



Brief Submission to the
*External Legal Review of Allegations
of Abuse in defence*



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About the Authors

Carol Ronken is Bravehearts' Research and Policy Development Manager. After seven years at Griffith University as a casual staff member and Associate Lecturer in the School of Criminology and Criminal Justice, Carol joined Bravehearts in early 2003. With a Bachelor of Arts (psychology) and Masters in Applied Sociology (social research), Carol is dedicated to making a difference in the lives of those touched by child sexual assault and is focused on advocating for greater awareness and effective, proactive system responses.

Hetty Johnston is Founder and Executive Director of Bravehearts Inc., whose purpose is to provide therapy, support and advocacy services to survivors of child sexual assault. Hetty is the author of the national awareness campaign, "White Balloon Day", the "Sexual Assault Disclosure Scheme", the "Ditto's Keep Safe Adventure!" child protection CD-Rom and her autobiography, "In the best interests of the child" (2004). In 2005, Hetty was announced one of 4 Queensland finalists for the 2006 Australian of the Year Awards.

This submission has been prepared by:

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About Bravehearts Inc.



Founded in 1997 by Hetty Johnston, Bravehearts Inc. has evolved into an organisation whose purpose is to provide therapeutic, support and advocacy services to survivors of child sexual assault. We are also actively involved in education, prevention, early intervention and research programs relating to child sexual assault.

Bravehearts operates at a National level, from our Head Office on the Gold Coast, advocating and lobbying across the country, with a physical presence in three States: Queensland (Gold Coast, Brisbane and Cairns), New South Wales (Sydney and Shoalhaven), Tasmania (Launceston) and Victoria (Shepparton).

Bravehearts makes a difference in child protection by:

- Assisting children and their non-offending family members to recover from the trauma of child sexual assault through therapy, advocacy and support;
- Raising awareness via initiatives such as the 'White Balloon Campaign' - a public awareness and child protection initiative;
- Protecting survivors and providing them with avenues of redress through projects like the 'Sexual Assault Disclosure Scheme' (SADS) – a means for anonymous yet official disclosure of assault;
- Providing and developing effective education and prevention programs (Ditto's Keep Safe Adventure) to empower children and young people and increase their resiliency to child sexual assault;
- Provision of professional training and workshops; including specialised training for therapists and professional development for organisations that work with, or who's core business involves children;
- Advocating for survivor's rights through participation in legislative review and reform (successful campaigns include: the introduction in Queensland, New South Wales, Western Australia, Victoria and South Australia of Continuing Sentences for dangerous paedophiles; the closure of Queensland's Department of Family Services; the introduction of Section 189, the right for children and their families to speak publicly; the introduction of the Amber Alert system in Australia; the instigation of various formal Inquiries; and successful amendments to legislation);
- Proactive involvement in cyber-safety initiatives, including a presence on the Federal Government's Cyber-Safety Consultative Working Group;
- Raising community awareness through participation in public debate and in the accumulation, production and dissemination of relevant research material; and
- Supporting the work of other agencies (government and non-government) and individuals in their work around child sexual assault.

Bravehearts' Submission



While we note the issues being considered in the current call for *submissions to external legal review of allegations of abuse in defence* are outside of the usual scope of Bravehearts' work, the similarities in the recent reports of the handling of allegations by the Australian Defence Force and the history of response to child sexual assault allegations in the churches has prompted us to provide this brief submission.

We note that history has repeatedly demonstrated human rights generally are not adequately protected in organisations that operate under an insular model, excluding external interaction, rejecting external oversight and transparency and relying on secrecy and separation from the general community when dealing with matters of alleged and/or actual sexual assault. Crimes against the Crown are not internal matters. We would submit that the Defence Force need to operate transparently and collaboratively with the State and Federal Police forces in matters of sexual criminality in the same way and for the same reasons the churches must.

Bravehearts provides the following comments in relation to issues facing the Australian Defence Force in relation to abuse allegations

Review of Policies and Protocols

We strongly advocate that the Australian Defence Force (ADF) review all policies and protocols for dealing with allegations of sexual assault, abuse, and harm within its Forces. The first rule in dealing with allegations of sexual assault must be to call Police.

Implementation of Policies and Protocols

We advocate that the ADF's policies and protocols form part of the training process, and that these policies and protocols be publicly available to increase transparency and accountability.

Sexual Assault as a Crime

The sexual assault and/or exploitation of anyone is a serious criminal offence – every time – without exception, and that this should be clearly articulated in the ADF's protocols.

External Investigation of Allegations

We believe that any and all allegation of sexual assault should be reported to the Police either directly by the complainant or otherwise by the ADF. The idea that allegations are investigated internally is highly concerning. Historically, internal responses to sexual assault allegations have led to failures to protect victims.

In addition, we advocate that the ADF should encourage the victims to notify the Police of any allegations, and that the ADF should provide them with support to

do so. For victims who are not confident to report to Police, an alternative process needs to be put in place to assist them. Bravehearts Sexual Assault Disclosure Scheme has been running successfully since 2001 and provides an ideal model for the ADF to access (see attached paper).

Risk Management Review

Bravehearts advocates that the ADF undertake a rigorous risk management review. Part of the ADF's approach to prevention of harm to its employees must be the development of strong risk management policies, inclusive of a protocol for dealing with allegations.

In summary, Bravehearts commends the commitment of the Minister for Defence for initiating the current review. We believe the consideration of the needs of the complainant and a move towards an open and transparent process of handling complaints within the ADF is a positive step towards assisting complainants.

Please contact us if further information or clarification is required in relation to this submission.

Yours Sincerely

Hetty Johnston
Executive Director and Founder

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