



Australian  
Human Rights  
Commission

# Report on the Review into the Treatment of Women at the Australian Defence Force Academy

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Phase 1 of the Review into the Treatment of Women  
in the Australian Defence Force

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**Australian  
Human Rights  
Commission**





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Human Rights  
Commission**

21 October 2011

The Hon Robert McClelland MP  
Attorney-General  
Central Office  
3-5 National Circuit  
BARTON ACT 2600

Dear Attorney,

**Review into the Treatment of Women in the Australian Defence Force – Phase 1**

I am pleased to present to you the Commission's report of the Review into the Treatment of Women at the Australian Defence Force Academy.

This Report represents the first stage of a broader review into the Treatment of Women in the Australian Defence Force.

The Report is the first independent review into the Academy since its inception in 1986 and has provided a significant opportunity to examine the importance of women to the future leadership of the Australian Defence Force.

Yours sincerely,

Elizabeth Broderick  
**Sex Discrimination Commissioner**  
Australian Human Rights Commission

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# Commissioner's Message



**Elizabeth Broderick**  
Sex Discrimination Commissioner  
Australian Human Rights Commission

I am pleased to present the Report of the cultural review into the Treatment of Women at the Australian Defence Force Academy (ADFA). This report concludes Phase One of the Review. Phase Two of the Review will examine the treatment of women across the broader Australian Defence Force (ADF).

I wish to thank my fellow Review Panellists – Sam Mostyn, Mark Ney and Damian Powell – for their wise and insightful observations and for being actively involved in the Review process. Each panellist brought to the Review a depth of experience in cultural change programs, the operation of residential colleges in educational settings, command and control environments, sex discrimination and gender. The Review Panel was ably assisted by a small but highly skilled secretariat led by Alexandra Shehadie.

The Review was initiated by the Australian Human Rights Commission at the request of the Minister for Defence, the Hon Stephen Smith MP. The Commission developed the Terms of Reference and appointed the Panel members who, after extensive consultation, designed the methodology. Our Review represents the first independent examination of ADFA since its inception in 1986. This is an important distinction between this Review and previous reviews as it has enabled us to bring a broad societal context to this Review.

The work of the Review was fully supported by senior military and academic personnel and the leadership team at ADFA. Requests by the Review received expeditious and comprehensive responses. I wish to acknowledge the significant contribution and advice over the course of the last five months from former Chief of the Defence Force ACM Angus Houston AC, AFC and his successor GEN David Hurley, AC, DSC. In addition the Review benefited from the assistance and insights of MAJGEN Craig Orme, AM, CSC, Commander Australian Defence College; MAJGEN Mick Crane, AM, DSC, Head, Defence Cultural Reviews Secretariat; RADM James Goldrick, Acting Commandant, ADFA; COL Paul Petersen, Deputy Commandant, ADFA; SQNLDR Glenn van der Kolk, Liaison Officer, Reviews and Inquiries; and Ms. Annebelle Davis, Director General, Strategic Integration, Department of Defence; Professor Frater, Rector and Professor Arnold, Deputy Rector. The Review consulted with CDRE Bruce Kafer, AM, CSC who undertook an examination of ADFA's culture at the behest of RADM Goldrick in mid 2010. These findings and observations helped to inform the Panel's thinking. The Review has also been expertly advised by LTCOL Natasha Fox who provided all assistance sought generously and diligently.

The Panel appointed by the Commission commenced its Review at the same time as other investigations into behaviour in the ADF and at ADFA were being undertaken. These examinations followed a widely publicised incident involving allegations of inappropriate behaviour and use of technology leading to a police investigation. Our Review did not investigate that incident but rather undertook a wide-ranging cultural review of ADFA, with a specific focus on the impact of that culture on women. It examined the adequacy and appropriateness of measures to promote gender equality and to ensure women's safety.

The impact that the incident and the associated publicity has had on ADFA has been far reaching. Midshipmen, cadets and staff with whom the Review spoke expressed frustration about the negative publicity resulting from the incident. I recognise that it has been a difficult time for the ADFA community and I am grateful for their full cooperation in these circumstances.

One of the most extensive examinations of the culture of ADFA was conducted in 1998, following reports of a high level of inappropriate sexual behaviour. The Grey Review, as it was known, examined the policies and practices to deal with sexual harassment and sexual offences. It reported on a range of problems and observed that 'there would also appear to be a high level of tolerance of the unacceptable behaviour amongst the cadets and many members of the military staff.'<sup>1</sup>

Our Review found that ADFA today is a vastly improved institution, with a culture that has evolved significantly since the 1990s. This view was articulated by one recent former female cadet when she said:

During my time at ADFA, at no time did I feel that I was treated any differently due to my gender. All cadets were treated more or less equally in accordance with their own personal abilities. In true military fashion, there was a clear standard to be reached and if you reached that standard, you were recognised for that fact.<sup>2</sup>

However, our Review also found widespread, low-level sexual harassment; inadequate levels of supervision, particularly for first year cadets; an equity and diversity environment marked by punishment rather than engagement; and cumbersome complaints processes.

The Review recognises that the issue of sexual misconduct is not unique to ADFA. However, the vulnerability of women at ADFA to such misconduct was noted by the Review and illustrated by a recent former female cadet who stated that in her experience:

... amongst cadets there was a strong culture of commodification of women, particularly as sexual objects. Female cadets were often treated as "game" after hours, rather than as respected colleagues. Female cadets were often harassed by male cadets [and] these sorts of actions were simply part of the culture at ADFA.<sup>3</sup>

At the time of writing this Report, I was advised of another incident at ADFA involving allegations of a male cadet secretly filming a female colleague in the shower. This incident was immediately referred to police, who laid a charge of committing an act of indecency. The matter is now subject to criminal proceedings. This alleged incident underscores the importance of ensuring that the recommendations contained in this report are implemented as a matter of urgency.

Also of concern to the Review was the high military staff turnover at all levels at ADFA. This turnover significantly impacts not only on the stability of the organisation but also on its status within the wider ADF. Indeed, the Review found that there was a degree of ambivalence toward, and inconsistent support for, ADFA from within the ADF. If Australia is to have the finest naval and military force it must have the finest officer education and training system – a system that acknowledges the complexity of modern warfare and the need for deep connections between members of the services. ADFA, a vital part of this system, has already achieved much but, if it is to be successful, the ADF must recommit to the tri-Service training model.

ADFA should harness the best talent Australia has to offer. Fundamental to achieving this is ensuring ADFA is one of the highest priorities for each of the Services. This necessarily also requires a shift from managing and accommodating women to an attitude of full inclusion, where women are recognised as an essential and vital part of the future capability of the ADF. The importance of women has been identified in all industry sectors across Australia and the ADF should be no different.

As the Chief of the Defence Force, General David Hurley, AC, DSC says:

The ADF can only perform at its best today and into the future if women are equal members and equal contributors who are respected and valued for their service.<sup>4</sup>

The Review's ambition for ADFA is that it be a model learning and training institution, where all midshipmen and cadets have an equal voice, an equal place and are of equal value. All midshipmen and cadets should be able to live and work in an environment that is safe and free from harassment and violence. I am confident that with the effective implementation of the recommendations contained in this report, ADFA will be better placed to achieve this.

The reaffirmation of ADFA as a fine institution within the Australian community will require the ADF and the ADFA leadership to reflect not just on our recommendations but also on the observations contained in our Review. This involves identifying continuing limitations and developing a plan for cultural evolution which is more inclusive of women. To do otherwise would be to leave unfulfilled the considerable potential that ADFA offers.



Elizabeth Broderick

**Sex Discrimination Commissioner**

Chair, Review into the Treatment of Women in the ADF

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- 1 Australian Defence Force Academy, *Report of the review into the policies and practices to deal with sexual harassment and sexual offenses*, Department of Defence (1998), p ix.
  - 2 Confidential submission 11.
  - 3 Confidential submission 13.
  - 4 GEN David Hurley AC, DSC, CDF, *Statement from the Chief of the Defence Force to the Review*, 2 September 2011.



# Terms of Reference

## Terms of Reference

The Terms of Reference were developed by the Australian Human Rights Commission after consultation with the ADF. The Terms of Reference requested the Review Panel, led by the Sex Discrimination Commissioner, to review, report and make recommendations on:

- a) the treatment of women at the Australian Defence Force Academy with a particular focus on the adequacy and appropriateness of measures to: promote gender equality, ensure women's safety, and to address and prevent sexual harassment and abuse, and sex discrimination
- b) initiatives required to drive cultural change in the treatment of women at the Australian Defence Force Academy, including the adequacy and effectiveness of existing initiatives and of approaches to training, education, mentoring and development
- c) the effectiveness of the cultural change strategies recommended by the Chief of the Defence Force Women's Reference Group in the Women's Action Plan including the implementation of these strategies across the Australian Defence Force
- d) measures and initiatives required to improve the pathways for increased representation of women into the senior ranks and leadership of the Australian Defence Force
- e) any other matters the Panel considers appropriate that are incidental to the above terms of reference.

Additionally, 12 months after the release of the Panel's report (the Report), the Terms of Reference require a further independent Report to be prepared which:

- audits the implementation of the recommendations in the Panel's Report by the Australian Defence Force Academy and the Australian Defence Force more broadly
- makes any further recommendations necessary to advance the treatment of women at the Australian Defence Force Academy and in the Australian Defence Force.

The Panel was asked to consult widely in conducting the Review.

In preparing the Report the Panel may have regard to the evidence and available outcomes of the additional reviews announced by the Minister for Defence in April 2011.

The Panel may release interim reports addressing different elements of the terms of reference ahead of the completion of the Report.

The Review has been divided into two Phases. Phase One addresses objectives (a) and (b) in the Terms of Reference and Phase Two addresses objectives (c) to (e). This Report addresses Phase 1.





# Acronyms and Abbreviations

ADFA	Australian Defence Force Academy
ADF	Australian Defence Force
AMET	Academy Military Education and Training
ARA	Australian Regular Army
ASO	ADFA Standing Orders
BOR	Board of Review
Cadet	Term used to refer to midshipmen and officer cadets at ADFA
CDF	Chief of Defence Force
CI	Chief Instructor
CO	Commanding Officer
COMDT	Commandant
Div (Division)	A management grouping of up to 47 cadets based on accommodation allocation (each accommodation has 48 rooms, with one used as an office)
DO	Divisional Officer
DNCO	Divisional Non Commissioned Officer
DSNCO	Divisional Senior Non Commissioned Officer
DSPPR	Directorate of Strategic Personnel Policy Research
DWIntel	Directorate of Workforce Intelligence
E and D	Equity and Diversity
EYBOR	End of Year Board of Review
FBOR	Fortnightly Board of Review
Go8	Group of Eight – Coalition of leading Australian Universities
IGADF	Inspector General Australian Defence Force
MIDN	Midshipman
MYBOR	Mid Year Board of Review
NCO	Non Commissioned Officer
NEOC	New Entry Officer Course
NGN	New Generation Navy
NOYO	Navy Officer Year One
NUS	National Union of Students
OSB	Officer Selection Board

PTI	Physical Training Instructor
RAAF	Royal Australian Air Force
RAN	Royal Australian Navy
RMC	Royal Military College
SEQ	Sexual Experience Questionnaire
SNCO	Senior Non Commissioned Officer
Sponsor Families	Canberra-based families that volunteer to support first year cadets
Squadron	Group comprised of four to five Divisions
SSM	Squadron Sergeant Major
SST	Single Service Training
Tri-Service	The Three Services that make up the Australian Defence Force – Navy, Army and Air Force
UNSW	University of New South Wales
VCDF	Vice Chief of Defence Force
VECA	Voluntary Extra Curricular Activity
YOFT	Year One Familiarisation Training
XO	Executive Officer

### **Other Reviews Referred to in the Report**

*Report of the Review into Policies and Practices to Deal with Sexual Harassment at the Australian Defence Force Academy, 1998 – Grey Review*

*Inquiry into the Learning Culture in ADF Schools and Training Establishments, 2006 – Podger Review*

*Review of the Australian Defence Force Academy Military Organisation and Culture, 2010 – Kafer Review*

# Glossary of Cadet Terms

Chit	Medical Advice Card outlining any treatment or limitation required by a cadet
Chitting	Refers to use of a Medical Advice Card to malingering
Dully	First year cadet
E&D'ed	Disciplinary action in relation to certain unacceptable behaviour
Grey man	A cadet whose performance (either negative or positive) does not come to the attention of staff
Jacking	A perceived display of disloyalty, including informing on a fellow cadet
Over the hill	Reference to RMC Duntroon which is located over a spur line of Mount Pleasant that separates ADFA and RMC Duntroon
Crossing the Road	Involving staff to sort out a cadet problem or issue
Fratting	Fraternising, generally on an intimate level, with another cadet in a cadet's room
The Lines	The group of accommodation buildings where cadets live
Sick Parade	The daily military formation at which individuals report to the medical officer as sick



# Executive Summary

This Report presents the findings of Phase One of the Review into the Treatment of Women at ADFA and in the ADF. Phase One of the Review focuses specifically on ADFA. This report contains four chapters and 31 recommendations. These recommendations build on reform processes begun in the late 1990s and identify further, significant areas for change.

A description of ADFA, including its history, tri-Service nature, staffing and cadet demographics, is contained in Appendix A.

## Our methodology

The Review undertook qualitative and quantitative research.

The qualitative work of the Review has been broad, extensive and consultative. The Review spoke to over a quarter of the cadet body, the entire leadership team, the majority of military staff, as well as academic staff, medical staff, padres, representatives of ADFA sporting clubs and associations, physical training instructors, international cadets and cadets who have recently separated from ADFA. Parents and sponsor families of cadets were consulted. The Review also met with trainees and staff of single service training colleges, including HMAS Creswell, Royal Military College, Duntroon and the Air Force Officer Training School, Sale.

The Review attended sporting activities and visited leisure establishments frequented by ADFA cadets. It received public and confidential submissions, through the Australian Human Rights Commission website and to a confidential inquiry line.

The Review used established quantitative tools, including surveys, to complement the qualitative findings.

During the course of consultations, some incidents of alleged unacceptable conduct were brought to the attention of the Review. While the Report refers to this alleged conduct, it should be noted that the scope of the Review did not extend to investigating and making findings or determinations about any specific incidents or allegations of unacceptable conduct.

Research was conducted into approaches to the treatment of women adopted by military training institutions in other countries, including Canada, the United Kingdom, the United States, the Netherlands and New Zealand. These countries have been identified as offering the closest comparison to Australia, both in terms of wider social and political contexts and in terms of the particular Defence Academy structures.

A more detailed description of the scope of the Review and the methodology utilised is contained in Appendix B.

## Key findings

In 1998, there was a comprehensive review of ADFA's Policies and Practices to Deal with Sexual Harassment and Sexual Offences (the Grey Review). At that time there was found to be a high level of unacceptable behaviour including sexual harassment and sexual offences at ADFA.

In contrast, the current Review found that the culture had improved significantly since the mid 1990s and that many of the extreme cultural concerns documented in the Grey Review were no longer apparent at ADFA. However, the Review also found that further structural and cultural reform is necessary if ADFA is to become the excellent tri-Service training and academic institution it aspires to be. Excellence requires that ADFA has a strong culture of inclusiveness, fairness, transparency and learning.

Women constitute about one-fifth of the ADFA cadet body and will continue to do so for the foreseeable future. Women represent a significant minority group and this has implications which must be acknowledged by ADFA and the broader ADF.

The Review found structural and cultural deficiencies which have implications for all cadets and, in the context of our Review, particularly for women. A renewed and constant reform focus is essential if there is to be continued improvement for women and the entire cadet body.

Following is a summary of the key findings and recommendations of the Review.

### **(a) Commitment to ADFA**

There needs to be a strong reaffirmation of ADFA as the centre of excellence for tri-Service education and training for junior officers. ADFA espouses excellence, however it lacks a well-articulated purpose and a clear vision. This inhibits it from realising its potential and, significantly, from integrating equality, diversity and inclusion in a meaningful way.

The Review makes a number of recommendations to address these issues and in particular recommends that the ADF leadership clearly articulate ADFA's purpose and the ADF's commitment to, and vision for, ADFA.

### **(b) Equity and diversity**

The concepts of equity and diversity applied at ADFA are generally grounded in disciplinary and punitive processes and as a response to unacceptable behaviour. They are not used as overarching, positive values that can inform and enhance everyday practice. They are not linked to enhancing ADF capability.

ADFA should develop and articulate a clear, unambiguous and widely-disseminated statement about diversity, inclusion and gender equality that recognises the fundamental importance of women to the sustainability and capability of the wider ADF.

It is critical that equity and diversity education is separated from education about reporting unacceptable behaviour and the complaints process. Principles of equity, diversity and inclusion should be embedded into all of ADFA's policies and practices and ethical leadership instruction. A strong commitment to equity, diversity and gender equality should be actively and visibly promoted by the ADF and ADFA senior leadership teams. This should be accompanied by an unequivocal condemnation of all forms of sexism, sexual harassment and violence against women.

Induction and ongoing education programs on equity and diversity which draw on realistic scenarios should be provided to ADFA staff and cadets. These should be developed and delivered collaboratively by ADFA and an expert educator. There are many visible male role models at ADFA and in the wider ADF. Senior and successful women are not as prominent. To address this, cadets and staff would benefit from regular forums where female role models, both from within and beyond the ADF, deliver presentations on their experiences.

ADFA should fully assess the effectiveness of equity and diversity education, and the diversity network with a view to improving and strengthening it. The success of education on these issues can only be achieved through changed attitudes and behaviours. To track such changes, it is critical that the effectiveness of education and training processes be evaluated against established indicators.

### **(c) Selection, training and turnover of staff**

The high turnover of Commandants and military staff has had a significant negative impact on ADFA's leadership stability, continuity and organisational memory. This includes a detrimental impact on the implementation of policies and practices that affect all cadets, including women. Further, the Commandant has limited influence over which staff are posted to ADFA and has limited engagement with ADF Service Chiefs. The Review makes a number of recommendations which aim to address these issues.

The Review repeatedly heard that ADFA is not considered a prestigious posting for staff. This has an impact on staff commitment to ADFA and on the quality of educators and trainers. In order for ADFA to be Australia's finest military training academy, the ADF's three Services need to develop innovative strategies to attract and retain the best staff. Consideration should be given to separating rank and role to enable recruitment of a wider pool of quality educators and positive role models within ADFA. To raise the status of ADFA and staffing decisions, the Service Chiefs could regularly inform the CDF of each posting schedule.

Prior to being posted to ADFA, many military staff have not had experience as supervisors of mixed gender environments or supervision of young people. Induction training at ADFA does not provide staff with adequate tools to deal with the issues that may arise from managing young men and women. Further, induction training does not adequately provide for such principles as equity and diversity and gender equality to be embedded in the daily practice of staff and their interaction with cadets. The Review recommends a range of strategies to reform the induction and training processes of ADFA staff to improve their capacity in these areas. The Review also recommends that quality performance by ADFA staff should be a positive discriminator for career progression.

### **(d) Cadets as young people**

Throughout the Report the term cadet is used to refer to both midshipmen and officer cadets at ADFA.

Cadets, apart from the midshipmen, generally come to ADFA soon after completing high school. Many have not lived away from home before and many have not had any experience in a military setting. The Navy has instituted the Navy Officer Year One Program (NOYO) for midshipmen prior to commencing at ADFA. The Review heard consistent evidence that cadets from the other services would benefit from a similar program as this would develop their maturity and commitment to their chosen profession. A one year immersion experience could support the maturation process, as midshipmen and cadets prepare to commence their undergraduate studies. The Review recommends that options for service-wide programs should be completed within 12 months of the release of this Report. The preferred option should be implemented in 2013 in readiness for the 2014 cadet intake.

Given their differing levels of maturity and the stressors cadets may experience as they embark on their military training and career, many would benefit from regular mentoring and advice. ADFA should offer cadets a mentor external to ADFA, who may be drawn from a non-military background. Female cadets should be given the option to be placed with female mentors. A number of women's mentoring programs currently operate through Australian universities, including the University of New South Wales (UNSW). These programs may provide a useful template.

The Review heard that there is regular alcohol use among ADFA cadets. Among some groups, there is heavy alcohol use characterised by binge drinking. Early training is a formative period for ADFA cadets. It is a time when drinking behaviours can become established. Information was provided to the Review that such use is typical of a general drinking culture among young people in Australia. However, the Review also heard that since ADFA cadets, are trained to be future leaders, they should adhere to a higher standard of acceptable behaviour than the wider Australian population.

Heavy alcohol use can increase risks to individual and others' wellbeing and safety. It can also have a serious impact on women's safety. The cost of alcoholic drinks in the cadets' mess is much lower than in public establishments. To minimise the risks arising from the over-consumption of alcohol, ADFA should review its pricing regimes in the mess. In addition, ADFA should ensure ongoing regular alcohol testing is undertaken, as provided by *Defence Instruction (General) Personnel 15-4 Alcohol Testing in the Australian Defence Force*.

### **(e) Residential setting and supervision**

Cadets are generally housed on the ADFA campus. Complex issues arise because the campus is a place of residence and a place of study and work for young people experiencing a new level of independence. There are inadequate levels of oversight and supervision to minimise risks. Greater engagement of staff 'after hours', and the creation of appropriate staff accommodation to support this aim, will greatly enhance ADFA's culture and its effectiveness to promote the development of the cadets within its care.

As a priority, ADFA should instruct an occupational health and safety specialist to conduct a risk assessment of the residential accommodation, including bathrooms, to identify the existence and level of risk to cadets arising from mixed gender living arrangements.

To address the issue of isolation and to increase supervision in the residential setting the Commandant should adopt a system based on a model of Residential Advisors for each first year Division (one male and one female) who will live in the residential block to provide after hours supervision. While they may be recent ADFA graduates engaged in postgraduate study, these Residential Advisors should be outside the cadet structure, and should have appropriate skills and attributes in leadership, and the ability to provide after hours supervision and pastoral care for cadets. They should have a direct line of report to the Commandant in the case of serious pastoral or disciplinary incidents.

In addition, the ADF should explore the creation of residential accommodation on the ADFA site suitable for couples or families, for Divisional staff in association with their training and supervisory roles. Further, the culture at ADFA would benefit from the greater engagement of military, academic and pastoral staff 'after hours' and in the residential setting, and the ADF should explore the creation of appropriate spaces to enhance engagement in this setting from all three groups.

### **(f) Gender relations**

Gender relations are not well understood among cadets and the messages cadets receive about unacceptable behaviour can be inconsistent. Similarly, the impact of sexualised activities and sexual behaviour is not well understood or grounded in an appropriate ethical framework for the cadet body.



Education on sexual ethics and respectful and healthy relationships should be provided to all cadets, including on issues such as:

- the meaning, inappropriateness and impact of sexist language and sexual harassment
- the meaning of consent
- the appropriate use of technology
- stalking, controlling and threatening behaviours.

### **(g) Complaints process**

Training on making complaints of unacceptable behaviour – including sexual harassment, abuse and sex discrimination – should be reviewed to ensure the training is targeted and appropriate to each year group and to staff. It should also reflect an individual's different responsibilities in relation to incident reporting, response and management.

Reporting a complaint can be difficult for cadets who fear victimisation, lack of confidentiality or that it will undermine their opportunities for career progression. The Review saw merit in the Army's *Fair Go* Hotline, which allows Army personnel to raise previously unreported incidents of unacceptable behaviour, including bullying, harassment, victimisation, verbal abuse or assault. Callers can remain anonymous and are not required to disclose that they have used the Hotline. Issues reported to the *Fair Go* Hotline are investigated and necessary actions are taken.

To encourage reporting of complaints by cadets and to provide staff with a useful tool to find the best referral mechanism for a cadet who has come to them with a complaint, ADFA should establish and promote a dedicated ADFA-specific, seven-day per week, toll-free hotline for all cadets, staff and families. The expert operators will provide advice and referral about the most appropriate mechanism or service (ADFA, ADF or external) to deal with the complaint.

ADFA's incidents and complaints data is patchy and incomplete. ADFA should develop and maintain, through the ADF information system, a comprehensive, accurate and up-to-date online database, which includes all relevant information about complaints and incidents. The Commandant of ADFA and the Commander of the Australian Defence College should be given monthly reports on incidents and trend data. The database should also undergo annual quality assurance testing to ensure that the standards in the relevant Defence Instructions are being met.

### **(h) Sexual harassment and abuse**

Widespread, low-level sexual harassment exists at ADFA. Women disproportionately experience gender and sex-related harassment, as well as general harassment and discrimination. Qualitative and quantitative information also shows there have been isolated incidents of serious sexual misconduct in recent years, including sexual assault. These results were of concern to the Review.

ADFA should take a leadership role by developing and administering an annual survey to measure the level of sexual harassment and sexual abuse. The results from this survey should inform an organisational response. The Review acknowledges that ADFA is not alone in facing these challenges. Other tertiary institutions and residential colleges have similar concerns. Therefore, ADFA should develop its unacceptable behaviour survey in collaboration with the residential colleges and halls of the Group of Eight universities' colleges and halls, in order to provide meaningful comparisons. It would also demonstrate ADFA's commitment to lead in this area. Consideration should also be given to including Single Service Training establishments in the development of this survey.

### **(i) Women's health and wellbeing**

The different health needs and physical capacities of women are not well understood. Proportionally, female cadets experience a higher level of injury than male cadets. ADFA should examine women's injury rates and develop strategies to improve health and wellbeing management. Injured cadets who are disproportionately women are often stigmatised on account of their medical status. ADFA should develop a strategy to address this.

In addition, there is insufficient support for a range of health and wellbeing issues, including sexual and personal abuse and violence at ADFA. ADFA should provide information on key internal and external support services to cadets to be able to respond to cadets' health and wellbeing needs in a holistic fashion.

### **(j) A strong future for ADFA**

ADFA is not unique in dealing with the issue of the treatment of women. The learning from comparable international military educational and training establishments demonstrates that the greater the presence of women, both in terms of the breadth of the roles they occupy, as well as their presence in leadership positions, the more likely women will be viewed as equal participants. The international research also demonstrates:

- that strong leadership is the single most important factor in building inclusive organisations
- the importance of clear policies and effective training to underpin cultural change
- any initiatives must be positioned in a cultural and organisational context where equity and diversity are key components of success – a context that acknowledges women are critical to the ADF's core capability not just an "add-on".

The implementation of the recommendations contained in this Report will provide a firm basis from which to realise the considerable potential of ADFA.

Our Terms of Reference require an independent evaluation of the implementation of the Review's recommendations 12 months following delivery of the report. They also require that any further recommendations necessary to advance the treatment of women in the ADF and ADFA be made.

# Table of Recommendations

The table of recommendations contains 31 recommendations that build on reform processes which began in the late 1990s. They are designed to realise the unfulfilled potential of ADFA.

The recommendations contained in the table are critical to drive cultural change in the treatment of women at ADFA. The table begins with a number of high-level reforms necessary to lift the status of ADFA and then moves to a number of more detailed recommendations in relation to ADFA's policies, processes and systems.

Table of recommendations	
<b>ADFA's role and purpose</b>	
1.	The ADF leadership, including the Chiefs of Service, reaffirm ADFA's pre-eminent role in the education and training of future leaders for the ADF.
2.	The CDF issue a strong statement in support of ADFA and demonstrate a visible commitment to it.
3.	The CDF develop for ADFA: <ol style="list-style-type: none"> <li>a) a strategic direction which clarifies ADFA's purpose and outcomes</li> <li>b) an associated communication plan to inform the ADF and the Australian community.</li> </ol>
4.	ADFA develop a performance framework that incorporates the current metrics and new metrics to capture the implementation of the recommendations contained in this report.
5.	The VCDF be accountable for the implementation of the recommendations contained in this report to ensure the full inclusion of women at ADFA.
<b>Equity and diversity</b>	
6.	ADFA develop and articulate a clear, unambiguous and widely disseminated statement about diversity, inclusion and gender equality which: <ol style="list-style-type: none"> <li>a) recognises the fundamental importance of women to the sustainability of the wider ADF</li> <li>b) provides a framework for the creation of a diverse workplace where both men and women can thrive</li> <li>c) emphasises the unacceptability of sexual harassment, abuse and discrimination to ADFA and the wider ADF.</li> </ol>
7.	ADFA teach equity and diversity separately from complaints procedures.
8.	ADFA teach equity and diversity principles as core values underpinning ethical leadership.
9.	ADFA evaluate the effectiveness of the Equity Advisers' Network to strengthen its advisory capacity.

## Table of recommendations

10. ADFA embed equity and diversity in all policies and practices through:
- a) ADF and ADFA senior leadership teams championing diversity and gender equality and publicly condemning all forms of sexism, sexual harassment and violence against women
  - b) ADFA introducing regular forums for all cadets and staff where female role models from within and beyond the ADF present on their experiences.

### ADFA's Structure and Staffing

11. The VCDF develop a strategy to allow for greater engagement between the Commandant and the ADF Service Chiefs.
12. The Commander, Australian Defence College, work with the Deputy Chiefs of Service in order to achieve the following outcomes:
- a) as one of their highest priorities, the provision of high quality staff to ADFA
  - b) a stronger role for the Commandant in the selection of outstanding staff, with particular attention to increasing the representation of women
  - c) a wider pool of good educators and positive role models for cadets by considering innovative solutions, such as separating rank and role
  - d) a simplified process of removing underperforming staff and cadets to ensure expediency while maintaining due process and, in relation to the removal of staff, the least disruption to the supervision and training needs of cadets.
13. The tenure of Commandants should be for a minimum of three years and should not be reduced, other than in exceptional circumstances.
14. ADFA provide staff with appropriate induction, education and training on:
- a) gender equality and the supervision of mixed gender environments
  - b) pastoral, disciplinary and educational practices relevant to the supervision and care of 17-23 year olds in a residential setting.
- Initial staff induction training should be supplemented by the creation of staff learning groups that are built on appreciative inquiry. The learning groups should be facilitated by an expert facilitator in partnership with ADFA.
15. As part of their performance reviews, ADFA staff be assessed against, among other things:
- a) their capacity to implement equity and diversity principles
  - b) confidential feedback from cadets and peers.

### Midshipmen and cadets are young people and future leaders

16. The VCDF, in association with the Services:
- a) explore first year single service training and work placement for all ADFA cadets. Options regarding this process should be completed within 12 months of the release of this report. The preferred option should be implemented in 2013 in readiness for the 2014 ADFA intake
  - b) review the minimum entry age to ADFA to ascertain whether it is appropriate
  - c) explore a range of cadet recruitment options for ADFA which recognise the different life course of women compared to men.

## Table of recommendations

17. ADFA offer cadets a mentor, external to ADFA who may be drawn from a non-military background, to provide support and advice. Female cadets should be given the option to be placed with female mentors. Workplace-based mentoring programs targeting women that operate through universities, including UNSW, should be considered as a useful template.
18. As part of the ADF's overall review of alcohol, ADFA:
  - a) review the pricing regime of drinks in the cadets' mess to minimise the risks associated with over consumption of alcohol
  - b) ensure ongoing regular alcohol testing of cadets as provided by *Defence Instruction (General) Personnel 15-4 Alcohol Testing in the Australian Defence Force*.

### Accommodation and supervision

19. As a priority, ADFA instruct an Occupational Health and Safety specialist to conduct a risk assessment of the residential accommodation, including bathrooms, to identify the existence and level of risk to cadets arising from mixed gender living arrangements. ADFA should implement the recommended risk minimisation strategies arising from this assessment.
20. As a priority, to address the issue of isolation and to increase supervision in the residential setting the Commandant adopt a system based on a model of Residential Advisors for each first year Division (one male and one female) who will live in the residential block to provide after hours supervision. While they may be recent ADFA graduates engaged in postgraduate study, the Residential Advisors should be outside the cadet structure, and should have appropriate skills and attributes in leadership, and the ability to provide after hours supervision and pastoral care for cadets. They should have a direct line of report to the Commandant in the case of serious pastoral or disciplinary incidents.
21. The ADFA Redevelopment Project Committee:
  - a) investigate options for suitable residential accommodation for Divisional staff within the ADFA precinct
  - b) investigate options for spaces within the residential setting which allow for better interaction between cadets and academic, medical, support and Divisional staff
  - c) develop a set of principles addressing women's security and safety and promoting the better engagement between staff and cadets in the residential setting. These principles should underpin the future master plan.

### Minimising risk, managing incidents and ensuring the safety of the workplace

#### ***Education***

22. ADFA, in collaboration with an expert educator, provide cadets with interactive education on:
  - a) respectful and healthy relationships, and sexual ethics
  - b) the meaning, inappropriateness and impact of sexist language and sexual harassment
  - c) the meaning of consent
  - d) the appropriate use of technology

## Table of recommendations

- e) stalking, controlling and threatening behaviours  
and evaluate the effectiveness of this education every two years with an external evaluator and assess it against key indicators that measure attitudinal and behaviour change.
23. ADFA review the training on making complaints of unacceptable behaviour (including sexual harassment and abuse and sex discrimination), with specific attention to creating specific modules tailored to different groups within ADFA – namely first-year cadets, more senior cadets and staff – to reflect their different responsibilities in relation to complaint/incident reporting, response and management.

### ***Advice and referral***

24. ADFA establish and promote a dedicated, ADFA-specific, 24 hour, seven day, toll-free hotline for all cadets, staff, families and sponsor families. The expert operators will provide advice and referral about the most appropriate mechanism or service (ADFA, ADF or external) to deal with the complaint. In establishing the line, ADFA should draw on the protocols and policies of the *Army Fair Go* Hotline.

### ***Data***

25. ADFA develop and annually administer a survey in order to more accurately measure the level of sexual harassment and sexual abuse among cadets. This survey should be followed up with a strategic organisational response by the Commandant, with feedback provided to cadets and staff to ensure that they have an investment in any reform arising from the survey results.
26. To provide meaningful comparisons, ADFA develop this survey in consultation with other Group of Eight Universities' Residential Colleges and Halls, applicable to cadets as both military in training and university students. ADFA should consider including other single service training establishments in the development of this survey.
27. In order to record, track and manage complaints and incidents, ADFA develop and maintain, through the ADF information system, a comprehensive, accurate and up-to-date online database. This database should identify all relevant information relating to individual complaints and incidents of unacceptable conduct, including sexual harassment, abuse and assault and sex discrimination, including:
- a) name of complainant(s)
  - b) name of respondent(s)
  - c) date, details and nature of complaint/incident
  - d) all steps taken in responding to and managing the complaint/incident, including the Quick Assessment Brief and all other documentation and reports required under the relevant Instruction (e.g. reports to Defence Fairness and Resolution)
  - e) response/resolution option adopted
  - f) timeframe to resolution/closure
  - g) feedback from complainant(s) and respondent(s)
  - h) any further issues arising from monitoring the implementation of the response/resolution.

## Table of recommendations

28. Reports from this database are to be reviewed by the Commandant on a monthly basis to ensure timely and appropriate actions. The Commandant should also report monthly to the Commander, Australian Defence College, on incidents, trends and identifiable concerns arising from the data.
29. In order that standards of reporting, recording and resolving incidents are properly met, ADFA should ensure the database undergoes annual quality assurance testing to determine:
  - a) whether all complaints and incidents are being entered on the database and all required fields in the database are adequately completed
  - b) whether the record keeping and reporting standards in the Management and Reporting of Unacceptable Behaviour, Management and Reporting of Sexual Offences (including Forms AC 875-1 – AC 875-3) and Quick Assessment Instructions are being met in relation to all individual complaints of unacceptable behaviour or sexual offences.

### ***Injury, health and wellbeing***

30. ADFA undertake a detailed evaluation to determine whether female cadets are more likely to become injured than male cadets and, if so, identify the causes and additional mechanisms to be put in place to manage this risk. Following this evaluation, strategies should be developed to:
  - a) improve injury and health management
  - b) actively promote health and wellbeing with reference to best practice in comparable residential settings
  - c) recognise the physical capabilities of individuals commensurate with their respective roles
  - d) eliminate stigma associated with medical restrictions.
31. In order to provide cadets with a range of support options regarding health and wellbeing, sexual or personal abuse and violence, ADFA:
  - a) provide and/or display in plain view in residential and academic premises, information on key internal and external support services to cadets, including but not limited to the proposed ADFA Toll-free hotline (rec. 24), Women's Health Services, Mensline, the Rape Crisis Centre, Lifeline and drug and alcohol counselling
  - b) develop partnerships with key external service providers, including those that are predominantly utilised by women, to ensure that ADFA provides a holistic response to cadets' health, wellbeing and safety needs.





# 1 ADFA: Description of Current Culture

The Terms of Reference required the Review to make recommendations on initiatives to drive cultural change at ADFA regarding the treatment of women. To properly identify these initiatives, the Review needed to assess the culture as it currently exists. Part of this process involved examining the notion of military culture generally and, more specifically, the culture for women at ADFA.

The Review analysed the key drivers of the current cultural context, including diversity and inclusion, recruitment, induction and termination of staff, Academy Military Education and Training (AMET), Single Service Training (SST), accommodation supervision and support, leadership, formal and informal hierarchies and role modelling and mentoring.

The Review also examined the social context and interactions of cadets, their alcohol use and the notion of individual reputation management. All of these issues are discussed in this Chapter. They provide a framework against which the Review was able to identify areas which demonstrate a positive culture at ADFA and those that point to areas where reform is needed to improve the treatment of women.

## 1.1 Military culture

The term ‘military culture’ was referred to frequently in consultations and submissions. Military culture was referred to as one of the single most important factors that can impact on the treatment of women in the ADF, including ADFA. To that end, this section explores the concept of culture and the military.

### (a) What is culture?

Culture has been defined as ‘a pattern of shared basic assumptions invented, discovered or developed by a given group’ that is ‘taught to new members of the group.’<sup>1</sup> It gives members of the group cues about how to act and think about their world. Culture is passed on from one generation to the next through a process known as socialisation.

In the same way that societies and communities socialise children into a particular way of life, groups and organisations also expose new members to their shared ‘way of life’. Through socialisation, groups ensure that while each member changes over time, a shared identity remains continuous and recognisable. In the case of ADFA, considerable effort is made to immerse cadets in the military culture, and especially the ADFA culture, during the Year One Familiarisation Training (YOFT).

Members of occupational groups and organisations carry out a myriad of actions, many of which have unique and specific details, yet which are embedded in and given contextual sense by repetitive and identifiable patterns.<sup>2</sup> These patterns, as far as they can be recognised, describe a ‘culture’.

### (b) Subcultures and the military

The ADF is a large and powerful subculture within Australia. There are many common features shared within the culture of the ADF. For example, all members wear uniforms, salute their officers and address superior officers as Sir or Ma’am. They share a strong sense of duty and patriotic service.

Each service – Navy, Army and Air Force – is a subculture within the ADF and some tensions exist between them.

Since ADF personnel wear a uniform, cut their hair in certain ways and develop a particular bearing through their training, they are especially ‘visible’. At ADFA, a great emphasis is placed on these very conspicuous features early on, with frequent reminders about the new identity they are expected to adopt, share and make their own.

### **(c) Cultures create identities and boundaries**

#### *(i) Identity and boundary maintenance are ‘double edged’*

The more strongly a group holds to a view, the greater the likelihood that it will establish internal identities and boundaries surrounding them at the expense of ‘outsiders’. There can be internal pressure on group members to conform to an imagined ideal.

In recruiting young civilians and rapidly socialising them into a military culture, ADFA’s task is potentially fraught. Numerous formal practices and customs contribute to this, as do other social customs. For example, the regular use of the same night spots by ADFA cadets socialising as a group enhances and exaggerates the identity split between young civilians and those of the cadet body, who otherwise share the same spaces, activities and interests.

#### *(ii) Isolated locations can exaggerate problems*

ADFA is, to an extent, isolated from the wider ADF. This is not uncommon in military training establishments. However, this isolation is reinforced by its young, inexperienced members, who can amplify and distort the culture’s imagined norms in a desire to conform. This can exaggerate the boundaries and disparages anyone judged not to be a ‘perfect fit’.

The Grey Review suggested that this was the case at ADFA in the 1990s. ADFA must remain vigilant about excesses and distortions of military culture, in order to develop and enhance its reputation as an outstanding academy.

## **1.2 The culture for women at ADFA**

In the Review’s consultations, most women cadets stated that they were treated equally and with respect. Overwhelmingly, women cadets felt that ADFA is a place where they are treated well. One confidential submission claims that ‘[t]here is no culture at ADFA that regards women as “less” than men’.<sup>3</sup> Another submission commented:

I am trained in the same practices as men and am able to participate in equal learning opportunities of all types, there are no restrictions or stigmas that may inhibit me from participating in an active role in the ADFA community.<sup>4</sup>

At the World Café cadets repeatedly said things along the same lines: ‘[women] get treated like people’, ‘everyone gets treated equally’, ‘we all just consider each other as equals’ and ‘everyone is given equal opportunities to achieve and perform at their best’.<sup>5</sup>

The Review also heard consistent and strongly expressed views from women – both cadets and staff – that they did not want ‘special’ treatment. They wanted to be treated exactly the same as the men at ADFA:

I have always been actively encouraged to do my best and drive towards my goals as have all my peers regardless of gender. I was treated the same as my male counterparts, and I do not believe it should be any different ... the thought that I may in the future be tippy toed around simply as a result of my gender offends me. I have equality in my workplace ...<sup>6</sup>

These assertions about equal treatment of men and women were also evident in expressions of some resentment towards the impact of the Review and its focus on the treatment of women. For example, the following comment was made in a focus group:

I suppose with these reviews I get a little annoyed, because ... later on in my career when maybe I get a posting or a position, it’d be like ‘oh she got that because she’s a female’, not because I deserved it. Because with all these reviews it brings attention on women.<sup>7</sup>

There was also resistance towards any potential findings of cultural problems at ADFA. For example, in summing up cadets’ discussions at the World Café, one cadet stated that:

The one point that really came through from absolutely everybody ... is that business as usual is fine ... because we feel there’s no massive overarching problems ... there’s no need to put pressure on Defence to find a problem when really we feel that there is none.<sup>8</sup>

There was also a perception that any gender issues identified at ADFA were representative of the ‘culture of wider Australian society’: ‘the things that the public or that everyone might see as being wrong with ADFA, and wrong with the way the women are treated, aren’t necessarily to do with the culture at ADFA’.<sup>9</sup>

However, while observing that attitudes towards women have changed for the better, one submission noted that:

... not wanting to be singled out or treated differently because one is female is a strong element of [the female culture at ADFA]. Women, and especially Army women, tend to adopt the wider male culture to such a degree they can also appear misogynist.<sup>10</sup>

#### **(a) Inclusion of women at ADFA**

Despite the strength of the views set out above, there is also a general acceptance that ADFA is unequivocally a male-dominated environment and the environment may be more difficult for women.

As COL Paul Peterson, Deputy Commandant ADFA says:

in my opinion, women travel a harder road at ADFA than men. This is *not* to say that they are subject to systemic disadvantage or mistreatment, but it reflects the challenging realities of service in the military.<sup>11</sup>

Barriers to the full inclusion of women continue to exist. For example, the following confidential submission observed:

I see that ADFA has done a fine job in changing behaviour and attitudes toward women, but still has trouble communicating that celebration and acceptance of difference is good, powerful and could be the key thing that distinguishes the ADF from its adversary. Too many women are still measured against the narrow confines of single sex (ie male) styles of leadership, even if those styles are not relevant to their future role in the ADF.<sup>12</sup>

An explicit example of this is the assumption that the male physical standard was the norm. The Review heard in focus groups that women believe they have to compete with men in terms of physical prowess to be accepted as equal:

We sign up to be up an engineer or this or that, not as a female XYZ, so ... and it's the same training ... the expectations are the same, you still have to get the same marks, you still have to be just as competent ... in our leadership assessments and everything like that, it's still the same, there's no different criteria between male and female, as it should be.<sup>13</sup>

The Review heard evidence that women are encouraged to be more masculine by other cadets and some staff. One ADFA staff member observed that 'success is tied to strength and masculinity, a whole range of things that I think make women feel pressured to perform a lot more'.<sup>14</sup> A confidential submission noted that:

Both male staff and male cadets would regularly make disparaging comments regarding women's ability to succeed in some areas of military training, especially physical training and shooting. When male cadets made comments of this nature in front of staff, they were never reprimanded for doing so, with staff often joining in with the 'jokes'.<sup>15</sup>

One female cadet even commented that it should be communicated to women who are thinking of joining that they will have to 'toughen up':

... letting them know that the military is a male kind of culture, a strength culture but ... that's what the military is and that's what the military does and men will always be associated with that whole macho killing people ... there will be men that will mistreat you. [Women] just need to be educated on the fact that this is the culture that you're entering into and make sure that you enjoy that environment.<sup>16</sup>

Such an environment clearly carries risks. The overemphasis on physicality means that cadets feel pressured to continue training despite injury. They fear being thought of as 'weak' or 'chitters' or not being 'team players' if they seek medical assistance. These factors continue to operate as barriers to inclusion for those who do not meet these assumed cultural standards.

## **(b) Sexist and sexualised language and behaviours**

The Review also heard of persistent low-level forms of sexualised language and sexist behaviours. A former staff member noted that:

Soon after the first years arrived ... I became aware of a 'competition' by the 2nd and 3rd year male cadets to see who could score a 'trifecta'; that being the first to have sexual relations with a 1st year female from each of the services.<sup>17</sup>

Further, a recently separated cadet stated:

Amongst cadets, there was a strong culture of commodification of women, particularly as sexual objects. Female cadets were often treated as ‘game’ after hours, rather than as respected colleagues. Female cadets were often harassed by male cadets ‘dully hunting’, and on a number of occasions I noted female cadets being encouraged by large groups of older male cadets to drink heavily with them. No initiatives were in place to discourage this sort of behaviour, and the attitude which underpinned these sorts of actions were simply part of the culture of ADFA.<sup>18</sup>

At certain points in the Review women’s behaviour was described in terms of them being ‘sluts’,<sup>19</sup> ‘one of the boys’,<sup>20</sup> and ‘whingers’.<sup>21</sup> For example a staff member commented in a focus group:

I can say to a male Cadet the same thing that I say to a female Cadet, the male Cadet may sort of look you up and down and get on with it, the female Cadet, generically speaking, will give you a big grin, do the eyelids, that doesn’t work, uh-oh he’s still taking the same tone, then the tears will start, uh-oh he’s still taking the same tone, and then it’s you can’t speak to me like that, it’s equity and diversity type thing.<sup>22</sup>

Some women also reported that the emphasis on physicality led to feelings of being judged physically. They felt there was pressure on them to stay thin and scrutiny of their body shape and eating habits by others:

Very early into our training, we were told by the staff in charge of our division that the women in the division should not eat dessert in the Mess, as we were more likely to put on weight as a result of it. On occasion during my time in the Academy, I was insulted and harassed by other Cadets because of my eating habits ... because they insisted I would get fat like ‘all the other girls’.<sup>23</sup>

The issue of sexual harassment and sexual offences is examined in detail in Chapter 2.

### **(c) Women as a minority**

Representing around 20% of the cadet population at ADFA, women are clearly a minority. There was a general acceptance that this was to be expected, that it was normal and reflective of the military environment generally:

I’m not saying whether it’s right or wrong. And while it’s changing ... military lifestyle is one that generally appeals more to males than it does to females. So it would make sense that even today, when ... recruiting seems fairly equal, the number of applicants [means] it’s always going to be weighed towards [men].<sup>24</sup>

The minority status of women at ADFA has practical implications. Women at ADFA are likely to have fewer female confidantes and mentors. Some cadets expressed a wish for more female staff as role models and to provide leadership:

I think ADFA could have more female staff but [they] would need to be female staff who are inspiring, not just female staff.<sup>25</sup>

In referring to the valuable leadership example given by one female officer:

She didn’t talk about being a female Naval Officer, she talked about being a Naval Officer who was female ... She spoke about how she became who she was as a person, and an inspiring person, rather than, “I got here because I’m a woman,” which was really, really good.<sup>26</sup>

At the same time, the Review also frequently heard that female staff had a tendency to treat women more harshly. One recently graduated female cadet said:

The female divisional staff were harder on the women than they were on the men ... Whether this be in an effort to prepare the females for survival in a male-dominated environment in the ADF or due to a fallout from the methods employed on them during their training, I found that under a female Officer it was more difficult being a female than a male.<sup>27</sup>

The Kafer Review (2010) observed that the ‘closed nature’ of the environment at ADFA and women’s visibility meant that sex and sexuality became a ‘particularly public issue, and these issues are the source of much content in the “rumour mill”’.<sup>28</sup> Some cadets suggested to this Review that women carry an additional ‘burden’ because they are more visible. For example, one female cadet made the following observation:

Women are the minority in the Defence Force, therefore, they’ll always be easier to identify than men, and I think that is essential in considering bad reputations. I could name tons of guys that I know here that have gained that reputation but, in ten years down the track, who’s going to remember them? They’re going to remember the women.<sup>29</sup>

#### **(d) The myth of the ‘quota’**

One recurring theme throughout the consultations was the strong belief that there was a ‘quota system’ as a ‘response’ to the minority status of women at ADFA. This belief is not supported by any formal quota policies at ADFA, nor does ADFA use quotas for recruiting female cadets. Prospective applicants are informed that ‘women are trained just the same way men are. This means they’re expected to perform equally, with natural physical differences taken into consideration.’<sup>30</sup>

The number of female cadets in each year’s intake has varied over time. However, the Review observed that there is a false perception among some cadets that a quota does exist and there is some resentment on account of this. For example, one cadet told the Review that ‘Defence is pressured by the government to make quotas for females.’<sup>31</sup>

As well as recruitment, the perception of quotas for women also related to the allocation of certain opportunities:

There’s a little bit of that at the moment when it comes to overseas trips. In third year ... there’s the opportunity to go and visit other military academies ... There will always be at least two girls on every trip ... We should all be chosen based on our merit, rather than we need two females and two males.<sup>32</sup>

There was a strong view opposing any quotas to increase the number of women at ADFA. For example:

If you’re good enough to be here, then you should be here. But if you’re not good enough to be here then you shouldn’t, full stop. If you can’t hack it then don’t be here.<sup>33</sup>

If there is a quota on females then that’s basically general discrimination against males as well.<sup>34</sup>

The submission by a senior military staff member also made the following observations:

The solution to this demographic imbalance is not the use of quotas. There is no shortage of women ... who want to come to ADFA, but entry standards into ADFA are rigorously applied, and many women are turned away. Quotas for women would almost certainly require some reduction in entry standards, and the consequences of this would be felt soon after arrival in higher drop out rates. Moreover, women at ADFA do not want quotas. My sense is that they value the uncompromising nature of their achievement and they are concerned that quotas would create a risk to their credibility among peers and subordinates.<sup>35</sup>

### 1.3 Residential setting

The ADFA campus brings together on the one site a range of functions required by its military and academic mission. There are 23 accommodation blocks at ADFA. Each multi-story block houses represents one division, comprised of up to 47 cadets. All divisions are tri-Service. Each Divisional Building is built around 'sections' of eight cadets. Each floor has multiple corridors with clusters of four individual rooms running in each corridor. The design of these buildings has been described as 'cluster-plex' accommodation.<sup>36</sup>

Cadets have their own rooms, and share bathroom, laundry and recreation facilities with other cadets. First-year cadets live in single-sex corridors, with living arrangements integrated in second and third years.

The group and interpersonal dynamics within the 'cluster-plex' design of the Divisional blocks has a significant bearing on the experience of cadets. The cadets' identification with their Division plays an important role within this residential setting:

The importance of the divisional structure is reflected in everything the cadets and midshipmen do. They live amongst their divisional peers, not their academic peers, and most, if not all, military training is conducted as a Division.<sup>37</sup>

To some extent, ADFA is also physically cut off from the wider community of Canberra, reinforcing the '24/7' cultural reality of the site for the cadets who live there. Some may not leave the site for the duration of YOFT. The mixed gender environment at ADFA, as well as the fact that a number of cadets are under 18 years of age when they enter, places a particular duty of care on the Academy for their supervision and wellbeing.

ADFA has a number of policies and measures in place around security and women's safety within the accommodation blocks. For example, although men and women share section blocks from second year on, first-year women cadets are grouped in all female sections.<sup>38</sup>

The *Academy Standing Orders* (ASOs) have specific rules about accommodation. Unauthorised entry into the room of a cadet without their consent, except in limited circumstances, is prohibited. Cadets must lock their room door on leaving their section and are 'encouraged to lock their room doors at night whilst sleeping'. Doors must be kept open while cadets have visitors. ADFA also has a number of rules relating to 'fraternisation' and inappropriate relationships, which aim to create a professional living and working environment for cadets. This is discussed further in Chapter 3.

The Review heard a range of views in relation to these rules. Some considered that, like the 'frat rule', staff often turned a blind eye to room policies. Others thought these rules imposed unfair limitations on intimate relationships, although they also recognised the safety reason behind them.

The Review also heard a range of views on single sex accommodation. Some were against any segregation in living arrangements:

Nowhere in the rest of your life will you be segregated as a female.<sup>39</sup>

When [first years] rock up on their first day and they get introduced to a female corridor, it's instantly straight away I'm different.<sup>40</sup>

However, providing women only spaces has benefits. 'Gender integrated' space does not always mean that it is a neutral or equal space for men and women. One researcher refers to the concept of 'gendered space', often arising in single sex and co-educational colleges, particularly where these are or have traditionally been male-dominated. Such space can be characterised by the presence of sexist posters or other messages which send strong signals to women regarding the 'ownership' of the space and gender power dynamics.<sup>41</sup>

Women cadets also referred to the value of having close support groups which single sex living arrangements allowed. One submission from a recent graduate noted:

It was ... beneficial living alongside females [in first year] because when emotions ran high you could visit their rooms and express these to your female friends.<sup>42</sup>

There is a strong sense, however, that the military staff who engage most closely in the daily life of the cadets do not regard the residential accommodation as appropriate. From interviews with staff and cadets, the physical separation of spaces in which teaching, pastoral care, military instruction and social life are carried out tends to create a sense of separation between these functions in the life of the cadets.

One staff member observed that the structure of the accommodation 'where everything is hidden' is a real issue:

It's too hidden and also ... we don't have any Officers working over there on a day-to-day basis.<sup>43</sup>

Cadets, on the other hand, expressed a desire to maintain a physical separation of instructors and academic staff from their 'out of hours' activities. This echoes to some extent the Grey Review's notion of cadets not 'crossing the road' to engage with staff:

... when new staff come in, they forget ... that it's also your home as well. So they'll try and implement ... things past working hours and that's when we get frustrated. And that's when we hate the place that we're in. It's because it is a trainee establishment and we shouldn't have that separation from work and home, but we try to build it so that it is that.<sup>44</sup>

Other issues raised by cadets related to a lack of privacy and private space. As one staff member observed:

Even just for personal relationships and wanting to have a closed door conversation with a close friend, I think that was really tricky. And psychologically these cadets are coming straight out of school, they've just left home for the first time, they're uncomfortable with a new environment and they find it ... difficult to find a place that feels like home, when everything's public space and everything is supposed to be a work space ...<sup>45</sup>



### **(a) Supervision: limitations of the current physical setting**

The Review's consultations and the information gathered highlight the fact that a well-supervised residential setting can significantly minimise the risk of unacceptable behaviour. Inadequate supervision of cadets at ADFA has given rise to a systemic deficiency where some cadets do not respond properly to policies and processes aimed at fostering gender equality and creating a safe environment, particularly for women.

The Review heard that the major limitation in the current arrangement is the lack of on site, residential accommodation for staff at ADFA, either on the campus or in the cadets' accommodation, from which appropriate supervision and support could be provided. While most instructors live in barracks at RMC Duntroon, for example, the lack of residential accommodation at ADFA limits the extent to which staff can supervise activities and behaviour 'after hours'. This means that cadets are largely left to regulate their own conduct after classes, without consistent residential supervision. One Divisional staff member observed that a higher level of supervision was required:

... to stop bad things happening, because there's one of us for 44. We're not here on weekends or at night-time all the time, we're here sometimes.<sup>46</sup>

Crucially, the lack of 'after hours' engagement throws much of the burden of moral and ethical responsibility at ADFA back upon the cadets themselves. Individual staff members may choose to engage with the pastoral, disciplinary and educational concerns of a cadet within what is, in effect, a '24 hour a day, seven day a week' living and learning environment. The value of this to cadets was expressed in consultations. For example, one third-year cadet spoke of the good relationship with their SNCO:

I still talk to [my first-year Senior NCO] now and he's almost like a second father to me ... So, if you get yourself in trouble, the first thing I ever did was go and talk to him and ask him what I should do, and he could do it outside the system. give me advice. So, I definitely think that they have a pastoral care towards you ... build that bond, that closer bond.<sup>47</sup>

However, this level of engagement is not mandated by the current expectations and structures at ADFA,<sup>48</sup> and one staff member commented, 'We're not geared up to provide 24 hour supervision.'<sup>49</sup>

The Review heard that committed DOs often spend long hours on site in such conditions where their office in the Divisional Block serves two purposes – an office and a 'home' until late into the night.

## **1.4 Diversity and inclusion**

### **(a) Demographics and diversity of the cadet body**

'Diversity' is defined in the *Defence Guide to Managing Diversity in the Workplace* (the Guide) as 'valuing the differences that everybody brings to the workplace, and creating an inclusive environment in which they can effectively contribute'.<sup>50</sup> The Guide sets out a wide range of characteristics that contribute to diversity, from gender and ethnicity to values, personality and work and life experience.

The Guide notes that the different backgrounds, skills and innovative ways of thinking found within Australia's diverse population 'are things that Defence needs to take full advantage to enhance its capability while competing in a shrinking recruitment pool'.<sup>51</sup>

The ADFA military environment is intended to reflect the character and features of the broader ADF environment. However, there are a number of demographic features which are unique to ADFA, including:

- the tri-Service environment
- the concentration of new entrants of both sexes, ranging in age from 17-23 years, undertaking both tertiary education and military education/training and living in close quarters for an extended period
- the presence of non-uniformed Defence staff, as well as academic staff of UNSW and contractors from the private sector.

Within this diversity, there is a dominant profile. One staff member suggested that ADFA's demographics could be crudely summarised as 'a lot of white males that drink a lot'.<sup>52</sup> This corresponds with the finding of the Podger Review that the varied ethnic backgrounds represented in the Australian community are simply not present in the ADF.<sup>53</sup>

The Review was also told that many cadets come straight to ADFA from all-male or all-female schools 'so they don't have that exposure to living with just members of the opposite sex'.<sup>54</sup> In another interview, it was suggested that cadets' attitudes towards women were influenced by this factor:

We had the two extremes. We had the boy with no sisters who's been to an all male boarding school and we had the girls with no brothers who's been to an all girls school. Those two extremes ... they can bring some really bad things with them, [in the case of] the boys a misogynistic attitude.<sup>55</sup>

Survey data of first-year cadets show that they have a more mixed background in terms of their experience of co-educational or public/private schooling than may fit this perception.<sup>56</sup>

The desire to encourage diversity is noted in ADFA's staff training materials. The YOFT Staff Preparation Guide 2010 suggested that divisional staff should:

... aim to have as much diversity within the Sections of your Division in order to avoid tribalism and foster a greater sense of cooperation. This is best achieved by separating people by states of origin, service, degree, prior military experience (they can then assist less experienced), age and anything else that you consider important.<sup>57</sup>

The small number of cadets from different ethnic backgrounds suggests a culture of limited diversity. It is also potentially an indicator of a less inclusive one. One submission noted:

I believe that the treatment of women is part of a web of issues towards diversity. The composition of ADFA is a tiny slice of broader society. It quickly becomes clear that if someone does not fit into the dominant mould of white, middle-class male, he/she will be derided for it.<sup>58</sup>

Its history as a male-dominated, largely monocultural environment suggests that it is unlikely that embracing diversity will be a natural capability for ADFA.

## **(b) General attitudes to diversity and inclusion at ADFA**

The Review heard a range of views about the inclusiveness and diversity of ADFA. Some comments were very positive and suggested that cadets were conscious of accommodating others and looking out for one another:

They treat each other with respect and this is coming from third years to second years to first years. They might not be best friends and in their little group but seeing them at sports and things like that, they treat each other equally.<sup>59</sup>

Other responses acknowledged that the diversity and inclusiveness of ADFA could be improved:

I think there's room for improvement in treating people as individuals with strengths and weaknesses ... rather than fitting a mould. We've had a few graduates at this place that are really quite eccentric and they've done just fine. But on the other hand there are people who are nowhere near as eccentric who seem to feel a very strong need to conform and I mean, I don't know how much that's them and how much that's driven by the organisation.<sup>60</sup>

## **1.5 Cadets: recruitment, induction, training and mentoring**

The ADF's 2009 Defence White Paper states that 'people are at the heart of delivering Defence capability'.<sup>61</sup> The Review examined the manner in which ADFA recruits, inducts and terminates the employment of its people and sought the views of stakeholders as to whether these arrangements are adequate or in need of improvement. The Review paid particular attention to the impact of these arrangements on the experiences of women at the Academy.

### **(a) Cadets: recruitment**

Cadets at ADFA are recruited from around Australia. Some will have parents who served or are serving in the ADF. Some will have taken part in Australian Army Cadets activities in high schools or non-school based units, or the Australian Navy and Australian Air Force Cadets programs. Others may be encountering military culture for the first time. All have made the significant decision to pursue a career as an officer in the ADF. ADFA inform prospective cadets that when selecting candidates for admission:

You will need to demonstrate an ability to develop and enhance the skills and attributes which will enable you to be an effective leader within the Australian Defence Force. These are often referred to as Officer qualities.<sup>62</sup>

To this end, candidates must complete a dual admission process consisting of one application to UNSW@ADFA, made through the University Admission Centre (UAC), as well as a separate application to the Navy, Army or Air Force through Defence Force Recruiting. After several initial steps prospective cadets attend an Officer Selection Board (OSB) at ADFA intended to test 'leadership potential' and 'the capability to learn all that is required to become an officer'.<sup>63</sup> OSBs vary according to the Service but may consist of a written examination, oral presentation, group exercise, physical exercise and panel interview. The final step in the ADF application process is the Physical Fitness Assessment, which all applicants must pass before commencing at ADFA.

The Review heard from many cadets and staff that this selection process ensures that ADFA attracts and accepts the 'best and brightest':

Applicants who aspire for selection to ADFA must demonstrate leadership as an integral part of the selection process. Consequently, it is not surprising that School Captains, Cadet Under-Officers, Sporting Captains, Coaches, Managers, Debating Team Leaders, SRC members, Mentors, Queen's Scouts, Duke of Edinburgh Award holders, Prefects, Class Captains and so on populate the ranks of new ADFA entrants each year.<sup>64</sup>

ADFA's Deputy Commandant noted that this process,

despite being lengthy, delivers quality young people to Defence, and contributes to ADFA's low failure rates.<sup>65</sup>

On the other hand, a number of staff told the Review that they felt the selection process for cadets was not sufficiently rigorous. Some felt that weaknesses in the process can contribute to incidents of unacceptable behaviour.<sup>66</sup>

The Review heard concerns from parents about the adequacy of the existing recruitment process, for example:

... our household speculated on the rigour of the application process, and the ability of young people just out of school to deal with the many issues they face in a military and tertiary situation.<sup>67</sup>

The Review did not conduct a full audit analysis of ADFA's selection processes and criteria. However, a common theme in the Review's consultations was a concern about the presence of cadets under 18 years. Their particular vulnerability and their perceived immaturity can potentially contribute to, or make them at risk of, incidents of unacceptable behaviour.

Candidates can apply to ADFA when they are 16 years old but are generally not appointed to ADFA until they are 17 years. In some instances, there are cadets that apply to their chosen Service for a waiver and are appointed to ADFA when they are 16 years.<sup>68</sup> The vast majority of cadets, however, are required to be 17 years upon joining ADFA. In the past five years, there have been at least 85 cadets under the age of 18 in each year's intake.<sup>69</sup> This places an additional burden on ADFA to provide greater supervision. Cadets under 18 years were felt to be:

... the most vulnerable to exploitation from older more experienced members. It is no coincidence that most of the worst abuses of ADF members throughout history have been inflicted on the young. Defence would do well to provide a gap year program for members under 18 and allow them to start at ADFA with their same age peers.<sup>70</sup>

Some staff members and others felt that ADFA should introduce a 'no minor rule' to ensure that no cadet arriving at ADFA is under the age of 18, because 'they are of their nature still children [and] legally children, they require greater supervision'.<sup>71</sup>

The Review considers that issues regarding minors – and indeed the relative maturity levels of all cadets – should be given specific consideration in the context of considering the development of options for a first-year single service training and work placement program for all ADFA cadets (see Recommendation 16).

## (b) Cadets: induction

A cadet's initial period at ADFA is a crucial time in his or her development as an officer and as a young adult. Most cadets are between the ages of 17 and 23 years. Most will have moved to Canberra and be living away from home for the first time. The majority will have come to ADFA straight from high school.<sup>72</sup> For young adults across Australia, this is often an age of experimentation and intense development. At ADFA this situation is complicated by the fact that new arrivals are living, studying and working together with fellow cadets.

As a minority at ADFA, this transition period can potentially be more stressful for female cadets. One senior staff member told the Review that:

While men must also deal with this separation from family, the simple fact is that there are far more 'brothers and father figures' at ADFA than there are 'sisters and mother figures'.<sup>73</sup>

In order to manage this transition, ADFA runs the six-week YOFT program. The program is designed to provide cadets with the basic military and personal skills essential for their careers and for living and working at ADFA. Lessons include drill, physical training, communal living and uniform maintenance, first aid and weapons training.<sup>74</sup> Cadets also receive training in equity and diversity, healthy lifestyle and alcohol and drug awareness. The Review heard that YOFT is an intense period for cadets but also a formative one which can 'break down' boundaries between cadets.<sup>75</sup> As one cadet told the Review:

... it forms a bond amongst each other ... Whether or not you stay with those same people, those friends and mates that you make in the first six weeks, and for the rest of that year, are pretty much your best from then on.<sup>76</sup>

Incoming cadets are told that 'midshipmen and officer cadets are not permitted to resign during the first five weeks. This time also allows [them] to make a well-informed decision regarding resignation from ADFA'.<sup>77</sup> Staff opinions regarding this policy were mixed. Some staff members felt that it served ADFA well, while others resented having to devote time to cadets who 'think the culture doesn't suit them'.<sup>78</sup>

The clearest message that the Review received about YOFT was that it was a packed schedule and potentially overwhelming for new cadets. The speed with which they were expected to absorb the information delivered to them was widely considered to be unrealistic. This includes training that cadets receive that has the potential to impact on the treatment of women at ADFA.

The Review considers that the YOFT training cadets receive on equity and diversity, unacceptable behaviour and respectful relationships is currently insufficient and in need of improvement. At present, cadets receive a series of short briefings on subjects such as equity and diversity, drugs and alcohol, healthy relationships and 'reputation management'. However these briefings are delivered under time pressure and at a time when cadets are expected to absorb a large amount of other information.

The Review was also told that there was a need to better manage cadets' transition from YOFT to normal ADFA life, once the initial six-week period ended. It heard that the increase in free time had the potential to lead to incidents of unacceptable behaviour. As one former cadet said:

Once YOFT is over cadets are not told how to manage their freedom. Everyone gets a bit crazy.<sup>79</sup>

Special attention needs to be paid to managing this transition phase. ADFA could improve the way it does this with an increased focus on cadets' induction, particularly in the areas of equity and diversity and unacceptable behaviour training.

### **(c) Cadets: training**

One obvious feature that differentiates ADFA from a civilian university is that alongside academic study towards an undergraduate degree, cadets complete a program of military training designed to develop skills relevant to their careers as officers.

Military training at ADFA is delivered in two ways: the Academy Military Education and Training (AMET) and the Single Service Training (SST) programs. All cadets, irrespective of their chosen Service, complete AMET training during and outside ADFA's academic sessions. Subjects studied during AMET include leadership and management skills; drill and ceremonial; defence studies; weapon training; military law; mess customs and etiquette; an oral and written communications program; physical and recreational training; stress management; first aid and health; and alcohol and drug awareness.<sup>80</sup>

SST training is designed to meet the specific needs of each Service and is normally conducted outside the academic sessions. Separate programs for the Navy, Army, and Air Force occur twice a year. SST is conducted at establishments around the country in a variety of training institutions, operational units and ships. During SST, cadets are employed by their respective Services and provided with a further insight into the single-Service environments in which they will be working upon graduation.<sup>81</sup>

ADFA's mission is to provide a 'military education and training combined with a balanced and liberal university education' however, there often appeared to be a tension between cadets' academic and military responsibilities. Further, the Review heard that the existing training program has long fallen short of its intended aim of providing cadets with comprehensive training and the adequate leadership experience to prepare them for their careers as officers. In the words of one staff member, 'there are no proper control mechanisms in place to develop the curriculum or to maintain it.'<sup>82</sup>

Formal leadership training within AMET appears to be conducted largely on an ad hoc basis, with two major leadership activities taking place in cadets' second and third years of study. One senior staff member suggested that these major pieces of the curriculum are 'just done because they've always been done' and that there is no underpinning philosophy to the leadership training that cadets receive.<sup>83</sup> The idea that there is a lack of strategy in leadership development was reinforced by other staff. One suggested that cadets were almost subject to training by osmosis, or 'watch, learn, and try and replicate it when you're commissioned'.<sup>84</sup> Cadets themselves have expressed frustration at the leadership opportunities that they are given, with one noting that 'you don't get much hands on experience there now they've got rid of the rank structure.'<sup>85</sup>

The AMET program is currently being redesigned, with a view to making the program more consistent and more closely aligned with the needs of the Services for well trained officers. It is critical that this redesign specifically address the need for cadets to develop appropriate leadership skills as part of their formal training. The Review understands that this redesign is still at a 'very conceptual' stage.<sup>86</sup>

### **(d) Cadets: mentoring**

ADFA has no system of formal cadet hierarchies, in contrast to many military academies around the world.<sup>87</sup> Cadet hierarchies were abolished shortly after the publication of the Grey Review, which concluded that they were a cause of many cultural deficiencies at the time. Since the removal of formal hierarchies, there has been a reduction in inter-year bullying and harassment, but also new issues in terms of inter-year interaction, peer support mechanisms, and leadership opportunities.

Mentoring opportunities develop leadership, but are often seen as entwined with cadet hierarchies at ADFA, which complicates this issue. One senior staff member acknowledged that there was 'strong resistance' to the reintroduction of a cadet hierarchy among those with knowledge of the pre-Grey Review situation, but that 'not having one at ADFA undermines the whole point of officer training.'<sup>88</sup> A current cadet suggested that their support of a reintroduction was 'controversial' but that the absence of hierarchies made it 'hard for young officers under training to develop.'<sup>89</sup> A parent noted that the reintroduction of anything approaching a hierarchy would need careful management because it was 'that supervision role ... which caused the [pre-Grey Review] problem.'<sup>90</sup>

In recent times, the foremost vehicle for inter-year interactions and the development of informal hierarchies has been the sporting clubs and other voluntary extra curricular activities. These have been supplemented in 2010 and 2011 by reforms to the cadet squadron structure and a new student body mentoring system which has paired senior and junior cadets in semi-formal situations.

ADFA's sporting clubs function as a source of information exchange and leadership development, where junior cadets are mentored by more senior peers, and seniors gain valuable leadership experience. Current cadets told the Review of ways in which their clubs have encouraged these relationships, and the value that they derive from them. One said that 'at the start of the year ... first years are linked up with a second or third year who's been in the club and they sort of understand' ADFA.<sup>91</sup>

Mentoring relationships established through the sporting clubs deal with more than sporting matters. One cadet explained that:

I'm in the AFL team with these girls and I know that we've helped them out a little bit and I know that I got helped out last year, (including with) academics, what subjects to take, things like that, so the sporting clubs take up a big role of mentoring ...<sup>92</sup>

One staff member told the Review that there are 'a lot of informal relationships developed through the sporting system and that's where the cadets get a lot of ... support.'<sup>93</sup> And a parent similarly acknowledged that their children were involved in sporting clubs where they had seen 'first years, second years and third years interact together, forming that wonderful group of mentors among themselves'.<sup>94</sup>

#### **(e) Squadron restructure and semi-formal mentoring**

There has been a reorganisation of the Squadron structure in 2011. Cadets are now assigned to a single Squadron for the entire duration of their time at ADFA, but move through Divisions within this structure. This was a recommendation of the Kafer Review, which argued that such a change was 'likely to aid the development of a sense of *esprit de corps* and improve the motivation and commitment of the cadet body'.<sup>95</sup>

Third year cadets now have responsibilities as mentors for junior members of their Squadron.<sup>96</sup> Several cadets suggested that this new system required further development. One noted that:

they haven't really put you with people you have anything in common with. Like they're not necessarily people in your Service or your degree or maybe your sport or something like that like where it would be good if you know, you had an engineer with an engineer.<sup>97</sup>

Another cadet noted that 'you can't have a mentoring program without training the mentors'<sup>98</sup> and a senior staff member reinforced this, noting that 'presumably being an effective mentor or whatever requires you to have some skills.'<sup>99</sup>

This mentoring system is very new and requires close monitoring in order to ensure that it achieves its intended purposes.

## 1.6 Social context

### (a) Adjusting to ADFA life

Cadets develop friendships at ADFA in various ways. On arrival they are allocated to divisions with up to 47 other cadets from their own year group with whom they live and undertake tri-Service military training. Various cadets spoke of developing friendships through their divisions but suggested that this could be limiting. One cadet noted that their previous division 'had a really good culture ... but [we are] only friends with each other'.<sup>100</sup>

Cadets commonly develop relationships through their academic studies – 'I know all us engineers just hang out together'<sup>101</sup> – and develop friendships outside of their year groups through participation in voluntary extracurricular activities (VECA) such as community service, drama productions, the precision drill team, sailing and debating. ADFA offers rugby union, rugby league, netball, AFL, soccer, volleyball, basketball, touch football and rowing.

Participation in these activities facilitates friendships and informal mentoring and enables cadets to learn more about ADFA and receive assistance with studies, training or difficult personal issues that arise.

One cadet remarked 'everyone has people they can depend on.'<sup>102</sup> Another stated:

I've heard that from quite a few people that if it wasn't for the club that they wouldn't be here. I know myself I had a few issues last year and it was my support group that came from the club that got me through it and right at the start of first year one of the older members said to me the club is my family and if it wasn't for them I would have gone home ages ago. Sometimes they really get you through the tough parts of being at the academy.<sup>103</sup>

### (b) Support networks

A Foster Family Scheme (referred to as 'sponsor families') is also offered to first year cadets. The cadets are matched with families from the Defence community in Canberra (this includes families of current, retired or ex-Service Commissioned Officers and Warrant Officers and UNSW @ ADFA staff). This program links cadets with other members of Defence, and gives them a 'home away from home' in Canberra. Participation in the scheme is voluntary and in recent years, female cadets have participated in the scheme to a greater extent than male cadets. Since 2008, 38% of male first year cadets and 59% of female cadets have participated in the Scheme.<sup>104</sup> One parent noted that the Scheme

gives them a chance to talk to somebody that's not family that understands what they're going through and I think that's the key issue, the fact that they talk about something and you know exactly what they're talking about ...<sup>105</sup>

Further, cadets identified this informal support network as offering an alternative to the more formal support mechanisms in place at ADFA that cadets appear to be uncomfortable accessing at times. One cadet noted that:

if you don't want to go and talk to the Chaplains or the Psych or the E&D Adviser or your DO or whoever, like, you'll hardly ever find that there's a problem without someone's mates already knowing about it, you know, they've already talked about it or whatever.<sup>106</sup>



### (c) Socialising outside ADFA

Cadets have spoken of challenges to maintaining friendships outside ADFA.

Some cadets reported having had difficulty relating to and maintaining contact with people with whom they had previous social involvement. One said that 'since you're away from them so much and you don't really get much time to go home, you lose the friends that ... weren't close.'<sup>107</sup> Another spoke of the difficulties in relating to civilian friends:

It's a bit hard when you first join to kind of relate to them 'cause you're telling them stories that are funny to you but they don't understand what drill or field or anything is; they're kind of just like, 'What are you talking about?'<sup>108</sup>

A particular problem noted by cadets is the scheduling of single service training during the ADFA break for some services. The result of this is that it 'completely cuts your family and friends from the outside off.'<sup>109</sup>

Other cadets spoke of the negative stereotypes associated with ADFA, and indicated that this can limit their opportunity to interact with civilians. One cadet noted that 'Saturday night you'll be out in a bar and, as soon as someone hears the word ADFA, they go, "Oh," and everything changes.'<sup>110</sup>

However, some have noted the importance of maintaining relationships with their friends outside ADFA: 'you just need someone outside, 'cause you're stuck, not stuck, you live with people here all the time and you kind of need a break from it.'<sup>111</sup>

### (d) Social context – themes

A number of interconnected themes emerge from the Review's analysis of the social context at ADFA.

The notion that the cadets are a 'family was discussed frequently by cadets and is evident in a range of contexts, particularly in relation to sport and divisional activities. For example, one cadet stated 'in your div you're like a family. Like us, we're like a family, so you can talk about anything.'<sup>112</sup> This idea appears to be encouraged by ADFA staff. A cadet reflecting on their training said:

I remember getting a talk about how we should treat the others with us as brothers and sisters and look out for them and it was mostly about looking out for the other females in defence and you know looking out for one another, making sure they're all right ...<sup>113</sup>

Many cadets spoke about the sense of protectiveness they feel towards each other, notably, that female cadets feel supported by the male cadets, their 'brothers'. This is particularly evident when cadets speak of their social activities outside ADFA:

The male and female cadets are very protective over each other, on the town we act like brothers and sisters if anyone gets into trouble.<sup>114</sup>

This sense of protection can extend to cadets stepping in when their friends behave inappropriately:

... we look out for each other. Like if you see someone going the wrong way, you say (to your) mate: "I think you need to slow down." There are steps that you can take, you can inform your sergeant or your DO and say look, I don't want you to do anything but, cadet X might have a problem so I just need you to ... keep an eye on him for me.<sup>115</sup>

However, in another focus group, it was discussed that a cadet reporting an incident or issue relating to one of their friends through the chain of command may be seen as 'betrayal' unless some prior warning was given to the friend.<sup>116</sup>

The values of mateship and loyalty are held up by cadets as being among the most important elements of ADFA's culture; indeed, the importance of mateship is instilled by ADFA itself in training such as 'Keep Your Mates Safe', which is given to first year cadets. One focus group participant stated 'the Defence culture is clear. It is protect your mates, look after your fellow soldiers, sailors, airmen, you know support people all the time.'<sup>117</sup> A staff member stated:

... traditionally they've always had a 'don't ask don't tell' kind of thing. You don't inform on your peers, you're very loyal to your friends, mateship is very high on your agenda. Yes you have integrity and all those things but when it comes to a choice between that and loyalty, well loyalty comes first ...<sup>118</sup>

There is significant pressure placed on cadets not to 'jack on your mate'.<sup>119</sup> As outlined by one cadet, while there may be an expectation among cadets that those who behave inappropriately will come forward, cadets generally will not report on each other:

I think that the biggest sin is selling out your mates, 'cause you're all living together; if you sell out one of your mates, you're gone ... usually people have the integrity to come forward. If they've done something bad and, they will usually go forward and say it, because that's one of the things we're taught here. So, you don't really ever have to tell on anyone and you're not going to anyway.<sup>120</sup>

Another stated 'the only thing though is keep it in house, like, it's no one else's concern',<sup>121</sup> This is consistent with the idea of military cultures creating boundaries between 'insiders and outsiders' discussed earlier in this Chapter.

This reluctance to report on one's fellow cadets is borne out by quantitative data. In response to a survey undertaken in preparing the Kafer report in 2010, only seven per cent of the 186 survey respondents answered 'never' to the statement 'During my time at ADFA I would lie to the staff to protect my mates'. Only five percent of cadets would always or 'usually, almost always' 'report to the staff a cadet who violated the code of conduct'.<sup>122</sup>

The reluctance to report is potentially problematic when the loyalty and protectiveness cadets feel towards each other prevents them seeking assistance when it might be required with the consequence that they and their peers may then be isolated from outside support networks.

## 1.7 Alcohol

Not all cadets participate in drinking activities. However, the Review's consultations illustrate that alcohol use is a significant part of cadet life at ADFA. This is not a new phenomenon. The report of the Grey Review stated that 'alcohol plays an important role in the social activity of most cadets. Alcohol is a feature at virtually all formal and informal social activity in which cadets engage, both at the Defence Academy and in the wider community.'<sup>123</sup> The Kafer Review also noted the 'ongoing existence of a drinking culture at ADFA'.<sup>124</sup> The Inquiry into the Learning Culture in ADF Schools and Training Establishments, 2006 (the Podger Review) acknowledged most ADF training establishments have a strong drinking culture.<sup>125</sup>

The issue of alcohol use and misuse was raised by ADFA cadets, staff and parents. One senior ADFA staff member stated 'there's no doubt that too many of our people misuse alcohol.'<sup>126</sup> Cadets frequently referred to particular local bars as being part of the experience of ADFA life. For example, a third year cadet stated that one of these bars is an 'unofficial kind of Academy spot. It's where we all go and you're guaranteed to know people there.'<sup>127</sup>

ADFA has existing education and support mechanisms in place to address and reduce alcohol use. These include displaying photographs of cadets who are under 18 years old at the ADFA bar, to prevent them from being served alcohol; mandatory training on alcohol and drug abuse; and a 'Controlled Leave/Alcohol and Drug List', the purpose of which is to 'control leave and prohibit the consumption of alcohol for those members who have either been convicted of an alcohol or drug-related offence, or who have been identified as having an alcohol or drug-related problem'.<sup>128</sup>

ADFA cadets are also subject to broader ADF policies and procedures relating to the consumption of alcohol and prohibited drugs, including testing procedures.<sup>129</sup> The 2010 Report of the Inspector General Australian Defence Force illustrated that testing for prohibited substances occurred more frequently than alcohol testing at ADFA. The report states that while 481 drug tests were undertaken between May and September 2010, only one targeted alcohol test was undertaken at ADFA in the 12 months to September 2010.<sup>130</sup> ADFA subsequently advised the Review that a total of 28 breath tests for alcohol were undertaken in 2010, and that 331 alcohol breath tests have so far been undertaken at ADFA in 2011.<sup>131</sup>

Some views expressed to the Review suggest that the use of alcohol at ADFA is reflective of similar cultures in other academic institutions and indeed Australian society in general. For example, an ADFA staff member stated 'Truthfully, we don't know if alcohol use is more of a problem for us or if it is simply a representative (of the Australian community).'<sup>132</sup> This view was echoed by cadets, with one noting that 'the public has been very critical towards an ADF drinking culture. I think the important thing is it's not just us, it's an Australian problem, and especially a youth Australian problem.'<sup>133</sup>

However, some consultation participants noted that conditions at ADFA may be particularly conducive to the use of alcohol. Cadets have high levels of disposable income and alcohol is inexpensive at the ADFA bar; one beer costs only \$2, while some spirits are only \$1.80. Cadets also have access to discounted drinking at local bars.<sup>134</sup> Other factors cited include peer pressure, young cadets living away from home, experimentation with alcohol (noting that some cadets turn eighteen while at ADFA) and the pressured environment at ADFA. One focus group participant stated:

... the culture unfortunately across the board, 17, 18, 19 year olds, is drink until you fall over. Our kids have money that kids at Sydney University and others don't ... Our kids are away from the home, they're away from their normal peers, and they've got something to prove with new peers, and unfortunately keeping up with how much you can drink and the effects of what happens after that.<sup>135</sup>

Another submission stated:

It is from my personal experiences that I have seen a number of ADFA first year cadets who turn eighteen while in their first year resort to binge drinking ... Last year upon turning eighteen, I went through a similar experience with my year twelve friends, when the majority including myself after turning eighteen felt that being now allowed to binge drink legally in clubs was something of a phenomenon we must simply experience.<sup>136</sup>

The Independent Advisory Panel on Alcohol has also noted the existence of similar issues in its draft Report to the Minister for Defence and Chief of Defence Force on issues related to alcohol use in the Australian Defence Force. That Report makes a number of recommendations aimed at addressing the excessive use of alcohol in the ADF, including among those in their early training.<sup>137</sup>

Regardless of whether the 'drinking culture' is unique to ADFA, the link between alcohol misuse and risk taking and unacceptable behaviour, including sexual misconduct, is supported by numerous studies.<sup>138</sup>

Both ADFA staff and cadets have identified the role alcohol may play in risky behaviour and instances of unacceptable treatment of women. For example, a senior staff member stated:

We do know that a majority, certainly a very high percentage of our problems with unacceptable behaviour have an alcohol component and that includes issues associated with the harassment of women.<sup>139</sup>

Other staff members have reinforced this position. For example, participants in one focus group commented: 'I have no particular beef against drinking but that's very powerful and leads to a whole lot of anti-social behaviour' and 'I think when there's a lot of alcohol around, there'll be a lot of risky sexual behaviour.'<sup>140</sup> Another staff member suggested a link between alcohol use and unacceptable behaviour, stating:

I think it's an issue in behaviour that could be defined as abusive. I think it's a very unlikely that young men, or young women, would treat the opposite sex in a terrible way if they were stark sober.<sup>141</sup>

A similar view was also expressed by a cadet:

The only instances where in my previous six months [of] being in the Defence Force and studying at ADFA where I have seen instances where the treatment of women may be brought into question would be when there has been alcohol involved.<sup>142</sup>

## 1.8 Reputation management

It was clear from the consultations that cadets feel that their 'reputations' are of vital importance to their lives at ADFA, and their future careers within the ADF. Cadets continually conveyed the importance of 'reputation management'. The emphasis placed on this concept, and the stakes involved, create unique challenges for young people who live, work, study and socialise together.

Cadets suggested that reputations could be impacted for better or worse in a number of ways, including by excessive drinking or being good at sporting or academics.<sup>143</sup>

In many cases however, 'reputation management' was closely related to sexual behaviour, and it was stressed that this was particularly the case for female cadets.<sup>144</sup> A current staff member told the Review that 'young female Cadets, in particular perhaps – there's no avoiding it – they have reputations that follow them.'<sup>145</sup>

Cadets are made aware of the importance of 'reputation management' as part of their private gender briefings in the YOFT period. A female cadet suggested that the brief for women was split into two parts, and that:

half of it was uniform ... your hair, earring size ... stockings ... The other half is reputation. Basically you don't sleep around, otherwise you'll get a name for yourself.<sup>146</sup>

The training materials provided to the Review broadly support this. The session appears to touch on the history of women in the ADF and specific expectations, challenges and issues that women face at ADFA and in the military. The importance of 'reputation management' is emphasised during this session, and then is informally reinforced at the Divisional level.<sup>147</sup>

Cadets and staff have indicated that the gender demographics within ADFA and the ADF, as well as wider societal double standards about sexual behaviour make 'reputation management' more of an issue for female than male cadets. Cadets, military and academic staff suggested that women's reputations were at issue more than men's because 'women are the minority in the Defence Force, therefore, they'll always be easier to identify'.<sup>148</sup> But they also noted the existence of double standards about gender and sexual behaviour. Michael Flood has written that in contemporary Western culture, including Australia:

heterosexual sexual experience has an almost entirely positive significance among young men, [but] for young women, sex can be a means to the destruction of one's social standing and reputation.<sup>149</sup>

This sentiment was reflected in several focus groups, where female cadets noted that:

what happens here isn't any different to what happens in normal society. Females will acquire a reputation much differently than what males do ... you sleep with a hundred girls you're a legend, you sleep with a hundred guys you're a bit of a slut.<sup>150</sup>

Current cadets note that they have seen 'reputations' spread within the military. One cadet observed that cadets will 'go out on ... Single Service training and [ADF members will] just be like "oh, you're that girl, you slept with these people."<sup>151</sup> Another said that they had been at an external base earlier in the year and 'there were lieutenants talking about girls at ADFA who they've already heard about their reputations'.<sup>152</sup>

The Review also received several submissions noting the negative aspects of the focus on women's sexuality at ADFA. One former cadet suggested that:

a woman's sexual history is also seen to be an indicator of her moral worth. If a woman is sexually active (or if the rumour mill says she is), she is derided as a morally reprehensible person.<sup>153</sup>

A former staff member noted that 'there is no doubt in my mind that a female's reputation in the ADF is far [more] easily damaged in comparison to their male counterparts'.<sup>154</sup> The Review's consultations suggest that this is very much the case at ADFA.

The situation in relation to intimate relationships is further complicated by the existence of a fraternisation rule within ADFA, and the ADF more broadly, which limits the extent to which cadets are able to have romantic relationships with each other. Fraternisation rules are discussed further in Chapter 3.

However, ADFA cadets do develop romantic intimate relationships with each other. A number of female cadets reported having boyfriends at ADFA.<sup>155</sup> It was also noted that some cadets have casual sexual relationships, although they do not appear to be viewed positively by the cadet body:

I know from living out of home before I came here with my friends ... it was much more accepted to just have friends with benefits with them than it was when I came here.<sup>156</sup>

It was noted that it can be difficult for cadets to maintain a long-term romantic intimate relationship:

I think the thing at ADFA is that we're only here for three years and ... Army don't even know where they're going to get posted 'cause we don't even know our jobs, and then, with the different services, like it's very difficult to maintain a long term relationship.<sup>157</sup>

## 1.9 Illness and injury

Female cadets at ADFA experience injuries at a greater rate than their male counterparts. Data from ADFA indicates that around one third of all injuries at ADFA since 2006 have been suffered by female cadets.<sup>158</sup> This is notable given that women form around just one-fifth of the cadet population.

ADFA, and the ADF more generally, have mechanisms in place to address injuries and illness. Medical assistance is available near ADFA's premises at the Duntroon Health Centre. Cadets who are unwell or injured may be given a medical certificate ('Medical Advice Card' or 'chit') which outlines any treatment or limitation required.<sup>159</sup> Under Defence Instruction (General) Personnel 16-22 'Australian Defence Force rehabilitation program', ADF members can access the ADF Rehabilitation Program. This program aims 'to assist members by providing a personal case manager and structured support to recover from injury or illness'.<sup>160</sup> Cadets with serious medical conditions may be monitored by ADFA staff through the Board of Review process.<sup>161</sup>

Concerns were raised with the Review about how ADFA's injury and illness management mechanisms work in practice. The Review heard that a cadet who was subsequently diagnosed with a serious gynaecological issue:

was never referred to a gynaecologist or a female doctor of any kind and she felt that right from the beginning she was branded a malingerer and that went on for a long time.<sup>162</sup>

Further, among some ADFA staff there is limited understanding of women's specific health issues, and little sensitivity to the fact that women are physiologically different to men, and may experience different health or physical concerns. There is a perception among some staff that female cadets are more likely to try to get out of training, and may use conditions such as their menstrual cycle as an excuse to do so. The Review heard statements such as 'Females milk it more ... The period thing gets trotted out as well.'<sup>163</sup>

Within ADFA, there is a significant stigma attached to being injured or unwell. This can have a greater impact on female cadets, given their higher rates of injury. In response to the 2011 Unacceptable Behaviour Survey, 45.5% of female cadets and 17.9% male cadets who responded to the survey reported that at least once they had 'been treated differently, victimised or harassed because of their medical status (for example, being on a 'chit'/medical restrictions)'.<sup>164</sup> This is supported by qualitative evidence heard by the Review, particularly in cases where an injury or illness is not visible to others.

The Review was told about one case where there were rumours that a female cadet with a bacterial illness was 'faking it' to get out of academic commitments.<sup>165</sup> Another cadet referred to the experience of a cadet who was suffering from shin splints: 'You can't see them and the boys are like "they don't exist" and made her cry all the time'.<sup>166</sup>

Injury and illness is often linked to 'weakness'. One submission noted that:

[Cadets] believe everyone identified as weak is basically unworthy and should be removed from training and/or sent elsewhere. Sometimes they try to help this process along by targeting these people and making them feel so uncomfortable in the military they want to leave.<sup>167</sup>

Cadets noted that this particularly affects female cadets:

... if you're a male and you have a chit they can just laugh about "oh I have a sore leg, I'm just going to get out of PT today." But if a girl would go and do that, it would be so much more unacceptable.<sup>168</sup>

There is also a link to the strong emphasis placed on the values of mateship and teamwork, through a perception that cadets on medical restrictions may be 'slacking off' and letting their mates down.<sup>169</sup> As one former cadet who experienced ongoing medical issues stated, 'I was weak, I was jack on the group because I wasn't able to ... keep up with my duties. I was a burden.'<sup>170</sup>

## 1.10 Military staff: recruitment, induction and leadership

### (a) Military staff: recruitment

Previous reviews, including the Grey Review and the Kafer Review, have highlighted the importance of posting high-quality military staff to ADFA. ADFA staff require a special set of skills in dealing with young people, assessing risks to their safety and assisting in their development as the next generation of ADF officers. They should also have appropriate skills to work effectively in a mixed-gender and tri-Service environment. In the view of one parent:

These young folks are going to go off the rails if nobody's managing them and mentoring them because they're off doing something else. I think that they need to go and pick people that come here to be their mentors 'cause that's what they are.<sup>171</sup>

For this reason, recruitment to DO and DSNCO positions is particularly important, as they have the most day-to-day contact with cadets. The Deputy Commandant told the review that 'emphasis on the careful selection of quality staff is, without doubt, the most important factor in sustaining the morale and welfare of students at ADFA.' He said that he 'cannot speak too highly of the staff at ADFA'.<sup>172</sup>

However, the Review also heard that the quality of staff that each of the Services posts to ADFA can vary significantly and that there is very little that ADFA can do to reject a staff member who is of insufficient quality.<sup>173</sup> At present, the career management agencies of each of the Services (Navy, Army and Air Force) are responsible for recruiting staff to ADFA. These agencies make 'initial assessments regarding whom to post to ADFA, with some opportunity for discussions with staff at the Academy regarding the suitability of staff selected by these agencies.'<sup>174</sup>

Variation in the quality of staff members posted to ADFA contributes to the lack of consistency in staff interaction with cadets. Cadets feel this inconsistency most acutely at the DO and DSNCO level, where staff are most likely to be required to deal with issues that impact on the treatment of women, including incidents or complaints of sex discrimination, sexual harassment and abuse.

There was a wide recognition from junior staff, senior ADFA leadership, and career management agency staff that ADFA is not a prized posting. In particular, time at ADFA is not seen to contribute positively to career development. There is a perception that ADFA could lead to 'degradation' in the technical skills required for career progression, particularly in the Navy and Air Force.<sup>175</sup> This impacts negatively on the quality of staff recruited to ADFA, their morale while posted there and, in turn, the experiences of cadets.

### **(b) Military staff: induction**

The current induction program for new military staff arriving at ADFA could be significantly improved. New military staff complete a two-day program known as Academy Staff Induction Training (ASIT). All military staff with instruction duties complete a ten-day program known as the Instructor Preparation Course (IPC).<sup>176</sup> Both programs take place prior to YOFT and consist mostly of a series of short briefings on a wide range of subjects, including Equity and Diversity, Suicide Awareness and OH&S.<sup>177</sup>

Much of the material covered has the potential to positively impact on the treatment of women at ADFA, by giving new staff the knowledge and skills to more effectively promote and protect the wellbeing of female cadets in their care. However, this potential is often not realised because new staff are expected to absorb a large amount of information in a very short period of time. The information is also not delivered in a way that encourages staff to incorporate it into their daily practice.

Both ADFA's senior leadership and the career management agencies acknowledge the need to improve the program of staff induction. However, they stress that the ability to implement an effective and thorough induction program is limited by timing constraints at the beginning of each year. The Kafer Review noted this same scheduling problem in its report.<sup>178</sup> As ADFA's Deputy Commandant told the Review:

Staff development is also very important, but the constraints of academic and military training programs means there is insufficient time to undertake all necessary training before cadets arrive in January each year. For this reason, staff education and training is progressively staged throughout the year. Some staff arriving at ADFA have had limited experience working with women and some take longer than others to become comfortable with this.<sup>179</sup>

### **(c) Military staff: leadership**

Leadership development and practice is a major ADFA goal. The Review examined the current leadership landscape in relation to military staff at ADFA and identified ongoing issues with leadership continuity at its most senior level.

The mission of the Commandant, the most senior position at ADFA, is:

... to undertake the professional development of initial entry officers that provides them with the foundation skills, knowledge and attitudes needed by junior officers, including military training and tertiary education.<sup>180</sup>



Since February 2006 there have been six Commandants (including two acting Commandants). The Review found that the quality of recent Commandants has been high and indeed, cadets, staff and parents commented favourably on CDRE Kafer's leadership and commitment to ADFA. However, the level of turnover within ADFA's senior office hinders strategic direction and sustainable reform. The ADF Leadership Doctrine and the Learning Culture Inquiry both suggest that executive instability will affect institutional outcomes. The Leadership Doctrine has highlighted the link between leaders and followers, and turnover. In addition, the Learning Culture Inquiry noted the connection between 'short tenure amongst the executive group', 'high turnover of staff' and the effectiveness of the training facility.<sup>181</sup> The precedent set at the top of the chain has been replicated throughout the ranks of ADFA staff. There is currently a turnover of approximately 40% of all military staff each year.<sup>182</sup>

Cadets told the Review that they model their development on the staff that they respect and appreciate having appropriate role models and mentors (e.g. by gender, by Service). Defence suggests that 'no aspect of leadership is more powerful' than exemplary leadership role modelling.<sup>183</sup> One cadet stated that:

As a cadet under training, you are continually looking up at your chain of command and evaluating their leadership styles.<sup>184</sup>

Another noted that:

You notice ... which DOs that you respect, and they're the ones you want to be like.<sup>185</sup>

The leadership provided by DOs was identified as a key issue by cadets. One current cadet noted that 'each Divisional Officer has obviously had a different take on leadership and how they're going to try and teach it to us' while another found that 'there's no consistency' among divisional staff. A former cadet said different outcomes among cadets could be 'based upon the attitudes and expectations of their divisional staff.'<sup>186</sup> There are clearly many high-quality DOs at ADFA. However, under-performing DOs can greatly undermine the leadership training of their cadets.

Divisional Officers' duties include:

... all the functions of command, leadership, mentoring and counselling, as well as contributing to the detailed day to day welfare, morale, health, physical fitness discipline, and administration of midshipmen, cadets and other military personnel allocated to his or her Division.<sup>187</sup>

There is scope for improving the vital connection between DOs (and other divisional staff) and cadets, in order to provide cadets with strategically important leadership training and mentoring.

The complex requirements of DO's role have been raised in various reports since 1998.<sup>188</sup> The Kafer Review found that:

All cadets noted having at least one Divisional staff member whom they considered incompetent, inconsiderate or unsupportive during their time at ADFA, many in fact noted having multiple during their time at ADFA.<sup>189</sup>

The roles of the DO and DSNCO are especially significant given their responsibility to interpret and facilitate the delivery of the curriculum ADFA needs high-quality Divisional staff delivering a well-designed training program in order to deliver the leadership training required.

## 1.11 Removal of underperforming staff and cadets

Staff members told the Review that ADFA's tri-Service nature makes it difficult to remove cadets and staff who have underperformed or displayed unacceptable behaviour within a reasonable timeframe:

[The] Commandant can recommend the termination of a cadet's appointment to a delegate in the Navy, Army or Air Force, but this can be a lengthy and administratively taxing process. In some cases, such recommendations have taken over 12 months to finalise.<sup>190</sup>

In several cases, staff appeared to resent what they feel is a situation in which it is difficult to remove underperforming cadets unless they are failing academically.<sup>191</sup>

The Review heard that it is similarly difficult to terminate the positions of staff who are underperforming or engaging in unacceptable conduct or misconduct. As noted, ADFA's military staff have responsibility for training, supervising and, in some cases, mentoring young people. Underperforming staff can therefore negatively impact on the treatment of women at ADFA by failing to deal appropriately with incidents of sex discrimination, sexual harassment or abuse, as well as by actively participating in such behaviour themselves.

While cadets frequently told the Review about high-quality staff they had encountered while at ADFA, they also spoke of cases where staff had either failed to respond adequately to incidents of unacceptable behaviour, had appeared to either implicitly or explicitly condone it, or had themselves taken part.

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- 1 EH Schein, 'What is Culture' in M Godwyn & JH Gittel, *Sociology of Organizations: Structures and Relationships* (2011) 311, p 313.
  - 2 EH Schein, *Organizational Culture and Leadership* (4<sup>th</sup> ed, 2010), p 7.
  - 3 Confidential submission 7.
  - 4 Public submission Liebhart.
  - 5 The World Café was a group discussion held with 40 cadets from across Services and years – further detail at Appendix B.
  - 6 Public submission White.
  - 7 Cadet focus group.
  - 8 World Café.
  - 9 World Café.
  - 10 Confidential submission 9.
  - 11 Public submission COL Petersen.
  - 12 Confidential submission 10.
  - 13 Cadet focus group.
  - 14 Confidential interview.
  - 15 Confidential submission 13.
  - 16 Cadet focus group.
  - 17 Confidential submission 8.
  - 18 Confidential submission 13.
  - 19 Cadet focus groups; Staff focus groups.
  - 20 Cadet focus groups.
  - 21 Cadet focus group.
  - 22 Staff focus group.
  - 23 Confidential submission 13.
  - 24 Staff focus group.
  - 25 Cadet focus group.
  - 26 Cadet focus group.
  - 27 Public submission LEUT Russo.

- .....
- 28 CDRE BJ Kafer, *Report of the Review of the Australian Defence Force Academy Military Organisation and Culture*, Part 2 (2010), p 18.
- 29 World Café.
- 30 Defence Force Recruiting, *ADFA Entry Requirements*, [www.defencejobs.gov.au/education/adfa/howToApply/entryRequirements.aspx](http://www.defencejobs.gov.au/education/adfa/howToApply/entryRequirements.aspx) (viewed 10 August 2011).
- 31 Cadet focus group.
- 32 Cadet focus group.
- 33 Cadet focus group.
- 34 Cadet focus group.
- 35 Public submission COL Petersen.
- 36 A Devlin, S Donovan, A Nicolov, O Nold, G Zandan, 'Residence Hall Architecture and Sense of Community – Everything Old is New Again' (2008) 40(4) *Environment and Behaviour* 492.
- 37 Confidential submission 9.
- 38 In first year, women live together in corridors of four for the whole year. In second year, living arrangements are integrated (with two women and two men in each corridor). In third year, the living arrangements are fully integrated. The gender division is not fixed (for example, three women and one man might live in one corridor). In 1986, when ADFA commenced, females lived in half corridors of four cadets. At the time of the Grey Review, mixed gender accommodation blocks were being introduced throughout the ADF. To give young cadets time to develop a mature attitude to managing living and working in a mixed gender environment, the Grey Review recommended that integration of mixed-gender accommodation be a gradual process over the three years of training. Following the Grey Review, in 1999 first year females lived in all female divisions. However, this became very problematic for a number of reasons and single-sex divisions ceased in 2001: LTCOL N Fox, Email to the Review, 22 August 2011.
- 39 Staff focus group.
- 40 Staff focus group.
- 41 N Funnell, Interview, 8 August 2011.
- 42 Public submission Burnham.
- 43 Confidential interview.
- 44 Cadet focus group.
- 45 Confidential interview.
- 46 Staff focus group.
- 47 Cadet focus group.
- 48 See Appendix G.
- 49 Confidential interview.
- 50 Defence Equity Organisation, *Defence Guide to Managing Diversity in the Workplace*, Department of Defence (2004). At [www.defence.gov.au/fr/publications/guidetomanagingdiversity04.pdf](http://www.defence.gov.au/fr/publications/guidetomanagingdiversity04.pdf) (viewed 23 August 2011).
- 51 Defence Equity Organisation, above.
- 52 Confidential interview.
- 53 A Podger, C Harris and R Powell, *Final Report of the Learning Culture Inquiry: Inquiry into the Learning Culture in ADF Schools and Training Establishments*, Department of Defence (2006), para 224.
- 54 Cadet focus group.
- 55 Confidential interview.
- 56 See Appendix A.
- 57 Australian Defence Force Academy, *YOFT Staff Preparation Guide* (2010), pp 6-7, provided to the Review by LTCOL N Fox.
- 58 Public submission Brooks.
- 59 Staff focus group.
- 60 Confidential interview.
- 61 Department of Defence, *Defending Australia in the Asia Pacific Century: Force 2030*, Defence White Paper 2009 (2009). At [www.defence.gov.au/whitepaper/docs/defence\\_white\\_paper\\_2009.pdf](http://www.defence.gov.au/whitepaper/docs/defence_white_paper_2009.pdf) (viewed 23 August 2011), p 113.
- 62 Australian Defence Force Academy, *Applications*, [www.defence.gov.au/adfa/applications/index.html](http://www.defence.gov.au/adfa/applications/index.html) (viewed 11 August 2011).
- 63 Defence Force Recruiting, *Officer Selection Board*, [www.defencejobs.gov.au/recruitmentCentre/howToJoin/officersSelectionBoard/](http://www.defencejobs.gov.au/recruitmentCentre/howToJoin/officersSelectionBoard/) (viewed 11 August 2011).
- 64 Confidential submission 9.

- .....
- 65 Public submission COL Petersen.
  - 66 Staff focus group.
  - 67 Confidential submission 4.
  - 68 LTCOL N Fox, Email to Review, 22 August 2011.
  - 69 LTCOL N Fox, Email to Review, 10 August 2011.
  - 70 Confidential submission 9.
  - 71 Confidential interview.
  - 72 'Less than eighty of the one thousand cadets at ADFA are from Canberra families': Public submission COL Petersen.
  - 73 Public submission COL Petersen.
  - 74 Australian Defence Force Academy, *Joining Instruction, Australian Defence Force Academy (ADFA) – January 2011 Intake of Officer Cadets*, Department of Defence, ADFA/OUT/2010/617 2010/1105646/1(1) (2011).
  - 75 Cadet focus group.
  - 76 Cadet focus group.
  - 77 Australian Defence Force Academy, note 74.
  - 78 Staff focus group.
  - 79 Confidential interview.
  - 80 Australian Defence Force Academy, note 74, p 8.
  - 81 Australian Defence Force Academy, above, pp 8-9.
  - 82 Confidential interview.
  - 83 Confidential interview.
  - 84 Confidential interview.
  - 85 Cadet focus group.
  - 86 Confidential interview.
  - 87 Confidential submission 9 suggests that this fact makes it unique among military academies.
  - 88 Confidential submission 9.
  - 89 Cadet focus group.
  - 90 Parent focus group.
  - 91 Cadet focus group.
  - 92 Cadet focus group.
  - 93 Confidential interview.
  - 94 Parent focus group.
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  - 96 Confidential submission 9.
  - 97 Cadet focus group.
  - 98 Cadet focus group.
  - 99 Cadet focus group; Confidential interview.
  - 100 Cadet focus group.
  - 101 Cadet focus group.
  - 102 Cadet focus group.
  - 103 Cadet focus group.
  - 104 Derived from data provided by ADFA: '110819 Broderick Review Task 100 and task 80 Amended ADFA Cadet and WOMEN INTAKE STATS (2001 – 2011) verified with annual reports' provided by LTCOL N Fox to Review, 19 August 2011; '110810 Broderick Review Task 84 ADFA sponsor Family Scheme – cadet participation break down' provided by LTCOL N Fox to Review, 10 August 2011.
  - 105 Parent/sponsor family focus group.
  - 106 Cadet focus group.
  - 107 Cadet focus group.
  - 108 Cadet focus group.
  - 109 Cadet focus group.
  - 110 Cadet focus group.
  - 111 Cadet focus group.
  - 112 Cadet focus group.
  - 113 Cadet focus group.
  - 114 Public submission Hanneka.
  - 115 Cadet focus group.

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- 116 Cadet focus group.
  - 117 Cadet focus group.
  - 118 Confidential interview.
  - 119 Cadet focus group.
  - 120 Cadet focus group.
  - 121 Cadet focus group.
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  - 133 World café.
  - 134 Confidential interview; Independent Advisory Panel on Alcohol, draft *Report to Minister for Defence and Chief of Defence Force* (8 August 2011), p 46.
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  - 155 Cadet focus group.
  - 156 Cadet focus group.
  - 157 Cadet focus group.
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  - 163 Staff focus group.
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  - 165 Cadet focus group.
  - 166 Cadet focus group.
  - 167 Confidential submission 9.
  - 168 Cadet focus group.
  - 169 Confidential interview.
  - 170 Confidential interview.
  - 171 Parent/Sponsor family focus group.
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  - 173 Confidential submission 19.
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# 2 Women at ADFA: Harassment, Abuse, Discrimination and Assault

## 2.1 Introduction

ADFA is a unique institution where cadets live, study, work and socialise. The intensity of this environment can exacerbate the experiences of sexual harassment, abuse, discrimination and assault.

The Review had the opportunity to speak with women and men across the ADFA community and beyond. It is mindful of the pride felt by many about the inclusive culture of ADFA. Many women, both staff and cadets, stated clearly that they are treated equally and fairly. Further, a number suggested that the Review was unnecessary and could potentially undermine the success of women at ADFA. They were concerned there was a potential for ideas such as positive discrimination in favour of women to cause significant cultural division. The predominant view was that for most women, most of the time, ADFA was a good environment.

However, an alternative view was put to the Review that some female cadets and staff believe being part of a minority group presents certain obstacles, including an expectation that women have to perform at a higher standard than their male counterparts.

The Review heard concerning accounts of alleged unacceptable behaviour, including isolated incidents of sexual assault and more widespread experiences of sexual harassment.

Given these divergent voices, the Review has been conscious of the need to honestly reflect the views of the majority of women with whom we spoke, while ensuring that any difficulties identified for women at ADFA have been considered. The Review has found some systemic issues which impact on the fair and inclusive treatment of women. In raising these issues, the Review acknowledges both the publicly expressed positive experience of many women at ADFA and also the experiences of other women which were conveyed confidentially by submissions, in interviews, and through the Unacceptable Behaviour Surveys.

This chapter explores cadets' stated experiences of sexual assault, discrimination and harassment more generally. It also assesses the processes that ADFA uses to address these issues. It draws on various sources of evidence, including the 2011 ADFA Unacceptable Behaviour Survey, data from ADFA and the Australian Federal Police (AFP), qualitative material gathered by the Review and ADFA policies and procedures.

## 2.2 Cadets' stated experiences of harassment, abuse, discrimination and assault: The ADFA Unacceptable Behaviour Survey

ADFA periodically conducts the Unacceptable Behaviour Survey to gauge attitudes towards, and incidence of, unacceptable behaviour at ADFA. The most recent survey was conducted with ADFA cadets in June 2011 at the request of the Review. Surveys were also conducted between 1998 – 2000 and 2003 – 2008. This chapter draws on information from the surveys administered in 1998 and 2005 in order to provide comparisons over time. In line with the Terms of Reference, this analysis examines the section of the 2011 survey dealing with gender and sex-related harassment experiences, conducts a gendered analysis of the remainder of the 2011 survey, and presents comparisons with previous surveys where appropriate.

In 2011, 61.6% (N=599) of all cadets completed the ADFA Unacceptable Behaviour Survey, compared with a participation rate of 83% (N=825) in 1998 and 86% (N=837) in 2005.<sup>1</sup> The lower respondent rate in 2011 is due in part to the timing of the survey administration, which coincided with pre-exam study week, and the 'voluntary' nature of the survey.<sup>2</sup> Nevertheless, the 2011 respondent pool included a majority of each gender (66% of all female cadets and 59% of all male cadets); a majority of first-, second- and third-year cadets; and a majority of each service.<sup>3</sup> In 2011, 25% (N=147) of respondents were women. This compares with the returns for 2005 (19%, N=161) and 1998 (25%, N=208).

### (a) About the survey

The 2011 ADFA Unacceptable Behaviour Survey was an updated and expanded version of the Survey of Unwanted Gender and Sex-related Behaviours administered in 1998 as part of the Grey Review, and the 2005 ADFA Unacceptable Behaviour Survey.<sup>4</sup>

Each survey contained similar versions of an instrument known as the Sexual Experiences Questionnaire (SEQ), which forms the basis for the comparisons conducted below.<sup>5</sup>

The 2011 survey consisted of 42 questions and collected:

- demographic information
- opinions on unacceptable behaviour
- general harassment and discrimination experiences
- gender and sex-related harassment experiences
- electronic harassment experiences
- impact of 'unwanted' behaviour
- management of 'unwanted' behaviour
- qualitative comments.

A copy of the survey instrument is included at Appendix C.

The gender and sex-related harassment questions within the ADFA Unacceptable Behaviour surveys are split into five categories. They are: sexist behaviours, crude/offensive behaviours, unwanted sexual attention/seduction, sexual bribery/threat and sexual assault. In relation to these categories and the sections on general harassment and electronic harassment, respondents are asked about situations involving 'any Defence personnel such as Military, Defence APS, contractors, on or off duty, and/or on or off [their] base or unit'.<sup>6</sup>

Appendix D further examines the survey, its methodology and limitations, and some analysis provided by Defence's Directorate of Strategic Personnel Policy Research (DSPPR) and Directorate of Workforce Intelligence (DWIntel).



## **(b) Key findings**

The 2011 ADFA Unacceptable Behaviour Survey suggests that ADFA is an improved environment compared to the situation reported at the time of the Grey Review. However, its findings suggest that women continue to disproportionately experience harassment and discrimination. In the previous 12 months:

- 74.1% of female cadets and 30.3% of male cadets reported experiencing an 'unacceptable' gender or sex-related harassment behaviour
- 53.7% of female cadets and 33.4% of male cadets reported experiencing a 'unacceptable' general harassment or discrimination behaviour
- A proportion of cadets reported experiencing the discriminatory behaviours listed in the surveys but did not consider them to be 'unacceptable' – for example 86.3% of all respondents experienced an incident of 'general harassment or discrimination' but only 44.7% of these (or 38.6% of the total survey respondents) reported their experience as 'unacceptable'.

## **(c) Gender and sex-related harassment**

The most common form of gender or sex-related harassment reported was being 'repeatedly told sexual stories or offensive jokes'. This was experienced by 67.1% of all respondents.

Nine items returned statistically significant responses by gender, with women more likely than men to report that they had:

- been whistled, called or hooted at in a sexual way (40.3% of women compared with 15% of men)
- experienced unwanted attempts to draw them into a discussion of sexual matters (37.6% of women compared with 23.5% of men)
- been treated differently because of their gender (34% of women compared with 5.9% of men)
- experienced offensive sexist remarks (31.9% of women compared with 9% of men)
- been put down or condescended because of their gender (25.2% of women compared with 1.4% of men)
- been stared, leered or ogled at in a way that made them feel uncomfortable (22.2% of women compared with 2.9% of men)
- experienced offensive remarks about their appearance, body or sexual activities (22.2% of women compared with 14.6% of men)
- experienced unwanted attempts to establish a romantic sexual relationship despite making efforts to discourage it (19.4% of women compared with 4.5% of men)
- been continually asked out after they had said 'no' (13.9% of women compared with 2.4% of men).

At the more serious end of the spectrum, in the previous 12 months:

- 2.1% of women and 0.2% of men reported being forced into sex without their consent or against their will
- 4.3% of women and 1.9% of men reported being treated badly for refusing to have sex
- 6.9% of women and 3.6% of men reported being touched in a way that made them feel uncomfortable.

The Review notes that the National Union of Students (NUS) also administered a survey in late 2010/early 2011 concerning experiences of sexual harassment and assaults at Australian universities and residential colleges more generally. The NUS survey was conducted exclusively online through the NUS website, and 1549 survey responses were collected. Its results reported that 17% of its sample had experienced rape, and 67% of the sample had experienced unwanted sexual encounters.<sup>7</sup> However, as the DSPPR notes, 'differences in methodology [between the Unacceptable Behaviour Survey and the NUS survey] mean any comparisons are of negligible value'.<sup>8</sup>

The results of the 2011 ADFA Unacceptable Behaviour Survey and the NUS survey indicate that sexual harassment and assault is a problem across Australian universities. Researchers in the area argue that an authoritative research methodology is required as part of the response.<sup>9</sup> Recommendations 25 and 26 of the Review suggest ways that ADFA can take a lead role in the development of this research in ways that would help address the situation at the Defence Academy, and across the nation's campuses more generally.

#### **(d) General harassment and discrimination**

The 2011 ADFA Unacceptable Behaviour Survey shows that the most common type of general harassment or discrimination reported was experiencing 'insulting comments about physical characteristics, abilities or mannerisms'. This was reported by 66.8% of all respondents, although only 13.3% found this behaviour 'unacceptable'.

Five items returned statistically significant differences in responses by gender with relevance to the Review. Women were more likely than men to report that in the previous 12 months they had:

- experienced the spread of malicious rumours or public statements of a derogatory nature about themselves or another person (55.5% of women compared with 12.2% of men)
- been treated differently, victimised or harassed on account of their medical status (45.5% of women compared with 17.9% of men)
- been excluded from a normal conversation or workplace activities and work-related social activities (21.9% of women compared with 12.2% of men)
- been treated differently, victimised or harassed on account of an impairment, medical condition or disability (11.7% of women compared with 5.6% of men).

In addition, 3.4% of women reported being treated differently, victimised or harassed on account of their pregnancy or potential pregnancy.

#### **(e) Electronic harassment**

In the Survey's short section on electronic harassment, about 90% of respondents reported that neither they nor others they knew had been exposed to electronic harassment. Another 7-9% of respondents did not answer the questions in this section.

This Review was established following a widely publicised incident involving allegations of inappropriate behaviour and use of technology leading to a police investigation. In the course of the Review, another incident occurred at ADFA involving allegations of a male cadet secretly filming a female colleague in the shower, with a mobile phone, which was also referred to police.<sup>10</sup>

A U.S. study in 2007 noted that electronic aggression and victimisation rates of youth were estimated at between 9-34% and growing, figures much higher than returned in the 2011 ADFA Unacceptable Behaviour Survey.<sup>11</sup>

The ADFA and the ADF may wish to examine how the survey gathers information about electronic harassment to ensure that organisational policies and responses can effectively prevent and address issues of this nature.

#### **(f) Opinions on unacceptable behaviour**

In addition to collecting data about behavioural experiences, the 2011 ADFA Unacceptable Behaviour Survey uses a direct query approach to collect opinions about unacceptable behaviour. The high proportion of neutral responses to the various items raised in this section suggests that respondents had more difficulty responding unambiguously to this approach.

There were significantly different responses by gender to five items. Four of these items related to the career opportunities of women compared with men, suggesting a greater proportion of women than men feel that their gender impacts on their career prospects. The fifth item related to the experience of unacceptable behaviour.<sup>12</sup>

A higher proportion of women than men believe that:

- 'Women should not be restricted from any specialties from which they can qualify' (66.7% of women compared with 46.8% of men)
- 'Men have an advantage over women when it comes to having a successful military career' (31.3% of women compared with 19.6% of men).

A lower proportion of women than men believe that:

- 'Men and women have equal opportunities for promotion in my Service' (68.0% of women compared with 78.1% of men)
- 'Work groups whose members are all the same sex generally work together more effectively' (9.5% of women compared with 29.5% of men).

A higher proportion of women reported being subject to some level of unacceptable behaviour during the previous 12 months when directly queried (38.8% of women compared with 23% of men).

#### **(g) Impact of unwanted behaviour**

The 2011 ADFA Unacceptable Behaviour Survey also asked a series of questions about the nature, impact and management of unacceptable behaviour. Of the 265 respondents who identified one or more of the general harassment and discrimination and/or gender and sex-related discrimination behaviours listed in the survey as 'unacceptable', 151 provided further information on their experience. A brief snapshot of the results is presented below. Further information is available in Appendix E.

Respondents were asked to categorise one incident that had the greatest impact on them and base their following responses on this incident. The women who answered this question were more likely to categorise the incident as gender harassment or discrimination, while men indicated their experience was best described by 'other' categories, workplace bullying and harassment.

Respondents were more likely to find the behaviours 'annoying' rather than 'frightening'. However, 4.9% reported that their experience was 'very' or 'extremely' frightening.

The majority of respondents experienced the behaviours once a month or less, but 20.9% experienced the behaviour 'two to four times a month'; 10.8% experienced the behaviour every few days; and 1.4% experienced the behaviour every day.

The majority of behaviour experienced lasted for less than one week. However, 21.3% (27.9% of women and 16.2% of men) experienced the behaviour for between one and four weeks; 12.5% (9.8% of women and 14.9% of men) experienced the behaviour for between one and six months; and 11.8% (8.2% of women and 14.9% of men) experienced the behaviour for more than six months.

Those responsible were more likely to be part of a group, male and the same age and rank as the respondent.

The majority of incidents occurred at work or in training, within duty hours and within the respondents' unit.

No incidents involved drugs. However, 32.4% of respondents reported that alcohol was associated with the incident at least sometimes.

Respondents were asked to describe the consequences of this behaviour. Women were more likely to indicate that their experiences made them embarrassed or upset, or that training became unpleasant or hostile. Men were more likely to report embarrassment, deteriorating relationships with their workmates or negative feelings about the ADF.

#### **(h) Management of unwanted behaviour**

The 2011 ADFA Unacceptable Behaviour Survey concluded by asking respondents a series of questions about the management of the particular behaviour. For all of these items, the majority of respondents indicated that they did not perform the described action. Where cadets reported taking action, the issue was more likely to be dealt with informally, at an individual level and with some degree of satisfaction.

Cadets were more likely to seek advice or information from a peer (43.7%) or a family member or friend (27.1%) than their chain of command or internal or external support staff.

At an informal level, cadets were more likely to 'ask or tell the person to stop' (64.5%), 'act like it didn't bother them' (63.5%), 'ignore the behaviour and do nothing' (58.8%) or 'avoid the person/s responsible' (42.8%). There were no significant gender differences among these responses. Only 14.6% of respondents who experienced unacceptable behaviour reported making a formal complaint or report, most often to their Divisional Officer.

When a formal complaint was made, 56.2% of cadets said they were 'satisfied' or 'very satisfied' with the way that the complaint was managed, 35.1% were 'neither satisfied nor dissatisfied' and 8.8% were 'dissatisfied' or 'very dissatisfied'.

More than half (57.7%) were 'satisfied' or 'very satisfied' with the outcome of their complaint, 32.7% were 'neither satisfied nor dissatisfied' and 9.6% were 'dissatisfied' or 'very dissatisfied'. The vast majority (84.9%) of those who made a complaint did not feel victimised as a result, 11.3% felt victimised 'to some extent' and 3.8% felt victimised 'to a great extent'. There were no statistically significant gender differences in the responses to these items.

## (i) Concluding comments

At the end of the survey, respondents were given the opportunity to provide additional comments and feedback. 196 (32.5%) respondents took the time to provide written comments and the majority were positive in tone. The DSPPR's report on the survey suggested that the high proportion of positive comments was anomalous with other free comments sections in their surveys which 'tend to elicit a high proportion of comments negative in tone, with respondents more likely to express concerns rather than satisfaction with Service life.'<sup>13</sup> DSPPR suggested that this 'may be a reflection of the context in which this particular survey was administered; with respondents reacting to being under intense Defence, public and media scrutiny.'<sup>14</sup>

About one-third of respondents who provided comments made reference to the culture and standards of behaviour at ADFA. These responses were overwhelmingly positive:

I have never in my time at ADFA been subjected to anything I would describe as "unacceptable behaviour", nor have I seen any inflicted on anyone else. [female cadet, first year]

The Academy has (from previous reports) gone through radical change post-Grey Review and, as such, discrimination/harassment has 'all-but' been stamped out of the Academy. [male cadet, third year]

However, a minority of comments identified aspects of an unacceptable work culture:

There is a culture amongst cadets that I feel the upper leadership miss all the time. It is of misogynist/chauvinist/sexist behaviour. It generally involves alcohol, however it happens without it too. The only way to see it is to get involved with it, because no one will own up to it or express it. Even girls feel the need to get involved. It's like we have gone backwards in time and it needs to be fixed. [male cadet, first year]

About one-fifth of the comments mentioned the context in which 'unacceptable behaviour' occurs and presented ADFA favourably in comparison to other institutions:

Compare the ADF and ADFA in particular to any other cross section of society, for example, another college institution and you will find that we operate under a far higher ethical code and instances of unacceptable behaviour are far less. Add to this the unique stressors of Service life and the fact we do have such less unacceptable behaviour is pretty bloody impressive if you ask me. [male cadet, third year]

A proportion of the comments suggested that a minority of badly behaved individuals gave ADFA an unfair reputation:

There is no problem at ADFA, just the occasional idiot(s) that do individual acts and make us all look dumb. [male cadet, second year]

A proportion of the comments suggested that appropriate behaviour and avoiding harassment were an individual responsibility:

I have not been sexually harassed because I don't put myself in a situation to be harassed. Women who get drunk to the point they have no idea are women who wish to be taken advantage of. [female cadet, second year]

A proportion of the comments expressed confidence in the complaints management process:

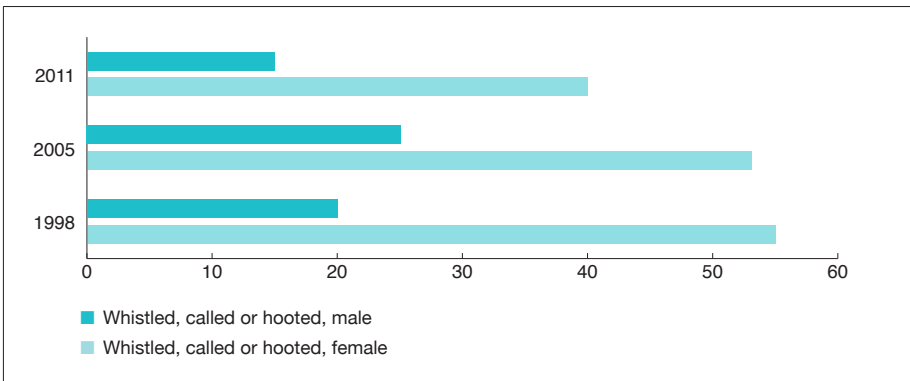
The ADF and in particular ADFA treats equity and diversity in the highest manner. Harassment and discrimination is not tolerated or in any way accepted. [male cadet, second year]

**(j) Comparisons and trends**

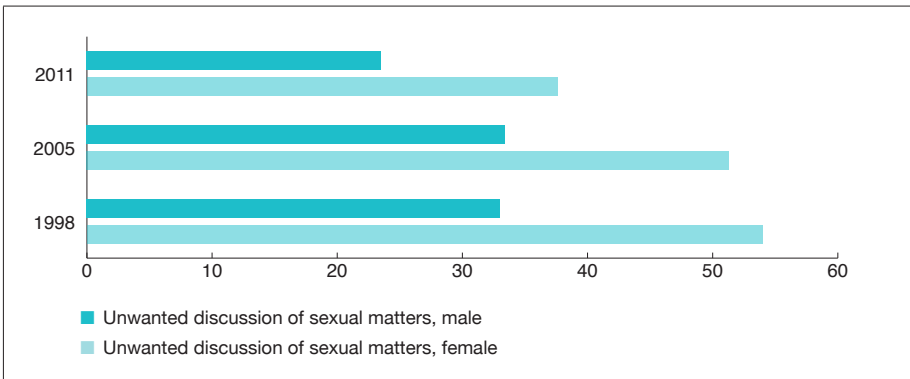
A comparison between the data captured by the 2011 ADFA Unacceptable Behaviour Survey and surveys administered at ADFA in 1998 and 2005 suggests there have been improvements over this period in many areas. However, gender discrepancies in the reported experiences of unacceptable behaviour still remain and further work is required to address these issues. The comparisons set out below are limited to the gender and sex (SEQ) items included in the surveys.

*(i) Gender and sex-related harassment comparison*

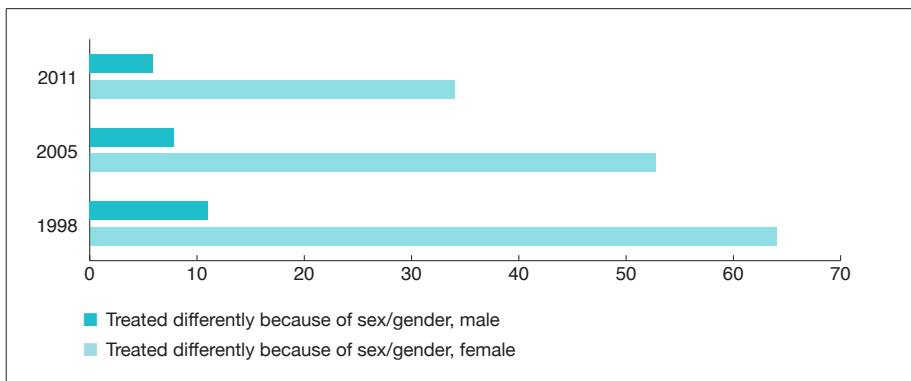
In 1998, 55% of female cadets and 20% of male cadets reported that they had been whistled, called or hooted at in a sexual way. In 2005, the proportions were 53.1% of women and 25.1% of men. In 2011, the proportions were 40.3% of women and 15% of men.



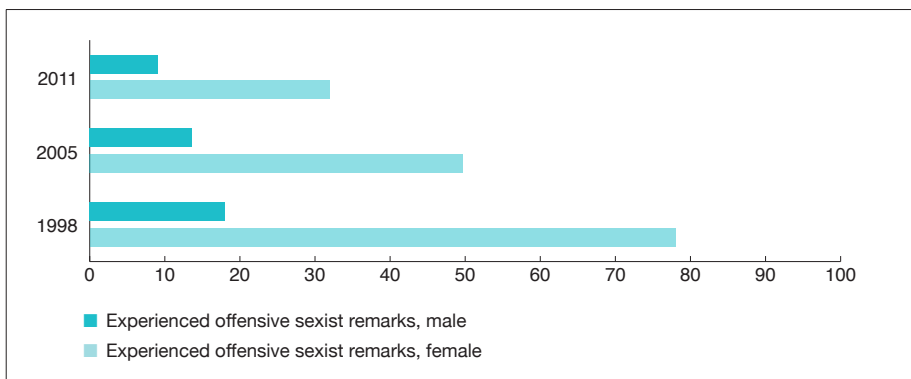
In 1998, 54% of female cadets and 33% of male cadets reported that they experienced unwanted attempts to draw them into a discussion of sexual matters. In 2005, the proportions were 51.3% of women and 33.4% of men. In 2011, the proportions were 37.6% of women and 23.5% of men.



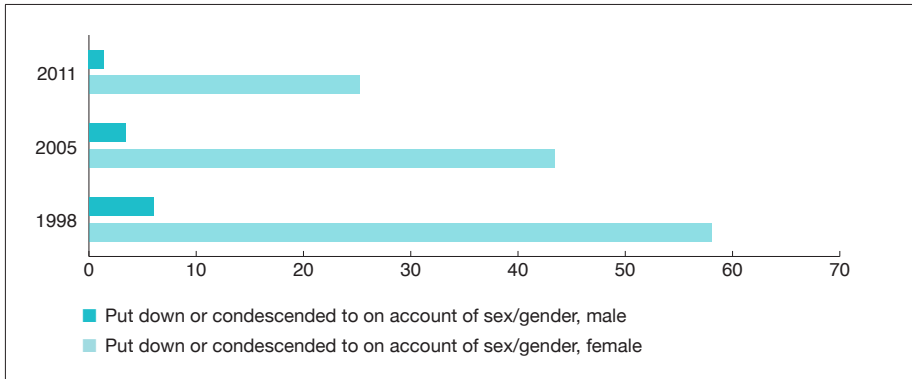
In 1998, respondents were asked whether they had been treated differently because of their sex. In 2005 and 2011, they were asked whether they had been treated differently because of their gender. In 1998, affirmative responses were 64% for women and 11% for men. In 2005 affirmative responses were 52.8% for women and 7.8% for men. In 2011 affirmative responses were 34% for women and 5.9% for men.



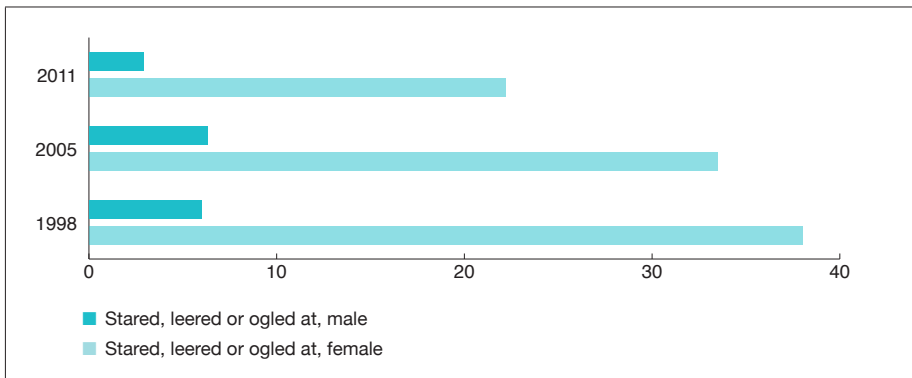
In 1998, 78% of female cadets and 18% of male cadets reported that they had experienced offensive sexist remarks. In 2005, the proportions were 49.7% of women and 13.6% of men. In 2011, the proportions were 31.9% of women and 9% of men.



The following item uses the term 'sex' in 1998 and 'gender' in 2005 and 2011. In 1998, 58% of female cadets and 6% of male cadets reported that they had been put down or condescended to on account of sex. In 2005, the proportions were 43.4% of women and 3.4% of men. In 2011, the proportions were 25.2% of women and 1.4% of men.

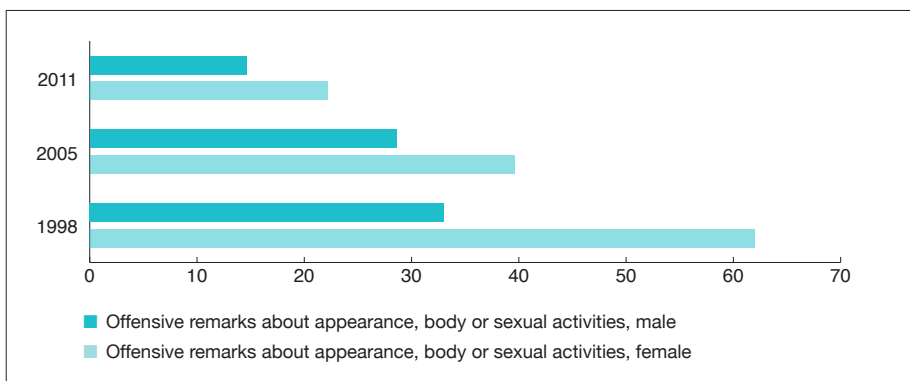


In 1998, 38% of female cadets and 6% of male cadets reported that they had been stared, leered or ogled at in a way that made them feel uncomfortable. In 2005, the proportions were 33.5% of women and 6.3% of men. In 2011, the proportions were 22.2% of women and 2.9% of men.

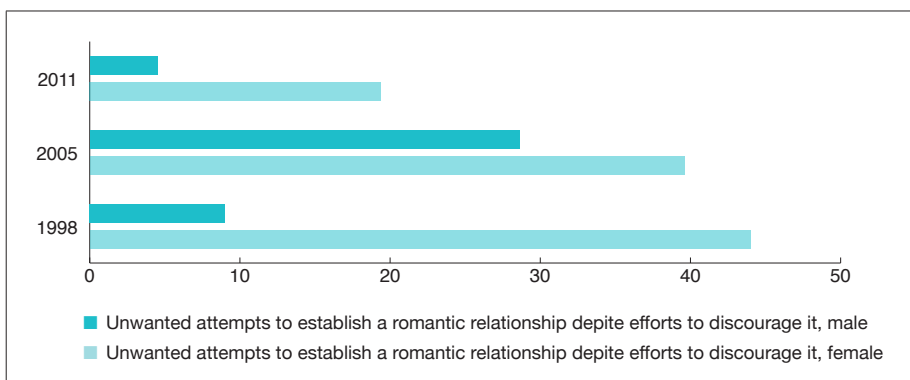




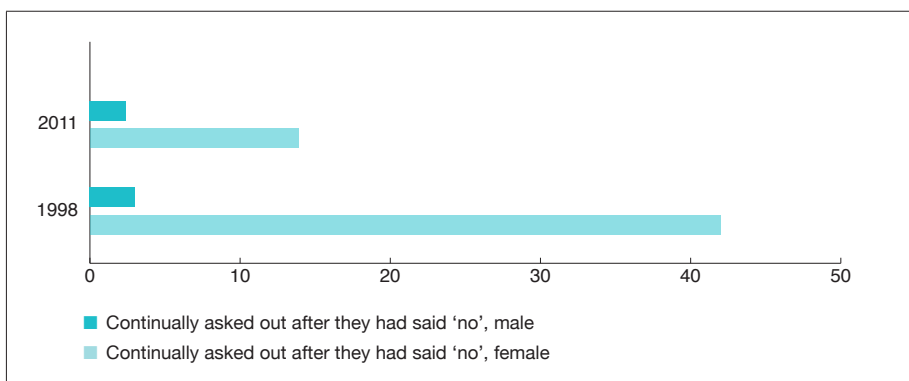
In 1998, 62% of female cadets and 33% of male cadets reported that they had experienced offensive remarks about their appearance, body or sexual activities. In 2005, the proportions were 39.6% of women and 28.6% of men. In 2011, the proportions were 22.2% of women and 14.6% of men.



In 1998, 44% of female cadets and 9% of male cadets reported that they had experienced unwanted attempts to establish a romantic sexual relationship despite making efforts to discourage it. In 2005, the proportions were 39.6% of women and 28.6% of men. In 2011, the proportions were 19.4% of women and 4.5% of men.



In 1998, 42% of female cadets and 3% of male cadets reported that they had been continually asked out after they had said 'no'. A gender disaggregation was not provided in the 2005 report. In 2011, the proportions were 13.9% of women and 2.4% of men.



## 2.3 Incidents of sexual harassment, discrimination and assault

### (a) Sexual assault and related offences

The Australian Federal Police (AFP) advised the Review that between 1 January 2000 and 31 July 2011, 17 alleged sexual assault offences involving ADFA cadets were reported to ACT Policing. Of these, nine resulted in charges being laid.

- Seven of the nine sexual offence charges occurred in 2002 and were committed by the same ADFA offender on different occasions. The two female victims were not ADFA members.
- The other two sexual offence charges related to separate incidents in 2010 and 2011. Both the offenders and victims were from ADFA.<sup>15</sup>

Data provided by ADFA also demonstrates that there have been several reports of alleged sexual assault in recent years. These statistics vary from those reported to the AFP.<sup>16</sup>

The Review has encountered some difficulty in interpreting data from ADFA. The statistics from the two main systems from which the ADF and ADFA have provided data are inconsistent. The ADF's Equity and Diversity complaints data (from its 'COMTRACK' system) indicates that between 1 January 2007 and 27 July 2011, there were four complaints of alleged sexual offences involving ADFA cadets.<sup>17</sup> In contrast, ADFA's 'serious and sensitive management register', a non-mandatory tool which is used to manage serious and sensitive incidents at ADFA, records five incidents of alleged sexual assault involving ADFA in the shorter time period of 2009 and 2010.<sup>18</sup>

The separate systems appear to use different terminology and be tracked in different locations and by different persons. Some information is not formally collected or recorded at all; for example, the details of the subsequent employment of a complainant within the ADF (or their departure from the ADF and the circumstances of their departure). While the ADF and ADFA have made attempts to provide consolidated statistics on complaints/incidents of sexual offences (including assaults) and sexual harassment, it is concerning that consistent and comprehensive data is not available.

ADFA records released under Freedom of Information (FOI) requirements provide further details about a number of complaints of sexual assault since 2005.<sup>19</sup> However, based on the information available, it was not possible to definitively cross-reference the incidents revealed by the FOI data and the statistical data or to otherwise resolve the inconsistency in the statistics.

### **(b) Sexual harassment and sex discrimination**

ADFA provided the Review with data on sexual harassment and discrimination complaints.

Between 1 January 2007 and 27 July 2011, the COMTRACK system records indicate that there were four complaints of sexual harassment at ADFA (all complainants were female). There was also one complaint of discrimination (by a male complainant) and there were 11 complaints of harassment (all by female complainants) at ADFA, although it is not clear whether these incidents were gender-based.<sup>20</sup>

Data provided from the serious and sensitive management register records 16 instances of 'unacceptable behaviour' and ten of 'harassment' in 2009 and 2010, although it is not clear whether these categories include instances of sex discrimination.<sup>21</sup> ADFA advised the Review that the serious and sensitive management register did not record any instances of sexual harassment between 2009 and 2011.<sup>22</sup>

The figures recorded by ADFA are significantly lower than the SEQ data suggests and this may be attributable to under-reporting. This is further discussed later in this chapter.

### **(c) Qualitative data**

Qualitative data was also gathered through the Review's consultations. ADFA staff and cadets generally emphasised the lack, or infrequent nature, of incidents of sex discrimination, sexual harassment and assault. Indeed, some suggested that women are given preferential treatment at ADFA:

During my time at ADFA ... not once did I feel I was discriminated against for being a woman ... ADFA does not separate women or limit them in any way, the measures used to promote gender equality are more than adequate. Women are given the same amount of opportunity to participate and achieve as their male counterparts.<sup>23</sup> [former cadet]

Although at no time during my tenure at ADFA did I ever experience any examples of sexual harassment or discrimination, I am confident that had such isolated incidents occurred, ADFA had appropriate measures in place to deal with such situations.<sup>24</sup> [former cadet]

During the time I spent at ADFA, I believe that due to the fear of public scrutiny, equal opportunities were often more in the favour of women than men, with women often at the advantage.<sup>25</sup> [former cadet]

Nevertheless, instances of inappropriate behaviour, which may or not have been otherwise reported, were brought to the attention of the Review in submissions, interviews and focus groups. These include reports of some serious cases of alleged sexual harassment and assault. One former cadet noted that she and another cadet were subjected to ongoing harassment. One of these cadets was subsequently raped on ADFA's premises.<sup>26</sup> The Review also heard:

I was involved in only one incident that could be described as sexual harassment where a friend of mine was photographed using the toilet.<sup>27</sup> [former cadet]

... a member of ... staff was harassing ... [females] ... He kept it very low key ... but he would sometimes single them out, he would call them names, he had a pet name for one of them. He would make what was later sort of identified as comments with sexual innuendo to these girls, some of which were at the time under 18.<sup>28</sup> [current staff]

On one occasion, a female officer cadet approached me ... to advise that she thought she had been sexually assaulted by a male [cadet].<sup>29</sup> [former staff]

The mentor that was assigned to my division within the first eight weeks used to make comments like "Navy girls should wear guys' uniforms" because they fit us better and make our butts look good and he would love to stare at my butt all day. When I asked him to stop these things and leave me alone he told me to get used to it because I was a pretty girl at ADFA.<sup>30</sup> [former cadet]

Second and third year guys used to knock on the first year div doors late at night looking for sex. They used to ask the person who opened the door to take them to the easiest and hottest girl in the div's room.<sup>31</sup> [former cadet]

As [I was] talking [with a male colleague], he opened his pants and exposed himself at my desk, and asked me to perform oral sex. I declined, but he was very persistent and it took a significant effort to get the Cadet to leave my room.<sup>32</sup> [former cadet]

The guys in one div stole one of the girls' underwear from her dryer and hung it up in the common room. In another div, guys were getting naked and knocking on the girls doors and dancing round in front of them thinking it was funny.<sup>33</sup> [former cadet]

The ACT Rape Crisis Centre also told the Review that they are aware of and have been involved in responding to several incidents of alleged sexual assault involving ADFA cadets. They said that the victim in these incidents was generally a young woman and that some cases had involved more than one offender. However, none of the women who had been brought to their attention had gone on to use their counselling and support services.<sup>34</sup>

However, reports of sexual harassment and discrimination are not limited to these overt examples. Several past and present cadets made allegations of behaviours that they may not identify as discrimination or sexual harassment, even though the behaviours may be unlawful under anti-discrimination legislation.

Sexual harassment cases over many years have recognised that an environment or culture which is sexualised or hostile to women also amounts to sexual harassment.<sup>35</sup> For example, a workplace marked by continual derogatory comments about the capacity of women to perform at work, or where obscene or sexualised materials are displayed or general sexual banter, crude conversation or innuendo is common, may create a hostile work environment.

Derogatory comments about the capacity of women to perform at work were evident from comments heard by the Review. They indicate negative attitudes about women's strength and their capacity to succeed in the military. A submission stated that:

I got knocked back for direct entry and [a staff member] of ADFA told me that I was a female and being female means the glass ceiling is lower for me than males. I was not as smart as a man and needed a degree or else I would be just another idiot female in the Navy. If I got a degree the ceiling would be raised a little higher but I still would not be as good an officer as a male could be.<sup>36</sup> [former cadet]

A staff member stated:

The ladies in my division have so far demonstrated that they respect the differences between the sexes, recognise that, in general, men are stronger and fitter than women and therefore better suited to some roles than the majority of women.<sup>37</sup> [current staff]

As noted in Chapter 1, there was evidence of highly sexualised behaviour directed towards female cadets, including competitions to 'score a trifecta' and the 'commodification of women' as 'sexual objects', including through the practice of 'dully hunting'.<sup>38</sup>

A survey of 186 cadets undertaken for the Kafer Review also found some evidence of similar behaviour, such as offensive sexist comments, 'crude and offensive sexual remarks', telling sexual stories or offensive jokes, 'unwanted attempts to establish a romantic relationship with me despite my efforts to discourage it', and displaying, using or distributing sexist or suggestive materials (such as pornography, pictures or stories).<sup>39</sup> While the extent of these behaviours varied in frequency, and some were not common, most were more likely to have been experienced by female cadets rather than males.<sup>40</sup>

It appears that these inappropriate behaviours may be normalised to some extent at ADFA. Certainly, there is evidence that inappropriate behaviours can be excused by some members of the cadet body. One current cadet noted 'sometimes you get the blokes that get a bit handsy, they're not used to being around girls.'<sup>41</sup> There is also an expectation that these inappropriate behaviours should just be accepted as part of ADFA's working environment. A former cadet provided the following comment regarding a staff member's response to issues of sexual harassment:

He smirked at us and told us that it was just boys having fun. When he was at ADFA they did the same thing to the girls and it is just a joke, nobody is getting hurt. We joined the defence force; we can't expect them to treat us like dainty females.<sup>42</sup> [former cadet]

## 2.4 Current policies, procedures and training in relation to complaints of sexual harassment, discrimination, abuse and assault of women at ADFA

### (a) Reporting sexual harassment, discrimination, abuse and assault of women

The Review is aware of a number of mechanisms through which ADFA cadets can report and/or make formal complaints of incidents of sex discrimination, sexual harassment and sexual assault.

The Review heard that cadets are able to report unacceptable conduct through the chain of command, to staff members such as equity and diversity advisors, to padres, under the Defence Whistleblower Scheme, or where sexual harassment or sex discrimination is involved, to the Australian Human Rights Commission. Cadets may also utilise the formal complaint mechanisms under *Defence Instruction (General) PERS 35-3, 'Management and Reporting of Unacceptable Behaviour'*,<sup>43</sup> *Defence Instruction (General) PERS 35-4, 'Management and Reporting of Sexual Offences'*<sup>44</sup> and *Defence Instruction (General) ADMIN 67-2, 'Quick Assessment'*<sup>45</sup> (discussed later in this chapter).

Evidence from the Review's consultations suggests that cadets at ADFA are aware that policies and complaints handling procedures exist to identify, prevent and address unacceptable behaviours. Cadets acknowledged that they receive some training on equity and diversity and other matters during their time at ADFA. Furthermore, when questioned about where they could seek assistance if they experienced a problem, numerous cadets referred to the presence of the equity and diversity system, chain of command and support staff, such as padres and psychologists.<sup>46</sup> It is also clear that these reporting mechanisms are used at times.<sup>47</sup>

Even so, there is some under-reporting of allegations of sexual assault, harassment and discrimination at ADFA. This is apparent from the discrepancies between the 2011 ADFA Unacceptable Behaviour Survey results and the formal complaints data. While a significant proportion of cadets surveyed indicated that they had experienced some sexual harassment behaviours, as discussed earlier in this chapter it appears that only four formal complaints were made through the COMTRACK system between January 2007 and July 2011.

The Review is aware that ADFA also has a mandatory 'Quick Assessments Register'.<sup>48</sup> Data from this register was not available to the Review at the time of writing, however, its figures may indicate a higher level of reporting by cadets than that suggested by the COMTRACK data.

However, the Review still considers that there is significant potential for under-reporting of inappropriate behaviour at ADFA. This is supported by the results of the 2011 ADFA Unacceptable Behaviour Survey, discussed earlier in this chapter. Only 14.6% of respondents who indicated they had experienced unacceptable behaviour in the 12 months prior to the survey reported that they had made a formal complaint and/or report.

Such under-reporting is not surprising, nor is it uncommon in broader society.<sup>49</sup> Researchers have identified various reasons for this under-reporting. For example, in relation to incidents of sexual assault, studies have identified barriers to reporting such as:

- lack of recognition that an incident is sexual assault, or not considering an incident serious enough to report
- a relationship between victim and perpetrator (not necessarily an intimate relationship, although these are less likely to be reported)
- potential for negative reactions, including fear of not being believed or being blamed
- lack of encouragement from support networks
- fear of repercussions and concerns about the impact of disclosure on others, such as children
- the victim's belief that they can handle an incident themselves.<sup>50</sup>

Sexual harassment and discrimination may not be reported for similar reasons, including a perception that an incident/behaviour was not serious enough to be reported, a lack of understanding about what sexual harassment is, a lack of confidence in the complaints process, the victim taking care of it themselves and fear of a negative reaction to reporting.<sup>51</sup>

The evidence suggests that similar barriers to reporting exist at ADFA.

A potential barrier to reporting is the expectation that 'every attempt should be made to solve something at the lowest level'.<sup>52</sup> From the beginning of their training, cadets are advised to use this approach to resolve conflicts with other cadets:

In the YOFT from day one they say "look you're living with people you don't know, there are going to be conflicts, resolve it at the lowest level, talk to the person about it" and that's something that we try and do.<sup>53</sup>

Cadets spoke of using this approach when issues arise:

I think there are isolated incidents, however most things are usually dealt with at a level that is such that it doesn't become an issue. If someone is offended by a specific language, someone might be swearing a bit too prolifically for someone's liking, they're quite happy to usually tell them you know stop. What are you doing and why are you saying that? Or if it's, you know, sort of derogatory comments about someone's, you know, sexual preference or the like, if they're generally offended by that, most people here are of the idea that they're a professional anyway. They don't want to come across as unprofessional so they're not going to continue to do that out of spite or anything like that. But I mean sometimes you get things that don't work and this place isn't for everyone and you get the isolated incidences where ... it has gotten out of hand, but for the most part it's usually dealt with at the lowest level because that's where it needs to be dealt with.<sup>54</sup>

The fact that cadets feel they should deal with issues such as offensive language and derogatory comments about sexual preference, seems to indicate that these behaviours are not viewed as worthy of reporting. It also indicates that cadets do not consider these behaviours to be part of a broader problem of sexual harassment. This is suggested in the words of a former cadet, who stated that 'a conceptualisation of sexual harassment [within ADFA] is practically non-existent'.<sup>55</sup> It may also be linked to the normalising of sexualised behaviours, as discussed earlier in this chapter. It is also evident in the results of the 2011 ADFA Unacceptable Behaviour Survey where, as noted previously, there is a discrepancy between the proportion of cadets who reported experiencing harassing and discriminatory behaviours, and those who reported perceiving it as 'unacceptable'.

The values emphasised by ADFA's culture may also play an important role in dissuading reporting of serious issues. Emphasis is placed on the notion that ADFA cadets should not show 'weakness'. As one staff member outlined:

The most important and overarching cultural value at ADFA is *never* show weakness. This is a fairly understandable normative virtue for a military academy. However, the pervasiveness of the anti-weakness mindset is cause for concern. Weakness can be identified in almost any activity ... admitting one has a problem of any kind is weak, admitting one has a psychological problem is weakest of all. The opportunities to be judged as weak is seem [sic] limitless. For alpha males and females the need to project strength and develop a hardened shell is one of the main tasks of training. They also believe everyone identified as weak is basically unworthy and should be removed from training and/or sent elsewhere. Sometimes they try to help this process along by targeting these people and making them feel so uncomfortable in the military they want to leave. Hence the problem of harassment continues at ADFA in one form or another.<sup>56</sup>

The submission goes on to explain that 'men rarely ever complain, and as for alpha males and females, complaining is a form of weakness they do not tolerate in themselves or others'.<sup>57</sup>

As outlined in Chapter 1, there is also pressure on cadets to maintain loyalty to each other and not 'jack on your mate'. This is likely to make cadets hesitant about reporting cases of unacceptable sexual or other behaviour. The negative impacts of loyalty are also articulated by an ADFA staff member:

Loyalty itself is not actually a positive characteristic in this context, as it is aimed at protecting one's mates even when they have been bad. Loyalty to one's mates can, and frequently does, take precedence to loyalty to the broader organisation. 'Hear no evil, see no evil, speak no evil' is how cadets and MIDN [midshipmen] experience ADFA. There is no forgiveness for those members who 'inform' on their peers – even when their behaviour is completely unacceptable.<sup>58</sup>

This attitude highlights an expectation that cadets may be subjected to negative repercussions if they report inappropriate behaviour by their friends and colleagues.<sup>59</sup> The Review was provided with other information to support this. One former cadet relayed an experience of unacceptable behaviour:

more than half the div were complaining but were too scared to do anything because if you spoke out against the 'alpha males' they made your life hell.<sup>60</sup>

Another former cadet commented on the 'fear of the backlash of the rumour mill' as a barrier to reporting.<sup>61</sup> Other cadets noted that after some female cadets reported sexually harassing behaviour by a male staff member, they received negative reactions from the males in their divisions: '... the guys in the div after that hated us ... They were like "why did you do that? It's all in good fun."<sup>62</sup>

However, loyalty is not only an issue in relation to the reporting of fellow cadets. Some participants in the Review's consultations also discussed the ongoing sexual harassment by a former ADFA staff member towards a number of female cadets, which was briefly mentioned earlier in this chapter. In this case, the harassment lasted for around ten months before it was reported to other ADFA staff because:

... they didn't want to get him in trouble or they didn't think it was that bad or, you know, they just didn't feel like they wanted to cause a ruckus or cause any issues or have a negative impact on his career.<sup>63</sup>

The concern about negative reactions to reports also extends to potential staff responses to complaints. Some comments made to the Review give credence to fears cadets may hold about not being believed or taken seriously if they report an incident. For example, while acknowledging that most reports are honest, the following comment from a current staff member indicates scepticism about the veracity of some reports:

I think we're starting to see the emergence of really unreliable complaints and that's tricky because in my view, most allegations of sexual harassment or assault, I would think most of them are true. They're more likely to be true than not. But then there are some that are confused or there are some that are manufactured...Some of these things are straight lies to get people out of other disciplinary issues.<sup>64</sup>



A former staff member also recounted the way in which one allegation of possible sexual assault was addressed. In this case, the incident was reported by the victim of the alleged assault, with the support of a friend. However, a subsequent investigation found insufficient evidence to support the allegation. The staff member went on to say: 'I subsequently spoke informally with both female officer cadets about their part in the whole sorry story, the implications of inciting false allegations on all three parties.'<sup>65</sup> This response is problematic. The implication that the allegation must necessarily be false because there was insufficient evidence to support the claim is misguided. A number of studies have found that rates of making false allegations are low and that the fear of not being believed is a barrier to reporting.<sup>66</sup>

## **(b) Complaints/incidents policy framework**

In addition to examining potential cultural barriers to reporting incidents of unacceptable behaviour, the Review has also undertaken some analysis of ADFA's complaints/incidents policy framework. The Review considered the key Defence Instructions which provide mechanisms through which ADFA cadets can report, and/or make formal complaints of, incidents of sex discrimination, sexual harassment and sexual assault. The Review did not conduct a full audit of the content of all Defence Instructions.

The Academy Standard Operating Procedures state that *Defence Instruction (General) PERS 35-3, 'Management and Reporting of Unacceptable Behaviour'*<sup>67</sup> is to be applied in relation to complaints of unacceptable behaviour.<sup>68</sup> The Academy Standard Operating Procedures do not however refer to the other Defence Instructions that are specifically relevant where a complaint of unacceptable behaviour potentially constitutes a sexual offence, namely, *Defence Instruction (General) PERS 35-4, 'Management and Reporting of Sexual Offences'*<sup>69</sup> and *Defence Instruction (General) ADMIN 67-2, 'Quick Assessment'*.<sup>70</sup> The Academy Standard Operating Procedures could be amended to provide greater clarity to ADFA personnel on the full range of potentially applicable Defence policies and procedures.

The 2007 Report by the Acting Commonwealth and Defence Force Ombudsman – *Australian Defence Force: Management of Complaints about Unacceptable Behaviour* (the 2007 Ombudsman Report)<sup>71</sup> assessed the primary Instruction relating to management of complaints of unacceptable behaviour: *Defence Instruction (General) PERS 35-3, 'Management and Reporting of Unacceptable Behaviour'*.

The Ombudsman was satisfied with the Instruction and determined it was generally user-friendly, comprehensive and accessible. Suggestions were made to augment some sections and these were adopted in a review of the Instruction in 2009. This Review similarly considers *Defence Instruction (General) PERS 35-3, 'Management and Reporting of Unacceptable Behaviour'* to be sound.

An area for improvement in the Instruction identified by this Review is in relation to external avenues of complaint. There is a Defence Instruction entitled *Defence Instruction (General), PERS 34-2, 'Complaints of Discrimination and Harassment through the Australian Human Rights Commission'*.<sup>72</sup> However that Instruction provides guidance on how Defence should respond when such an external complaint is made, rather than giving information to complainants on how to make such a complaint and the manner in which it will be dealt with. *Defence Instruction (General) PERS 35-3, 'Management and Reporting of Unacceptable Behaviour'* does state that complaints may be submitted to an external agency, such as the Australian Human Rights Commission. However this is not clearly or prominently positioned in the Instruction as one of the various avenues by which a complaint may be made, which could be an enhancement to the Instruction.

The 2007 Ombudsman Report did not specifically consider related Instructions that may impact directly or indirectly on the management of complaints or incidents of unacceptable conduct constituting sexual harassment, abuse or assault or sex discrimination. These include the Instructions relating to Quick Assessments, Reporting of Sexual Offences and the Defence Whistleblower Scheme.

(i) *Quick Assessments*

*Defence Instruction (General), ADMIN 67-2, 'Quick Assessment'* provides a clear, effective framework for what should be done following an occurrence that comes to the attention of the chain of command, where the opinion is formed that a subsequent investigation or inquiry of the occurrence may be required. It is not an investigation, rather, its purpose is to quickly assess the known facts about an occurrence – and identify what is not known about an occurrence – to make a decision about the most appropriate course of action to be taken in response to it.

Appropriately, the Instruction emphasises that a Quick Assessment must not be used as the basis for adverse findings or to replace the need for a separate action where it is otherwise necessary. The Quick Assessment is therefore a preliminary inquiry to determine which policy/procedure may apply. When applied to incidents of unacceptable behaviour such as sexual harassment, abuse or discrimination, it can act as an effective 'funnel' to direct activity in the appropriate direction. The Annexures to the Instruction contain useful tools including a flow diagram and Guidance on Selecting the Most Appropriate Administrative Inquiry, which specifically addresses Sexual Offences and Complaints of harassment or discrimination.

Quick Assessments have been found by ADFA Audits to be operating effectively in practice.<sup>73</sup>

(ii) *Management and Reporting of Sexual Offences*

Where a complaint of unacceptable behaviour potentially constitutes a sexual offence, *Defence Instruction (General) PERS 35-4, 'Management and Reporting of Sexual Offences'* takes account of the particular issues that arise including reporting to police and consequent criminal and disciplinary proceedings. Appropriately, the Instruction provides for a Quick Assessment to be conducted, together with other immediate actions in relation to securing the scene and crisis intervention. If there is a reasonable suspicion that a criminal offence may have been committed it constitutes a Notifiable Incident and the additional reporting and management obligations under *Defence Instruction (General) ADMIN 45-2, 'Reporting and Management of Notifiable Incidents'*<sup>74</sup> apply.

The current *Defence Instruction (General) PERS 35-4, 'Management and Reporting of Sexual Offences'* is dated 11 February 2004, however, an interim amendment was made to the Instruction on 30 January 2009 by *DEFGRAM No. 35/2009*, pending formal amendment to the Instruction. This amendment clarifies that all alleged sexual offences must be reported to state or territory police or Defence Investigative Authorities, regardless of the wishes of the complainant/victim.

The current Instruction is highly problematic, in that while it states that commanders and managers must inform the civilian police or relevant DIA, the flow chart attached to the Instruction in Annexure B implies that they have some discretion in whether to report the alleged offence. *Form AC 875-4* annexed to the Instruction – *Record of Complainant's Wish Not to Officially Report a Sexual Offence to the Police* – also led commanders and managers to interpret that once that Form was completed by the complainant, there was no requirement for them to report to the authorities. *Form AC 875-4* was (understandably) criticised by police agencies for inhibiting the reporting of matters that should be reported.

The 30 January 2009 DEFGRAM No. 35/2009 interim amendment cancelled *Form AC 875-4* and *Annexure B – Flowchart for Managing Complaints of Sexual Offences*. The *Sexual Offence Management Guide* was also withdrawn. It was stated that *Defence Instruction (General) PERS 35-4, 'Management and Reporting of Sexual Offences'* would be amended as soon as possible. However, over 18 months has elapsed and it appears that the consolidation of the Instruction has not occurred.

Potentially unacceptable behaviours of a sexual nature range along a spectrum from lower level sexual harassment through to serious sexual assault. Whether an offence within the meaning of *Defence Instruction (General) PERS 35-4, 'Management and Reporting of Sexual Offences'* has occurred may in some circumstances be difficult to determine and input from the relevant authorities with appropriate expertise must be sought. The relevant Instructions applying to the management and reporting of such behaviours may overlap and it is critical that those managing incidents have clear, up to date and consistent guidance on the steps they should take. This is particularly so in situations where time is of the essence and matters must be dealt with urgently to protect individuals. Currently there is potential for the DEFGRAM interim amendment to the Instruction to be overlooked and the Instruction incorrectly applied. At a minimum, it could delay the process as commanders and managers seek to properly understand their obligations.

In addition to the potential legal issues in failing to report certain criminal offences, inappropriate priority given to the wishes of the complainant/victim of unacceptable sexual behaviour of any kind – whether constituting a sexual offence or not – may result in issues not being appropriately identified and dealt with. This is of particular concern in an environment where there are demonstrated barriers to reporting of conduct.

The relevant Forms for reporting unacceptable behaviour or sexual offences are *Form AC 875-1 Initial Complaint Report – Unacceptable Behaviour or Sexual Offence*; *Form AC 875-2 Monthly Update Report – Unacceptable Behaviour or Sexual Offence*; and *Form AC 875-3 Final Outcome and Formal Action Report – Unacceptable Behaviour or Sexual Offence*. These Forms are only annexed to *Defence Instruction (General) PERS 35-4, 'Management and Reporting of Sexual Offences'* – not *Defence Instruction (General) PERS 35-3, 'Management and Reporting of Unacceptable Behaviour'* – although the *Flow Chart to Management and Reporting of Unacceptable Behaviour Complaints* makes reference to these Forms.

Unacceptable behaviour of a sexual nature may consist of conduct that is at the complete opposite end of the spectrum to a sexual offence. Complainants may be deterred from raising lower level issues – such as a sexually hostile work environment – because of concerns that they are 'accusing' the perpetrator of conduct akin to a sexual offence. Conversely, unless properly trained, those managing complaints may not treat complaints about lower level issues as seriously as they ought, perceiving them as relatively trivial in contrast to sexual assaults/offences. Attaching specific forms to the relevant Instruction will also reduce the need to cross-refer to other Instructions and facilitate use of the Instructions by commanders and managers in situations where they need to act quickly and decisively.

(iii) *Defence Whistleblower Scheme*

*Defence Instruction (General) PERS 45-5, 'Defence Whistleblower Scheme'*<sup>75</sup> provides an alternative way to make a complaint about unacceptable behaviour, which may be particularly useful where the complainant has concerns about victimisation or repercussions.

The 2007 Ombudsman Report noted that in its focus group consultations, a claim was made that on occasions one unit had discouraged members raising complaints outside the immediate chain of command regardless of the circumstances. The Ombudsman recommended that Defence promote awareness of the Whistleblower scheme in *Defence Instruction (General) PERS 35-3, 'Management and Reporting of Unacceptable Behaviour'*. This was done in the 2009 review of the Instruction. Further promotion of the Whistleblower Scheme could be included as part of the specific complaints training modules to be developed, as discussed later in the recommendations of this Report.

### **(c) Flow Chart Tool: application of policies**

The large number of policies and related documentation – Academy Standard Operating Procedures, Defence Instructions, checklists and forms – and their overlapping nature can create understandable confusion about what steps need to be taken in relation to the wide and potentially unacceptable range of behaviours.

Current senior management at ADFA explains the challenge:

Management of sensitive issues at ADFA is bound by a complex set of overlapping Defence policies. There are separate Defence Instructions for the management of sexual offences and unacceptable behaviour and there are multiple policies for the reporting and management of incidents. While every policy is well intentioned, the overall effect can sometimes conspire against management. This complexity is not confined to issues affecting women, nor is it unique to ADFA ...<sup>76</sup>

A lack of clarity for those managing the investigation and/or resolution of complaints or incidents can lead to a delay in implementing procedures and inappropriate outcomes. This can undermine the confidence of complainants, as well as respondents to complaints, in the process and the outcomes. As noted above, this can create a barrier to reporting unacceptable behaviours.

Defence has developed accompanying brochures and pamphlets to assist complainants, respondents and complaint handlers. A Flow Chart Tool could be developed to draw together the current ADFA and Defence policies and resources (such as Instructions, Academy Standard Operating Procedures, brochures, pamphlets and checklists). The Flow Chart Tool would attempt to provide an over-arching, simple guide on how the key Instructions and Academy Standing Operating Procedures work together in relation to ADFA, including some practical and hypothetical examples. This would support management in conducting complaint processes and maximise the effectiveness of the existing policy framework.

The Flow Chart Tool could also be incorporated into the different training modules delivered to ADFA cadets, Equity and Diversity Officers and staff on making and responding to complaints.

### **(d) Options for resolution of complaints**

As mentioned previously, cadets are encouraged to deal with issues at the 'lowest possible level'. This is reflected in the existing policy framework, which describes 'self-resolution' and 'supported self-resolution' as part of the 'suite' of options that can be used to resolve complaints or concerns.<sup>77</sup>

However, giving inappropriate weight to informal resolution options can create risks for individuals and for the organisation. For example:

- complainants – particularly young, inexperienced cadets – may not have the appropriate skills to effectively address sensitive issues of a sexual nature with the alleged perpetrator and therefore do not raise the issue

- serious matters that ought be investigated and, if proven, lead to disciplinary action are not appropriate to be dealt with through informal mechanisms
- patterns of unacceptable behaviour, particularly lower level sexual harassment and elements of a sexually hostile work environment, remain undetected.

An effective complaints process identifies a range of options, including that the complainant address the issue directly with the alleged perpetrator, with or without assistance. *Defence Instruction (General) PERS 35-3, 'Management and Reporting of Unacceptable Behaviour'* contains informal and formal options.<sup>78</sup> The 2007 Ombudsman Report noted that 'self-resolution or assisted self-resolution processes may be rendered ineffective by ... power differentials' in an environment structured by rank and that while *Defence Instruction (General) PERS 35-3, 'Management and Reporting of Unacceptable Behaviour'* expressly states that commanders and managers are to consider rank when determining the appropriate avenue of resolution, it may be 'helpful to expand this discussion'.<sup>79</sup>

This Review agrees that the appropriate positioning of self-resolution and assisted self-resolution is a key issue to be included in developing training modules for those who manage complaints of unacceptable behaviour. This will also help build confidence in the impartiality and effectiveness of the complaints management system generally within ADFA.

It is consistent with best practice complaint management processes to present options to complainants in a manner which acknowledges that they may not feel comfortable or capable to address an issue directly with the alleged perpetrator. It should be emphasised in all training modules that complainants are under no obligation to address complaints by way of self-resolution or assisted self-resolution.

The 2007 Ombudsman Report also noted that in focus groups it conducted, some commanders and managers perceived a grey area between informal and formal application of policy (and that this distinction may also influence record keeping practices).<sup>80</sup> The Review considers that a lack of understanding of what constitutes a complaint, and the appropriate exercise of discretion in initial complaint handling, may act as a barrier to reporting of incidents and obscure the true number and seriousness of complaints that are actually made at ADFA.

*Defence Instruction (General) PERS 35-3, 'Management and Reporting of Unacceptable Behaviour'* was amended by Defence in 2009 in response to the observations of the 2007 Ombudsman Report. The Instruction now clearly states that 'there is no distinction between a formal or informal complaint. A complaint that includes a complainant's wish that no action be taken, is a complaint.'<sup>81</sup> This is a positive step.

However, the Academy Standard Operating Procedures do not clearly state that there is no relevant distinction between informal and formal complaints, as opposed to resolution options.<sup>82</sup> It is difficult to assess whether the training provided to those who receive and manage complaints of unacceptable behaviour adequately addresses this issue as a practical matter. The appropriate exercise of discretion by commanders, managers and Inquiry Officers when a complaint is initially received – including the obligation to take action and report on actions and resolution – is critical to the effective operation of the Academy Standard Operating Procedures and Defence Instructions. It should form a key element of the training delivered to those in positions of responding to and/or managing complaints. In conjunction with the training, the Academy Standard Operating Procedures could be amended to address any ambiguity in relation to this issue.

### (e) Training on Making and Managing Complaints

Responding to complaints involving any kind of sexual element requires a diverse and specific set of skills and competencies. Even where policies and procedures are clear, simple and effective, flexibility is required to interpret and apply them appropriately to the particular situation. The sensitive subject matter makes such matters inherently unpredictable. Further, complaints of this kind do not arise on a daily or even weekly basis, therefore the skills necessary to address complaints are exercised only sporadically.

As a practical matter, there appear to be three primary avenues by which a complaint of unacceptable conduct may be raised:

- to more senior cadets
- to designated contact/complaint officers – Equity and Diversity officers
- through the chain of command – more senior ADFA staff members.

The nature of training on the complaint policies and procedures provided to each of these groups should be tailored to the different roles, skills and level of responsibility of each group.

*More senior cadets:* New cadets may initially seek advice and input from more senior cadets on an issue of unacceptable behaviour. Reference to peer group is common in such situations, and in the ADFA context may specifically occur because of the prevailing culture of not ‘dobbing on your mates’, and the preponderance of written policies and procedures.

More senior cadets can therefore play a key role in how a complaint or incident is handled. A specific ‘refresher’ Appropriate Workplace Behaviour training module could be devised and delivered as part of their core training curriculum in each year of study. The learning objectives would be to (1) develop a deeper understanding of appropriate workplace behaviour and consent; and (2) acquire basic skills in how to respond to a complaint by another cadet within the policy framework. Cadets would be trained on their responsibilities to escalate and report issues.

*Chain of Command:* The difficulties in applying the policy framework in a practical context are acknowledged by ADFA management:

Defence requirements for reporting of incidents are very strict. While this is understandable, it has created some challenges for our management of sensitive issues, including issues involving the treatment of women. In some cases, incidents that would benefit from quick and decisive resolution, become subject to complex and lengthy investigations. The ADF Investigative Service and the Inspector General ADF are very professional, but local resources are stretched, and the consequential delays can be very frustrating for all affected parties.<sup>83</sup>

In contrast to other types of management issues, complaints of unacceptable conduct are relatively infrequent. As a consequence, complaint handling skills are exercised sporadically and there is reduced opportunity for managers to increase expertise in this challenging area. At the same time, identifying and then applying the appropriate resolution option in relation to each particular incident is critical.

Further, the attitude and response of senior ADFA staff to incidents of unacceptable conduct is key to ensuring the effectiveness of procedures and promoting the equal treatment of women. The comment by a staff member quoted above regarding speaking 'informally' with female cadets who had reported an incident of possible sexual assault 'about their part in the whole sorry story [and] the implications of inciting false allegations on all three parties'<sup>84</sup> suggests a lack of understanding of some fundamental principles of complaint management. There is a critical distinction between complaints that are not proven or inconclusive due to a lack of information and inability to make a finding, as opposed to complaints that are disproven. Where the result of the inquiry is inconclusive, there is no basis on which to suggest that the complaint was false. Even where a complaint is disproven or unsubstantiated, it does not automatically follow that there has been a finding it was false or malicious. In matters involving sexual relationships and sexual harassment outcomes may not be clear cut.

The 2007 Ombudsman Report noted that focus group comments had suggested there was 'confusion about what was considered an unsubstantiated complaint, and what was a false or malicious complaint'. The Report accordingly recommended that Defence clarify the action to be taken where commanders and managers identify a possible false or malicious complaint.<sup>85</sup>

#### **(f) Record keeping practices**

In order to properly manage and monitor the incidence of unacceptable behaviour at ADFA it is crucial that comprehensive and accurate records of complaints are kept. The 2007 Ombudsman Report concluded in relation to management of complaints of unacceptable conduct within Defence generally that there is 'an effective process in place to respond to complaints about unacceptable behaviour where both the respondent and complainant are ADF members...[However] Record keeping, quality assurance and reporting are particular areas that Defence could improve with additional clarification and development.'<sup>86</sup> In respect of unacceptable behaviour constituting sexual harassment, sex discrimination or sexual assault, the Review has drawn the same conclusions with respect to ADFA specifically.

##### *(i) Record keeping: individual complaints/incidents*

The Review did not undertake detailed file audits of individual complaints of unacceptable behaviour made at ADFA. The 2007 Ombudsman Report expressed concerns about 'the overall standard of record keeping and an apparent lack of compliance with reporting requirements' in relation to unacceptable behaviour complaints within Defence generally.<sup>87</sup>

The current Academy Standard Operating Procedures in relation to record keeping are unclear about who is responsible for holding records of complaints and incidents.<sup>88</sup> The 2007 ADFA Audit examined record keeping relating to Quick Assessments and subsequent administrative inquiries by ADFA staff and observed that most inquiry material was retained on files by the Academy Legal Officer, who at that time had maintained a register of inquiry action and was taking steps to raise visibility and improve the quality of inquiry action. However, the auditors could not confirm that all material was held by the Academy Legal Officer. It was therefore recommended that consideration be given to developing an Academy Standing Instruction regarding conduct and central tracking of inquiry action.<sup>89</sup>

The 2010 ADFA Audit noted that documentation regarding complaints of unacceptable behaviour at ADFA was held on complainants' personnel files. Of two files audited, it was stated that one case appeared to be properly handled however 'the documentation relating to the other complaint was incomplete and the auditor was not in a position to assess whether or not it was properly handled.'<sup>90</sup> The 2010 ADFA Audit consequently recommended that a case file be established for each unacceptable behaviour complaint and all relevant documentation kept on that file, including the Quick Assessment and reports to the Fairness and Resolution Branch, creating an enduring business record of the complaint at ADFA. The 2010 ADFA Audit further recommended that such files be held centrally by the Senior Equity Adviser. This would 'reduce the risks of complaints not being properly managed and would establish an audit trail in the event of future scrutiny or review.'<sup>91</sup>

This Review considers that an on-line complaints system/database as recommended by the 2007 Ombudsman Report would enhance record management in this regard, as it would clarify the correct location of all relevant material and the complete, enduring business record of all complaints of unacceptable behaviour would be centrally accessible to appropriate levels of command.

*(ii) Record keeping practices: outcomes and determinations of complaints/incidents*

The 2007 Ombudsman Report identified issues in the ability of Defence to identify and respond to emerging trends of unacceptable behaviour, including systemic and recurring problems. An accurate and comprehensive system to capture and record data about the number and type of complaints being reported and the outcome/resolution of those complaints is essential. 'A recording system should assist in monitoring the progress of complaints and identifying repetitive complaints, as well as allowing the organisation to identify training or development needs of complaint handlers, individuals and teams.'<sup>92</sup>

The relevant Instructions relating to reporting and managing of unacceptable behaviour and sexual offences require various reports to be submitted to the Fairness and Resolution Branch in respect of each complaint and that this data is used to measure reporting trends across Defence more broadly. However, the 2007 Ombudsman Report noted that 'while this may assist Defence in identifying some trends, [the Ombudsman's] file reviews indicated that it does not hold accurate data on all complaints, as reporting requirements are not being met in all cases.'<sup>93</sup>

The 2007 ADFA Audit noted generally in relation to record maintenance that the audit team 'experienced some difficulty in locating files and other records relevant to the audit... Of concern to the administrative auditors was an apparent lack of awareness by a number of the central registry staff of the responsibilities of a number of appointments within the Academy and the likely whereabouts and scope of particular records.'<sup>94</sup> It was suggested that a review be undertaken of ADFA central registry arrangements and the need for holdings of significant amounts of 'historical' records remote from the central registry (eg the Academy Legal Officer's records) be considered.<sup>95</sup>

Maintenance of accurate, complete and accessible corporate records relating to occurrences and incidents was again identified in the 2010 ADFA Audit. While the administrative arrangements at ADFA were found to be satisfactory, it was again noted that documentation was not held centrally, but generally held on personal files at Squadron level and there was no administrative officer to manage or monitor all the personnel and administrative issues. There was therefore a 'clear risk that administrative actions may be taken on incomplete or fragmented documentation.'<sup>96</sup> The auditor noted that an ADFA staff member was attempting to bring together the records management of personnel and administrative matters as well as enhancing administrative processes.



The difficulties this Review experienced in easily accessing comprehensive, and comprehensible, data about the incidence, nature and management of unacceptable behaviour at ADFA has already been noted.

## (g) Conclusion

Increasing the level of awareness of gender issues and appropriate workplace behaviour within a framework of diversity and inclusion is a necessary condition for creating a culture of equal treatment of women. However, it is not sufficient.

If unacceptable behaviour occurs that breaches accepted standards and women do not know how to make a complaint or they lack confidence in the complaints procedure, cultural change will not be achieved or sustained.

Unacceptable behaviours can range widely in their degree of seriousness, from inappropriate comments or a highly sexualised work environment through to serious sexual abuse and criminal sexual assault. Accordingly, implementing and applying effective procedures to handle complaints and reports of incidents of sexual harassment, discrimination, abuse and assault is fundamental to gender equality.

- 1 This proportion (61.6%, N=599) was the official figure provided to the Review in DSPPR Report 5/2011: People Strategies and Policy Group Workforce Planning Branch, *Australian Defence Force Academy 2011 ADFA Unacceptable Behaviour Survey*, DSPPR Report 5/2011, Department of Defence (2011) p 1. The proportional figures for 2011 and 1998 are taken from the DSPPR Reports. The proportional figure for 2005 is arrived at by taking the figure 837, quoted in the 2005 report, and the ADFA Annual Status Report for 2005 which notes that there were 977 cadets that year: see '110819 Broderick Review Task 100 and task 80' provided to the Review by LTCOL N Fox, 19 August 2011. Directorate of Strategic Personnel and Planning Research, *A Survey of Experiences of Unacceptable Behaviour at the Australian Defence Force Academy*, DSSPR Report x/2005 (2005) p 4.
- 2 Survey methodology is further discussed in Appendix D.
- 3 See Appendix E for figures. DSPPR Report 5/2011 notes that 69% of the female cadet body completed the survey, but a supplementary report with year and gender breakdowns received by the Review on 27 July 2011 suggests that the figure is closer to 66%.
- 4 Versions of the Unacceptable Behaviour Survey were run annually between 1998 and 2000, between 2003 and 2008, and in 2011.
- 5 It was important that the Review administered an almost identical component of the survey to the survey used in the Grey Review. This allowed for a comparison of respondents experiences between 1998 and 2011. The Review also identified that similar data had been collected in 2005. This was also used for comparison purposes.
- 6 See wording in Appendix C.
- 7 National Union of Students, *Safe Universities Blueprint: Talk About It Survey Results and Recommendations* (2011), p 5. At [whiteribbonday.org.au/media/documents/talk-about-it-survey-results-and-recommendations.pdf](http://whiteribbonday.org.au/media/documents/talk-about-it-survey-results-and-recommendations.pdf) (viewed 23 August 2011).
- 8 People Strategies and Policy Group Workforce Planning Branch, note 1, p 2.
- 9 N Funnell, 'Claims on uni rape need proper research,' *Sydney Morning Herald*, 17 June 2011. At [www.smh.com.au/opinion/society-and-culture/claims-on-uni-rape-need-proper-research-20110616-1g5t1.html](http://www.smh.com.au/opinion/society-and-culture/claims-on-uni-rape-need-proper-research-20110616-1g5t1.html) (viewed 17 June 2011).
- 10 'ADFA under fire again as army cadet faces shower filming charge', *Sydney Morning Herald*, 26 August 2011. At [www.smh.com.au/national/adfa-under-fire-again-as-army-cadet-faces-shower-filming-charge-20110826-1jd7b.html](http://www.smh.com.au/national/adfa-under-fire-again-as-army-cadet-faces-shower-filming-charge-20110826-1jd7b.html) (viewed 26 August 2011).
- 11 C David Ferdon and M Feldman Hertz, 'Electronic Media, Violence and Adolescents: An Emerging Public Health Problem' (2007) 41(6) *Journal of Adolescent Health* S1, S2.
- 12 Section 2, items 15 j, 15 k, 15 l and 15 m.
- 13 People Strategies and Policy Group Workforce Planning Branch, note 1, p 49.
- 14 People Strategies and Policy Group Workforce Planning Branch, above.
- 15 R Quaedvlieg, Chief Police Officer for the ACT, Australian Federal Police, Correspondence to M Krasovitsky, Director, Research, Review into the Treatment of Women in the Australian Defence Force, 12 August 2011.

- .....
- 16 This could potentially be attributed to complainants not wishing to proceed with a formal report to Police.
  - 17 Australian Defence Force, ComTrack data 2007-2011, provided to the Review by LTCOL N Fox, 3 August 2011; COL Paul Petersen, Deputy Commandant, has also provided a similar figure regarding the incidence of *sexual assault* at ADFA since 2006. He stated '... there have been *four* reports of sexual assault at ADFA since 2006, and all were appropriately reported and investigated. Only one of these allegations was confirmed as a sexual assault, and the ACT Police investigation did not yield a suspect. I am also aware of two allegations of the sexual assault of female students while they were away from the Academy. Neither of these incidents yielded suspects, and the Police investigations did not suggest there was any connection with ADFA.' See public submission COL Petersen.
  - 18 Australian Defence Force Academy, 'Table of numbers of reported incidents as of 23 May 11' provided to the Review by T Sargeant, 25 May 2011; LTCOL N Fox, Email to Review, 23 August 2011.
  - 19 Department of Defence, 'Sexual assaults at ADFA' 273/10/11, *Freedom of Information Disclosure Log FY 10/11*. At [http://www.defence.gov.au/foi/disclosure\\_log\\_201011.cfm](http://www.defence.gov.au/foi/disclosure_log_201011.cfm) (viewed 23 August 2011).
  - 20 Australian Defence Force, ComTrack data 2007-2011, provided to the Review by LTCOL N Fox, 3 August 2011.
  - 21 Australian Defence Force Academy, 'Table of numbers of reported incidents as of 23 May 11' provided to the Review by T Sargeant, 25 May 2011.
  - 22 SQNLDR G van der Kolk, Email to Review, 23 August 2011.
  - 23 Confidential submission 7.
  - 24 Public submission LEUT Parker.
  - 25 Public submission LEUT Russo.
  - 26 Confidential submission 14.
  - 27 Confidential submission 11.
  - 28 Confidential interview.
  - 29 Confidential submission 8.
  - 30 Confidential submission 14.
  - 31 Confidential submission 14.
  - 32 Confidential submission 13.
  - 33 Confidential submission 14.
  - 34 ACT Rape Crisis Centre, Interview, 12 July 2011.
  - 35 See *Horne v Press Clough Joint Venture* (1994) EOC 92-556; *Freestone v Kozma* (1989) EOC 92-249.
  - 36 Confidential submission 14.
  - 37 Public submission Bannerman.
  - 38 Confidential submission 8; confidential submission 13; public submission Burnham.
  - 39 CDRE BJ Kafer, *Report of the Review of the Australian Defence Force Academy Military Organisation and Culture* ADFA 2010/1104615/1 (2010), pp 96-102, pp 119-123.
  - 40 M Glennie, Email to Review, 12 August 2011.
  - 41 Cadet focus group.
  - 42 Confidential submission 14.
  - 43 Department of Defence, *Defence Instruction (General) PERS 35-3, 'Management and Reporting of Unacceptable Behaviour'*, 28 June 2009.
  - 44 Department of Defence, *Defence Instruction (General) PERS 35-4, 'Management and Reporting of Sexual Offences'*, 11 February 2004.
  - 45 Department of Defence, *Defence Instruction (General) ADMIN 67-2, 'Quick Assessment'*, 7 August 2007.
  - 46 Cadet focus groups.
  - 47 This is evident in the AFP data and ADFA's ComTrack and serious and sensitive management register statistics, discussed earlier in this chapter.
  - 48 LTCOL N Fox, Email to Review, 23 August 2011.

- 49 D Lievore, *Non-reporting and Hidden Recording of Sexual Assault: An International Literature Review*, Commonwealth Office of the Status of Women (2003), p 27. At [www.aic.gov.au/documents/D/4/6/%7BD4631AC0-2DDC-4729-AD3C-8A69DF33BA65%7D2003-06-review.pdf](http://www.aic.gov.au/documents/D/4/6/%7BD4631AC0-2DDC-4729-AD3C-8A69DF33BA65%7D2003-06-review.pdf) (viewed 23 August 2011); Australian Human Rights Commission, *Sexual harassment: Serious business – Results of the 2008 Sexual Harassment National Telephone Survey* (2008) p 31. At [www.hreoc.gov.au/sexualharassment/serious\\_business/SHSB\\_Report2008.pdf](http://www.hreoc.gov.au/sexualharassment/serious_business/SHSB_Report2008.pdf) (viewed 23 August 2011); Australian Law Reform Commission, *Family Violence – A National Legal Response*, ALRC Report 114 (2010). At [www.alrc.gov.au/publications/family-violence-national-legal-response-alrc-report-114](http://www.alrc.gov.au/publications/family-violence-national-legal-response-alrc-report-114) (viewed 22 August 2011).
- 50 Australian Law Reform Commission, *above*; A Quadara, 'Responding to young people disclosing sexual assault: A resource for schools', *ACSSA Wrap*, No 6 (2008). At [www.aifs.gov.au/acssa/pubs/wrap/acssa\\_wrap6.pdf](http://www.aifs.gov.au/acssa/pubs/wrap/acssa_wrap6.pdf) (viewed 23 August 2011); D Lievore, note 49, p 28.
- 51 Australian Human Rights Commission, note 49, pp 67-68.
- 52 Cadet focus group.
- 53 Cadet focus group.
- 54 Cadet focus group.
- 55 Public submission Brooks.
- 56 Confidential submission 9.
- 57 Confidential submission 9.
- 58 Confidential submission 9.
- 59 A fear of 'negative repercussions, including social ostracism and retaliation' has also been highlighted as a barrier to reporting incidents of sexual harassment in a United States military institution. See JL Pershing, 'Why Women Don't Report Sexual Harassment: A Case Study of an Elite Military Institution' (2003) 21(4) *Gender Issues* 3.
- 60 Confidential submission 14.
- 61 Public submission Brooks.
- 62 Cadet focus group.
- 63 Confidential interview.
- 64 Confidential interview.
- 65 Confidential submission 8.
- 66 Further discussion of falsification of rape (and domestic violence) allegations is available in Australian Institute of Criminology, The Social Research Centre and Victorian Health Promotion Foundation (VicHealth), *National Survey on Community Attitudes to Violence Against Women 2009: changing cultures, changing attitudes – preventing violence against women: A summary of findings* (2010) p 43. At [www.vichealth.vic.gov.au/Publications/Freedom-from-violence/National-Community-Attitudes-towards-Violence-Against-Women-Survey-2009.aspx](http://www.vichealth.vic.gov.au/Publications/Freedom-from-violence/National-Community-Attitudes-towards-Violence-Against-Women-Survey-2009.aspx) (viewed 23 August 2011).
- 67 Department of Defence, *Defence Instruction (General) PERS 35-3, 'Management and Reporting of Unacceptable Behaviour'*, 28 June 2009.
- 68 Chapter 2 – Military Personnel Administration/Staff Administration. The relevant Academy Standard Operating Procedures are 2.90 – 2.101, under the heading 'Defence Equity Adviser Network', which annex very brief Checklists – 'Checklist for Action in Relation to Complaints of Unacceptable Behaviour (Other than Sexual Offences)' and 'Checklist for Action in Relation to Sexual Offences'.
- 69 Department of Defence, *Defence Instruction (General) PERS 35-4, 'Management and Reporting of Sexual Offences'*, 11 February 2004.
- 70 Department of Defence, *Defence Instruction (General) ADMIN 67-2, 'Quick Assessment'*, 7 August 2007.
- 71 Acting Commonwealth and Defence Force Ombudsman, *Australian Defence Force: Management of Complaints about Unacceptable Behaviour*, Report No 04 (2007).
- 72 Department of Defence, *Defence Instruction (General) PERS 34-2, 'Complaints of discrimination and harassment through the Australian Human Rights Commission'*, 18 April 2009.
- 73 See Inspector General Australian Defence Force, *Report of the IGADF Military Justice Audit – Australian Defence Force Academy*, IGADF/2007/1026013/1 (2007); and Inspector General Australian Defence Force, *Report of Inspector General Australian Defence Force Military Justice Performance Audit – Australian Defence Force Academy (ADFA)*, 2010/1102552/1 (2011).
- 74 Department of Defence, *Defence Instruction (General) ADMIN 45-2, 'The Reporting and Management of Notifiable Incidents'*, 26 March 2010.

- .....
- 75 Department of Defence, *Defence Instruction (General) PERS 45-5, 'Defence Whistleblower Scheme'*, 1 July 2002.
- 76 Confidential submission 19.
- 77 Department of Defence, *Defence Instruction (General) PERS 35-3, 'Management and Reporting of Unacceptable Behaviour'*, 28 June 2009, Annexure E; Australian Defence Force Academy, *Academy Standard Operating Procedures* (2011), para 2.95 – 'Promulgation of the [Equity Adviser] Network: Harassment and discrimination issues are resolved at the lowest possible and appropriate level and preferably through the EA network.'
- 78 Department of Defence, *Defence Instruction (General) PERS 35-3, 'Management and Reporting of Unacceptable Behaviour'*, 28 June 2009, Annexure E.
- 79 Acting Commonwealth and Defence Force Ombudsman, note 71, para 2.50.
- 80 Acting Commonwealth and Defence Force Ombudsman, above, para 2.66.
- 81 Department of Defence, *Defence Instruction (General) PERS 35-3, 'Management and Reporting of Unacceptable Behaviour'*, 28 June 2009, para 23.
- 82 Australian Defence Force Academy, *Academy Standard Operating Procedures* (2011), para 2.96 requires that all sexual offences must be reported 'irrespective of whether or not the complainant submits a formal complaint'. However, para 2.97 requires sexual harassment incidents to be reported immediately to an Equity Adviser or Senior Equity Adviser 'when a complainant makes a formal complaint'. The position is further obscured by Australian Defence Force Academy, *Academy Standard Operating Procedures* (2011), para 2.98 which states that 'incidents of other forms of harassment and discrimination managed other than by 'self-resolution' are to be reported' [our emphasis].
- 83 Confidential submission 19.
- 84 Confidential submission 8.
- 85 Acting Commonwealth and Defence Force Ombudsman, note 71, para 2.53.
- 86 Acting Commonwealth and Defence Force Ombudsman, above, para 3.1.
- 87 Acting Commonwealth and Defence Force Ombudsman, above, para 2.61.
- 88 Australian Defence Force Academy, *Academy Standard Operating Procedures* (2011), para 2.99 provides that all initial, update and final reports on incidents of unacceptable behaviour are to be forwarded to the Senior Equity Adviser (SEA), who will allocate a serial number to the report and centralise the Defence Academy returns for on-forwarding to the Defence Equity Officer (DEO). At the same time, para 2.101 states that records of complaints, unit investigation and consequential action taken are to be 'kept on unit file raised by either the SEA or Academy Legal Officer' [our emphasis].
- 89 Inspector General Australian Defence Force, note 73 (2007), p 5, para b (2).
- 90 Inspector General Australian Defence Force, note 73 (2011), p 5, para 23.
- 91 Inspector General Australian Defence Force, above, p 5, para 23.
- 92 Acting Commonwealth and Defence Force Ombudsman, note 71, para 2.85.
- 93 Acting Commonwealth and Defence Force Ombudsman, above, para 2.86.
- 94 Inspector General Australian Defence Force, note 73 (2007), page 4, para b (1).
- 95 Inspector General Australian Defence Force, above, p 4, para b (1).
- 96 Inspector General Australian Defence Force, note 73 (2011), p 3, para 16.

# 3 Women at ADFA: Measures to Promote Gender Equality and Assessment of their Adequacy

This chapter examines the strategies in place at ADFA to promote gender equality. It provides a brief overview of the meaning of the concept of gender equality and how it is understood and practised at ADFA. In addition, it describes measures currently in place at ADFA that are designed to promote gender equality. As part of this discussion, the chapter also examines the broader issue of diversity and inclusion and its practical implementation within ADFA.

The Review recognises that the concept and implementation of gender equality, diversity and inclusion in any organisation can be controversial. It can be met with misunderstanding and scepticism. Elements of this view were evident during our consultations, including among cadets – male and female – and some staff. In examining all the relevant information and proposing a series of recommendations, the Review hopes to address the negative perceptions around gender equality, diversity and inclusion and encourage ADFA to recognise these values as fundamental to the effectiveness of the organisation as a whole.

## 3.1 Gender equality

Gender refers to the social differences and relations between men and women, including their respective roles, responsibilities, constraints, opportunities and needs.

Gender equality does not necessarily mean treating men and women identically in all circumstances. Policies and practices which treat men and women identically in all circumstances are examples of formal equality (gender neutral approaches). Substantive equality, however, is a gender sensitive approach that treats men and women differently in so far as they are different.

Gender equality is not a static concept; its achievement is progressive. Where two groups have different constraints, opportunities and needs, the achievement of equality occurs through phases which may overlap.

Firstly, the disadvantaged or less represented group must be offered opportunities to participate in the social or work context. In many cases, this phase will require positive actions to be taken. For example, women have not traditionally been participants in the Australian military. While women served in the Australian military during World War 2, the Air Force was the first Service to fully integrate women into operational units (1977), with the Army and Navy following in 1979 and 1985 respectively. Women were included in the first intake of women cadets at ADFA in 1986.

Once the opportunity to participate is provided, the second phase of achieving gender equality is to identify and acknowledge those areas where discrimination occurs, either because of biological differences or the social consequences of those differences. In this phase, policies and practices may be modified to accommodate biological differences between genders; for example, different fitness standards for men and women in the ADF.

The third phase of achieving gender equality is when gender is mainstreamed into policies and practices and the issue is understood not as whether women are equal to men but whether there is equality *between* men and women. The focus is not on accommodating women into a male environment but rather providing the environment so that it is optimal for both women and men and fully draws on their respective strengths.

Institutions, such as the military, have been traditionally developed by males to accommodate males, and are embedded in male norms (including male traits, behaviours and strengths). A holistic approach is required to transform structures and policies, rather than delivering piecemeal interventions. Recognising the concerns and experiences of women and men is an essential starting point in designing, implementing, monitoring and evaluating policies and programs that allow both groups to participate and benefit equally.

From the evidence examined, the Review concludes that ADFA is positioned between the second and third phases of achieving gender equality. Following is an assessment of initiatives currently in place at ADFA and their adequacy as measures to achieve gender equality, specifically:

- implementation of the policy on Equity and Diversity
- fraternisation rules
- male/female gender briefings given to cadets during YOFT
- different physical standards for men and women.

The Review believes more can be done to promote gender equality at ADFA, for example, celebrating diversity and women in leadership, promoting women as role models and mentoring for cadets and staff. The recommendations of this Review will address these.

## 3.2 Measures to promote Gender Equality and Assessment of their Adequacy

### (a) Equity and diversity at ADFA

Equity and Diversity (commonly referred to as 'E&D' by cadets and staff) is taught at ADFA as part of the YOFT program as well as through annual awareness training for cadets and staff. The training implements the *Defence Instruction PERS 50-1, 'Equity and Diversity in the Australian Defence Force'*, which requires all Defence personnel to comply with equity and diversity principles.<sup>1</sup>

The Defence Instruction states that the aim of promoting equity and diversity is to enhance 'operational capability and effectiveness in order to achieve the Defence mission through the development of fair and inclusive workplaces':

When everyone is valued, the ADF can expect the retention of the best people, increased effectiveness of teams and a more cohesive workforce with higher morale. Moreover by using the various skill sets of all personnel, the ADF will have greater ability to successfully defend Australia and its national interests.<sup>2</sup>

The Instruction sets out a number of positively framed equity and diversity principles, including:

- treatment of others with respect and dignity
- recognising and valuing difference
- using different contributions to the team
- making judgments based on fairness and merit
- eliminating artificial, unfair and inappropriate barriers to workplace participation
- providing appropriate means to monitor and address discrimination and harassment
- providing opportunities for flexibility when meeting organisational requirements
- consulting people on policies and decisions affecting them.

Significantly, the importance of valuing fairness and difference is linked to good leadership practice. Commanders, managers and supervisors are responsible and accountable for equity and diversity in relation to the wellbeing of people working under them.

The concept of 'equity' is linked to the notion of 'giving everyone a fair go'. The Instruction explains this as providing appropriate access to training, employment and promotion opportunities and fair working conditions. It also emphasises that 'equity does not mean sameness; it means fairness'. Importantly, the Instruction states that 'equity questions the fairness of apparent equal treatment' where there is gender, physical or cultural difference.<sup>3</sup>

The concept of 'diversity' is described as creating an inclusive environment that respects, values and utilises the contributions of people of different backgrounds, experience and perspectives. This includes difference based on gender, age, language, ethnicity, culture, religious belief, education or work experience, socio-economic background or family responsibility.

The Instruction refers to the *Workplace Equity and Diversity Plan* (the latest version of which is 2007-2009), which outlines actions, responsibilities and performance indicators to be implemented.<sup>4</sup> It also sets out the role of the Defence Equity Organisation in undertaking the following activities within Defence: awareness training; unacceptable behaviour incident reporting; management and resolution of incidents; and supporting 'equity adviser networks'.

(i) *Equity and diversity training at ADFA*

New cadets are first introduced to the concept of equity and diversity at ADFA through the YOFT program. In 2011, for example, the Equity and Diversity subject involved a 1.5 hour session (including a practical discussion), followed by a further 40 minute workshop (NOYO midshipmen were given training at a separate time). It appears that other YOFT briefings, such as 'adapting to communal living', and briefings given by the padres also incorporate some equity and diversity elements. However, the extent of this is unclear and appears to occur on an ad hoc and informal basis.

Cadets and staff are also required to undertake an annual awareness training session or, if they are unable to attend the presentation, to complete an online training package. The online training includes a form of assessment, however cadets attending the presentation are not required to complete an assessment. Few cadets undertake the training in this format.

In 2010 and 2011, the Deputy Commandant delivered this training, with a representative from Fairness and Resolution Branch of Defence in attendance to talk about their role, and to assist in answering questions.

The ADFA Staff Equity Brief 2011 PowerPoint presentation, provided to the Review as part of the staff training materials for 2011, begins with reference to the equity and diversity principles, in the context of particular challenges arising at ADFA. These are identified as:

- Service differences
- differing academic workloads across degrees
- a diverse workforce.

The staff presentation then talks about 'roles, rights and responsibilities' of ADF personnel, supervisors, commanders and managers, as well as expectations of both staff and cadets. The presentation also deals with issues arising in the social context at ADFA, such as the use of social networking technology and relationships, before discussing the process for managing and reporting complaints and dealing with workplace conflict.

The PowerPoint slide which appears to be the annual awareness presentation for cadets in 2011 (which was given to the Review as part of the documentation related to YOFT briefings) largely deals with unacceptable behaviour, its impact and management. It includes:

- definitions of unacceptable behaviour
- the impact of unacceptable behaviour on Defence capability
- what cadets can do if they experience unacceptable behaviour
- responsibilities of managers or supervisors
- resources available in Defence to provide assistance in relation to unacceptable behaviour.

The notes to this presentation indicate that the presentation then deals with the value of 'diversity' for Defence. From the presentation slides provided, it is not clear what this part of the presentation involves. Similarly, the online training package focuses on the same topics of recognising unacceptable behaviour and its impacts, how it should be managed, advice and support and options for resolution.

This aspect of the equity and diversity training largely reflects the *Defence Instruction DI(G) PERS 35-3: Management and reporting of unacceptable behaviour*, which focuses on the impact of unacceptable behaviour, definitions, making a complaint and options for resolution.<sup>5</sup>

One point comes through clearly in both the policies and the training: 'If at all possible resolve the complaint at the lowest appropriate level'. This has been discussed in detail in Chapter 2.

There is also an emphasis on the distinction between 'legitimate direction and correction of behaviour or performance' and genuine 'equity issues'. The notes to the presentation slide as part of the training explain that:

Comments and actions from commanders, managers and supervisors that are designed to improve work performance are acceptable behaviour. However, if the comments and actions are offensive, abusive, threatening or bullying, this is unacceptable.<sup>6</sup>

The Defence Instruction on unacceptable behaviour discusses legitimate 'tough training', which is viewed as being essential 'to expose individuals and groups to the physical and mental stresses' of operating environments. The Instruction outlines principles for the conduct of tough training, including the provision of counselling and guidance for trainees and 'encouragement and support to assist trainees to overcome any negative feelings associated with not achieving required outcomes'.<sup>7</sup>

The key measure for differentiating between tough training and bullying or harassment is stated to be whether the aim of the activity is linked to an operational training outcome and whether it is 'conducted within the boundary of workplace health and safety', including whether it is more than would be reasonably expected of a trainee's abilities to meet that objective.

#### (ii) *The role of Equity Advisers*

ADFA staff, members of the cadet body and academic staff who have completed an Equity Advisers course can volunteer to serve as Equity Advisers.<sup>8</sup> They form part of the ADF's 'Equity Adviser Network'.



The role of an Equity Adviser is to help prevent and resolve harassment, discrimination and other forms of unacceptable behaviour. Commanders and managers at every level are responsible for ensuring that areas under their control are free from harassment and discrimination. Equity Advisers provide them with support in implementing equity and diversity initiatives. They also provide support to personnel with issues they face. It is important to note that an Equity Adviser does not act as an advocate or speak on behalf of a complainant.

Posters are displayed at ADFA with the names, phone numbers and photos of the 15 Equity Advisers (three of whom are female). The Review heard some concerns from staff that, given new cadets are only made aware of the role of Equity Advisers during YOFT, they might not have a sufficient understanding of who they are and what they do.

Separate to the Defence Equity Organisation and the Equity Advisers Network, UNSW also has its own equity advisers/complaints officers, one of whom is located at ADFA. The Review heard that this officer does not commonly see undergraduate student cadets, who generally 'report up the chain of command' rather than to 'civilians'. Instead, they provide support to postgraduate students and staff. Although the UNSW adviser previously received training as a Defence Equity Adviser in order to be available to provide a civilian support network for undergraduate cadets, this process has been discontinued.<sup>9</sup>

The UNSW complaint network is described as providing a 'more democratic environment' compared to the Defence process, where:

... the kids are encouraged to report up the chain of command whereas in the university fraternity, society, whatever, environment, you can go sideways, you can go in any direction at all. You can complain to anybody.<sup>10</sup>

### *(iii) Perceptions of equity and diversity*

Cadets appear to have good knowledge of the formal complaints processes available to them and the Review heard repeated reference in consultations and submissions to the concept of 'E & D'. There were positive views expressed about the value of this training. As one recent female graduate said:

The equity and diversity training that I received was in line with that received by the rest of the ADF, with an additional course during Year One Familiarisation Training (YOFT) that explained the importance of the ADFs program. I feel that this training was more than adequate and equipped me with the tools that if I required them I could effectively employ them.<sup>11</sup>

The Review also heard that equity and diversity mean different things in the context of ADFA's military side and its university side. On the university side it is 'fundamentally about human rights', where students and staff have the right to enjoy a safe and non-discriminatory environment on campus and the same employment and education opportunities. Although the same 'in principle', on the military side equity and diversity is seen as 'a set of rules'.<sup>12</sup>

For example, equity and diversity was described by cadets as a 'system used to raise awareness of an Equity and Diversity issue' like an OH&S rule and a 'complaint system if we think we've been unfairly treated in some way' that both men and women could use.<sup>13</sup>

Reflecting the content of the training, most comments tended to focus on knowledge and awareness about 'unacceptable behaviour' and complaints management, rather than the positive aspects of equity and diversity.

As of June 2011, the Equity Advisers at ADFA indicated that no complaints had been brought to them since the start of the year. There may be a number of factors behind this.

A lack of knowledge among cadets about the role of the Advisers may have contributed to the lack of complaints. Although there have been Equity Advisers at ADFA for most of its history, in 2009 and 2010, they were not well publicised. In 2011, posters with the names, photos and contact details of Equity Advisers were once again distributed around campus, as had been the practice in previous years.

Most critically, however, is the overwhelming perception among cadets that 'E&D' is a punishment and may create stigma for the complainant. As one staff member noted:

It becomes seen as a stick, which equity and diversity is not about. It's about creating that fair and equitable workplace area ... I've been fairly disillusioned with the whole practice because of outcomes that left people that had spoken up quite out there, and they weren't looked after. And that comes back to the command. As much as they wanted to look after them, it didn't happen. And so I've seen a lot of people hurt by being brave ...<sup>14</sup>

'E&D'ing' someone was a common phrase which came up in consultations with cadets. One submission noted, a person making an E&D complaint:

was seen as whinging and getting others into trouble without much reason. Events also did not remain secret for very long at ADFA because gossip was rife; and therefore a lot of "E&D" complaints were widely known.<sup>15</sup>

For example, one female cadet observed that if it was thought that you had made a complaint, other cadets would 'segregate you' saying "Oh, you're so jack for E&D'ing this boy in the Div".<sup>16</sup>

This negative perception of Equity and Diversity seems to be compounded by its perceived use as a means of revenge ('The boys have threatened to E&D you back because you E&D'd them')<sup>17</sup> and that the system was open to abuse. For example, as noted in Chapter 2 one staff member referred to a suggestion that some female cadets are using mechanisms to make spurious accusations, such as assault, to escape other disciplinary measures.<sup>18</sup>

Others suggested that the negative culture which had developed around equity and diversity was partly to do with the dynamic at ADFA and the fact that cadets had to continue living, studying and working with people who may have been involved in incidents of unacceptable behaviour:

We can't separate that work and home environment ... you still have to live with that person for 24 hours for the next year if you E&D'd them, and you're obviously going to have some conflict there because they've obviously had a punishment against them because of you.<sup>19</sup>

#### *(iv) Delivery of equity and diversity training*

Although it appears that cadets are well aware that rules around 'E&D' and sexual harassment exist, some problems lie in the understanding, content and delivery of training. A recurring theme in focus groups with both staff and cadets was that too much information was provided during YOFT for cadets to absorb in a short amount of time. A staff member stated that during this time, cadets receive:

... mandatory training on sexual harassment and alcohol abuse, drug abuse ... when we do all this to cadets in the first six weeks, honestly it's just fire hose. There's no way they're going to remember everything. You cannot expect someone in that environment to remember every single thing they're told and comply explicitly with those instructions.<sup>20</sup>

The Equity and Diversity subject was introduced as part of the YOFT curriculum following a recommendation by the Grey Review to replace the Interpersonal Relations subject.<sup>21</sup> Interpersonal Relations implemented training under the previous *Defence Instruction (General) PERS 35-3, 'Harassment, Discrimination, Fraternisation and Unacceptable Behaviour in the ADF'*.<sup>22</sup>

The Grey Review reported that the equity training provided for staff and cadets in this form was 'inadequate in both protecting individuals from unacceptable behavior and then dealing with it'.<sup>23</sup> This Review notes that similar themes continue to arise in the current ADF training around equity and diversity, namely that:

- the same equity and diversity training is delivered to each year group
- the focus of equity and diversity training is too negative, focusing on unacceptable behaviour rather than positive relationships and valuing diversity
- delivery and presentation of the training is not engaging and should be more innovative and interactive
- equity and diversity principles and values need to be tied to ethical leadership, as a core component of training and instruction.

The Podger Review made similar observations in relation to staff training on equity and diversity in ADF training institutions. It noted that in many cases, staff induction was:

... very short, somewhat ad hoc and is process oriented. It informs incoming staff of the rules regarding equity and diversity (E&D), occupational health and safety (OH&S), complaints management, and discipline, with little time to explain and discuss the intended culture and strategies of the CO in a way that builds shared ownership of the approach or promotes understanding of contemporary challenges.<sup>24</sup>

## **(b) Fraternisation and room policies**

The Grey Review recommended that a policy of no touching in the workplace be implemented at all Service establishments, including training institutions. This included prohibiting sexual relations between staff and students at training establishments. The Grey Review recommended that breaches of the no touching policy be dealt with administratively where possible and appropriate, with action under the Defence Force Discipline Act to be taken as a last resort.<sup>25</sup>

ADFA has implemented rules around inappropriate relationships and 'fraternisation'. These rules aim to ensure 'a professional environment for all living at the Academy'.<sup>26</sup>

The Academy Standing Orders (ASOs) apply standard ADF policy on inappropriate relationships (or fraternisation) according to the *Defence Instruction DI(G) PERS 35-3: Management and reporting of unacceptable behaviour*.<sup>27</sup>

This Instruction provides that relationships which involve sexual relationships or private intimacy, where a superior and subordinate command or management relationship exists, are considered to be inappropriate in the workplace.<sup>28</sup> The policy also states that sexual behaviour or sexual acts are never appropriate in the workplace.<sup>29</sup>

Inappropriate relationships in the ADFA context may include 'relationships where a difference in power exists or is perceived to exist between staff, between staff and students or between students'.<sup>30</sup> For example, Annex E to an ADFA Joining Instruction for 2011 states:

22. Whilst intimate relationships between individuals are a normal part of life, they can pose unique problems in the military and training environments. In ADFA such relationships are forbidden:
- a. between a midshipman or officer cadet and an ADFA staff member;
  - b. between third and first year midshipmen and officer cadets;
  - c. between advanced students and first-to-third year midshipmen and officer cadets; and
  - d. when midshipmen and officer cadets are on duty, including when receiving academic education, when on duty travel, or when attending Academy activities or social functions.<sup>31</sup>

Relationships between cadets are not allowed during the first three months of training. Chapter 1 of the ASOs provides that:

[a]lthough it is reasonable to expect that relationships will both be established and dissolved within the cadet body at ADFA, such relationships can have a deleterious impact upon initial training. For that reason, and in order to facilitate a smooth transition into the ADF for new trainees, a total prohibition on fraternisation is imposed upon new trainees, including those joining ADFA through the NOYO scheme.<sup>32</sup>

After this time, relationships are permitted, provided a professional work manner is maintained and cadets do not engage in 'displays of affection' or intimate behaviour in uniform within ADFA precincts or when on duty.<sup>33</sup> Staff are prohibited from forming new personal relationships with students, and must declare any pre-existing personal relationship with students before training starts.<sup>34</sup>

The ASO also provides clear direction for ADFA staff:

Whilst there is not a formal ban or separation of Staff and Cadet Body local leave areas, Staff should be aware of the example and professionalism they display, and are strongly encouraged not to be drinking with the Cadet Body in Shooters, Illusions, Mooseheads, or other establishments, except for official functions, after 2130h. Regardless, ADFA staff should always be in control of their actions.<sup>35</sup>

Further, the ASOs explain the rules regarding cadets' accommodation. The DO must approve any non-ADFA military or civilian visitors coming to the accommodation blocks. Visitors are not allowed to remain within ADFA precincts overnight.<sup>36</sup> Where there is more than one person in a cadet's room, the door must be wide open. Section 2.34 also provides that the Squadron OC must give permission for a cadet to study with an 'advanced student' in the accommodation blocks and that, while studying, the door to the room must be open. There is also a policy prohibiting entry by a cadet into another cadet's room.<sup>37</sup>

In identifying fraternisation as a gender issue, the Podger Review referred to the 'realistic' approach of the ADFA policy.<sup>38</sup> The Report suggested that the ADFA policy served to 'clarify when fraternisation is entirely acceptable and when it is inappropriate, and where it is acceptable how the partners should behave', relating the rules back to values such as professionalism, teamwork and loyalty.

This 'realistic approach' was seen to promote honesty and allow open discussion of issues, such as risks of sexual activity or relationships within a work and training environment, rather than applying 'rigid rules to ban fraternisation'.

In our consultations, however, the Review heard from cadets the view that some staff turn a 'blind eye' in relation to enforcement of the 'frat rule'. For example, one cadet in a focus group observed that:

Most of the staff are pretty good like in relation to the frat rules where they will turn a blind eye unless you're doing something obscenely obvious ... They're kind of like, "Don't do anything dumb and get caught." ... they understand that ... there are, what, a thousand cadets who are aged between 17 and 25 who are all living in the same area who, during lockdown periods, aren't allowed to leave this area. So, they do understand that relationships will occur, there will be random sexual encounters; it's just part of life.<sup>39</sup>

The Review also heard in focus groups that the fraternisation rules at ADFA are inconsistently applied at best and, at worst, ignored. This indicates that the rules are far from 'clear' or 'realistic'. It suggests that after hours cadets are largely self-regulated and highlights a lack of appropriate on site supervision.

The blurred lines around fraternisation policies and harassment or other unacceptable behaviour has also been criticised for allowing confusion between consensual and non-consensual sexual relationships or activities.

A concerning example was provided in a confidential submission to the Review. There was described an incident in which a female cadet advised 'she thought she had been sexually assaulted' by an advanced student,<sup>40</sup> with whom she had a relationship, when she had been intoxicated. An AFP investigation found there was insufficient evidence to establish that a criminal assault had occurred. The submission stated:

The male midshipman was subsequently charged with having a guest in his room overnight without the prior consent of the Mess President. No administrative or disciplinary action was taken against either of the female officer cadets. It turned out that the midshipman believed the sex to be consensual and a part of their burgeoning relationship and at no time did the female officer cadet say no to his advances. Interestingly, the young female officer cadet agreed with this line when put to her. What concerned me was the protection and support provided to the young female officer cadet was not reciprocated to the male midshipmen during the ensuing investigations ... I subsequently spoke informally with both female officer cadets about their part in the whole sorry story, the implications of inciting false allegations on all three parties. At no time was the female officer cadet disciplined for her part in remaining overnight in the Officer's Mess. In fact, this was expressly forbidden.<sup>41</sup>

### **(c) Gender briefings**

As part of their initial training at ADFA, new recruits are provided with 'gender briefings'. The gender briefings appear to be the only formal sessions at which gender issues are specifically discussed, although they are supplemented by informal presentations at the divisional level.<sup>42</sup>

The content of these briefings, and particularly the content dealing with 'reputation management', informs much of what cadets understand is expected of them at ADFA in regards to gender issues. For this reason, the concept of 'reputation management' is seen as a measure to promote equitable gender relations at ADFA. This understanding was conveyed to the Review by cadets and staff throughout the consultation period. For example, in a discussion about what was working well about the treatment of women at ADFA at the World Cafe, a cadet noted that 'perception and reputation management is provided'. The usefulness of this concept was also noted in several other instances.<sup>43</sup>

The gender briefings are invested with an arguably disproportionate level of secrecy and importance by cadets based on the way in which they are conducted. They are the only instance in training where cadets are separated along gender lines to attend separate sessions and are regarded as 'secret women's/men's business'.<sup>44</sup> Cadets and staff have suggested to the Review that the behavioural component of the women's briefing focuses on the consequences to 'reputation' of sexual behaviour, while the men's briefing is more focused on warnings about alcohol and general misbehaviour.<sup>45</sup>

The Review believes that the emphasis placed on 'reputation management', particularly as it applies to women, is not conducive to the development of a gender-equitable environment. An approach which seeks to advance the cause of gender equality at ADFA must focus more on the development of respectful relationships and less on the policing of 'reputations'.

### (i) *The Female Briefing*

The formal female briefing materials provided to the Review note the 'confronting' nature of some of the information included. However, it also informs cadets that they 'must be aware of the standards expected and what life is really like as a military female'.<sup>46</sup> Female cadets at ADFA take this message on board. One cadet told the Review that 'as much as it may seem ... sexist that we get the brief, you need it, because it's what happens'.<sup>47</sup>

The briefing is structured in several parts. It gives a short history of women in the Australian military then deals with dress requirements (hair requirements, uniform specifics, and civilian dress requirements), menstrual issues (the communal environment, the fact that women will be expected to maintain their training, 'including swimming [and] going bush/field', and how this can be managed), and 'life in the div'.

'Life in the div' is the section of the brief that deals with 'reputation management'. It notes that cadets will be in a 'communal living' environment and should 'wear appropriate attire.' It also notes that the women will be living with a lot of young men, warns them about maturity levels and encourages them to 'speak up if [they] find something offensive/inappropriate.' It then lists a series of 'expectations', which revolve around 'reputation', 'inappropriate behaviour and relationships', 'performance and work ethic', 'female peer support', 'diet and fitness' and 'alcohol consumption'. Each section is examined below.

The message about 'reputation' is repeated several times throughout the materials, with the emphatic claim that 'It will follow you for the rest of your career!'

The section on 'relationships' tells women that 'you will receive attention – be sensible'. It also cautions them to maintain their 'professionalism' as 'the forming and more importantly, the breaking and reforming of relationships will affect the divisional/squadron cohesion'. Elsewhere in the materials there is a warning to be aware of 'names given to divisions with loose females (eg. 'little fyshwick')'.

The section on 'performance and work ethic' informs cadets that 'what you do effects ALL females'. Cadets are warned not to exhibit 'serial sick parade performance', not to be 'the crier/sobber' and to avoid "'batting your eyelashes" at male instructors'.

The section dealing with 'female peers' encourages support rather than competition; the section on 'diet and fitness' encourages maintaining a healthy diet, playing sport and passing fitness tests; and the section on alcohol consumption encourages cadets to 'be careful, stay in pairs, and look after your friends.'

The materials also tell the cadets that they 'are a member of the ADF who happens to be female. You are not just a female in uniform.'

(ii) *The Male Briefing*

A male briefing is conducted in parallel to the female briefing. The Review also received a copy of the PowerPoint presentation given as part of this briefing. It is significantly shorter than the female version and lacks its strong emphasis on 'reputation management'.<sup>48</sup> Cadets are conscious of this difference and described the female briefing as being 'much more full on'.<sup>49</sup> Another cadet suggested that the concept of substantive equality was touched on and they were told about 'understanding females and the whole differences. So it was emphasising that as we might have different fitness standards, it doesn't mean that they're not capable at their job at all'.<sup>50</sup>

(iii) *Cadets' interpretations of the gender briefings and reputation management*

Flood commented on societal sexual discrimination in 2008, saying that:

[a] sexual double standard, centred on the policing of female sexual reputation, is pervasive among young men and women in contemporary Western cultures, including Australia.<sup>51</sup>

This is reflected in ADFA's concept of 'reputation management' and the expectations and consequences of gendered and sexual behaviour understood by cadets.

One cadet summarised the expectations of male cadets as 'your position here at the div is to look after it ... and if anything was to be said about any of the girls in the div, you should jump in and stand up for them'.<sup>52</sup> This 'brother/sister' dynamic was noted approvingly by some cadets, but with unease by others.<sup>53</sup> One cadet noted that:

... the guys think they're your protective brothers, maybe that's what they're thinking and then they just get really angry at you and lose respect cause you haven't done the right thing but you live your life here, so you can't really just be like an angel the entire time or whatever, an innocent little sister.<sup>54</sup>

By comparison, female cadets' understood that the most important aspect of their briefing was the protection of their sexual 'reputation'. One cadet noted that it was constantly explained to women that 'this is how boys at ADFA are. You need to be careful of your reputation'.<sup>55</sup> Another stated that 'they always grab the females in and pretty much tell you that whatever you do, everyone will find out'.<sup>56</sup> These beliefs were reflected in female cadets' experiences at ADFA, with one cadet noting that 'once you've got a slight reputation it's never going to go ... they'll still be your mate, but behind your back they'll always say "she's the slut" kind of thing'.<sup>57</sup>

(iv) *Staff responses to gender briefings*

Military and support staff expressed a variety of perspectives about the reputation management training that cadets are given. Many believe it is necessary to convey the importance of 'reputation management', with its disproportionate emphasis on female sexuality, due to the potential consequences for cadets at the Academy and in their future careers. One staff member claimed that:

... it's incredibly unfair. It's just a totally sexist thing. It does affect the guys too but not in the negative way that it affects the girls ... [but] I would say you need to understand before you go to ADFA there will be tremendous pressure on you from the opposite sex because you are a small minority.<sup>58</sup>

However, some staff expressed disappointment that cadets were divided for their gender briefings. This opinion is represented in a public submission by a current staff member:

Men need to know about “girl stuff” and vice versa. Practicalities regarding contraception, menstrual cycles, puberty, how to avoid a reputation and the responsibilities of each sex towards the other should be a shared experience. I believe they are separate now to allow sensitive questions to be asked but that is the point! Male officers need to know what their female troops are going through and vice versa, we need to get these young men and women to grow up as soon as possible.<sup>59</sup>

*(v) Impact of gender briefings*

The gender norms presented in the only formal gender briefings appear to be very conservative and ‘traditional’. Men are encouraged to be chivalrous and protective, while women are warned about guarding their sexual ‘reputations’. Having this as a conceptual basis for gender relations is an inequitable starting point and hinders the development of gender equality.

The Review believes that the concept of ‘reputation management’ promoted through the gender briefings does not acknowledge women as empowered individuals in their own right. It also discourages attempts to address the gender discrimination that does exist, both at ADFA and in the wider society of which ADFA is a part.

The difficulties that women face in the military should be acknowledged. However, this should be done by placing a greater emphasis on dealing with sexist double standards and developing a concept of respectful relationships and mutual responsibilities, rather than accepting existing problems as issues to be ‘managed’. The Review’s Recommendation 22, which deals with sexual ethics and respectful relationships, should be the basis for reforming training in this area.

**(d) Physical standards**

One strategy described as promoting gender equality at ADFA is the different physical fitness standards which apply to men and women. However, rather than being seen as a positive measure, cadets referred to it in negative terms as an example of differential treatment and inequality.

Applicants for ADFA are required to meet certain physical fitness standards as a requirement for entry. The ability to meet these standards is seen as ‘necessary for ADF members to effectively carry out the operational tasks to which they are assigned’.<sup>60</sup>

On entry to ADFA, cadets undergo an initial fitness assessment during YOFT. As part of their ongoing training, they are required to take part in a physical training program and complete several fitness tests each year. The requirements are slightly different for each Service and are slightly lower for women than men. Adjustments are also made on the basis of age.<sup>61</sup>

The differing fitness standards are intended to recognise the different physiologies of men and women. In some cases this was acknowledged as an appropriate measure:

Females are just ... not as fit as the guys or as strong ... the pace kind of gets set by the guys and the girls get left trying to keep up at the back. ... now we’re doing ability based running so you stick with your ability and you run at your pace ... It’s keep going until a time is up and if you’re struggling you do something slightly easier, so it’s working out better but it still shows that the females struggle a bit but that’s just a natural, that the females are not quite as physically capable as the guys.<sup>62</sup>



However, the Review heard significant resentment expressed towards the different physical standards, which were variously seen as 'special treatment for women', representing a lowering of standards in the military and the only example where women were not treated equally to men. There were suggestions that the Review should make a recommendation to 'just get rid of the male/female standards'.<sup>63</sup>

These standards should be set at a level that does not diminish the core role of the military, which is to fight wars for the Government. Combat units should be able to set appropriate fitness standards for their role and not have to retreat from those standards because they haven't got a quota of a certain gender in the unit.<sup>64</sup>

Of greatest concern is that, in an environment where male physical standards are set as the 'norm', the existence of different standards for women is used, as one author has put it, as 'evidence that "women can't cut it" in the military'<sup>65</sup> or to imply that women are not the equal of men. For example, one confidential submission observed:

When concessions needed to be made for the different physical standards between men and women (such as during physical fitness testing), the participating women were often made fun of and talked down to because of the different standard they had to meet.<sup>66</sup>

A submission by a senior military staff member also commented that 'proportionally more women than men undertake remedial physical training at ADFA', despite the allowance for differences in the fitness standards:

It is not clear why physical fitness is a problematic issue, but it is a matter of active consideration at ADFA. Notwithstanding, the problem becomes less significant as women progress through training, and by the time of graduation, all cadets – men and women – have met the necessary fitness requirements for their Service ... More generally, I have never known a woman to ask for gender based special consideration in training.<sup>67</sup>

The Review considers that physical standards that recognise and take into account the physiological differences between men and women are appropriate. They represent a sensible approach which takes into consideration risks to safety and the physical requirements of tasks as part of a person's role as a member of the Defence Force.

At the same time, it is acknowledged that the current requirements and policy need not be the final say about what the standards themselves should be. As recent changes at ADFA to the fitness tests and remedial training processes demonstrate, the appropriate measures for training and assessment of cadets' physical development within a safe environment are ongoing matters for consideration. This is recognised by ADFA.

As noted earlier in this chapter, broader ADF policy on creating an equitable and diverse environment refers to providing everyone with an equal opportunity to make the most of their talents and abilities: 'Equity does not mean sameness; it means fairness'.<sup>68</sup>

The strong opposition to different physical standards conveyed to the Review must be considered in the context of a culture and environment which demands conformity, rather than one which is moving towards greater gender diversity by becoming more inclusive and accommodating the needs and interests of women. It is unlikely that establishing uniform physical standards would have a dramatic impact on the integration of women, in the absence of broader cultural and attitudinal change. However, it does risk introducing further barriers to participation of women within ADFA.

- .....
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  - 2 Department of Defence, *Defence Instruction (General) PERS 50-1: 'Equity and Diversity in the Australian Defence Force'*, 18 October 2001, para 4. At [www.defence.gov.au/fr/policy/gp50\\_1.PDF](http://www.defence.gov.au/fr/policy/gp50_1.PDF) (viewed 6 September 2011).
  - 3 Department of Defence, *Defence Instruction (General) PERS 50-1: 'Equity and Diversity in the Australian Defence Force'*, 18 October 2001, para 8. At [www.defence.gov.au/fr/policy/gp50\\_1.PDF](http://www.defence.gov.au/fr/policy/gp50_1.PDF) (viewed 6 September 2011).
  - 4 See Department of Defence, *Defence Workplace Equity and Diversity Plan 2007-2009* (2007). At [www.defence.gov.au/fr/Reports/Combined\\_WEDP\\_20070707.pdf](http://www.defence.gov.au/fr/Reports/Combined_WEDP_20070707.pdf) (viewed 25 August 2011).
  - 5 Department of Defence, *Defence Instructions (General) PERS 35-3, 'Management and Reporting of Unacceptable Behaviour'*, 28 June 2009. At [www.defence.gov.au/fr/policy/GP35\\_03.pdf](http://www.defence.gov.au/fr/policy/GP35_03.pdf) (viewed 23 August 2011).
  - 6 Australian Defence Force Academy, 'Equity and Diversity in Defence, Annual Awareness – 2011, Back to Basics' PowerPoint presentation, *Year One Familiarisation Training Materials* (2011) provided to the Review, 9 August 2011.
  - 7 Department of Defence, *Defence Instruction (General) PERS 35-3, 'Management and Reporting of Unacceptable Behaviour'*, 28 June 2009. At [www.defence.gov.au/fr/policy/GP35\\_03.pdf](http://www.defence.gov.au/fr/policy/GP35_03.pdf) (viewed 23 August 2011).
  - 8 Australian Defence Force Academy, *Academy Standard Operating Procedures* (2011) chapter 2, para 2.92.
  - 9 Confidential interview.
  - 10 Confidential interview.
  - 11 Public submission White.
  - 12 Confidential interview.
  - 13 Cadet focus group.
  - 14 Confidential interview.
  - 15 Public submission Burnham.
  - 16 Cadet focus group.
  - 17 Cadet focus group.
  - 18 Confidential interview.
  - 19 Staff focus group.
  - 20 Staff focus group.
  - 21 Australian Defence Force Academy, *Report of the review into the policies and practices to deal with sexual harassment and sexual offenses*, Department of Defence (1998), Recommendation 7.6.
  - 22 Australian Defence Force Academy, above, Recommendation 7.6, para 7.49.
  - 23 Australian Defence Force Academy, above, Recommendation 7.6, para 7.53.
  - 24 A Podger, C Harris and R Powell, *Final Report of the Learning Culture Inquiry: Inquiry into the Learning Culture in ADF Schools and Training Establishments*, Department of Defence (2006), p 17.
  - 25 Australian Defence Force Academy, note 21, Recommendation 7.6, Recommendation 4.8.
  - 26 ADFA, *Joining Instruction, Australian Defence Force Academy (ADFA) – January 2011 Intake of Officer Cadets*, ADFA/OUT/2010/617, 2010/1105646/1(1), Annex F, para 23, provided to the Review.
  - 27 Department of Defence, *Defence Instructions (General) PERS 35-3, 'Management and Reporting of Unacceptable Behaviour'*, 28 June 2009. At [www.defence.gov.au/fr/policy/GP35\\_03.pdf](http://www.defence.gov.au/fr/policy/GP35_03.pdf) (viewed 23 August 2011).
  - 28 Department of Defence, *Defence Instructions (General) PERS 35-3, 'Management and Reporting of Unacceptable Behaviour'*, 28 June 2009. At [www.defence.gov.au/fr/policy/GP35\\_03.pdf](http://www.defence.gov.au/fr/policy/GP35_03.pdf) (viewed 23 August 2011) Annex B, para 32.
  - 29 Department of Defence, *Defence Instructions (General) PERS 35-3, 'Management and Reporting of Unacceptable Behaviour'*, 28 June 2009. At [www.defence.gov.au/fr/policy/GP35\\_03.pdf](http://www.defence.gov.au/fr/policy/GP35_03.pdf) (viewed 23 August 2011) Annex B, para 33.
  - 30 Australian Defence Force Academy, *Academy Standing Orders* (2011) chapter 1, para 1.43.
  - 31 ADFA, *Joining Instruction, Australian Defence Force Academy (ADFA) – 2011 Intake of Naval Officer Year One (NOYO) Midshipmen*, ADFA/OUT/2010/11396 – 2008/1105646/1(4), Annex E, para 22, provided to the Review.

- .....
- 32 Australian Defence Force Academy, *Academy Standing Orders* (2011) chapter 1, para 1.44.
  - 33 ADFA, *Joining Instruction, Australian Defence Force Academy (ADFA) – January 2011 Intake of Officer Cadets*, ADFA/OUT/2010/617, 2010/1105646/1(1), Annex F, para 23, provided to the Review; Australian Defence Force Academy, *Academy Standing Orders* (2011) chapter 1, para 1.43.
  - 34 Australian Defence Force Academy, *Academy Standing Orders* (2011) chapter 1, para 1.46.
  - 35 Australian Defence Force Academy, *Academy Standing Orders* (2011) chapter 1, para 1.47.
  - 36 Australian Defence Force Academy, *Academy Standing Orders* (2011) chapter 2, section 2.33.
  - 37 Australian Defence Force Academy, *Academy Standing Orders* (2011) chapter 2.
  - 38 A Podger, C Harris and R Powell, note 24, para 223.
  - 39 Cadet focus group.
  - 40 'Advanced students' are midshipmen and officer cadet graduates of the Academy undertaking honours studies or fourth year engineering, and Officers, SNCOs, and Senior Sailors undertaking undergraduate or post graduate studies.
  - 41 Confidential submission 8.
  - 42 Explained by cadets in World Café; Cadet focus group.
  - 43 World Café, Cadet focus groups.
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  - 47 Cadet focus group.
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  - 50 Cadet focus group.
  - 51 M Flood, 'Men, Sex and Homosociality: How Bonds Between Men Shape Their Sexual Relations with Women' (2008) 10(3) *Men and Masculinities* 339, p 347.
  - 52 Cadet focus group.
  - 53 World Café.
  - 54 Cadet focus group.
  - 55 Cadet focus group.
  - 56 Cadet focus group.
  - 57 Cadet focus group.
  - 58 Confidential interview.
  - 59 Public submission Bannerman.
  - 60 Defence Force Recruiting, *Important Information for Full Time General Entry and Officer Entry Candidates*, DFR-RECREFO50 (revised 21 February 2011). At [www.defencejobs.gov.au/content/pdf/triservice/DFR-RECREFO50.ImportantInformationForGeneralEntryandOfficerEntryCandidates.pdf](http://www.defencejobs.gov.au/content/pdf/triservice/DFR-RECREFO50.ImportantInformationForGeneralEntryandOfficerEntryCandidates.pdf) (viewed 6 September 2011).
  - 61 See Appendix H: ADFA conducts an Initial Fitness Assessment of cadets during YOFT, based on the fitness assessment conducted on entry into the Army (an Initial Fitness Assessment involving a shuttle run, push-ups and sit-ups) which allows for some gender differences. Cadets also undergo the 'ADFA Fit Test' (introduced last year) 3 times a year in conjunction with the Single Service Fitness Test (SSFT) which must be passed as a prerequisite for graduation in third year. The ADFA Fit Test is intended to be a standard test for all 1st and 2nd year cadets 'which is fair and equitable' and provides a mixture of all three different Service SSFT standards. Those who fail to achieve the required standards will be placed onto remedial PT and will not be allowed to participate in sport.
  - 62 Cadet focus group.
  - 63 Cadet focus group.
  - 64 Public submission Bannerman.
  - 65 C Cohn, "'How can she claim equal rights when she doesn't have to do as many push ups as I do?": The Framing of Men's Opposition to Women's Equality in the Military' (2000) 3(2) *Men and Masculinities* 131. At [www.genderandsecurity.umb.edu/Pushups.pdf](http://www.genderandsecurity.umb.edu/Pushups.pdf) (viewed 23 August 2011).
  - 66 Confidential submission 13.
  - 67 Public submission COL Petersen.
  - 68 Department of Defence, *Defence Instruction (General) PERS 50-1: 'Equity and Diversity in the Australian Defence Force'*, 18 October 2001. At [www.defence.gov.au/fr/policy/gp50\\_1.PDF](http://www.defence.gov.au/fr/policy/gp50_1.PDF) (viewed 6 September 2011).



# 4 A strong future for ADFA: Initiatives required to drive cultural change in the treatment of women

For ADFA to be a centre of excellence for tri-Service education and training, the case for change laid out in this report must be understood and the accompanying recommendations must be implemented as a matter of priority.

There are many positive aspects to ADFA, including the commitment and loyalty of its cadets and the genuine commitment by the leadership team to improvement and reform. However, there are systemic issues that hinder ADFA from realising its true potential. These issues have a significant impact on the treatment of women.

The Review has adopted a broad approach to examining the treatment of women at ADFA. The treatment of women fundamentally hinges on identifying the very role and purpose of ADFA, strongly articulating its strategic vision, building on the strengths of leadership and staff and creating a diverse and inclusive culture that deals effectively with unacceptable behaviour and complaints. Only by addressing these fundamental issues will ADFA have the capacity to positively and practically create an equitable, inclusive and diverse workforce for the long term.

In formulating its recommendations, the Review has drawn on evidence provided through the consultations, submissions, qualitative data and extensive research, as well as recommendations put forward in other reviews that have not been effectively or fully implemented to date.

Some of the recommendations include reference to expert providers being engaged to collaborate with ADFA to deliver specific education and training programs on equity, diversity and sexual ethics. A number of industries, corporations, sporting codes and teams engage external experts to work with them to deliver such programs, with positive results. It is proposed that ADFA adopt a similar approach.

## 4.1 Lessons from international research

The Review undertook extensive international research and identified a number of lessons learned from the overseas experience. These lessons have helped to strengthen and reinforce the Review's recommendations.

In considering the initiatives that will drive cultural change in the treatment of women at ADFA, the Review has also identified and considered a sample of 'best practice' initiatives and trends from international defence services. While specific initiatives are detailed in Appendix J, it is first valuable to make some observations about the broader environment from which such initiatives are most likely to develop and in which they are most likely to succeed.

### (a) **Inclusive defence services: greater integration of women**

An initial observation from the scan of international defence agencies and their military academies is that the greater the presence of women as defence personnel – both in terms of the breadth of the roles they occupy, as well as their presence in leadership positions – the more likely their acceptance by their male colleagues.

Achieving a critical mass of women is a challenge with which all defence services examined by the Review have struggled.<sup>1</sup> Given that significant efforts have been made to promote gender integration in all these defence forces, it is clear that strategic approaches are needed to achieve a greater representation of women across the services.

### **(b) Strong statements from leadership**

The example set by those in leadership positions, whether male or female, is another crucial environmental factor. Studies from across a range of international settings confirm that strong leadership is the single biggest factor in building inclusive services.<sup>2</sup> It is significant, then, when those at the helm of the defence services acknowledge this role.

Strong statements from leaders about the importance of ethics and respect for others set the tone for those entering a defence force. It also positions equity and inclusion as core defence values, rather than impositions from outside. Of particular note is the move from an emphasis on equality as relevant only to women, to a broader emphasis on 'gender'.<sup>3</sup> Equally important are what have been called 'gender inclusive' approaches, rather than 'gender blind' or 'gender neutral' approaches, which champion formal equality but which often do little to achieve equality of outcomes.<sup>4</sup>

Similarly, it is essential that harassment and discrimination are framed as damaging to operational effectiveness, rather than merely a breach of the law.<sup>5</sup> This turns the final barrier to women and minority groups – the argument that the inclusion of women (as well as openly gay and lesbian personnel) compromises unit cohesion and therefore effectiveness – on its head.

In this respect, Canada, the United States, the United Kingdom, New Zealand and the Netherlands have all developed unequivocal statements of commitment from leadership.

### **(c) Leadership practices: leading by example**

Although the way in which leadership is manifested and perceived can vary, the relevant literature confirms the enormous difference that individual leaders can make in shaping the environment in which defence personnel operate.<sup>6</sup> While one squadron may have a relatively high level of sexual harassment, for example, another may not as a result of the Commanding Officer making it clear that harassment is simply not tolerated and that all members will be treated fairly, while acknowledging difference where appropriate.<sup>7</sup> For example, a study on successful leadership strategies involving female members of the Canadian Forces indicated that practices which aided integration included *not* singling women out, setting an example, inspiring teamwork, dealing with difference 'without making a big deal', mentoring and, importantly, not defining integration as only an issue relating to women.<sup>8</sup>

### **(d) Clear policies and effective training**

A culture that is inclusive of women and supported by leadership needs to be underpinned by clear, unambiguous policies that are accessible, flexible and widely understood.

For example, the Canadian Forces has clear policies and guidelines for the prevention of and response to harassment, all of which assert the negative impact of harassment, sexual misconduct or discriminatory behaviour on esprit de corps, cohesion and operational effectiveness, arguably signalling a shift from legalistic compliance to core value. These documents spell out the legislative and regulatory framework for addressing inappropriate behaviour; the process for filing a complaint; the roles of all parties involved, including that of assistants for the complainant and respondent, as well as trained harassment advisors; the nature of proof required; and all parties' respective rights and responsibilities in the process.<sup>9</sup>

Similarly, the New Zealand Defence Force *Guide on Mediation and Investigation* sets out a clear eight-step process for requesting the mediation or investigation of a complaint of discrimination, harassment or bullying, complete with sample templates for complainant and respondent letters.<sup>10</sup>

Just as importantly, there must be awareness of these policies and training to support and maintain their implementation. Single or isolated information sessions provided to cadets in their first year have not been shown to engage sufficient attention or have an impact on future attitudes or behaviour. It is therefore critical that continuous training – whether on broad issues of equity and discrimination or specifically on sexual harassment and sexual assault – be embedded in the mainstream curriculum for leaders and their subordinates alike. To be effective, this training must use engaging methodologies. For example, small discussion groups have proved to be much more effective than lectures to large groups, and creative ways of communicating information have proven particularly useful in raising awareness.<sup>11</sup>

Finally, these policies, programs and training must be regularly evaluated and standardised. As a broad example, despite significant investment by the United States Department of Defense and reports of sexual assault in the US Defense services dropping by 2% in 2010,<sup>12</sup> the *Fiscal Year 2010 Department of Defense Annual Report on Sexual Assault in the Military* notes the importance of using consistent language across a proliferation of policy that has simply become confusing, especially for new personnel. Similarly, it notes that adequate funding is essential to ensure the proper implementation of policies.<sup>13</sup>

#### **(e) Cultural change essential**

Perhaps the most important observation to make is the overwhelming call for cultural change from international commentators; a call which seems a natural progression at this stage in the ‘gender integration journey’.

Having accepted women into their ranks, defence forces and military academies have traversed terrain familiar to all organisations attempting to evolve into inclusive organisations. At first, attempts are made to integrate women based on formal equality policies which, as noted above, are often ‘gender blind’ and unable to respond effectively to the realities of difference.

The next stage in the journey appears to be a negative response to this inclusion which, unfortunately, has often involved palpable hostility to female personnel from their male peers and leaders alike. This hostility can take the form of openly expressed attitudes regarding the place of women in a defence force.<sup>14</sup> Regrettably, it can also include sexual harassment, sexual assault and other damaging behaviours related to sexual activity.

Following this response comes the realisation that more needs to be done to foster equality, including strong statements of leadership; leadership practices that are fair; processes that are clear and accessible; and a culture in which these processes operate that is inclusive.

Just as certain factors have shaped a masculine, controlled and homogenous culture in the Australian context, defence leaders and commentators in international defence environments have identified a need to acknowledge and grapple with similar cultures that have developed and which, by their very nature, can discourage difference and perpetuate hostility to women or qualities perceived as ‘feminine’.<sup>15</sup> This culture can be exacerbated in the somewhat closed setting of a defence academy.<sup>16</sup>

Appendix J describes a range of best practice initiatives operating in international military academies examined by the Review. ADFA currently has a number of policies and programs in place which share attributes of some of these initiatives, such as the Equity and Diversity Advisors (RMC Canadian Forces).

However, as discussed previously, these initiatives must be positioned within a cultural and organisational context which unambiguously makes clear that equity and diversity are valued and that women are integral to the success of ADFA and the ADF. Equally, these values must be built into the training and ongoing professional development of all personnel, rather than being perceived as 'add-ons' or incidental to core Defence business. The Review's recommendations incorporate some of these best practice initiatives to help realise a strong future for ADFA.

## 4.2 ADFA's role and purpose

A recurring theme throughout the consultations was that a 'world class military needs a world class academy.' While there was general agreement on this point, there was no definition about what 'world class' means. The Review has chosen not to use this terminology. Instead, we suggest that ADFA should realise its potential to become the best tri-Service military academy it can be. This will necessitate change on a number of fronts.

Investment in and promotion of ADFA by the leadership of Defence, and clarifying its strategic purpose, is fundamental to creating a gender equitable environment and improving the treatment of women at the Academy.

ADFA is run as a joint organisation, however it does not receive the specific attention of the Services. A clear and unambiguous accountability for ADFA must be established. Because of its strategic significance in training and educating the future leadership of the ADF, the Review recommends that this accountability be held by the VCDF.

The ADFA 'product' should be highly valued and the Review agrees that it is:

... a really easy product to sell, because you're selling a career ...  
ie, guaranteed job and university education.<sup>17</sup>

But 'what does ADFA stand for?'<sup>18</sup> What is the ADFA product and who defines it? The Review was told that:

It has changed many times on what the focus is. So if you went to the two-star that runs the place, the one-star, the XO's branch, someone who runs field training, a DO, a RAAF DO, a Navy DO, an academic from the Politics department or an academic from the Engineering department, or a PTI, and ask them, "What are we producing?" every single one of them would give you a different answer.<sup>19</sup>

Which values define ADFA? Are they the single Service values, the Joint values or the ADFA values? How do cadets navigate this?

This lack of clarity can be partly attributed to the current state of the AMET program. The AMET program should be producing the skills and qualities necessary to allow cadets to succeed in their roles as officers in the ADF. However, there is currently confusion about what AMET is designed to produce, including the view that the program is too heavily weighted to drill training at the expense of leadership experiences that would be more relevant to future careers as officers.



The AMET program, a central feature of ADFA, appears to have been allowed to evolve over years in a haphazard fashion without a clear view of the final product that it is intended to produce:

It is driven by personality, it is the sum total of a thousand good ideas fairies and it is not linked in any way to any form of training needs analysis. It just is. It is a series of lessons that ADFA has done and passed on father to son, father to son over 25 years. There is no version control, it sits in the G Drive where any given instructor can just pull it up, mess with it and ... over time it gets moderated a bit, moderated a bit, moderated a bit. Eventually the lesson looks nothing like what it was intended to be ... quite frankly I'm horrified by this.<sup>20</sup>

Having acknowledged the shortcomings associated with AMET, ADFA is currently in the process of redesigning the program. The intention is to more closely align the program with the needs of the Services by looking at the job descriptions of the roles that cadets will eventually fill. This will involve increased and ongoing consultation between ADFA and the three Services.

Beyond AMET, the lack of clarity was also attributed to the tri-Service nature of ADFA. The view was expressed that the tri-Service environment does not necessarily produce a joint culture and the question was asked whether a cadet can 'learn to be "joint" before you learn to be "single"':<sup>21</sup>

Are we producing Joint Officers, for example? If we are, well, what does that mean? What does it look like? Let's go to the Service chiefs. "What do you want to see a Captain in ten years' time able to do in an operation cell?" "Well, I want him to speak Navy, and I want him to be able to speak RAAF and I want him to know the capabilities. And I want him to know the Service differences." So how do we do that? Well, we can do joint planning activities.<sup>22</sup>

However, the Review also recognises that an ADFA education comes at a cost:

This is an expensive and difficult way to deliver an undergraduate education to our officers ... ADFA only makes sense if it can significantly exceed wider community expectations and institutional benchmarks. (cost is estimated as \$300,000 per graduate factoring in salaries, staff costs, on-costs and university contract).<sup>23</sup>

Investment into ADFA cadets goes beyond dollars. Investment in developing ethical leadership, military skills, academic excellence and inquiry, and building a truly equitable and inclusive culture which values the contribution of women and men will pay significant dividends to Defence and to the broader community.

Clarifying the strategic purpose of the organisation is a threshold issue. The ADF leadership should visibly reaffirm ADFA's position as its pre-eminent tri-Service training academy and commit to the benefits of a diverse, equitable and inclusive workforce.

In summary, ADF and ADFA senior staff have expressed mixed views on the efficacy of the ADFA tri-Service model and ambivalence about its purpose, either as a military establishment or an academic institution. While ADFA espouses excellence, these mixed views inhibit ADFA from realising its potential and, significantly, from integrating equality, diversity and inclusion in a meaningful way.

## Recommendations

1. The ADF leadership, including the Chiefs of Service, reaffirm ADFA's pre-eminent role in the education and training of future leaders for the ADF.
2. The CDF issue a strong statement in support of ADFA and demonstrate a visible commitment to it.
3. The CDF develop for ADFA:
  - a) a strategic direction which clarifies ADFA's purpose and outcomes
  - b) an associated communication plan to inform the ADF and the Australian community.
4. ADFA develop a performance framework that incorporates the current metrics and new metrics to capture the implementation of the recommendations contained in this report.
5. The VCDF be accountable for the implementation of the recommendations contained in this report to ensure the full inclusion of women at ADFA.

### 4.3 Equity and diversity

The 2009 Defence White Paper sets out the Government's plan to build a stronger ADF. It states that '[p]eople are at the heart of delivering Defence capability.'<sup>24</sup> Defence is a large, complex, diverse and dispersed organisation. However, neither the gender profile nor the diversity, cultural or otherwise, of the ADF or ADFA is reflective of Australian society.<sup>25</sup>

#### (a) The business case for diversity

Women's workforce participation has increased significantly over the past 30 years. From 1981 to 2011, the labour force participation rate of women has increased from 44.6% to 59.1%.<sup>26</sup> Women's workplace participation is fundamental to productivity and growth. If the rate of labour force participation is to continue, organisations need to remove structural barriers to women's participation and value their contribution.

The ADF and ADFA are no different from other organisations competing in an increasingly tight labour market. In its *Quarterly Defence Workforce Outlook*, the Department of Defence acknowledges the recruitment and retention pressures that lie ahead:

The greatest recruitment risk is perhaps in the 5 to 10 year period, when the demand for higher level skills and qualification is forecast to outstrip supply to unprecedented levels ... attracting enough candidates with the necessary skills and abilities to complete training will be a significant challenge.<sup>27</sup>

To meet this challenge and maintain competitive advantage in the labour market, the ADF and ADFA need to recruit and maintain the best talent. They can do this by being diverse and inclusive organisations that make a strong commitment to removing structural barriers and enhancing women's participation. Women are, and will increasingly be, imperative to the ability of the ADF and ADFA to deliver its mandate.

ADFA would, therefore, benefit from implementing strategies that aim to diversify its workforce. One such strategy is to focus on recruiting and retaining women by being the best workplace it can be.

As evidenced by the international research, this requires a commitment to cultural change. To succeed in this endeavour organisations require strong leadership and a comprehensive plan to shift behaviours. Implementing the Review's recommendations provides the basis for this change as it will re-focus the disparate and piecemeal initiatives currently in place at ADFA into a cohesive strategy.

Creating an environment in which diversity and differing views are encouraged contributes to organisational strength and performance. A message circulating at ADFA which suggested that submissions made to this Review 'should only include positive aspects of ADFA life as appropriate' does little to encourage an open and healthy workplace or validate differing experiences.<sup>28</sup>

Drawing on the international research, a model for fostering cultural change and a workplace that values equity and diversity will include the following elements:

- Communicate the case for change consistently and broadly throughout the organisation. The compelling case for change is the 'business case'; that is, the competitive advantage and economic benefit gained from retaining the best staff.
- Refine organisational processes that reinforce equity and diversity principles and practice. This includes the development of indicators to track performance and underpin accountability.
- Adopt a systematic approach to learning and development that builds the capabilities of staff to foster changed behaviours.
- Leaders of the organisation must model the change all the way down the line to the front line. As middle managers and direct supervisors are critical influencers of sustained change, it is essential that they support the change and understand the importance of diversity and inclusion.<sup>29</sup>
- The development of an equity strategy for the creation of a diverse workplace is a useful tool for communicating the case for change and how the change will be implemented and monitored. Used as a framework for change, an equity strategy is a cohesive plan to address structural barriers for women in the workplace that enhances equity and diversity and ultimately benefits all staff.
- An equity strategy for ADFA would include a clear and unambiguous statement about diversity, equity and inclusion. It would outline key strategic directions for ADFA that promote gender equality and increased participation of women. The strategy would provide a leadership model for senior staff, integrated training for staff delivered by subject experts and performance measures for assessing success in this area.

## **(b) Implementing equity and diversity principles**

While ADFA has made efforts to implement Defence policies about equity and diversity in various ways, there remains a fundamental disconnect between the policy context and the way in which it operates at ADFA.

The current focus of equity and diversity training at ADFA is as a punitive and process-oriented response to prohibited conduct, and without any concomitant emphasis upon positive responses and benefits. ADFA should re-focus its approach to equity and diversity so that it is not used as a disciplinary tool but rather stands as a universal concept that underpins ADFA values and principles and is reflected in its policies and practices.

A commitment to ongoing training can assist in developing an inclusive culture where people feel valued for their unique contribution to the workplace. External subject experts who are able to tailor the training to the specific context of ADFA to ensure its relevance should be engaged to conduct regular interactive diversity and equity training for all staff at ADFA, including senior leadership.

Cadets would also benefit from regular presentations from accomplished female leaders, from both within the ADF and beyond who as role models can highlight their career and personal experiences, challenges and achievements.

Senior leadership must not only consistently communicate their commitment to diversity and inclusion; they need to model this on a daily basis to those whom they are leading. This may include the appointment of 'Diversity Champions' to lead the way. This will also include publicly condemning acts of sexual harassment, unacceptable sexual behaviour and sexual assault and responding in a consistent and timely manner.

In summary, the concepts of equity and diversity are not overarching, positive values at ADFA. They are used in a disciplinary context in response to incidents of unacceptable behaviour.

Further, equity and diversity processes are confusing and cumbersome. They can also give rise to stigma, suspicion and victimisation.

Equity and diversity principles and values should be tied to ethical leadership as a core component of training and instruction for cadets and staff.

## Recommendations

6. **ADFA develop and articulate a clear, unambiguous and widely disseminated statement about diversity, inclusion and gender equality which:**
  - a) recognises the fundamental importance of women to the sustainability of the wider ADF
  - b) provides a framework for the creation of a diverse workplace where both men and women can thrive
  - c) emphasises the unacceptability of sexual harassment, abuse and discrimination to ADFA and the wider ADF.
7. **ADFA teach equity and diversity separately from complaints procedures.**
8. **ADFA teach equity and diversity principles as core values underpinning ethical leadership.**
9. **ADFA evaluate the effectiveness of the Equity Advisers' Network to strengthen its advisory capacity.**
10. **ADFA embed equity and diversity in all policies and practices through:**
  - a) **ADF and ADFA senior leadership teams championing diversity and gender equality and publicly condemning all forms of sexism, sexual harassment and violence against women**
  - b) **ADFA introducing regular forums for all cadets and staff where female role models from within and beyond the ADF present on their experiences.**

## 4.4 ADFA's structure and staffing

ADFA must be a priority within the ADF. Service Chiefs must have an investment in, and take seriously, the outcomes delivered by ADFA. The Commandant at ADFA must have strategic and meaningful engagement with the Service Chiefs to ensure that midshipmen and cadets are being trained and developed in a manner which is aligned to the future needs and capability requirements of the Services and the ADF. This is critical to future success as it establishes norms, behaviours and expectations that officers will carry throughout their military careers. The influence and impact these young cadets will have on Defence as they command personnel and progress through their careers is immeasurable.

The Commandant's duties and responsibilities are outlined in the Directive by Commander Australian Defence College to the Commandant Australian Defence Force Academy. This document explains that the Commandant's mission is to:

... undertake the professional development of initial entry officers that provides them with the foundation skills, knowledge and attitudes needed by junior officers, including military training and tertiary education.<sup>30</sup>

Despite best intentions, any Commandant would find it difficult to achieve this objective without a strong connection to the training needs of the Services. The Commandant is relatively isolated from the wider ADF, including the Service Chiefs, despite the critical role that ADFA plays in training and developing future ADF personnel.

### Recommendation

**11. The VCDF develop a strategy to allow for greater engagement between the Commandant and the ADF Service Chiefs.**

Previous reviews, including the Grey Review and the Kafer Review, have stressed the importance of having high quality staff posted to ADFA. Military staff at ADFA are expected to fulfil a range of different roles – in training, supervision and support – and their skills have a particular impact on minority groups, including women. In working in a tri-Service and mixed gender environment, staff members require a particular set of skills and need to be aware that regardless of their rank, they are in a position of significant responsibility for the future generation of ADF officers. Skills in communicating with young people – and in a mixed gender environment – need to be more fully integrated into the recruitment, training and evaluation of staff. As Commodore Kafer states as part of his 'Commandant's Philosophy':

The Defence staff at ADFA exists, fundamentally, to ensure that every trainee officer is afforded every opportunity, within reason, to succeed at ADFA – to achieve their goals of graduation and progression. We must create the environment where all of our officer cadets and midshipmen are given the chance to develop and enhance their leadership skills and officer qualities, and are imbued with an attitude of continually striving for excellence in all aspects of their work.<sup>31</sup>

In order to achieve this goal, the three Services must provide ADFA with the best possible military staff. Some stakeholders told the Review that ADFA's military staff are consistently of a high quality. The Deputy Commandant, for example, said that he 'cannot speak too highly of the staff at ADFA, all of whom are committed to assisting the midshipmen and cadets in successfully completing their training'.<sup>32</sup> However, the Review also heard that for many ADF personnel, ADFA is not perceived as a good posting. As a result, staff quality and commitment can vary and some staff members accept their posting to ADFA reluctantly. The Commandant has limited influence over which staff are posted to ADFA and over the process for their removal. Given the importance of having high quality staff at ADFA that contribute positively to the culture, it is important that the Commandant's role in selection is strengthened.

Inconsistencies in the quality of staff have a direct impact on the experience of cadets. One staff member told the Review that they 'would like to see a greater focus on the quality of staff that come here, a greater focus on improving the quality of training that we can provide for the staff ... because the staff have such a big influence on the cadets.'<sup>33</sup> Cadets frequently cited particular staff members, especially those with operational leadership experience, including women, as being inspiring trainers and mentors. However the Review also heard that the lack of sufficiently experienced staff can cause frustration among cadets. One cadet asked, for example, 'how can you be given leadership training by someone who hasn't experienced leadership themselves?'<sup>34</sup>

There is a feeling at present that ADFA does not rank with other initial officer training schools as a prized posting in which to serve, partly because it is seen as disrupting technical skills development essential to career progression in the Services. This is particularly the case for Navy and the Air Force. If ADFA is to attract and retain high quality staff, with sufficient skills to improve the treatment of women, this must change. As one person told the Review, 'the Academy must compete against other high priority requirements for trained, high quality staff ... [but] ADFA should rank with the other initial officer entry training establishments and not behind them in the order of priority.'<sup>35</sup> Similarly, at present the quality of staff posted to ADFA by the three Services also varies. This too needs to be standardised. One staff member, when asked what they would like as a result of the Review said: 'One of the best outcomes would be to standardise competencies. Standardise competencies and just say you make it or you don't.'<sup>36</sup>

Beyond the need to attract high quality staff, there is also the need to retain a full complement of staff and to ensure that ADFA is provided with the personnel necessary to ensure that the Academy is able to operate at the highest possible standard. As one senior staff member told the Review:

The most significant resource shortage at ADFA is personnel. With only 104 military staff, ADFA is more thinly staffed than other ADF ab initio training colleges, and every staff vacancy hurts us. This is even more acute when it is a female member of staff missing ... Given this thin staffing, I consider that staff selection and management is the single most important factor in ensuring women at ADFA are free of harassment and other forms of unacceptable behaviour.<sup>37</sup>

It is critical that the ADF's three Services develop innovative solutions to attract the best training staff to ADFA and then seek to retain them. This could, for instance, include those who may be good educators and trainers but are not at present considered for posting to ADFA. It could include Service Chiefs discussing the ADFA posting schedule with the CDF to give greater visibility of the talented staff selected for ADFA.

As well as ensuring that staff posted to ADFA are fit for the purpose, morale could be significantly improved if staff felt their service at ADFA was likely to positively impact on their Defence careers. This, in turn, would likely have a positive impact on the relationship between staff and cadets, as well as the quality of supervision and training. High quality staff committed to the mission of ADFA are also more likely to dedicate themselves to policies, including those outlined in this Report, that will improve the treatment of women at the Academy.

In developing strategies to make ADFA a more attractive posting, consideration could be given to the possibility of making strong performance in a training institution and tri-Service environment a key to career progression. Some positions could also be expanded to make them more attractive. For example, the Review heard from many DOs and DSNCOs, in particular, that their jobs were presently too focused on administrative tasks at the expense of meaningful engagement with cadets.

A stronger emphasis on work/life balance would also make the posting more enticing, particularly to high quality female staff. The Review heard mixed views from staff on the current situation with regard to work/life balance. On the one hand, the Review heard that 'this place doesn't foster a good work life balance'.<sup>38</sup> However, the Review was also presented with the contrary view, with another staff member commenting: 'I've found that I've had plenty of time at home.'<sup>39</sup> The Deputy Commandant told the Review that improving the work/life balance would help attract high quality female staff to ADFA:

It will be no surprise to the Review Panel that a balanced commitment to family and work at ADFA is often harder for women to achieve. In my time at ADFA, almost half of the women on military staff have started families while working here, or already had young children at home. This is a harder road for women, and while ADF provisions for parental leave are excellent, improvements such as an on-site crèche would go some way towards improving the ability of women to 'stay in the race'.<sup>40</sup>

## Recommendation

**12. The Commander, Australian Defence College, work with the Deputy Chiefs of Service in order to achieve the following outcomes:**

- a) as one of their highest priorities, the provision of high quality staff to ADFA
- b) a stronger role for the Commandant in the selection of outstanding staff, with particular attention to increasing the representation of women
- c) a wider pool of good educators and positive role models for cadets by considering innovative solutions, such as separating rank and role
- d) a simplified process of removing underperforming staff and cadets to ensure expediency while maintaining due process and, in relation to the removal of staff, the least disruption to the supervision and training needs of cadets.

The lack of a strong corporate memory at ADFA contributes to inconsistencies in the delivery of AMET training, weaknesses in the development and implementation of policies to improve the treatment of women at the Academy, and lost opportunities to collect and build on positive and negative experiences. Stop/start initiatives in areas such as equity and diversity also impact on the treatment of women at ADFA.

As the Kafer Review noted, there are several reasons for shortcomings in the retention of corporate memory. These include weaknesses in the structural arrangement of the Academy, particularly in the relationship between the CI and XO branch, and the high rate of staff turnover.<sup>41</sup> One ADFA Personnel Officer estimated that the annual staff turnover rate has been 43% over the past five years.<sup>42</sup> Staff turnover at the most senior level, in the position of Commandant, has been particularly high. Since February 2006, there have been six Commandants at ADFA (including two acting Commandants).

The direct impact of this level of turnover on the quality of training is clear. For example, in relation to developing and improving the quality of AMET training, one staff member commented that the lack of direction has been 'no one's fault. It's just someone moves on and it gets left behind in the business of everything else.'<sup>43</sup> As another staff member told the Review:

It is essential that military staff at ADFA have sufficient tenure here ...  
In the case of senior leadership, the tenure issue is even more acute ...  
This level of turnover has been damaging, and must be avoided.<sup>44</sup>

This high rate of turnover makes it difficult for ADFA to effectively implement policies that will improve the treatment of women at the Academy, including those recommended in this Report. In the words of one staff member, 'experience walks out the door when you walk out the door.'<sup>45</sup> Improving leadership stability, organisational memory and continuity would ultimately strengthen ADFA's capacity to improve the treatment of women at the Academy.

In summary, the turnover of Commandants has been too frequent, which impacts on ADFA's leadership stability, organisational memory and continuity.

## Recommendation

**13. The tenure of Commandants should be for a minimum of three years and should not be reduced, other than in exceptional circumstances.**

Attracting the best possible staff to ADFA would significantly improve the Academy's culture and impact positively on the treatment of women. However, even high quality staff require specialised training to equip them for working in ADFA's unique environment. Induction arrangements are in place, but they are inadequate and are currently being reviewed by ADFA. As part of this Review consideration should be given to a compulsory pre-command induction program for all staff prior to their commencement at ADFA. Further, ADFA should prioritise strategies to strengthen training on equity, diversity and inclusion.

A redesigned induction program should include education and training on how to appropriately deal with young people. This should include training in supervision of mixed gender environments, as well as pastoral, disciplinary and educational practices relevant to the supervision and care of 17-23 year olds in a residential setting. This education and training should be delivered by an expert educator with appropriate expertise and should be independently evaluated on an annual basis. This induction training should emphasise the core values of ADFA, including as a tri-Service and mixed gender institution.

Induction should be supplemented by the creation of staff learning groups facilitated by an expert facilitator. In developing these learning groups, consideration should be paid to the concept of 'appreciative inquiry'. This concept holds that the best way for ADFA to improve the performance of its individuals and the organisation as a whole is by learning from and building upon existing strengths and potential.<sup>46</sup>



At the same time, closer attention must be paid to the ongoing evaluation of staff against the considerations identified in this Report. As recognition of the impact military staff have on the experiences of cadets, and the treatment of women in particular, ADFA should incorporate the effective day-to-day implementation of the recommendations contained in this Report into the performance reviews for all staff. This should include a system to incorporate confidential feedback from cadets and peers so that their voices are heard.

In summary, the induction training for staff is inadequate. Many ADFA training staff are not skilled in supervising mixed gender groups or in dealing with young people. The staff are key role models and have an impact on how cadets treat each other.

## Recommendations

### 14. ADFA provide staff with appropriate induction, education and training on:

- a) gender equality and the supervision of mixed gender environments
- b) pastoral, disciplinary and educational practices relevant to the supervision and care of 17-23 year olds in a residential setting.

Initial staff induction training should be supplemented by the creation of staff learning groups that are built on appreciative inquiry. The learning groups should be facilitated by an expert facilitator in partnership with ADFA.

### 15. As part of their performance reviews, ADFA staff be assessed against, among other things:

- a) their capacity to implement equity and diversity principles
- b) confidential feedback from cadets and peers.

## 4.5 Midshipmen and cadets are young people and future leaders

Consistent with the findings of the Kafer Review, consideration should be given to developing a one-year single Service training and workplace program for Army and Air Force cadets prior to their arrival at ADFA. This would be similar to the current Naval Officer Year One (NOYO) scheme. As suggested to us, the one year SST program should be an immersion experience in the Service itself, rather than just time spent in a single Service training institution. The Review heard from a range of stakeholders, including staff, that midshipmen arriving at ADFA often display a greater level of maturity than their Army and Air Force colleagues, as a result of this experience.

While support for a single year program across the three Service was not universal, the Review did hear from a range of stakeholders who felt that a number of benefits would flow from the introduction of such a scheme. Chief among these was the widely held feeling that cadets would arrive at ADFA with a greater level of maturity. This in turn may decrease the likelihood of incidents of unacceptable behaviour. As noted previously in this Report, most cadets arriving at ADFA are living away from home for the first time. For most of them, the military environment at ADFA will also be dramatically different to the high school environments that they have only just left.

A Year One program would result in more mature cadets arriving at ADFA. As one senior Defence official told the Review, 'more mature officer cadets will achieve better results at ADFA and be positioned to benefit more completely from what ADFA offers.'<sup>47</sup> In practical terms, the introduction of a Year One program prior to ADFA should also mean that virtually all cadets would be at least 18 years of age when they arrive at the Academy.

While maturity is not by any means the only factor that contributes to problems around the treatment of women at ADFA, there is an understanding that it does have a significant impact on behaviour at the Academy. One senior ADFA staff member told the Review that ‘while age is not an absolute indicator of behaviour and performance, most staff at ADFA would – on balance – prefer to have slightly older cadets under their command.’<sup>48</sup>

The Review also heard that the introduction of such a scheme would allow cadets to develop their understanding of their chosen Service. As a result, cadets would be given a true sense of Service life before arriving at ADFA and would be in a better position to resign early if they were to decide that an ADF career was not for them. At the same time it might allow the Services to assess cadets’ potential before committing the substantial resources required to develop them as officers. One senior staff member told the Review this approach would also be cost effective, allowing the Services to ‘put your attrition at the front where it’s cheapest’.<sup>49</sup> The Review heard that the Services were already exploring this option because of concerns about attrition rates.<sup>50</sup> The importance of an academic education at the formative stages of a young officer’s career should not be underestimated. The one year immersion experience could enhance the maturation process as cadets prepare to commence their undergraduate studies.

Introducing a one year single Service training and work placement program for all cadets would necessarily require some rethinking about the training delivered at ADFA to ensure that it remained relevant to the three Services. At present there is a concern about the relevance of ADFA to Navy midshipmen. One person told the Review, ‘In many ways ADFA seems to do little for the development of MIDN – indeed many are angered at being treated like children with no acknowledgement of their achievements in the Navy from any quarter.’<sup>51</sup> In the words of another staff member, ‘ADFA has no military training purpose to those Navy individuals.’<sup>52</sup> These concerns will need to be addressed in the development of a similar scheme across the three Services.

Such a scheme would also require the single Service training institutions to consider strategies to better accommodate the needs of young cadets. In the Army, for example, there is an understanding that ADFA currently acts as a bridge between high schools and RMC Duntroon.<sup>53</sup> As part of such a scheme, ADFA should also give consideration to the possible introduction of a trimester approach to the academic calendar. This would allow cadets, with the exception of Engineering students, to complete their undergraduate degree in two rather than three years, meaning that a new Year One program would not add to their overall length of study. Consideration would also need to be given to ways to maintain a strong tri-Service culture at ADFA despite cadets’ previous immersion in the culture of their chosen Service.

In exploring this option, consideration should be paid to broadening the range of recruitment options in a way that recognises the different life paths of women and men, including caring responsibilities and other factors.

In summary, Army and Air Force cadets entering ADFA do so commonly without much ‘real world’ experience and little or no experience of a military environment. Midshipmen, in contrast, have had valuable experience in the Navy before arriving at ADFA.

## Recommendation

### 16. The VCDF, in association with the Services:

- a) explore first year single service training and work placement for all ADFA cadets. Options regarding this process should be completed within 12 months of the release of this report. The preferred option should be implemented in 2013 in readiness for the 2014 ADFA intake
- b) review the minimum entry age to ADFA to ascertain whether it is appropriate
- c) explore a range of cadet recruitment options for ADFA which recognise the different life course of women compared to men.

As noted in this Report, ADFA's formal system of cadet hierarchy was dismantled following the Grey Review. That Review found that cadet hierarchy and the lack of sufficient supervision contributed to the incidence of bullying and harassment. However, as this Review has heard, the lack of a cadet hierarchy ever since has been a source of concern and, at times, frustration among cadets and staff. In particular, it has been blamed for the lack of comprehensive and effective mentoring opportunities for cadets.

A number of informal and semi-formal mentoring opportunities are provided to cadets, primarily through the Academy's sporting clubs and the recent Squadron restructure. In this sense, there is a wide acknowledgement of the value of mentors, particularly given cadets' differing levels of maturity and the challenges they can experience as they embark on their military careers. As one person told the Review, the 'adjustment to military life can be difficult for all genders and mentors play an important part in smoothing that process.'<sup>54</sup> Even informal mentoring can provide beneficial support to cadets:

Now it's done informally already and at different levels ... that might be a quiet word in the ear or it might simply be you know somebody taking them through hints for young players, how to do better at ADFA, the stuff which is not in the rule book, the stuff which is not part of the training programme.<sup>55</sup>

However, as one cadet told the Review:

I believe that what ADFA really lacks is that sort of formalised structure whereby you can develop opportunities in which to lead ... Obviously we can't mentor and facilitate everyone's leadership and administration growth as well as could be done if there was an existing structure such as a formal hierarchy.<sup>56</sup>

Following the implementation of the recommendations of the Kafer Review, new cadets now have mentoring systems that allow them to enquire about or deal with issues in ways that do not require them to go directly through their chain of command. These offer valuable leadership opportunities and the possibility to strengthen support structures for cadets. However, ADFA needs to make these opportunities more accessible and visible to cadets. The Review heard that most cadets are unaware of the mentoring and leadership opportunities on offer, for example, through AGORA.<sup>57</sup> Additionally, some stakeholders felt that these mentoring and leadership opportunities do not give cadets a sufficient sense of responsibility and were, according to one staff member, merely 'Mickey Mouse' leadership positions.<sup>58</sup>

In summary, cadets would benefit from regular mentoring and advice, given their differing levels of maturity and the challenges they can experience as they embark on their military training and career. Such a scheme should be developed to supplement the informal mentoring provided by older cadets through the sporting clubs and other extracurricular activities. In relation to female cadets, ADFA should draw on the experiences of existing mentoring programs operating in other universities.

In supporting the informal mentoring structures currently operating at ADFA and in acknowledging the new mentoring scheme between third year and first year cadets arising from the new divisional and squadron structure, the Review does not support the reintroduction of cadet hierarchies.

## Recommendation

**17. ADFA offer cadets a mentor, external to ADFA who may be drawn from a non-military background, to provide support and advice. Female cadets should be given the option to be placed with female mentors. Workplace-based mentoring programs targeting women that operate through universities, including UNSW, should be considered as a useful template.**

## 4.6 Alcohol

There is a continuing 'drinking culture' at ADFA. As noted by Professor Margaret Hamilton, this is a formative period for ADF personnel that will shape and establish their values, attitudes and behaviours, including drinking habits.<sup>59</sup>

ADFA must recognise that alcohol use is frequently excessive within the cadet body and that, as well demonstrated by wider research on drug and alcohol use:

- excessive alcohol consumption and intoxication are established risk factors for a range of inappropriate behaviours and illegal activities<sup>60</sup>
- consumption patterns of alcohol are greatly affected by price and by a range of availability factors.<sup>61</sup>

It follows that ADFA should actively implement a strong and positive set of policies designed to ensure the duty of care to cadets by properly supervising and controlling alcohol consumption. While the Review acknowledges that the ADF already has some mechanisms in place to address alcohol use, it identifies two key areas where these can be improved at ADFA.

As discussed in Chapter 1, the relatively inexpensive prices of alcoholic drinks available on-site at ADFA, coupled with cadets' high disposable income, was cited by numerous consultation participants as a contributor to excessive alcohol use.

ADFA is also subject to the ADF's policies on alcohol and drug testing, including Defence Instruction (General) Personnel 15-4 *Alcohol Testing in the Australian Defence Force*. However, as highlighted in Chapter 1, while significant alcohol testing has been undertaken at ADFA in 2011, it has not been undertaken as frequently in recent years. It is important that these policies be actively implemented.

In summary, ADFA continues to be a culture where there is regular, heavy alcohol use. Some of this takes the form of 'binge drinking'.

While the Review recognises that this may be relatively typical of Australian youth culture, risks to the safety and wellbeing of the individual and others are increased when there is an excessive use of alcohol.

## Recommendation

- 18. As part of the ADF's overall review of alcohol, ADFA:**
- a) review the pricing regime of drinks in the cadets' mess to minimise the risks associated with over consumption of alcohol
  - b) ensure ongoing regular alcohol testing of cadets as provided by *Defence Instruction (General) Personnel 15-4 Alcohol Testing in the Australian Defence Force*.

## 4.7 Residential setting and supervision

Residential university settings benefit from a close relationship between staff and students to address pastoral, academic, health and disciplinary concerns. Current limitations within ADFA's residential configuration require proper and focused consideration, in order to realise its aim of providing the best possible learning and training environment for all cadets.

In addition, a well supervised residential setting can significantly minimise the risk of unacceptable behaviour. The mixed gender residential setting of ADFA creates particular issues of supervision. To develop its potential as a residential setting in which consistently high standards of behaviour are developed, encouraged and reinforced, ADFA should reform the residential setting to enhance staff 'after hours' engagement and supervision.

### (a) Improving supervision and women's safety

In a residential setting where large numbers of new students arrive each year, staff must share a common commitment to maintaining, and where appropriate, enforcing cultural standards. They should display a willingness to engage with students about communal expectations, to demonstrate pastoral concern and, where necessary, to take disciplinary action to uphold these expectations. The physical arrangements of the site need to provide opportunities to enhance cultural values.

In Chapter 3, the Report discussed views raised in focus groups regarding inconsistent enforcement of fraternisation rules and other room policies in place at ADFA. This highlights their inadequacy as a means of minimising risks to cadets. The Review has also heard that despite some opposition to 'segregation', separate living spaces for women have been beneficial in creating a safer environment for them:

The situation of communal living was mitigated in first and second year by separating cadets into all-female and all-male living sections (i.e. separate corridors and floors). You would still be in the same division (building) as males but would not share showering/toilet/laundry facilities. This set up was more than adequate, as you did not feel embarrassed walking from your room to the bathroom in a towel or robe, and had a good amount of privacy. It was also beneficial living alongside females because when emotions ran high you could visit their rooms and express these to your female friends.<sup>62</sup>

It is clear that there is a need for further and better assessment of the risks which arise within this setting, particularly for young women. There is also a need to develop and implement appropriate risk management strategies.

## **(b) Integrating staff support in the residential setting**

Arrangements for the supervision and pastoral care for cadets are generally reactive. Rather than waiting for cadets to make use of the academic, military or pastoral support offered at ADFA, the space should be better integrated to bring DOs and DSNCOs, padres and academic staff into the residential spaces. This allows for improved connections and supervision of cadets and would break down the notion of a 'parallel universe' in which cadets meet the academic and military demands of staff during the day but self-regulate their social spaces during the night. The physical arrangement of residential settings needs to be designed to promote these goals.

There was a suggestion by several staff members that any renovation program should include offices and overnight accommodation for military staff. One senior member of military staff suggested that this be provided for squadron and divisional staff.<sup>63</sup> The Review sees merit in this suggestion. It was apparent to the Review that the very nature of ADFA being residentially based, with cadets being unable to return home at the end of the day, has led to some of the more serious issues around the treatment of women.

Appropriate supervision of cadets requires the close, shared engagement of junior and senior staff, both in formal and informal interactions with cadets, to ensure the maintenance of high standards of conduct. In order to drive further a cultural process which militates against poor behaviour towards women, ADFA needs to improve the structures which comprise the residential setting.

In addition to the creation of suitable accommodation for Divisional Officers and NCOs on site, a proposal put to the Review was the possibility of retaining Residential Advisors such as junior officers posted to Canberra (particularly those undertaking postgraduate or mature age undergraduate studies at UNSW@ADFA) to live in the 'lines'. The Review supports this proposal. If properly selected, inducted, trained and supported in their role by divisional staff, and if given access to the Commandant in cases of serious disciplinary or pastoral issues, such Residential Advisors might provide a valuable point of reference between the expectations of staff and the realities of cadet life.

These Residential Advisors could be encouraged to develop formal relationships with divisions, as well provide informal guidance and support to cadets. They would also be in a position to act as an authority figure and monitor and encourage the development of the right atmosphere within each division.<sup>64</sup> Another staff member suggested that having such advisors in a supervisory role might caution against incidents of unacceptable behaviour.<sup>65</sup>

Adequate processes for the selection, training and support of the Residential Advisors should be put in place. Individuals should be selected according to qualities of ethical leadership and their ability to provide after hours supervision and pastoral care for cadets, rather than being selected only on the basis of being an 'old boy' (or 'old girl') where there is a possibility that they will help perpetuate the culture they themselves experienced.<sup>66</sup> It is also recommended that there be one male and one female Residential Advisor for each First Year Division.

This will require the creation of appropriate, additional accommodation suitable for them to live on-site to play a supervisory role and one which encourages an ongoing learning environment for cadets outside formal study and training times. This role would include providing ongoing, interactive training based on real scenarios, including demonstrating and modelling women as leaders.

In summary, cadets are, with very few exceptions, housed on the ADFA campus. Complex issues arise because this is a place of residence and a place of study and work. For most cadets, it is also the first time they have lived away from home. Given that ADFA has a duty of care to its cadets, the Review finds that there are inadequate levels of oversight and supervision to minimise risks. Greater engagement of staff ‘after hours’, and the creation of appropriate staff accommodation to support this aim, will greatly enhance ADFA’s culture and effectiveness in the development of the cadets within its care.

## Recommendations

19. **As a priority, ADFA instruct an Occupational Health and Safety specialist to conduct a risk assessment of the residential accommodation, including bathrooms, to identify the existence and level of risk to cadets arising from mixed gender living arrangements. ADFA should implement the recommended risk minimisation strategies arising from this assessment.**
20. **As a priority, to address the issue of isolation and to increase supervision in the residential setting the Commandant adopt a system based on a model of Residential Advisors for each first year Division (one male and one female) who will live in the residential block to provide after hours supervision. While they may be recent ADFA graduates engaged in postgraduate study, the Residential Advisors should be outside the cadet structure, and should have appropriate skills and attributes in leadership, and the ability to provide after hours supervision and pastoral care for cadets. They should have a direct line of report to the Commandant in the case of serious pastoral or disciplinary incidents.**
21. **The ADFA Redevelopment Project Committee:**
  - a) **investigate options for suitable residential accommodation for Divisional staff within the ADFA precinct**
  - b) **investigate options for spaces within the residential setting which allow for better interaction between cadets and academic, medical, support and Divisional staff**
  - c) **develop a set of principles addressing women’s security and safety and promoting the better engagement between staff and cadets in the residential setting. These principles should underpin the future master plan.**

## 4.8 Minimising risk and managing incidents: education

Issues surrounding gender relations, the range of sexualised activities and sexual behaviour are not fully understood in the cadet body. While discussion around ‘reputation management’ is provided to cadets, specifically female cadets (see Chapter 3), there was limited, if any, education about healthy and respectful relationships, issues regarding consent, the meaning and inappropriateness of sexist language and behaviour, and issues regarding controlling and threatening behaviour.

Consultations and the results of the 2011 ADFA Unacceptable Behaviour Survey indicate that incidents of inappropriate conduct and inappropriate attitudes towards women are present at ADFA.

In its 2007 report, *Preventing violence before it occurs: A framework and background paper to guide the primary prevention of violence against women in Victoria*, VicHealth reported that:

Attitudes and norms about gender roles and relations operate at both peer and organisational levels to increase the risk of violence against women, especially sexual violence. Organisational contexts found to be of particular concern in this regard are male sports clubs and facilities, male residential colleges on university campuses and the military. This does not mean that the risk is higher in all such environments, since research shows considerable variability between contexts ... (However), there is evidence that aspects of organisational culture in the military may be a factor in the perpetration of violence.<sup>67</sup>

The VicHealth report found that a strong theme emerging in the literature is the need for these groups to be engaged in the planning and implementation of primary prevention.<sup>68</sup> The report suggested that action to enhance gender relations and prevent violence against women should be underpinned by interrelated themes that include promoting equal and respectful relationships between men and women, promoting non violent social norms and improving access to resources and systems of support. It also suggested that for specific groups, such as the military, interventions need to be specifically targeted.

An effective primary prevention tool is education around gender relations, sexual ethics and healthy and respectful relationships. While ideally beginning in schools, such education can, if delivered appropriately and relevant to the target audience, have an impact on attitudes and behaviours. In the context of ADFA, such education needs to be accompanied by a range of other strategies, including the promotion of strong messages by ADF and ADFA leaders about gender equity and the unacceptability of violence against women. It also requires the availability and accessibility of appropriate supports and assistance to complainants and victims. Recommendations on these complementary strategies are provided in the Report. In addition, the Review understands that:

... Interventions need to be short enough to be practical, but long and intensive enough to be effective ... The evidence is that very short programs, e.g. of one hour only, are ineffective.<sup>69</sup>

The delivery of an education program should be done by an external expert in gender relations, sexual ethics and healthy and respectful relationships, in collaboration with ADFA. This approach will allow for a specific and targeted program to be developed that will have maximum impact with cadets. Where possible, education specifically delivered to male-only cadets, should be undertaken by a male educator who, among other things, can act as a positive role model for men. One-off, 'add on' programs have limited value. Those that are embedded into existing education and support process, based on the themes that underpin overall organisational values, practice and policy, will have greater benefits.

In summary, issues surrounding gender relations are not fully understood in the cadet body. Some staff can give inconsistent messages around what is unacceptable behaviour. Similarly, the impact of sexualised activities and sexual behaviour are neither well understood nor grounded in an appropriate ethical framework for the cadet body.



## Recommendation

**22. ADFA, in collaboration with an expert educator, provide cadets with interactive education on:**

- a) respectful and healthy relationships, and sexual ethics
- b) the meaning, inappropriateness and impact of sexist language and sexual harassment
- c) the meaning of consent
- d) the appropriate use of technology
- e) stalking, controlling and threatening behaviours

**and evaluate the effectiveness of this education every two years with an external evaluator and assess it against key indicators that measure attitudinal and behaviour change.**

Training on complaint policies and procedures should be tailored to the different roles, skills and level of responsibility of different groups within ADFA, including new cadets, more senior cadets, designated contact/complaint officers (Equity and Diversity) and the chain of command.

An inability to effectively manage complaint processes undermines their integrity and acts as a significant potential barrier to reporting of complaints or incidents of sexual harassment, abuse, assault or discrimination.

Accordingly, training delivered to all ADFA staff that may be involved in or responsible for handling complaints, or managing cadets after an inquiry into a complaint or incident, should help them develop:

- a thorough understanding of how findings are made in relation to complaints
- skills in how to implement findings and outcomes of a complaint inquiry or resolution.

A lack of clarity for those handling or managing the investigation and/or resolution of complaints or incidents can lead to inappropriate outcomes or a delay in implementing procedures. A flow chart tool could be developed to provide an over-arching, simple guide on how the key Instructions and Academy Standing Operating Procedures work together, along with some practical hypothetical examples. This would support management in conducting complaint processes and maximise the effectiveness of the existing policy framework.

The flow chart tool could be incorporated as appropriate into the different training modules delivered to ADFA cadets, Equity and Diversity Officers and staff on making and responding to complaints of unacceptable conduct, including complaints of sexual harassment and abuse and sex discrimination.

There is a focus in the culture of ADFA on cadets seeking to deal with issues at the 'lowest possible level' by 'self resolution' and 'supported self resolution'. It also appears there can be a lack of understanding of what constitutes a 'complaint' by applying an 'informal' versus 'formal' distinction.

The appropriate exercise of discretion by commanders, managers and Inquiry Officers when a complaint is initially received – including identifying resolution options appropriate to the nature and circumstances of the complaint, and the obligation to take action and report on actions and resolution – should form a key element of the training delivered to those responsible for responding to and/or managing complaints.

### Recommendation

**23. ADFA review the training on making complaints of unacceptable behaviour (including sexual harassment and abuse and sex discrimination), with specific attention to creating specific modules tailored to different groups within ADFA – namely first-year cadets, more senior cadets and staff – to reflect their different responsibilities in relation to complaint/incident reporting, response and management.**

## 4.9 Minimising risk and managing incidents: advice and referral

ADFA has a number of complaints policies and mechanisms and the Review considers that the policy framework is sound. Some cadets have a good knowledge of the formal complaints making processes through Equity Advisers and padres.<sup>70</sup> Others indicated that while they were satisfied with the complaints process, they were unsure about the outcomes of the process. They also considered that ‘personalities’ – that is, who a complaint was brought to – had an impact on the outcome.<sup>71</sup>

Equity Advisers told the Review that no complaints had been brought to them during 2011.

Despite awareness of the complaints process and a sound policy framework, the process is cumbersome and can be inconsistently applied. A total of 18 separate avenues for complaints were identified. A number of confidential submissions and interviews also indicated deficiencies in the complaints processes. As discussed in the Report, while cadets might be aware of the processes, they can also be ostracised, stigmatised or victimised for lodging a complaint.

A mechanism to overcome the issues that currently compromise ADFA’s complaint system is to establish a dedicated confidential toll-free advice hotline that is easily accessible and can refer cadets to appropriate internal and external supports and services. Staff could also access the line to seek advice about referral options for cadets who may have sought assistance from them. The hotline should be staffed by expert operators and operate 24 hours a day, seven days a week.

In establishing the hotline, ADFA should draw on the protocols and policies of the Army’s *Fair Go* Hotline. This service allows Army personnel to raise previously unreported incidents of unacceptable behaviour, including bullying, harassment, victimisation, verbal abuse or assault. Callers can remain anonymous and the chain of command is only advised of the call with the express permission of the caller, unless the caller discloses information that the operator is obliged to report. Issues reported to the *Fair Go* Hotline are investigated and necessary action taken.

In summary, ADFA needs a dedicated, simplified confidential advice line that is easily accessible and has the ability to refer cadets and staff to appropriate internal and external supports and services.

## Recommendation

**24. ADFA establish and promote a dedicated, ADFA-specific, 24 hour, seven day, toll-free hotline for all cadets, staff, families and sponsor families. The expert operators will provide advice and referral about the most appropriate mechanism or service (ADFA, ADF or external) to deal with the complaint. In establishing the line, ADFA should draw on the protocols and policies of the *Army Fair Go* Hotline.**

## 4.10 Minimising risk and managing incidents: data

The survey tools currently used to gauge cadets' experiences of, and attitudes towards, unacceptable behaviour are methodologically flawed and inconsistently applied. Appendix D outlines some of the methodological concerns that the DSPPR has raised about the Unacceptable Behaviour Survey as currently administered. Further, recently administered unacceptable behaviour survey reports have rarely been published, and there is no set process for instigating an organisational response to findings.

ADFA should address this by redesigning and annually administering its survey in order to accurately record experiences of, and attitudes towards, unacceptable behaviour.

Following the Australian Defence Association's suggestion that the ADF conduct more surveys and be 'open about the findings and what the Defence Force intends to do about them', ADFA should transmit the results of its annual Unacceptable Behaviour Survey to cadets and staff.<sup>72</sup> It should also use the results to develop a transparent strategic organisational response.

In summary, data on experiences of, and attitudes towards, unacceptable behaviour is patchy and difficult to access. The Review found no strategic response to the results of the Unacceptable Behaviour Surveys had been prepared over previous years.

## Recommendation

**25. ADFA develop and annually administer a survey in order to more accurately measure the level of sexual harassment and sexual abuse among cadets. This survey should be followed up with a strategic organisational response by the Commandant, with feedback provided to cadets and staff to ensure that they have an investment in any reform arising from the survey results.**

There is evidence that the challenges and problems surrounding unacceptable behaviour confronting ADFA also exist in other universities and residential colleges. This suggestion is supported by the 2011 National Union of Students Safe Universities Blueprint and researchers working in the sector.<sup>73</sup>

ADFA should develop its Unacceptable Behaviour Survey in consultation with other Group of Eight Universities' Residential Colleges and Halls. This would demonstrate that ADFA is taking national leadership on the issue of unacceptable behaviour and using the challenges that it has faced in the recent past to achieve a wider, socially positive outcome.

In addition to creating a tool which could be used by the tertiary education sector to identify and address issues of gender equity, collaboration would be beneficial to ADFA and allow it to benchmark against comparable institutions.

### Recommendation

**26. To provide meaningful comparisons, ADFA develop this survey in consultation with other Group of Eight Universities' Residential Colleges and Halls, applicable to cadets as both military in training and university students. ADFA should consider including other single service training establishments in the development of this survey.**

In order to appropriately and effectively manage incidents of unacceptable sexual behaviour, it is essential that ADFA have a well-maintained online database that records all reported incidents of inappropriate sexual behaviour.

The 2007 Ombudsman Report supported the ADF's stated intention at that time to develop a single, online database to record details of complaints of unacceptable behaviour.<sup>74</sup> It does not appear that this database has yet been created. Paper-based filing and reporting systems continue to be used. The Review endorses the creation of an online database at ADFA to record and manage individual complaints (as well as other data, discussed below).

The 2007 Ombudsman Report identified the key functions that the online system/database should provide, including allowing all relevant records to be easily accessible to those with a need to know; protecting the privacy of the individuals involved; including pro formas for records of conversations; including timeliness alerts for particular actions or updates; facilitating the movement of records from one unit to another or referral to a different delegate or a different location.<sup>75</sup>

Given the need to address incidents of unacceptable behaviour at ADFA, there is a need for a system incorporating these elements to be developed as a priority.

### Recommendation

**27. In order to record, track and manage complaints and incidents, ADFA develop and maintain, through the ADF information system, a comprehensive, accurate and up-to-date online database. This database should identify all relevant information relating to individual complaints and incidents of unacceptable conduct, including sexual harassment, abuse and assault and sex discrimination, including:**

- a) name of complainant(s)
- b) name of respondent(s)
- c) date, details and nature of complaint/incident
- d) all steps taken in responding to and managing the complaint/incident, including the Quick Assessment Brief and all other documentation and reports required under the relevant Instruction (e.g. reports to Defence Fairness and Resolution)
- e) response/resolution option adopted
- f) timeframe to resolution/closure
- g) feedback from complainant(s) and respondent(s)
- h) any further issues arising from monitoring the implementation of the response/resolution.

The 2007 Ombudsman Report noted an absence of a quality assurance process to identify record keeping deficiencies in complaint management processes.<sup>76</sup> It recommended that Defence consider implementing quality assurance mechanisms for recordkeeping and reporting to ensure that standards are being met.<sup>77</sup> This Review did not see any formal quality assurance processes in relation to ADFA record keeping that would identify deficiencies in complaint management processes.<sup>78</sup> The only quality/audit function currently undertaken is by the IGADF, as part of the three-yearly Military Justice Performance Audits. While highly valuable, these audits are not frequent enough given the nature of the issues involved at ADFA.

### Recommendation

- 28. Reports from this database are to be reviewed by the Commandant on a monthly basis to ensure timely and appropriate actions. The Commandant should also report monthly to the Commander, Australian Defence College, on incidents, trends and identifiable concerns arising from the data.**
- 29. In order that standards of reporting, recording and resolving incidents are properly met, ADFA should ensure the database undergoes annual quality assurance testing to determine:**
  - a) whether all complaints and incidents are being entered on the database and all required fields in the database are adequately completed**
  - b) whether the record keeping and reporting standards in the Management and Reporting of Unacceptable Behaviour, Management and Reporting of Sexual Offences (including Forms AC 875-1 – AC 875-3) and Quick Assessment Instructions are being met in relation to all individual complaints of unacceptable behaviour or sexual offences.**

## 4.11 Minimising risk and managing incidents: injury, health and wellbeing

Female cadets experience injuries at a greater rate than their male counterparts. While women make up around 20% of the cadet body, ADFA statistics indicate that female cadets have suffered one third of all injuries since 2006. From the data available to the Review, a significant proportion of these injuries appear to be related to physical training, work and other training activities undertaken by cadets.<sup>79</sup> These injury rates are of concern.

ADFA, and the ADF more generally, has mechanisms in place to address injuries and illness. However, the Review heard evidence that among some ADFA staff there is limited understanding of, or sensitivity to, the fact that women are physiologically different to men and may experience different health or physical concerns. There is also a perception among some staff that female cadets are more likely to try to avoid training.

It is concerning that there can be a significant stigma attached to being injured or unwell (the 'sick parade'). Particularly in cases where an injury or illness is not visible to others, cadets may be viewed as 'faking' their condition to get out of physical training or other commitments. This can result in ostracism and victimisation of the affected cadets. Given their higher rates of injury, this can particularly impact on female cadets.

There is also a need for ADFA to actively explore ways of promoting health and wellbeing, including examining best practice in comparable residential settings.

In summary, women have different health needs and physical capacity to men. This difference is often not well understood and can be interpreted as being a weakness. As a proportion of the ADFA population, injuries are more frequent among female cadets than male cadets.

### Recommendation

**30. ADFA undertake a detailed evaluation to determine whether female cadets are more likely to become injured than male cadets and, if so, identify the causes and additional mechanisms to be put in place to manage this risk. Following this evaluation, strategies should be developed to:**

- a) improve injury and health management**
- b) actively promote health and wellbeing with reference to best practice in comparable residential settings**
- c) recognise the physical capabilities of individuals commensurate with their respective roles**
- d) eliminate stigma associated with medical restrictions.**

Cadets may face barriers in seeking assistance or reporting incidents of unacceptable behaviour. These include a lack of encouragement from peers (particularly in the context of pressure to keep issues 'in house' and not to 'go jack on your mates') and the potential for negative reactions and repercussions, such as not being believed or facing a 'backlash from the rumour mill'.<sup>80</sup>

ADFA offers support services for cadets, including psychologists, padres and Equity and Diversity Advisors. However, cadets may not choose to use these services due to, among other things, concerns about whether the issue will be recorded on their personnel file.<sup>81</sup>

To address these concerns and to ensure that cadets have appropriate support when they need it, the Review considers it important that cadets have access to support services outside ADFA, in addition to those provided by ADFA and the ADF.

In summary, seeking support for sensitive health and wellbeing issues, and/or reporting and seeking support for personal or sexual abuse, can be difficult for midshipmen and cadets who live and work closely with their peers and colleagues. In addition, personal or sexual abuse can carry a feeling of shame and stigma, a fear of ostracism and victimisation and a perception that a complaint may not be dealt with adequately or confidentially by ADFA and the ADF.

## Recommendation

- 31. In order to provide cadets with a range of support options regarding health and wellbeing, sexual or personal abuse and violence, ADFA:**
- a) provide and/or display in plain view in residential and academic premises, information on key internal and external support services to cadets, including but not limited to the proposed ADFA Toll-free hotline (rec. 24), Women's Health Services, Mensline, the Rape Crisis Centre, Lifeline and drug and alcohol counselling**
  - b) develop partnerships with key external service providers, including those that are predominantly utilised by women, to ensure that ADFA provides a holistic response to cadets' health, wellbeing and safety needs.**

## 4.12 Implementation of the Review's recommendations

The Review is aware of multiple previous reviews of ADFA and the range of recommendations that have been made.<sup>82</sup> Many of the issues raised in this Report have been highlighted by previous reviews and have been on ADFA's agenda for some time. Progress has been made on some recommendations, but others have been slow to advance.

The Commissioner's message at the beginning of this Report indicates that changes arising from this Review require a reflective approach. A fundamental and strategic cultural shift is required to achieve gender equality at ADFA, to ensure women's safety and to prevent sexual harassment, abuse and sex discrimination. Achieving these outcomes does not lend itself to a compliance-based, checklist methodology.

Successful implementation will require a clear focus on outcomes, an unequivocal commitment to change and access to specialist skills and expertise.

In accordance with the Review's Terms of Reference, 12 months after the release of this Report a further independent report is to be prepared which will:

- audit the implementation of the recommendations in this Report, and
- make any further recommendations necessary to advance the treatment of women at ADFA.

At that time, the impact of any further proven incidents will be examined to ascertain whether changes are needed.

- 1 The Canadian Forces are regarded as a benchmark, despite having achieved only 15.1% by 2009, see Canadian Forces, *Canadian Forces 2009 National Report to the Committee for Women in NATO forces* (2009), p 2. At [www.nato.int/issues/women\\_nato/meeting-records/2009/national-reports/canada-national-report-2009.pdf](http://www.nato.int/issues/women_nato/meeting-records/2009/national-reports/canada-national-report-2009.pdf) (viewed 23 August 2011). In 2009, the representation of women in the Dutch Defence Force stood at only 9%, despite a concerted effort to recruit women, see E Jansen, WO=MEN, Dutch Gender Platform, *UNSCR 1325 In-country monitoring report – The Netherlands*, Global Network of Women Peace-builders (October 2010), p 15. At [www.wo-men.nl/cms/wp-content/uploads/2011/05/UNSCR-1325-monitoring-report-The-Netherlands-20101.pdf](http://www.wo-men.nl/cms/wp-content/uploads/2011/05/UNSCR-1325-monitoring-report-The-Netherlands-20101.pdf) (viewed 26 June 2011). The Dutch Ministry of Defence has identified retention as potentially more important to increasing the representation of women, see: R Moelker and J Bolch, *Hidden Women: Women in the Netherlands Armed Forces*, Publications of the Faculty of Military Science, No. 2008/01, Netherlands Defence Academy (2008). At [hbo-kennisbank.uvt.nl/cgi/nda/show.cgi?fid=1721](http://hbo-kennisbank.uvt.nl/cgi/nda/show.cgi?fid=1721) (viewed 15 July 2011); E van den Heuvel and M Meijer, *Gender Force in the Netherlands Armed Forces* (Paper presented at the RTO Human Factors and Medicine Panel (HFM) Symposium, Antalya, Turkey, 13-15 October 2008), p 2. At [www.docstoc.com/docs/75589982/Gender-Force-in-the-Netherlands-Armed-Forces](http://www.docstoc.com/docs/75589982/Gender-Force-in-the-Netherlands-Armed-Forces) (viewed 23 August 2011).
- 2 KA Scott, *Universal or gender-specific? Exploring military leadership from a subordinate perspective*, Technical Report, DRDC Toronto TR 2003-121 (October 2003). At [pubs.drdc.gc.ca/PDFS/unc57/p521079.pdf](http://pubs.drdc.gc.ca/PDFS/unc57/p521079.pdf) (viewed 6 June 2011).
- 3 E van den Heuvel, note 1, pp 2-6.
- 4 For example, the UK Chief of the General Staff's Equality and Diversity Directive for the Army clearly notes that 'the Army defines the notion of diversity as something that explicitly recognises differences. People are valued for their differences and feel valued.' See United Kingdom Ministry of Defence, *Chief of the General Staff's Equality and Diversity Directive for the Army*, Army Code 64340 (April 2008), p 3. At [www.army.mod.uk/documents/general/CGS\\_ED\\_Directive-Apr\\_08.pdf](http://www.army.mod.uk/documents/general/CGS_ED_Directive-Apr_08.pdf) (viewed 23 August 2011).
- 5 United Kingdom Ministry of Defence, above, at p 1 states: 'The Army views Equality and Diversity as critical components in the generation and maintenance of Operational Effectiveness, and not for reasons of political correctness.' Similarly, US Secretary of Defense, Robert M Gates, describes sexual assault as something that 'not only does unconscionable harm to the victim; it destabilises the workplace and threatens national security', see: USA Department of Defense, *Department of Defense Annual Report on Sexual Assault in the Military, Fiscal Year 2010* (March 2011) Introduction, p 1. At [www.sapr.mil/media/pdf/reports/DoD\\_Fiscal\\_Year\\_2010\\_Annual\\_Report\\_on\\_Sexual\\_Assault\\_in\\_the\\_Military.pdf](http://www.sapr.mil/media/pdf/reports/DoD_Fiscal_Year_2010_Annual_Report_on_Sexual_Assault_in_the_Military.pdf) (viewed 23 August 2011).
- 6 See generally KA Scott, note 2.
- 7 Effective leadership and organisational climate have been noted as the strongest predictors of whether or not sexual harassment will occur in a unit: RN Lipari and AR Lancaster, *Armed Forces 2002 Sexual Harassment Survey*, DMDC Report No. 2003-026 (November 2003), p vi. At [www.defense.gov/news/Feb2004/d20040227shs1.pdf](http://www.defense.gov/news/Feb2004/d20040227shs1.pdf) (viewed 7 September 2011).
- 8 AR Febraro, *Women, leadership and gender integration in the Canadian combat arms: A qualitative study*, Technical Report DRDC Toronto TR 2003-170 (December 2003). At <http://pubs.drdc.gc.ca/PDFS/unc31/p521088.pdf> (viewed 20 June 2011).
- 9 Canada National Defence, *Harassment Prevention and Resolution Guidelines*, A-PM-007-000/FP-001 (2004). At [www.cfpsa.com/en/corporate/Services/hrservices/HumanRights/PDF/Harassment%20Prevention%20and%20Resolution%20GuidelinesMay%2007.pdf](http://www.cfpsa.com/en/corporate/Services/hrservices/HumanRights/PDF/Harassment%20Prevention%20and%20Resolution%20GuidelinesMay%2007.pdf) (viewed 7 September 2011); Canada National Defence, *Harassment Advisor Reference Manual* (2005). For similarly clear processes see also United Kingdom Ministry of Defence, *United Kingdom Tri Service Policy on Domestic Abuse and Sexual Violence*, Joint Service Publication 913, provided to the Review by RMAS, 28 July 2011.
- 10 New Zealand Ministry of Defence, *NZDF Guide – Mediation & Investigation*, provided to the Review by the NZDF.
- 11 The Office of the Assistant Secretary of the Air Force, *Report Concerning the Assessment of USAF Sexual Assault Prevention and Response* (2004), p 10. At [www.dtic.mil/dacowits/agendadoc/USAF\\_Sexual\\_Assault\\_p\\_r.pdf](http://www.dtic.mil/dacowits/agendadoc/USAF_Sexual_Assault_p_r.pdf) (viewed 23 August 2011). Meanwhile, the UK's Ministry of Defence, *Basically Fair – Respect for Others in the British Army*, AC 64325, Edition 4 (October 2008) and the US's Sexual Assault Prevention and Response Office campaign 'Hurts One. Affects All' use succinct and pithy language to make the link between equity and operational effectiveness.
- 12 P Kime, 'DOD Survey: Sex Assault Reports Decline in 2010', *Air Force Times*, 11 July 2011, p 10.
- 13 See generally USA Department of Defense, note 5. Similarly, New Zealand Ministry of Defence, *NZDF Policies and Practices Relating to Physical, Sexual and Other Abuses*, Report No. 9/2005 (2005) notes that, despite a suite of strong policy and processes, gaps in measurement and monitoring arrangements can detract from a Defence Force's capacity to be confident of their effectiveness.



- .....
- 14 Diversity Surveys across the Canadian Forces continue to indicate that, while behaviours have become more inclusive, attitudes lag behind. K Davis, *Gender Neutrality & Sexual Difference: Limits to Cultural Intelligence in the Canadian Forces*, Defence Research and Development Canada, RTO-MP-HFM-158. At [www.rta.nato.int/Pubs/RDP.asp?RDP=RTO-MP-HFM-158](http://www.rta.nato.int/Pubs/RDP.asp?RDP=RTO-MP-HFM-158) (viewed 23 August 2011), pp 1-6. See also K Davis (ed), *Women and Leadership in the Canadian Forces: Perspectives and Experiences* (2009).
  - 15 An internal brief by Dr Alan Okros, Canadian Forces College, to the Commandant of RMC Kingston was provided to this Review in which it is argued that awareness raising and changes to cadet culture are likely to have a more enduring impact than any formal policy reform. See also N Blake, *The Deepcut Review: A review of the circumstances surrounding the deaths of four soldiers at Princess Royal Barracks, Deepcut, between 1995 and 2002* (29 March 2006) for comprehensive discussion regarding the culture in which young trainees often find themselves.
  - 16 A survey of cadets at the Netherlands Defense Academy, for example, found that support for the full integration of women into the armed forces dropped significantly among male cadets from first to fourth year, while attitudes of female cadets remained roughly the same: R Moelker, note 1, p 53.
  - 17 Confidential interview.
  - 18 Confidential interview.
  - 19 Confidential interview.
  - 20 Confidential interview.
  - 21 Meeting with Australian Defence College Advisory Board, 29 July 2011.
  - 22 Confidential interview.
  - 23 Confidential interview.
  - 24 Department of Defence, *Defending Australia in the Asia Pacific Century: Force 2030*, Defence White Paper 2009 (2009), p 113. At [www.defence.gov.au/whitepaper/docs/defence\\_white\\_paper\\_2009.pdf](http://www.defence.gov.au/whitepaper/docs/defence_white_paper_2009.pdf) (viewed 23 August 2011).
  - 25 Department of Defence, *Defence Cultural Diversity Awareness Training Package*. At [www.defence.gov.au/fr/education/CulturalDiversityatWork\\_files/frame.htm](http://www.defence.gov.au/fr/education/CulturalDiversityatWork_files/frame.htm) (viewed 23 August 2011).
  - 26 Australian Bureau of Statistics, 'Labour Force Status by Sex – Seasonally adjusted', *Labour Force, Australia, July 2011*, cat no 6202, Table 02. At [www.abs.gov.au/AUSSTATS/abs@.nsf/DetailsPage/6202.0Jul%202011?OpenDocument](http://www.abs.gov.au/AUSSTATS/abs@.nsf/DetailsPage/6202.0Jul%202011?OpenDocument) (viewed 6 September 2011).
  - 27 Department of Defence, *Quarterly Defence Workforce Outlook: 28 March 2011* (2011).
  - 28 Confidential submission 20.
  - 29 This model is one recommended by McKinsey & Company: J Barsh, *Unlocking the full potential of women in the US economy* (2011), [www.mckinsey.com/client\\_service/organization/latest\\_thinking/unlocking\\_the\\_full\\_potential.aspx](http://www.mckinsey.com/client_service/organization/latest_thinking/unlocking_the_full_potential.aspx) (viewed 13 September 2011).
  - 30 RADM J Goldrick, Commander Australian Defence College, *Directive by Commander Australian Defence College to the Commandant Australian Defence Force Academy*, 1 July 2010, p 1.
  - 31 CDRE BJ Kafer, 'Commandant's Philosophy' (2011), provided to the Review.
  - 32 Public submission COL Petersen.
  - 33 Confidential interview.
  - 34 Cadet focus group.
  - 35 Confidential submission 18.
  - 36 Staff focus group.
  - 37 Confidential submission 19.
  - 38 Staff focus group.
  - 39 Staff focus group.
  - 40 Public submission COL Petersen.
  - 41 CDRE BJ Kafer, *Report of the Review of the Australian Defence Force Academy Military Organisation and Culture*, ADFA 2010/1104615/1 (2010), p 32.
  - 42 D Durrington in LT COL N Fox, Email to Review, 23 August 2011.
  - 43 Confidential interview.
  - 44 Confidential submission 19.
  - 45 Confidential interview.
  - 46 See, for example, T Kinni, *The Art of Appreciative Inquiry*, Harvard Business School (22 September 2003). At <http://hbswk.hbs.edu/archive/3684.html> (viewed 19 August 2011).
  - 47 Confidential submission 18.
  - 48 Confidential submission 19.
  - 49 Confidential interview.
  - 50 Staff focus group.
  - 51 Confidential submission 9.
  - 52 Confidential interview.

- 53 Confidential submission 18.
- 54 Public submission LEUT Parker.
- 55 Confidential interview.
- 56 Staff focus group.
- 57 Agora is a recently established cadet representative committee made up of nine members. Its positions are appointed by the Commandant. Though fairly new, it is designed to provide additional leadership opportunities for cadets and facilitate communication between cadets and senior staff.
- 58 Staff focus group.
- 59 Independent Advisory Panel on Alcohol, draft *Report to Minister for Defence and Chief of Defence Force* (8 August 2011) pp 45-46.
- 60 Australian Bureau of Statistics, 'Risk Taking by Young People', *Australian Social Trends*, cat no 4120.0 (2008), [www.abs.gov.au/AUSSTATS/abs@.nsf/Lookup/4102.0Chapter5002008](http://www.abs.gov.au/AUSSTATS/abs@.nsf/Lookup/4102.0Chapter5002008) (viewed 26 August 2011); J Norris, 'The Relationship Between Alcohol Consumption and Sexual Victimization' (2008) *VAWnet: The National Online Resource Center on Violence Against Women*, pp 1-13. At [www.vawnet.org/Assoc\\_Files\\_VAWnet/AR\\_Alcvictimization.pdf](http://www.vawnet.org/Assoc_Files_VAWnet/AR_Alcvictimization.pdf) (viewed 26 August 2011); A Morgan and A McAtamney, 'Key Issues in alcohol-related violence' (2009) 4 *Research in Practice* 1, pp 1-8. At [www.aic.gov.au/publications/current%20series/rip/1-10/04.aspx](http://www.aic.gov.au/publications/current%20series/rip/1-10/04.aspx) (viewed 6 September 2011); T Stockwell, R McLeod, M Stevens, M Phillips, M Webb and G Jelinek, 'Alcohol consumption, setting, gender and activity as predictors of injury: a population-based case-control study' (2002) 63(3) *Journal of Studies on Alcohol* 372, pp 372-379. At [espace.library.curtin.edu.au/R?func=search-simple-go&ADJACENT=Y&REQUEST=EPR-152](http://espace.library.curtin.edu.au/R?func=search-simple-go&ADJACENT=Y&REQUEST=EPR-152) (viewed 6 September 2011); National Health and Medical Research Council, *Alcohol and health in Australia*, [www.nhmrc.gov.au/your-health/alcohol-guidelines/alcohol-and-health-australia](http://www.nhmrc.gov.au/your-health/alcohol-guidelines/alcohol-and-health-australia) (viewed 6 April 2011).
- 61 M Kuo, H Weschler, P Greenberg and H Lee, 'The marketing of alcohol to college students: The role of low prices and special promotions' (2003) 25(3) *American Journal of Preventive Medicine* 204-211.
- 62 Public submission Burnham.
- 63 Confidential submission 19.
- 64 Public submission COL Petersen.
- 65 Confidential interview.
- 66 N Funnell, Interview, 8 August 2011.
- 67 VicHealth, *Preventing violence before it occurs: A framework and background paper to guide the primary prevention of violence against women in Victoria* (2007), pp 35, 58. At <http://www.vichealth.vic.gov.au/Publications/Freedom-from-violence/Preventing-violence-before-it-occurs.aspx> (viewed 6 September 2011).
- 68 VicHealth describes 'primary prevention' as 'Primary prevention strategies seek to prevent violence before it occurs. Interventions can be delivered to the whole population (universal) or to particular groups that are at higher risk of using or experiencing violence in the future (targeted or selective). Some primary prevention strategies focus on changing behaviour and/or building the knowledge and skills of individuals. However, the structural, cultural and societal contexts in which violence occurs are also very important targets for primary prevention. Strategies that do not have a particular focus on violence against women but address its underlying causes (such as gender inequality and poverty) are also primary prevention strategies.' VicHealth, above.
- 69 M Flood, 'Changing Men: Best Practice in Sexual Violence Education' (2005-2006) 18 *Women Against Violence* 26, p 29.
- 70 Cadet focus group.
- 71 Cadet focus group.
- 72 Australian Defence Association, *Defence Brief*, No 144 (June 2011). At [www.ada.asn.au/defence\\_brief/Brief144\(June2011\).pdf](http://www.ada.asn.au/defence_brief/Brief144(June2011).pdf) (viewed 23 August 2011).
- 73 National Union of Students, *Safe universities Blueprint: Talk About It Survey Results and Recommendations*, 2011; N Funnell, 'Claims on uni rape need proper research,' *Sydney Morning Herald*, 17 June 2011, at <http://www.smh.com.au/opinion/society-and-culture/claims-on-uni-rape-need-proper-research-20110616-1g5t1.html>, viewed 17 June 2011
- 74 Acting Commonwealth and Defence Force Ombudsman, *Australian Defence Force: Management of Complaints about Unacceptable Behaviour*, Report No 04 (2007), para 2.69.
- 75 Acting Commonwealth and Defence Force Ombudsman, above, para 2.70.
- 76 Acting Commonwealth and Defence Force Ombudsman, above, para 2.65.
- 77 Acting Commonwealth and Defence Force Ombudsman, above, page 22.
- 78 Acting Commonwealth and Defence Force Ombudsman, above, para 2.65.
- 79 'ADFA AC 563 summary for period 2006 – 2011' provided by LTCOL Fox, 22 September 2011.
- 80 Public submission Brooks.
- 81 Staff focus group.
- 82 Confidential interview.

# Appendix A – Brief Description of ADFA

## Stated purpose of ADFA

ADFA is one of the ADF's training establishments.

Its stated purpose is to:

- provide military education and training for midshipmen and officer cadets for the purpose of developing their professional abilities and the qualities of character that are appropriate to officers of the Defence Force
- provide midshipmen and officer cadets with a balanced and liberal university education within a joint military environment.<sup>1</sup>

It is the only tri-Service military establishment in Australia.

## Overview of ADFA's history

In 1959, investigations began into the desirability and feasibility of integrating training for the three parts of the Australian Defence Force: the Navy, Army and Air Force. A specific plan was formalised in 1970 and in July 1977 the Australian Government agreed to establish ADFA in Canberra, adjacent to the Royal Military College, Duntroon.

In May 1981, the Australian Government and the University of New South Wales (UNSW) signed an agreement that UNSW would establish a College within the Australian Defence Force Academy.

ADFA began providing undergraduate education and military training to cadets in 1986.

Since 2001, ADFA has been placed within the Australian Defence College (ADC) command. The Commander, ADC, is also responsible for the command of the Centre for Defence and Strategic Studies and the Australian Command and Staff College, in addition to the Capability and Technology Management College (also located at ADFA), the Centre for Defence Leadership and Ethics (located at ADFA), the Defence International Training Centre (in Melbourne), the Defence College Chaplains College (near Albury but under direct command of Commandant ADFA) and the Joint Warfare, Doctrine and Training Centre (at Williamstown near Newcastle). Australia's Federation Guard is located at ADFA and is under the command of the Commandant of ADFA.

In 2009, the Australian Government and UNSW entered into a renewal of their agreement which extends the contractual agreement to 2023.<sup>2</sup>

## Military college and academic institution

ADFA is both a military college and academic institution. Through its agreement with UNSW, it provides cadets with an opportunity to gain an undergraduate university degree, while also undertaking military training with the ADF. Prospective cadets must apply to both UNSW and the ADF for admission to ADFA.

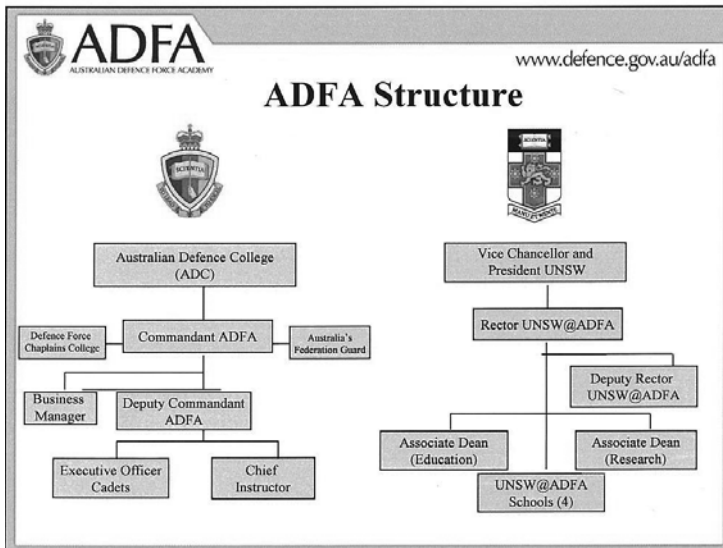
Cadets may choose from three- and four-year undergraduate university degree programs in Arts, Business, Science, Engineering and Information Technology. Cadets must complete an entire three-year undergraduate program, or three years of a four-year undergraduate program. There are very few undergraduate civilian students at ADFA; of 1030 undergraduate students at UNSW@ADFA, only six are civilians.<sup>3</sup> Of UNSW@ADFA's 1568 postgraduate students, 684 are civilians.<sup>4</sup>

Cadets must complete Academy Military Education and Training (AMET). This is undertaken each year and covers topics such as leadership, military communication, equity and diversity, military law, physical and recreational training and weapon training. Its framework has three key components: military skills (foundation military skills training), leadership philosophy (aimed at developing the character of cadets through theory lessons, practical exercises and experiential opportunities) and defence studies philosophy (the purpose of which is to develop an understanding of and pride in ADF history, customs and traditions).

AMET is an evolving program and its content is the result of input from a range of staff members over time. The AMET program development has also experienced problems with development and delivery due to staff shortages or frequency of staff turnover. Prior to 2009, the Chief Instructor had been filled only on 12 months tenures and the Officer Commanding Training and Management Section position had been vacant for a period of time. Since 2009, work has been undertaken to stabilise, document and provide a framework for the AMET Program. The Review recognises that there is current development work in progress which is in the conceptual stage only. Staff selection, adequate staffing and tenure stability will ensure that the AMET Program is able to be developed, delivered, assessed and adjusted to achieve the ADFA stated purpose.<sup>5</sup>

Cadets also undertake 'single service training' (SST), which is outlined below.

## Structure of ADFA<sup>6</sup>



## Tri-Service

As a tri-Service institution, ADFA offers training to cadets from the Army, Navy and Air Force. Of the 1071 cadets attending ADFA in April 2011, 503 (47%) were members of the Army, 358 (33.4%) were from the Air Force and 172 (16.1%) midshipmen were part of the Navy.<sup>7</sup>

In addition to the academic studies and AMET outlined above, cadets must undertake SST. This generally occurs in blocks at the beginning, middle and end of each year.<sup>8</sup> This training is undertaken at various locations, depending on the service and the nature of the training. For example, Army cadets may undertake SST at RMC Duntroon and other army locations; Navy cadets at shore establishments and on ships; and Air Force cadets at Sale, Victoria.<sup>9</sup>

## Pathways into/out of ADFA

The majority of cadets enter ADFA directly following school or a 'gap year'.

All Navy midshipmen complete the Navy Officer Year One Program (NOYO) prior to commencing at ADFA. The first part of NOYO, the New Entrant Officer Course (NEOC), is a 22-week induction course which teaches cadets basic mariner and military skills. Following NEOC, midshipmen undertake further training throughout the fleet, the nature of which depends on the primary qualification that they will study at ADFA.

Following ADFA's three-year program, most cadets (Navy, Army and Air Force) undertake further training with their own service. For cadets from the Army, this involves training at RMC Duntroon. Cadets from the Navy and Air Force complete specialisation training. Cadets studying four-year engineering degrees remain at ADFA for a fourth year to complete their qualification. During this fourth year, they are part of the 'advanced student squadron'.

## Demographics

In April 2011, a total of 1071 cadets were attending ADFA. Cadets at ADFA are generally aged between 17-23 years old and the average age of first-year cadets is 18 years.<sup>10</sup>

The vast majority of cadets come to ADFA from New South Wales (27%) and Queensland (26%), followed by Victoria (17%). Approximately two-thirds of cadets were living in a metropolitan centre before attending ADFA, with the remaining third coming from country/rural areas.

Prior to attending ADFA, 53% of cadets attended a private school and 41% attended a public/state school. Previous surveys of first-year cadets have found that around three quarters attended co-educational schools and the vast majority had been day students rather than boarders.<sup>11</sup>

All ADFA cadets are paid a salary package between \$35,661 and \$50,344 per year. Cadets do not have to pay tuition fees and the cost of most textbooks is covered.

## Women's presence

Of the 1071 cadets attending ADFA in April 2011, 225 were women (21% of the total cadet population). This figure has remained broadly constant over the past six years, with women cadets making up between 21-22% of the total cadet population, with the exception of 2010 (28%). There were also higher intakes of female cadets in 2002 (36%) and 2003 (28%).

In 2011, of the full-time permanent 105 military staff positions at ADFA, 14 were filled by women (approximately 13%). This represents a low over the past four years, as the male to female military staff ratio at ADFA has remained relatively static in the preceding three year period 2008-2010 at 17%, 19% and 18% respectively.<sup>12</sup>

Over the past five years, the senior leadership roles at ADFA were largely occupied by men. Of the four executive positions (Commandant, Deputy Commandant, Executive Officer and Chief Instructor) within the organisation, a woman has held the position of Commandant once (2009) and there was a female Chief Instructor at ADFA in 2009 and 2010.<sup>13</sup>

At the next management level of Officer Commanding and Divisional Officer, representation of women has been much greater: 81% and 35% respectively over the last five years. On the data available for this period, however, ADFA has not had a female Academy Sergeant Major or a Squadron Sergeant Major. Around 14% of Divisional Senior Non-Commissioned Officers have been females, notably lower than the 21% female cadet population.<sup>14</sup>

According to figures from the Defence Census 2007, the rank of Officer Cadets had the highest percentage of females of all the rank bands. In contrast, commissioned and non-commissioned officers had the highest percentage of males: 92% for Senior Officers and 90% for Senior Non-Commissioned Officers/Warrant Officers.<sup>15</sup>

### Senior staff positions at ADFA by gender

Position	M/F	2007	2008	2009	2010	2011	Total
Commandant	M	1	1	0	1	1	4
	F	0	0	1	0	0	1
Deputy Commandant	M	1	1	1	1	1	5
	F	0	0	0	0	0	0
Executive Officer of Cadets	M	1	1	1	1	1	5
	F	0	0	0	0	0	0
Chief Instructor	M	1	1	0	0	1	3
	F	0	0	1	1	0	2
Officer Commanding (including CC P&RT, OPSO, OC TD and OC LMSS)	M	6	4	6	5	6	27
	F	4	6	4	5	3	22
Divisional Officer	M	Data Unavailable	16	17	17	18	68
	F	Data Unavailable	7	6	6	5	24
Academy Sergeant Major	M	1	1	1	1	1	5
	F	0	0	0	0	0	0
Squadron Sergeant Major	M	Data Unavailable	7	7	7	7	28
	F	Data Unavailable	0	0	0	0	0
Divisional Senior Non Commissioned Officer	M	Data Unavailable	20	15	21	14	70
	F	Data Unavailable	1	1	1	7	10

## Diversity

In relation to cultural/ethnic diversity, only a small minority of ADFA's first-year cadets have a non-English speaking background. However, this percentage has increased over the years.<sup>16</sup>

Around 10% of first-year cadets have a parent from a non-English speaking background and only around 3-5% of first-year cadets reported speaking a language other than English as their first language. These figures include cadets who were from overseas military organisations.<sup>17</sup>

Less than 1% of first-year cadets in any year have identified as being Aboriginal or Torres Strait Islander; the most was three cadets in 2009. In 2011, no cadets identified as Aboriginal or Torres Strait Islander.<sup>18</sup>

## Staffing and turnover

There has been significant leadership turnover at ADFA in recent years. Since February 2006, there have been six Commandants (including two acting Commandants).

The average tenure of military staff at ADFA over the last five years is 1.49 years (or 18 months).<sup>19</sup> One ADFA Personnel Officer estimated that the staff turnover rate has been 43% per year over the past five years.<sup>20</sup>

Since 2008, the number of established full-time military staff positions at ADFA has been 105. In 2011 and 2010, all military positions were filled and in 2008 and 2009, 99 staff were placed, resulting in a shortage of six positions in both years. The ratio of military staff to cadets in 2011 was 1:10.<sup>21</sup>

## Accommodation

Midshipmen and cadets generally live in purpose-built on-site accommodation at ADFA.

There are 23 accommodation blocks at ADFA. Each multi-story block houses one division, comprised of up to 47 cadets. All divisions are tri-Service. Each Divisional Building is built around 'sections' of eight cadets. Each floor has multiple corridors with clusters of four individual rooms running in each corridor. The design of these buildings has been described as 'cluster-plex' accommodation.<sup>22</sup>

Cadets have their own rooms, and share bathroom, laundry and recreation facilities with other cadets. First-year cadets live in single-sex corridors, with living arrangements integrated in second and third years.

Each division's block includes an office for a Division Senior Non-Commissioned Officer (DSNCO). Divisional Officers (DOs) also have offices, although these are not located in accommodation blocks.

ADFA facilities are currently being refurbished. This involves mainly cosmetic changes to accommodation buildings, including some increase in common area space, and does not include any structural changes to cadets' accommodation.

The cadets' mess, which is located near their accommodation, seats 1000 people.<sup>23</sup> It comprises kitchens, dining areas, bars, recreation rooms and a shop.<sup>24</sup> The ADFA campus also has a library, bank, bookshop, hairdressing salon, café, dry cleaning agency, florist, indoor sporting facilities and sporting grounds.<sup>25</sup>

- .....
- 1 Australian Defence Force Academy, *Academy Standard Operating Procedures* (2011), chapter 1, para 1.2.
  - 2 Australian Defence Force Academy, *Our History – The Australian Defence Force Academy*, [www.defence.gov.au/adfa/about/our\\_history.html](http://www.defence.gov.au/adfa/about/our_history.html) (viewed 26 August 2011); RADM J Goldrick, *The Australian Defence Force Academy*, Presentation, provided to the Review, 6 May 2011.
  - 3 One 'civilian' and five 'Defence civilians' undergraduate students: LTCOL N Fox, Email to Review, 16 August 2011.
  - 4 381 'civilian' and 303 'Defence civilians' postgraduate students: LTCOL N Fox, Email to Review, 16 August 2011.
  - 5 Confidential interview.
  - 6 RADM J Goldrick, *The Australian Defence Force Academy*, Presentation, provided to the Review, 6 May 2011.
  - 7 An additional 39 (3.6%) ADFA cadets are from overseas. Percentage figures may not total 100% due to rounding: RADM J Goldrick, *The Australian Defence Force Academy*, Presentation, provided to the Review, 6 May 2011.
  - 8 The Australian Army, *ADFA Army Single Service Training*, [www.army.gov.au/rmc/ADFA\\_Army\\_Single\\_Service\\_Training.asp](http://www.army.gov.au/rmc/ADFA_Army_Single_Service_Training.asp) (viewed 22 August 2011); Australian Defence Force Academy, *Single Service Training*, [www.defence.gov.au/adfa/training/single\\_service.html](http://www.defence.gov.au/adfa/training/single_service.html) (viewed 22 August 2011).
  - 9 Australian Defence Force Academy, *Single Service Training*, [www.defence.gov.au/adfa/training/single\\_service.html](http://www.defence.gov.au/adfa/training/single_service.html) (viewed 22 August 2011); LTCOL N Fox, discussion with Review team, 10 August 2011.
  - 10 'ADFA Cadet Demographic Raw Data', provided to the Review, 12 August 2011.
  - 11 ADFA Attitude Survey data relating to cadets during YOFT from 2005-2009: DSPPR, *Australian Defence Force Academy Attitude Survey 2004 – Summation of Key Findings*, DSPPR Brief 4/2004, Department of Defence (2004); DSPPR, *Australian Defence Force Academy Attitude Survey 2005 – Main Report*, DSPPR Research Report 30/2005, Department of Defence (2005); DSPPR, *Australian Defence Force Academy Attitude Survey 2006 – Main Report*, DSPPR Research Report 26/2006 Department of Defence (2006); DSPPR, *Australian Defence Force Academy Attitude Survey 2007 – Main Report*, DSPPR Report 20/2007, Department of Defence (2007); DSPPR, *Australian Defence Force Academy Attitude Survey 2008 – Main Report*, DSPPR Research Report 43/2008, Department of Defence (2008); DSPPR, *Australian Defence Force Academy Attitude Survey 2009 – Main Report*, DSPPR Research Report 37/2009 Department of Defence (2009).
  - 12 '110822 Broderick Review Task 34 ADFA MIL and APS staff totals', provided to the Review by LTCOL N Fox on 22 August 2011.
  - 13 '110817 Broderick Review ADFA staffing levels by gender 2007 – 2011', provided to the Review by LTCOL N Fox, 17 August 2011.
  - 14 '110817 Broderick Review ADFA staffing levels by gender 2007 – 2011', provided to the Review by LTCOL N Fox, 17 August 2011.
  - 15 Department of Defence, *Defence Census 2007 – Public Report* (2009), p 6. At [www.defence.gov.au/dpe/defencecensus/public\\_report\\_2007.pdf](http://www.defence.gov.au/dpe/defencecensus/public_report_2007.pdf) (viewed 23 August 2011).
  - 16 DSPPR, *Australian Defence Force Academy Attitude Survey 2004 – Summation of Key Findings*, DSPPR Brief 4/2004, Department of Defence (2004); DSPPR, *Australian Defence Force Academy Attitude Survey 2005 – Main Report*, DSPPR Research Report 30/2005, Department of Defence (2005); DSPPR, *Australian Defence Force Academy Attitude Survey 2006 – Main Report*, DSPPR Research Report 26/2006 Department of Defence (2006); DSPPR, *Australian Defence Force Academy Attitude Survey 2007 – Main Report*, DSPPR Report 20/2007, Department of Defence (2007); DSPPR, *Australian Defence Force Academy Attitude Survey 2008 – Main Report*, DSPPR Research Report 43/2008, Department of Defence (2008); DSPPR, *Australian Defence Force Academy Attitude Survey 2009 – Main Report*, DSPPR Research Report 37/2009 Department of Defence (2009).
  - 17 See note above.
  - 18 See note above.
  - 19 '110822 Broderick Review Task 34 ADFA MIL and APS staff totals', provided to the Review by LTCOL N Fox, 22 August 2011.
  - 20 D Durrington in LTCOL N Fox, Email to Review, 23 August 2011.
  - 21 '110822 Broderick Review Task 34 ADFA MIL and APS staff totals', provided to the Review by LTCOL N Fox, 22 August 2011.
  - 22 A Devlin, S Donovan, A Nicolov, O Nold, G Zandan, 'Residence Hall Architecture and Sense of Community – Everything Old is New Again' (2008) 40(4) *Environment and Behaviour* 492.
  - 23 Australian Defence Force Academy, *Academy Cadets Mess*, [www.defence.gov.au/adfa/cadet\\_life/cadets\\_mess.html](http://www.defence.gov.au/adfa/cadet_life/cadets_mess.html) (viewed 22 August 2011).
  - 24 Australian Defence Force Academy, *Academy Cadets Mess*, [www.defence.gov.au/adfa/cadet\\_life/cadets\\_mess.html](http://www.defence.gov.au/adfa/cadet_life/cadets_mess.html) (viewed 22 August 2011).
  - 25 Australian Defence Force Academy, *The ADFA Campus*, [www.defence.gov.au/adfa/cadet\\_life/ADFA\\_campus.html](http://www.defence.gov.au/adfa/cadet_life/ADFA_campus.html) (viewed 22 August 2011).



# Appendix B – Scope of Research and Methodology

The findings and recommendations in this Report are based on an independent assessment of ADFA and a thorough examination of the significant amount of information gathered.

From the outset, the Review consulted extensively. The research process has been designed to achieve maximum participation. The Review travelled nationally to consult with key stakeholders. Before conducting the consultations, the Sex Discrimination Commissioner met with Senior ADF personnel, including the former and current Chief of the Defence Force, Air Vice Marshal Angus Houston and General David Hurley. She sought their views on issues regarding the Terms of Reference for the Review and ADFA generally. The Review also met with the Acting Commandant and Deputy Commandant at ADFA and their senior staff, prior to the consultation process. The valuable insights they provided assisted the Review to determine the approach to, and breadth of, the research methodology.

To complement the consultative process, the Review undertook considerable research, drawing on the experience of international tri-Service academies and defence forces, as well as examining ADFA and ADF-wide policies and practices.

## Qualitative data collection

Qualitative data was collected through written submissions, interviews, focus groups, world cafes and group discussions, as described below.

### World Café

In its early stages, the Review conducted a group discussion (World Café) with 40 midshipmen and cadets from across Services and years. The midshipmen and cadets were divided into tables of five and six and given the following questions to discuss with their peers:

1. What things at ADFA are working well about the way women are treated?
2. What things at ADFA need improving about the way women are treated?
3. How did you feel about the way ADFA and ADF have been treated in the recent public debate?
4. What outcomes/recommendations could you imagine coming from the review that would be negative and disturbing?
5. What outcomes/recommendations could you imagine coming from the review that would be encouraging and uplifting?
6. If there are instances when women are treated badly at ADFA, is this because the system has failed or because individuals have behaved badly/inappropriately?

Midshipmen and cadets were encouraged to sit with people they did not already know and one person was elected as chair at each table. The chair was responsible for reporting back on the findings of his/her table to a wider group, including the Review Panel. This process provided a snapshot of the range of views held by midshipmen and cadets at that time and provided themes for the Review to explore in more detail in the qualitative research.

## Briefings and interviews

Thirty seven briefings and interviews were conducted with 56 individuals by the Review. At the start of the Review, high-level briefings were conducted with Senior ADF and ADFA personnel. The Review also met senior academic staff at ADFA and members of the Australian Defence College Advisory Board. In addition, briefings were held with a number of people external to the ADF and ADFA, including experts in the areas of Defence, gender and ethics, as well as representatives of the Canadian Forces College and the Royal Military College Kingston, Canada.

The Review observed the ADFA Army Recruitment Selection Board and the Mid-Year Board of Review processes.<sup>1</sup> The Board of Review assesses the progress of each midshipmen and cadet, identifies any issues of concern and develops strategies to address those issues.

The Review also conducted a range of confidential briefings and interviews, in person or by telephone, with current and former members of the ADF, current and former ADFA cadets, current and former staff of ADFA and parents of cadets.

A toll-free hotline, advertised through flyers circulated at ADFA, was established to allow current cadets to contact the Review and speak privately with a team member about their experience at ADFA, as it related to the Terms of Reference. A number of telephone interviews were conducted as a result of calls to the hotline.

## Focus groups

The Review conducted 38 focus groups with cadets; military, academic and medical staff; sponsor families; and families of cadets. Focus group facilitators were guided by a structured series of questions designed to explore themes relevant to the Terms of Reference. The process, however, was also iterative and flexible, allowing issues and themes of particular interest to the group to be explored or ones which had been raised by previous groups.

Among the topics discussed in focus groups were the treatment of female cadets by other cadets; the treatment of female cadets by military and academic staff; opportunities available to female cadets at ADFA; issues and incidents of sexual assault and sexual harassment of female cadets; avenues and effectiveness of complaints processes; recruitment and induction for cadets and staff; and accommodation, including supervision, leadership, and support services, both inside ADFA and externally. Participants in focus groups were also asked to provide their views on possible recommendations for the Review.

Mixed gender focus groups with cadets included:

- first-years only across each service
- second-years only across each service
- third-years only across each service
- Army cadets
- Navy midshipmen
- Air Force cadets
- international students across each service
- members of the rugby club
- members of the AFL club
- members of the production club
- members of the precision drill club.

Women-only cadet focus groups were also conducted.

Focus groups with staff included:

- Warrant Officers
- Sergeants
- Divisional Officers
- physical training instructors
- padres
- medical staff
- psychologists
- academic staff.

Women only staff focus groups were also held.

Focus groups were also conducted with cadets at Royal Military College, Duntroon.

### **Written submissions**

The Review invited written submissions during a two-week period from 27 June to 8 July 2011. Advertisements seeking submissions for Phase One of the Review appeared in major Australian metropolitan and regional papers. The call for submissions was also placed on the Australian Human Rights Commission website and disseminated through the *Defence News* bulletin.

As noted in the advertisements, the Review was particularly interested in hearing from cadets, former cadets, families and sponsor families. During the submission period, a toll-free hotline was established to answer inquiries from the public and to allow people to provide a verbal submission where they were unable to, or did not wish to, provide information in writing. The Review received public and confidential submissions. All public submissions were placed on the Defence Review website: [www.humanrights.gov.au/defencereview](http://www.humanrights.gov.au/defencereview).

The Review received a number of confidential submissions from current staff at ADFA, serving members of the ADF, recently separated cadets and people whose family were currently serving in the ADF. Their request for confidentiality was based on a number of factors including a fear of reprisal, either for themselves or their serving family member, the highly personal nature of the content or the fact that the content was only known to a limited number of people.

### **Visits**

The Review undertook a number of visits and guided tours of ADFA. The Review also visited the Royal Australian Navy College, Creswell, the Royal Australian Air Force College, Sale and the Royal Military College, Duntroon. These single-service colleges provided a useful comparison to the tri-Service environment of ADFA, as well as insight into relevant issues confronting defence colleges generally and how they are addressed.

The Review observed the ADFA Army Recruitment Selection Board, the Mid-Year Board of Review and also met with the Australian Defence College Advisory Board.

Visits to leisure and sporting activities were undertaken.

### **ADF documents**

During the course of the Review, a range of documents, including reports, surveys and articles, were requested by the Review and provided by the ADF. This material provided useful information regarding relevant policies and practices of the ADF and ADFA, including complaints handling, incidents of unacceptable behaviour and attitudes of cadets and officers.

## International research

An analysis of international military and tri-Service academies was undertaken for comparative purposes. It was clear to the Review that no academy or defence force has had an entirely smooth transition to formal gender integration and the inclusive treatment of women in military service. There are comparisons to be made and important lessons to be gleaned from all over the globe. However, the Review has chosen to focus on what it considers the most comparable military environments, namely Canada, the United Kingdom, the United States, the Netherlands and New Zealand. These have been identified as offering the closest comparison, both in terms of the wider social and political contexts and the structure of a military academy. Further detail on the international experience is contained in Chapter 4.

## Quantitative data collection

The Review collected quantitative data to supplement its qualitative research. This included an analysis of existing survey information, as well as undertaking a new survey.

The primary survey tool was the Unacceptable Behaviour Survey, which was administered to the cadet body in June 2011. This survey collected information about gender and sex-related harassment, as well as other demographic, behavioural, attitudinal and experiential information. Comparable versions of the survey were administered at ADFA in 1998, as part of the Grey Review, and then in 1999, 2000 and from 2003 to 2008. The 2011 survey informs the Review's understanding of the current levels of, and attitudes towards, unacceptable behaviours, while comparable parts of the datasets from 1998 and 2005 surveys are used to compare the reported experiences of different cohorts over time.

In addition, data from the ADF, the Office of Inspector General of the ADF and the ACT branch of the Australian Federal Police, was used to inform the Review's findings.

## Limitations to research

As noted above, a key piece of the quantitative data for the Review was the Unacceptable Behaviour Survey. The Review considered administering this survey, or a comparable one, with other Australian university residential colleges and training colleges to provide a comparison of sexual experience and attitudes. However, securing access to a comparable sample of students and the lengthy process involved in obtaining ethics approval would have substantially delayed the release of this report.

The Review is satisfied that the data gathered from the survey used in previous years at ADFA provides a valuable longitudinal comparison of cadets' attitudes and experiences of unacceptable behaviours.

## Previous reviews

ADFA has been subject to a range of reviews since the 1990s that have directly and indirectly examined the culture of the organisation and the impact of that culture on the treatment of women. The following three are of most relevance to this Review.

### **Report of the Review into Polices and Practices to Deal with Sexual Harassment at the Australian Defence Force Academy (Grey Review, 1998)**

This was one of a series of reviews undertaken by the ADF on gender integration. Specifically, the Grey Review examined:

- the culture of the Corps of Officer Cadets and, in particular, how equity issues are understood and practiced
- how the Defence Academy handles complaints of sexual harassment and sexual offences
- what training and education Defence Academy staff and cadets receive on ethics, personal development and unacceptable behaviour.

In examining the culture at ADFA, the Grey Review found that a high level of unacceptable sexual behaviour, including 'sexual and gender harassment as well as sexual offences'.<sup>2</sup> It also found that there was 'a high level of tolerance of the unacceptable behaviour amongst the cadets and by many members of the military staff'.<sup>3</sup> In addition, the Grey Review identified problems of general bullying.

The Grey Review proposed a range of recommendations to address ADFA's cultural deficiencies. These recommendations became part of the ADFA reform program ('the Andrews reform program').

### **Inquiry into the Learning Culture in ADF Schools and Training Establishments (Learning Culture Inquiry, 2006)**

This Inquiry was established by the then Chief of Defence Forces, Air Chief Marshall, Angus Houston, AO, AFC. Specifically the Learning Culture Inquiry examined:

- whether there exists in ADF Schools and Training Establishments evidence of an inappropriate culture that supports bullying or harassment from instructing staff as well as from students and trainees against other students and trainees
- whether there are identifiable irregularities in the administration of the care and welfare of trainees which require corrective action
- the management of minors in ADF Schools and Training Establishments and whether the current system is likely to contribute to any possible form of abuse.

Noting a clear improvement in behavioural standards in all the training establishments under review (including ADFA), the Learning Culture Inquiry did not find evidence of a culture of bullying and harassment. However, it did find that 'there was still some way to go before the underlying culture will firmly oppose harassment and bullying'. It also supported explicit policies on such issues as equity and diversity.<sup>4</sup>

## Review of the Australian Defence Force Academy Military Organisation and Culture (Kafer Review, 2010)

Conducted by CDRE Bruce Kafer, ADFA Commandant at the time, this Review found that many of the extreme cultural failings identified in the Grey Review were no longer prominent at ADFA.<sup>5</sup> Nevertheless, the Kafer Review also found that ‘despite the apparent eradication of widespread or extreme bullying, some less overt and low-level forms of intolerance, aggression and negative social behaviours continue to exist’.<sup>6</sup>

In his report, CDRE Kafer identified a number of issues relevant to the continuing cultural deficiencies, all of which were a product of the military environment. The most relevant to this Review were the:

- patchy intolerance of physical weakness
- somewhat limited acceptance of females or feminine characteristics
- existence of a drinking culture
- insufficient leadership opportunities for cadets.

The Kafer Review also identified that ‘the selection process for ADFA’s military staff needs to be overhauled, and that the staff’s preparation for ADFA’s unique working environment needs to be improved’.<sup>7</sup>

Additionally, military staff required enhanced education in military justice to remove inconsistencies in approach and interpretation and allow for greater transparency.

Accommodation facilities were considered by the Kafer Review to be largely satisfactory.

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- 1 The Board is chaired by the Deputy Commandant, ADFA and comprises the Chief Instructor, the Executive Officer – Cadets, the Senior Psychologist, a medical officer (as appropriate), a Service Career Management representative and a Padre. Also in attendance are individual cadet’s Divisional Officer and Commanding Officer.
  - 2 Australian Defence Force Academy, *Report of the review into the policies and practices to deal with sexual harassment and sexual offenses*, Department of Defence (1998), p ix.
  - 3 Australian Defence Force Academy, above, p ix.
  - 4 A Podger, C Harris and R Powell, *Final Report of the Learning Culture Inquiry: Inquiry into the Learning Culture in ADF Schools and Training Establishments*, Department of Defence (2006), p v.
  - 5 CDRE BJ Kafer, *Report of the Review of the Australian Defence Force Academy Military Organisation and Culture*, ADFA 2010/1104615/1 (2010), p 6.
  - 6 CDRE BJ Kafer, above, p 6.
  - 7 CDRE BJ Kafer, above, p 6.





Section 1 - Personal Details cont...

7. What is your gender?  Male  Female

8. What is your relationship status?  
 Married  
 Interdependent partnership - defacto (military recognised)  
 Interdependent partnership - defacto (not military recognised)  
 Divorced/Separated  
 Widowed  
 Never Married

9. Are you Aboriginal or Torres Strait Islander?  
 No  
 Yes: Aboriginal  
 Yes: Torres Strait Islander  
 Yes: Both Aboriginal and Torres Strait Islander

10. Is your father and/or your mother of a non-english speaking background?  Yes  No

11. Was your first language a language other than English?  Yes  No

12. Do you currently have an impairment, medical condition or disability?  Yes  No

13. Have you received training in the last twelve months on equity and diversity, including the topic of unacceptable behaviour?  
 Yes  No If no, go to Question 15  
 If yes, go to Question 14

14. If you answered YES to Q13, to what extent was the training effective in...

	Don't Know	Not at all	Small Extent	Moderate Extent	Large Extent
a. increasing your awareness of unacceptable behaviour?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
b. actually stopping or preventing unacceptable behaviour?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
c. increasing your awareness of equity and diversity services available?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
d. increasing your awareness of how to make an unacceptable behaviour complaint?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>





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## Section 2 - Your Opinions on Unacceptable Behaviours

15. Please indicate below how closely the statements about workplace behaviour match your opinions and experiences. Please answer every question.

- |  | Strongly Disagree     | Disagree              | Neither Agree nor Disagree | Agree                 | Strongly Agree        |
|--|-----------------------|-----------------------|----------------------------|-----------------------|-----------------------|
| a. People at ADFA who harass others usually get away with it   | <input type="radio"/> | <input type="radio"/> | <input type="radio"/>      | <input type="radio"/> | <input type="radio"/> |
| b. Unacceptable behaviour is not tolerated at ADFA   | <input type="radio"/> | <input type="radio"/> | <input type="radio"/>      | <input type="radio"/> | <input type="radio"/> |
| c. Actions are being taken at ADFA to prevent unacceptable behaviour   | <input type="radio"/> | <input type="radio"/> | <input type="radio"/>      | <input type="radio"/> | <input type="radio"/> |
| d. It wouldn't be worth complaining about unacceptable behaviour here because nothing would be done about it             | <input type="radio"/> | <input type="radio"/> | <input type="radio"/>      | <input type="radio"/> | <input type="radio"/> |
| e. If you complained about unacceptable behaviour here you would be labelled a trouble-maker                             | <input type="radio"/> | <input type="radio"/> | <input type="radio"/>      | <input type="radio"/> | <input type="radio"/> |
| f. My Divisional Officer has clearly indicated that unacceptable behaviour will not be tolerated here                    | <input type="radio"/> | <input type="radio"/> | <input type="radio"/>      | <input type="radio"/> | <input type="radio"/> |
| g. My Commanding Officer/Officer Commanding has clearly indicated that unacceptable behaviour will not be tolerated here | <input type="radio"/> | <input type="radio"/> | <input type="radio"/>      | <input type="radio"/> | <input type="radio"/> |
| h. Too much attention is being paid to unacceptable behaviour  | <input type="radio"/> | <input type="radio"/> | <input type="radio"/>      | <input type="radio"/> | <input type="radio"/> |
| i. Much of what is labelled as unacceptable behaviour is actually a misunderstanding                                     | <input type="radio"/> | <input type="radio"/> | <input type="radio"/>      | <input type="radio"/> | <input type="radio"/> |
| j. Women should not be restricted from any specialities for which they can qualify                                       | <input type="radio"/> | <input type="radio"/> | <input type="radio"/>      | <input type="radio"/> | <input type="radio"/> |
| k. Men have an advantage over women when it comes to having a successful military career                                 | <input type="radio"/> | <input type="radio"/> | <input type="radio"/>      | <input type="radio"/> | <input type="radio"/> |
| l. Work groups whose members are all the same sex generally work together more effectively                               | <input type="radio"/> | <input type="radio"/> | <input type="radio"/>      | <input type="radio"/> | <input type="radio"/> |
| m. Men and women have equal opportunities for promotion in my Service  | <input type="radio"/> | <input type="radio"/> | <input type="radio"/>      | <input type="radio"/> | <input type="radio"/> |



**Section 2 - Your Opinions on Unacceptable Behaviours cont...**

15. (continued...) Please indicate below how closely the statements about workplace behaviour match your opinions and experiences. Please answer every question.

- |   | Don't Know            | Not At All            | Small Extent          | Moderate Extent       | Large Extent          |
|---|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|
| n. To what extent have you been subjected to unacceptable behaviour within the last twelve months?  | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| o. To what extent are your peers committed to preventing and stopping unacceptable behaviour?   | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| p. To what extent is your Divisional Officer committed to preventing and stopping unacceptable behaviour?   | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| q. To what extent is your Officer Commanding/Commanding Officer committed to preventing and stopping unacceptable behaviour?                            | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| r. To what extent is senior leadership at ADFA committed to preventing and stopping unacceptable behaviour?   | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| s. To what extent is the policy of zero tolerance of unacceptable behaviour practiced at ADFA?  | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| t. To what extent are you likely to report unacceptable behaviour if this happens to you in the future?   | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| u. To what extent are you confident that a complaint about unacceptable behaviour would be handled appropriately (sensitively, confidentially, timely)? | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| v. To what extent are you confident that a complaint about unacceptable behaviour would be satisfactorily resolved?                                     | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |



### Section 3 - General Harassment and Discrimination Experiences

16. There are two parts to this next question.

Firstly, in **COLUMN 'A'**, indicate how often during the last 12 months (or since joining, if you have recently joined) you have been in situations involving any Defence personnel such as Military, Defence APS, contractors, on or off duty, and/or on or off your base or unit, where one or more of these individuals displayed the following behaviours? (please answer every question)

Then, mark in **COLUMN 'B'** if YOU found this particular behaviour/situation **unacceptable** (eg. you found it offensive, disturbing, threatening, humiliating or frightening).

	COLUMN A					COLUMN B
	Never	Once or Twice	Sometimes	Often	Very Often	Please fill in the corresponding oval below if you found the behaviour UNACCEPTABLE?
a. Made insulting comments about your physical characteristics, abilities or mannerisms?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
b. Made negative or unnecessary comments about your work or capacity for work?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
c. Spread malicious rumours or public statements of a derogatory nature about you or another person?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
d. Interfered with your workspace, work materials, equipment or property?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
e. Deliberately failed to pass on important information?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
f. Excluded you from normal conversation or workplace activities and work-related social activities?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
g. Subjected you to offensive racist remarks?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
h. Subjected you to persistent teasing?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
i. Physically bullied, assaulted or threatened you with violence?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
j. Displayed intimidating behaviours such as finger pointing, invasion of personal space, shoving, barring the way?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
k. Forced or coerced you to participate in unofficial initiation ceremonies?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
l. Abused their authority or issued inappropriate orders?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
m. Applied favouritism in the allocation of work?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
n. Ordered you to undertake their personal tasks?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
o. Shouted at you or subjected you to spontaneous anger or rage?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
p. Publicly expressed or displayed affection or intimacy in the workplace?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
q. Overloaded you with work or required work to be done without sufficient time to do it?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
r. Forced or coerced you to work excessive hours per week on a regular basis?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>



Section 3 - General Harassment and Discrimination Experiences cont...

16. (continued...) How often during the last 12 months (or since joining, if you have recently joined) have you been in situations involving any Defence personnel such as Military, Defence APS, contractor, on or off duty, and/or on or off your base or unit, where one or more of these individuals displayed the following behaviours? (please answer every question)

THEN, mark in COLUMN 'B' if YOU found this particular behaviour/situation unacceptable (eg. you found it offensive, disturbing, threatening, humiliating or frightening).

COLUMN A

Never  
Once or Twice  
Sometimes  
Often  
Very Often

COLUMN B

Please fill in the corresponding oval below if you found the behaviour UNACCEPTABLE?

s. Treated you differently, victimised you or harassed you because of . . .

- Your skin colour?
- Your religion?
- Your age?
- Your political opinion?
- An impairment, medical condition or disability?
- Your nationality or national ethnic extraction?
- Your marital status?
- Your pregnancy or potential pregnancy?
- Your family responsibilities?
- Your sexual orientation?
- Being a non/light drinker?
- Your medical status (eg. Being on a chit/restrictions)?
- Other? (Unless you mark 'never' please print below)

Empty grid for printing other responses



Section 4 - Gender and Sex-Related Harassment Experiences

18. Firstly, in COLUMN 'A', indicate how often during the last 12 months (or since joining, if you have recently joined) you have been in situations involving any Defence personnel such as Military, Defence APS, contractors, on or off duty, and/or on or off your base or unit, where one or more of these individuals displayed the following behaviours? (please answer every question)

Then, mark in COLUMN 'B' if YOU found this particular behaviour/situation unacceptable (eg. you found it offensive, disturbing, threatening, humiliating or frightening).

	COLUMN A					COLUMN B
	Never	Once or Twice	Sometimes	Often	Very Often	Please fill in the corresponding oval below if you found the behaviour UNACCEPTABLE?
a. Repeatedly told sexual stories or offensive jokes?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
b. Whistled, called or hooted at you in a sexual way?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
c. Made unwelcome attempts to draw you into a discussion of sexual matters (for example, attempts to discuss/comment on your sex life)?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
d. Made crude and offensive sexual remarks either publicly (eg. in your workplace) or to you privately?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
e. Treated you differently because of your gender (eg. mistreated, slighted or offended you)?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
f. Made offensive remarks about your appearance, body or sexual activities?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
g. Made offensive gestures or used body language of a sexual nature?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
h. Displayed, used, or distributed sexist or suggestive materials (eg. pictures, stories, pornography, e-mail)?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
i. Made offensive sexist remarks (eg. suggesting that people of your gender are not suited to the kind of work you do)?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
j. Made unwanted attempts to establish a romantic sexual relationship with you despite your efforts to discourage it?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
k. Put you down or was condescending to you because of your gender?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
l. Stared, leered or ogled at you in a way that made you feel uncomfortable?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
m. Exposed themselves physically (eg. 'mooned' you) in a way that embarrassed you or made you feel uncomfortable?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
n. Continued to ask you for dates, drinks, dinner etc., even though you have said 'no'?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
o. Made you feel you were being bribed with some sort of reward or special treatment to engage in sexual behaviour?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
p. Made you feel threatened with some sort of retaliation for not being sexually cooperative (eg. by mentioning an assessment)?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
q. Touched you in a way that made you feel uncomfortable?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
r. Made unwanted attempts to stroke, fondle or kiss you?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>





**Section 6 - Impact of Unwanted Behaviour**

**Did you mark any of the behaviours in Questions 16 or 18 as unacceptable, or did you mark any of the behaviours in questions 18o to 18x as anything other than "never".**

Yes  No **If No, please go to Section 8.**

**If Yes, think of the unwanted behaviour you experienced in Questions 16 or 18. If you have had more than one experience, think of the one that had the greatest effect on you. Please answer the following questions with this situation in mind.**

**21. Which category of unwanted behaviour best describes the experience you have in mind?**  
(Choose one category only. If the situation you have in mind includes behaviours from several categories, choose the category that includes what you consider to be the most serious element of the unacceptable behaviour).

- Sexual offence
- Gender harassment
- Discrimination
- Inappropriate workplace relationship
- Other (please print)
- Sexual harassment
- Harassment
- Abuse of power
- Workplace bullying

**22. To what degree was this situation...**

	Not at all	Slightly	Moderately	Very	Extremely
a. annoying?.....	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
b. offensive?.....	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
c. disturbing?.....	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
d. threatening?.....	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
e. embarrassing?.....	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
f. frightening?.....	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

**23. How often did the unwanted behaviour occur?** (Choose one option only)

- Once
- Two to four times a month
- Every day
- Once a month or less
- Every few days

**24. How long did the unwanted behaviour last?** (Choose one option only)

- Less than one week
- One to six months
- One to four weeks
- More than six months

**25. How many people were responsible for the unwanted behaviour?** (Choose one option only)

- One person
- More than one person

**26. Was the person(s) responsible for the unwanted behaviour...** (Choose one option only)

- Male(s)
- Female(s)
- Male(s) and Female(s)

**27. Was this person(s)...** (Choose one option only)

- Younger than you
- Older than you
- About your age
- Combination of the above

**28. Was this person(s)...** (Mark all that apply)

- At a subordinate level/rank to you
- At a senior level/rank to you
- At the same level/rank to you
- Unknown



**Section 6 - Impact of Unwanted Behaviour cont...**

**30. To what extent did this unwanted behaviour occur at your normal workplace?** (Choose one option only)

- It all occurred at work/in training
- Most of it occurred at work/in training
- Some of it occurred at work/in training
- None of it occurred at work/in training

**31. To what extent did this unwanted behaviour occur during duty hours?** (Choose one option only)

- It all occurred during duty hours
- Most of it occurred during duty hours
- Some of it occurred during duty hours
- None of it occurred during duty hours

**32. When the unwanted behaviour occurred, were you...** (Mark all that apply)

- In your unit (ie. at ADFA)
- On exercises away from ADFA (TDY, attachments)
- In a training situation or at a training establishment (other than ADFA) (eg. SST's)
- At a military social function
- In your barracks living area
- Off-base/ashore/civilian setting
- None of the above

**33a. Was alcohol consumption associated with the situation/incident you have in mind?** (Choose one option only)

- Yes
- Mostly Yes
- Sometimes Yes
- No

**33b. Were illicit drugs associated with the situation/incident you have in mind?** (Choose one option only)

- Yes
- Mostly Yes
- Sometimes Yes
- No

**34a. Which of the following applies to the situation/incident you have in mind?** (Choose one option only)

- I had consumed alcohol
- The person(s) responsible for the unwanted behaviour had consumed alcohol
- Both the responsible person(s) and I had consumed alcohol
- Neither had consumed alcohol
- Not applicable to the situation I have in mind





**Section 6 - Impact of Unwanted Behaviour cont...**

**34b. Which of the following applies to the situation/incident you have in mind?** (Choose one option only)

- I had used illicit drugs
- The person(s) responsible for the unwanted behaviour had used illicit drugs
- Both the responsible person(s) and I had used illicit drugs
- Neither had used illicit drugs
- Not applicable to the situation I have in mind

**35. As a result of the unwanted behaviour, did you experience any of the following effects?** (Mark all that apply)

- My performance suffered
- I was embarrassed
- I became upset
- Working/training became unpleasent/hostile for me
- My feelings about being in the Defence Force were negatively affected
- My performance evaluation was unfairly lowered
- My relationship with my workmates/colleagues deteriorated
- I became sick

**Continue over to page 12**



**Section 7 - Management of the Unwanted Behaviour**

The following section asks you about action taken to stop the unwanted behaviour (that you are thinking of), whether it improved the situation and how satisfied you were with any help received.

36. As a result of the unwanted behaviour, did you... (Please mark each row)	Yes & it made things better	Yes & it made no difference	Yes & it made things worse	No, I did not do this
a. Take leave	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
b. Think about resigning/leaving but decided not to	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
c. Think about resigning/leaving and have (or plan to)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
d. Apply for Leave Without Pay	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
e. Request a Service transfer	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
f. Request a different posting or a re-post	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
g. Request a job, PQ, Spec or Corps transfer	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

37. Which of the following actions did you take in response to the unwanted behaviour (that you are thinking of), and if you took action, did the advice/information you receive help you in dealing with the situation? (Please mark each row)

	Yes & the advice/information helped	Yes & the advice/information did not make a difference	Yes & the advice/information made things worse	No, I did not do this
a. Request advice/assistance from your chain of command	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
b. Request advice/assistance from another military member	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
c. Request advice/assistance from a peer	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
d. Call the Defence Equity Advice line for advice/information (not to file a complaint)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
e. Request advice/assistance from an Equity Adviser	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
f. Seek advice/assistance from an outside agency	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
g. Request advice/assistance from a chaplain	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
h. Request advice/assistance from a psychologist	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
i. Request advice/assistance from a health services provider	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
j. Seek advice/assistance from a friend/family member	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>



Section 7 - Management of the Unwanted Behaviour cont...

38. Which of the following actions did you take in response to the unwanted behaviour (that you are thinking of), and if you took that action, did it make things better or worse for you? (Please mark each row)

Table with 4 columns: Yes & it made things better, Yes & it made no difference, Yes & it made things worse, No, I did not do this. Rows a-g describe various actions taken in response to unwanted behavior.

39. Which of the following actions did you take to stop the unwanted behaviour (that you are thinking of), and if you took that action, did it make things better or worse for you? (Please mark each row)

Table with 4 columns: Yes & it made things better, Yes & it made no difference, Yes & it made things worse, No, I did not do this. Rows a-k describe various actions taken to stop unwanted behavior.

If you answered 'Yes' to any of the items in Question 39, please answer Questions 40 to 43 on page 14. If you answered 'No' to all items, please go to Question 44 on page 15.



**Section 7 - Management of the Unwanted Behaviour cont...**

**40. Overall, how satisfied were you with the way the complaint (referred to in Question 39) was managed (eg. sensitively, confidentially, timely)?**

- Very satisfied
- Satisfied
- Neither satisfied nor dissatisfied
- Dissatisfied
- Very dissatisfied
- Still in progress

**41. How satisfied were you with the outcome of the complaint (referred to in Question 39) ?**

- Very satisfied
- Satisfied
- Neither satisfied nor dissatisfied
- Dissatisfied
- Very dissatisfied
- Still in progress

**42. As a result of making the complaint (referred to in Question 39) to one or more persons, did you feel victimised?**

- Yes, to a great extent
- Yes, to some extent
- No



**Section 7 - Management of the Unwanted Behaviour cont...**

44. If you answered 'No, I did not do this' to all the actions listed in Question 39, (that is, you did not report the unwanted behaviour to one or more persons listed in Question 39) what were your reasons for not reporting the behaviour? (Please mark all that apply)

- I took care of the problem myself
- I did not think it was important
- I thought it would make my situation unpleasant
- I had no confidence in my military chain of command to manage my complaint appropriately
- I did not want to hurt the person who bothered me
- I thought I would be labelled a trouble maker
- I wanted to fit in with my group
- I was too embarrassed
- I did not know what to do
- I thought I would not be believed
- The person(s) who bothered me were in my chain of command
- I thought it would take too much time and effort
- I thought my performance evaluation would suffer
- I was too afraid
- The person(s) was/were not from my area
- I was talked out of making a formal complaint by a superior
- I didn't know the person(s) who did it
- I was talked out of making a complaint by a peer
- I did not want everyone to know about it
- Others have complained and nothing was done about it

45. If you indicated taking care of the problem yourself (Question 44, option 'a')...

- |                                  | YES                   | NO                    |
|----------------------------------|-----------------------|-----------------------|
| Did the situation improve? ..... | <input type="radio"/> | <input type="radio"/> |
| Did the behaviour stop? .....    | <input type="radio"/> | <input type="radio"/> |



# Appendix D – Survey Method and Analysis

This appendix expands on the Review's examination and analysis of the Unacceptable Behaviour Survey. It notes the methodology and limitations of the exercise, and presents a brief review of the SEQ (which forms the gender and sex related harassment section of the surveys).

## Methodology, Analysis and Limitations

The administration of the 2011 ADFA Unacceptable Behaviour Survey was organised and conducted within a period of under two weeks by Defence's Directorate of Strategic Personnel Policy Research (DSPPR), at the request of the Review. The timing, voluntary nature of the 2011 administration of the survey and logistics surrounding the exercise meant that a smaller cohort completed the survey when compared to the Grey Review. The process in 2011 was as follows. In early June the Review requested that the DSPPR conduct the survey, and the DSPPR then received ethics approval for administration. Between 10 June and 14 June, 2011 (the morning of administration) cadets were informed that the survey would be administered, and those with prior academic or medical commitments or approved leave were excused from participating. All others were required to attend a briefing explaining the process, after which they were invited to leave if they did not wish to participate. In 2011, the participation rate was 61.6% of all cadets (N=599), compared with a participation rate of 83% (N=825) in 1998 and 86% (N=837) in 2005.<sup>1</sup>

The Review's analysis of the Unacceptable Behaviour Survey data is based on the data collected by the survey, an analysis of this data provided to the Review by the DSPPR the Directorate of Workforce Intelligence (DWIntel) (DSPPR Report 5/2011), and an examination of academic surveying literature to support the Review's analytical approach. In addition, the Review also used supplementary reports and data provided by the DSPPR and DWIntel for items not included in the original reports and analysis it provided the Review, including gender disaggregations for some items, largely in order to make comparisons with the Grey Review's findings.

The Review staff, along with senior ADFA staff, also received a briefing from the DSPPR and DWIntel on 13 July 2011. The DSPPR and DWIntel staff explained the surveying process and the analysis that they had conducted, and raised several methodological questions and issues about the process. An examination of these issues has aided the Review's understanding of the survey instrument and its psychometric properties, and improved the quality of the analysis conducted.

DSPPR Report 5/2011 summarised these issues in a section on 'limitations and caveats,' suggesting that:

the ADFA Unacceptable Behaviour Survey, specifically the 2011 iteration, may not provide an accurate indication of the prevalence of unacceptable behaviour at ADFA, nor are any comparisons made with previous results valid enough to draw robust conclusions and/or generalisations because:

- there is distinct inconsistency between the two prevalence indicators yielded by the surveys;
- valid measures of unacceptable behaviour experiences are hampered by context dependency;

- a self-selection bias may have contributed to both participation in the survey and the nature of responses; and
- changes to the survey over time render any useful comparisons negligible.<sup>2</sup>

The Review acknowledges that these factors present complications for analysis, however it disagrees with some of the conclusions that DSPPR Report 5/2011 reaches on account of them. Each will be addressed in turn.

1. DSPPR Report 5/2011 states that ‘there is distinct inconsistency between the two prevalence indicators yielded by the surveys.’ This refers to the fact that the Unacceptable Behaviour Survey contains a collection of discretely designed sections which employ different methods of data collection, which can yield differing response levels.<sup>3</sup> For example, section 2 asks for opinions of unacceptable behaviour, and employs the ‘direct query’ method, whereas sections 3 and 4 employ the ‘behavioural experiences’ method. The ‘direct query’ method asks respondents direct questions and allows respondents to self-define what constitutes unacceptable behaviour. This method tends to return lower incidence rates than the ‘behavioural experiences’ approach, which presents respondents with a series of behaviours and asks whether they are applicable to the respondent without asking for subjective categorisations.<sup>4</sup> The Review acknowledges that these approaches return inconsistent findings, and supports the suggestion made in the DSPPR’s analysis of the 2008 ADFA Unacceptable Behaviour Survey that ‘a complete survey evaluation and validation’ would improve the quality of the instrument and the information that it captured.<sup>5</sup>

The Review notes from the outset that it believes that the results returned by the behavioural experiences method are more robust than those returned by direct query, and should be used by ADFA in formulating its organisational response to this and future surveys for three reasons:

- following Illies (2003), the Review believes that the behavioural experiences method ‘minimizes respondent perceptual bias’ allowing individuals to respond to queries about certain behaviours without first needing to make subjective judgements as to whether they have been subjected to an undefined category such as ‘unacceptable behaviour’ or ‘sexual harassment’.<sup>6</sup>
- Section 4 of this survey, which deals with gender and sex-related harassment (the SEQ items utilising the behavioural experiences method), is the one part of the broader instrument which has undergone ‘reliability and validity testing,’ and the SEQ been used in Australian and overseas military contexts since the mid 1990s.<sup>7</sup>
- the SEQ items, which the Review uses to conduct comparison over time, form a part of the survey which has essentially remained the same since the Grey Review.

For all of these reasons, the Review believes that section 4 of the 2011 ADFA Unacceptable Behaviour Survey, dealing with gender and sex-related harassment behaviours, offers a reasonable basis for examining the rates of unacceptable behaviour experiences in this area.



2. DSPPR Report 5/2011 notes that ‘valid measures of unacceptable behaviour experiences are hampered by context dependency.’ The Review accepts that context is important in interpreting and analysing the data collected, and in particular notes that there is a discrepancy between the level of those who report experiencing the listed ‘harassment’ and ‘discrimination’ behaviours, and those who consider these behaviours ‘unacceptable’ (e.g. 86.3% of respondents reported experiencing a general harassment or discrimination item but only 44.7% of these reported it as ‘unacceptable’). Rather than making the results of the survey any less worthy of analysis, the Review believes that the reasons for such discrepancies should be examined by ADFA and Defence staff when responding to survey results, and when designing and interpreting future surveys.
3. DSPPR Report 5/2011 notes that ‘a self-selection bias may have contributed to both participation in the survey and the nature of responses.’ The Review accepts this proposition, but suggests this is the case with any such survey about which little can be done.
4. DSPPR Report 5/2011 suggests that ‘changes to the survey over time render any useful comparisons negligible.’ The comparison that the Review conducts is careful and controlled, and limited to the sex and gender harassment items, which have essentially remained the same between 1998 and 2011.<sup>8</sup> The Review is examining the reported experiences of a defined cohort of cadets, through the use of a psychometrically assessed instrument (the SEQ), and is not seeking to extrapolate more broadly on the nature of harassment. O’Leary-Kelly et al., note the prominence of the SEQ as a tool for measuring the experience of sexual harassment across the literature, and Gutek et al., argue that ‘researchers who use the same version of the SEQ could establish their own base rate and examine changes over time.’<sup>9</sup> Further, the circumstances in which the 1998 and 2011 surveys were administered, at the time of the Grey and Broderick Reviews, also bear a similarity. On these bases, the Review believes that the comparisons it conducts are sound.
5. The Review also accepts the limitation, made elsewhere by DSPPR Report 5/2011 that:
 

group administration in an open area with respondents potentially seated near the individuals responsible for the behaviours they are describing may have negatively influenced perceptions of anonymity and, as such, hindered accurate self-reporting.<sup>10</sup>

In conclusion, the Review accepts the importance of limitations and caveats raised by the DSPPR and DWIntel, and in addressing them, has constructed a robust framework for its analysis.

## The SEQ

The gender and sex-related harassment items listed in the 2011, 2005 and 1998 surveys are based on a survey instrument called the Sexual Experiences Questionnaire. The SEQ was first conceived by academic Louise Fitzgerald and her colleagues and students in the 1980s in an attempt to standardise measurement of the nature and extent of sexual harassment in universities and the workforce.<sup>11</sup> It identified sexual harassment items in behavioural terms within five general categories: gender harassment, seductive behaviour, sexual bribery, sexual coercion and sexual assault.<sup>12</sup> The instrument avoided the words 'sexual harassment' until its end 'thus avoiding the necessity for the respondent to make a subjective judgement as to whether or not she had been harassed before she could respond.'<sup>13</sup>

In 1995 Fitzgerald et al., published a theoretical and empirical revision of the SEQ. They reported that the SEQ had been used in a number of educational, occupational and organisational settings, been translated into numerous languages, and used in cross-cultural settings.<sup>14</sup> Fitzgerald et al., refined their conceptual framework, and proposed that sexual harassment was composed of three related dimensions: sexual coercion, unwanted sexual attention and gender harassment.<sup>15</sup> Gender harassment referred to 'a broad range of verbal and nonverbal behaviors not aimed at sexual cooperation but that convey insulting, hostile, and degrading attitudes about women'; unwanted sexual attention included 'a wide range of verbal and nonverbal behavior that is offensive, unwanted, and unreciprocated'; and sexual coercion constituted 'the extortion of sexual cooperation in return for job-related considerations.'<sup>16</sup>

In the mid 1990s, the SEQ was adapted for use in a military environment, based on over a decade of psychometric research.<sup>17</sup> This version – referred to as the SEQ-DoD – divided gender harassment into sexist hostility (what is generally thought of as gender harassment) and sexual hostility (the more sexually charged elements of gender discrimination).<sup>18</sup> The SEQ-DoD was administered to more than 28,000 U.S. military personnel in 1995, and along with derivatives of this version, has remained a prominent tool for surveying sexual harassment in the U.S. military.<sup>19</sup> The SEQ-DoD was also used in the 1995 Australian Defence Force Sexual Harassment Survey.<sup>20</sup> These SEQ items formed the basis for the 1998 survey of ADFA Cadets used in the Grey Review, and have remained ADFA's gender and sex-related harassment questionnaire items until 2011.

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- 1 The proportional figure for 2005 is arrived at by taking the figure 837, quoted in the 2005 report, and the ADFA Annual Status Report for 2005 which notes that there were 977 cadets that year: see '110819 Broderick Review Task 100 and task 80' provided to the Review by LTCOL N Fox, 19 August 2011. Directorate of Strategic Personnel and Planning Research, *A Survey of Experiences of Unacceptable Behaviour at the Australian Defence Force Academy*, DSSPR Report x/2005 (2005) p 4; People Strategies and Policy Group Workforce Planning Branch, *Australian Defence Force Academy 2011 ADFA Unacceptable Behaviour Survey*, DSPPR Report 5/2011, Department of Defence, p 1.
  - 2 People Strategies and Policy Group Workforce Planning Branch, note 1, p 9.
  - 3 For a discussion of these different methods in the context of sexual harassment, see R Ilies, N Hauserman, S Schwochas and J Stibal, 'Reported Incidence Rates of Work-Related Sexual Harassment in the United States: Using Meta-Analysis to Explain Reported Rate Disparities' (2003) 56(3) *Personnel Psychology* 607.

- .....
- 4 The reason for this approach, with particular reference to the SEQ, is explained more fully in LF Fitzgerald, SL Shullman, N Bailey, M Richards, J Swecker, Y Gold, M Ormerod, L Weitzman, 'The Incidence of Sexual Harassment in Academic and the Workplace' (1988) 32 *Journal of Vocational Behaviour* 152, p 157.
  - 5 Directorate of Strategic Personnel Policy Research, *Australian Defence Force Academy 2008 Unacceptable Behaviour Survey*, DSPPR Research Report 38/2009, p 3.
  - 6 R Ilies, note 3, p 610.
  - 7 The DSPPR's analysis of the 2008 *Unacceptable Behaviour Survey* notes that only some elements of the survey 'such as the SEQ and AUDIT' have 'undergone reliability and validity testing'. AUDIT has been removed from the 2011 instrument. Directorate of Strategic Personnel Policy Research, note 5, p 3.
  - 8 The differences between the SEQ items used in the surveys between 1998 and 2011 include a reorganisation of the wording in item g; the inclusion of 'email' in the media by which offensive material could be distributed in item h; the use of 'gender' rather than 'sex' in item k; and the recasting of item v in more behavioural terms.
  - 9 AM O'Leary-Kelly, L Bowes-Sperry, CA Bates, E R Lean, 'Sexual Harassment at Work: A Decade (Plus) of Progress' (2009) 35(3) *Journal of Management* 503, p 527; BA Gutek, RO Murphy, B Douma, 'A Review and Critique of the Sexual Experiences Questionnaire' (2004) 28(4), *Law and Human Behaviour* 457, p 472.
  - 10 People Strategies and Policy Group Workforce Planning Branch, note 1, p 8.
  - 11 LF Fitzgerald, note 4, p 155.
  - 12 LF Fitzgerald, above, p 157.
  - 13 LF Fitzgerald, above.
  - 14 LF Fitzgerald, M J Gelfland and F Drasgow, 'Measuring Sexual Harassment: Theoretical and Psychometric Advances' (1995) 17(4) *Basic and Applied Social Psychology* 425, p 428.
  - 15 LF Fitzgerald, above, p 430.
  - 16 LF Fitzgerald, above, pp 430-31.
  - 17 LF Fitzgerald, V J Magley, F Drasgow, C R Waldo, 'Measuring Sexual Harassment in the Military: The Sexual Experiences Questionnaire (SEQ-DoD)' (1999) 11(3) *Military Psychology* 243, p 243.
  - 18 LF Fitzgerald, above, p 261. Sexist hostility items include e, h, i and k on the comparative table included, while sexual hostility items include a, b, c, d, f, g, l, m.
  - 19 Updated survey instruments draw heavily on the SEQ-DoD while seeking to tailor its administration and methodology in ways more sensitive to the military environment. See a discussion of the 19 behaviour items from the 2002 Status of the Armed Forces Surveys: Workplace and Gender Relations, the 2004 Workplace and Gender Relations Survey of Reserve Component Members and the 2005 Service Academies Sexual Assault Surveys in RN Lipari, M Shaw and LM Rock, 'Measurement of Sexual Harassment and Sexual Assault Across Three US Military Populations' (2005), Defense Manpower Data Centre, pp 6-9. At [www.internationalmta.org/Documents/2005/2005106P.pdf](http://www.internationalmta.org/Documents/2005/2005106P.pdf) (viewed 19 July 2011); and a discussion of the Sexual Harassment Core Measure (SHCore), identified in 2011 as the U.S. military's 'chosen measure' and 'a 12-item derivative of the Sexual Experiences Questionnaire' in M Murdoch, JB Pryor, JM Griffin, DC Ripley, GD Gackstetter, 'Unreliability and Error in the Military's "Gold Standard" Measure of Sexual Harassment by Education and Gender' (2011) 12(3) *Journal of Trauma & Dissociation* 216, p 218.
  - 20 MAJ K Quinn, *Sexual Harassment in the Australian Defence Force*, Department of Defence, (1996). At [www.defence.gov.au/fr/reports/SHinADF.pdf](http://www.defence.gov.au/fr/reports/SHinADF.pdf) (viewed 10 August 2011).



# Appendix E – 2011 ADFA Unacceptable Behaviour Survey Results

The following tables present survey results from the 2011 Unacceptable Behaviour Survey that are relevant to the Review. A total of 599 cadets completed the survey, however, the below figures do not always total 599 (or 100% for proportional items). This is due to incomplete responses, instances where respondents skipped questions, and rounding.

The tables and figures cited below are taken from DSPPR Report 5/2011 and supplementary data supplied to the Review, and use the baseline figures quoted by the DSPPR. Items which contained minimal and possibly identifying data are not included.

DSPPR Report 5/2011 works from an assumption that there are currently 972 cadets at ADFA, which differs from other figures provided to the Review and cited in Appendix A.

**Table 1 – Response rates by year and gender**

Table 1 indicates year and gender of respondents.

Year	Total Male Cadets	Male respondents (number)	Male respondents (percent)	Total Female Cadets	Female respondents (number)	Female respondents (percent)
First	272	155	57.0	75	55	73.3
Second	218	123	56.4	70	52	74.3
Third	219	151	68.9	54	37	68.5
Fourth	47	18	38.3	25	3	12.0

**Table 2 – Response rates by Service**

Table 2 indicates Service of respondents. It does not include information about the small number of foreign service cadets who took the survey.

Service	Total Male Cadets	Male respondents (number)	Male respondents (percent)	Total Female Cadets	Female respondents (number)	Female respondents (percent)
Navy	102	69	67.6	51	38	74.5
Army	379	212	55.9	84	60	71.4
Air Force	243	162	66.7	74	47	63.5

**Table 3 – Experiences of gender and sex-related behaviours by gender**

Table 3 shows the percentage of female and male cadets who reported experiencing each SEQ behaviour at least once during the previous 12 months. The behaviours are grouped according to the types of unacceptable behaviours.

SEQ Survey Item	Female percent (at least once)	Male percent (at least one)
<b>Sexist Behaviours</b>		
e. Treated you differently because of your gender (eg. Mistreated, slighted or offended you)?	34.0	5.9
i. Made offensive sexist remarks (eg. Suggesting people of your gender are not suited to the kind of work that you do)?	31.9	9.0
k. Put you down or was condescending to you because of your gender?	25.2	1.4
<b>Crude/Offensive Behaviours</b>		
a. Repeatedly told sexual stories or offensive jokes?	72.9	65.0
c. Made unwelcome attempts to draw you into a discussion of sexual matters (for example, attempts to discuss/comment on your sex life)?	37.6	23.5
d. Made crude and offensive sexual remarks either publicly (eg. In your workplace) or to you privately?	34.0	29.4
f. Made offensive remarks about your appearance, body or sexual activities?	22.2	14.6
h. Displayed, used or distributed sexist or suggestive materials (eg. Pictures, stories, pornography, email)?	13.9	19.9
b. Whistled, called or hooted at you in a sexual way?	40.3	15.0
l. Stared, leered or ogled at you in a way that made you feel uncomfortable	22.2	2.9
g. Made gestures or used body language of a sexual nature?	18.1	21.3

SEQ Survey Item	Female percent (at least once)	Male percent (at least one)
m. Exposed themselves physically (eg. 'mooned' you) in a way that embarrassed you or made you feel uncomfortable?	9.0	8.1
<b>Unwanted Sexual Attention/Seduction</b>		
r. Made unwanted attempts to stroke, fondle or kiss you?	6.3	4.5
n. Continued to ask you for dates, drinks, dinner etc., even though you have said 'no'?	13.9	2.4
j. Made unwanted attempts to establish a romantic sexual relationship with you despite your efforts to discourage it?	19.4	4.5
q. Touched you in a way that made you feel uncomfortable?	6.9	3.6
<b>Sexual Bribery/Threat (Quid Pro Quo)</b>		
o. Made you feel you were being bribed with some sort of reward or special treatment to engage in sexual behaviour?	2.1	0.7
s. Treated you badly for refusing to have sex?	4.3	1.9
p. Made you feel threatened with some sort of retaliation for not being sexually cooperative (eg. By mentioning an assessment)?	2.1	1.2
t. Implied better treatment if you were sexually cooperative?	2.8	1.2
u. Made you afraid you would be treated poorly if you did not cooperate sexually?	2.8	0.5
<b>Sexual Assault</b>		
v. Made unwanted attempts to have sex with you that resulted in you pleading, crying or physically struggling?	2.1	0.2
w. Had sex with you without your consent or against your will?	2.1	0.2

**Table 4 – General Harassment and Discrimination Experiences, relevant items with a statistically significant gender difference**

Table 4 shows the percentage of female and male cadets who reported experiencing the general harassment and discrimination items quoted in the body of the Review report. These are the items that returned a statistically significant gender difference in response with relevance to the Review.

General Harassment and Discrimination Experiences	Female percent (at least once)	Male percent (at least one)
c. Spread malicious rumours or public statements of a derogatory nature about you or another person?	55.5	12.2
s.[...] Treated you differently, victimised you or harassed you because of...Your medical status (eg. Being on a chit/restrictions)?	45.5	17.9
f. Excluded you from normal conversation or workplace activities and work-related social activities?	21.9	12.2
s.[...] Treated you differently, victimised you or harassed you because of...An impairment, medical condition or disability?	11.7	5.6
s.[...] Treated you differently, victimised you or harassed you because of...Your pregnancy or potential pregnancy?	3.4	n/a

**Table 5 – Aggregated general harassment and discrimination experiences**

Table 5 shows the aggregated results for general harassment and discrimination experiences, including the percentage of those who found each experienced behaviour to be ‘unacceptable.’

General Harassment and Discrimination Experiences	Never (percent)	At least once (percent)	Unacceptable (percent)
a. Made insulting comments about your physical characteristics, abilities or mannerisms?	33.2	66.8	13.3
b. Made negative or unnecessary comments about your work or capacity for work?	54.3	45.7	16.8
c. Spread malicious rumours or public statements of a derogatory nature about you or another person?	57.6	42.4	51.6



General Harassment and Discrimination Experiences	Never (percent)	At least once (percent)	Unacceptable (percent)
d. Interfered with your workspace, work materials, equipment or property?	68.5	31.5	16.6
e. Deliberately failed to pass on important information?	81.4	18.6	35.5
f. Excluded you from normal conversation or workplace activities and work-related social activities?	85.5	14.5	19.8
g. Subjected you to offensive racist remarks?	87.9	12.1	20.8
h. Subjected you to persistent teasing?	81.6	18.4	18.3
i. Physically bullied, assaulted or threatened you with violence?	92.3	7.7	26.1
j. Displayed intimidating behaviours such as finger pointing, invasion of personal space, shoving, barring the way?	83.0	17.0	10.9
k. Forced or coerced you to participate in unofficial initiation ceremonies?	94.6	5.4	3.1
l. Abused their authority or issued inappropriate orders?	90.2	9.8	44.8
m. Applied favouritism in the allocation of work?	74.4	25.6	29.8
n. Ordered you to undertake their personal tasks?	95.3	4.7	17.9
o. Shouted at you or subjected you to spontaneous anger or rage?	63.7	36.3	18.2
p. Publicly expressed or displayed affection or intimacy in the workplace?	77.9	22.1	19.2

General Harassment and Discrimination Experiences	Never (percent)	At least once (percent)	Unacceptable (percent)
q. Overloaded you with work or required work to be done without sufficient time to do it?	66.4	33.6	12.6
r. Forced or coerced you to work excessive hours per week on a regular basis?	82.1	17.9	16.2
s.[...] Treated you differently, victimised you or harassed you because of your skin colour?	95.0	5.0	17.2
s.[...] Treated you differently, victimised you or harassed you because of your religion?	93.3	6.7	23.1
s.[...] Treated you differently, victimised you or harassed you because of your age?	90.2	9.8	12.3
s.[...] Treated you differently, victimised you or harassed you because of your political opinion?	92.5	7.5	16.3
s.[...] Treated you differently, victimised you or harassed you because of an impairment, medical condition or disability?	92.9	7.1	29.3
s.[...] Treated you differently, victimised you or harassed you because of your nationality or national ethnic extraction?	92.9	7.1	14.6
s.[...] Treated you differently, victimised you or harassed you because of your marital status?	98.4	1.6	22.2
s.[...] Treated you differently, victimised you or harassed you because of your pregnancy or potential pregnancy?	99.0	1.0	16.7

General Harassment and Discrimination Experiences	Never (percent)	At least once (percent)	Unacceptable (percent)
s.[...] Treated you differently, victimised you or harassed you because of your family responsibilities?	98.6	1.4	37.5
s.[...] Treated you differently, victimised you or harassed you because of your sexual orientation?	95.1	4.9	10.7
s.[...] Treated you differently, victimised you or harassed you because of being a non/light drinker?	83.5	16.5	17.9
s.[...] Treated you differently, victimised you or harassed you because of your medical status (eg Being on a chit/restrictions)?	75.0	25.0	28.5

**Table 6 – Opinions on Unacceptable Behaviour, items with a statistically significant gender difference**

Table 6 shows the gender disaggregated percentage of cadets' opinions on unacceptable behaviour where the results indicated a statistically significant gender difference.

Opinions on Unacceptable Behaviour	Female percent (agree/to some extent)	Male percent (agree/to some extent)
Women should not be restricted from any specialties from which they can qualify	66.7	46.8
Men have an advantage over women when it comes to having a successful military career	31.3	19.6
Men and women have equal opportunities for promotion in my Service	68.0	78.1
Work groups whose members are all the same sex generally work together more effectively	9.5	29.5
Extent subjected to unacceptable behaviour within the last twelve months	38.8 (at least to some extent)	23.0 (at least to some extent)

**Table 7 – Opinions on unacceptable behaviour, percentage**

Table 7 shows the full aggregated responses to the opinions on unacceptable behaviour. This table shows several instances of high neutral responses noted in the text, indicating a high level of ambiguity about some of these items. The percentages quoted may not tally to 100% due to rounding.

Opinions on Unacceptable Behaviour	Strongly disagree	Disagree	Neutral	Agree	Strongly Agree
People at ADFA who harass others usually get away with it	23.0	47.8	16.3	11.9	1.0
Unacceptable behaviour is not tolerated at ADFA	1.5	4.3	5.2	47.5	41.5
Actions are being taken at ADFA to prevent unacceptable behaviour	0.7	2.3	5.9	50.1	41.0
It wouldn't be worth complaining about unacceptable behaviour here because nothing would be done about it	53.9	37.7	5.4	2.7	0.3
If you complained about unacceptable behaviour here you would be labelled a trouble-maker	31.2	41.9	17.3	8.7	1.0
My DO has clearly indicated unacceptable behaviour will not be tolerated here	1.5	2.0	4.5	34.8	57.2
My CO/OC has clearly indicated unacceptable behaviour will not be tolerated here	1.5	0.8	4.5	32.0	61.1
Too much attention is being paid to unacceptable behaviour	5.4	24.0	36.5	20.3	13.9

Opinions on Unacceptable Behaviour	Strongly disagree	Disagree	Neutral	Agree	Strongly Agree
Much of what is labelled unacceptable behaviour is actually a misunderstanding	4.0	34.8	38.6	23.2	9.4
Women should not be restricted from any specialities for which they can qualify	11.1	28.3	28.4	18.2	4.3
Men have an advantage over women when it comes to having a successful military career	20.7	28.3	28.4	18.2	4.3
Work groups whose members are all the same sex generally work together more effectively	15.1	28.8	31.8	16.4	8.0
Men and women have equal opportunities for promotion in my Service	1.5	5.4	17.4	45.8	29.9
	<b>Don't Know</b>	<b>Not at All</b>	<b>Small Extent</b>	<b>Moderate Extent</b>	<b>Large Extent</b>
Extent subjected to unacceptable behaviour within the last twelve months	1.2	71.8	23.8	2.7	0.5
Extent peers are committed to preventing and stopping unacceptable behaviour	4.5	3.9	16.7	47.6	27.3
Extent DO is committed to preventing and stopping unacceptable behaviour	4.7	1.2	5.6	26.5	62.1

Opinions on Unacceptable Behaviour	Strongly disagree	Disagree	Neutral	Agree	Strongly Agree
Extent CO/OC is committed to preventing and stopping unacceptable behaviour	4.9	0.8	3.4	23.4	67.5
Extent senior leadership at ADFA are committed to preventing and stopping unacceptable behaviour	2.9	0.8	1.2	18.5	76.6
Extent the policy of zero tolerance of unacceptable behaviour is practiced at ADFA	3.9	1.9	10.1	40.1	44.0
Extent likely to report unacceptable behaviour if it happens in the future	2.7	3.2	15.7	40.8	37.6
Extent of confidence that a complaint of unacceptable behaviour would be handled appropriately	2.0	2.7	5.9	34.1	55.3
Extent of confidence that a complaint about unacceptable behaviour would be satisfactorily resolved	3.0	2.5	9.0	42.9	42.6

**Table 8 – Category of unwanted behaviour**

Table 8 shows the way that cadets who reported experiencing an unacceptable behaviour categorised the most serious incident that they had experienced. Women were more likely to nominate 'gender harassment', and men were more likely to nominate 'other'.

Category of Unacceptable Behaviour	Percent Gender		Percent of Total
	Male	Female	
Sexual offence	3.5%	7.7%	5.3%
Sexual harassment	7.1%	10.8%	8.7%
Gender harassment	1.2%	24.6%	11.3%
Harassment	15.3%	4.6%	10.7%
Discrimination	12.9%	20.0%	16.0%
Abuse of power	11.8%	7.7%	10.0%
Inappropriate workplace relationship	11.8%	4.6%	8.7%
Workplace bullying	17.6%	12.3%	15.3%
Other	18.8%	7.7%	14.0%

**Table 9 – Nature of unacceptable behaviour**

Table 9 indicates the nature and impact of the behaviour experienced. Respondents were more likely to find the behaviours annoying than frightening, however the range of listed responses were recorded across the spectrum of severity.

To what extent was the behaviour...	Not at all (percent)	Slightly (percent)	Moderately (percent)	Very (percent)	Extremely (percent)
Annoying	12.4	26.9	23.4	25.5	11.7
Offensive	30.1	27.3	28.7	9.1	4.9
Disturbing	53.5	25.7	12.5	3.5	4.9
Threatening	76.4	15.3	5.6	1.4	1.4

To what extent was the behaviour...	Not at all (percent)	Slightly (percent)	Moderately (percent)	Very (percent)	Extremely (percent)
Embarrassing	49.0	22.1	14.5	9.7	4.8
Frightening	85.3	8.4	1.4	2.8	2.1

**Table 10 – Frequency and length of unacceptable behaviour experienced**

Table 10 indicates the frequency and length of the unacceptable behaviour experienced, disaggregated by gender.

Survey Item	Response option	Percent Gender		Percent of Total
		Male	Female	
How often did the behaviour occur	Once	36.4%	41.0%	38.8%
	Once a month or less	28.6%	27.9%	28.1%
	Two to four times a month	22.1%	19.7%	20.9%
	Every few days	11.7%	9.8%	10.8%
	Every day	1.3%	1.6%	1.4%
	<i>Total</i>	<i>100%</i>	<i>100%</i>	<i>100%</i>
How long did the behaviour last [figures sic]	Less than a week	54.1%	54.1%	54.4%
	One to four weeks	16.2%	27.9%	21.3%
	One to six month	14.9%	9.8%	12.5%
	More than six months	14.9%	8.2%	11.8%
	<i>Total</i>	<i>100%</i>	<i>100%</i>	<i>100%</i>



**Table 11 – Those responsible for unacceptable behaviour experience**

Table 11 indicates the demographics of those responsible for the unwanted behaviours, as reported by respondents. Those responsible were more likely to be part of a group, male, and the same age and rank as the respondent.

Survey Item	Response option	Percent Gender		Percent of Total
		Male	Female	
How many people responsible	One person	46.8%	37.7%	43.2%
	More than one person	53.2%	63.2%	56.8%
	<i>Total</i>	<i>100%</i>	<i>100%</i>	<i>100%</i>
Gender of person(s) responsible	Male(s)	55.8%	72.1%	63.3%
	Female(s)	9.1%	4.9%	7.2%
	Male(s) and Female(s)	35.1%	23.0%	29.5%
	<i>Total</i>	<i>100%</i>	<i>100%</i>	<i>100%</i>
Age of person(s) responsible	Younger than you	11.7%	9.8%	10.8%
	About your age	41.6%	47.5%	43.9%
	Older than you	21.1%	19.7%	21.6%
	Combination of the above	24.7%	23.0%	23.7%
	<i>Total</i>	<i>100%</i>	<i>100%</i>	<i>100%</i>

Survey Item	Response option	Percent Gender		Percent of Total
		Male	Female	
Rank of person(s) responsible	At a subordinate level/rank to you	2.4%	7.7%	4.8%
	At the same level/rank to you	69.4%	73.8%	73.8%
	At a senior level/rank to you	17.6%	15.4%	17.9%
	Unknown	4.7%	1.5%	3.4%
	<i>Total</i>	<i>94.1%</i>	<i>98.4%</i>	<i>99.9%</i>

**Table 12 – Location and timing of unacceptable behaviour**

Table 12 shows the location and timing of the unacceptable behaviour.

Response option	Percent Gender		Percent of Total
	Male	Female	
It all occurred at work/in training	43.9%	46.6%	48.5%
Most of it occurred at work/in training	9.6%	19.0%	13.6%
Some of it occurred at work/in training	19.2%	20.7%	19.7%
None of it occurred at work/in training	21.9%	13.8%	18.2%
<i>Total</i>	<i>100.0%</i>	<i>100.0%</i>	<i>100.0%</i>
It all occurred during duty hours	31.0%	27.6%	30.0%
Most of it occurred during duty hours	12.7%	10.3%	11.5%
Some of it occurred during duty hours	38.0%	41.4%	39.2%
None of it occurred during duty hours	18.3%	20.7%	19.2%
<i>Total</i>	<i>100.0%</i>	<i>100.0%</i>	<i>100.0%</i>

Response option	Percent Gender		Percent of Total
	Male	Female	
In your unit (i.e. at ADFA)	58.8%	61.5%	48.1%
On exercises away from ADFA (TDY, attachments)	3.5%	4.6%	3.2%
In a training situation or at a training establishment	12.9%	13.8%	10.6%
At a military social function	4.7%	6.2%	4.2%
In your barracks living area	27.1%	32.3%	23.3%
Off base/ashore/civilian setting	10.6%	10.8%	8.5%
None of the above	4.7%	0.0%	2.1%

**Table 13 – Consequences of unwanted behaviour**

Table 13 shows the consequences of the unacceptable behaviour, disaggregated by gender.

Consequence	Percent Gender		Percent of Total
	Male	Female	
Performance suffered	12.9%	6.2%	9.9%
Was embarrassed	20%	30.8%	24.5%
Became upset	10.6%	30.8%	19.2%
Working/training became unpleasant/hostile	9.4%	16.9%	12.6%
Feelings about being in the Defence Force were negatively affected	16.5%	15.4%	15.9%
Performance evaluation unfairly lowered	3.5%	3.1%	3.3%
Relationship with workmates deteriorated	16.5%	13.8%	15.2%
Became sick	3.5%	1.5%	2.6%



# Appendix F – Diversity of the Cadet Body at ADFA

The ADFA Attitude Surveys consist of two questionnaires administered at the beginning and end of Year One Familiarisation Training (YOFT) to first year cadets each year from 2004-2009. Some demographic data about the makeup of first year cadets was collected for the purposes of the Surveys, though this was not collected in a consistent way each year. For example, in 2004 biographic data was not matched for the responses collected for the two questionnaires, and in 2009 only some pre-YOFT data was collected.

Data extracted from *ADFA Attitude Survey Reports 2005-2009*<sup>1</sup>

YOFT Year	Parents from a non-English speaking background	Language other than English as a first language	Aboriginal/Torres Strait Islander identification
2005	89.3% of cadets did not have a parent from a non-English speaking background. 10.7% had a father and/or mother from a non-English speaking background.	Only 4.2% of respondents had a first language other than English.	None
2006	Almost 90% of cadets did not have a parent from a non-English speaking background. 11% had either father and/or mother from a non-English speaking background.	3% of Cadets had a first language other than English.	Less than 1% (1 of 288) identified as Aboriginal or Torres Strait Islander.
2007	90.4% of Cadets did not have a parent from a non- English speaking background. 9.6% had either their father and/or mother from a non-English speaking background.	3.3% of Cadets had a first language other than English.	None
2008	Approximately 10% of cadets had a parent from a non-English speaking background.	3.7% of cadets had a first language other than English.	Less than 1% (2 cadets or 0.6%) identified as Aboriginal.
2009	Approximately 10% of cadets had a father and/or mother from a non-English speaking background.	5% of cadets had a first language other than English.	1% (3 cadets) identified as Aboriginal or Torres Strait Islander.

In years for which data was available, cadets from overseas militaries had the largest proportion (between 45%-75%) of those with parents from a non-English speaking background, or whose first language was not English, out of all the Services.

ADFA was unable to provide directly comparable data for 2010-11.

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- 1 DSPPR, *Australian Defence Force Academy Attitude Survey 2004 – Summation of Key Findings*, DSPPR Brief 4/2004, Department of Defence (2004); DSPPR, *Australian Defence Force Academy Attitude Survey 2005 – Main Report*, DSPPR Research Report 30/2005, Department of Defence (2005); DSPPR, *Australian Defence Force Academy Attitude Survey 2006 – Main Report*, DSPPR Research Report 26/2006 Department of Defence (2006); DSPPR, *Australian Defence Force Academy Attitude Survey 2007 – Main Report*, DSPPR Report 20/2007, Department of Defence (2007); DSPPR, *Australian Defence Force Academy Attitude Survey 2008 – Main Report*, DSPPR Research Report 43/2008, Department of Defence (2008); DSPPR, *Australian Defence Force Academy Attitude Survey 2009 – Main Report*, DSPPR Research Report 37/2009 Department of Defence (2009).

# Appendix G – After Hours Supervision – the Academy Duty Officer System

Formal arrangements for ‘after hours’ staff supervision at ADFA are set out in Chapter 5 the *Academy Standing Orders* (ASOs). This outlines the Academy Duty Officer System. ADFA advises that other staff are called in as required to deal with issues as they arise. For example, there is a duty padre and a duty psych that are always available by phone, and the DO, DSNCO or OC are called in to ADFA if needed.<sup>1</sup>

The ASO 5.1 provides for Duty personnel at ADFA as follows:

- a. Academy Duty Officer (ADO) – SGT (E) to CAPT (E) who has completed basic officer training or the ADFA ADO qualifying course. Drawn from CI staff and Advanced Students;
- b. XOs Duty Officer (XDO) – SGT (E) to CAPT (E) from XO CADETS staff, stood up in periods when the cadet body is at ADFA or on command by XO CADETS;
- c. Duty Officer Cadet (DOC) – Third year cadet; and
- d. Assistant Duty Officer Cadet (ADOC) – Second year cadet.
- e. Division Duty Orderlies (DDO) – a cadet from each division.

The XDO (one of the duty officers at ADFA – located within the cadet accommodation area) was introduced in 2010. Prior to this there was only the Duty Officer and Duty NCO for the entire Academy. As of 2010 there are two duty officers (one focussed on cadets) and one focused on the remainder of ADFA/Security/closure of buildings.

The ‘Academy Duty Officer’ (ADO) acts as the Commandant’s ‘after hours representative’. The ADO is responsible for the security and administration of ADFA outside normal working hours. ‘Advanced students’ are defined in the ASOs as ‘Midshipmen and Officer Cadet graduates of the Academy undertaking honours studies or fourth year engineering, and Officers, SNCOs, and Senior Sailors undertaking undergraduate or post graduate studies’.

The ADO is not responsible for managing cadets after hours in regard to their living arrangements.

The ‘Executive Officer Cadets Duty Officer’ (XDO) is responsible for the security, discipline and ‘wellbeing and welfare of the cadet body’ of the cadet body. This includes responsibility for:

- the conduct of disciplinary punishments;
- routine monitoring of behaviour, standards and adherence to leave policies; and
- providing an initial point of contact for ‘cadets under stress’ and for cadet emergencies or other emergencies related to the accommodation.<sup>2</sup>

## Location of Duty Staff

The ASOs provide that duty staff are 'primarily required to conduct their duties from the Academy Duty Room, located in the foyer of the Military Building'. Advice from ADFA is that the ADO office is located in the reception building at ADFA, and the XDO office is located within the cadet accommodation area.<sup>3</sup> The ASOs provide as follows:

- a. ADO. Occasions may arise where the ADO is required to move to other locations, both within the Academy precinct and the wider Canberra area, in order to conduct their duties. When absent from the Military Building, the ADO is to ensure that the XDO is aware of their location at all times. In addition to this, the ADO is to carry the charged mobile telephone, which can be found in the Duty Room. The ADO should only leave the Academy precinct if it is essential to do so in order to complete their duties.
- b. XDO. The XDO is responsible for the maintenance of discipline and behaviour of midshipmen and cadets outside normal working hours. The XDO is also responsible for the security of the cadet body. The XDO is not permitted to leave the Academy precinct unless authorised by the office of the XO CADETS. The XDO is to mount duty from the after hours duty room in Bld 64.

The ADO and XDO also oversee the Cadet Duty Officer system, which is comprised of a Duty Officer Cadet (DOC) (a third year cadet who assists the ADO) and Assistant Duty Officer Cadet (a second year cadet).

The ASOs also provide for 'Divisional Duty Orderlies' who are a cadet from each division given the responsibility of reporting to the XDO all 'significant after hours matters pertaining to the cadet body', and have an informal role in monitoring the behaviour standards and wellbeing of the Division.

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- 1 LTCOL N Fox, Email to Review, 22 August 2011.
  - 2 '110822 Broderick Review – Presentation – ASO and Duty System', provided to the Review by LTCOL N Fox, 22 August 2011.
  - 3 LTCOL N Fox, Email to Review, 22 August 2011.



# Appendix H – Physical Fitness Standards

## Physical Fitness Assessment for Entry into Service

Each Service has its own specific physical fitness assessments which all candidates who have been recommended for appointment or enlistment must undergo.<sup>1</sup>

For the Army the requirements are:

- For men: 15 push-ups, 45 sit-ups, 7.5 shuttle run score.<sup>2</sup>
- For women: 8 push-ups, 45 sit-ups, 7.5 shuttle run score.
- Special requirements apply for those in Special Forces (from which women are currently excluded from recruitment): 30 push-ups, 60 sit-ups, 10.1 shuttle run score.

For the Navy the requirements are:

- For men: 15 push-ups, 20 sit-ups (feet held), 6.1 shuttle run score.
- For women: 6 push-ups, 20 sit-ups (feet held), 6.1 shuttle run score.
- Special requirements apply for Navy Clearance Diver and Naval Reserve Diver applicants: 6 heaves (chin-ups), 30 push-ups, 25 sit-ups and a 10.1 shuttle run score.

For the Air Force the requirements are:

- For men: 10 push-ups, 20 sit-ups (feet held), 6.5 shuttle run score.
- For women: 4 push-ups, 20 sit-ups (feet held), 6.5 shuttle run score.
- Special requirements apply to applicants who are over 55. Ground Defence Officer and Airfield Defence Guard require the following: 15 push-ups, 45 sit-ups, 7.5 shuttle run score.

## ADFA Initial Fitness Assessment (based on Army Initial Fitness Assessment – Entry Test)

ADFA conducts an Initial Fitness Assessment of cadets during YOFT to gauge their level of fitness in order to tailor programs as required. This initial assessment is based on the fitness assessment conducted on entry into the Army (an Initial Fitness Assessment involving a shuttle run, push-ups and sit-ups) and allows for some gender differences as provided below:

Gender	Push-ups	Sit-ups (feet held)	Multi Stage Fitness Test (Beep)
Male	15	45	7.5
Female	8	45	7.5

## ADFA Fit test and Single Service Fitness Test (SSFT)

The 'ADFA Fit Test' is conducted 3 times a year in conjunction with the SSFTs. Cadets are only required to pass one SSFT as a prerequisite for graduation in third year.

The SSFTs, like the initial assessments, include a 'multi-stage fitness test' (a shuttle run to measure aerobic capacity, push-ups and sit-ups) as a means of assessing the physical development of cadets. The requirements are slightly different for each Service and are slightly lower for women than men. Adjustments are also made on the basis of age.<sup>3</sup>

The ADFA Fit Test is intended to be a standard test for all 1st and 2nd year cadets 'which is fair and equitable' and provides a mixture of all three different Service SSFT standards. Those who fail to achieve the required standards will be placed onto remedial PT and will not be allowed to participate in sport.<sup>4</sup>

All cadets are required to do:

- push-ups (to IAW RAN SSFT standards)
- sit-ups (to IAW RAAF SSFT standards, 65 reps, feet held)
- 2.4km run (IAW individual SSFT standards).

During Single Service training, cadets may participate in more physically demanding activities. All cadets conduct Obstacle Course Training at ADFA. Single Service training for army cadets also includes bayonet assault courses, endurance marching over long distances, and carrying packs or loads which are weighted based on a person's body weight (rather than age or gender).

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- 1 Australian Defence Force, 'Physical Fitness Assessment and Multistage Fitness Test', [www.defencejobs.gov.au/fitness/](http://www.defencejobs.gov.au/fitness/) (viewed 1 September 2011).
  - 2 The shuttle run consists of a series of 20 metre sprints. The test to level 7.5 involves 56 shuttles (a total distance of 1120 metres), and takes approximately 6 minutes and 30 seconds to complete.
  - 3 LTCOL N Fox, Email to Review, 22 August 2011.
  - 4 Australian Defence Force Academy, 'ADFA Fitness Assessments and Remedial Processes', PRT/06/2011 (2011) provided to the Review, 22 August 2011.

# Appendix I – Cadet Boards of Review

## Taken from Academy Standard Operating Procedures, Chapter 4 – Training

Cadets' performance at ADFA is the subject of Fortnightly Boards of Review (FBOR), Mid-Year Boards of Review (MYBOR) and End of Year Boards of Review (EYBOR). Processes leading to termination of cadets come in the form of adverse administrative action with respect to counselling, Notices to Show Cause (NSC) and options in lieu of NSC.

Whilst most administrative action is processed at the end of academic sessions, via the MYBOR and EYBOR, administrative action can be instigated at any time. The emphasis on the 'end of session' BOR process occurs because these meetings are timed to coincide with the provision of academic and military results.

Where adverse administrative action is initiated other than via the MYBOR or EYBOR, it is said to be an 'out of session' action. Out of session actions other than those that are urgent will be considered via the fortnightly BOR (FBOR).<sup>1</sup>

The purpose of the BORs is to ensure that the progress of all cadets is discussed and the full picture is presented. These fora make recommendations and decisions concerning administrative action such as counselling, formal warning, censure, commendations, counselling releases, NSCs and letters of offer.<sup>2</sup>

When a serious deficiency in performance exists, a cadet may be issued with a Notice to Show Cause (NSC) as to why their probationary appointment should not be terminated. NSC action may be considered for any number of reasons, but in general, NSC action should be considered when a student:

1. has not made sufficient progress to make graduation in minimum time likely
2. is precluded from meeting the requirements of their degree in minimum time (ie. they cannot complete their major/sub-major requirements due to subject/unit failure or a terminating pass)
3. is on a COMDT Academic Counselling and has further failures or their recovery of their academic standing is not progressing at a satisfactory rate
4. has a continuing history of poor military performance
5. has acted so poorly, generally a specific incident, that suspension without counselling is justified (e.g. where a member is found guilty of theft)
6. has been issued a Notice to Show Cause by the University College.

Students would normally have received either a COMDT or DCOMDT counselling prior to suspension; however, suspension without counselling may be considered in serious circumstances.<sup>3</sup>

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1 Australian Defence Force Academy, *Academy Standard Operating Procedures* (2011), Chapter 4.

2 Australian Defence Force Academy, above.

3 Australian Defence Force Academy, above.



# Appendix J – Examples of Best Practice from International Contexts

## Introduction and Methodology

As indicated in the body of the Report, the Review examined a range of international defence academies identified as bearing the greatest similarity to ADFA in terms of size, structure, or the wider contexts within which they functioned.<sup>1</sup>

The Review conducted a broad ranging scan of Government and Defence Force inquiries, reports and evaluations; as well as an extensive catalogue of articles from peer reviewed journals and other literature. In addition, the Review submitted questions to the nominated institutions and received detailed responses from each.<sup>2</sup>

Clearly the treatment of women in defence academies is a broad subject and the confines of this Report prevent an exhaustive analysis. Instead, the Review chose to elect examples of best practice that are available to cadets or trainees within the environments that were examined.

## Limitations

Before these are listed, however, it is important to note that each operates within a unique historical setting. Consequently, while all defence services are at similar stages along the broad 'gender integration journey', as suggested in the Report, the specifics of policies and programs available are influenced by the background against which they have been developed.

As an example, the United States (US) Defence Forces are obviously the subject of significant national focus, given their size and deployment in so many contemporary fields of active combat. In contrast, there is far less national emphasis on defence in the Netherlands and New Zealand, with personnel more likely to be involved in peacekeeping and crisis management operations.<sup>3</sup>

Specific events also influence the focus of policy. Accordingly, a series of sexual assault scandals, including at the US Air Force Academy (USAFA), propelled the development of a comprehensive prevention and response infrastructure in the US;<sup>4</sup> while policy in the United Kingdom tends to have greater emphasis on prevention of bullying, partly in response to what were perceived as bullying-related deaths of several young trainees in the UK in the 1990s.<sup>5</sup> In contrast, the Canadian Forces (CF) give particular attention to ethical leadership, again arguably in response to several very public failures of ethical conduct by actively deployed CF personnel.<sup>6</sup>

A great many programs and initiatives were noted by the Review that are not immediately relevant to the defence academy environment. Certainly, the majority of international work on gender integration seems to have occurred outside these settings, with the arguable exception of the US. What follows, however, are examples of both broad policy and pragmatic initiatives – some very specific to the Academy setting, others service wide processes which cadets are expected to employ – which, if emulated in the Australian environment, may help to contribute to a strong future for ADFA.

## Greater Representation of Women

*'Bring Me Men' (US Air Force Academy)*<sup>7</sup>

The number of women graduating from military academies is a particularly valuable driver of wider gender integration. This is because Academy graduates are trained for leadership positions and are therefore more immediately able to influence organisational culture.<sup>8</sup> A critical mass of women in training institutions, therefore, can contribute to inclusive defence services overall. A critical mass is widely regarded as 30% and, while no Academy examined was quite at this point, the Royal Military College (RMC), Kingston, was significantly close, with nearly 28% of the 2010/2011 enrolment female. The US Air Force Academy followed with 22%, and the US Naval Academy 20%, although RMC Kingston is most directly comparable to the Australian context, being tri-Service. Clearly, then, traditional creeds like *'Bring Me Men'*, the recently discarded US Air Force Academy one noted above, are beginning to lose their application.

While female Academy graduates can set an example and shape organisational culture, women in leadership at the Academy can obviously propel similar change. In its scan of international institutions, the Review observed the value of women occupying senior roles, such as the US Naval Academy Commandant 2006-8 and current Brigade Commander; as well as the current RMC Kingston Director of Cadets, a former member of the first group of female cadets to enrol at RMC Kingston in 1980 and a veteran of service in the Balkans and Afghanistan.<sup>9</sup>

## Strong statements and examples set by leadership

*'[A] powerful and direct influence on organizational culture comes from within the officer corps, who turn values into action, bring coherence out of confusion, set the example, and articulate the viewpoint of the military institution.'*<sup>10</sup>

Whether female or male, 'buy-in' from leadership has been observed to be the single biggest contributor to shaping inclusive Defence services.<sup>11</sup> While acknowledging that words must be supported by action, strong statements by Defence leadership can set the tone for a cadet's service experience, helping a cadet to position equity as a core service value, rather than as an optional extra. There are numerous examples of unequivocal commitments from leadership across the defence services examined, including the nomination of high ranking generals as 'Gender Champions' in the Dutch Defence Forces to advocate for the integration of women – an initiative which this Review would describe as best practice.

However, specific to the training context, the Review noted that clear directions from Academy leadership can help lay early and positive foundations in cadet attitudes.

For example, the messages provided to cadets at RMC Kingston make clear that diversity and ethics are valued. The RMC Mission is described as being 'to produce officers with the *ethical*, mental, physical and linguistic capabilities required to lead with distinction in the Canadian Forces'.

RMC Kingston outlines the desired goals and responsibilities for cadets, including a very clear identity as an officer to which cadets are to aspire. In addition to identifying other important leadership qualities and responsibilities, RMC Kingston states that, 'as representatives of all that is best in Canadian society', a cadet must aim to be an officer who must:

Conduct yourself with honour, honesty and integrity in all of your activities. Base your decisions on solid moral and ethical values. Allow no discrimination, ill treatment or cruelty, and welcome the strength that diversity brings...<sup>12</sup>

Just as importantly, the example set by immediate supervisors and those closer to cadets in the chain of command can shape the culture of a squadron – sending the message to potential perpetrators that discrimination or harassment will not be tolerated, for example, and to prospective complainants that they will be taken seriously.<sup>13</sup>

Broader policy and directives need to recognise this role, by putting a direct responsibility on leaders to ensure that all in their command understand relevant policy and their link to operational effectiveness.<sup>14</sup> Equally, continuity of staffing arrangements have been described as crucial in order to retain organisational knowledge and experience.<sup>15</sup>

## Clear Policies and Effective Training

Unsurprisingly, policies and processes that are easily understood and accessed by cadets are essential to best practice. Each defence service examined had comprehensive policies in relation to equal opportunity, discrimination, bullying, harassment, and sexual assault, albeit with varying emphases. It is not useful, therefore, to replicate all these policies here. However, the Review observed that the presence of the following characteristics were more likely to render a policy or program effective – particularly in terms of application to potentially vulnerable trainees.

### Clarity of rights and responsibilities

As observed in the body of the Report, policies such as the Department of National Defence's (DND) *Harassment Prevention and Resolution Guidelines* and *Harassment Advisor Reference Manual* clearly outline not only the process that a complainant ought to follow when considering or lodging a complaint, but also the rights and responsibilities of all involved – from the complainant and respondent; to the Anti-Harassment Advisers and those in positions of command. It also contains templates to guide personnel who may be unsure about how to start.

Similarly, the United Kingdom's *Joint Service Publication 913 – Tri Service Policy on Domestic Abuse and Sexual Violence* steps out very clear processes, including the role of commanders, urging command to recognise that each case needs to be treated individually in terms of the involvement of service and civilian agencies.<sup>16</sup>

Meanwhile, the New Zealand Defence Force's (NZDF) *Guide on Mediation and Investigation* sets out an eight step process for requesting a mediation or investigation of a discrimination, harassment or bullying complaint, complete with templates for complainant and respondent letters.<sup>17</sup>

### Accessibility

Policies must also be easily understood and explained in accessible language which helps cadets frame concepts and contextualise their own experience.

Cadets in the UK, for example, are provided with a range of publications which help make the link between equity and operational effectiveness. The UK booklet *Basically Fair – Respect for Others in the British Army* explains that:

The Army relies on teamwork to perform difficult and often dangerous tasks. Teamwork is based on trust and respect for others and wearing an Army uniform must guarantee that you are treated fairly and with dignity and respect. The Army sees diversity as a key factor in the maintenance of operational effectiveness.<sup>18</sup>

It also succinctly outlines the responsibility of all to intervene in the face of negative behaviour with the catchphrase 'See it. Hear it. Stop it'. The by-line of the UK's Defence Confidential Support Line, meanwhile, is 'No names. No comebacks'.<sup>19</sup>

Additionally, the UK's Royal Navy produce a booklet, *Equality, Diversity & You – Combating Bullying and Harassment in the Naval Service* which is supplied to every member of the Royal Navy, including midshipmen at the Naval Academy, explains equity with typical real life examples of bullying and discrimination.<sup>20</sup>

In the US, meanwhile, the Department of Defence (DOD) Sexual Assault Prevention and Response (SAPR) Office runs concerted awareness campaigns, the 2010 theme of which was 'Hurts One, Affects All', designed to emphasise the impact of sexual assault on unit cohesion to all defence personnel. The Department of Defence believes that campaigns such as this have contributed to a drop in reports of sexual assault filed in 2010.<sup>21</sup>

### Supportive responses

Another vital aspect of best practice is policies which are backed up by appropriate responses and support. A best practice example of immediate support accessible to all personnel, including trainees, are the 24 hour, seven day per week confidential hotline available to members of the UK, CF and Netherlands armed forces. In the Netherlands these confidential counsellors help with reporting punishable behaviour, or register complaints anonymously for statistical purposes.<sup>22</sup>

Extensions of this external form of support are the partnerships increasingly being forged between defence services and community support agencies, such as the CF National Investigation Service partnerships with civilian policing agencies<sup>23</sup> and list of referrals to community supports provided to UK cadets upon commencement of training.<sup>24</sup>

Meanwhile, the UK, US and Canada all provide a form of sexual assault response team and advocacy for victims which can be accessed by trainees – a point of continuous contact with the victim throughout the complaint and/or recovery process, as well as specialist sexual assault investigators.<sup>25</sup>

In Canada, a significant amount of work has been invested in the response of the military criminal justice system to sexual assault, with the Victims Assistance Program and 'Victims Choice Package' provided by the CF National Investigation Service unit being identified as best practice in an Australian study of international responses to sexual assault in the military.<sup>26</sup>

A great deal of work has also been invested in response in the US, through the DOD's Sexual Assault Response Co-ordinators, available to all personnel. Particular to the US Air Force Academy, Academy Response teams provide a victim with immediate trained assistance and ensure that action is taken by command.<sup>27</sup>

The US environment further distinguishes itself, however, by making different reporting options available to victims of sexual assault. Assessed by the DOD Annual Report on Sexual Assault in the Military, 2010, as a 'critical addition' to the SAPR program which has been increasing reports and changing organisational culture, restricted reporting allows victims to report an incident confidentially, accessing medical and counselling support (including forensic examination) without disclosing names or initiating an investigation.<sup>28</sup> Restricted reporting provides command with information about rates of sexual assault and the chance to effect environmental change. Victims can later elect to convert to an Unrestricted Report, at which point the matter is referred for formal investigation, with details of the incident reportable to command and law enforcement.<sup>29</sup>



## Flexibility

Flexibility, or choice such as that described in restricted and unrestricted reporting, is another hallmark of best practice policy, giving complainants different options to redress wrongdoing or seek assistance.

While a significant amount of the literature examined by the Review noted that it was essential to ensure ownership by the chain of command, commentators nevertheless observe the value of alternative routes being made available to help complainants resolve disputes or find support.<sup>30</sup>

One route of dispute resolution traditionally considered as 'alternative', mediation and other forms of conciliation are increasingly being offered in the defence context, with a growing emphasis on resolving disputes or complaints at the lowest level possible. Built into mainstream policy, these forms of resolution are, in a way, no longer 'alternative', with trainees in the Canadian and New Zealand context, in particular, encouraged to use them. In fact, the Canadian Forces Harassment Adviser Reference Manual identifies what it calls a new and greater emphasis on prevention and early resolution, including what is labelled 'self-help', being an attempt by the complainant to resolve the matter her or himself as the first port of call for all parties.<sup>31</sup>

Where self-help has been unsuccessful, parties are directed to seek Supervisor Intervention (with the assistance of a Harassment Adviser), followed by mediation. Personal development programs for those in leadership positions include training on conflict management and ADR, although supervisors are not permitted to mediate disputes involving those immediately under their command.<sup>32</sup>

An additional route available to all personnel and described very clearly in the Service Complaints Booklet provided to all UK cadets is to lodge a complaint with the Service Complaints Commissioner. Established following the concerns about the treatment of trainees noted earlier in this paper, the Commissioner can receive complaints from personnel and/or their families about harassment, discrimination, bullying or other forms of unfavourable treatment. It should be noted, however, that the emphasis of the Service Complaints Booklet remains the chain of command.<sup>33</sup>

## Training

Ultimately, of course, no policy or process is going to be useful unless cadets and staff alike are aware of it and confident about employing it. From its scan of international materials, it is clear to the Review that comprehensive and, most importantly, effective training is perhaps the most crucial element of successful policy and programs.

All academies examined provided training to cadets on equity and diversity, as well as sexual harassment and assault, to varying extents, as discussed below.<sup>34</sup>

An initial observation to make, however, is that best practice demands that training be recognised as an exercise with flow on effects and, certainly, a number of defence services provide 'Train the Trainer' courses in equity and diversity, with the UK Chief of the General Staff's Directive on Equality and Diversity noting the importance of Officer Cadets being trained so that they are eventually able to deliver equality and diversity training to their own troops.<sup>35</sup>

Another element of best practice training is where defence services are prepared to engage external specialist support, and a number of international defence forces examined purchase specialist training from civilian organisations.<sup>36</sup>

Most importantly, training must be embedded in mainstream curriculum; be ongoing, rather than isolated; and use effective methodology. US Navy programs, in particular, have been evaluated as especially effective in changing attitudes, raising awareness and debunking myths about sexual assault and midshipmen at the US Naval Academy receive Sexual Harassment Assault Prevention Education over four years which occurs in intensive peer group based settings and emphasises the value of bystander intervention.<sup>37</sup> Similarly, the US Air Force Academy (USAFA) has more recently begun to emphasise the role of bystanders intervening when they see circumstances involving potential harassment or assault.<sup>38</sup>

The Report also observes that training is far more likely to be effective when it is conducted in small, interactive groups, rather than large lectures.<sup>39</sup> In fact, some commentators observe that equity and diversity training can, in fact, backfire when not targeted appropriately to the audience, instead producing a 'rebound effect' of increasing rape-supportive attitudes.<sup>40</sup>

Certainly, the US Military Academy at West Point has advised the Review that, when their cadet Equity training is conducted in small, facilitated discussions the response is 'overwhelmingly positive'. When conducted by Power Point slides or in a more formal format, however, the response is 'neutral to negative'. Training at West Point again focuses on encouraging intervention when something looks 'wrong'.<sup>41</sup>

Although the Review is not aware of any external evaluations or assessments of recent training at West Point, the Review is informed that West Point's 'Respect Program' has been gaining momentum in the past two years, with a 'Respect Creed' ('A cadet will treat others and themselves with dignity and worth and expect the same from those around them') giving a contextual base for cadets as they are taught 'Courageous Communication' and the 'appropriate way of relating to their fellow cadets and other members of the community'. This program is led by company level leadership and is embedded over the four year cadet experience.<sup>42</sup>

Meanwhile, the Review was also informed that, during Academic Year 2011/2012, the fourth class cadets, will receive a class titled 'Digital Decorum', its major theme being that electronic forms of media (blogs, Facebook, Twitter, etc) are a reflection of one's current and future leadership capability, maturity and each new digital entry not only represents oneself, but the United States Military Academy and United States Army.<sup>43</sup>

## **Accountability**

In addition to effective training, of course, policies and practices need to be evidence based and regularly assessed to determine whether they are being successful.

In the UK, for example, regular independent assessments have been conducted of training institutions since 2004, initially by the Adult Learning Inspectorate and, since 2007, by the Office for Standards in Education, Children's Services and Skills ('Ofsted'). These reports assess the welfare of trainees and recruits and were commissioned by the Ministry of Defence upon recommendation by the Deepcut Review.<sup>44</sup>

Although UK active defence personnel are surveyed regarding sexual assault and harassment<sup>45</sup> the Review was advised that UK training institutions do not administer the Sexual Experience Questionnaire, or equivalent to cadets.<sup>46</sup>

In Canada, a sample of final year cadets was included in a Personal Harassment Survey in 1998. Of the training forces that responded, 28% of women and 16% of men had experienced harassment.<sup>47</sup>

RMC Kingston cadets were surveyed comprehensively more recently, although only partial results were able to be provided to the Review by RMC at this point, for the 2008-09 year. Cadets were surveyed regarding how much of a problem they thought personal harassment, bullying, hazing, abuse of authority, sexual harassment and sexual misconduct to be at the Academy, as well as their knowledge of DND/CF Policy.

Although this method is not directly comparable to the 1998 survey, abuse of authority and personal harassment were perceived as the biggest problem, and only 6% had taken formal action against the person who victimised them. Of those who did not take formal action, 48% said that this was because they thought they could take care of it themselves; 23% believed that nothing would be done; 22% that they would not be taken seriously; and 21.5% thought it would make their situation unpleasant. The majority said that they were aware of the DND/CF Harassment policy although were only 'slightly' or 'moderately' knowledgeable. More than half could say that they had received SHARP training, but didn't know whether RMC had a Harassment Adviser or not.

As has been noted above, the US DOD's Sexual Assault Prevention and Response Office distinguishes itself by conducting congressionally-mandated biennial reviews of academy policies and regulations. Additionally, SAPRO enlists the support of the Defence Manpower and Data Center to conduct either focus groups or a survey (alternating every year) on gender relations at the academies. Initially limited to sexual assault, the survey has expanded to include sexual harassment and wider questions on gender relations. The results are provided to academy leadership for analysis.<sup>48</sup> The US Military Academy Inspector General also inspects the SAPR program.

### **Practical Approaches to Cultural Change**

*Cohesion has been used to exclude, rather than include individuals seen as outsiders....*<sup>149</sup>

While clear policy and strong examples from leadership are vital, the majority of the literature and reports examined by the Review shared the view that, without change to the unique sub-culture of defence academies, comprehensive policies would continue to have limited effect.<sup>50</sup> Similarly, commentators note that a superfluity of policy can be counterproductive.<sup>51</sup>

Much of the necessary change would centre on mitigating the hypermasculine culture characteristic of all defence settings yet, as discussed in the Review's Report, is often exacerbated in the Academy environment.<sup>52</sup>

Equally, measures which moderate the negative effects of a 'closed ranks' mentality and adversative training methods are also essential. In other words, change is needed to 'make the culture serve legitimate ends'<sup>53</sup> and the following are examples of some simple initiatives which attempt to address this aim.

In the UK, the Royal Military Academy at Sandhurst (RMAS) runs several all-female platoons with complete rank structure. While it has been assumed that the success of gender integration lies in combining genders, literature examined by the Review argues the benefits of women existing in a strong and tangible 'cohort', rather than in the social isolation that often accompanies their disbursement throughout the ranks in the absence of critical mass.<sup>54</sup> Similarly, RMAS has several female working groups, chaired by a senior female officer, that meet regularly and strengthen peer support while, in the United States, the Naval Academy implements formal mentoring arrangements as well as supporting informal women's networks.

Further, in contrast to some of the more longstanding conventions in defence academies, no formal cadet hierarchy exists at RMAS for disciplinary purposes, while Seniors at the British Royal Naval College act as ‘Sea Parents’ to the junior trainees, with an emphasis on welfare and duty of care.<sup>55</sup> A ‘buddy checking’ system also operates at USAFA, while at RMC Kingston, a Peer Assistance Group is available, although the Review was advised it is not highly utilised.<sup>56</sup>

In pragmatic terms, the Review was interested to learn that, at USAFA, all cadets change squadrons after freshmen year to redistribute any unhealthy cliques. At West Point, cadets do not have the same roommate for two consecutive semesters and most year groups experience a “scramble” of the entire class; changing their companies of assignment.

Finally, casting the scan more widely, cadet squadrons in US state academies have participated in broader equity and anti-violence initiatives, such as a campus wide White Ribbon Campaign,<sup>57</sup> while UK Army cadets are provided with regular newsletters on Equality and Diversity, including updates on Proud2Serve, the UK defence services’ gay, lesbian, bisexual and transgender support network.<sup>58</sup>

## Observations and Conclusion

*‘You can call [the warrior culture] BS but until someone comes up with a better way to get terrified 18-year-olds to stand up in front of machine guns...I’m sticking with it’.*<sup>59</sup>

Simple initiatives such as those described above – combined with strong and ethical leadership; policies that are clear, accessible, flexible and responsive; effective training and accountability measures – may certainly help build a confident future for ADFA and influence cultural change. As already observed, however, cultural change is often the most difficult frontier to traverse.

In continuing echo of the issues under consideration by this Review, an internal brief provided to this Review, by Dr Alan Okros of the RMC Kingston recommends developing a greater understanding of the cultural factors at play in the cadet corps. The first factor he identifies is the male orientation that can lead to inappropriate behaviours; the second a focus on normative compliance and the signals not to question or speak up; and the third a clear power structure where seniors are authorised to exercise significant influence over subordinates.<sup>60</sup>

Okros notes that these factors are amplified in the RMC setting, where the constrained living environment means that young, inexperienced female cadets face pressures on a 24/7 basis. He then argues that this scenario is further complicated by a fluid approach to regulations, with some rules followed to the letter, while others are acknowledged as ‘falling in the bend or break categories’. Other factors which Okros nominates as being at play include the policy never to ‘blade your buddy’; as well as the military hierarchy that demands that officers balance the role of evaluator/supervisor/disciplinarian with also serving as a mentor/advisor/confidant and means that the chain of command is not always equipped to deal with matters beyond the day to day.

Finally, Okros recommends the most useful approach as being through working to change the informal cadet culture, rather than the imposition of more formal policy. He recommends:

- ensuring cadets are provided consistent signals that men and women are equal
- ensure cadets are provided with a consistent message about what they are to become

- educate senior cadets about their influence over junior cadets and emphasise the need for senior male cadets to avoid fraternisation with junior female cadets
- cadet wing staff be given formal training relevant to student experiences, including knowledge of relevant CF policies; interviewing and counselling skills; education and awareness training on how to detect and respond to a range of issues from anxiety, risky sexual behaviour, abuse of alcohol, homesickness, eating disorders, stress, etc
- develop a cadet support system to provide information and support around those issues that sit on the periphery of the CF experience normally, but are integral to student life
- RMC work more closely with external care providers to signal to cadets that, should they not be ready to use the formal CF channels to address personal issues, they can seek assistance elsewhere rather than attempting to deal with issues on their own.

Some of these recommendations seem to be being reflected in the contemporary RMC climate, such as the efforts to define the aspirations and ambitions of an officer cadet in the CF, as discussed above. The Review notes, however, that the same trends in recommendations appeared throughout the literature reviewed, suggesting that all defence academies continue to grapple with similar challenges, despite their varying historical and political contexts.

Certainly, as noted in the body of the Report, Academy settings have been found on occasion to be even more resistant to gender integration than the wider defence force, sometimes increasing negative attitudes towards women.<sup>61</sup> Commentators have noted that this can be the result of the reverence for the 'elite' nature and history of the organisation; or of the views of staff posted there who may have had limited experience in mixed gender environments.<sup>62</sup>

Across the international settings scanned, women have been noted to adapt to the male oriented environment, normalising hostile behaviour or 'performing gender' to negotiate the mixed messages they receive.<sup>63</sup> Conversely, women have been observed to be the subject of 'equal' treatment in unconstructive ways.<sup>64</sup>

Clearly, then, the culture of defence academies is a complex phenomenon. All of the best practice themes identified above, however, can contribute to positive change. A greater number of women in defence services, and particularly in leadership positions, can influence culture, just as clear policies, accessible language and effective training can start to gradually impact on attitudes, as well as on external behaviour. The Review's study of international contexts suggests that all of these elements need to be brought to bear when shaping a strong and positive environment for women at defence training institutions.

- 1 These were the Royal Military College, Canada; the Netherlands Defence Academy; and single service national academies in New Zealand, the United Kingdom and United States.
- 2 The Netherlands Defence Academy provided a response outside of the Review's timeframe, meaning that it was unable to consider it fully. The Review understands that this was, in part, a result of the break in the Academic year.
- 3 As such, the Netherlands engages female personnel as 'gender advisers' in international crisis settings to help units relate effectively with women in local populations.
- 4 The DOD Sexual Assault Prevention and Response Office is the 'single desk' responsible for dealing with sexual assault across the US defence forces, which has long been perceived as a significant problem. Meanwhile, widespread media attention and a 2003 report indicating that nearly 19% of female US Air Force Academy cadets had experienced sexual assault or attempted sexual assault during their time at the Academy prompted detailed investigation, with the US Congress ordering the creation of a separate DOD Task Force on Sexual Harassment and Violence at the Military Academies and requiring the Secretary of the DOD to submit a bi-annual report regarding sexual misconduct at the Military Academies. *Department of Defense Inspector General Report on the United States Air Force Academy Sexual Assault Survey* (2003) cited in TK Fowler, J Bunting III, MJ Nardotti Jr., AM Carpenter, JW Ripley, *Final Report of the Panel to Review Sexual Misconduct Allegations at the United States Air Force Academy* (2003), p 52. At [www.defense.gov/news/Sep2003/d20030922usafareport.pdf](http://www.defense.gov/news/Sep2003/d20030922usafareport.pdf) (viewed 3 July 2011).
- 5 N Blake, *The Deepcut Review: A review of the circumstances surrounding the deaths of four soldiers at Princess Royal Barracks, Deepcut, between 1995 and 2002* (29 March 2006).
- 6 The Defence Ethics Program provided at the Canadian Forces Leadership Institute emphasises that the principles and values of the Canadian Forces include respect for the dignity of all persons and overtly assumes certain values to be fundamentally Canadian, including respect for the *Canadian Charter of Rights and Freedoms*. It also refers to the 'societal trust' in the Canadian Forces that must not be disappointed.
- 7 Motto of the United States Air Force Academy until 2003.
- 8 JL Pershing, 'Why Women Don't Report Sexual Harassment: A Case Study of an Elite Military Institution' (2003) 21(4) *Gender Issues* 3, p 25. See also KA Scott, *Universal or gender-specific? Exploring military leadership from a subordinate perspective*, Technical Report, DRDC Toronto TR 2003-121, (2003), at <http://pubs.drdc.gc.ca/PDFS/unc57/p521079.pdf> (viewed 6 June 2011).
- 9 The subject of female leadership within defence forces is a broad subject beyond the scope of this paper. However, it is worth noting that much of the international literature scanned explored performance and perceptions of leadership qualities in female cadets, with female cadets often coming out ahead of male cadets in performance indicators, particularly in respect of personality 'hardiness' and self-assurance, as well as academic performance. Despite this, *perceptions* of female and male leaders differed, with junior male officers assumed to be just as qualified as senior male officers, but junior female officers perceived to be underqualified. S Gibson, 'Perceptions of US Military Leadership: Are All Leaders Created Equally?' (2005) 24(2) *Equal Opportunities International* 1. See also MJM Kelley, *Gender Differences and Leadership*, Research Report (April 1997). At [www.au.af.mil/au/awc/awcgate/awc/97-104.pdf](http://www.au.af.mil/au/awc/awcgate/awc/97-104.pdf) (viewed 22 June 2011); MJ Morgan, 'Women in a Man's World: Gender Differences in Leadership at the Military Academy' (2004) 34(12) *Journal of Applied Social Psychology* 2482; P Bartone, S Snook & T Tremble Jr, 'Cognitive and Personality Predictors of Leader Performance in West Point Cadets' (2002) 14(4) *Military Psychology* 321; and GL Watkins and MC Bourg, 'The Effects of Gender on Cadet Selection for Leadership Positions at the United States Military Academy' (1997) 15 *Minerva: Quarterly Report* 63.
- 10 P Cawkill, A Rogers, S Knight and L Spear, *Women in Ground Close Combat Roles: The Experiences of other Nations and a Review of the Academic Literature*, Ministry of Defence (29 September 2009), p 37. At [www.mod.uk/NR/rdonlyres/7A18C2A3-C25B-4FA1-B8CB-49204A109105/0/women\\_combat\\_experiences\\_literature.pdf](http://www.mod.uk/NR/rdonlyres/7A18C2A3-C25B-4FA1-B8CB-49204A109105/0/women_combat_experiences_literature.pdf) (viewed 23 August 2011).
- 11 In fact, the Report of the Defence Task Force on Sexual Assault in the Military Services in the US found that the 'key factor amongst best practice initiatives is consistently engaged leadership'. USA Department of Defense, *Report of the Defense Task Force on Sexual Assault in the Military Services*, (2009), p 88. At [www.quantico.usmc.mil/download.aspx?Path=../Uploads/Files/SAPR\\_DTFSAMS\\_Report\\_Dec\\_09.pdf](http://www.quantico.usmc.mil/download.aspx?Path=../Uploads/Files/SAPR_DTFSAMS_Report_Dec_09.pdf) (viewed 21 June 2011).
- 12 See Royal Military College of Canada, *Your Goal: An Officer in the Canadian Armed Forces*, [www.rmcc.forces.gc.ca/mil/goal-objectif-eng.asp](http://www.rmcc.forces.gc.ca/mil/goal-objectif-eng.asp) (viewed 20 July 2011).

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- 13 A UK Equal Opportunity Commission/Ministry of Defence report notes that leaders have a responsibility to set the right tone; S Rutherford, R Schneider and A Walmsley, 'Quantitative and Qualitative Research into Sexual Harassment in the Armed Forces' (2006). At [www.mod.uk/NR/rdonlyres/538E55EE-9CA4-4177-9A0B-6853A431B283/0/20060522SRReport.pdf](http://www.mod.uk/NR/rdonlyres/538E55EE-9CA4-4177-9A0B-6853A431B283/0/20060522SRReport.pdf) (viewed 3 July 2011), p 19. See also M Murdoch, JB Pryor, JM Griffin, DC Ripley & GD Gackstetter, 'Local Social Norms and Military Sexual Stressors: Do Senior Officers' Norms Matter?' (2009) 174(10) *Military Medicine* 1100. See also E Wingrove-Haugland, 'How Can Male Leaders Promote Sexual Equality in Military Academies?' (1997) 15 *Minerva: Quarterly Report* 47.
  - 14 The experience at United States Air Force Academy demonstrates the importance of ensuring that commanders understand their obligation to act on reports immediately, and not to delegate responsibility. Office of the Inspector General of the Department of Defense, *Evaluation of Sexual Assault, Reprisal & Related Leadership Challenges at the United States Air Force Academy*, Report No. IPO2004C003, (2004). At [www.defense.gov/news/Dec2004/d20041207igsummary.pdf](http://www.defense.gov/news/Dec2004/d20041207igsummary.pdf) (viewed 16 June 2011). See also DM Hollywood, 'Creating a True Army of One: Four Proposals to Combat Sexual Harassment in Today's Army' (2007) 30 *Harvard Journal of Law and Gender* 151, p 174, which explains that command can often see sexual harassment as their own failure, so may not take action.
  - 15 The *Deepcut Review* identified 'staff churn' as a particular problem – both in terms of loss of corporate knowledge, and in terms of staff accountability: N Blake, note 5. See also TK Fowler, note 4, p 52.
  - 16 United Kingdom Ministry of Defence, *Joint Service Publication 913 – Tri-Service Policy on Domestic Abuse and Sexual Violence*, pp 15-16, provided to the Review by the United Kingdom Ministry of Defence, p 15-16. See also United Kingdom Ministry of Defence, *Joint Service Publication – 763 MOD Bullying and Harassment Complaints Procedures*, [www.mod.uk/DefenceInternet/AboutDefence/CorporatePublications/PersonnelPublications/EqualityandDiversity/EqualityAndDiversityPolicy/Jsp763TheModBullyingAndHarassmentComplaintsProcedures.htm](http://www.mod.uk/DefenceInternet/AboutDefence/CorporatePublications/PersonnelPublications/EqualityandDiversity/EqualityAndDiversityPolicy/Jsp763TheModBullyingAndHarassmentComplaintsProcedures.htm) (viewed 21 July 2011).
  - 17 New Zealand Ministry of Defence, *NZDF Guide – Mediation & Investigation*. Provided to the Review by the NZDF.
  - 18 United Kingdom Ministry of Defence, *Basically Fair – Respect for Others in the British Army*, AC 64325, Edition 4 (October 2008). Provided to the Review by RMAS.
  - 19 United Kingdom Ministry of Defence, as above.
  - 20 United Kingdom Royal Navy, 'Equality, Diversity & You – Combating Bullying and Harassment in the Naval Service'. At [www.royalnavy.mod.uk/upload/pdf/Equality\\_Diversity\\_and\\_You\\_Booklet\\_Revised-U.pdf](http://www.royalnavy.mod.uk/upload/pdf/Equality_Diversity_and_You_Booklet_Revised-U.pdf) (viewed 5 September 2011).
  - 21 US Department of Defense, *Department of Defense Annual Report on Sexual Assault in the Military*, Fiscal Year 2010 (2011). At [www.sapr.mil/media/pdf/reports/DoD\\_Fiscal\\_Year\\_2010\\_Annual\\_Report\\_on\\_Sexual\\_Assault\\_in\\_the\\_Military.pdf](http://www.sapr.mil/media/pdf/reports/DoD_Fiscal_Year_2010_Annual_Report_on_Sexual_Assault_in_the_Military.pdf) (viewed 23 August 2011).
  - 22 E van den Heuvel and M Meijer, *Gender Force in the Netherlands Armed Forces* (Paper presented at the RTO Human Factors and Medicine Panel (HFM) Symposium, Antalya, Turkey, 13-15 October 2008), p 2. At [www.docstoc.com/docs/75589982/Gender-Force-in-the-Netherlands-Armed-Forces](http://www.docstoc.com/docs/75589982/Gender-Force-in-the-Netherlands-Armed-Forces) (viewed 23 August 2011). The US DOD is in the process of establishing a similar hotline and developing a comprehensive advertisement campaign to establish awareness. United States Department of Defense, note 21.
  - 23 A Ballard, *Report on Sexual Assault Prevention and Intervention in a Military Environment* (2009), p 35. At [www.churchilltrust.com.au/fellows/detail/3315/angela+ballard](http://www.churchilltrust.com.au/fellows/detail/3315/angela+ballard) (viewed 7 July 2011). See also Canadian Forces, *Canadian Forces Provost Marshal Annual Report* (2000). At [dsp-psd.pwgsc.gc.ca/Collection/D3-13-2000E.pdf](http://dsp-psd.pwgsc.gc.ca/Collection/D3-13-2000E.pdf) (viewed 7 June 2011).
  - 24 See United Kingdom Ministry of Defence, note 18; and United Kingdom Ministry of Defence, *Chief of the General Staff's Equality and Diversity Directive for the Army*, Army Code 64340, April 2008, viewed at [www.mod.uk/documents/general/CGS\\_ED\\_Directive-April\\_08.pdf](http://www.mod.uk/documents/general/CGS_ED_Directive-April_08.pdf) on 3 July 2011 and provided to the Review by RMAS, above.
  - 25 Angela Ballard identifies the specialist training required of investigation teams (minimum requirement of 50% of active investigators in each detachment has qualified training conducted by external policing agencies) and specialist training required of investigation teams (minimum requirement of 50% of active investigators in each detachment has qualified training conducted by external policing agencies) as examples of best practice. A Ballard, note 23, p 55. She also identifies the UK's Offender Case Management programs which determine whether ongoing employment/mental health treatment or other supports are appropriate.
  - 26 Ballard also notes the Military Family Resource Centre (MFRC) social worker who works with police and hospital staff as part of provincial Sexual Assault Response Teams as well as the use of Sexual Assault Nurse Examiners (SANE) to ensure the chain of custody of evidence is preserved when law enforcement agencies are not involved). The report recommended the ADF adopt a similar multiagency response. A Ballard, note 23, p 55.

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- 27 The Report of the Panel to Review Sexual Misconduct Allegations at the Air Force Academy noted this reform as both productive and impressive. TK Fowler, note 4, p 52.
- 28 US Department of Defense, note 21.
- 29 It is important to distinguish between the perceived success of this mechanism and confidential reporting available at the USAFA during the 1990s which, rather than encouraging reports, tended to mask offence rates and absolve command of responsibility. See TK Fowler, note 4, p 52. See also Office of the Inspector General of the Department of Defense, note 14.
- 30 Angela Ballard, in particular, notes the value of multi-agency support, in which defence partners with external or civilian agencies to provide the most comprehensive response. A Ballard, note 23, pp 34-5.
- 31 Information regarding ADR mechanisms is also accessible via the Canadian Force/DND homepage, see [www.cmp-cpm.forces.gc.ca/adr-marc/index-eng-asp](http://www.cmp-cpm.forces.gc.ca/adr-marc/index-eng-asp), (viewed 18 June 2011.)
- 32 If ADR has not been successful (or is inappropriate), a trained Harassment Investigator conducts a formal investigation, making recommendations to the Responsible Officer. The RO then makes a decision, informing the parties via a Letter of Administrative Closure in respect of the action that is to be taken.
- 33 United Kingdom Ministry of Defence, *Redress of Individual Grievance: Service Complaints* (2010) at [http://www.mod.uk/NR/rdonlyres/88E9A07C-9864-43FF-AF62-C8AFA6A01BB4/0/jsp831\\_v22.pdf](http://www.mod.uk/NR/rdonlyres/88E9A07C-9864-43FF-AF62-C8AFA6A01BB4/0/jsp831_v22.pdf) (viewed 23 August 2011).
- 34 This training varied from introductory sessions, such as the Standards for Harassment and Racism Prevention (SHARP) training provided to Canadian cadets within the first days of enlistment/ appointment through to regular sessions over the course of four years, as discussed below. Content also varied, with UK cadet training including drug and alcohol education, and training at West Point including use of social media.
- 35 The UK MoD Senior Officer Diversity and Equity Awareness program has been identified as particularly impressive. G Scoppio, 'Diversity Best Practices in Military Organizations in Canada' (2009) 9(3) *Canadian Military Journal* 27. See also E van den Heuvel and M Meijer, note 22, regarding training for instructors in the Dutch services which emphasises training environment, as well as content.
- 36 The UK Armed Services and CF purchase civilian training in sexual assault and second staff to specialist civilian organisations to develop expertise. See A Ballard, note 23, pp 34-37, 54.
- 37 A Ballard, note 23, pp 29, 56, recognises US Navy programs as particularly effective, as did the USA Department of Defense, note 11. See also TJ Rau, LL Merrill, SK McWhorter, VA Stander, CJ Thomsen, CW Dyslin, MM Rabenhorst and JS Milner, 'Evaluation of A Sexual Assault Education/Prevention Program for Male US Navy Personnel' (2010) 175(6) *Military Medicine* 429.
- 38 The US Department of Defense, note 21, pp 30-41. At [www.sapr.mil/media/pdf/reports/DoD\\_Fiscal\\_Year\\_2010\\_Annual\\_Report\\_on\\_Sexual\\_Assault\\_in\\_the\\_Military.pdf](http://www.sapr.mil/media/pdf/reports/DoD_Fiscal_Year_2010_Annual_Report_on_Sexual_Assault_in_the_Military.pdf) (viewed 23 August 2011) lists a range of best practice training initiatives in the wider services – the common characteristics being that they are ongoing and embedded in mainstream training; that bystander intervention is a focus; as is the responsibility of command; and that specialist training is made available to sexual assault investigators.
- 39 Office of the Inspector General of the Department of Defense, note 14, p 8. In contrast, note the 'Skill Builders' in the Army JROTC, *Cadet Reference* (2<sup>nd</sup> ed) US Army Cadet Command, p 60. At [www.dimondjrotc.org/cadet\\_reference.pdf](http://www.dimondjrotc.org/cadet_reference.pdf) (viewed 23 June 2011).
- 40 MN Schmid, 'Comment: Combating a Different Enemy – Proposals to Change the Culture of Sexual Assault in the Military' (2010) 55(2) *Villanova Law Review* 495. See also DM Hollywood, note 14, p 164.
- 41 US Military Academy West Point, 'Response to Questions for International Benchmarking – US Military Academy West Point', p 1. Provided to the Review by MAJGEN M Crane, 11 August 2011.
- 42 US Military Academy West Point, above, pp 1-3.
- 43 Cadets are requested to submit electronic evaluations of the training and the Review is advised that numbers of evaluations received are mixed, usually dependent on the training topic. Meanwhile, in the most recent DOD Gender Relations Survey of the Military Academies conducted in March 2010, over 90% of cadets acknowledge receiving sexual assault and sexual harassment prevention training. See US Department of Defense, *Report on Sexual Harassment and Violence at the Military Service Academies: Academic Program Year 2009-2010* (2010) p 6. At [www.sapr.mil/media/pdf/reports/FINAL\\_APY\\_09-10\\_MSA\\_Report.pdf](http://www.sapr.mil/media/pdf/reports/FINAL_APY_09-10_MSA_Report.pdf) (viewed 18 July 2011).
- 44 Office for Standards in Education, Children's Services and Skills, *Welfare and Duty of Care in Armed Forces Initial Training, Ofsted's Report to the Minister for Defence Personnel, Welfare & Veterans, 2009-10*. At [www.ofsted.gov.uk/content/download/11493/135158/file/Welfare%20and%20duty%20of%20care%20in%20Armed%20Forces%20initial%20training.pdf](http://www.ofsted.gov.uk/content/download/11493/135158/file/Welfare%20and%20duty%20of%20care%20in%20Armed%20Forces%20initial%20training.pdf) (viewed 21 July 2011), in which significant improvements are noted since assessment started in 2004.
- 45 See S Rutherford, note 13.



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- 46 Royal Military Academy Sandhurst, 'Response to Questions for International Benchmarking – Royal Military Academy Sandhurst', 17 June 2011, p 4, provided to the Review by MAJGEN M Crane on 20 July 2011; Royal Air Force Cranwell, 'Response to Questions for International Benchmarking – Royal Air Force Cranwell', 17 June 2011, p 5, provided to the Review; Britannia Royal Naval College, 'Response to Questions for International benchmarking – Britannia Royal Naval College', p 4, provided to the Review by MAJGEN M Crane on 19 July 2011.
- 47 NJ Holden and K Davis, 'Harassment in the Military: Cross-National Comparisons', in F Pinch, A Macintyre, P Browne & A Okros (eds), *Challenge and Change in the Military: Gender and Diversity Issues* (2004), pp 108-109. At [http://post.queensu.ca/~leuprech/docs/Gender\\_Diversity\\_reprint.pdf](http://post.queensu.ca/~leuprech/docs/Gender_Diversity_reprint.pdf) (viewed 2 June 2011).
- 48 The 2005 survey found similar levels of sexual assault across the academies, with less than half of trainees prepared to report. Nearly all were aware of policy but had no confidence in the process. See P Cook, A Jones, R Lipari, A Lancaster, *Service Academy 2005 Sexual Harassment and Assault Survey*, Defense Manpower Data Center, DMDC Report No 2005-018 (2005), p v. At <http://www.airforce-magazine.com/SiteCollectionDocuments/TheDocumentFile/Personnel%20Issues/AcademySurvey2005.pdf> (viewed 23 August 2011). The data from 2010, in contrast, suggests that this confidence is gradually increasing. Department of Defense, note 43, p 7.
- 49 R Harris, *Sexism, Sexual Harassment and Sexual Assault: Comparing Data from 2002 and 2006* DEOMI Directorate of Research, Internal Report No. 06-08. At [www.deomi.org/EOEOResources/documents/SSHSA\\_Comparing\\_Data\\_from\\_2002\\_and\\_2006\\_Harris\\_000.pdf](http://www.deomi.org/EOEOResources/documents/SSHSA_Comparing_Data_from_2002_and_2006_Harris_000.pdf) (viewed 4 July 2011).
- 50 See MN Schmid, note 40.
- 51 In an internal brief 'Issues Related to Reporting of Sexual Assault' dated 18 March 2008 to the RMC Commandant by Dr Alan Okros, a Member of Faculty at RMC, provided to this Review, Dr Okros notes that cadets become complacent and confused over too many trivial rules and regulations and that awareness raising and changes to cadet culture are likely to have a more enduring impact than any formal policy reform, p 6-8. Provided to the Review by Dr Okros via ADFA. While Jana Pershing notes that policies can be enforced differently where different cadets are concerned. JL Pershing 'Gender Disparities in Enforcing the Honor Concept at the US Naval Academy' (2001) 27:3 *Armed Forces & Society*, 419 at p 429.
- 52 C Kirke, *Addressing Constructions of 'Bullying' in the British Army: A Framework for Analysis*, Shrivenham Papers No. 4, Defence Academy of the United Kingdom (August 2007). At [www.da.mod.uk/colleges/arag/documents-listings/Shrivenham%20Paper%204.pdf](http://www.da.mod.uk/colleges/arag/documents-listings/Shrivenham%20Paper%204.pdf) (viewed 7 July 2011) discusses the way in which intense training environments compound the impact of negative behaviours.
- 53 MN Schmid, note 40, p 497.
- 54 JL Pershing, note 8, p 3. Pershing notes that one of the most vital steps in addressing all aspects of gender integration is to address women's social isolation, using measures which encourage connections and trust between female cadets. Accordingly, she suggests placing female cadets/midshipmen in larger groups, rather than spreading them thinly through the cadet corps. See also JL Pershing, note 51; and JM Silva, 'A New Generation of Women? How Female ROTC Cadets Negotiate the Tension between Masculine Military Culture and Traditional Femininity' (2008) 87(2) *Social Forces* 937.
- 55 'Suicide and Vulnerability' Returns are also required upon reports of incidents in UK academies.
- 56 MAJ J Belanger, Verbal briefing to the Review, 1 July 2011.
- 57 Virginia Polytechnic Institute and State University, *Military Affairs Annual Report 2009-10*, p 9. At [www.vtcc.vt.edu/Documents/AR%202010\\_final.doc](http://www.vtcc.vt.edu/Documents/AR%202010_final.doc) (viewed 8 July 2011).
- 58 United Kingdom Ministry of Defence, *Equality and Diversity in the British Army Newsletter* (Autumn 2008), provided to the Review by RMAS.
- 59 Marine infantryman quoted in MI Spak & AM McCart, 'Effect of Military Culture on Responding to Sexual Harassment: The Warrior Mystique' (2004) 83 *Nebraska Law Review* 79, p 81.
- 60 In JL Callahan, 'Manifestations of Power and Control: Training as the Catalyst for Scandal at the United States Air Force Academy' (2009) 15(10) *Violence Against Women* 1149, the author suggests that loss of control from start of Basic Cadet Training results in attempt to regain control, with women's bodies the site for this battle. This manifests in men as sexual aggression and in women, she argues, as eating disorders.

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- 61 As noted in the body of this Report, a survey of cadets at the Netherlands Defence Academy, for example, found that support for the full integration of women into the armed forces dropped significantly among male cadets from first to fourth year, while attitudes of female cadets remained roughly the same. R Moelker and J Bolch, *Hidden Women: Women in the Netherlands Armed Forces*, Publications of the Faculty of Military Science, No. 2008/01, Netherlands Defence Academy (2008). At [hbo-kennisbank.uvt.nl/cgi/nda/show.cgi?fid=1721](http://hbo-kennisbank.uvt.nl/cgi/nda/show.cgi?fid=1721) (viewed 15 July 2011). MH Carroll & MD Clark 'Men's Acquaintance Rape Scripts: A Comparison Between a Regional University and a Military Academy', (2006) 55 *Sex Roles* 469; VM Basham, 'Harnessing Social Diversity in the British Armed Forces: The Limitations of 'Management' Approaches' (2009) 47(4) *Commonwealth & Comparative Politics* 411, p 425 in which the prevalence of 'young dinosaurs' – young men who hold just as conservative or even more conservative attitudes than senior officers – is noted as an ongoing problem.
- 62 See MJ Drake, 'Ambivalence at the Academies: Attitudes Towards Women in the Military at the Federal Service Academies' (2006) 27 *Social Thought & Research* 43. At [kuscholarworks.ku.edu/dspace/bitstream/1808/5209/1/STARV27A3.pdf](http://kuscholarworks.ku.edu/dspace/bitstream/1808/5209/1/STARV27A3.pdf) (viewed 23 August 2011); S Kurpius & A Lucart, 'Military and Civilian Undergraduates: Attitudes Toward Women, Masculinity and Authoritarianism,' (2000), 43(3-4) *Sex Roles*, p 255; and L Larwood, 'Attitudes of Male & Female Cadets Towards Military Sex Integration' (1980) 6(3) *Sex Roles*, p 381.
- 63 J Firestone & R Harris, *Exploring Missing Values on Responses to Experienced and Labelled Event as Harassment in 2004 Reserves Data*, DEOMI Research Directorate, Internal Report Number 13-08 (2008). At [www.deomi.org/EOEEOResources/documents/Exploring\\_Missing\\_Values\\_on\\_Responses\\_Firestone.pdf](http://www.deomi.org/EOEEOResources/documents/Exploring_Missing_Values_on_Responses_Firestone.pdf) (viewed 4 July 2011); LF Fitzgerald, VJ Magley, F Drasgow, CR Waldo, 'Measuring Sexual Harassment in the Military: The Sexual Experiences Questionnaire (SEQ-DoD)' (1999) 11(3) *Military Psychology* 243.
- 64 JL Pershing, 'Men and Women's Experiences with Hazing in a Male-Dominated Elite Military Institution' (2006) 8(4) *Men and Masculinities* 470. Junior female cadets have been found to experience hazing equally, which means their status as 'plebes' overrides their gender status.

# Appendix K – Focus Group Schedule

## Cadet Focus Groups

Date	Participants	Number of Participants
2/6	Cadets – all years, all services (World Café)	40
9/6	Year 2 – 11 Division	10
9/6	Year 2 – 17 Division	9
9/6	Year 3 – 4 Division	10
9/6	Year 3 – 22 Division	10
10/6	Army	20
10/6	Navy	9
10/6	Air Force	11
10/6	Women	11
10/6	Year 1	10
22/7	Rugby Club	10
18/7	Army Year 1 and 2 – women	14
19/7	Production Club	9
22/7	AFL Club	10
19/7	Precision Drill	10
18/7	Netball Club	9
18/7	International cadets	12

Date	Participants	Number of Participants
18/7	AGORA	8
29/7	Cadets Duntroon – women	10
29/7	Cadets Duntroon	13
29/7	Cadets Duntroon – women	8
29/7	Cadets Duntroon	11
		<b>Total: 273</b>

## Staff Focus Groups

Date	Participants	Number of Participants
14/6	Staff – Warrant Officers, SNCOs	6
14/6	Staff – Officer Commanding equivalents	9
14/6	DOs	14
28/6	DSNCOs/SSMs	14
28/6	DOs	3
28/6	Female staff only	10
28/6	Support Staff – Padres/Psychologists	4
29/6	Academic staff	11
29/6	Academic staff	9
11/7	HMAS Cresswell staff	13

Date	Participants	Number of Participants
12/7	PTIs	8
12/7	Medical Staff	13
27/7	OTS Staff	13
28/7	Duntroon Staff	19
		<b>Total: 155</b>

### Parents/Sponsor Families Focus Groups

Date	Participants	Number of Participants
11/7	ACT Parents	10
12/7	ACT Sponsor Families	6
19/7	Sydney Parents	18
26/7	Melbourne Parents	21
		<b>Total: 55</b>



# Appendix L – List of Consultations (Interviews and Briefings)

Name	Position
Professor J. Arnold	Deputy Rector, UNSW@ADFA
MAJ J. Belanger	Lecturer, Royal Military College Kingston, Canada
WO1 K. Bullman OAM	Regimental Sergeant Major, Royal Military College, Duntroon
LTCOL M.A. (Rory) Colquhoun	Chief of Staff, Royal Military College, Duntroon
MAJGEN E. Cosson AM CSC	General Manager, Executive Division, Department of Veterans' Affairs
MAJGEN M. Crane, AM, DSC	Head, Defence Cultural Reviews Secretariat
Mr J. Dalby	Counsellor Advocate, Service Assisting Male Survivors of Sexual Assault, Canberra Rape Crisis Centre
CAPT R. Davis	Divisional Officer, ADFA
LEUT S. Delo, MBE MSM	OITF Staff Officer, HMAS Creswell
Mr J. Dierks	Director General, Fairness and Resolution, ADF
WO2 A. Donnelly	Drill Wing Sergeant Major, Royal Military College, Duntroon
WGCDR S. Edwards	Executive Officer, Cadets, ADFA
LTCOL N. Fox	Lieutenant Colonel, Staff Officer Grade One Personnel Policy, Directorate of Personnel Policy, Army
Professor M. Frater	Rector, UNSW@ADFA
Ms N. Funnell	Sexual ethics researcher
Ms M. Glennie	Associate Lecturer and PhD Student, Business, UNSW@ADFA

Name	Position
RADM J. Goldrick	Acting Commandant, ADFA
Ms A. Goyne	Senior Psychologist, Mental Health and Psychology Section, ADFA
Ms B. Grey	Head, Review into Policies and Practices to Deal with Sexual Harassment and Sexual Offences, ADFA, 1998
GPCAPT G. Harland	Director Personnel – Air Force
Ms C. Harris, AO PSM	Inquiry into the Learning Culture at ADF Schools and Training Establishments (2006)
WO1 W. Hay	Regimental Sergeant Major, Royal Military College, Duntroon
LTCOL J. J. Hedges, CSC	Commanding Officer and Chief Instructor, Royal Military College, Duntroon
ACM A. Houston, AC, AFC	Former Chief of the Defence Force
GEN D. Hurley, AC, DSC	Chief of the Defence Force
Mr N. James	Executive Director, Australia Defence Association
CDRE B. Kafer, AM, CSC	Commandant, ADFA
CAPT M.J. Kearns	Adjutant, Royal Military College, Duntroon
MAJ A. Kershaw	Instructor, Royal Military College, Duntroon
LTCOL B. Kilpatrick	Chief Instructor, ADFA
WGCDR P. Klose	Commanding Officer, RAAF Officers' Training School, Sale
CAPT M. Lamerton	Divisional Officer, ADFA
Dr S. Longstaff	Director, St James Ethics Centre
BRIG D. Luhrs, CSC	Commandant, Royal Military College, Duntroon
Ms P. Maclean	Manager, Equity and Diversity, UNSW@ADFA
MAJ G. Mathews	Second In Command, Royal Military College, Duntroon



Name	Position
CAPT M. Miller	Acting Director General, Navy Personnel
GPCAPT L. Mitchell	Former Acting Commandant, ADFA
CMDR P. O'Brien	Training Commander, HMAS Creswell
Dr A. Okros	Professor, Canadian Forces College
MAJGEN C. Orme, AM, CSC	Commander Australian Defence College
COL P. Petersen	Deputy Commandant, ADFA
Mr A. Podger AO	Inquiry into the Learning Culture at ADF Schools and Training Establishments (2006)
MAJGEN R. Powell, AM (Retired)	Inquiry into the Learning Culture at ADF Schools and Training Establishments (2006)
COL J. Simeoni	Director of Military Art, Royal Military College, Duntroon
Dr K. Spurling	Visiting Fellow, School of Humanities and Social Sciences, UNSW@ADFA
AVM M. Staib, AM, CSC	Commander Joint Logistics (Former Commandant ADFA)
Ms C. Stanford	Acting Executive Officer and Clinical Services Manager, Canberra Rape Crisis Centre
COL W. Stothart	Director Officer Career Management, Career Management Service, Army
SQNLDR G. van der Kolk	Reviews and Inquiries Liaison Officer, ADFA
Ms M. Wightman	Counsellor Advocate and Community Education Co-ordinator, Canberra Rape Crisis Centre
BRIG S. Wilkie	Director General Training, Headquarters Forces Command
MAJ Z. Zaharias (Retired)	Army

The Review also interviewed a number of other people who requested anonymity.



# Appendix M – Written Submissions

- 1 Hanneka
- 2 Aroha Liebhart
- 3 Miquela Riley
- 4 LEUT Kristen Russo
- 5 K°arra White
- 6 LEUT Jennifer Anne Parker
- 7 Alison Lee
- 8 Annabel Szekely
- 9 Alyssa Burnham
- 10 Michael Bannerman
- 11 Wendy Hamilton
- 12 Helen Berryman
- 13 Melissa Healy
- 14 Anonymous
- 15 Danielle Lewin
- 16 Jacqueline Kenyon
- 17 SBLT Jessica Cusumano
- 18 Cavin Wilson
- 19 Mark Drummond
- 20 Naomi Brooks
- 21 Karen Orre
- 22 Michael Dowsett
- 23 COL Paul Petersen
- 24 Andrew Podger, Cath Harris and Roger Powell

20 confidential submissions were also received.



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