

The Enemy Within

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Graduation Parade for 142 Staff Cadets from the Royal Military College, Duntroon. Picture: Kym Smith *Source: The Australian*

HE was 16 when he marched into the Royal Military College Duntroon on a frosty morning in 1954, pleased as punch to be the first pupil from his rural NSW school accepted for officer training.

His dream had long been to become a leader in the Australian Army.

Now he's 75 and his eyes brim with tears as he relates how that dream turned into a nightmare of brutality that haunts him still.

He's had a successful life as a business manager and he now has a horde of much-loved grandchildren, but he's never been able to find it within himself to tell his children about his

four-month ordeal at the hands of older cadets who quickly turned from comrades to tormenters.

"Bill" (not his real name) insists that his life was not destroyed, as the lives of many clearly were, by his experiences in the army, but he says his memories evoke a deep sense of shame and embarrassment. "It did change my life forever," he says. "It's all still bloody raw and embarrassing."

Bill is just one of hundreds of men and women whose cases are covered in damning reports by the law firm DLA Piper detailing sexual assaults, bullying, intimidation and other brutality in the Australian Defence Force over the past 60 years, and he's quick to acknowledge that his case is very far from the worst. The extent and nature of the allegations and the possibility that they might be the tip of an even uglier iceberg have brought pressure for a royal commission to investigate the whole bastardisation question publicly and comprehensively.

DLA Piper was commissioned last year by the ADF, on the instructions of Defence Minister Stephen Smith, to invite anyone who had suffered abuse at the hands of members of Australia's armed forces to make formal allegations. The investigations followed a flood of complaints to the minister and to the media after the Skype sex incident at the Australian Defence Force Academy in which a female officer cadet was filmed, without her knowledge, having consensual sex with a male cadet. The episode was broadcast to other cadets.

There have been many past attempts to change Defence culture and there has been a vast improvement in recent years.

But it is likely that the action of a shocked and angry young woman who won the backing of a minister may have given the present generation of defence chiefs the opportunity and impetus they finally need to clean out the grubbier aspects that still lurked, until last year at least, in corners of the ADF establishment.

Many of those who complained started conversations with "you think that was bad; you should have seen what happened to me".

Their allegations ranged from complaints about infantile but hurtful actions such as recruits having genitals covered with boot polish in what was then seen as a prank, to very serious criminal activity including gang rape.

The bulk of the allegations are believed to cover the 1980s and 90s and the worst occurred in training facilities.

Some victims want no more than an apology or the opportunity to confront perpetrators while others want serious financial compensation.

In April, the law firm handed Smith a report containing outlines of well over 700 complaints lawyers conclude are plausible. The earliest date of alleged abuse is 1951 and involved a boy aged 13 who is now a man in his 70s. The most recent allegedly occurred last year.

The report warned that some perpetrators went unpunished and might now hold middle and senior positions in the ADF where they "may constitute a continuing risk to the safety and wellbeing of other ADF personnel".

Simply providing a process through which a mass of emotionally, and at times physically, wounded men and women could finally seek justice has also uncovered appalling details of systematic sexual abuse and other brutality suffered by boys as young as 13 in the Royal Australian

Navy from the 50s and possibly up to the 80s.

Pressure for a royal commission is coming from sources as varied as child abuse support groups, which want victims helped and perpetrators caught, and the Australia Defence Association, which says a high-level public inquiry is needed to clear the air.

The association's executive director, Neil James, is convinced a royal commission would demonstrate clearly that the behaviour of the vast majority of ADF members is beyond reproach.

Lawyers expert in military compensation cases have urged the government to opt for an apology to those abused and a "capped" compensation scheme with payments ranging from \$20,000 for relatively minor abuse to \$300,000 for those left very badly incapacitated by physical or psychological abuse.

Brian Briggs of law firm Slater & Gordon says such a scheme could cost \$20 million, with a royal commission double or triple that. The government has already paid DLA Piper nearly \$10m. In many cases an apology would be enough to satisfy victims, Briggs says. He also argues that the government should sift through the victim statements to work out which perpetrators are still serving so that the allegations can be put to them.

Hurley stresses that he and the service chiefs will support whatever decision the government makes -- "whatever mechanism or mechanisms they choose".

He says a royal commission would clearly be a major undertaking to establish and get moving. "If that's the right mechanism, yes, let's do it. But if, as the DLA Piper reports says, a royal commission may be too cumbersome to assist those deserving reparation, then we should take that into account and look at other mechanisms.

"We are committed to addressing abuse and sexual abuse in the ADF. The most important thing to me at the moment is to address the allegations made to DLA Piper because we must consider the wellbeing of those people."

Hurley says that hanging over the ADF now is the question of what this all means. "Who's involved and who's not?"

"The thing is to resolve these issues in the quickest way we can, bearing in mind the complexity of some of them," he says. "If the royal commission is the appropriate mechanism to do that, fine. If there are other ways to go about it in terms of reconciliation and compensation, the AFP brought in for the more serious alleged offences, then let's look at all those and the package that best addresses for the problem we have in front of us."

Since April, Smith and Attorney-General Nicola Roxon have had the main report and they are considering a range of options. Their decision is expected soon.

Many of the examples in the DLA Piper report occurred before major changes were made at ADFA after the damning 1998 investigation carried out by defence official Bronwen Grey into sexual harassment, intimidation and bullying there. Grey and her team uncovered a culture that included humiliating induction ceremonies, an extreme system of obedience and subservience within the different ranks of cadets, a strong bias towards masculinity and physicality and a lack of integrity in key ethical areas.

Now Hurley is tackling the issue head on and he's avoiding easy options. "We can't define this as a few bad apples because if we do that we can't come up with an overall approach to addressing where people may not be behaving correctly, nor can we get systems into place that give people confidence that they can report abuse," he tells The Australian.

Senior commanders in all three services began working on comprehensive plans to clean up Defence culture about two years ago.

Hurley says the most important message is for it to be made clear to personnel that they must report offences. "If they feel they can't report it then we can't respond."

He says the ADF is changing its "investigate first" approach to one of ensuring that victims are supported and looked after as a first priority.

"Then we'll move in so it's not as if the offenders will get off scot-free. But we've got to change the philosophy of how we handle these cases to go to a victims support approach. Then the investigation flows from that.

"That is one of the fundamental changes we're going to have to make. We need a mechanism that addresses the allegations as quickly as we can."

That is a lot different from the treatment dished out to "Bill" and hundreds of others. For him the trouble began when he started at Duntroon weeks after the other cadets because he'd had to sit a late technical exam. He was also a year younger than most of the others, which added to his vulnerability.

Seen as an outsider, he became an immediate target and for the next 44 days he was subjected to a vicious campaign to break him.

Bill has a sense that his memory has blotted out some of the more painful experiences but some vivid memories remain.

"Being forced to sit publicly naked on toilet seats for long periods, irrespective of my own time commitments, to warm them for senior students; to stand naked in common area showers for prolonged periods to adjust water temperatures for senior students and to stand there under an adjoining shower, sometimes naked, sometimes in full uniform, to meet the needs of the senior cadets such as picking up their soap, scrubbing their body parts.

"To be openly and publicly jeered (at) and abused. At unexpected times being ordered by a senior cadet to quote their rifle number or their service number then obviously unable to do so."

One of the biggest hurdles was being deprived of sleep and of time to catch up on his own training and studies.

There was no privacy or relief at night and an overriding memory is of fear and the hope that he'd get enough sleep to enable him to function the next day.

Totally mentally and physically drained, he appealed to the senior cadets for "a fair go" and that made matters worse.

He was finally hospitalised, exhausted, and then discharged.

Bill felt a measure of redemption when, 10 years later, he joined the reserve and graduated with the Sam Browne belt of honour as the most outstanding officer cadet.

Hurley says the DLA Piper report is not a snapshot of the modern ADF. "If it was, it could not have done the job it has with such success over decades.

"We see this as an issue that needs to be addressed, we're open to ideas on how it's to be done and part and parcel of that will be addressing what came out of DLA Piper. But this report does not define the ADF.

"I don't think it helps when people define us as some sort of being that sits outside society. We are not. Our people are drawn from it. We do a different job and our people need training and education that allows us to do that job."

Hurley says the ADF is different because of the job it has to do.

"But its members live in the community," he says. "If you go to any community where the ADF is resident, who's running your football teams, your boy scouts, girl guides, Legacy and RSL? They are ADF members. They are part of the community."

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