



**ROYAL COMMISSION INTO INSTITUTIONAL RESPONSES
TO CHILD SEXUAL ABUSE
AT SYDNEY**

COMMONWEALTH OF AUSTRALIA

Royal Commissions Act 1902

NEW SOUTH WALES

Royal Commissions Act 1923

PUBLIC HEARING INTO THE AUSTRALIAN DEFENCE FORCE

CASE STUDY 40

OPENING SUBMISSIONS BY SENIOR COUNSEL ASSISTING

INTRODUCTION

1. This is the 40th case study of the Royal Commission. This case study concerns the response of the Australian Defence Force (**ADF**) to reports of child sexual abuse within the ADF. This is the first public hearing conducted by the Royal Commission to inquire into the institutional responses to child sexual abuse of a Commonwealth institution.
2. This case study will bear witness to the experiences of survivors of child sexual abuse at two former ADF training establishments in operation in the 1960s, 70s and 80s, namely:
 - a. the naval junior recruit training establishment *HMAS Leeuwin* (**Leeuwin**) at Fremantle, Western Australia, and
 - b. the army apprentice school at Balcombe (**Balcombe**), Victoria.
3. In addition to bearing witness to experiences of child sexual abuse at Leeuwin and Balcombe, this case study will examine the recent responses of the Department of Defence (**Defence**)



and the Department of Veterans' Affairs (**DVA**) to claims for compensation made by survivors of child sexual abuse at Leeuwin and Balcombe.

4. The case study will also inquire into the experiences of survivors of child sexual abuse within the Australian Defence Force Cadets (**ADF Cadets**) since 2000.
5. This part of the case study will involve an examination of the current systems, policies and procedures in place within the ADF Cadets for responding to allegations of child sexual abuse, and the current mechanisms in place to prevent child sexual abuse within the ADF Cadets.

BACKGROUND TO THE ADF

6. The ADF is constituted under the *Defence Act 1903* (the **Defence Act**). The mission of the ADF is to defend Australia and its national interests. In fulfilling that mission, the ADF serves the Australian Government of the day and is accountable to the Australian Parliament for efficiently and effectively carrying out the Government's defence policy.
7. The Defence Act provides that the ADF consists of three arms or "services", namely:
 - a. The Royal Australian Navy (**Navy**)
 - b. The Australian Army (**Army**), and
 - c. The Royal Australian Air Force (**Air Force**).
8. In addition to these services, there are a number of so-called "tri-service" units, such as the Australian Defence Force Academy (**ADFA**) and ADF Cadets. The structure of the ADF Cadets will be discussed in more detail shortly.
9. According to the 2016 Defence White Paper, Defence's current workforce is made up of approximately:
 - 58,000 permanent members of the ADF
 - 19,500 paid and active Reservists, and
 - 17,900 full time Australian Public Service (**APS**) employees.

Command Structure within the ADF

10. Under the Defence Act, the Minister of Defence is entrusted with the "the general control and administration of the Defence Force".



11. The Chief of the Defence Force, the Secretary of Defence and the chiefs of the Navy, Army and Air Force, must act “in accordance with any directions of the Minister”.
12. The Chief of the Defence Force has operational command responsibility for the management of the ADF and is also the Minister of Defence's principal military adviser.
13. The Vice Chief of the Defence Force is the military deputy to the Chief of the Defence Force. The Vice Chief is also responsible for managing Defence's capital investment programme and providing a range of joint services to the ADF such as “joint logistics”, “joint health”, “joint education”. Most relevantly for this case study, the Vice Chief is responsible for developing and implementing common overarching policies relating to the ADF Cadets, and directing the respective service Chiefs to administer their respective service Cadet organisations in accordance with those policies.
14. The current Vice Chief is Vice Admiral Ray Griggs. He will give evidence. He will provide an historical overview of Leeuwin and Balcombe and identify the respective policies and procedures in place at those establishments at the relevant time for dealing with complaints relating to child sexual abuse. Vice Admiral Griggs is expected to give an overview of ADF Cadets and the current systems, policies and procedures in place within the ADF and ADF Cadets to identify and prevent child sexual abuse, to record allegations or complaints of child sexual abuse and to respond to allegations or complaints of child sexual abuse.

Previous inquiries into abuse in the ADF

15. It is important to note at the outset that this is not the first inquiry into abuse within the ADF. There have been two major inquiries into abuse within the ADF in the last five years.
16. In 2011, the so-called “Australian Defence Force Academy Skype incident” brought numerous allegations of sexual and other forms of abuse within the ADF to light. In response to these allegations, the then Secretary of Defence commissioned law firm DLA Piper to conduct an independent review into these allegations and to develop recommendations for further action (**DLA Piper Review**).
17. Between April and October 2011, DLA Piper received communications from 1,112 people regarding allegations of physical and sexual abuse within the ADF. These involved allegations relating to both adults and children. In October 2011, DLA Piper presented Volume 1 of its report to the Minister for Defence.



18. The Defence Abuse Response Taskforce (**DART**) was established in 2012 as part of the Australian Government's response to the findings of the DLA Piper Review. In particular, DART was established to assess and respond to individual cases of alleged abuse in Defence.
19. DART received and assessed approximately 2,400 complaints of physical and sexual abuse in Defence. These complaints related to abuse occurring in each service, and across every decade since the 1940s. The allegations ranged from serious physical and sexual abuse through to harassment and bullying. In its final report, DART noted relevantly that:
 - 27 per cent of complainants to DART were children at the time of the abuse
 - in a large number of cases, abuse occurred in initial recruit and employment training establishments at the very beginning of a complainant's career
 - in these establishments, abuse was perpetrated on junior recruits by staff members in official positions of authority and by more senior recruits as part of an unofficial hierarchy between peers
 - the consumption of alcohol and other drugs was a factor in much abuse
 - indicators of "difference", such as age, illness, religion or physical capability were factors in much abuse
 - the ADF's institutional culture did not support the reporting of abuse, and
 - for many complainants, the abuse has had significant short and long term impacts on various aspects of their lives and careers.
20. These conclusions will be supported by the experiences of the survivors who will give evidence in this public hearing regarding child sexual abuse at Leeuwin and Balcombe. Although many of these survivors participated in the DART process, in most cases this public hearing will be the first time that they have told their experience of child sexual abuse publically.

Institutional Response to the DLA Piper and DART reports

21. Defence has already taken some steps to address systemic issues identified in the DLA Piper and DART Reports.
22. Most notably, on 7 March 2012, the Minister for Defence, Secretary of Defence and the Chief of the Defence Force jointly announced a strategy for cultural change in Defence through the so-called *Pathway to Change* strategy.



23. The Pathway to Change is a statement of Defence's cultural intent, accompanied by a plan for the realisation of that intent over five years. The major cultural levers for change identified in the Pathway for Change strategy include:
 - a. Inclusive leadership and accountability
 - b. Education regarding ADF values and behaviours
 - c. Reform of ADFA and training establishments
 - d. Career management of ADF personnel, and
 - e. Better complaint management processes.
24. Vice Admiral Griggs will tell the Royal Commission that 96% of the Pathway to Change key recommendations have been finalised and that the focus of the cultural change strategy is shifting to embedding the changes so that they become the norm within the ADF.
25. Vice Admiral Griggs will acknowledge that:
 - a. children in the ADF and in the ADF Cadets have experienced physical, mental and sexual abuse, and that
 - b. Defence's institutional responses to incidents of child sexual abuse have, at times, been inappropriate and inadequate.

The Scope and Purpose of Case Study 40

26. This Royal Commission has been contacted by 111 people about incidents of child sexual abuse within the ADF. Of those 111:
 - a. 50 contacts were about child sexual abuse at either Leeuwin or Balcombe, and
 - b. 26 were about child sexual abuse within the ADF Cadets.
27. The Royal Commission has been contacted by more than 30 people about allegations of child sexual abuse that occurred at other ADF establishments within each service, including at HMAS Nirimba, HMAS Cerberus, the Australian Defence Force Academy (**ADFA**), Puckapunyal Army Base, Kapooka Army Base and RAAF Base Wagga Wagga.
28. The decision not to focus on abuse occurring at these establishments is not a reflection of the Royal Commission's view of the importance or veracity of the allegations about abuse at those establishments. As already noted, the DLA Piper and DART reports each record in significant detail the nature and extent of abuse, both physical and sexual, that occurred within the ADF, including at these institutions.



29. The decision to limit the inquiry into historical incidents of child sexual abuse within the ADF to abuse occurring at the training establishments at Leeuwin and Balcombe is based on:
- the number of people who have contacted the Royal Commission to report incidents of child sexual abuse occurring at Leeuwin and Balcombe
 - the role of Leeuwin and Balcombe as training establishments and therefore places where children historically entered the ADF for the first time
 - the similar nature and extent of abuse reported to have occurred at Leeuwin and Balcombe over a similar period of time, despite the establishments being in different services and on opposite sides of the country.
30. The decision to inquire into the ADF's response to reports of child sexual abuse within the ADF Cadets is based on:
- the number of people who have contacted the Royal Commission to report incidents of child sexual abuse occurring within the ADF Cadets
 - the contemporary nature of those incidents of child sexual abuse
 - the role of the ADF Cadets as an organisation that continues to recruit children from the age of 13 and foster in them an interest in future careers in the ADF, and
 - the fact that the nature and extent of child sexual abuse within the ADF Cadets has not been the subject of any previous inquiry into abuse in the ADF.
31. The facts that are identified in these submissions are drawn from witness statements and documents that will be tendered or from testimony that is expected to be given during the hearing. It is not expected that they will be in contest. They are set out here as a guide to the evidence that will be led.

HMAS LEEUWIN

Historical overview of Leeuwin

32. HMAS Leeuwin was a Navy shore base located in Fremantle, Western Australia. It functioned as a training establishment for junior recruits entering the Navy from 1960 to 1984. Over that period, it housed and trained approximately 13,000 boys aged between 15 and 16 years at their time of entry into the Navy.
33. The training programme for junior recruits at Leeuwin lasted 12 months and included academic classes, physical training, and courses in seamanship. Upon joining the Navy, junior recruits were ranked as "Junior Recruit Second Class". After six months they progressed to



“Junior Recruit First Class”. At the completion of the 12 month programme at Leeuwin, junior recruits were allocated to further officer training or assigned to ships in the Navy.

34. Leeuwin received a new intake of junior recruits every three months, meaning that there were four intakes of junior recruits at Leeuwin each year. An unofficial rank hierarchy existed amongst recruits according to intake date so that junior recruits referred to the newest intake members as “new grubs”, the next senior as “grubs”, the next as “shits”, and the most senior as “top shits”. The Royal Commission will hear that this unofficial hierarchy was a significant factor in much of the abuse that occurred at Leeuwin.
35. Each intake of junior recruits was divided into two divisions of around 100 junior recruits. Each division was led by a Divisional Officer, who was assisted by senior sailors of Chief Petty Officer and Petty Officer ranks. It appears that the discipline and welfare needs of junior recruits were dealt with primarily within the Divisional System. The commanding officer at Leeuwin was assisted by an Executive Officer, who was responsible for most of the day-to-day detail of training the junior recruits and managing Leeuwin staff.

Previous inquiries into abuse at Leeuwin

36. The nature and extent of abuse at Leeuwin has been the subject of two previous inquiries.
37. The first, in 1971, was commissioned by the then Minister of State for the Navy following a highly publicised physical assault on a junior recruit at Leeuwin. The resulting report, known as the Rapke Report, which was based on extensive interviews with junior recruits and staff, recognised that unorganised and repetitive acts of bullying and physical violence had occurred at Leeuwin. However, the Rapke Report ultimately concluded that bullying and violence were not institutionalised, systemic or even particularly widespread at Leeuwin, and that the officers who staffed the establishment were by and large upstanding men who carried out their duty of care with diligence.
38. In 2014, DART published a report on abuse at Leeuwin based on the personal accounts of 238 former junior recruits. In stark contrast to the findings of the Rapke Report, DART’s report on abuse at Leeuwin found that abuse experienced by junior recruits was more serious and widespread than previously acknowledged and included:
 - a. a high incidence of physical assaults on junior recruits by other junior recruits and staff members, and
 - b. a disturbing incidence of sexual assaults on junior recruits perpetrated by both junior recruits and staff members.



39. DART found that much of the abuse that occurred at Leeuwin was not reported. DART attributed this to a number of factors, including that:
- the culture at Leeuwin did not support the reporting of abuse
 - the stigma and shame associated with having been abused
 - fear of possible discharge from the Navy
 - threats or a perceived risk of further abuse if a report was made, and
 - mistrust of staff members.
40. In cases where junior recruits did report abuse, DART found that those reports were largely inadequately or inappropriately managed by Defence. Some reports were not acted on at all, while in other cases staff members actively dissuaded junior recruits from continuing with a complaint.
41. Despite the high incidence of under-reporting at Leeuwin, DART concluded that Leeuwin staff members knew or ought to have known about the abuse occurring at Leeuwin, yet failed to take appropriate action to stop it.
42. It is anticipated that the DART findings that I have just described will be further supported by the evidence this Royal Commission will hear from survivors who were junior recruits at Leeuwin.

Child Sexual Abuse Policies and Procedures at Leeuwin

Complaint Handling Procedures and Duties at Leeuwin

43. The Royal Commission will hear that the general policies and procedures for the administration and organisation of Leeuwin were outlined in:
- the Queen's Regulations and Admiralty Instructions, as varied by the *Regulations and Instructions for the Royal Australian Navy ABR 5016 (RAN Regulations and Instructions)*,
 - General Navy Orders, and
 - the *HMAS Leeuwin Ship's Standing Orders (Leeuwin Ship's Standing Orders)*.
44. There were no specific procedures for handling complaints of child sexual abuse.
45. Instead, the complaints relating to child sexual abuse were required to be made under the general complaint procedure that applied within the Navy at the time.



46. This general complaint procedure stated that any man could make a representation about his welfare or make a complaint to his Divisional Officer without risk of penalty. Divisional Officers had particular positive duties to assist a complainant and to ensure that men in their division understood the correct procedures for making a representation or complaint.
47. Vice Admiral Griggs is expected to give evidence that, as a part of their initial training, all junior recruits were given lectures on naval discipline, general service behaviour and their rights with respect to redress of grievances and complaints.
48. Survivors will give evidence that junior recruits were provided with a Leeuwin Junior Recruit's Handbook when they arrived at the training facility which gave them information about the complaint procedures.
49. Despite the information regarding the complaints procedure that was available to junior recruits, only one of the five survivors who will give evidence recalls making a formal written complaint. This survivor will give evidence that in making this complaint he was not provided with any support by his Divisional Officer and that ultimately no action was taken.
50. It is anticipated that evidence will be given that Divisional Officers used "log books" to record information relating to any reported incidents at Leeuwin. Defence witnesses are expected to give evidence that any complaints by junior recruits would have been recorded in such log books. Defence has informed the Royal Commission that it has been unable to locate any log books from Leeuwin. As will be seen, the inability to locate log books has significant consequences for survivors wishing to claim compensation from either Defence or the DVA.

Supervision and Authority of Leading Junior Recruits at Leeuwin

51. Vice Admiral Griggs will give evidence that the internal procedures at Leeuwin were intended to provide a high level of supervision during and out of working hours. His evidence will be that duty staff remained in the junior recruit accommodation blocks and were only allowed short absences for meals with other duty personnel undertaking roving patrols through the junior recruit accommodation blocks. In contrast, survivors will give evidence that staff did not supervise the junior recruit accommodation blocks at night and that most of the physical and sexual abuse occurred at this time.
52. Document will show that from 1963, Divisional Officers selected Leading Junior Recruits to oversee junior recruits in their dormitories and to report misbehaviour by their peers. Leading Junior Recruits also had the power to give direct orders to any other junior recruit for the purposes of the maintenance of good order.



53. Survivors will give evidence that it was Leading Junior Recruits rather than staff who had primary supervision of junior recruits in their barracks. Survivors will tell the public hearing that they experienced abuse at the hands of older Junior Recruits and that Leading Junior Recruits responsible for their dormitories did not take action to prevent, stop or respond to abuse.

Specific Sexual Offences at Leeuwin

54. Vice Admiral Griggs is expected to give evidence that Naval policies and procedures associated with what we now know as child sexual abuse were viewed through the general prism of “unnatural” or homosexual acts at the time. The institutional response to such acts was laid down in a variety of Navy Orders that made “buggery”, “indecent assault” and an “act of gross indecency with a male person” offences punishable by discharge from the Navy.
55. Survivors will give evidence that one consequence of such orders was that junior recruits were reluctant to report the child sexual abuse that they suffered out of fear of being accused of being homosexual and for that reason discharged from the Navy.

Leeuwin Survivor Witnesses

56. The Royal Commission has been contacted by 36 survivors of child sexual abuse at Leeuwin. In this hearing, there will be evidence from five of these survivors who were sexually abused at Leeuwin in the period from 1967 to 1971.
57. All survivors who will give evidence were sexually abused during their first six months at Leeuwin, when they 15 or 16 years old. Two survivors will give evidence that they were sexually abused by staff members at Leeuwin. The remaining three survivors will give evidence that they were sexually abused by more senior junior recruits.
58. The Royal Commission will hear that most of the abuse was perpetrated by older recruits as part of an informal hierarchy in which older recruits physically and sexually abused more junior recruits as part of ritualised practices of “bastardisation” that were designed to “break in” and humiliate new entrants to the Navy.
59. The Royal Commission will hear that “bastardisation” was a term used in the context of ADF training and educational institutions to refer to bullying, harassment, victimisation and illegitimate initiation practices. Acts of “bastardisation” described by survivors of abuse at Leeuwin include:



- a. “Blackballing” or “Nuggeting” – a practice that involved a junior recruit being held down by other junior recruits while boot polish, toothpaste or other substance was forcibly smeared on his genitals or anal area, sometimes with a hard brush
 - b. “Gotcha” – a practice which involved grabbing or pinching a junior recruits genitals, usually in the showers, and saying “gotcha”
 - c. “Royal flush” – a practice which involved junior recruits holding the head of another junior recruit in the toilet bowl and flushing, sometimes after the toilet had been used
 - d. “Running the gauntlet” – a practice which involved junior recruits arranging themselves into two lines facing each other, usually along a corridor or staircase, while holding heavy items. Other junior recruits would be forced to run through the centre of the lines while being beaten with the heavy items by the junior recruits standing on either side of them.
60. The survivors will give evidence that they were subjected to serious forms of sexual abuse, including fondling of the genitals, masturbation, oral sex, and anal penetration by a penis or other object. The Royal Commission will hear that these incidents of sexual abuse commonly occurred in the context of violent physical assaults on the victim which resulted in serious injuries.
61. Consistent with the findings of previous inquiries into abuse at Leeuwin, the Royal Commission will hear evidence that survivors did not report the abuse they suffered because they were overpowered by shame, didn’t want to be labelled as “dobbers” by their peers or feared they would be subjected to further abuse if they reported. Several survivors who did report abuse at the time will tell the Royal Commission that they were subjected to further abuse by other recruits as a consequence of making the report.
62. Some survivors will say that they made, or attempted to make, reports about incidents of abuse to staff and that they were not believed, or told that the abuse was “a rite of passage” into the Navy, or that no action was taken. One survivor will give evidence that he reported abuse to a staff member and was subsequently threatened with dishonourable discharge.
63. All survivors will tell the Royal Commission that the abuse, and Defence’s response to their abuse, has had significant short and long term impacts on their lives. They will all describe their struggle with health issues such as PTSD, depression, anxiety, suicidal ideation and alcoholism.



64. I will now briefly summarise what the different survivor witnesses will tell the Royal Commission.

CJA

65. CJA entered Leeuwin as a junior recruit in 1967 when he was 16 years of age.
66. CJA will give evidence that he was regularly forced to perform and receive oral and anal sex on other junior recruits during his first six months at Leeuwin. CJA will give evidence that staff members were sometimes involved in these incidents.
67. CJA will give evidence that he disclosed the physical and sexual abuse to a chaplain at Leeuwin the time, Mr Peter Ball. CJA will give evidence that Mr Ball told him not to do anything and that his life would likely be in danger if the junior recruits thought he had “ratted” on them. Mr Ball will be called to give evidence.
68. CJA eventually ran away from Leeuwin. He will tell the Royal Commission that when he was eventually arrested by Navy Police, he was sexually abused whilst in their care. Prior to his court martial, CJA disclosed the abuse he had suffered at Leeuwin to his Divisional Officer, John Johnson. CJA will give evidence that during the court martial proceedings, Mr Johnson, who is now deceased, described CJA as a “troublemaker”, did not discuss the abuse and that as a result CJA was discharged as “unsuitable” rather than being granted a free discharge which he had sought.
69. In 1971, CJA was interviewed by Judge Rapke as part of his investigation into bastardisation at Leeuwin. CJA will give evidence that, prior to his interview, he was told by an ADF staff member that he would pay a dear price if he described what happened at Leeuwin as anything other than “boys being boys”.
70. CJA reported to DART in 2013 and has an ongoing claim for compensation against Defence.

Graeme Frazer

71. Graeme Frazer entered Leeuwin as a junior recruit in 1967 when he was 16 years old.
72. He will give evidence that on two occasions he was held down and “nuggetted” by other junior recruits. He will also give evidence that he was regularly subjected to physical beatings and that these physical beatings eventually broke his spirit.
73. Mr Frazer will describe making two formal reports about the abuse he was experiencing to his Divisional Officer, Frank McCarthy. Mr Frazer’s evidence will be that Divisional Officer



McCarthy, who is now deceased, responded by saying that the abuse was a “rite of passage” and that he would “get through it”.

74. Mr Frazer made a claim for compensation to DVA in 2001. The claim was initially rejected due to a lack of corroborating evidence. Following an appeal to the Administrative Appeals Tribunal, Mr Frazer’s claim was accepted when he was able to locate a witness to his abuse.

75. Mr Frazer reported to DART in 2013.

CJT

76. CJT entered Leeuwin as a junior recruit in 1971 when he was 15 years old.

77. CJT will give evidence that when he refused to perform oral sex on a junior recruit in the showers, he was held down by a group of junior recruits and sexually assaulted. CJT did not report the abuse at the time for fear of further abuse.

78. CJT will give evidence that junior recruits with visible injuries were hidden away from Judge Rapke during his visit to Leeuwin as part of his inquiry.

Glen Greaves

79. Glen Greaves entered Leeuwin as a junior recruit in 1971 when he was 16 years old.

80. He will give evidence that he was held down and anally penetrated with a broom stick on three occasions in his first six months at Leeuwin.

81. Mr Greaves will tell the Royal Commission that he attempted to report this abuse to a Divisional Officer at the time, but was told to “piss off” and “harden up”.

82. Mr Geaves will give evidence that he missed the cut off to report to DART. In 2014, he brought a claim for compensation against Defence in relation to the abuse that he suffered at Leeuwin. This public hearing will examine the responses of both Defence and DVA to this claim.

CJB

83. CJB entered Leeuwin as a junior recruit in 1971 when he was 15 years of age.

84. He will give evidence that within his first three weeks at Leeuwin, he was forced to perform oral sex on a Divisional Officer, Chief Petty Officer Cross. CJB will give evidence that after the incident, Chief Petty Officer Cross, who is now deceased, told him that if he disclosed the abuse, he wouldn’t see the following morning.



85. CJB will tell the Royal Commission that he attempted to report the incident to another Divisional Officer the following day but was prevented from doing so by Chief Petty Officer Cross. CJB will give evidence that he was later successful in reporting the incident to the Divisional Officer, only to be told to “Get the fuck out of here”.
86. CJB reported to DART in 2013.

Institutional Witnesses

87. The Royal Commission will hear from four staff members at Leeuwin in the period 1967 to 1974.
88. Peter Ball was a chaplain at Leeuwin in 1967. He will give evidence that his office was “a place of refuge” for junior recruits seeking to escape bastardisation in the blocks. Mr Ball will give evidence that despite being aware that bastardisation occurred, he does not recall any junior recruits reporting sexual abuse to him at the time.
89. Geoffrey Curran will describe his role as a Divisional Officer at Leeuwin from 1970 to 1972. He will tell the Royal Commission that he was not aware of any incidents of sexual abuse involving junior recruits during his time at Leeuwin.
90. Laurence Watson was Secretary to the Commanding Officer at Leeuwin from 1971 to 1973. He will give evidence of his role in responding to serious disciplinary matters, including his awareness of incidents of physical and sexual abuse during his time at Leeuwin.
91. Peter Sinclair was the Executive Officer at Leeuwin from 1972 to 1974. Mr Sinclair will give evidence that he was appointed to assist a new Commanding Officer to “shake it up” at Leeuwin following the Rapke Report. To this end he introduced various changes including reinforcing the supervision of junior recruits out of hours and establishing social opportunities for junior recruits. He will give evidence that he believes that the initiatives that he introduced were successful in achieving their aims.

THE ARMY APPRENTICE SCHOOL, BALCOMBE

Historical overview of Balcombe

92. Balcombe Barracks was an Australian Army base located on the Mornington Peninsula in Victoria. It operated as an Army training establishment from 1948 to 1982. The Apprentice School at Balcombe provided Army trade training and general education for tradesmen and tradeswomen recruited directly from secondary schools. Over 7,500 apprentices graduated from Balcombe during the period of its operation.



93. Children from the age of 15 undertook four-year apprenticeships in various technical and clerical trades including, motor mechanics, electricals, metals, radio and music. By the end of the second year, apprentices had completed all modules of recruit training and additional training to meet the military skills requirement for promotion to corporal.
94. The apprentices were divided into companies and that trades were distributed evenly across companies. Each company was comprised of three platoons which were each commanded by a sergeant, a company sergeant major and a clerk and storeman. Platoon staff were responsible for supervising apprentices within their platoons. Survivors will give evidence that within intakes, senior apprentices were often assigned an unofficial rank of Hut Corporal and that apprentices were required to report to Hut Corporals before reporting to Divisional staff.
95. Much like at Leeuwin, apprentices who entered Balcombe were immediately confronted with an unofficial ranking structure based on the different intakes at Balcombe. That ranking structure placed senior apprentices in a position of power over new apprentices, or “sprog” as they were known. The Royal Commission will hear that this unofficial hierarchy was a factor in much of the abuse at Balcombe.

Previous inquiries into Balcombe

96. DART received complaints from 68 complainants about physical or sexual abuse at Balcombe. Of those, 30 complaints were of sexual abuse committed against recruits who were minors at the time.
97. In its final report, DART noted that:
 - a. it had received a high number of complaints from former apprentices involving sexual abuse in the context of hazing or initiation practices
 - b. the sexual abuse at Balcombe was reported by complainants as having been carried out for the amusement of senior apprentices and the humiliation of the junior apprentices involved, and
 - c. many complainants had no doubt that members of staff were aware of the abuse which took place.

Child Sexual Abuse Policies and Procedures

98. In response to notices issued by the Royal Commission, Defence has not produced any documents which specifically relate to policies for dealing with child sexual abuse at Balcombe.



99. Vice Admiral Griggs is expected to give evidence that the process for reporting and investigating personnel incidents was set out in a document called the Manual of Personnel Administration which applied to all Army members. It is anticipated that he will say that the requirement to report personnel incidents included the requirement to report sexual assault. Vice Admiral Griggs will tell the Royal Commission that a copy of the Manual of Personnel Administration cannot be located.
100. It is expected that Defence witnesses will say that Balcombe maintained a 24-hour duty Non Commissioned Officer (NCO) at each company and a Duty Officer at the Headquarters. The Duty NCO is said to have been required to maintain a log book of all occurrences and that if a sexual assault had occurred and was reported, the Duty NCO would have logged the incident and reported it to the Duty Officer. Defence has not produced any Balcombe log books to the Royal Commission.
101. The evidence is expected to be that no records can be located of any incidents of child sexual abuse reported during 1970 to 1980. Vice Admiral Griggs will give evidence that a record has been located which indicates that a senior apprentice was discharged for an incident of child sexual abuse in 1982.
102. It is expected that there will be evidence from at least one survivor who knew that the process of making a complaint at Balcombe required him to report to his supervising officer but none of the survivors giving evidence recalls the nature of any specific complaint procedure to be followed.

Balcombe Survivor Witnesses

103. The Royal Commission has been contacted by 12 people about child sexual abuse at Balcombe. In this public hearing, the Royal Commission will hear evidence from five survivors who were sexually abused at Balcombe.
104. All the survivors giving evidence of their experiences at Balcombe were sexually abused in the first year of their apprenticeship. All survivors will give evidence that they were sexually abused by senior apprentices. Two survivors will give evidence that they were also sexually abused by staff members who were on base at Balcombe.
105. Survivors will describe that they were subjected to similar practices of bastardisation as those who were at Leeuwin, including “royal flushes”, “gauntlets” and “gotcha”. The survivors will give evidence that they were subjected to various forms of sexual abuse, including fondling of the genitals, anal penetration with an object and forced masturbation.



106. Similar to the survivors of abuse at Leeuwin, the witnesses giving evidence in relation to their experiences at Balcombe are expected to describe a fear that they would suffer more abuse if they disobeyed the orders of more senior apprentices or if they disclosed the abuse they were experiencing. One survivor will say that he attempted to report the abuse to a staff member, but was told that “pranks will happen”.
107. All survivors will say that the abuse, and Defence’s response to their abuse, has had significant short and long term impacts on their lives and that they have struggled with health issues such as PTSD, depression, anxiety, suicidal ideation and alcoholism.
108. I will now briefly summarise what each survivor will tell the Royal Commission.

David Sparreboom

109. Mr Sparreboom entered Balcombe as an apprentice in 1970 at 16 years of age.
110. During his first year at Balcombe, Mr Sparreboom was sexually assaulted in his bed by several other apprentices who anally penetrated him with a broom stick.
111. Mr Sparreboom will give evidence that he had a conversation with Captain Wymess, in which he made a comment that people were “getting broom sticks up the bum” and that Captain Wymess responded with words to the effect of, “You are all young fellers and pranks will happen”. The Royal Commission has been unable to locate Mr Wymess.
112. Mr Sparreboom reported to DART in 2013. In 2014, he made a claim for compensation to DVA. His claim was rejected due to a lack of contemporaneous evidence.

CJC

113. CJC entered Balcombe as an apprentice musician in 1971 at the age of 16.
114. CJC will give evidence that he was sexually abused by a senior apprentice, the Hut Corporal, on two occasions in his first six months at Balcombe. On each occasion, the senior apprentice told CJC to keep his mouth shut about the abuse.
115. CJC reported to DART in 2013.

Daryl James

116. Daryl James entered Balcombe as a musician apprentice when he was 15 years of age.



117. Mr James will give evidence that he was anally penetrated with a broom handle by a group of senior apprentices in 1972. He was also sexually abused by a civilian laundry assistant on the base at Balcombe. He did not report any of this abuse at the time.
118. Mr James will give evidence that he continued to work alongside his perpetrators throughout his career in the Army.
119. Mr James reported to DART in 2013. In 2015, he made a claim for compensation to DVA. His claim was rejected due to a lack of contemporaneous evidence.

CJV

120. CJV entered Balcombe in 1973 as an apprentice electrical technician when he was 15.
121. CJV will give evidence that not long after he started at Balcombe, he woke up to find two senior apprentices standing at the end of his bed. They grabbed his genitals and said “gotcha”. CJV was the victim of the form of abuse called “gotcha” almost every weeknight for the rest of the year.

CJU

122. CJU entered Balcombe in 1978 as an apprentice musician at the age of 15.
123. CJU was “nuggeted” by senior apprentices at Balcombe in 1978. He was groomed and exposed to pornographic material by the same laundry attendant as CJU. CJU was also taken off base and forced to masturbate a staff member.
124. CJU did not report the abuse due to fear of repercussions.
125. CJU reported to DART in 2013. In 2015, he made a claim for compensation to DVA. His claim is being held in abeyance.

Institutional Witnesses

126. The Royal Commission will hear from one institutional witness in relation to abuse at Balcombe. Alan McDonald was Commanding Officer at Balcombe from 1972 to 1974 and will give evidence in relation to his role and responsibilities at the time. It is expected that Mr McDonald will give evidence that he was not aware of the nature and extent of sexual abuse occurring at the time.



DVA and Defence response to claims for compensation relating to Leeuwin and Balcombe

127. A number of the survivors of sexual abuse at Leeuwin and Balcombe have made claims for compensation to DVA for the abuse they suffered.
128. A large number of these claims have been rejected by DVA due to a lack of contemporaneous evidence. The Royal Commission will hear from an institutional witness who will give evidence regarding DVA's policies and procedures for assessing claims.
129. In addition to claims made to DVA, the Royal Commission will hear that three survivors of sexual abuse at Leeuwin have made claims for compensation to Defence. In particular, the Royal Commission intends to examine Defence's response to claims brought by Glen Greaves, and there will be evidence from the solicitor who represented Mr Greaves.

AUSTRALIAN DEFENCE FORCE CADETS

Overview of the ADF Cadets

130. The ADF Cadets is a community-based youth development organisation administered by the ADF. It conducts training and activity programmes for children in a military-style environment. The stated purpose of the ADF Cadets is to develop an individual's capacity to contribute to society, to foster an interest in ADF careers and to develop ongoing support for Defence.
131. The ADF Cadets is comprised of three cadet organisations, namely:
 - a. The Australian Navy Cadets (**ANC**)
 - b. The Australian Army Cadets (**AAC**), and
 - c. The Australian Air Force Cadets (**AAFC**).
132. The term "ADF Cadets" is used as an unofficial collective title to represent the three service based cadet organisations. Cadets are not members of the ADF. However, the *Cadet Forces Regulation 2013* (Cth) (Cadet Regulations) provides that ADF service chiefs are responsible for the organisation, maintenance, regulation, control and discipline of officers, instructors and cadets.
133. Vice Admiral Griggs will give evidence that the ADF is responsible for developing ADF Cadet policies, including policies which deal with child protection and complaints involving child sexual abuse.



134. Children are eligible to join the ADF Cadets from the age of 13 and are able to remain as cadets until they turn 20. Upon turning 18, cadets transition to become “Adult Cadet Staff Members”, before they “age out” at the age of 20. Cadets are eligible to apply to become instructors of cadets when they turn 18, and officers of cadets when they turn 19.
135. Cadets typically attend weekly meetings called “parades” with their ADF Cadet unit. ADF Cadet units also hold overnight camps and conduct week-long training and promotional camps at ADF bases around Australia. At the meetings, ADF Cadets are supervised by officers or instructors of cadets, sometimes referred to as ADF Cadet staff members. Typically, ADF Cadet staff members are not members of the ADF, although there are ADF personnel who also perform the roles of officers or instructors of cadets.
136. ADF Cadet staff members are paid a cadet force allowance by the ADF for attendance at weekly meetings and other specified activities. They are also able to claim specified travel, meal and vehicle expenses.
137. In this public hearing, the Royal Commission will focus on the AAFC as representative of the ADF Cadets’ response to child sexual abuse. We will hear evidence that intimate relationships between adult instructors and cadets can and do have devastating effects. It appears that, since at least 2004, the ADF and ADF Cadets have been seeking to address this issue. Despite these efforts, the Royal Commission will hear that intimate relationships between adult instructors and cadets continue to occur.
138. In response to a notice issued by the Royal Commission, Defence has produced documents in relation to known incidents and/or allegations of child sexual abuse that occurred within the ADF Cadets since 1 January 2001. The Royal Commission’s analysis of these documents indicates that Defence has recorded a total of 154 such incidents or allegations in that period. 51 of these recorded incidents are of allegations involving an adult instructor and a cadet, of which 10 alleged perpetrators were ADF members. The remaining 103 alleged incidents were of sexual abuse perpetrated by other cadets.
139. There are currently 25,886 active ADF Cadets cadet members in 544 ADF Cadet units around Australia.
140. The ADF Cadets play a significant role in encouraging children to follow careers in the ADF. The ADF Cadets website notes that cadets represent 12.4% of enlistments to the ADF and that in 2009/10, 20% of entrants to ADFA were former ADF Cadets.



Age of Consent and "Special Care" Provisions

141. I will now identify the legal provisions that have the potential to make it a criminal offence for an adult cadet instructor to have sex with a cadet.
142. The legal age for consensual sex varies across Australian state and territory jurisdictions. Currently, the legal age when an individual is able to validly consent to sex is:
- a. 17 years in Tasmania and South Australia;
 - b. 16 years in the Australian Capital Territory, New South Wales, the Northern Territory, Victoria, Western Australia and Queensland. In Queensland, the age of consent for anal sex is 18 years of age.
143. Notwithstanding the age of consent, legislation in the Australian Capital Territory, the Northern Territory, New South Wales, Victoria, Western Australia and South Australia makes it an offence for a person in a supervisory role to have sexual intercourse or intimacy with a person under their special care who is aged 16 or 17 years. A person in a supervisory role providing "special care" may include, for example, a teacher, foster parent, religious official or spiritual leader or an employer of the child. These provisions are commonly referred to as "special care provisions". Their specific terms with regard to both the sexual activity that they cover and the definition of the special care relationship vary.
144. It is reasonably clear that the special care provisions in New South Wales, Western Australia and the Northern Territory would categorise the relationship between a cadet instructor and a cadet as being a situation of "special care" thereby engaging the prohibition, or higher age of consent. The position is not as clear in the ACT, South Australia and Victoria.
145. It is expected that some witnesses will give evidence that these special care provisions are not widely known among both cadets and adult cadet staff.
146. The Royal Commission will hear evidence that, in December 2015, a young adult instructor was sentenced to a term of imprisonment of two years under these provisions in New South Wales in circumstances where neither he nor his victims knew that it was a criminal offence for him to have sexual intercourse with a 16 or 17-year-old cadet.

ADF Cadets: Child Sexual Abuse Policies and Procedures

147. The Royal Commission will hear evidence that since 2000 the protection of children and the responses to child sexual abuse within ADF Cadets have been governed by a complex hierarchy of interconnected policies and procedures.



148. In this case study, we will examine:
- a. General ADF policies and procedures that apply to all members of the ADF, including ADF members under the age of 18
 - b. General ADF Cadet policies and procedures that apply to all cadets, officers of cadets, instructors of cadets and ADF personnel involved in any of the ADF Cadet Services, and
 - c. Specific AAFC policies and procedures that apply to cadets, officers, instructors and ADF personnel involved in the AAFC.
149. We will also hear from survivors and a former AAFC instructor about how this complicated policy framework impacts on the training of AAFC cadets and staff instructors.
150. It is anticipated that this public hearing will hear that AAFC policy documents and training materials have, at different times since at least 2001, contained either inaccurate or incomplete information regarding the legal age of consent in Australia, and that the ADF Cadet policies contain no specific direction to cadet instructors on the applicable special care provisions that may apply in the event of any sexual activity between cadet instructors and cadets.

Cadet Induction Training in the AAFC

151. Evidence will be put to the Royal Commission that since at least 2000 the AAFC has had policies in place which set out general behaviour expectations of AAFC cadets (**AAFC Behaviour Policy**) and that all AAFC members are required to sign and abide by a Code of Conduct that adopts these behavioural requirements. The AAFC Behaviour Policy is consistent with the ADF Cadet Behaviour Policy which is applicable across the ADF Cadet Services.
152. The AAFC Behaviour Policy states that sexual misconduct is a form of unacceptable behaviour and that sexual relations and intimacy (referred to as “fraternisation”) between AAFC members is prohibited. The AAFC Behaviour Policy also states that it is inappropriate for any AAFC staff member to engage in a close, personal relationship of any nature with any cadet and, specifically, that sexual relationships are strictly prohibited and will result in administrative action, such as termination.
153. There will be evidence from Vice Admiral Griggs that the purpose of the AAFC Behaviour Policy and wider ADF and ADF Cadet policies is to educate Defence personnel on what constitutes, and how to identify, all forms of unacceptable behaviour including sexual misconduct.



154. Survivors are expected to give evidence that they were provided with information, documents and briefings relating to the AAFC Behaviour Policy and Code of Conduct when they joined the AAFC but were too young to appreciate the importance of this information. It is expected that there will be evidence that survivors were aware of the rule against fraternisation between AAFC members but they were not explicitly trained about the prohibition against relationships between AAFC instructors and cadets.
155. The Royal Commission will also explore what information the AAFC provides to parents of new cadets and if any information is provided to parents relating to the AAFC Behaviour Policy, Code of Conduct and other child protection matters.

Ongoing Cadet Training in the AAFC

156. It is expected that there will be evidence that cadets receive ongoing training on unacceptable behaviour and the Code of Conduct throughout their involvement with the AAFC, particularly through leadership training packages at career progression points such as promotion courses. This ongoing training is consistent with the ADF's annual mandatory online or face-to-face training on unacceptable behaviour for all ADF personnel.
157. It is expected that there will be evidence that when a cadet reaches the age of 18, he or she must complete a compulsory Adult Transition Programme which details the AAFC and wider ADF and ADF Cadet policies on the AAFC members' child protection obligations.
158. Survivors will give evidence that they participated in such ongoing training at AAFC activities and promotion courses. However, the training did not give specific training on the different legal ages of consent or special care provisions.

Recruitment, Screening and Training of AAFC Staff Instructors

159. There will be evidence that since at least 2000, the AAFC has required that all adults who have contact with children in the AAFC must pass various recruitment and screening obligations set out in the AAFC policies. These requirements are consistent with child protection obligations in ADF and ADF Cadet policies (**Child Protection Policies**).
160. Relevantly, the Child Protection Policies provide that all staff instructors and adult AAFC members must:
- a. hold a working with children clearance
 - b. comply with the ADF Child Protection Code of Conduct and the AAFC Code of Conduct which both expressly prohibit any sexual conduct with a child, and



- c. complete the mandatory Safeguarding Children Awareness Package (**SCAP**), an online education course comprising six modules.

- 161. In addition, there will be evidence that AAFC staff instructors are required to attend a Staff Induction Programme which includes instruction on acceptable and unacceptable behaviour within an AAFC mentoring relationship. AAFC staff also attend societal and legal training which reinforces the rule of no fraternisation between staff and cadets and the principles in the AAFC Behaviour Policy.
- 162. Despite the enormous breadth of information and training provided to AAFC staff instructors, there will be evidence from a former AAFC staff instructor that staff, as with the cadets, were not given clear training on the legal provisions concerning the age of consent and the special care provisions.

Complaint Procedures for handling allegations of child sexual abuse in the AAFC

- 163. Evidence will be put to the Royal Commission about the mandatory reporting obligations and internal procedures in the Child Protection Policies which govern AAFC members' response to allegations of child sexual abuse. These procedures are consistent with policies governing the conduct of all ADF personnel and cadets.
- 164. Pursuant to the Child Protection Policies, AAFC members have mandatory reporting obligations that require any adult supervisor who becomes aware of any suspected or known child sexual abuse to report the matter immediately to local authorities (civilian police and child protection agencies) and report up the chain of command. These policies also set out the obligation on AAFC staff to support survivors doing the complaint handling process.
- 165. It is proposed to examine the AAFC's policies and procedures for responding to allegations of child sexual abuse and hear evidence of when reports of child sexual abuse have not been reported up the AAFC supervisory chain of command in compliance with the Child Protection Policies.

Youth Policy Manual

- 166. There will be evidence that Defence is currently consolidating its policies concerning minors in the ADF and ADF Cadets and that a central policy document known as the Youth Policy Manual (**YOUTHPOLMAN**) will be produced.
- 167. There will be evidence that the YOUTHPOLMAN is expected to serve as the single reference point for ADF and ADF Cadet personnel for all aspects of youth Defence engagement, development programmes and the governance of the ADF Cadets. Although a number of



chapters have been published, the chapter detailing the ADF Cadets child protection policy is as yet undrafted and is expected to be published later this year.

168. The purpose and proposed content of the YOUTHPOLMAN as it relates to the protection of children involved with the ADF and the ADF Cadets will be examined in the course of this public hearing.

Survivor witnesses

169. The Royal Commission has been contacted by more than 25 survivors of sexual abuse within the ADF Cadets. The Royal Commission will hear evidence from seven witnesses who will give evidence about five cases involving child sexual abuse within the ADF Cadets. Each of these five case involves sexual abuse perpetrated by an adult instructor on a cadet who was aged between 15 and 17 years of age when the abuse occurred.
170. I will now briefly summarise each of the cases.

Susan Campbell

171. Ms Campbell is the mother of Eleanore Tibble who joined the AAFC in 1999 in Hobart when she was 14 years old.
172. Ms Campbell will give evidence that, when Eleanore was aged 15, allegations arose that Eleanore and a 30 year old AAFC instructor, Matthew Harper, were involved in an intimate and possibly sexual relationship.
173. Ms Campbell will tell the Royal Commission that Eleanore was interviewed by the AAFC about her contact with Harper and later received a telephone call from an AAFC Flight Officer giving her a choice of either resigning or being dishonourably discharged from the AAFC.
174. The Royal Commission will hear that Eleanore was upset, anxious and stressed about the possibility of being dishonourably discharged and that Eleanore committed suicide on 27 November 2000.
175. Ms Campbell will give evidence that the AAFC had decided not to pursue the fraternisation charges and to reinstate Eleanore before her death but had failed to tell Eleanore.
176. Ms Campbell will tell the Royal Commission that her efforts to obtain an inquiry into the circumstances of Eleanore's treatment ultimately resulted in her giving evidence before a Senate Inquiry. Ms Campbell will give evidence that the Senate Inquiry recommended that the ADF take steps to improve its policies in relation to child protection.



177. Ms Campbell's evidence about the circumstances that led to the death of her daughter, Eleanore, and the inquiries that followed provides an important backdrop to the changes that were then brought about in the ADF Cadets with regard to child protection.

CJD

178. CJD will give evidence that she joined the ANC in 1998 when she was 13 years old.
179. The Royal Commission will hear that CJD was groomed by CJK, an instructor approximately 35 years older than her. CJD is expected to describe that when she was 15, CJK started asking her and her friends to sit on his lap. He would also touch them on the breasts or buttocks as they walked past, or, would grab them on the vagina through their clothes when he was joking around. CJK commenced a consensual sexual relationship with CJD shortly before she turned 18 and ended the relationship when she was 23.
180. The Royal Commission will hear that shortly after ending the relationship, CJD reported the relationship with CJK to her Commanding Officer, CJN and another officer, CJM, in her squadron. CJM indicated that he had thought something was going on and that he did not do anything about the relationship because CJD's wife was a former Commanding Officer of the cadet unit.
181. The identity of the perpetrator of CJD's abuse, and other people referred to by CJD, has been anonymized in order to protect the identity of CJD.

Aaron Symonds

182. In 1996, at the age of 13, Mr Symonds joined the AAFC in Queensland. The Royal Commission will hear that, in 1999, when he was 16, Mr Symonds was groomed and sexually abused by a cadet instructor who was about 27 years old. Mr Symonds will give evidence that he did not report the abuse at the time.
183. It is expected that Mr Symonds will give evidence that, in 2013, he reconnected with the ADF Cadets and discovered that his alleged perpetrator was now in a position of authority within the AAFC. Mr Symonds subsequently reported his abuse to the ADF Cadets who reported the matter to the Queensland Police. The latter were unable to establish sufficient evidence to press charges.
184. The Royal Commission will hear from two institutional witnesses regarding their response to Mr Symonds's complaint in 2013.



The matter of Christopher Adams

CJE

185. CJE joined the AAFC in New South Wales in 2009 when she was 13. CJE will give evidence of meeting Christopher Adams, an ADF Cadet instructor, when she was 15 and that over the next two years, Adams's contact with her became increasingly flirtatious and sexually suggestive. In January 2013, when she was 17, CJE engaged in a sexual relationship with Adams during a promotional camp at the RAAF base at Wagga Wagga.
186. The Royal Commission will hear that a third party reported the sexual relationship to the AAFC and reports were made to the New South Wales Police. In 2015, Adams was ultimately convicted of two counts of having sexual intercourse with CJE while she was under his special care and was sentenced to two years imprisonment in relation to charges involving CJE and two others.
187. CJE will give evidence that she was never informed of the procedures for or possible outcomes of the AAFC's investigation and that she was frustrated by the AAFC's slow responses. She will also tell the Royal Commission that she was never informed that a sexual relationship between an instructor and a cadet may amount to a criminal offence by the instructor.

CJG

188. CJG joined the AAFC in New South Wales in 2009 at the age of 13. The Royal Commission will hear that CJG also met Christopher Adams through the AAFC when she was 15. CJG is expected to give evidence that in 2013, when she was 17, Adams groomed her and had sexual intercourse with her on three occasions during AAFC courses.
189. In 2015, Adams was convicted under the special care provisions for having sexual intercourse with CJG in the same criminal proceedings in which the offences against CJE were tried.
190. CJG will give evidence that she believes her treatment by the AAFC and the manner in which it handled its investigation led her parents to believe that the situation was her fault and that it wasn't serious. CJG says that her relationship with her family has been destroyed.

CJJ

191. The Royal Commission will hear that CJJ was an AAFC staff member in New South Wales and attended several promotion camps where CJE, CJG and Adams were present. CJJ is expected to give evidence that she observed Adams sending sexual text messages to CJE and reported her concerns about Adams's behaviour to AAFC staff, but that she is not aware if any action was taken.



CJF

192. CJF was an AAFC instructor and was CJF's support person during the AAFC investigation into Adams's conduct. She is expected to describe her experiences as a cadet and instructor in the AAFC as well as her involvement in the AAFC's handling of the complaint of a sexual relationship between Adams and CJF.
193. The Royal Commission will hear that CJF feels she was bullied and refused a promotion as a result of speaking out against the way the investigation was conducted and also for involving the Director General of the AAFC in the investigation.
194. The Royal Commission will hear from a number of institutional witnesses regarding their involvement in the AAFC's response to the matter involving Christopher Adams.

SYSTEMIC ISSUES

195. The documents tendered and the evidence provided by witnesses is expected to assist in the examination of the following issues:
 - a. In relation to Leeuwin and Balcombe:
 - i. The contribution of an unofficial although tolerated hierarchy within junior recruits and apprentices to the perpetration of child sexual abuse
 - ii. The existence of an ADF culture that did not support the reporting of child sexual abuse
 - iii. The existence, or absence, of policies on the making of complaints and the effect this may have had on the disclosure of child sexual abuse, and
 - iv. The responses of staff members in identifying and responding to child sexual abuse.
 - b. In relation to the response of Defence and the DVA to claims for entitlements and/or compensation:
 - i. The eligibility requirements to access compensation for historical child sexual abuse related to ADF service and whether these requirements are excessive and/or unachievable due to the nature of the complaint procedures and the culture arising in both Leeuwin and Balcombe



- ii. The process of compensation offsetting and how this impacts on claimant's access to entitlements and/or compensation, and
 - iii. The level of satisfaction these processes provide to those seeking redress.
- c. In relation to ADF Cadets:
- i. The systems, policies, procedures and training in place within the ADF and ADF Cadets to:
 - 1. identify and prevent child sexual abuse
 - 2. respond to allegations or complaints of child sexual abuse, and
 - 3. inform cadets, officers and instructors of cadets of the age of consent, special care provisions and any criminal sanctions applicable to persons involved in child sexual abuse
 - ii. Whether these systems, policies, procedures and training are impeded by any culture or attitude existing among ADF Cadet personnel to the effect that relationships between staff members and cadets are unofficially regarded as acceptable
 - iii. The internal management of complaints or allegations of child sexual abuse within ADF Cadets, and the impact that approach may have on the ADF Cadets' capacity to protect children, and
 - iv. The impact of the ADF Cadets' internal investigation mechanisms on criminal investigations.

LIST OF WITNESSES

196. It is anticipated that there will be evidence from the following 34 witnesses in this public hearing:

No.	Name	Position
------------	-------------	-----------------



LEEUWIN		
Survivors		
1	CJA	Former junior recruit and survivor of child sexual abuse perpetrated by senior recruits at Leeuwin in 1967.
2	Graeme Frazer	Former junior recruit and survivor of child sexual abuse perpetrated by senior recruits at Leeuwin in 1967.
3	CJT	Former junior recruit and survivor of child sexual abuse perpetrated by senior recruits at Leeuwin in 1971.
4	Glen Greaves	Former junior recruit and survivor of child sexual abuse perpetrated by senior recruits at Leeuwin in 1971.
5	CJB	Former junior recruit and survivor of child sexual abuse perpetrated by Petty Officer Cross at Leeuwin in 1971.
Institutional Witnesses		
6	Geoffrey Curran	A former member of the ADF. Mr Curran was a Divisional Officer at Leeuwin in 1971.
7	Peter Sinclair	A former member of the ADF. Mr Sinclair was second in charge at Leeuwin from 1973 to 1975.
8	Laurence Watson	A former member of the ADF. Mr Watson was staff secretary to the Commanding Officer at Leeuwin in 1971.
9	Peter Ball	A former ADF chaplain at Leeuwin in 1967.
BALCOMBE		
Survivors		



10	David Sparreboom	Former apprentice and survivor of child sexual abuse perpetrated by senior apprentices at Balcombe in 1970.
11	CJC	Former apprentice and survivor of child sexual abuse perpetrated by senior apprentices at Balcombe in 1971.
12	Daryl James	Former apprentice and survivor of child sexual abuse perpetrated by senior apprentices and a civilian employee at Balcombe in 1972
13	CJV	Former apprentice and survivor of child sexual abuse perpetrated by senior apprentices at Balcombe in 1973.
14	CJU	Former apprentice and survivor of child sexual abuse perpetrated by senior apprentices at Balcombe in 1978.
Institutional Witness		
15	Alan McDonald	Second in charge at Balcombe in 1972 and Commanding Officer at Balcombe in 1973. At Balcombe during the apprenticeships of Daryl James and CJV.
Institutional Witnesses relating to claims for compensation by Leeuwin and Balcombe survivors		
16	Adair Donaldson	Former partner at Shine Lawyers responsible for survivor litigation practice.
17	Lisa Flynn	Current partner at Shine Lawyers responsible for survivor litigation practice.
18	Neil Bayles	Assistant Secretary of Rehabilitation, Case Escalation and MRCA Review at DVA.
ADF Cadets		
Survivors		



19	Susan Campbell	Mother of Eleanore Tibble, a 15 year old ADF Cadet who committed suicide in 2000 following an allegation that she had an intimate and possibly sexual relationship with a cadet instructor.
20	CJD	Former ADF Cadet and survivor of child sexual abuse allegedly perpetrated by cadet instructor CJK.
21	Aaron Symonds	Former ADF Cadet and survivor of child sexual abuse allegedly perpetrated by a cadet instructor in Queensland.
22	CJG	Former ADF Cadet and survivor of child sexual abuse perpetrated by cadet instructor Christopher Adams.
23	CJE	Former ADF Cadet and survivor of child sexual abuse perpetrated by cadet instructor Christopher Adams.
24	CJJ	Former ADF Cadet and cadet instructor who was present at the ADF Cadet camps where Christopher Adams abused CJG and CJE.
25	CJF	Former ADF Cadet and cadet instructor who provided support to CJE during the ADF investigation into the matter involving Christopher Adams.



Institutional Witnesses		
26	Sharon O'Donnell	A civilian member of the AAFC since 2003. In 2013, Ms O'Donnell was responsible for the initial AAFC investigation into the matter involving Christopher Adams.
27	Joseph Laycock	A civilian member of the AAFC since 1989. Mr Laycock is currently a Wing Commander with the AAFC. In 2013, Mr Laycock was involved in the AAFC's response to the matter involving Christopher Adams.
28	Darren Banfield	A civilian member of the AAFC since 1994, Mr Banfield is currently a Squadron Leader with the AAFC. In 2013, Mr Laycock was involved in the AAFC's response to the matter involving Christopher Adams.
29	Jacqueline Hatch	A member of the ADF since 2002, Ms Hatch was CJE's point of contact with the ADF in 2013 and 2014.
30	Sean Watson	A member of the ADF since 2001, Mr Watson was CJE's point of contact with the ADF in 2014 and 2015.
31	Terrence Delahunty	A member of the ADF since 1977, Mr Delahunty is currently an Air Commodore with the RAAF. He was involved in the ADF response to the matter involving Christopher Adams in 2014 and 2015.
32	Dennis Green	A member of the ADF since 1973, Mr Green is a former Air Commodore with the RAAF. He was involved in the ADF response to the matter involving Christopher Adams in 2013 and 2014.
33	John Devereux	Civilian Wing Commander (AAFC) involved in the AAFC response to an allegation of child sexual abuse made by Aaron Symonds in 2013.



34	Raymond Griggs	Member of the ADF since 1978 and current Vice Chief of the Australian Defence Force, Vice Admiral Griggs has responsibility for administration of ADF Cadets.
-----------	----------------	---

197. The public hearing is listed from Tuesday 21 June 2016 to Friday 1 July 2016.

Angus Stewart SC

Senior Counsel Assisting the Royal Commission

21 June 2016.