

## Fighting the enemy within

- Dylan Welch April 16 2011

The email arrived in Major Paul Morgan's restricted Defence account in March last year.

"We walked by one and other [sic] up at [work] a little while ago, it is a shame we didn't have time for a little chin wag," the email read. "It seems Paul you were in the right place at the right time because no harm was done to you, but if I find you Paul in the wrong place at the wrong time I will break every bone in your homosexual body."



Angus Houston and Stephen Smith. *Photo: Alex Ellinghausen*

"If the weather permits it I will cut your homosexual carcass into one hundred pieces to feed you to the marine life in Botany Bay. There isn't a square inch of Australian soil that is safe for you Paul because its [sic] only a matter of time before I find you in the wrong place at the wrong time."

The email - provided to the *Herald* by a friend of the major who wished to remain anonymous - continued, describing graphic violence the sender intended to do to Morgan, a 15-year veteran of the army who has served in Iraq.

For Morgan, a psychologist in the army's 1st Health Services Brigade, it was unlike anything he had encountered. NSW police were informed and they began an investigation, which remains open today, though no one has been charged. Morgan returned to work.

Then, in August, Morgan received another email, this time from an anonymous supporter who had seen an abusive Facebook page and wanted him to know.

"It is your right to know who is biting the pillow. If you know any more bum bandits getting around in the ADF, shoot me an email," wrote the Facebook page's creator, who using a pseudonym called himself "Steve Austin".

Using the army insignia as its profile picture, the page included a list of five serving members of the army who it claimed were gay, including two members of the 2nd Commando Regiment. Those men had made a "filthy lifestyle decision", the page stated.

In the middle of the list Morgan found his name. He was horrified. The Facebook page had 77 members. He reported it to Defence one hour later, and over the next 10 hours another three people joined the page.

The page provided links to a variety of violently pornographic YouTube videos and the comments beneath some of the videos were equally appalling.

While the material on Facebook and YouTube disturbed him, what most appalled Morgan was the realisation that hundreds of people had seen the Facebook page, which had been running for several months, and not one had reported it.

"Everybody who looked at that site did the wrong thing. Every single person who joined or didn't notify Defence did the wrong thing," Morgan's close friend told the *Herald*. "There were probably hundreds of people who saw that site but didn't report it, didn't report that people they knew were being abused."

Morgan now feels that even though the military leadership have said publicly they are dedicated to stamping out vicious strains of misogyny, chauvinism, bigotry and homophobia, their inaction has created this situation.

"They have comprehensively and systematically failed to train these people to behave appropriately and that is evidenced in their behaviour."

Eight months on from the Facebook page - more than a year since the emailed death threat - Morgan continues to go to work surrounded by members of that Facebook page.

Of most concern, one of the army personnel still at work is "Steve Austin", the person who sent him the death threat, created the Facebook page and also slipped a note under the front door of his home that read: "All fags out now", with a skull and crossbones underneath it.

"One of several hundred soldiers could be out there to kill him," Morgan's friend says.

"All signed up, their faces visible, some of them in uniform with weapons. They had no fear of breaking army law. And that's made him very, very afraid."

Although both the Australian Defence Force Investigative Service (ADFIS) and the NSW police have open investigations into the death threats and abuse, Morgan, according to his

friend, has lost all hope of having his concerns dealt with. (Those close to the ADFIS investigation say it is "on hold" so investigators can seek legal advice.)

But not everyone has the same dim view. Chief Petty Officer Stuart O'Brien has served in the navy for 21 years and is now on his third tour in the Middle East. He is also the founder of the Defence Gay and Lesbian Information Service.

O'Brien joined the navy two years before the ban on gays and lesbians serving in the military was lifted in 1992. He came out in 1994 and today talks openly with his colleagues about his sexuality.

"I'm quite disheartened that this kind of stuff still goes on in this day and age," he told the *Herald* from the Middle East.

"The Facebook stuff - I'm appalled. But when I look at the rest of the ADF and speak to my colleagues and speaking to a lot of the other gays and lesbians that are serving, this sort of stuff doesn't happen in the main. We just don't see it."

Defence would not comment on the Facebook hate page or the death threat as they were both under investigation. However, they did provide an emailed response to the *Herald*, stating: "Defence considers all threats to its members' safety and well-being to be serious issues."

The story of "Kate", a 17-year-old air force cadet who had consensual, drunken sex with a fellow cadet at the Australian Defence Force Academy only to discover their liaison had been broadcast over Skype to six other cadets, also points to a troubled culture.

It is difficult to know what would have happened to Kate if she had not felt compelled to go to the media a fortnight ago.

While federal police - who are now investigating her case - and Defence have said they would have investigated the matter irrespective of media attention, others are doubtful.

Before the media attention, Kate was being disciplined for being absent without leave and drinking alcohol, and it was only during the process that she was informed of the Skype incident.

She was also quickly informed that the federal police had, based on a brief investigation by ADFIS, decided there was nothing to investigate.

But once Kate contacted the media and they, in turn, asked questions of Defence, the federal police suddenly, on the same day as Kate's allegations aired in the media, announced they would investigate.

The Defence Minister, Stephen Smith, was quick to criticise the academy's commandant, Commodore Bruce Kafer, for allowing the disciplinary process against Kate and the investigation into the Skype matter to run parallel, but Defence chiefs stood behind Kafer, a long-serving and respected senior navy officer.

As Kate's version of events emerged - including that an academy sergeant had suggested she apologise to fellow cadets - Defence behaved in a manner familiar to whistleblowers before her.

Within days Smith announced he had been informed by Defence that Kate's allegation regarding the apology was wrong, and that he had received "very strong advice that there may not be any foundation for those assertions".

To put it plainly: Kate was lying.

When Kate also suggested that, as of seven days ago, she continued to receive electronic bullying from other cadets, Smith again responded by saying he had "very strong advice" that was not the case. Kate was lying again.

"What we have to do in those cultures is to get processes in place to allow people who have been victimised to stand up and tell their story and be heard," says Professor Catharine Lumby, a media academic at the University of NSW.

"We need processes that target the bully and have really transparent investigations."

Lumby has spent the past seven years working with the NRL, trying to help the code educate its players and coaches about gender issues.

She says the Defence Force has similarities with elite male sport - both involve a male-dominated culture with a rigidly hierarchical structure and a small minority of thugs.

"There will be a majority who bring very good values into that culture and you will find a minority who think mateship or being a bloke is compatible with bullying or even assault and harassment of other people," Lumby says.

"Not just women, either. Sometimes if women aren't around it's men they harass. Someone is always turned into the woman."

It is for these reasons that the Sex Discrimination Commissioner, Elizabeth Broderick, was on Monday announced as the head of a broad review of the culture at the academy and Defence as a whole.

Smith revealed Broderick's involvement during a long preamble at the beginning of a news conference in which he announced six separate Defence reviews and the removal of Kafer from the academy.

Standing next to him was the Chief of the Defence Force, Air Chief Marshal Angus Houston.

As Smith spoke, Houston's well-manicured hands gripped his lectern so tightly his knuckles went white.

Rarely has the Defence chief, who towers a whole foot above the diminutive Defence Minister, looked so uncomfortable, so perturbed.

"Commander [sic] Kafer on Saturday was directed by the Vice Chief of the Defence Force to take leave effective from Sunday afternoon," Smith said.

"That was a decision which, when the Vice Chief of the Defence Force relayed to me as minister, to the Chief of the Defence Force and to the secretary of the Defence Force, was very strongly agreed with."

With a federal police investigation under way into the seven male cadets who allegedly filmed the sex and broadcast it on Skype, and Kate on compassionate leave, decisive action still needed to be taken, and Kafer was in the minister's sights.

Smith said Kafer had made a serious mistake by allowing Kate to be punished for being AWOL and using alcohol at the same time as the Skype matter was also being investigated.

"That was an error of judgment, a serious error of judgment, because what that did was it put into play potentially a victim of a serious sexual abuse being penalised or being punished," Smith said.

"There was a time in Australian society when frankly that was the norm and Australian society over the last 20 or 30 years has fortunately moved a very long way from that."

Kafer's suspension, then, was based upon his poor judgment in allowing two investigations - one into Kate's absence without leave and another into the Skype sex matter - to run in parallel.

But when Houston was asked about Kafer's leave, he gave a different reason. "It's [been] very stressful for Commodore Kafer and his family. He has been subject to abusive and offensive phone calls and the like and the environment is such that it is important that he go on leave."

The different versions given by the minister and Defence chief in a media conference - usually a highly structured and dispute-free zone - pointed to significant backroom disagreement.

The dispute was also occurring with a highly sensitive issue hanging in the background - Smith is only weeks away from selecting the four new Defence heads: the Defence chief and his heads of army, navy and air force.

It was a little remarked fact this week that Houston is due to retire in June. Defence insiders believe the hierarchy is sensitive about picking a brawl with Smith that might affect his decision regarding who to appoint to the four most coveted jobs in the ADF.

Defence insiders have said they have not seen the relationship between Defence and its minister this fractious since the dark days of the children overboard affair, when the then minister, Peter Reith, blamed Defence for the inaccurate intelligence suggesting refugees had thrown children into the water.

Smith would also be aware that the defence portfolio has become a graveyard of political ambitions, with the last six defence ministers leaving the frontbench afterwards.

The final report of an inquiry into booze-fuelled misbehaviour of sailors in early 2009 aboard the HMAS Success may provide another indicator of a culture within Defence that leaves those abused disinclined to report the offence.

Authored by Roger Gyles, QC, the report outlined predatory behaviour by male sailors, including placing sexual "bounties" on various female sailors as well as abuse and intimidation of female sailors while on shore leave.

Not only did the report find some of the behaviour had been condoned by senior officers, it also stated that "complainants were reluctant to come forward for fear of repercussions".

In the final paragraph of the executive summary of his report, Gyles wrote: "Personnel and disciplinary systems should recognise the reluctance of crew members to come forward and complain about grievances for fear of repercussions, and procedures should be designed to alleviate that concern."

In other words: foster systems that allow people to report abuse and misbehaviour without fear of ostracism or punishment.

Yet, as Kate and Morgan know - even if the Defence hierarchy do not - complaining about abuse in the Defence Force, even in 2011, is a dangerous path to tread.

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