

SENATE STANDING COMMITTEE ON LEGAL AND CONSTITUTIONAL AFFAIRS
ATTORNEY-GENERAL'S PORTFOLIO

Program: Defence Abuse Response Taskforce

Question No. SBE15/018

Senator Xenophon asked the following question at the hearing on 20 October 2015:

Senator XENOPHON: There is an issue of time limits. You may remind me, Mr Hall. There is an issue relating to the time limits. I do not have that in front of me. There was a cut-off date for complaints whereby that cannot be considered for compensation?

Mr Hall: The cut-off date for the conduct that arose regarding a complaint was 11 April 2011. The cut-off for bringing a complaint to the task force was 31 May 2013.

Senator XENOPHON: That is right. Thank you for reminding me of that. Since that time, from that cut-off date in May 2013, how many complaints have been made to the DART in respect of matters whereby if there was not that cut-off date they would have been able to bring in a claim?

Mr Hall: I am not sure if we have that information.

Ms Windeyer: We have. As at 30 September, 425 people had tried to register post the cut-off date, so they were unable to be registered.

Senator XENOPHON: It is a fairly significant number of people, 435. Presumably a number of them were quite serious allegations.

Ms Windeyer: Four hundred and twenty five, sorry. We know the nature of the allegations only for some of them. Some people chose to give us quite a lot of information and some people simply rang up.

Senator XENOPHON: Has the DART given any advice to government as to what their view is about whether that cut-off date should be extended beyond May 2013?

Mr Hall: The terms of reference do not enable the DART to look at that particular issue. It has advised the government about the figures and about the information that has come forward but considers it a matter for the government.

Senator XENOPHON: Perhaps I could put that to the Attorney and see whether he wants to take it on notice and get appropriate advice, given that there are 425 cases after that cut-off period and that there was a fairly robust process initiated by DART for those cases prior to that time. I will put some other questions on notice. I think it is appropriate that I pause at this time.

The answer to the honourable senator's question is as follows:

This question is directed to the Attorney-General.

However, while the Taskforce cannot register any further complaints, it has advised people who tried to register after the cut-off date that there are other avenues available for those who wish to pursue a complaint. These include:

- the Defence Sexual Misconduct Prevention and Response Office (for sexual misconduct complaints), which can be contacted via telephone by calling 1800 SEMPRO
- the Inspector General of the ADF

- the Defence Force Ombudsman
- the Australian Human Rights Commission, or
- reporting the incident to the police if you wish to register a criminal offence.