

Department of the Senate,
PO Box 6100,
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Canberra, ACT 2600

Senator the Hon. Ursula Stephens

Chair of the Senate Foreign Affairs, Defence and Trade References Committee

Government response to the Defence Abuse Response Taskforce (DART)

I trust the Senators in this committee will take into account 'any related matters' to DART being fully investigated and I hereby submit the following.

In May 2013 the DART registration process was formally 'closed' where anyone with non-disclosure agreements with the ADF who may have wanted to take part in this process had prior been officially told by DLA Piper aka DART that they were not permitted to take part at this stage.

In June 2013 only after DART registrations had closed former Defence Minister Stephen Smith announced that persons with non-disclosure agreements were only now provided with a 'limited waiver of their nda's' allowing them to take part in the DART processes.

It is my opinion that many 'thousands' of people with non-disclosure agreements with the ADF may have assumed and or were led to believe that they were 'not entitled' to take part in DART/DLA Piper 'registrations' up to the closing date in May 2013. Anyone with an 'nda' even with Solicitors advice and or 'Defence advice' and or DLA Piper/DART advice were informed up to 'June 2013' that they were 'not permitted to register their complaint with DLA Piper/DART'.

To obtain a copy of the former Defence Minister's 'limited waiver' took weeks of countless number of phone calls and emails to different parties including; Defence Ministers Office, DART/DLA Piper and Foreign Affairs, Defence and Trade Affairs Offices.

When DART/DLA Piper finally provided me with a copy of the above 'limited waiver' the DART representative Adeline stated numerous times words to the effect 'I don't know why I can't give you a copy' 'I can only read it out' 'I am not allowed to give you an official copy because of politics since there's now a new Defence Minister and the limited waiver was provided under the old Defence Minister'. The copy of the limited waiver was emailed 29 November 2013, the day before all final DART submissions in hardcopy were required to be received. The copy I received from DART had no letterhead and no signature from the current or former Defence Minister.

It is in my opinion that many thousands of people with nda's with the ADF were led to believe that they were not entitled to partake in DART thus they had not registered with DART/DLA Piper prior to the cut off date for registration in May 2013. Those same people who were told that in June 2013 they were granted a limited waiver by the Defence Minister allowing them to take part were then most unfairly told that due to registration close date of May 2013 that they had unfortunately now

‘missed the boat’ and were subsequently not able to partake in DART thus missing their right for all accounts of their abuse to be ‘heard’.

It is my opinion that unlike a Royal Commission Inquiry, the current DART submissions are an inaccurate account of the number of people who legitimately deserve to be heard and responded to by DART. These people with non-disclosure agreements with the ADF have not been provided with the opportunity the former Defence Minister under the Commonwealth promised them and their stories of abuse whilst serving in the ADF remain filed shamefully under the title ‘Top Secret’.

Sincerely,

Julia Delaforce

01 June 2014