

EXECUTIVE SUMMARY

1. The charter of the Defence Academy requires the Academy to:
 - provide military education and training for officer cadets for the purpose of developing their professional abilities and the qualities of character and leadership that are appropriate to officers of the Defence Force, and
 - provide officer cadets with a balanced and liberal tertiary education within a military environment.
2. The need to fulfil the intent of the Charter is becoming more important than ever as the ADF moves to meet the requirement of maintaining exceptional leaders capable of exploiting the knowledge edge.¹
3. This report looks to the future and to the role that the Australian Defence Force Academy plays in training young officers who will lead the Australian Defence Force (ADF) into the 21st century. Indeed, the Defence Academy plays a pivotal role in the production of young officers. The report makes a series of recommendations, aimed at ensuring that the Defence Academy prepares the type of officers that the ADF needs.
4. In examining the culture at the Defence Academy, the Review found that the level of unacceptable sexual behaviour is high. Such behaviour comprises sexual and gender harassment as well as sexual offences. The unacceptable sexual behaviour survey indicated that most of these behaviours fall into the group-based sexist, and crude and offensive categories. Crude and offensive behaviours are experienced by both male and female cadets, but the sexist behaviours are experienced mainly by females. It would appear that at the Defence Academy these behaviours have become a pervasive and public feature of the environment — part of the day-to-day social life of cadets. There would also appear to be a high level of tolerance of the unacceptable behaviour amongst the cadets and by many members of the military staff. Indeed, there is a general lack of understanding as to what constitutes unacceptable sexual behaviour. There are also problems of general bullying.
5. The situation at the Defence Academy is very similar to those at military cadet academies in comparable countries, such as the United Kingdom, the United States of America and Canada. At all sites there have been longstanding problems with bullying and 'hazing', and some incapacity to deal with the shift towards a mixed-gender environment, leading to unacceptable sexual behaviour and regular scandals. All these academies rely on a particular 'social technology' for cadet training. This includes:
 - a. an induction process in which incoming cadets are subject to pressure and humiliation, leading to assimilation to the institution and its values;

¹ 1997 Strategic Review.

- b. a formal structure which relies upon cadets supervising other cadets within a rigid seniority hierarchy;
- c. a situation where cadet hierarchy mimics extreme differences in rank, (senior cadets exert considerable control over junior cadets, and expect a level of obedience and subservience much greater than that expected by commissioned officers);
- d. a mono-culture and leadership model which has a strong bias towards physicality and masculinity; and
- e. a culture which preaches ethics and virtue but which lacks integrity in key ethical areas and in reality prizes 'loyalty to your mates' above all else, including doing the right thing.

6. Consequently, the Review addressed these issues by examining policies and practices, the organisation at the Defence Academy, the management of complaints of unacceptable sexual behaviour and training provided to both cadets and staff.

7. In order to redress unacceptable characteristics of the culture of the Defence Academy, the Review proposed a cultural change program which encompasses a range of actions designed to implement change within a modified framework. Such changes include a revision of the Defence Academy induction process and a broadening of the leadership model from its existing singular emphasis on physical and masculine qualities.

8. The Review made a number of recommendations that will entail amendments to Defence Instruction (General) Personnel 35-3. The cumulative effect of these amendments will be to clarify the rights of Commanding Officers to deal with unacceptable sexual behaviour incidents, and to extend support for people subject to unacceptable sexual behaviour. Indeed a new policy goal of 100 per cent effective and sensitive handling of complaints is included. There is a requirement to identify repeat offenders and to deal appropriately with them. The Review suggested that a 'three strikes (convictions) and you show cause why your service in the ADF should not be terminated' rule be implemented. Minor acts of indecency should be dealt with under the Defence Force Discipline Act. Currently all such allegations must be forwarded to the civil authorities. It is believed that they can more quickly and effectively be handled within the ADF. There is, however, no proposal to seek jurisdiction over serious sexual offences.

9. Alcohol is a prominent feature of cadet life at the Defence Academy, and there is a correlation between excessive use of alcohol and sexual assault. Consequently, recommendations are presented which limit the consumption of alcohol on Defence Academy premises. Recommendations also address the usage and usefulness of the cadet warning system at the Defence Academy, and provide a way ahead to ensure that before cadets are issued with warnings, a range of views from medical, academic and military staff are canvassed, and other issues such as whether the cadet has been subjected to harassment or has personal problems are considered.

10. The military staff are critical to the success of the Defence Academy, in that they should be role models for appropriate behaviour and that cadets acquire knowledge about the ADF from them. It is recommended that competency-based behavioural selection criteria be developed for staff.

11. The Review identified evidence of an underlying tension, despite goodwill, between military and academic staff at the Defence Academy. The team is of the view that such a tension can have a negative effect on cadets and urges closer military-academic interaction in their common undertaking.

12. There is evidence of distrust of military staff by cadets. This leads to cadet reluctance to discuss problems or incidents of unacceptable behaviour. Cadets believe that seeking assistance will result in negative assessment. The assessment-advice nexus must be broken. Therefore, the Review took a radical approach to the organisation of staff and proposed that Divisional Officers (DOs) be removed from their current roles and become Mentor Instructors (MIs) within the Military Leadership Wing (formerly Military Training Wing). They would be responsible for a group of cadets from their own Service. Their main roles would be as instructors and as mentors, who can guide, assist, be role models for and advise cadets. As MIs would not be in cadets' immediate chain of command, they would only report on cadets' performances in cases of excellence or poor performance. Under this new arrangement, cadets would be more willing to seek advice and guidance from staff. However, such an arrangement will require a reorganisation of the squadron offices.

13. As DOs would be removed from the squadrons, the Review proposed that the Squadron Sergeant Major and Squadron Sergeant positions be upgraded to Warrant Officer Class one (Equivalent) and Warrant Officer Class Two (Equivalent) respectively. They would continue to report to Squadron Officers Commanding and assume responsibility for the daily operation of the divisions. To enhance the role to be played by the two Senior Non-Commissioned Officers, responsibility for drill would transfer to the Military Leadership Wing. This initiative more closely mirrors the employment of SNCOs in the wider ADF, broadens the range of staff suitable for employment in this area, and brings to the squadrons a wealth of personnel management and Service experience. In a similar vein, the squadron office would be supplemented by a civilian administration clerk to relieve some of the administrative burden and reflect the ADF's move towards a totally integrated workforce.

14. The majority of military staff are hardworking; however, due to conflicting priorities placed on them, they appear to spend too much time on nugatory administrative tasks and insufficient time in direct contact with cadets under their charge. Consequently many of the staff responsibilities have informally defaulted to the Corps of Officer Cadets hierarchy.

15. There is evidence that cadets equate power with authority. The third year cadets frequently abuse this power. Further, they confuse seniority with rank. Significant recommendations are made regarding the Corps of Officer Cadets. The Review proposes that seniority embellishments be removed from second and third year shoulder boards. The cadet hierarchy which would be redefined to include Squadron Cadet Captains and above and would retain shoulder

board embellishments. It is further proposed that third year divisional and section positions be rotated to provide all cadets with leadership training experience. Single year sections are also proposed, in conjunction with a phased integration of mixed-gender sections.

16. The Review found that the present use of Equity Advisers at the Defence Academy leaves much to be desired. The problems in this area are lack of care in the selection of advisers, inadequate training and differing single Service experience and approaches. A reduction in the number of Equity Advisers and the introduction of a team of Confidantes is proposed. The Confidantes would provide avenues for cadets seeking advice and options for action. Chaplains, Psychologists, Equity Advisers and Medical Practitioners will be Confidantes. While they will be required to notify an occurrence for statistical purposes only, all other staff will be required to take action to resolve a matter.

17. To assist in the resolution of incidents the Review proposed that consensual dispute resolution techniques be utilised to a greater extent, both by the Academy and in the wider ADF.

18. The Review wrestled with what it sees as the negative influence of formal investigations under the Defence (Inquiry) Regulations with respect to a significant proportion of incidents involving unacceptable behaviour. It is recommended that there be a new investigative mechanism to deal with workplace incidents. This new tier is to be used instead of investigations under the Defence (Inquiry) Regulations and where investigation under the Defence Force Discipline Act is not indicated. Fear of Defence Force Discipline Act action and the use of formal Defence (Inquiry) Regulation investigations is a significant factor in cadets refusing to 'cross the road' and report on their fellow cadets.

19. The Review found that the will of staff to maintain and enforce discipline at the Defence Academy in 1997 had declined. It is considered imperative that appropriate standards of Service discipline be maintained at the Defence Academy. Associated with this, and to ensure successful Defence Force Discipline Act prosecutions, the Review recommended that only Service Police conduct Defence Force Discipline Act investigations.

20. Of major concern is the lack of sensitivity with which cases of sexual assault have been handled and the lack of support provided to both complainants and respondents. No comprehensive support systems are in place to assist complainants, respondents or their families. This is unacceptable. Comprehensive support systems must be introduced. These systems should be proactive, ongoing and include protection from ostracism and victimisation when a complaint is made.

21. Record keeping at the Defence Academy leaves much to be desired. The system of sealed envelopes operated by the Academy to document reported incidents of unacceptable behaviour must be discontinued. All material in connection with a cadet is to be held on their training file. Greater care must be taken in preparing and meeting the incident reporting requirements of higher authority.

22. In examining training on ethics, personal development and unacceptable behaviour, the Review concluded that, to make an impact, considerable change is necessary. It has recommended that the Common Military Training be restructured and titled Common Military Leadership Training (CMLT). The CMLT should consist of two programs: Officer Development (OD) and Profession of Arms. The rationale for restructuring is that training at the Defence Academy needs to focus squarely on these two programs. OD subjects would provide the competencies for development of military leadership, the acquisition of military skills and preparation for academic studies. OD would transform school leavers into marketable employees armed with the ability to manage their own affairs and to relate to others. The new subjects proposed for OD reflect modern directions in community education and emphasise vocational skills. The Profession of Arms program brings together those subjects which are necessary for a military officer. It is recommended that the Defence Academy seek civil accreditation for CMLT.

23. There is almost universal agreement by staff that they need more training to perform their duties effectively. While at the Defence Academy, military staff receive no training or awareness programs on ethics, leadership, investigation, and consensual dispute resolution. In addition, due to pressure of work or commitments to the Academy timetable, staff receive no ongoing training after the Staff Training and Induction Program (STIP). Staff posted to the Defence Academy after STIP have to wait until it is offered the following year. In 1998 new staff attended an Advanced Instructional Techniques Course at the RAAF School of Management and Training Technology.

24. There is a very limited time during the first few months of a posting at the Defence Academy in which Deputy Commandant staff can be fully trained for their duties, especially duties relevant to cadet instruction. The primary dilemma is that staff induction currently clashes with cadet induction. A preferred option is to receive new Defence Academy staff in early November, and conduct most of the current STIP and AITC training before mid-December. A week in mid-January could be reserved for staff to workshop specific issues and prepare for cadet training.

25. In recent years new staff received a two-hour briefing during STIP on unacceptable behaviour; ongoing staff received considerably less. At the initiative of the Vice Chief of the Defence Force, in 1998 a two-day workshop was held on equity. The Review Team recommends that in future a two-day workshop be held, including some presentations but with an emphasis on workshopping Defence Academy-specific issues. Cross-cultural awareness should also be included.

26. If these recommendations are implemented with commitment and vigour, the Defence Academy would be recognised as a 'cutting edge' organisation in terms of the development of military officers.

INTRODUCTION

27. This report seeks to offer solutions to the apparent problem of harassment, sexual and non-sexual, and sexual offences at the Australian Defence Force Academy. In doing so, the Review examined the culture at the Defence Academy. This necessitated the study of both structural and management issues, as well as current Australian Defence Force (ADF) policy in relation to unacceptable sexual behaviour. Some recommendations relate solely to the Defence Academy and others to the wider ADF.

28. There would appear to be a tension between the military and academic requirements for cadets, as the equilibrium between these two aspects has yet to be found. On the one hand, cadets are required to focus on their academic study which emphasises questioning, and on the other they are obliged to meet their military requirements, with an emphasis on attaining military standards. Where cadets cannot, for some reason such as injury, meet these standards, there is a propensity for them to be harassed by other cadets. In this report the term 'cadet' refers to officer cadets and midshipmen.

29. At its best, the Defence Academy produces extremely impressive young officers. Its best cadets are characterised by pride in the Defence Academy, respect for military tradition and history, and a strong commitment to serving Australia and the ADF.

30. As can be seen in the report, the method that is used to train cadets at the Defence Academy shares many of the features that are found in other military academies in similar countries, such as the United Kingdom and the United States (US) of America. In particular, many of the studies undertaken at the US Army Academy at West Point, the US Naval Academy at Annapolis and the US Air Force (USAF) Academy at Colorado Springs reveal striking parallels between the Defence Academy and the American academies, not only in terms of their formal organisation but in terms of the informal rituals that have arisen.

31. The Review found studies of these problems and the ways that other academies have responded to them useful in its work with the Defence Academy. Yet it has also become clear that there is a limit to these parallels. This limit occurs because as far as the team can discern, the ADF and the Defence Academy in particular, have gone 'further down the road' than the US academies, and it has done so with a more radical model. Two specific instances of the limit to parallels may clarify the point.

32. Firstly, concentrating on gender and gender balance, a central theme of the Review is that there is pressure on female cadets at the Defence Academy to become 'honorary' men, that is, to take on male attitudes and to perform in physical competition in a manner and at a standard that is more typical of male cadets. This pressure is found at US academies as well. Yet at the USAF Academy, for example, only about 12 per cent of the intake is female; female cadets are selected using criteria that include athletic excellence and the large majority undertake Varsity-level athletic or sports competition. This means that, in the USAF case, the problem of finding equality for women has to a degree

been masked by a selection process skewed to finding women who are much less likely to 'fail' becoming honorary men.

33. In the Defence Academy's case, this masking has not taken place. Female cadets are selected on criteria that include basic health and fitness, but no semi-covert selection of female cadets on the basis of athletic excellence has been undertaken in order to 'solve' the problem of achieving honorary-men status. Of course, this means that the problems posed by the physical character of training stand out sharply. Nonetheless, it is important to acknowledge that the selection process has not been subverted on this issue. Indeed females form 28 per cent of cadets at the Defence Academy.

34. A second issue where there are limits to comparison concerns the way that military and academic components are integrated in the academies. Achieving a proper balance between these two quite separate worlds remains a serious challenge for the Defence Academy. While the US academies have solved the problem in that all, or the majority, of teaching staff are qualified military personnel, the Defence Academy was established and continues to operate with an academic staff for undergraduate teaching which is predominantly civilian. Hence, the tension between the two worlds, which at its best produces a healthy dialogue, remains alive at the Defence Academy in ways it tends not to elsewhere.

35. The role of the Defence Academy in training and shaping the officers and future leaders of the ADF is recognised. The Defence Academy culture is vitally important in this, in that it must produce ADF officers who must be able to lead and manage in a mixed-gender environment and to practice principles of tolerance and fairness. Cadets must be aware of what constitutes harassment and practise appropriate behaviour. The *Defence Academy Handbook* states 'The strength of the Corps of Officer Cadets lies in its moral character and the spirit of its members.' It also stipulates that '[. . .] members of the Corps must practise the highest standard of behaviour and attitudes.' Cadets are required to act in an honourable manner and demonstrate a concern for others. This Review provides guidance on how this can best be achieved.

36. In 1997 media attention raised questions about the degree of success the Defence Academy has achieved with regard to integrating women into its Corps of Officer Cadets. There was a focus on specific cases, not all of which related to the Defence Academy. In October 1997 the Chief of the Defence Force signed the Terms of Reference for the review and the Minister for Defence Industry, Science and Personnel, Mrs Bronwyn Bishop, announced in Parliament that the review would be conducted into the policies, practices and procedures to deal with sexual harassment and sexual offences at the Defence Academy. The review was to develop recommendations which would have application both to the Defence Academy and more widely throughout the ADF. The Defence Academy was selected as a testbed in view of its role in the education of future leaders of the ADF.

37. The Terms of Reference of the Review, contained in appendix 1, required the Review Team to:

- consider the culture of the Corps of Officer Cadets, and in particular how equity issues are understood and practised;
- examine how the Defence Academy handles complaints of sexual harassment and sexual offences; and
- ascertain what training and education Defence Academy staff and cadets receive on ethics, personal development and unacceptable behaviour.

38. In addition, an Investigating Team was established within the Defence Equity Organisation to review and investigate any complaints of unacceptable sexual behaviour that arose as a result of the review.

39. This review is one of a series of reviews undertaken by the ADF on gender integration. In 1994 the ADF commissioned two studies: the first one examined the cultural and social barriers impeding the merit-based progression of women in the ADF; the second examined the reasons why more women are not making the ADF a long-term career. These two reviews were combined into the report *Women in the ADF*². The report identified systemic discrimination and made wide-ranging recommendations which are being implemented.

40. In 1995 the *Sexual Harassment in the ADF* report was published. The report compared the level of sexual harassment in the ADF between 1987 and 1995. The report found that the incidence of all types of gender and sexual harassment experienced by servicewomen had declined since 1987, at the same time as the level of awareness had increased.

41. This review offers further opportunities for improvement within the Defence Academy and the ADF as a whole, and demonstrates the ADF's commitment to zero tolerance of any form of unacceptable behaviour.

42. It has become apparent that subsequent to the implementation of the recommendations made by the Review, there will be a need for ongoing monitoring of changed practices and procedures at the Defence Academy. This also applies to the ADF. The Defence Equity Organisation is working on a monitoring process to be instituted across the ADF. It is insufficient to repair a situation and assume that it is fixed forever. Equity is an issue on which the ADF must remain vigilant.

43. If implemented with commitment and vigour, the recommendations contained in this report should ensure that the Defence Academy is to the fore in eliminating unacceptable sexual behaviour.

44. The challenges the Defence Academy faces are great. However, success will ensure that the Defence Academy will become a world leader in solving the complex problems of producing a military academy in which the issues of balance (between the genders and between military and academic values) have been properly managed. At the moment the rest of the world has relatively little to teach us on these issues, simply because they have not been so far or

² Burton, C: *Women in the Australian Defence Force*, Director of Communications, Defence Centre—Canberra, Dec 1994.

so thoroughly down this challenging road. In the future, Australia may have much to teach the rest of the world.