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MALTREATMENT OF AUSTRALIAN DEFENCE FORCE PERSONNEL

This is a submission concerning my personal experience during a total of forty years' experience in the Royal Navy and Royal Australian Navy, some twenty years in each. I understand that there have been complaints referring to service fifty or more years ago. The submission may serve as background from 1947 onward.

My aim is to comment on the extent of the problem, develop a perspective, and follow up with proposals for the future.

Personal background: I joined the Royal Navy as a Boy Seaman in 1947, spending one year in a Boy Seamen Training Establishment. From conversations with Australian Officer Candidates in our joint college for promotion to a commission in the 1950s, and with ex "Lower Deck" Officers in HMAS STUART II in the mid-1960s while serving on RN/RAN exchange, I believe that, at least in the 1940s and 1950s, British and Australian Boy Seamen would have had similar experiences. While on the Lower Deck I served in a destroyer, an aircraft carrier, a cruiser and two frigates in the ratings of Boy Seaman, Ordinary Seaman, Able Seaman, Leading Seaman and Petty Officer. I was commissioned on the General List, Executive, in 1955 and served as Sub Lieutenant, Lieutenant and Lieutenant Commander in one frigate, three destroyers and a Fishery Protection Minesweeper. One of the destroyers was HMAS STUART II in 1964-65 while on two and a half years exchange service with the Royal Australian Navy

In 1970 my resignation from the Royal Navy became effective and I joined the Royal Australian Navy on a series of full time, four-year Emergency Reserve appointments. I retained rank and seniority, but was not eligible for promotion. Appointments were to the Staff of the Australian Joint Anti-Submarine School, twice to the then Central Studies Establishment, and as a Trials Manager in the Trials Directorate. I retired from full time service in 1987, but was recalled annually for short term tasks between 1987 and 1994.

It is important to note that in my Lower Deck time all sailors slept in rows of hammocks and lived in crowded messdecks. There was little opportunity if any for secrets, at sea or in the Shore Barracks..

As further relevant experience, in the 1990s, on behalf of a close female relative, I fought a one year battle with a very large Australian company on a matter of sexual harassment and discrimination. The experience was educational. We won.

Context of the Time: I have discussed my comments with another former Royal Navy Boy Seaman, a contemporary but from a different Training Establishment in the UK and his experience agrees with mine. This statement covers over fifty years. Readers should therefore be aware of the context of the earlier periods. In the UK, my fellow Boy Seamen were a mixture of schoolboys (as in my case), some who had already started work, a few from Borstal Institutions (for young offenders), some from English Public (ie Private) schools, and some whom a magistrate had offered the choice of a Borstal Institution or the Armed Forces. What is now seen as brutality was then acceptable. In my Scottish Primary

and High Schools teachers made regular use of the leather strap, the “tawse”. The cane was used regularly in English schools. Punishments for Boy Seamen included doubling with a Lee Enfield Rifle weighing 4Kg at full arm stretch above the head, or held out in front while frog-hopping. In very rare, extreme cases, between six and twelve very formal strokes of the cane could be awarded, inflicted before official witnesses by the Master at Arms.. We double marched everywhere and could be sent over the 45 metre high, square rigged mast, touching the button at the top. At the time we saw none of this as brutality.

From the brief reports on radio and television, and based on my own observations, my comments especially as a British Boy Seaman, are:

- a. Stripping naked and placing in a cold shower, scrubbing with long handled, bristle headed brooms - I have never heard of, and find it hard to believe that, wire brushes were ever used. That would require treatment by a Doctor, inevitably leading to exposure. The scrubbing was a communal decision and inflicted only on someone guilty of extreme lack of personal hygiene, both bodily and in the victim’s kit. Lack of personal hygiene was unacceptable given the very close quarters in which we lived. “Scrubbing” was quite rare.
- b. “Nuggeting” was the practice of holding someone down while covering his genitals with black boot polish. It was not frequent, appeared to inflict no physical harm, and was imposed sometimes as a crude joke, and sometimes as a warning to someone who had made himself unpopular. I believe it came from English Public (ie Private) Schools.
- c. The only times I observed someone beaten up by a group was when a thief was discovered. The beating-up usually consisted of running the gauntlet, made up of all messmates. There were no facilities for locking up money or personal belongings, either in the Boys Establishment or in the messdeck lockers at sea. A Boy Seaman’s initial pay was two shillings and sixpence per week, that is thirty pence or the ability to buy ten cups of canteen tea or ten small cakes per week. When I was drafted to the Africa Station for two and one-half years as a seventeen year old Boy Seaman, my pay increased to five shillings, or sixty pence per week. An Ordinary Seaman earned thirty shillings per week. There were no overseas or other allowances. Theft could not be tolerated. Discovery of a thief was the only time our very experienced Petty Officers seemed to be slow in appearing.
- d. For the first four weeks after joining, our group of about fifty New Entries was isolated from the main camp. We had our own accommodation block, galley and dining hall. There was no initiation. By the time we joined the main body of about five hundred Boy Seamen we were part of the team.

Generally, there were very few fist fights, and these were very soon broken up by the Leading Boys and Petty Officer Boys who were always present.. Some were moved to the boxing ring. Later, at sea, any sort of fight was very rare, and again the Leading Seamen who were always on the spot would intervene.

Sex: These comments can only apply to the period 1947 to 1975, after which I was remote from the main body of the Service. During that period in Shore Establishments, accommodation for sailors was in dormitories, lined with beds. In the Boy Seamen Establishment it was commonly believed that the tea was doctored with “bromide”. Both

ashore and in ships, toilet booths were in rows, showers were rows of open stalls. There was no privacy. Solitary masturbation was possible. It would have been very difficult to keep any other form of sex a secret. There was a great deal of crude sexual humour, often about homosexuality, but much of that was aimed at civilian homosexuals ashore. I left full time service just as women achieved the right to become full members, but in forty years as a Sailor and as an Officer I never heard even rumours of rape in a shore establishment or homosexual rape in ships. If there were consensual homosexual sex acts, then I believe these could not be kept secret in the living conditions aboard ship. Obviously there was much sexual activity on shore leave and anecdotal evidence of some homosexual activity ashore with civilians, probably for monetary reward.

The ADFA Situation: I have served in Shore establishments with members of the WRANS. I have no experience of the Armed Forces composed of males and females. I believe that in the 1980s there was a government move to make the Armed Forces more aligned to the community. Historically, a commission in the Armed Forces was seen as a lifetime profession, as it was for a proportion of sailors. Forming the promotion pyramid was achieved partly through natural wastage and partly by offering a pension after twenty years' service. This pension was graduated by length of service and was intended at the earlier stages to be added to whatever the retiree could earn as a civilian and therefore bring the retiree's income to a level equivalent to that of a contemporary who had spent a life climbing the civilian ladder. As the period of service extended, so did the pension to act ultimately as superannuation, allowing for fully funded retirement. There are of course highly trained technical personnel in the ADF who are much sought after by civilian companies.

The government foresaw a different civilian career structure in which people changed occupations several times in a working lifetime. To attract young people to the ADF, ADFA was opened, offering degree courses and the option of leaving the Services with a degree after a return of service of, say, about six years. I believe this eroded the position of a Commission in the Armed Forces as a profession – one does not expect lawyers and medical doctors to assume a totally different career shortly after qualifying.

As a further comment, the large Armed Forces of the superpowers can afford to have a small cadre of professional Officers and NCOs. Nations with limited Armed Forces such as Australia require a much larger proportion of long serving professionals. These are the people who would have to ensure the survival of the nation in the opening stages of a war while the Forces were expanded. In 1967-68 I served for nineteen months on the seagoing Staff in the Royal Navy's Sea Training School, where ships were brought up to operational standards in an intense seven week program. At the time the Royal Navy was still very much a lifetime career. The eighteen destroyers and frigates which I took part in working up included some from the then Federal German Navy, the Royal Netherlands Navy, and one destroyer from the US Navy. The ships of these Navies had a small number of professional Officers and Senior sailors. The remainder were short service or conscripted members. The difference in efficiency from a fully professional Service was noticeable.

As a first step in ADFA, it would be useful to list the accused cadets by length of Service. If offences occurred within the first few weeks at ADFA, then the problem may be more ascribed to the problems of the community in general. If the offenders have been in the Cadet Corps for, say, longer than two months, then the ADFA system is at fault.

It would be useful to compare the proportion of offenders in ADFA with the two Canberra Universities. Some months ago there were news reports of sexual attacks ranging from molestation to rape in these civilian universities. Female students complained that to open their door in response to a knock was taken as consent to sex. I have not heard of further action in these universities. Comparisons should be made with other Australian Universities, and with Annapolis, West Point, Dartmouth and Sandhurst. Should the situation be “worse” at these other institutions, it does not mean that ADFA is “better”. ADFA and the rest of the ADF should stand alone for zero tolerance of any maltreatment, sexual, bullying or otherwise. ADFA provides the leaders.

A Perspective. It would be worth analysing the extent of maltreatment. The figures used in the following calculation are for example only. Actual numbers may be very different. Assume that the average number in the ADF over the past 50 years has been 60,000. Next assume that the annual turnover is ten per cent per year. This means that 6,000 per year have passed through the ADF, over 50 years a total of 300,000. Add to this the current membership of 60,000 giving 360,000. I understand that some 800 complaints have been received covering the 50 year period. 360,000 divided by 800 shows that one person in 450 over the last 50 years has complained of maltreatment, or just over 0.2 per cent. This may be reduced further if some of the complaints are found to be not valid, for example if the complaint concerns a punishment which in the context of the time was acceptable to the general community. A calculation of this type is only to illustrate the extent of the problem, once again the aim is zero tolerance.

Action: It is proposed that the following actions be taken:

1. Immediately, two or more four-person teams be formed, comprising three recently retired Officers or Senior NCOs, at least one of whom must be a woman, plus one apolitical civilian. These teams to visit and enquire into any form of maltreatment in all ADF Training establishments. These teams to report to a Board of Enquiry.
2. As soon as possible, the formation of two separate Boards of Enquiry, again formed of recently retired Officers and Senior NCOs, including women, plus apolitical civilian representation and adequate supporting staff. Board “A” is to investigate all complaints from the earliest (1950?) up to the year 2000. The task is to filter and organise these complaints into digestible form for Board “B”. The task of a similarly composed Board “B” is to carry out detailed investigation of all current (2000 onward) complaints as the first priority, and then those complaints passed on by Board “A” as a second priority. Board “B” would recommend further action in each complaint, and add any overall recommendations.
3. Personnel with serious complaints may be reluctant to come forward. A small volunteer Corps of Military Justices (“MJs”, so named for convenience in this document and similar to Justices of the Peace) should be formed, drawn from recently retired Officers and Senior NCOs all of whom must have impeccable records and have extensive, practical experience in dealing with personnel. These “MJs” would be unpaid and be given expenses only. Their names and contact details – mail, email and phone – would be made public in all Service units. Their task would be to receive

only those complaints relating to maltreatment from ADF personnel reluctant to use Service channels. Normal service complaint channels must remain for any other form of complaint. The “MJ” would attempt to discuss the complaint with the person, preferably directly, otherwise by phone, mail or email, and try to persuade the complainant to appear in person. If the complainant does appear in person, then the “MJ” would be present in support before, during and after proceedings. The “MJ” would remain in contact with the complainant after the complaint had been heard to ensure that there was no question of later victimisation. If the complainant prefers to remain anonymous, the “MJ” would use experience to assess and comment on the complaint, then pass it to Board “B”.

*Note that the requirement for retired Service personal is to remove any suspicion of career pressures.*

4. The Code of Military Justice must be more severe than the Civilian Code. Penalties should include, for criminal maltreatment such as rape or serious assault – dismissal and a gaol sentence; for a lesser offence such as witnessing but not reporting maltreatment, dishonourable discharge/dismissal with disgrace; for an offence such as being aware of but not reporting maltreatment, discharged as “Services No Longer Required”. All of these discharges would include loss of any monetary or other benefits. If, in the case of ADFA for example, these penalties include the discharge of a significant number of Cadets, then that would be a necessary part of setting standards appropriate to a modern ADF. Offences could include “The electronic transmission of material prejudicial to good order and military discipline”, a catch-all to prevent electronic bullying or the erosion of discipline.

The ADF is not just another part of the Community. The members work under different conditions and under different stresses. Members lose some of their civilian rights, for instance they have to obey the lawful orders of the democratically elected government whether or not the member agrees with these orders, e.g. the Vietnam War, the War in Iraq. This does not, of course, include obeying an unlawful order leading to a war crime. Domestically, they lose the right to be with their families and perhaps, for males, to be present at the birth of their children. To be a disciplined, efficient Force, members must operate under more severe rules than their civilian contemporaries. ADF members can be compensated by generous conditions of service, satisfactory careers, and full support after leaving the Service.

I am available for discussion, in Canberra, if required.

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