



Australian  
Human Rights  
Commission

Review into the  
Treatment of Women in the  
Australian Defence Force

COMMUNITY GUIDE • PHASE 2 • 2012



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Enquiries should be addressed to Communications Team at:  
**communications@humanrights.gov.au**

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For further information about the Australian Human Rights Commission, please visit: **www.humanrights.gov.au** or email: **communications@humanrights.gov.au**

You can also write to: Communications Team Australian Human Rights Commission  
GPO Box 5218 Sydney NSW 2001

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# A message from the Commissioner



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

As Australia's Sex Discrimination Commissioner, leading the Australian Human Rights Commission's Review into the Treatment of Women in the Australian Defence Force has been both a priority and a privilege. It has been a priority because the equal treatment of women should be at the core of any Australian workplace – regardless of its size, history or purpose. When indications suggest that this is not always the case, it is a matter of direct and immediate concern.

Equally, however, it has been a rare opportunity to engage with the distinctive nature of a defence force – a place that demands personal sacrifice and often personal risk from its members well beyond that ever asked of most citizens – in which the reality of posting cycles, operations and deployment, together with a linear hierarchy and career structure, makes the ADF experience unique.

It has been a privilege, then, to gain insight into the day to day lives of ADF personnel – to hear, in their own words, their fierce commitment to service; their determination to perform at their best for the security and wellbeing of the nation.

I sense a readiness by the ADF leadership to engage with change – to meet the dedication of thousands of personnel with a resolve to make one of Australia's largest employers one that is, in all respects, an employer where men and women are treated equally and respectfully.

Meaningful change is never easy – it takes courage to set aside the status quo. When that status quo, however, perpetuates marginalisation and loss of personnel, when it threatens the future capacity of the organisation, new and innovative ways of thinking must be embraced.

The ADF senior leadership comprises people of integrity; leaders committed to cultural evolution, who recognise the critical link between an increase in women's representation and the future sustainability of the Defence Force – who are determined to ensure an environment that is optimal for, and takes full advantage of, the strengths of both men and women. Leading cultural change of the magnitude required by the Review demands strong focus, an unwavering determination and a willingness to be held accountable.

While this Review was sparked by events relating to the improper sexualised treatment of ADF women, a broader imperative was to examine the underlying culture and structures that may contribute to their marginalisation – and to the failure of the ADF to keep pace with Australia’s workforce demographic.

Despite progress over the last two decades, today, I am not confident that in all the varied workplaces that comprise the ADF, women can and will flourish. That is the reality the ADF must change.

I observed that, for many in the ADF, service comes above all else – above family and relationships, above personal wellbeing – with the inevitable impact on individual’s lives. I firmly believe that service to the ADF does not extend to sacrificing basic human rights – a member’s right to a family, the right to a work environment free from sexual violence, the right to equality.

Along the way I have heard many positive stories – stories in which the ADF has clearly served its members well. I have also heard, however, deeply distressing stories from women – stories of extreme exclusion, of harassment and bullying, of sexual assault and victimisation.

Many of these women felt that lodging a formal complaint was not an option. In undertaking the Review, then, I was acutely aware of the impact that the process itself may have on ADF members, and of my duty to report accurately the experiences recounted to me and the team.

On occasion, as information was uncovered, I immediately raised these matters with the ADF leadership. Their responses were consistent with their wider commitment to eliminate all unacceptable behaviour. This leaves me in no doubt that progress is achievable.

Meanwhile, the bravery of those women who chose to tell their stories – to the Review and to leadership – was both moving and extraordinary. Their courage has made very real the necessity for meaningful reform.

The vast majority of the recommendations contained in the report are gender neutral, in part because the issues of work and family, unacceptable behaviour and sexual assault are not unique to women.

Equally, ADF women strongly believe that when they are singled out, it makes it harder for them to fit in. Highly resistant to any initiative being directed solely at them, ADF women view identical – not differential – treatment as the path to delivering equality. This is most likely in part to avoid the backlash that inevitably trails any treatment perceived as ‘preferential’.

Certainly, there are circumstances where it is appropriate to treat men and women identically, such as where any significant gender differences are not relevant and where a ‘level playing field’ already exists. This must be balanced with circumstances where identical treatment will lead to inequality; such as when existing policies and practices are assumed to be neutral but in fact are embedded in a ‘male norm’. It is in these areas that we have made recommendations directed specifically to women.

The simple fact is that, while capable of making equally valuable contributions to a workforce, the needs and experiences of men and women are different. ADF members must recognise and build this knowledge into the structures, systems and practices that underpin their organisation. With this in mind, the application of targets in a small number of selected areas is crucial to ensuring that women have the same opportunities as men in all aspects of ADF life. Without targets in selected areas there will be no change.

It has been heartening to observe in recent months, following the initiation of the Review and the new forms of engagement made possible, the progress which is already occurring within the ADF.

I thank the thousands of ADF personnel and those beyond who gave us their valuable time and opinions. As varied as your voices may have been, ultimately, one ambition was shared by all. This is for a strong and unified ADF – one of which Australians can be justifiably proud.

The commitment is there. A path, by way of these recommendations, is laid out. It is now for the ADF to make good on this ambition – to realise an organisation which, in return for their service to Australia, gives all of its members, irrespective of their gender, the opportunity to thrive.

A handwritten signature in black ink, reading "E. Broderick". The signature is written in a cursive style with a large, stylized initial "E".

Elizabeth Broderick  
**Sex Discrimination Commissioner**  
August 2012



# Terms of reference

## Review into the Treatment of Women in the Australian Defence Force Academy and Australian Defence Force

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 previously addressed objectives (a) and (b) in the Terms of Reference and Phase Two addresses objectives (c) to (e).



# Methodology

## Introduction

The findings and recommendations in this Report are based on an independent assessment of the treatment of women in the ADF. This included the examination and analysis of both qualitative and quantitative research.

## Qualitative Data

Considerable qualitative data was gathered to inform the Report and its recommendations. Much of this was gathered from consultative sessions with ADF personnel although information from written submissions and confidential, individual discussions was also relied upon. During the consultation process, various incidents of alleged unacceptable behaviour, including sexual misconduct, were brought to the attention of the Review. While the Report does refer to alleged misconduct, it should be noted that the scope of the Review did not extend to investigating and making findings or determinations about any incidents or allegations of unacceptable conduct or sexual misconduct.

### (a) Focus Groups and Meetings

Consultations with members of the ADF were held in a range of different environments with the aim of connecting with those most vulnerable in the system. The Review visited naval, air force and army bases, training colleges and recruit schools. It observed exercises and demonstrations, interviewed personnel on

ships, submarines, helicopters and fixed wing aircraft.

The Review considered it was critical to consult with ADF members in deployed environments and to learn first-hand of their experiences and opinions. To that end, the Commissioner and a Review team member travelled to Al Minhad base in the United Arab Emirates, as well as Tarin Kowt and Kabul in Afghanistan. The Review also held two teleconferences with female troops deployed in East Timor.

Overall, the Review held:

- 110 focus groups with over 1,100 personnel in 33 bases across Australia
- 16 focus groups with 177 personnel deployed to Afghanistan and the UAE
- 2 focus groups via videoconference with 26 personnel deployed to East Timor
- 82 meetings with approximately 360 senior ADF officers and stakeholders
- 10 meetings in Washington (Pentagon) with 28 US Defense Personnel
- 13 confidential interviews in Afghanistan and the UAE.

Focus group facilitators were guided by a structured series of questions designed to explore themes relevant to the Terms of Reference. This process was also flexible, allowing issues and themes of particular interest to the group, or new issues which had been raised by previous groups, to be explored.

Focus group discussions addressed the representation of women; women's recruitment and career progression; women in combat; women's living arrangements; awareness and prevalence of sexual harassment, sex discrimination and abuse; mentoring and sponsorship; women in leadership; combining work and family; women's employment status and opportunities; and the CDF's Women's Action Plan.

Focus group participants were assured of their privacy and confidentiality. With the permission of participants, discussions were recorded and transcribed. Only de-identified information has been used in the Report. Transcripts of all focus groups and meetings were analysed by the Review Secretariat.

### (b) Written Submissions

Written submissions for Phase 2 opened on 5 November 2011 and closed on 1 June 2012.

Advertisements inviting submissions for Phase Two of the Review appeared in major Australian metropolitan and regional newspapers. The call for submissions was also placed on the Australian Human Rights Commission website and disseminated through key ADF networks.

A total of 61 submissions were received, including 36 public and 25 confidential.

All submissions were analysed by the Review Secretariat which identified emerging themes. All public submissions were placed on the Review website: [www.humanrights.gov.au/defencereview](http://www.humanrights.gov.au/defencereview).



### (c) Access to 1800 number

A toll-free confidential telephone line was established for the entirety of the Review for individuals wishing to speak confidentially to a member of the Review team about his or her experiences in the ADF. The availability of the phone line was promoted during the Review's visits to the naval, army and air force bases as well as on the Review website. A number of telephone interviews and/or verbal submissions were conducted as a result of calls to this number.

### (d) Individual processes

During Review visits to various locations, many people took the opportunity to raise matters of concern directly with the Commissioner and the team. On a number of occasions, the Commissioner then raised these issues directly with the leadership of the ADF.

On other occasions, the Commissioner became aware of matters of concern independently of a disclosure. With the consent of the individual involved, the Commissioner organised appropriate interventions and, in this way, was able to expedite resolution of the issue or facilitate solutions. This measure was important for both the relevant individual and the senior ADF leadership personnel who were involved in these processes.

## Quantitative Data

To gather the Review's quantitative data, two survey instruments were developed and applied across the ADF.

### (a) Survey 1: Treatment of Women in the Australian Defence Force Survey

The Treatment of Women in the Australian Defence Force survey collected views and information about the experiences and opinions of ADF members in relation to the Review's Terms of Reference.

The survey was submitted to Australian Defence Human Research Ethics Committee (ADHREC) for approval on 17 November 2011 with the assistance of the Department of Defence's Directorate of Strategic Personnel Policy Research (DSPPR). Approval was granted on 6 December 2011.

The survey was distributed in two ways:

- Focus groups: 523 members completed the survey in focus groups.
- On-line: The survey was circulated to a stratified sample of approximately 20 per cent of ADF members. In raw figures, 4,766 responses were received, of which 3,639 were from Permanent members and 1,127 were from Reservists.

This survey collected information on a range of issues relevant to the treatment of women, including work and family issues, women's representation in leadership roles (including views on promotional opportunities for women as compared to their male counterparts), sexual harassment, abuse and sex discrimination.

It also collected other demographic, behavioural, attitudinal and experiential data. DSPPR provided the raw data for the Review to undertake its own analysis. DSPPR also analysed the results and provided their own report to the Review.

### (b) Survey 2: Australian Human Rights Commission Sexual Harassment National Telephone Survey

The Australian Human Rights Commission's Sexual Harassment National Telephone Survey is administered at regular intervals to examine the nature and prevalence of sexual harassment in Australian workplaces. In 2012, the Commission's national survey of sexual harassment in the workplace in the Australian population was also conducted in the ADF workplace. A random, partially stratified sample of 1,000 ADF personnel were surveyed on the issue of sexual harassment. The simultaneous administration of both surveys allowed for comparisons between the ADF workplace and National Survey more generally.

Ethics approval for this research was sought from the Australian Defence Human Research Ethics Committee (ADHREC) on 13 April 2012 with the assistance of the DSPPR. Final approval was granted on 2 May 2012. The survey was administered by Roy Morgan Research in collaboration with the Department of Defence. The ADF participants were surveyed by telephone.

### ADF Documentation and Literature reviews

During the course of the Review, the Review Secretariat requested and received documentation and information from the ADF on policies, strategies and various other data. In total, 387 requests were made of the ADF. All requests were actioned by the ADF and almost all requested material was received. The only exception to this was where the ADF did not have knowledge or data on the type of information requested.

The Review team also undertook literature reviews in a number of key areas to support its recommendations.

### Analysis of Comparable International Militaries

A review and analysis of the literature relating to the treatment of women in comparable overseas militaries was undertaken. The Review distilled the key principles and lessons learnt from the international evidence into a set of promising practices. The suitability of these promising practices was assessed for possible adoption by the ADF.

### Limitations to research

The ADF was responsive to all requests made by the Review team including requests for access to bases and personnel, provision of documentation and data and participation and support for the two surveys conducted, i.e. the *Treatment of Women in the Australian Defence Force Survey* and the Australian Human Rights Commission's *Sexual Harassment National Telephone Survey*.

In some areas, such as in relation to the incidence of sexual offences, consistent data was not available. Further, given that each Service responded to many of the data requests in different ways, it was at times difficult to draw comparisons across the Services or to gain a picture of the ADF as a whole. Data was often provided in different formats and drawn from different databases. Different Services and departments also had different conventions and assumptions underlying the quantitative data that they used. (The report records as footnotes all sources drawn upon and, where necessary, identifies the assumptions underlying figures.)

## Previous Reviews

In the past, the ADF has been subject to a range of reviews and reports that have directly and indirectly examined the culture of the organisation and the impact of that culture on the treatment of women. The following are those that are of most relevance to this Review:

- Women in the Australian Defence Force, Clare Burton (1996)
- Women's Participation in the Navy, Christine McLoughlin (2009)
- Review of Mental Health Care in the ADF and Transition through Discharge, Professor David Dunt (2009)
- Mental Health in the Australian Defence Force: 2010 ADF Mental Health Prevalence and Wellbeing Study, University of Adelaide and Vice Chief of the Australian Defence Force (2010)
- Defence's Management of Health Services to Australian Defence Force Personnel in Australia, Australian National Audit Office 2010
- Defence Women's APSD Leadership Pathways, Carmel McGregor (2011)
- Beyond Compliance: An Operations Focussed Culture and The Australian Profession of Arms, MAJGEN Craig Orme (2011)
- Review of the Management of Incidents and Complaints in Defence including Civil and Military Jurisdiction, Inspector General ADF (2011)
- HMAS Success Commission of Inquiry Report, Hon Roger Gyles AO QC (2011)
- Pathways to Change: Evolving Defence Culture, ADF (2012)
- Report of the Review of Allegations of Sexual and Other Abuse in Defence: Facing the Problems of the Past, Volume 1 DLA Piper (2012)



# Principles underpinning the Review

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The methodology employed by the Review was based on the following principles:

## 1. Comprehensive

Members of the ADF and the public were provided with as many avenues as possible to communicate with the Review. This effort was made to ensure the information coming to the Review was as broad and extensive as was possible.

## 2. Consultative

The Review aimed to consult as widely as possible with members of the ADF in order to hear their views, experiences and suggestions for change. The Review actively sought out those most vulnerable to the system's deficiencies.

## 3. Inclusive

Both male and female members of the ADF were encouraged to make a contribution to the Review. This was done through consultations with individuals, mixed gender focus groups, women-only focus groups and men-only focus groups.

## 4. Voluntary

Involvement of all participants in the Review process was voluntary. Participants could withdraw at any time with no negative consequences.

## 5. Confidential

The Review recorded most of the discussions and focus groups. Information gathered from these consultations has been de-identified and confidentiality has been strictly maintained. Similarly, all survey responses were de-identified and only aggregated responses are reported. As a further precaution, no associated demographic information is reported that could be used to indirectly identify individuals.

## 6. Evidence based

Evidence gathered through the Review reflects the range of information, views and experiences of ADF members.

## 7. Sensitivity of process

The Review was acutely aware of the effects that the process could have on members of the ADF. When, the team came across information, evidence or experiences that were of concern, the Commissioner, with the appropriate consent of the person(s) involved, would address the issue immediately with the ADF Senior Leadership.



# Overview and recommendations

## A Strong Future for the ADF – Initiatives Required to Drive Change in the Treatment of Women

This section gives an overview of the Review's findings and recommendations. Taken together, the recommendations create a coherent and powerful platform for change.

### Introduction

A military organisation is unique within the context of a nation's society and institutions. It demands sacrifices and commitment from its serving members beyond those most citizens will ever be asked to make. Military organisations do not easily lend themselves to the 'tried and true' strategies which are available to most other government or corporate entities. The reality of posting cycles, operations and deployment makes the military different. The need for personnel to stand in harm's way distinguishes a military career from other careers. The organisational structure of ranks, strict hierarchy and linear career paths make the Services different to most other civilian organisations. Australian society demands high standards of its armed forces and the scrutiny under which the ADF operates is relentless.

None of this detracts from the urgent and compelling need for change. The ADF must address the problem of a shrinking talent pool, the significant cost of unwanted departures, the lack of diversity

at leadership level and its desire to be a first class employer with a first class reputation. Increasing the representation of women and improving their pathways into leadership goes to the very heart of the sustainability and capability of the ADF. As one senior female leader observed:

Imagine what an amazing fighting machine we could be if there were more women in both the star rank leadership and in our Warrant Officer population?

As importantly, an increased representation of women will build a more inclusive and gender equal culture. The ADF senior leadership understands this at a profound and personal level. Their willingness to be open and transparent, and to provide the Review with unparalleled access to personnel, bases and facilities, is clear testament to their commitment to change.

### The Process

The process of conducting the Review has itself been extremely important as a tool for cultural change. The methodology underpinning it has been consultative, comprehensive and evidence-based.

Our thinking has been shaped and developed through engagement with, and observation of, the work of the thousands of ADF members who were part of this Review. Our recommendations to drive change have therefore been crafted to recognise that which is unique to the ADF. We have not merely 'imported' a typical suite of strategies.

The deep courage of the women who chose to tell their stories during this Review was a source of inspiration to the Review Panel and team members. We appreciated the personal and organisational commitment displayed by the Service Chiefs who participated in a number of innovative strategies, including meeting individually with some of the women. These strategies were designed to enhance the Service Chief's understanding of the unequal treatment experienced by women in the ADF. Their responses convinced the Review team that fundamental cultural change is possible. We have no doubt that the bravery of the women, who recounted their stories directly to each Chief, opened pathways for a better understanding of the challenges and hurdles to be addressed if the ADF is to build a truly inclusive culture.

### Existing Service Specific Reform Programs

In recent times, Navy, Army and Air Force have introduced a range of promising reform programs aimed at building more diverse and inclusive Services. We support these efforts and consider that our recommendations build on these initiatives and other ADF reform strategies, such as "Pathway to Change: Evolving Defence Culture" and "Plan SUAKIN". Our intention is that these recommendations will complement and strengthen the existing momentum for change within the ADF.

#### (a) Navy

In Navy, the New Generation Navy (NGN) cultural reform program was established in 2009 as a five year strategy to address

the cultural, leadership and structural changes needed to meet the challenges of delivering future capability. NGN is a broad program encompassing a range of initiatives underpinned by certain values and ten signature behaviours that Navy personnel are encouraged to adopt in their day to day working lives. The NGN program is driven at the highest levels with the full support and commitment of the Chief of Navy.

Through implementing NGN, Navy aims to challenge the current culture and bring change to create a sustainable and capable organisation. A key element of NGN includes training on effective, inclusive and ethical leadership based on the Navy values. Navy itself has stated that:

Navy is starting to see a change in its culture, but true and sustained cultural change takes time and there remains a significant amount of effort required if these changes are to be enduring.

#### (b) Army

The Chief of Army has committed to a number of change initiatives aimed at attracting and retaining more women. These include the establishment of recruitment targets for women, a reduction in the Initial Minimum Period of Service obligations in certain categories, and building greater flexibility into career pathways.

A further key initiative is the removal of gender restrictions on combat related roles which will enable women to enter non-traditional areas of employment,

thereby reducing occupational segregation and helping clear the way for women to progress to higher ranks.

## (c) Air Force

In Air Force, Project Winter and a range of flexible work initiatives have been introduced in an attempt to increase the overall representation of women. Project Winter has a particular focus on attracting women into non-traditional employment areas. The current focus of the project is on the recruitment, support, retention and progression of women in non-traditional roles, including areas such as Pilots and Air Combat Officers.

In addition, Air Force has also developed the Women's Integrated Networking Groups (WINGS) program – a customised mentoring program aimed at encouraging the formation of mentoring relationships. The focus of the program is to build support networks for women in areas where they are under-represented and have fewer opportunities for regular networking or mentoring through everyday workplace interactions. Following a successful trial, the program is being replicated across major Air Force bases.

## Identified barriers to women's progression

The Review supports the initiatives identified above but considers that by themselves, they will not overcome the systemic and practical impediments to cultural change that still exist in the treatment of women in the ADF. From the extensive consultations and research conducted during the Review a number

of barriers were identified. These included: the lack of critical mass of women in the ADF, stemming from attraction and retention difficulties; the rigid career structures and high degree of occupational segregation; the difficulties combining work and family; and a culture still marked, on occasion, by poor leadership and unacceptable behaviour including exclusion, sexual harassment and sexual abuse.

An analysis of the data relating to senior leadership levels in the ADF demonstrated just how difficult it is for women to succeed, particularly women with children. While 88.9% of men in the star ranks have children, only 22.2% of women do.

In some areas, good progress has been made and promising initiatives have been put in place. These initiatives though will not be enough to drive the change required – a broader imperative for change must be communicated.

## The Necessity for Targets

We understand there will be organisational resistance to the idea that women may need different and specific supports to overcome systemic and cultural barriers.

On many occasions we heard that gender equality and increased representation of women within the ADF would only come from treating women and men identically.

The Review disagrees. In certain areas, identical treatment will not deliver the desired outcome, but will instead lead to greater inequality. This is the case where existing policies and practices are assumed to be neutral when, in fact, they

are embedded in a 'male norm'. In these areas, we have made recommendations to level the playing field between men and women.

As one senior female leader advised:

Many will argue that they don't want to be promoted based on a quota, that they want to get there on merit. Well, quotas and merit are not mutually exclusive ideas. Well, we all need to get over it. The reality is that every woman who goes to the short list at a promotion board has merit anyway.

There will be organisational resistance to targets. Merit is a deeply and widely held core value in the ADF. Targets will be seen to fly in the face of this value. As another female member explained:

The biggest mistake, however, would be to give special treatment to women. This would reinforce the view that women are inferior and can only compete if given an advantage. It breeds division and is totally counter-productive to attempts to have women advance.

This is a view shared by many women across the ADF.

Given the barriers identified, the lack of success to date in achieving change and the inadequacy of relying on a 'trickle up' strategy, the Review has found that targets are required in selected areas to drive cultural change in the treatment of women in the ADF and to improve career pathways for women.

## Possible Risks

Driving cultural and structural reform of the scale intended by the Review's recommendations carries inherent risks. Some people will embrace the changes and see merit in the arguments and strategies. Others will not. There will be strong resistance to some measures, such as targets, which could result in a backlash against women. Women's place within the ADF may be called into doubt. They may be 'accused' of attracting special treatment. Their merit may be questioned. Their contribution may be undermined. Behaviours of exclusion or harassment may intensify and these behaviours may come from both men and women.

At all levels of the ADF, leadership must be alive to these possibilities and must be constantly vigilant in ensuring that any negative or unintended consequences of this reform are acted upon immediately and effectively.

The change management processes underpinning the implementation of the Review's recommendations must explicitly manage the risks of reform and ensure that safeguards are in place to protect those who are vulnerable.

## Principles to underpin success

In framing the Review's recommendations, we have drawn upon existing ADF practices that show promise, as well as lessons learned from national and international evidence. Many militaries around the world are addressing these issues with varying degrees of achievement and organisational impact. The Review has identified recurring themes and principles which underpin success:

- Principle 1 – Strong leadership drives reform
- Principle 2 – Diversity of leadership increases capability
- Principle 3 – Increasing numbers requires increasing opportunities
- Principle 4 – Greater flexibility will strengthen the ADF
- Principle 5 – Gender based harassment and violence ruins lives, divides teams and damages operational effectiveness

These themes and principles provide the framework for the Recommendations that follow.





# Principle 1: Strong leadership drives reform

Strong statements and modelling by leadership are vital to the success of increasing gender diversity. For women who are striving to ascend to senior positions, personal commitments from leaders who understand the imperative for change are essential.

The recommendations that follow actively promote broad organisational understanding of diversity as both a core defence value and an operational imperative linked to capability and operational effectiveness.

Commanding officers need to be accountable for creating and maintaining a healthy organisational culture. This includes being available, on a regular basis, to engage directly with members about workplace concerns and inappropriate behaviour. This should be done with a view to early identification and expeditious resolution.

The recommendations are designed to secure strong and unequivocal commitment from defence leadership, as well as from middle management, particularly non-commissioned officers. Middle management plays a critical role in ensuring that the ADF is a well-functioning organisation which treats men and women equally.

For the reforms outlined in our Report to be successful, the ADF Senior Leadership must take full responsibility for the implementation of the Recommendations.

## **Recommendation 1:**

**The Chiefs of Services Committee (COSC) should take direct responsibility for the implementation of the Review's recommendations, make decisions, monitor key metrics and take corrective action.**

## **Recommendation 2:**

**COSC should articulate and communicate a strong and unambiguous commitment to the effect that:**

- **Targets are required to create an environment that is optimal for, and takes full advantage of, the strengths of both men and women.**
- **Leaders will be held to account for the wellbeing and culture of their teams.**
- **Every sexual offender and harasser will be held to account together with leaders who fail to appropriately address the behaviour.**
- **Flexible working arrangements underpin capability and are an important recruitment and retention tool.**
- **Women are essential to the sustainability and operational effectiveness of the ADF because they contribute to a diverse workforce which strengthens the ADF's ability to be an effective, modern, relevant and high performing organisation.**

This statement should be supported by a performance framework to ensure high performing defence environments where both men and women can thrive. The performance framework should be incorporated into all leader development, including individual performance appraisals, and formal development occurring in training organisations and recruit schools, and will be reinforced at all levels of the organisation. The consequences of non-adherence to the framework will be actioned including through limiting career advancement opportunities.

### **Recommendation 3:**

COSC should publish a “Women in the ADF” report each year, as a companion document to the ADF Annual Report. The companion document should publically report on the progress of the implementation of the Review’s recommendations and key metrics including, but not limited to:

#### **A. Women’s Participation**

- Number and proportion of women recruited in each Service (via ab initio, mid-career/lateral entry, recruit to trade, recruit to area, from the Reserve and other specific recruitment initiatives).
- Number and proportion of women in each Service and rank.
- Number and proportion of women:
  - at executive level in each service
    - » in the pipeline in each service
    - » in targeted occupations which are highly gender segregated.
- Number and proportion of women’s promotions by Service and at each rank.
- Gender balance on key decision making bodies within ADF.
- Retention of women:
  - » Gap between men and women’s retention and separation rates
  - » Number returning to work from paid and unpaid maternity and parental leave
  - » Number of men and women taking career breaks
- Measures of occupational segregation
- Outcomes of gender pay audits
- Number of women accessing mentoring/sponsorship

#### **B. Women’s experience**

Gender disaggregated data from key organisational surveys including:

- Defence Attitude Survey
- Exit Surveys
- Climate, Culture and Pulse surveys

### **C. Access to flexible work**

- Number of men and women accessing formalised flexible working arrangements across all ranks.
- Number of applications submitted for flexible working arrangements.
- Proportion of applications for flexible working arrangements that are approved.

### **D. Sexual harassment and abuse**

- Number of complaints
- Types of complaints e.g. sexual harassment, sexual assault
- Relevant demographics of complainant and respondent e.g. work area, rank
- Number of complaints dealt with internally
  - » Number investigated
  - » Number resolved
  - » Time taken from receipt of complaint to finalisation
- Number of complaints dealt with externally
  - » Number investigated
  - » Number resolved
  - » Time taken from receipt to finalisation
- Cost per complaint
  - » Internal
  - » External

This data is to be reported by Service and work location or base.

### **Recommendation 4:**

**COSC should ensure that commanding officers are accountable for a healthy organisational culture, for being regularly available to engage directly with members and for taking any corrective action as required. This includes effective management of alleged incidents of harassment, discrimination and unacceptable behaviour, managing flexible work arrangements (FWA), meeting FWA targets, and involvement in mentoring and sponsoring members. The ADF will administer regular climate surveys to assist commanding officers understand and improve organisational culture and performance. The last survey prior to the conclusion of the posting should inform the commanding officer's Performance Appraisal Report (PAR).**



## Principle 2: Diversity of leadership increases capability

Harnessing all available leadership talent and ensuring a mix of skills, perspectives and experience is critical to increasing capability. Capitalising on diversity of thought and experience provides powerful leverage to problem solve more effectively, make sound decisions and to innovate. The current rigid, linear, one-size-fits-all career continuum is not serving the ADF well. It does not allow the ADF to actively and creatively manage its talent in a flexible way. Too many highly trained, talented people leave.

As an organisation, the ADF does not reflect the society from which it is drawn. It is overwhelmingly an organisation comprised of white Australian men. It lacks the perspectives and experiences of women, Aboriginal and Torres Strait Islander peoples and those of culturally and linguistically diverse backgrounds.

Women are significantly under-represented in leadership positions:

- In Navy, of the 52 generalist star ranked officers, there is only one woman (1.9%), despite women representing 20% of officers in Navy. Additionally, out of three specialist star ranked officers, there are currently two women from the Health Services category.
- In Army, of the 71 generalist star ranked officers, there are currently only four women (5.6%), despite women representing 14.5% of officers in Army. Additionally, out of the three specialist star ranked officers there is currently one woman from the Legal category.
- In Air Force, of the 53 generalist star ranked officers, there is currently only one woman (1.9%), despite women representing 18.9% of officers in Air Force. Additionally, out of the two specialist star ranked officers, there is currently one woman from the Health Services category.

Further, an examination of the workforce pipeline indicates that women remain under-represented in key developmental roles that currently act as gateways to senior leadership. Senior leadership positions in all three Services are traditionally appointed from categories in which women have been precluded, or in which they are under-represented. The ADF should review and redesign the way it develops and appoints its senior leadership. It should seek to create pathways through non-war fighting categories in order to increase diversity in leadership.

Women are under-represented in command positions compared to the proportion of women in the permanent workforce in all three Services. Given the importance of command positions for career progression, this suggests a structural impediment to women moving into senior leadership positions. In some categories in which women are well represented, there are structural impediments which impact on a woman's ability to progress to the most senior positions. A shortage of women in leadership also means other female personnel are deprived of role models ('you can't be what you can't see') and of potential mentors and sponsors.

There are unwritten, but strong and broadly understood, organisational expectations about the age range within which certain promotional pathways and/or types of experience are to be attained. In order to enable more flexibility in the career continuum and to better serve the talent needs of the modern ADF, these deeply held cultural beliefs and assumptions must be acknowledged, re-examined, and, if necessary, changed.

Given the structural impediments identified by the Review, a 'trickle up' strategy will not address these stark imbalances. Therefore, while we are acutely aware of the resistance to differential treatment – targets and quotas – targeted interventions are required if the ADF is to increase the representation of women and build pathways for them into senior leadership.

These recommendations address the significant under-representation of women at decision making level.

**Recommendation 5:**

**COSC should review and redesign the custom and practice of selecting the most senior strategic leadership positions in the ADF from combat corps codes with the object of selecting from a broader group of meritorious candidates, particularly women. In this endeavour, promotions boards to senior ranks should be as diverse as possible and include at least one person external to the Service.**

**Recommendation 6:**

**In order to broaden the talent pool from which leadership is drawn, each Service Chief should identify and implement a target aimed at broadening the work background of people available to enter into leadership positions. The Service Chiefs should:**

**For Officers:**

- **Identify all promotional gateways across the Services, including, and commensurate with Australian Command and Staff College and Centre for Defence and Strategic Studies.**
- **Establish a target in Australian Command and Staff College and Centre for Defence and Strategic Studies (or commensurate promotional gateways) for people who are drawn from non-warfare corps codes (with an initial focus on categories which have a higher representation of women including Supply, Logistics, Administrative or Health Service roles).**

**For Other Ranks:**

- Identify promotional gateways and career development opportunities that position individuals for selection to rank of Sergeant (or equivalent) and establish a target for women.

The Service Chiefs should report annually against these targets in the “Women in the ADF” Report.

**Recommendation 7:**

The Service Chiefs should instruct their Director General of Personnel to build flexibility into the career model, time in rank provisions, timing of and access to ‘career gates’ and career pathways to enable more flexibility in career progression. This includes, but is not limited to:

- Developing, on request, longer term career plans (i.e. more than 5 years) for personnel to allow for different life stages and changing requirements.
- Developing joint career plans for partners who are both serving members to ensure greater family stability and career opportunities for both members.
- Developing mechanisms that would allow people on leave, who so wish, to access training/career gate courses online to enable a person’s currency of their role to be maintained. This could also include a register of voluntary tasks or projects which, if undertaken while on leave, could be reported on for purposes of performance appraisal and therefore be put to promotions boards.
- Reforming time in rank requirements by decoupling traditional career pathways and continuous service from promotions processes.
- Offering an active talent management program for high performing individuals with leadership potential who choose to participate.



## Principle 3: Increasing numbers requires increasing opportunities

The ADF's talent pool is narrowing. Competition for talented workers, particularly young workers, has intensified. In order to enhance capability and operational effectiveness, the ADF must draw on, and develop, a broader talent pool. Women are a critical part of this broader talent pool.

The ADF must also improve the efficiency of recruitment. Given that there has only been a one percent increase in recruitment of women over the last 10 years, and only two percent over the last 20 years, the ADF must vigorously address this area.

A number of strategies within the ADF have had success in increasing the proportion of women being recruited. The most successful has been the Gap Year program which provided 'an opportunity for young adults to experience military training and lifestyle within a 12-month program'. The three year evaluation of this program indicated that, compared to normal recruitment methods, it attracted a higher proportion of women into the ADF. Further, a higher proportion of women transferred from the Gap Year program into the Permanent Forces than through any other form of entry into the Permanent Forces. Though funding for it has now ceased, the Review recommends that the ADF retain the successful principles of this program by implementing a 'try before you buy' recruitment model.

The overall figures for women's representation in each of the Services mask the uneven distribution of women across the different occupations within the ADF. The ADF has many categories, trades and specialisations. Women and men are not proportionately represented in all of the occupations open to them. The actual occupations women fulfil within the three Services are starkly segregated with most women serving in support roles, particularly administrative, clerical, logistical or health service roles. Occupational segregation perpetuates gender stereotypes and undervalues those occupations considered to be 'women's work'. This slows the progress of gender equality and of the number of women achieving at senior leadership level. A burden and risk also exists for women seen as 'trail-blazers' or who enter occupations where very few women are represented.

When small numbers of women enter a male dominated workplace or trade, there is always an inherent risk. Care needs to be taken, not only to ensure their welfare, but to ensure the appropriate supports and feedback mechanisms are in place – particularly when the numbers of these women are increasing.

The following recommendations not only aim to increase the number of women recruited to the ADF as a whole, but also to specific occupational areas and units. The use of targets is required, both to improve recruitment and to broaden occupational opportunities available to women, including in combat roles. A 'target' is not discriminatory if it constitutes a 'special measure' under the *Sex Discrimination Act 1984* (Cth) and is imposed for the purpose of achieving substantive equality between men and women in the ADF.

## Overview and recommendations

In successfully implementing the removal of gender restrictions for combat roles (which will predominantly affect Army), the focus should be on ensuring that leaders, and teams as a whole, are engaged and educated about how they can contribute to effective performance in mixed gender environments. Critical lessons should be shared between the Services.

Given the small numbers of women who are initially likely to consider corps transfers into combat roles, clear policies which recognise non-reduction in rank and pay are needed. To build leadership and preparedness, the focus should be on one combat unit/work section/platoon/company in each Service. To ensure a safe and supportive environment, there should be no less than two women in mixed gender work sections of ten or less, with clustering of women within a category to achieve as close to a critical mass as possible.

The success and progression of women in non-traditional workplaces will be assisted by enhanced mentoring, networking and sponsorship programs. A wide body of evidence confirms that mentoring, networking and sponsorship are essential for women's progression in non-traditional workplaces, and also provide benefit to employees and their organisations.

Mentoring and sponsorship should therefore be a strategic priority for developing leaders in the ADF.

The success of these recommendations will depend on preparedness of leaders and teams as much as it will depend on the numbers of women wanting to work in these areas. For this reason, the ADF needs to work with specially selected leaders and teams who are appropriately skilled and trained to create the conditions for mixed gender teams to perform effectively. This work should commence immediately.



#### **Recommendation 8:**

To attract and successfully recruit more women, COSC should establish innovative strategies that appeal to women at different stages of their careers including:

- A “try before you buy” option (e.g. initial commitment of 12 months) and/or removal of Initial Minimum Period of Service, including in mid-career.
- A “recruit to area” model, where some women and men are recruited directly from the area where they will be posted for a set period, at least initially.
- Actively facilitating the re-entry of women and men who have moved from the Reserve back into the ADF Permanent Force in order to strengthen the retention of talented people.
- Providing incentives to Defence Force Recruiting to recruit more women.

#### **Recommendation 9:**

Each Service Chief should identify and commit to a growth target for the number of women to be recruited into their service. The Service Chiefs should report annually in the “Women in the ADF” Report on progress against the recruitment target.

#### **Recommendation 10:**

To address occupational segregation, COSC should drive and commit to a specific program to recruit and build a critical mass of women in areas that have low representation of women, appoint high performing women to key roles in these areas, ensure women are well supported in these occupations and monitor their retention and career progression. The categories include:

**For Officers:**

- In Navy – Maritime Warfare Officers (Principal Warfare Officers) and Engineering (Marine Engineering and Electrical Weapons Engineering).
- In Army – Combat Officer roles including Infantry Officers and Armoured Officers; non-combat officers including Field Artillery Officers and Engineer Officers.
- In Air Force – Aircrew (Pilots and Air Combat Officers) and Engineering and Logistics (particularly Electronic, Armament and Aeronautical Engineers).

**For Other Ranks:**

- All technical trades in each of the Services.

This includes the Services trialling:

- Removal of the Initial Minimum Period of Service for women entering particular occupational categories.
- A “recruit to trade” model which allows the timely intake of women into particular occupational categories, irrespective of when the next trade course commences.

Where necessary, the ADF will work with educational institutions to encourage women’s entry into these fields.

**Recommendation 11:**

To support the removal of gender restrictions (women in combat) COSC should:

- Ensure that the transition program incorporates corps transfers, peer support for women, specially selected leaders and teams appropriately skilled and trained to create the conditions for mixed combat teams to perform effectively. In relation to corps transfers of women into combat units, the ADF should implement a policy of non-reduction in rank and pay. The transition program is to be reviewed regularly and evaluated based on feedback from the mixed teams and their leadership, and performance against key metrics including perceived level of support, success of integration, tenure and injury rates.
- Ensure the environments into which women will enter are ready, appropriately briefed and trained and that the leadership and team are fully engaged and educated about how they can contribute to effective performance in mixed gender environments.
- In the first instance:
  - » Focus on one combat unit/work section/platoon/company in each Service where effective performance in mixed gender environments has been achieved.
  - » Ensure that in mixed gender work sections of ten or less ADF personnel there should be no less than two women.
  - » Ensure that women are clustered within the category to achieve as close to a critical mass as possible.
- Communicate and share lessons learned across the Services.

**Recommendation 12:**

**COSC should integrate and rationalise the current suite of mentoring, networking and sponsorship programs available and facilitate access to an appropriate mentor or sponsor for any member who so desires, at any stage of her/his career. A mentor or sponsor could be male or female, from within the Service, another Service or outside the ADF. Mentoring and sponsorship programs are to be based on best practice principles, and their purpose, objectives and duration of the relationship to be determined by the member and the mentor or sponsor.**





## Principle 4: Greater flexibility will strengthen the ADF

In order to achieve and retain a diverse workforce, where both women and men thrive, the ADF must improve the level to which it assists serving women and men to balance their work and family commitments. Many ADF members face a stark choice – a career in the ADF or a family, but not both. This is evident at the most senior leadership levels of the organisation and may be a contributing factor as to why the ADF is being deprived of more women in senior roles. While 88.9% of men in the star ranks have children, only 22.2% of women do. This demonstrates that women are more impacted by the difficulties of combining an ADF career with family.

The ADF relies on ab initio recruitment, and there is considerable investment in members from entry level and onwards. When people leave because they cannot balance their work and family commitments it takes a long time and a great deal of investment to train replacements. Flexibility is therefore an important retention tool and critical to ensuring the ADF's capability.

The Review has identified a range of entrenched structural and cultural impediments to members being able to combine work and family commitments. Difficulty in backfilling maternity and parental leave positions, or finding additional capacity to accommodate a flexible work arrangement, can result in reluctance by supervisors to approve flexible work. There is also a negative stigma attached to these forms of leave and work practices. Members can feel guilt that the team will have to accommodate an additional load. There are often no workload adjustments to accommodate reduced working hours and there is a strong expectation that the full time work load will continue to be carried. This often means working through lunch times, arriving early or leaving late. Members spoke of the negative impact on their career of taking leave and/or working part-time. Even where flexible working arrangements are used by members, these have to be renegotiated if they are posted to a new location.

A new workforce management system that enables more than one member to be posted to the same position is fundamental to increasing the availability and number of flexible working arrangements within the ADF. Additional resources may be required to achieve this objective, but reforming the current workforce management system in this way is a critical tool for the retention of members.

The Review met many individuals who had access to 'informal' flexible work arrangements. Such arrangements included, for example, negotiating to arrive at work after dropping children at care or taking the occasional afternoon off to attend a child's sporting carnival. However, few of these were enduring or 'formalised' arrangements. The Review recognises the value of informal arrangements, but also considers it important that members have certainty about their access to flexible work. The ADF should therefore increase the availability of formal flexible working arrangements to its members.

There are deeply held beliefs within the ADF that many roles cannot accommodate flexible working arrangements. The Review concedes that flexible work arrangements may be difficult in some circumstances. However, it finds that in the majority of roles,

much can be done to increase workplace flexibility by looking at new or different ways in which work outcomes can be achieved.

For instance, the Review is aware of the trials and evaluations of alternative crewing and 'Minimum Duty Watch' arrangements in Navy. We understand that many of these trials have been successful and are currently well established on some vessels. Other evaluations have suggested areas that require the attention of leadership include team building, handover and equity in rotation.

The financial implications of implementing such measures have also been brought to our attention. Whilst the Review acknowledges additional expenditure will be necessary, it finds that a proportion of the costs could be offset by reduced expenditure on relocation. Also, the retention of personnel over the longer-term will result in further cost efficiencies. Given the positive benefits of flexible work models to support work/life balance and the impact on the retention of women (and men) in the ADF, the Review recommends that the Services actively build and implement alternative workforce models. Holistic cost/benefit assessments must apply not only the direct costs of the alternative models, but also the benefits back to personnel and the organisation.

A further impediment to accessing flexible working arrangements is the variability amongst supervisors and decision-makers in respect of their willingness to approve these arrangements. This difference in approach can be due to a lack of will on the part of supervisors, difficulty in determining how a role could be adapted or to confusion about policy and funding issues. Also there is currently no explicit incentive to encourage commanders to effectively manage flexible work.

Lack of access to quality child care, was a key recurring theme raised in focus groups. This is particularly the case given that many members are moving every three years. However, data provided to the Review shows that Defence child care centres appear to be under-utilised and indications are that the Defence Community Organisation is 'rethinking' the provision of child care.

The Review urges the ADF to adopt and promote the more inclusive position of 'ADF and family', rather than 'ADF or family'. To that end, it makes the following recommendations to assist the ADF. These recommendations recognise the importance of retention through the use of work and family policies that promote flexibility for members.

### **Recommendation 13:**

**Each Service Chief should set an annual growth target for the number of flexible work arrangements (FWA) to be agreed with the CDF. This recommendation applies to both men and women. Progress against this target is to be reported annually in the "Women in the ADF" Report.**

#### **Recommendation 14:**

##### **COSC should:**

- **Establish a central ADF Flexible Work Directorate, reporting to the Deputy Secretary, Defence People Group, to inform policy and best practice. Responsibilities include:**
  - » **Monitoring progress against the growth targets of FWA.**
  - » **Collecting tri-Service data on applications for flexible work arrangements, applications that are refused, applications that are granted, in order that there is a better understanding of and strategic assessment of flexible work arrangements across the ADF.**
  - » **Training and educating middle managers, including NCOs on available tools and how to manage FWAs effectively.**
  - » **Reporting to COSC on progress.**
- **Direct that, within each Service, the responsibilities of the Service personnel agencies include:**
  - » **As a priority, reviewing job design, statements of duty and team work allocation to identify those positions where full time work is the only sensible model. All others roles should be identified as potentially available in flexible work arrangements.**
  - » **Building workforce models and personnel arrangements to increase workforce flexibility, address the negative impact of work/life balance and increase locational stability, such as fly-in/fly-out and alternative crewing.**
  - » **Reviewing all FWA applications in consultation with the commanding officers. For those which are rejected the application will be referred to the Director General of Personnel of each Service for review. These instances will be reported and monitored.**
  - » **Maintaining an up to date FWA register which includes expressions of interest, information on locality, type of work and matching applicants for job sharing/FWA where possible.**
  - » **Reporting to COSC through the Service Chiefs.**

#### **Recommendation 15:**

**COSC should introduce a workforce management system that enables more than one member to be posted/assigned to the same position. Such a system would enable commanders to request and, where appropriate, be provided with additional staffing to facilitate flexible work practices, such as job sharing. This reform must be widely communicated and effectively explained to all ADF members.**

**Recommendation 16:**

**COSC should ensure that, in implementing the recommendations outlined in Plan SUAKIN (part of the Rethink Reserves study into the Reserve Forces), the specific impact of the reforms on women is monitored and that any issues arising are addressed.**

**Recommendation 17:**

**The Service Chiefs should instruct their career management agencies, as part of career planning and/or when posting decisions are made, to develop a support to posting plan for members. Such a plan should be developed in consultation and with the agreement of each member, and address issues of locational stability (e.g. back to back postings), recruitment to geographical area, schooling, child care, occasional care, emergency support, and other supports, as required. A support to posting plan should also consider ways to support flexible work arrangements across postings.**



## Principle 5: Gender based harassment and violence ruins lives, divides teams and damages operational effectiveness

The Review heard that, for many members, working in the ADF is a positive experience. Apart from the obvious risks associated with deployment and the use of weapons, the Review was told that generally, the ADF provides a safe working environment.

On occasion, we heard of distressing instances from women who had experienced sexual harassment, sex discrimination and sexual abuse. The Review also found that some ADF workplaces are highly sexualised environments. Members described workplaces where there is a high tolerance for sexual and sexist jokes and sexually suggestive banter, emails or SMS messages, inappropriate comments or sexual advances. At the most extreme end, members described instances of certain workplaces where the environments can be particularly degrading to women and, in some cases, men as well. Both women and men stated that sometimes the line between inoffensive and offensive was difficult to determine.

If one member took offence, they were accused of not being able to take a joke and accused of not 'fitting in'. Members frequently stated that this behaviour was "just part of the military and that's the way it is".

During the Review's focus groups, some members considered the complaints system to be effective. Others spoke generally about the impact of making a complaint, with a number believing that it would have a detrimental effect on their careers.

We heard from women who had been sexually assaulted, or subject to harassment, who did not report their experiences for fear of being victimised by peers or supervisors. Others feared that their complaint would adversely impact their career progression and promotional opportunities. Still others said that they did not trust the reporting system nor did they believe that their privacy or confidentiality would be upheld. As well as the deep personal trauma suffered as a result of their experience, others said that they simply felt they would not be believed. This places a heavy burden on the women who continue to serve, particularly given their Return of Service Obligations or the obligations to complete their Initial Minimum Periods of Service. It also means that perpetrators are not held to account.

A survey conducted for the Review on the prevalence, nature and reporting of sexual harassment in the ADF found that in the last five years 25.9% of women and 10.5% of men in the ADF have experienced sexual harassment in an ADF workplace. This compares to prevalence rates in the wider Australian workforce of 25.3% of women and 16.2% of men in the last five years. The survey results also found that in the ADF women and men had experienced a *behaviour* that constitutes sexual harassment but had not identified it as such, indicating a lack of awareness about appropriate workforce behaviours. The survey is part of a broader project undertaken by the Australian Human Rights Commission that examines sexual harassment in Australian workplaces and will be released later in 2012. The most common types of behaviours that constituted sexual harassment as experienced by women in the ADF included: sexually suggestive

comments or jokes, intrusive questions about one's private life or physical appearance, and inappropriate staring or leering. Some women reported experiencing inappropriate physical contact and unwelcome requests or pressure for sex or other sexual acts.

The Review was concerned about the deficiencies in policy and Defence Instructions, and the inadequacies in data collection and the strategic use of the data in relation to incidents of sexual harassment, sex discrimination and sexual abuse. An accurate picture of the extent of sexually based unacceptable behaviour cannot be ascertained. This means that offenders cannot be tracked, repeat offenders cannot be identified, outcomes cannot be measured for their appropriateness and the level of risk to other ADF members cannot be determined and addressed.

The Review found that while some strong policies exist to address sexual harassment, sex discrimination and sexual abuse their implementation can be ad hoc and deficient. One disturbing example of systemic inadequacies led to the retention of a member who was convicted of a serious sexual offence in circumstances where, as a result of the conviction, it was debateable that he was a fit and proper person to serve in the ADF.

The Review also found that prevention and education measures designed to combat unacceptable sexual conduct do not go far enough. In many cases, they are not appropriate or effective tools to enhance healthy and respectful sexual attitudes and behaviours.

We acknowledge that in recent times the ADF's senior leaders have actively demonstrated a commitment to creating a culture where sexual misconduct and sexual abuse is not tolerated.

To more fully address many of the issues raised above, the Review recommends a new and more robust approach to responding to unacceptable sexual behaviours and attitudes. The new approach, to be overseen by a dedicated Sexual Misconduct, Prevention and Response Office (SEMPRO), is about making the system more responsive to the needs of complainants. This requires that the ADF urgently investigate mechanisms that allow members to make confidential (restricted) reports of sexual harassment, sex discrimination and sexual abuse.

The new approach is also concerned with embedding a more effective prevention and education response, grounded in sexual ethics and respectful and healthy relationships. It is about ensuring that all relevant data is accurately and consistently collected, so that trends can be monitored and appropriate action put in place to respond to those trends. It is critical that the new approach is overseen by senior leadership and that there are links with external expert service providers. Only by elevating the status of sexual misconduct, harassment and abuse matters to the highest level will these issues be consistently and systematically treated with the seriousness they demand.

**Recommendation 18:**

**As a priority, COSC should establish a dedicated Sexual Misconduct Prevention and Response Office (SEMPRO) to coordinate timely responses, victim support, education, policy, practice and reporting for any misconduct of a sexual nature, including sexual harassment and sexual abuse in the ADF. This Office is to be adequately and appropriately staffed, including with personnel that have experience in responding to people who have been subjected to sexual harassment or abuse and is to be headed by a senior leader (of no less than one star rank or at SES level) and located at Defence Headquarters.**

**The Office is to be adequately resourced and report directly to COSC, and will:**

- **Respond to complaints of sexual harassment, sex discrimination and sexual abuse, including ensuring the immediate safety and well-being of the complainant.**
- **Provide a 24 hour/seven day a week telephone hotline and online service (click, call or text access) that is staffed by personnel with expertise in responding to complainants – female and male – who report sexual harassment, sex discrimination and sexual abuse.**
- **Collaborate with expert independent educators to provide recruits and trainees with interactive education on: respectful and healthy relationships, and sexual ethics; 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; and the importance of bystander action. The effectiveness of these education and training efforts should be evaluated every two years with an external evaluator and assessed against key indicators that measure attitudinal and behaviour change. Appropriate training and education should also be provided to all members entering command positions.**
- **Provide an outreach service to all ADF establishments including a rolling cycle of visits to each base every two years. This service would provide both relevant training and education and offer members an opportunity to discuss issues of concern with SEMPRO personnel.**
- **Enter into appropriate arrangements with expert external service providers so as to offer complainants an alternative avenue for support and advice if the complainant does not wish to engage with the ADF's internal complaints system. The ADF must provide adequate resourcing and assistance to these organisations to ensure that they have the capacity to provide these services and that their expertise in sexual harassment and sexual assault matters is enhanced by an understanding of the military.**

- **Be the single point of data collection, analysis and mapping of all sexual misconduct and abuse matters. Prevalence, trends and key issues should be regularly reported to COSC and strategies to address any issues of concern arising from the data, implemented as soon as possible.**

**SEMPRO's role should be widely advertised and promoted across the ADF so that all members are made fully aware of the reporting options and the measures to be taken to ensure confidentiality when reporting confidential complaints.**

**Recommendation 19:**

**As a matter of urgency, the ADF should investigate mechanisms to allow members to make confidential (restricted) reports of sexual harassment, sex discrimination and sexual abuse complaints through SEMPRO.**

**Recommendation 20:**

**As a matter of urgency, COSC should review all relevant policy and legislative provisions to provide for the mandatory assessment of an ADF member's ability to perform the inherent requirements of their job if convicted of any criminal offence, and in particular any sexual offence, including but not limited to:**

- **The insertion of an addition in the list of matters that must be considered in all personnel determinations and decisions in the Defence (Personnel) Regulations 2002 of the requirement that individuals must be "fit and proper persons" for service in the ADF.**
- **An amendment to Regulation 87(1) of the Defence (Personnel) Regulations 2002 so that the specific reference currently found within the termination grounds for officers is also available for consideration in relation to enlisted members. Importantly, the reference should include that termination may be considered where the member has been convicted of an offence or a service offence and the Chief of the officer's Service has certified that, having regard to the nature and seriousness of the offence, the retention of the member is not in the interests of the Defence Force.**

**Recommendation 21:**

**COSC should amend all policies addressing the waiver of Initial Minimum Provision of Service and Return of Service Obligations to ensure that a member who has made a decision to discharge from the ADF because of sexual assault or sexual harassment, is able to do so expeditiously and without financial penalty, upon production of supporting evidence of physical, psychological or emotional trauma.**

# Abbreviations, acronyms and ADF terms

ADF	Australian Defence Force
ADFA	Australian Defence Force Academy
ADHREC	Australian Defence Human Research Ethics Committee
Allowance	Pay and special compensation
CDF	Chief of the Defence Force
COSC	Chiefs of Service Committee
Deployment	When a member is sent on a military mission outside their normal area of operation, usually for more than one month, without family members/dependents
DSPPR	Directorate of Strategic Personnel Policy Research
FWA	Flexible Working Arrangement
HMAS	Her Majesty's Australian Ship
Leave	Approved time away from duty
Logistics	Equipment and support needed for performance
MAJGEN	Major general (Army rank)
NCO	Non commissioned officer
NGN	New Generation Navy
Other ranks	Ranks other than officer ranks, general enlisted personnel
Permanent	ADF Members of the Royal Australian Navy, Australian Regular Army, and Royal Australian Air Force
Posting	Moving work location as required
Rank	Official title and level of a serving member
RAR	Royal Australian Regiment
Reserve/ Reservist	Volunteer for part time service in the Navy, Army and Air Force
WO	Warrant officer (Navy Rank)



- Further Information

**Australian Human Rights Commission**

Level 3, 175 Pitt Street  
SYDNEY NSW 2000

GPO Box 5218  
SYDNEY NSW 2001  
Telephone: (02) 9284 9600

Complaints Infoline: 1300 656 419  
General enquiries and publications: 1300 369 711  
TTY: 1800 620 241  
Fax: (02) 9284 9611  
Website: [www.humanrights.gov.au](http://www.humanrights.gov.au)

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