

LETTER OF TRANSMITTAL
Submission to Parliamentary Oversight Committees of Defence

**PEJORATIVE STEREOTYPING: AN ALL TOO COMMON ABUSE AND
PART OF THE PSYCHOPATHY OF THE CULTURE IN DEFENCE**

Close to two years have passed since the current Defence Minister, the Hon Stephen Smith, put in train what came to be known as the DLA Piper Review into sexual, physical and other abuses in Defence though, as we all now know, courtesy of the evidence provided to the SFADT Committee on Thursday, the 14th of March 2013, this Review was not under the purview nor management of the law firm DLA Piper.

Close to twelve years have passed since myself and my family's Defence Industry Small to Medium Enterprise, Australian Flight Test Services Pty Ltd (AFTS), were blacklisted by the then Head of Aerospace Systems Division (HASD) and the Under Secretary of the Defence Materiel Organisation (USDM) *et al* for doing our job, in support of the Defence Department and its role in the defence and security of Australia.

Unbeknown to me, at the time, and our team at AFTS, by doing our job we were unwittingly putting the senior leadership group of Defence at risk of our activities exposing their misfeasance, malfeasance and mismanagement (1) in their dealings and the way they wished to deal with Australian Industry; (2) in a number of critically significant defence capability projects; and (3) in the way they intended to bend the government to their will, contrary to the strategic directives/policies in the Defence 2000 White Paper.

The Australian public record is replete with warnings of what would happen, most if not all of which having now materialised. One of the results has been Tens of Billions of Dollars relegated to the audit category of *fraud, wastage and abuse*. This is all due to abuses that fall into the DLA Piper Review category of "*other abuses*", perpetrated then perpetuated by Defence Portfolio officials - the direct result their misuse and abuse of power, authority and trust; and, the inability of successive Defence Ministers, Governments and Parliaments to distinguish between the hard evidence of data/facts and "*a total indifference to what is real*". The latter is a hallmark of much if not most of the advice emanating from Defence officials over the past decade or so – such advice driven by their personal interests and groupthink driven agendas rather than national interests, while forsaking those on whom they perpetrate and, then, perpetuate their abuses.

This submission provides one example of how such advice leads to dysfunctional, moribund decisions that affect my life and those of fellow Australians who have had the courage to do what is right while senior Defence people have and continue to do wrong.

“Insanity: Doing the same thing over and over again and expecting different results.”

Albert Einstein, (1879 – 1955) US (German-born) physicist

Yours sincerely,

Peter Goon

Peter Goon
Principal Consultant/Advisor
Head of Test and Evaluation

Co-Founder, [Air Power Australia](#) and [Defence Teaming Centre, Inc.](#)

Sunday, 17th of March 2013

Peter Goon

From: Air Power Australia
Sent: 17 March 2013 14:31
To: 'DART'; 'Hall, Matt'
Cc: Dr Kathleen Dermody SFADT Committee; 'JSCFADT Defence Committee Secretariat'; APA_Peer_Review_Group
Subject: The Term "Complainant" is Pejorative Stereotyping of the Defence Groupthink Variety
Attachments: DTC_COE_01.pdf; DTC_VISSM5.pdf; Culture_CheckList.pdf

To: The Hon Len Roberts-Smith RFD, QC
Chairman, DART

Mr Matt Hall
Executive Director, DART

Senator Alan Eggleston
Chairman of Senate FADT Committee

Mr Michael Danby MP
Chairman of Joint FADT Standing
Committee

“Ethics is in origin the art of recommending to others the sacrifices required for cooperation with oneself”

Bertrand Russell (1872 – 1970) English Philosopher and Mathematician

Ladies and Gentlemen,

The above quote headed the *Code of Ethics & Conduct* that was developed, accepted and endorsed via a Delphi Survey of the membership of the Defence Teaming Centre, Inc. (DTC) which I set about co-founding back in 1995. My understanding is that this Code was re-affirmed by the DTC membership at each of their annual general meetings for over a decade. A copy of this Code is attached for your information, along with the *DTC Vision and Mission Statement* as well as *Culture Checklist* adopted on foundation of the DTC.

In keeping with this code and the quote on which it is based, I again wish to advise that I am not a “complainant”.

Please cease and desist using this disdainful and quite inappropriate term.

To those who have been subjected to defence abuses, “complainant” is a pejorative term. Simply, officials in the Defence Portfolio use it to stereotype, demean and, then, disregard and dismiss the claims and appeals of those upon whom they choose to perpetuate the abuses that have been perpetrated by officials of the Defence Portfolio.

For example, like other techniques they use, successive Defence Ministers have been well instructed by defence officials in the term “serial complainants” to describe those people these and other defence officials wish to encourage the Defence Ministers and ministerial staffers to ignore and disregard, often, and with the prejudice of disdain. Even the Defence Force Ombudsman has instructions on “serial complainants” that get cited as an authority for the insensitive, disrespectful, dismissive and draconian behaviours employed by officials of the Defence Portfolio (and, more recently, DLA Piper Review staff) – see “*Ombudsman’s Better Practices Guide to Managing Unreasonable Complainant Conduct*”.

Frankly, to do what is right and what is best, it takes very little effort to come up with correct and appropriate terms to describe the circumstances of victims of defence abuses; for example: *Claimant; Plaintiff; Applicant; Appellant; etc.*

If you were to take heed of the findings of the DLA Piper Review which, clearly, few if any personnel at the senior levels of the Defence Portfolio have the slightest interest in, let alone intention of doing, then the most appropriate term would be “*Courageous*”. This is akin to how the DVA refer to their clients as “*Survivors*”.

As disclosed by the Defence Minister in his speech to Parliament on the morning of last Thursday and confirmed by the Hon Len Robert-Smith that afternoon during his appearance before the Senate oversight committee, the DART, so described, is only a nasty, very expensive attempt to cheaply ‘*buy off*’ the victims of defence abuses. Moreover, when compared with the Phase 2 activities outlined in the Terms of Reference of the DLA Piper Review, the DART takes on the appearance of a shadowy, rinky-dink and shameful facsimile of a mere excuse for not doing as well as distraction from doing what should and needs to be done to fix what ails and is broken in Defence, today.

Even so, the DART should still display some level of propriety, sensitivity and respect as it goes about attempting to do, yet again, what many if not most of the victims of defence abuses have endured and observed to their detriment, for years.

Therefore, please remove the words “*complainant*” and “*complainants*” as well as other similarly pejorative terms from the DART lexicon.

“When you have no basis for an argument, abuse the plaintiff.”

Marcus Tullius Cicero (106 BC - 43 BC) – Roman orator, statesman, political theorist, lawyer and philosopher..

Finally, in keeping with the wishes of the Defence Minister, this advisory has been provided as a submission to the Parliamentary oversight committees for them to do with it what they will.

Yours sincerely,

Peter Goon

Peter Goon
Principal Consultant/Advisor
Head of Test and Evaluation
Co-Founder, [Air Power Australia](#)
Peter Goon and Associates

“Service before Self”

“Our job is to be so capable and so well prepared that the other guy just wants to stay neighbourly.”

“The pivotal role of Defence is the maintenance and sustainment of peace in our region.”

Australian Defence Force Leadership prior to 2000

ARAS - Resource Attribution Data:

Addenda: This submission required the expenditure of 9.8 man hours of Principal Consultant time in its foreground development, including archival review, drafting, peer review, settling and despatch of communiqué + Transmittal Letter/Submission lodgement, plus \$54.90 in disbursements.



Defence Teaming Centre Inc. Code of Ethics and Conduct

“Ethics is in origin the art of recommending to others the sacrifices required for cooperation with oneself”

Bertrand Russell (1872 – 1970) English Philosopher and Mathematician

This Code of Ethics is drawn from the set of common values derived from the values survey of the membership and the membership’s desire to develop and promote cooperation and collaboration to become competitive (“Co-Opetition”). The onus is on each member of the DTC to acquaint themselves with this Code of Ethics and develop an appreciation of the code within the context of their business dealings. A common understanding of this Code of Ethics across the membership is essential. If advice or clarification is needed on this Code or its implementation, the DTC Executive will be happy to advise and assist.

1. In all dealings that each member conducts within the Defence Teaming Centre, Inc. each member agrees to:
 - a. Act *honestly* and *truthfully* at all times;
 - b. Show *integrity* and *sincerity* in all dealings;
 - c. Be *loyal* to the members of the DTC;
 - d. Adopt a “*lessons learned*” approach;
 - e. Be *fair* in all dealings involving the members of the DTC;
 - f. Adopt a “value addition/cost effective” approach to all business conducted between DTC members.

Each member of the Defence Teaming Centre, Inc. agrees to adhere to the following:

2. We will apply our best endeavours to :
 - a. Maximise the amount of Department of Defence work which is won and performed by members of the DTC.
 - b. Develop the capability of the Defence Industry to provide support to the Australian Department of Defence.
 - c. Promote cooperation and collaboration amongst the DTC membership and within the Defence Industry Sector at large.
 - d. Provide high quality services to each other in a cost effective way.
3. We will not engage in practices which may adversely affect or bring the name of the Defence Teaming Centre, Inc. or its membership into disrepute.

4. We will deal fairly and honestly in all business activities. The minimum requirement for this will be in accordance with the accepted practices contained within the Fair Trading Act (SA) and the Trade Practices Act (Cth).
5. We will neither engage in, nor condone, nor accept practices that may be to the detriment of fellow members such as:
 - a. Misrepresentation of capabilities.
 - b. Breaches of confidentiality.
 - c. Unconscionable use of teaming arrangements to gain access to fellow member's staff and capabilities.
 - d. Unconscionable or oppressive contracting behaviour.
6. We will represent ourselves and the capabilities of our organisations truthfully and in good faith. When challenged, we will provide the factual basis for such representations.
7. We acknowledge that commercial know-how and market place information obtained from the Department of Defence is neither proprietary nor sacrosanct to any particular organisation and that the application of such treatment to this information is counterproductive and not in keeping with the ethos of the Defence Teaming Centre, Inc. and its industry cluster.
8. Prior to the formation of “hard networks” or “bid teams”, we undertake to share all project information that is not included in the definition of confidential commercial information truthfully with fellow members of the Defence Teaming Centre, Inc.
9. We undertake to work together to reduce the transaction costs associated with doing business in the Defence Industry Sector both for ourselves and our customers.
10. We acknowledge that business relationships are formed by people within an organisation, not just the organisations themselves and that the Corporate Veil should not be used as a barrier to relationship building processes but rather as the Corporate Projection through which we aim to build solid relationships with those people who have similar business ethics.



CULTURAL CHANGE CHECKLIST

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References :

- A. DTC Vision and Mission Statement Placard, Issue 5.1 dated 13 April 1997
- B. DTC Code of Ethics and Conduct dated September 1996
- C. DTC Constitution dated January 1998 (as amended)

The Defence Teaming Centre, Inc. (DTC) is the principal outcome of a 14 month clustering process initiated by Industry and undertaken in co-operation and collaboration with the Government of South Australia. The DTC Vision (Reference A) is all about winning for Australia. Its Vision and Mission Statements are predicated on an environment of trust which is underpinned by the DTC Code of Ethics and Conduct (Reference B) and its Incorporated Constitution (Reference C). These documents are commended to the reader. They are part of the basis for the cultural enlightenment the DTC is endeavouring to make happen in and for the Australian Defence Community.

As a part of this cultural enlightenment, there are a number of common sayings and beliefs within our Industry that need to be recast in line with the new culture of “*collaborate to be competitive*”. For the readers information, they are listed below. If you like ‘em, please use ‘em. If you have others or think you can improve on these, then let us know.

<u>REPLACE</u>	<u>WITH</u>
<i>“..perception is reality..”</i>	Perception plus Knowledge of Facts equals Reality
<i>“..the great Australian cultural cringe..”</i>	The Great Australian Cultural Heritage – Can Do!
<i>“..risk averse culture..”</i>	Risk into Opportunity Culture (through Management)
<i>“Culture of Blame”</i>	Lessons Learned Culture
<i>“..no gain without pain..”</i>	No Gain Without Pain – No Advance Without Risk
<i>“..not invented overseas syndrome..”</i>	Done Better Here Philosophy
<i>“..the tall poppy syndrome..”</i>	Let’s Aim High Culture
<i>“..Defence and industry..”</i>	Defence and Australian Defence Industry The Australian Defence Community Defence Team Australia
<i>“..competition..”</i>	Collaborate to be Competitive CO-OPETITION ² = Cooperative Competition

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² Co-Opetition : is a term coined by Ray Noorda when he ran Novell Software. The concept is expanded in a book and associated publications of the same name by Adam Bandenburger (Harvard Business School) and Barry Nalebuff (Yale School of Management). Refer Web Site- <http://mayet.som.yale.edu/coopetition/index2.html>



**DEFENCE TEAMING
CENTRE
INC.**

PARADIGM

“Collaborate to Be Competitive”

VISION

To facilitate the winning and successful undertaking of new and expanded business by the Australian based members of the Defence Teaming Centre and promote members’ capabilities to support the Australian Department of Defence.

...put simply

“To maximise that proportion of the Defence Budget that is spent in Australia on Australian capabilities.”

MISSION STATEMENT

Establish an Integrated Product Team (IPT) approach to Defence Contracting and the development of Defence Support Capabilities in Australia and the Application of Lessons Learned from this process to the broader Industry Sector.

Promote Dual Usage and Value Addition in Defence Projects and Related Products.

Contribute to and enhance Government Economic Development and Associated Support Infrastructure with Measurable, Performance Based Goals and Outcomes through Industry Initiatives and Participation in the Setting of Priorities and Direction