



Australian Government

DEFENCE ABUSE RESPONSE TASKFORCE

APPOINTMENT OF TASKFORCE CHAIR AND TASKFORCE TERMS OF REFERENCE

We hereby appoint the Honourable Len Roberts-Smith RFD, QC to lead the Defence Abuse Response Taskforce to operate in accordance with the following terms of reference as part of the Australian Government's response to DLA Piper's *Report of the Review of allegations of sexual and other forms of abuse in the Australian Defence Force*.

The Taskforce is to:

- (i) assess the findings of the DLA Piper review and the material gathered by that review, and any additional material available to the Taskforce concerning complaints of sexual and other forms of abuse by Defence personnel alleged to have occurred prior to 11 April 2011, the date of the announcement of the DLA Piper Review;
- (ii) include in this assessment the 24 Australian Defence Force Academy (ADFA) cases noted by DLA Piper and the cases of abuse identified by reports into physical violence and bullying at HMAS Leeuwin, and whether the alleged victims, perpetrators and witnesses in relation to these cases remain in Defence;
- (iii) determine, in close consultation with those who have made complaints, appropriate actions in response to those complaints;
- (iv) will also, as appropriate, gather additional information relevant to consideration of the handling of particular allegations eg relevant records held by Defence
- (v) take account of the rights and interests of alleged victims, accused persons and other parties;
- (vi) liaise with the Minister for Defence, Chief of the Defence Force and the Secretary of the Department of Defence on any implications of its work for Defence's 'Pathway to Change' and other responses to the series of reviews into Defence

culture and practices in particular the work done by the Sex Discrimination Commissioner into the Australian Defence Force (ADF) and ADFA;

- (vii) report to the Attorney-General and Minister for Defence every 3 months on its progress and issues arising, including whether the funding it has been provided is adequate so as to enable the Attorney-General and Minister for Defence to report to Parliament as appropriate
- (viii) report to the Attorney-General and Minister for Defence by October 2013 on whether, in what form, the Taskforce should continue in effect beyond the initial 12 month period and the funding that would be required so as to enable the Attorney-General and Minister for Defence to report to Parliament as appropriate; and
- (ix) to advise whether a Royal Commission would be merited into any categories of allegation raised with the DLA Piper review or the Taskforce, in particular the 24 ADFA cases.

The terms and conditions of the engagement by the Commonwealth of the Honourable Len Roberts-Smith RFD, QC are to be governed by an agreement between the Honourable Len Roberts-Smith RFD, QC and Roger Wilkins AO, Secretary of the Attorney-General's Department.

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THE HON NICOLA ROXON MP
Attorney-General, Minister for Emergency Management

DATED:

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THE HON STEPHEN SMITH MP
Minister for Defence

DATED: