion and experiences of women in the ADF. There is, for example, no reliable way for the Committee to verify most of the allegations made.

24 MAJGEN S Gower, Committee Hansard, p. 1556.

The detailed examination that the Committee made of the SWAN incidents indicates how complex the circumstances of sexual harassment can be. As previously noted, the Committee made it known to individuals who brought specific allegations to their attention that the Committee is prepared to refer individual cases to the Sex Discrimination Commissioner or to the Ombudsman for detailed resolution. The outcome of any such cases will not be available in time for inclusion in this Report.

12.35 Time and resource constraints also made it impractical for the Committee to conduct its own survey of ADF personnel to arrive at an independent assessment of the incidence of sexual harassment in the ADF.

12.36 Nevertheless, while the Committee cannot give an exact figure for the incidence of sexual harassment in the ADF, there is enough evidence before it to conclude that sexual harassment is a problem of sufficient dimensions to require comprehensive and immediate action by the ADF management. There is also sufficient evidence for the Committee to gain insights into the nature of the problem and to identify the key problem areas that need to be addressed.

Culture of the ADF

12.37 The prevailing culture in the ADF is characterised in several submissions to the Committee as male-dominated, paternalistic and ingrained with gender bias against women.²⁵ Ongoing sexual harassment by their male colleagues is also reported in several submissions. Most of these submissions say that there is little or no support from senior officers. Some submissions call into question the ability of their senior personnel to recognise and address sexual harassment. These servicewomen also perceive a closing of the ranks by male servicemen against them if they complain.²⁶ Many *"say nothing for fear of being ostracised in a team environment"*;²⁷ others feel they are blamed for inviting the harassment.²⁸

25 Ms S. Sellick, submission.

26 Submissions from Ms A. Chambers, FLTLT L. Kardas and CAPT W. Knobel, as well as submissions 4 and 5 and in camera evidence.

27 Ms A. Chambers, submission, p. 2.

28 Submission 4.

12.38 The Committee is concerned that it detected a sense of frustration and isolation in the submissions it received from Army and Air Force servicewomen.

Badges

12.39 Several submissions stated that gender harassment in the form of disparagement of women, rather than one to one harassment of individuals is a problem. As an example, the Committee was presented with evidence that the course badges for some RAAF pilot's courses in the past have had unacceptable sexual connotations in their design. These badges have a semi-official status, and are publicly displayed. The Committee examined a number of such badges and concluded that some were inappropriate. It was also alleged to the Committee that training aids in the RAAF have at times had deliberate sexual connotations.

Alcohol

12.40 The Committee noted that the evidence before it confirmed general findings in the wider community that there is often a link between the consumption of alcohol and sexual offences. However, no such link has emerged between alcohol consumption and sexual harassment in the workplace.²⁹

Community attitudes

12.41 Many submissions to the Committee point out that members of the defence force are drawn from the Australian community and reflect broad community attitudes, including attitudes on relations between the sexes and issues such as sexual harassment. For example, Dr Hugh Smith from ADFA argues that a number of factors such as social conditioning into prescribed roles, stereotypes of male and female behaviour, unequal power relationships between the sexes all contribute to the unacceptable form of behaviour that is termed sexual harassment in present day society:

*"All of these factors influence those in the armed forces as well as the rest of society. But in the armed forces, these factors tend to work even more strongly than in society at large."*³⁰

29 MAJGEN S. Gower, Committee Hansard, p. 1547.

30 Dr H. Smith, Committee Hansard, p. 1219.

12.42 Chaplain Reddin, RAN, told the Committee:

*"There can be no doubt that many male personnel in the RAN are sexist to some degree. However, in my view sexist language and comment has been at about the same level as you would expect to find in the civilian community, where men congregate."*³¹

12.43 Another submission affirmed:

*"I firmly believe that the standards of behaviour in the Defence Force are only a mirror of society in general."*³²

12.44 One submission, from the RSL, stood out in this regard in that it maintained:

"There have been studies which show that in western democracies like ours only about 5 percent of the eligible (male) population are attracted to voluntary military service."

12.45 The RSL went on to state that:

*"war is a brutalising experience, and it follows that training and practising for war is also brutalising, to a degree. This is not to condone brutality, nor even aggressiveness, but it is our submission and our firm conviction that to recruit and train a military force on the one hand, and then to recoil in horror when its members occasionally exhibit unseemly aggressiveness or even brutality towards one another, is either deceitful or stupid, and certainly unfair to the general membership of our armed forces."*³³

12.46 The Committee disagreed strongly with this view. The Committee took the opportunity also to seek the views of the representatives of the Australian Defence

31 CHAP W. Reddin, submission, Committee Hansard, p. 985 (emphasis added).

32 Mr T.H. McDonald, submission.

33 RSL, submission, Committee Hansard, p. 1182.

Force at public hearings on the proposition put by the RSL. Major General Gower responded:

*"I certainly do not believe we are seeking the aggressive Rambo type - we actively discourage that type of person... So I reject any suggestion that we concentrate on a small group of Rambos and we do not worry about the remainder of the population...There are a lot of influences on how we get recruits...it ends up with a relatively small group. It is certainly not a five per cent Rambo group."*³⁴

12.47 The Committee notes the observation by Professor Bryson that the levels of sexual harassment in the ADF that have been identified *"are certainly not as high as one might have envisaged they might be, given some studies of all-male environments"*.³⁵ She concludes that *"the defence forces come off reasonably well"*.

12.48 The Committee has seen no evidence that would lead it to contest Professor Bryson's conclusion. Nevertheless, to meet the objectives of the ADF's *"zero tolerance"* policy on sexual harassment, the ADF must embark on a clearly focussed but multi-pronged program to bring about fundamental change in both attitudes and behaviour of ADF personnel at every level. The key components of the program are discussed in the following paragraphs.

Leadership Commitment

12.49 The change in culture required to eliminate sexual harassment must have the endorsement of the very top leadership.

12.50 The Committee values the information provided by Major General Gower, Assistant Chief of the Defence Force, (Personnel), Air Vice Marshall Cox, Assistant Chief of the Air Staff, (Personnel and Resource Management), RAAF, Major General Stevens, Assistant Chief of the General Staff, (Personnel) and Rear Admiral Carwadiene, the Commandant, Australian Defence Force Academy on the approach being taken and work being done by the organisations each represents to eliminate sexual harassment.

34 MAJGEN S Gower, Committee Hansard, p. 1581.

35 Prof L. Bryson, Committee Hansard, p. 1560.

12.51 However, the Committee believes it is essential that the policy itself should be seen to have the endorsement of the most senior representative of each Service. The Committee noted the very clear and personal commitments given by the Chiefs of Naval Staff who appeared before it. It was noted that the Chiefs of Staff of Army and Airforce chose not to appear before the Committee.

12.52 Recommendation Thirty-Eight: The Committee recommends that the Service Chiefs of Army and Airforce create an opportunity to deliver, in such a way that it reaches all personnel forcefully, their unequivocal and strong commitment to the elimination of sexual harassment from their respective Services.

Role of Senior Officers

12.53 The role of all senior officers in encouraging the necessary change in culture is critical. They are the role models for the next generation. Unless they demonstrate an unequivocal commitment to the principles of equality of opportunity that are essential if sexual harassment is to be eradicated, both the process of integration and the eradication of sexual harassment will be a long drawn out process.

12.54 The senior levels of the ADF are still predominantly male; most senior officers joined when the Services were all male. Active measures must be taken to ensure that, whether unwittingly through a lack of awareness of gender based issues, or intentionally, through active participation in or condoning of acts of harassment, they do not perpetuate the ugly side of this culture.³⁶

Commanding Officers' responsibilities

12.55 As each Service chief is *"responsible for implementation of policies [by] tak[ing] into account the nature of its operating environments"*³⁷ the policy on unacceptable sexual behaviour and the employment of women is being implemented in three different ways.

12.56 The ADF places responsibility for integration and addressing the issue of sexual harassment on the individuals in the chain of command. Major General Gower stated in evidence to the Committee that *"any superior is duty bound to do something*

36 FLTLT L. Kardas, submission.

37 HQADF submission, Committee Hansard, p. 1317.

*about an incident of unacceptable behaviour."*³⁸ It is incumbent on these personnel to *"discuss, take responsibility for and focus their attention on the issue."*³⁹

12.57 As the Committee's detailed review of the SWAN incidents shows, it is not enough, at this point in time to place all the onus for eliminating sexual harassment on the Commanding Officer of a unit. The awareness raising and education of all personnel, including Commanding Officers, is a corporate responsibility.

12.58 The draft DI(G) PERS 35-3 gives clear guidance on the Commanding Officer's responsibilities and action required in the event that a sexual offence is brought to his or her attention. The guidance on the options available to the Commanding Officers when allegations of sexual harassment come to his or her notice is less comprehensive and of more limited assistance. The guidance merely states that:

"where sexual harassment warrants disciplinary action, the appropriate charge will depend on the facts of each case."

12.59 There is a need for a consistent policy across all postings and Services. More detailed guidance is required to assist personnel at all levels to have a common understanding of what constitutes sexual behaviour warranting disciplinary action. The instruction DI(G) PERS 35-3 states:

"ADF members are expected to act in accordance with the general standards of community decency. The ADF will be concerned with the sexual behaviour of its members only where it is inconsistent with the requirements of the ADF or where it is unlawful. It is, however, recognised that individual perceptions will differ and there may be a fine line requiring the exercise of common sense, maturity and clear judgement. Such matters should be resolved between the individuals involved, or through a process of conflict resolution wherever possible. Other unacceptable behaviour of a more serious nature will result in military administrative or disciplinary action or charges under criminal law."

38 MAJGEN S Gower, Committee Hansard, p. 1571.

39 Prof L Bryson, Committee Hansard, p. 1539.

12.60 The instruction goes on to warn that, in the case of unacceptable sexual behaviour other than sexual harassment:

"The decision on whether to act on information will not be easy".

The instruction recommends that:

"A Commanding Officer, who decides that the formal prohibition of sexual activities and related behaviour is warranted, should be sensitive to the extent of such behavioural restrictions in adjacent units to ensure members in the same environment are not subject to inconsistent rules. Before such a prohibition is promulgated, the relevant superior commander is to be informed."

12.61 It is the Committee's view that the present approach leaves too many uncertainties of interpretation and places too much responsibility on Commanding Officers to ensure consistency of treatment.

12.62 The Committee is of the view that different kinds of sexual harassment require different remedies. The process for reaching agreement and a common understanding within a work group on what are regarded as acceptable posters or language in the workplace is different from the process required to deal with an unwelcome overt request to a subordinate for sexual favours in an isolated location with no witness present. There are many variations in behaviour between these two examples. Much work remains to be done on reaching a common understanding of the boundaries of acceptable behaviour as well as the appropriate measures for ensuring that those boundaries are respected.

Accountability

12.63 Inaction by senior officers following complaints or witnessing of sexual harassment incidents themselves has been commented on in several submissions.⁴⁰ For example, one female officer gave the following account to the Committee:

"Whilst on an overseas detachment I was accommodated with my fellow officers. I was the only female in the unit. One evening in the

40 CAPT W. Knobel, submission; and submissions 4 and 8.

*Officers' Mess one of the male officers grabbed my breast. In a reflexive action I threw my drink into his chest, the officer braced himself and pulled his fist back to hit me. Luckily he did not strike me. However, the dreadful part is that this incident was witnessed by a Commanding Officer of an RAAF flying unit (LTCOL equivalent), who walked away without commenting, intervening or speaking to the officer who had assaulted me."*⁴¹

This same female officer also commends one of her Commanding Officers for his "unqualified support";

*"At my current posting the Commanding Officer has attempted to ensure that any kind of sexual harassment is dealt with swiftly and is not tolerated. He has ensured that he has briefed the unit personnel en masse to tell them of his expectations. The first brief of this nature was [held prior to my arrival]. Since I arrived at the unit ..., the Commanding Officer has given two other mass briefs."*⁴²

12.64 She describes her Commanding Officer in the second example as "rare in the RAAF".⁴³ In her experience the Commanding Officer who implicitly condoned a sexual assault reflected the more prevalent view "that there is no problem of sexual harassment" and represents leaders who do "nothing to 'lead by example'".⁴⁴ By taking no action to address the incident and protect the interests of the female officer, he failed in his duty as a superior officer.

12.65 The Services have the power under their Regulations and the Defence Force Discipline Act to take action against officers who do not intervene in, report or investigate appropriately allegations of sexual harassment. Depending upon the severity of the incident, an officer may be subject to administrative action, such as counselling or censure, or disciplinary action. The power to take action against officers who do not intervene in, or report or investigate allegations of sexual harassment appropriately has, however, very rarely been exercised.

41 LK Kardas, submission, pp. 1-2.

42 *ibid.*, p. 2.

43 *ibid.*

44 *ibid.*

12.66 HQADF informed the Committee that only one Army officer has been counselled for failing to intervene in or report a case of sexual harassment. Air Force has "*nil instances [of inaction by officers] reported*".⁴⁵ A detailed discussion of the only Navy officer who has been censured in relation to his responsibilities as Commanding Officer of a ship where allegations of sexual harassment became an issue is to be found in Chapter 7 of this Report.

12.67 On the basis of the evidence before the Committee there appears to be a discrepancy between the experience of some women in the armed services and the stated policy of holding supervisors accountable for taking action.

Investigative procedures

12.68 A related aspect brought to the attention of the Committee is a perceived inadequacy of the investigative procedures. The ADF told the Committee that it has policies in place for the proper conduct of investigations.

12.69 The armed services have a strong preference for internal resolution of personal problems.⁴⁶ However, there is sufficient evidence to suggest that there have been a range of problems in the past associated with complete local autonomy for investigations of allegations of sexual harassment and resolution of such complaints.

12.70 Allegations put to the Committee indicate that several complainants have felt that the investigation of their cases had serious shortcomings. In some instances, it is alleged that insufficient attention has been given to the seriousness of the complaints. Submissions also reveal that there are several instances where either the alleged harasser or the persons who have been harassed have serious criticisms about the way they were interviewed. In some instances there are claims that one or other of the two parties involved have not even been interviewed and given an opportunity to put their case properly before any decision either to pursue or drop the

45 HQADF letter PERS 93-27478 of 11 May 1994, pp. 12-13.

46 It is relevant to note that the High Court recently ruled in the Foley case that it was appropriate for the ADF to use the DFDA and courts martial "*if the proceedings could reasonably be regarded as substantially serving the purpose of maintaining or enforcing service discipline.*" Letter to the Secretary dated 9 June 1994 from CAPT T.B. Stodulka, Director of Naval Legal Services.

case was made.⁴⁷ The Army, for example appears to have a policy that the complainant is routinely given an opportunity to make a written complaint.⁴⁸ It is not clear under what circumstances the investigation proceeds to interview of the complainant. What does seem clear is that the present practice of relying in some instances on a written statement only is inadequate.

12.71 Access to avenues other than the chain of command for complaints appears to have been very limited, not encouraged and rarely, if ever, used. Once a supervising officer dismissed a complaint, those who believed they were victims of sexual harassment have, in effect, had no avenue to pursue other than to go outside the ADF, primarily to HREOC. Clearly this is a very serious step that no individual would take lightly without carefully assessing how such a complaint would be regarded by their peers and by their supervisor in the ADF. The ADF is an organisation that lays great stress on teamwork, loyalty and cohesion; the fear of being regarded as disloyal could be expected to act as a strong disincentive to taking complaints outside the organisation.

12.72 A victim of gross abuse would, in all probability have fewer inhibitions about taking such action. In the case of lower level but nevertheless real and unacceptable harassment, the victim may feel less inclined to run the risks that could be perceived to be associated with an external complaint. It is therefore of critical importance that:

- senior officers ensure that the investigation is thorough and professional; and
- there are alternative internal avenues that are independent of the chain of command for pursuing a complaint.

Performance Appraisal

12.73 In order to evaluate the adequacy of current practices with regard to assessing how well managers in the defence forces are carrying out their responsibilities to deal with sexual harassment, the Committee examined in detail a range of performance appraisal forms currently in use in the Services. In the Committee's view none identified this aspect of an individual's performance in sufficient detail.

47 CAPT W. Knobel, submission; submission 4 and in camera evidence.

48 Letter dated 11 May 1994 from MAJGEN S Gower to Committee Chairman, p. 5

Homosexuality

12.74 The Committee received only one submission dealing specifically with the issue of homosexuality in the Defence Force. The submission states:

"I am making this submission to bring to the Committee's attention that the incidents of sexual harassment and discriminatory behaviour within the Australian Defence Force are not confined to heterosexual incidents only." ⁴⁹

However, no specific examples of harassment of homosexuals in the Defence Force are given in the submission. The Defence Force Ombudsman brought two cases to the notice of the Committee where allegations of homosexual behaviour, were, in her view, badly handled by the military authorities. Both cases involved women. One, an Airforce member was subjected to unsubstantiated accusations and kept under unnecessarily intensive surveillance by the Service Police. The other, a female soldier who admitted to homosexual experience was subjected to unnecessarily detailed and intimate questioning.

12.75 The Committee notes that the Defence Force Instructions on Unacceptable Sexual Behaviour apply to unacceptable behaviour between and within genders. The Good Working Relationships seminars also make it clear that the principles apply equally.

Courts Martial

12.76 The Committee observed that several courts martial of ADF personnel for unacceptable sexual behaviour were conducted in the aftermath of the SWAN incidents. In response to a Committee request for details, the ADF advised that the following courts martial had been convened since December 1992: Navy 3, Army 4, Air Force nil courts martial, two Defence Force magistrates trials.

12.77 The Committee also requested information about the number of courts martial convened for sexual harassment and other unacceptable sexual behaviour between 1984 and 1992. The data provided reveals that Navy held 8 such courts martial, the RAAF held 14 courts martial and 5 Defence Force magistrate trials. The Army stated

49 SGT M. Livingstone, submission, p. 2.

that it only had records from 1989 and these indicate that no courts martial for unacceptable sexual behaviour were held during that time.

12.78 While only very tentative conclusions can be drawn from the data, it appears that there has been a slight increase in the rate of courts martial in the Navy and a spate of courts martial convened by the Army since the SWAN incidents. The rate in the RAAF on the other hand has declined substantially.

12.79 Very little evidence to the Committee provided information about the other kinds of disciplinary action that has been taken where allegations of sexual harassment were substantiated. It is known that in some cases the harasser has been discharged from the Service.

12.80 On the basis of the evidence before it, there appears to be some basis for concern that severe punitive measures are being used as a substitute for the comprehensive and timely education of all personnel on the issue of sexual harassment and in preference to mediation and conciliation as the most constructive means of resolving allegations of sexual harassment. The Committee fully accepts that there is a place for punitive measures as part of the total approach to combating sexual harassment. However, punitive measures should only be one component of an anti-harassment strategy. To be effective, considerable emphasis must be given to education and to conciliation and mediation as key elements in the strategy.

Integrated military/civilian workplaces

12.81 There is, at the present time, a lack of clarity in determining whether the employer vicariously liable for sexual harassment in a workplace where both military and civilian personnel are employed is the ADF or the Department of Defence. Responsibility for matters such as the policy in place for appointment of sexual harassment officers and so on must be clearly enunciated. The situation can be complex. For example, a situation can occur where an enlisted officer is in charge of civilian employees, and vice versa and some personnel may be contract employees. Several of the cases identified by the Sex Discrimination Commissioner involved a mix of civilian and enlisted personnel.

ADF future action plan

12.82 HQADF, in consultation with the Navy, Army and Air Force, has recently developed a nine point action plan to address the issue of sexual harassment. It has engaged Lois Bryson, Professor of Sociology at Newcastle University, as its consultant.

12.83 The initiatives in this plan, many of which are still only under consideration and not yet fully implemented, include:

- a. the review of existing policies on sexual harassment and the integration of women;
- b. the review of procedures for reporting, investigating and resolving complaints of sexual harassment;
- c. the analysis and review of the monthly Service statistical reports on unacceptable sexual behaviour;
- d. the implementation of programs to eliminate offensive behaviour and mechanisms to monitor awareness of gender issues;
- e. the establishment of a consultative forum with external agencies such as the Human Rights and Equal Opportunity Commission;
- f. the establishment of mechanisms to evaluate the effectiveness of measures to combat unacceptable sexual behaviour;
- g. the establishment of mechanisms for the lodgement and conciliation of complaints and programs to ensure that personnel are aware of these mechanisms;
- h. the implementation of training programs and provision of literature to make personnel aware of gender issues; and

- i. demonstrating management commitment to the elimination of unacceptable sexual behaviour.⁵⁰

Telephone Advisory Service

12.84 In the latter part of 1993, each Service opened telephone hotlines (008 for Army and Navy and 1800 for Air Force) to provide support and advice to personnel facing problems of sexual harassment.⁵¹ While the Committee is aware that each Service may wish to deal with the particular needs of its personnel, the duplication of telephone advisory services has some disadvantages. The most obvious is the number of trained personnel needed to provide an adequate 24 hour service.

12.85 Recommendation Thirty-Nine: The Committee recommends that the ADF implement without delay the action plan submitted to the Committee on 4 February 1994. The emphasis at this stage of developing the program to eliminate sexual harassment from the ADF should be on service-wide education and on preventative rather than punitive measures. The Committee considers that particular attention should be paid to the following aspects in the action plan:

1 Amendments to Defence instructions

- (a) Mixed-gender focus groups of ADF personnel should be used to gain a better insight into the views of ADF personnel on a hierarchy of unacceptable sexual behaviours, including sexual harassment, and the views of ADF personnel on the optimum way of resolving incidents of varying severity. The results of such focus groups should then be one element to consider when refining further the Defence Instructions on Unacceptable Sexual Behaviour. It remains a matter for the ADF leadership to determine with as much clarity as possible, where the boundaries of sexual behaviour in the ADF lie.
- (b) In addition, changes should be made to the current draft DI(G) PERS-35 on sexual harassment, as outlined in the Committee's Recommendations Twenty, Twenty-One and Twenty-Two.

50 HQADF, supplementary submission, Annex A, Committee Hansard, pp. 1480-1489.

51 Committee Hansard, pp. 1543, 1573.

- (c) DI(G) PERS-35 should be supplemented by a practical guide to all personnel (complainant, harasser, supervisor, observer) for dealing with instances of unacceptable sexual behaviour. The Committee's recommendation Thirty gives more details about the guide.

II Action to educate and raise awareness

- (a) Compulsory awareness raising seminars for all ADF personnel, including all senior ranks, should be developed and introduced as a matter of urgency. While written instructions are essential, they are not sufficient to ensure proper understanding and handling of sexual harassment by all personnel. The seminars are essential to enable all personnel to gain a clearer understanding of the problem and how to deal with it.
- (b) The ADF-wide awareness raising seminars should be supplemented by more specific training for any personnel who wish to develop skills and techniques for dealing with such harassment at the inter personal level.
- (c) Procedures should be put in place to ensure that course symbols, such as pilot course badges, in-house publications (both formal and informal) and training materials do not contain unacceptable sexual connotations.

III Provision of alternative avenues of support

An essential component of an effective sexual harassment policy is the ready availability of avenues of complaint other than through the chain of command.

- (a) A 008 confidential advisory service should be maintained. Consideration should be given to amalgamating the initial points of contact, so that a single 008 telephone number for all Service personnel replaces the existing 008/1800 numbers for Army, Navy and Air Force. It should be possible for callers to either talk directly to a counsellor or to leave a message at any time of the day or night. Every effort should be made to respond to any message left on the 008 number within 12 hours of the call being received. The service should continue to be widely

publicised and reviewed in three years time. Any new staff appointed to the service should be appropriately trained.

- (b) Measures should be put in place to ensure that all other personnel, such as doctors, chaplains, social workers and psychologists who may also be used as an alternative avenue to receive and address complaints are fully aware of their responsibilities in relation to sexual harassment and undergo appropriate training to enable them to identify and assist personnel who may be at risk and to deal appropriately with incidents of sexual harassment that come to their attention.
- (c) The role of specialists such as doctors, chaplains, social workers and psychologists in assisting personnel to deal with harassment should be made clearly known to all personnel.
- (d) An external conflict resolution process should be introduced and made widely known and readily available to any personnel who consider they are being subjected to harassment and encounter difficulties in resolving their complaint directly at the unit level.

IV The promotion of informal resolution of allegations of sexual harassment

- (a) The emphasis in dealing with allegations of sexual harassment should be on informal resolution of the complaint at the local level. Personnel who believe they are being subjected to sexual harassment should be encouraged and given support in resolving the conflict at a personal level.
- (b) If, however, a formal, internal complaint is proceeded with, the procedures followed and the mechanisms that are in place should give assurance to the complainant that the complaint is being fully and properly investigated.
- (c) If the internal investigation is not satisfactory to the complainant, or if the person harassed encounters difficulties in pursuing this course, information on all alternative options (eg. an approach to HREOC, or to the Defence Force Ombudsman) should be made readily available.

- (d) Recourse to courts martial for resolving complaints of sexual harassment should be regarded as a last resort, after other avenues for resolving the problem have been fully explored.
- (e) Assurances must be given at the highest level and monitored to ensure compliance, that there will be no retribution for making a legitimate complaint.

V Improved procedures for the investigations of complaints

Immediate attention must be given to overhauling the procedures and guidelines for the investigation of complaints to incorporate the following:

(a) Investigation of sexual assault

Allegations of sexual assault must be immediately referred to civilian police authorities for investigation.

Provision should also be made for continuing liaison between the civilian investigating authorities, and the military particularly in relation to incidents outside Australian territorial waters pending the adoption of measures in the Committee's Recommendation Twenty-Seven.

(b) Investigation of other sexual harassment allegations

All personnel appointed to investigate incidents must have had appropriate training in the investigation of such complaints.

In all but exceptional cases, investigating officers should be appointed from outside the unit where the alleged incident occurred.

Investigating officers should not be personally acquainted with any of the parties involved in the incident.

All the Services should establish closer liaison with specialists in the investigation of allegations of sexual harassment, both in terms of training military personnel to conduct such investigations internally and to seek the assistance of civilian investigators in cases where suitable military

investigators are not available. Where difficulties arise in appointing suitable military investigators from within the Service where the complaint has been made, the use of trained investigators from a Service other than the one where the complaint was made should also be considered.

VI Ensuring that supervising officers are accountable

- (a) The performance appraisal forms of each Service should be revised so that the extent to which all personnel adhere to the guidelines on unacceptable sexual behaviour is assessed, including the extent to which senior officers carry out their responsibility to take appropriate action to investigate quickly and fairly any allegations of sexual harassment. Care should be taken to ensure that these assessments are given equal weight by, and are comparable across all the Services.

VII Clarifying organisational responsibility

- (a) Steps should be taken urgently to establish clearly whether the ADF or the Department of Defence has the responsibility to ensure that proper sexual harassment policies and mechanisms are in place for handling sexual harassment allegations in establishments where both military and civilian personnel, including contract personnel, are employed.

VIII Monitoring sexual harassment

- (a) Mechanisms should be established for an accurate and comprehensive on-going record of the number and kind of sexual harassment incidents occurring in the ADF. These mechanisms should be such as to enable valid comparisons to be made between the Services and between different units, including training units, within each Service. The records collected should clearly identify the nature of the incident, the action taken and the outcome.
- (b) The Committee notes that, from the records currently available from the 008 numbers, there appears to be a significant difference in the kind of calls being received by the Navy and the kind of calls being registered in the other two Services. In particular, the level of incidents of general harassment in the Navy appears to be as high as that recorded for

sexual harassment. All Services should ensure that general harassment as well as sexual harassment is identified and recorded. The categorisation of the calls should be standardised across all the Services.

- (c) All exit interviews should specifically seek to establish whether the person has experienced sexual harassment, the extent and nature of any such harassment, and whether such harassment has played any part in the person's decision to leave the service. Comparative data on the difference at separation in the ranks and length of service between male and female personnel should be monitored.
- (d) The Services should conduct a survey similar to that conducted by Major Quinn in 1987 to provide data on women's perceptions of sexual harassment since the major policy changes on integration were introduced. A survey at this time would be a further useful benchmark for future evaluation of the programs now being put in place.

IX Establishment of Advisory Committee

- (a) The chain of command should continue to take full responsibility for the development, implementation and monitoring of ADF policy on sexual harassment. It is also essential that the Services develop their own internal expertise in every aspect of the management of sexual harassment, including expertise in group dynamics and conflict resolution. However, there would be value in setting up an Advisory Panel to meet periodically with the Defence Force Policy Committee to assist the ADF carry out this responsibility. The Federal Sex Discrimination Commissioner, the Defence Force Ombudsman, and the present consultants to Navy and the ADF on sexual harassment should be included on the Advisory Panel. In view of the many integrated civilian/military establishments, consideration should also be given to including a representative of the Merit Protection and Review Agency. The HQADF and single Service EEO Units and personnel providing the 008 services should, as a matter of course, participate in meetings with the Advisory Panel.

12.86 In accordance with Government undertakings with regard to Senate Committee Reports, the Committee expects that a Government response to this Report's recommendations will be made within three month's of the tabling of the Report.

12.87 Recommendation Forty: The Committee recommends that the ADF report back to the Senate, one year after the Government's response to this Report, on the action taken by each of the Services and the Australian Defence Force Academy to eliminate sexual harassment from the Australian Defence Force.

General Harassment

12.88 It is important for the successful integration of women into the Defence Force that the attention being given to sexual harassment should not come to be regarded by male personnel as preferential treatment for women.

12.89 As pointed out in earlier chapters of this Report, successful integration of women demands that there be equity of treatment of all personnel. It is clear from evidence before the Committee that harassment of a general kind occurs in the armed services (as it does in many other workplaces). The fact that general harassment has not, in the past attracted the attention it deserves, does not mean that sexual harassment can equally be relegated to the too hard basket. It does mean that the whole question of what is regarded as acceptable behaviour and appropriate interaction between all personnel needs to be more clearly defined and effectively promulgated.⁵²

12.90 In taking action to combat sexual harassment, the ADF should deal with the problem of sexual harassment as part of the wider phenomenon of general harassment.

12.91 There is a growing recognition that employers have a responsibility to improve management practices and ensure that all employees are treated with respect and dignity. The Committee notes, for example, that the Public Service Commission issued guidelines in May 1994 for the Australian Public Service on general harassment.⁵³

52 P.J. Day MAJGEN (RTD), submission, paras 3-9.

53 Public Service Commission, *Eliminating Workplace Harassment Guidelines*, 1994.

12.92 Recommendation Forty-One: The Committee recommends that the ADF develop further the ADF's guidelines on appropriate professional behaviour and inter-personal relations. Particular attention should be given to both the process of arriving at those standards and the process of promulgating them. The Navy's approach of conducting focus groups to identify issues, followed by service-wide seminars which encourage communication and open discussion of the issue of unacceptable sexual behaviour in the context of appropriate overall behavioural standards provides an effective model for dealing with sensitive and complex matters of this kind. Similar processes should be put in place by all the Services to address the wider issue of professional inter-personal conduct, including general and sexual harassment, and mechanisms put in place for eliminating harassment of any kind from the ADF.

Sexual harassment and integration

12.93 In dealing with sexual harassment in the armed forces it is also necessary to keep fully in mind the link between such harassment and the full acceptance of women as equal members of the team effort that the Defence Force strive to foster.

12.94 Women still represent a small minority in the Defence Force. A submission from the first female Commanding Officer of an RAN establishment, which reflects views expressed in several other submissions, argues that the rate of progress in women achieving senior rank is still too slow.⁵⁴ The submission points out that so long as a:

*"state of inequality remains then the propensity for sexual harassment will continue."*⁵⁵

12.95 The Committee observes that there is, in effect, a vicious cycle in operation. Women encounter sexual harassment. This can affect their performance on the job. It may also lead to decisions to leave the service.⁵⁶

54 CDR E.J. Coles, submission, Committee Hansard, p. 1153.

55 CDR E.J. Coles, submission, Committee Hansard, p. 1154.

56 As the Services have not in the past specifically inquired whether sexual harassment has been a factor in women's decisions to leave, the Committee has no statistical data on the importance of this factor. Several submissions indicate that in a number of individual cases it has been a factor.

12.96 Both of these outcomes act as a barrier to the advancement of women in the Services, both in the level of rank achieved and in the numbers of women progressing through the ranks.

12.97 This tends to reinforce any biases held by individuals that women are unwelcome intruders, are not up to the job, and do not belong in the Services. This in turn increases the likelihood that sexual harassment will continue to be seen by some as a means of expressing disapproval of their presence.

12.98 Women will more readily be regarded as equals when there are more of them, they are seen to be pulling their weight and when their presence across the ranks becomes the norm rather than the exception.

12.99 That in itself will not guarantee the disappearance of sexual harassment. Some submissions have pointed out that increasing the numbers of women in the Services, particularly in the more senior ranks, may be seen as increasing competition and therefore as an increasing threat to advancement for men. As Commander Coles found, at the time of her appointment as *"the first female Commanding Officer on RAN establishment"*... this can also manifest itself as sexual harassment.⁵⁷

12.100 Nevertheless, the Committee believes that increased numbers of women in the Services will, over time, and together with appropriate policies on sexual harassment, reduce the likelihood of sexual harassment.

12.101 At the same time, the evolution and development of policies in a wide range of other matters that will have an effect on the numbers of women applying, on the perceptions of the male members of the Services of the contribution the women are making, and on the effect the women are having on the careers of existing personnel. The successful integration of women in the Services depends in part on the development of policies that do not discourage or impede servicewomen from applying to promotions to all levels.

12.102 Recommendation Forty-Two: The Committee endorses the principle of equal opportunity for women in the Australian Defence Force and recommends that high priority be accorded to removing, to the maximum extent possible, any remaining barriers to recruitment and promotion prospects for women in the Services. To

57 CMDR E. Coles, submission, Committee Hansard, p.1154.

achieve this, high priority and resources should be given to reviewing criteria for advancement in the Services to reflect accurately the full range of complementary skills and attributes required for an effective and efficient Defence Force. Particular care should be taken to ensure that policies on access to facilities, physical strength requirements, pregnancy leave, fraternisation and the pre-requisites for promotion, do not unfairly or unnecessarily disadvantage women. Equally importantly they must not be perceived as giving an unfair advantage to women.

12.103 Finding the right solutions for some of these issues will not be simple. Careful judgements on the balances to be struck will need to be made. This will require strong and committed leadership. It will also require a very extensive and sustained effort to open up communication across the Services. Open debate is a key ingredient not only for the development of the policies, but for the acceptance of those policies when they are implemented. The recommendations of this Report are aimed at facilitating the resolution of some of these difficult and complex issues.

GERRY JONES
CHAIRMAN