

Defence is still failing the victims of abuse

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Degrading sexual, physical and psychological abuse was inflicted on boys as young as 13 in the Army, Navy and Air Force from the 1940s until at least the 1980s.

The abuse included bashing, scrubbing naked victims with wire brushes and rape with broomsticks. Many victims have suffered lifelong impacts including PTSD, alcoholism, drug addiction and social isolation.



It is a continuing disgrace that some of these victims are not receiving veterans' benefits to which they are entitled.

In June 2014, Chief of Navy Vice-Admiral Ray Griggs issued a Navy-wide message announcing the release of Defence Abuse Response Taskforce report on abuse at recruit training establishment HMAS Leeuwin: "The report is confronting and disturbing. In its pages are stories of abuse that no person should ever have to endure, particularly when they were young boys in the care of the RAN," he said. "Lives have been destroyed, dreams smashed and careers stolen."

The taskforce heard hundreds of complaints relating to training establishments. Many more missed the cut-off date, or didn't realise they were eligible.

The fact that the abuse happened was a disgrace to the defence forces and to governments and Parliaments which allowed it to happen.

These boys have not been the only victims of abuse in defence. Not by any means.

However, those boys are now old men. Their needs are urgent because they are suffering and dying without the support to which they are entitled and without the dignity of acknowledging they did not let down their nation or their families – they were the victims who were let down.

There are two main reasons why these men have not received veterans' benefits.

Some are unaware they may be eligible. However, many of those who have applied have been turned away by Department of Veteran Affairs because they cannot corroborate their allegations with defence records or a witness, as required by guidelines issued by the Repatriation Commission and the Military Rehabilitation and Compensation Commission.

Those commissions are headed by the department's secretary. Most of the other members are current and recent Defence Force officers.

The April 2012 report of the review, which I led, identified actions which Defence and the department could take to publish information about the history of abuse – including factors discouraging victims from reporting abuse – so that the department's claims assessors could consider allegations on an informed basis and potential claimants and their advisers would know what material was available to support their claims.

The history of inaction, delay and deflection on improving access to veteran benefits since 2012 is appalling.

This year, the government agreed to a recommendation from the 2014 Senate Committee report "Processes to Support Victims of Abuse in Defence" to remove the three-year minimum service for non-liability healthcare for mental health problems. This change is important.

But aspects of this report relevant to other benefits are still "under consideration".

And in June this year, a department witness told the child abuse royal commission that the guidelines required the rejection of an allegation of abuse – even if the claims assessor believed it to be true – unless it was corroborated by an independent witness or by a Defence record of the abuse from the time.

Justice Peter McClellan, chair of the royal commission, asked the witness to take back "advice" to the department that the guidelines were "not in accordance with law". The acts only require the assessor to be satisfied of the truth of an allegation – a requirement of corroboration cannot be added.

That was basic law. However, it took until October 31 for the guidelines to be updated at all.

The updated guidelines now allow claims assessors to accept that "in the absence of contradictory evidence, a statutory declaration alone will be sufficient to establish the fact of abuse".

This change only applies for "claims related to incidents of physical or sexual abuse of children under the age of 18 at the time of the abuse, where the abuse occurred on or before

11 April 2011". The guidelines still unlawfully require assessors to reject other allegations even if they believe them to be true if they are not corroborated.

However, the change to the guidelines to allow uncorroborated allegations to be accepted for victims who were under 18 years of age at the time of an abuse before April 2011 should help the old men who were abused when they were boys. But it can only help if they know that this change has occurred.

The department understands the need for a communication strategy, but it needs to be approved by the two commissions, which have shown no urgency in responding to Justice McClellan's June "advice".

These issues must not be allowed to drift.

Damaged Defence personnel have been suffering for too long. Many have died. There are still others out there.

Minister Dan Tehan and his colleagues must intervene to ensure they do not spend another Christmas in poverty and shame.

Dr Gary Rumble was leader of the review of allegations of sexual and other abuse in Defence 2011-2012. These views are his alone.

This story was found at: <http://www.smh.com.au/comment/defence-is-still-failing-the-victims-of-abuse-20161208-gt5k9s.html>