

ROYAL COMMISSION INTO INSTITUTIONAL
RESPONSES TO CHILD SEXUAL ABUSE

Public Hearing - Case Study 40
(Day 190)

Hearing room 1, Level 17,
Governor Macquarie Tower
Farrer Place, Sydney Court

On Tuesday, 21 June 2016 at 10.04am

Before:

The Chair: Justice Peter McClellan AM
Commissioners: Mr Robert Fitzgerald AM
Professor Helen Milroy

Counsel Assisting: Mr Angus Stewart SC

1 THE CHAIR: Yes, Mr Stewart.
2
3 MR A STEWART SC: May it please your Honour,
4 Commissioners, I am Counsel Assisting in this case study.
5 I'm instructed by Royal Commission solicitors Mrs Saab and
6 Mr Pender.
7
8 THE CHAIR: What are the other appearances?
9
10 MS F McLEOD SC: If the Commission pleases, I appear for
11 the Commonwealth, in particular the Australian Defence
12 Force and the Department of Veteran's Affairs, with
13 Ms Barrett, instructed by the Australian Government
14 Solicitor.
15
16 THE CHAIR: Thank you, you have leave. Is there anyone
17 else?
18
19 MR I FEHRING: I appear for four of the witnesses in
20 relation to the Balcombe component. They are Mr Dutton,
21 Mr James, Mr Sparreboom and [CJC]. I'm instructed by
22 Sdrinis Legal.
23
24 THE CHAIR: Yes, you have leave.
25
26 MS P DAVID: Your Honour, I seek leave to appear for [CJT]
27 and also [CJI], also known as Glen Greaves.
28
29 THE CHAIR: Yes, you have leave.
30
31 MR P NUNAN: I seek leave to appear on behalf of [CJA] and
32 Graeme Frazer.
33
34 THE CHAIR: You have leave.
35
36 MR P O'BRIEN: Good morning, your Honour. I appear with
37 leave for [CJB].
38
39 THE CHAIR: Yes, thank Mr O'Brien.
40
41 MS L JARDIM: I appear with leave for Christopher Adams.
42
43 MR T HAMMOND: I appear for witnesses [CJJ] and [CJF]
44 pursuant to leave already granted.
45
46 THE CHAIR: Yes, thank you. Is there anyone else? Yes,
47 Mr Stewart.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47

MR STEWART: As your Honour pleases. Commissioners, this is the 40th Case Study of the Royal Commission. The Case Study concerns the response of the Australian Defence Force to reports of child sexual abuse within the ADF. This is the first public hearing conducted by the Royal Commission to inquire into the institutional responses to child sexual abuse of a Commonwealth institution.

This case study will bear witness to the experience of survivors of sexual abuse at two former ADF training establishments in operation in the 1960s, the 1970s and the 1980s, namely the Naval Junior Recruit Training Establishment HMAS Leeuwin in Fremantle, Western Australia, and the Army Apprentice School at Balcombe in Victoria.

In addition to bearing witness to experiences of child sexual abuse at Leeuwin and Balcombe, this case study will examine the recent responses of the Department of Defence and the Department of Veterans' Affairs to claims for compensation made by survivors of child sexual abuse at Leeuwin and Balcombe.

The case study will also inquire into the experiences of survivors of child sexual abuse within the Australian Defence Force Cadets since 2000. This part of the case study will involve an examination of the current systems, policies and procedures in place within the ADF Cadets for responding to allegations of child sexual abuse and the current mechanisms in place to prevent child sexual abuse within the ADF Cadets.

The ADF is constituted under the Defence Act of 1903. The mission of the ADF is to defend Australia and its national interests. In fulfilling that mission, the ADF serves the Australian government of the day and is accountable to the Australian parliament for efficiently and effectively carrying out the government's defence policy. The Defence Act provides that the ADF consists of three arms or services, namely, the Royal Australian Navy, the Australian Army, and the Royal Australian Air Force. In addition to these services there are a number of so-called tri-service units, such as the Australian Defence Force Academy, or "ADFA", and ADF Cadets. The structure of the ADF Cadets will be discussed in more detail shortly.

According to the 2016 Defence White Paper, Defence's

1 current workforce is made up of approximately 58,000
2 permanent members of the ADF, 19,500 paid and active
3 reservists and 17,900 full-time Australian Public Service
4 employees. Under the Defence Act, the Minister of Defence
5 is entrusted with the general control and administration of
6 the defence force. The Chief of the Defence Force, the
7 Secretary of Defence, and the chiefs of the Navy, Army and
8 Air Force must act in accordance with any directions of the
9 minister. The Chief of the Defence Force has operational
10 command responsibility for the management of the ADF and is
11 also the Minister of Defence's principal military adviser.
12

13 The Vice Chief of the Defence Force is the military
14 deputy to the Chief of the Defence Force. The vice chief
15 is also responsible for managing defence's capital
16 investment program and providing a range of joint services
17 to the ADF such as joint logistics, joint health, joint
18 education.
19

20 Most relevantly for this case study, the vice chief is
21 responsible for developing and implementing common
22 overarching policies relating to the ADF Cadets and
23 directing the respective service chiefs to administer their
24 respective service cadet organisations in accordance with
25 those policies.
26

27 The current vice chief is Vice Admiral Ray Griggs. He
28 will give evidence. He will provide an historical overview
29 of Leeuwin and Balcombe and identify the respective
30 policies and procedures in place at those establishment at
31 the relevant time for dealing with complaints relating to
32 child sexual abuse. Vice Admiral Griggs is expected to
33 give an overview of ADF Cadets and the current systems,
34 policies and procedures in place within the ADF and the
35 ADF Cadets to identify and prevent child sexual abuse, to
36 record allegations or complaints of child sexual abuse and
37 to respond to allegations or complaints of child sexual
38 abuse.
39

40 It is important to note at the outset that this is not
41 the first inquiry into abuse within the ADF. There have
42 been two major inquiries into abuse in the last five years.
43 In 2011 the so-called Australian Defence Force Academy
44 Skype incident brought numerous allegations of sexual and
45 other forms of abuse within the ADF to light. In response
46 to these allegations, the then Secretary of Defence
47 commissioned the law firm DLA Piper to conduct an

1 independent review into these allegations and to develop
2 recommendations for further action.

3
4 Between April and October 2011, DLA Piper received
5 communications from 1,112 people regarding allegations of
6 physical and sexual abuse within the ADF. These involved
7 allegations relating to both adults and children. In
8 October 2011 DLA Piper presented volume 1 of its report to
9 the Minister of Defence.

10
11 The Defence Abuse Response Taskforce, or DART as it is
12 referred to, was established in 2012 as part of the
13 Australian government's response to the findings of the
14 DLA Piper review. In particular, DART was established to
15 assess and respond to individual cases of alleged abuse in
16 defence.

17
18 DART received and assessed approximately 2,400
19 complaints of physical and sexual abuse in defence. These
20 complaints related to abuse occurring in each service and
21 across every decade since the 1940s. The allegations
22 ranged from serious physical and sexual abuse through to
23 harassment and bullying.

24
25 In its final report DART noted relevantly the
26 following: 27 per cent of complainants to DART were
27 children at the time of the abuse; in a large number of
28 cases, abuse occurred in initial recruit and employment
29 training establishments at the very beginning of a
30 complainant's career; in these establishments, abuse was
31 perpetrated on junior recruits by staff members in official
32 positions of authority and by more senior recruits as part
33 of an unofficial hierarchy between peers; the consumption
34 of alcohol and other drugs was a factor in much abuse;
35 indicators of "difference" such as age, illness, religion
36 or physical capability were factors in much abuse; the
37 ADF's institutional culture did not support the reporting
38 of abuse; and, for many complainants, the abuse has had
39 significant short and long-term impacts on various aspects
40 of their lives and careers.

41
42 These conclusions of DART will be supported by the
43 experiences of the survivors who will give evidence in this
44 public hearing regarding child sexual abuse at Leeuwin and
45 Balcombe. Although many of these survivors participated in
46 the DART process, in most cases, this public hearing will
47 be the first time that they've told their experience of

1 child sexual abuse publicly.

2
3 Defence has already taken some steps to address
4 systemic issues identified in the DLA Piper and DART
5 reports. Most notably, on 7 March 2012 the Minister of
6 Defence, Secretary of Defence and Chief of the Defence
7 Force jointly announced their strategy for cultural change
8 in defence through the so-called "Pathway to Change"
9 strategy. The Pathway to Change is a statement of
10 Defence's cultural intent, accompanied by a plan for the
11 realisation of that intent over five years.

12
13 The major cultural levers for change identified in the
14 Pathway to Change strategy include the following:
15 inclusive leadership and accountability; education
16 regarding ADF values and behaviours; reform of ADFA and
17 training establishments; career management of ADF personnel
18 and better complaints management processes.

19
20 Vice Admiral Griggs will tell the Royal Commission
21 that 96 per cent of the Pathway to Change key
22 recommendations have been finalised and that the focus of
23 the cultural change strategy is shifting to embedding the
24 changes so that they become part of the norm within the
25 ADF.

26
27 Vice Admiral Griggs will acknowledge that children in
28 the ADF and in the ADF Cadets have experienced physical,
29 mental and sexual abuse and that Defence's institutional
30 responses to incidents of child sexual abuse have at times
31 been inappropriate and inadequate.

32
33 This Royal Commission has been contacted by 111 people
34 about incidents of child sexual abuse within the ADF. Of
35 those 111, 50 contacts were about child sexual abuse at
36 either Leeuwin or Balcombe and 26 were about child sexual
37 abuse within the ADF Cadets. The Royal Commission has been
38 contacted by more than 30 people about allegations of child
39 sexual abuse that occurred at other ADF establishments
40 within each service, including at HMAS Nirimba,
41 HMAS Cerberus. The Australian Defence Force Academy,
42 Puckapunyal Army Base, Kapooka Army Base and the Royal
43 Australian Air Force Base, Wagga Wagga.

44
45 The decision not to focus on abuse occurring at these
46 establishments is not a reflection of the
47 Royal Commission's view of the importance or veracity of

1 the allegations about abuse at those establishments. As
2 already noted, the DLA Piper and DART reports each record
3 in significant detail the nature and extent of the abuse,
4 both physical and sexual, that occurred within the ADF
5 including at these institutions.

6
7 The decision to limit the inquiry into historical
8 incidents of child sexual abuse within the ADF to abuse
9 occurring at the training establishments at Leeuwin and
10 Balcombe is based on a number of factors including the
11 number of people who have contacted the Royal Commission to
12 report incidents of child sexual abuse occurring at Leeuwin
13 and Balcombe; the role of Leeuwin and Balcombe as training
14 establishments and, therefore, places where children
15 historically entered the ADF for the first time; and the
16 similar nature and extent of abuse reported to have
17 occurred at Leeuwin and Balcombe over a similar period of
18 time, despite those establishments being in different
19 services and on opposite sides of the country.

20
21 MEMBER OF THE PUBLIC: That's rubbish, mate. There's
22 hundreds of us have complained about the prior to 2000
23 Cadets in high school with the ADF.

24
25 THE CHAIR: Excuse me sir.

26
27 MEMBER OF THE PUBLIC: This is a cover up. You're
28 covering up for the nine jurisdictions that you're covering
29 up for, and you know it.

30
31 THE CHAIR: Excuse me sir, would you please leave the
32 hearing room. Would you please leave.

33
34 MEMBER OF THE PUBLIC: You're selling us down the road,
35 aren't you, Mr Chairman.

36
37 THE CHAIR: Would you please leave the hearing room.

38
39 MEMBER OF THE PUBLIC: It's the biggest cover up of the
40 Century and you know it. We're just rubbish for you to
41 flush down the toilet, aren't we? You want to cover up for
42 the nine governments.

43
44 (Member of the public escorted from the hearing room)

45
46 THE CHAIR: Yes, Mr Stewart.

47

1 MR STEWART: As your Honour pleases. The decision to
2 inquire into the ADF's response to reports of child sexual
3 abuse within the ADF Cadets is based on the number of
4 people who have contacted the Royal Commission to report
5 incidents of child sexual abuse occurring within the
6 ADF Cadets, the contemporary nature of those incidents of
7 child sexual abuse, the role of the ADF Cadets as an
8 organisation that continues to recruit children from the
9 age of 13 and foster in them an interest in future careers
10 in the ADF, and the fact that the nature and extent of
11 child sexual abuse within the ADF Cadets has not been the
12 subject of any previous inquiry into abuse into the ADF.
13

14 The facts that are identified in these submissions are
15 drawn from witness statements and documents that will be
16 tendered or from testimony that is expected to be given
17 during the hearing. It is not expected that these facts
18 will be in contest. They are set out here as a guide to
19 the evidence that will be led.
20

21 Dealing first with Leeuwin, it was a Navy shore base
22 located in Fremantle, Western Australia. It functioned as
23 a training establishment for junior recruits entering the
24 Navy from 1960 to 1984. Over that period it housed and
25 trained approximately 13,000 boys aged between 15 and 16
26 years at their time of entry into the Navy. The training
27 program for junior recruits at Leeuwin lasted 12 months and
28 included academic classes, physical training and courses in
29 seamanship. Upon joining the navy, junior recruits were
30 ranked as junior recruit second class. After six months
31 they progressed to junior recruit first class. At the
32 completion of the 12-month program at Leeuwin, junior
33 recruit were allocated to further officer training or
34 assigned to ships in the Navy.
35

36 Leeuwin received a new intake of junior recruits every
37 three months, meaning that there were four intakes of
38 junior recruits at Leeuwin each year.
39

40 An unofficial rank hierarchy existed amongst recruits
41 according to intake date, so that junior recruits referred
42 to the newest intake members as "new grubs"; the next
43 senior as "grubs"; the next as "shits"; and the most senior
44 as "top shits". The Royal Commission will hear that this
45 unofficial hierarchy was a significant factor in much of
46 the abuse that occurred at Leeuwin.
47

1 Each intake of junior recruits was divided into two
2 divisions of around 100 junior recruits. Each division was
3 led by a divisional officer who was assisted by senior
4 sailors of chief petty officer and petty officer ranks. It
5 appears that the discipline and welfare needs of junior
6 recruits were dealt with primarily within the divisional
7 system.
8

9 The commanding officer of Leeuwin was assisted by an
10 executive officer who was responsible for most of the day
11 to day detail of the training of junior recruits and
12 managing the Leeuwin staff.
13

14 The nature and extent of abuse at Leeuwin has been the
15 subject of two previous inquiries. The first, in 1971, was
16 commissioned by the then Minister of State for the Navy
17 following a highly publicised and physical assault on a
18 junior recruit at Leeuwin. The resulting report, known as
19 the "Rapke Report", which was based on extensive interviews
20 with junior recruits and staff, recognised that unorganised
21 and repetitive acts of bullying and physical violence had
22 occurred at Leeuwin. However, the Rapke Report ultimately
23 concluded that bullying and violence were not
24 institutionalised, systemic or even particularly widespread
25 at Leeuwin, and that the officers who staffed the
26 establishment were, by and large, upstanding men who
27 carried out their duty of care with diligence.
28

29 In 2014 DART published a report on abuse at Leeuwin
30 based on the personal accounts of 238 former junior
31 recruits. In stark contrast to the findings of the Rapke
32 Report, DART's report on abuse at Leeuwin found that abuse
33 experienced by junior recruits was more serious and
34 widespread than previously acknowledged and included a high
35 incidence of physical assaults on junior recruits by other
36 junior recruits and staff members and a disturbing
37 incidence of sexual assaults on junior recruits perpetrated
38 by both junior recruits and by staff members.
39

40 DART found that much of the abuse that occurred at
41 Leeuwin was not reported. DART attributed this to a number
42 of factors, including: that the cultural at Leeuwin did
43 not support the reporting of abuse; the stigma and shame
44 associated with having been abused; the fear of possible
45 discharge from the Navy; threats or a perceived risk of
46 further abuse if a report was made; and mistrust of staff
47 members.

1
2 In cases where junior recruits did report abuse, DART
3 found that those reports were largely inadequately or
4 inappropriately managed Defence. Some reports were not
5 acted on at all, while, in other cases, staff members
6 actively and dissuaded junior recruits from continuing with
7 a complaint.
8

9 Despite the high incidence of underreporting at
10 Leeuwin, DART concluded that Leeuwin staff members knew or
11 ought to have known about the abuse occurring at Leeuwin,
12 yet failed to take appropriate action to stop it. It is
13 anticipated that the DART findings that I have just
14 described will be further supported by the evidence this
15 Royal Commission will hear from survivors who were junior
16 recruits at Leeuwin.
17

18 The Royal Commission will hear that the general
19 policies and procedures for the administration and
20 organisation of Leeuwin were outlined in three documents:
21 firstly, the Queen's Regulations and Admiralty Instructions
22 as varied by the regulations and instructions for the Royal
23 Australian Navy; secondly, general Navy orders; and,
24 thirdly, the HMAS Leeuwin Ship's Standing Orders.
25

26 There were no specific procedures for handling
27 complaints of child sexual abuse. Instead, the complaints
28 relating to child sexual abuse were required to be made
29 under the general complaint procedure that applied within
30 the Navy at the time.
31

32 The general complaint procedure stated that any man
33 could make a representation about his welfare or make a
34 complaint to his divisional officer without risk of
35 penalty. Divisional officers had particular positive
36 duties to assist a complainant and to ensure that men in
37 their division understood the correct procedures for making
38 a representation or complaint.
39

40 Vice Admiral Griggs is expected to give evidence that
41 as a part of their initial training, all junior recruits
42 were given lectures on naval discipline, general service
43 behaviour and their rights with expect to redress of
44 grievances and complaints. Survivors will give evidence
45 that junior recruits were provided with a Leeuwin Junior
46 Recruit's Handbook when they arrived at the training
47 facility which gave them information about the complaint

1 procedures.

2
3 Despite the information regarding the complaints
4 procedure that was available to junior recruits, only one
5 of the five survivors who will give evidence recalls making
6 a formal written complaint.

7
8 This survivor will give evidence that in making this
9 complaint he was not provided with any support by his
10 divisional officer and that ultimately no action was taken.

11
12 It is anticipated that evidence will be given that
13 divisional officers used log books to record information
14 relating to any reported incident at Leeuwin. Defence
15 witnesses are expected to give evidence that any complaints
16 by junior recruits would have been recorded in such log
17 books. Defence has informed the Royal Commission that it
18 has been unable to locate any log books from Leeuwin. As
19 will be seen, the inability to locate log books has
20 significant consequences for survivors wishing to claim
21 compensation from either defence or the Department of
22 Veterans' Affairs.

23
24 Vice Admiral Griggs will give evidence that the
25 internal procedures at Leeuwin were intended to provide a
26 high level of supervision during and out of working hours.
27 His evidence will be that duty staff remained in the junior
28 recruit accommodation blocks and were only allowed short
29 absences for meals with other duty personnel undertaking
30 roving patrols through the junior recruit accommodation
31 blocks.

32
33 In contrast, survivors will give evidence that staff
34 did not supervise the junior recruit accommodation blocks
35 at night and that most of the physical and sexual abuse
36 occurred at this time.

37
38 Documents will show that from 1963 divisional officers
39 selected leading junior recruits to oversee junior recruits
40 in their dormitories and to report misbehaviour by their
41 peers. Leading junior recruits also had the power to give
42 direct orders to any other junior recruit for the purposes
43 of the maintenance of good order. Survivors will give
44 evidence that it was leading junior recruits, rather than
45 staff, who had primary supervision of junior recruits in
46 their barracks. Survivors will tell the public hearing
47 that they experienced abuse at the hands of older junior

1 recruits, and that leading junior recruits responsible for
2 their dormitories did not take action to help, stop or
3 respond to the abuse.
4

5 Vice Admiral Griggs is expected to give evidence that
6 naval policies and procedures associated with what we now
7 know as child sexual abuse were viewed through the general
8 prism of "unnatural", as it was referred to, or homosexual
9 acts at the time. The institutional response to such acts
10 was laid down in a variety of Navy orders that made
11 buggery, incident assault and an act of gross indecency
12 with a male person offences punishable by discharge from
13 the Navy.
14

15 Survivors will give evidence that one consequence of
16 such orders was that junior recruits were reluctant to
17 report the child sexual abuse that they had suffered out of
18 fear of being accused of being homosexual and, for that
19 reason, discharged from the Navy.
20

21 The Royal Commission has been conducted by
22 36 survivors of child sexual abuse at Leeuwin. In this
23 hearing there will be evidence from five of these survivors
24 who were sexually abused at Leeuwin in the period 1967 to
25 1971. All survivors who will give evidence were sexually
26 abused during their first six months at Leeuwin when they
27 were 15 or 16 years old. Two survivors will give evidence
28 that they were sexually abused by staff members at Leeuwin.
29 The remaining three will give evidence that they were
30 sexually abused by more senior junior recruits.
31

32 The Royal Commission will hear that most of the abuse
33 was perpetrated by older recruits as part of an informal
34 hierarchy in which older recruits physically and sexually
35 abused more junior recruits as part of the ritualised
36 practices of bastardisation that were designed to break in
37 and humiliate the new entrants to the Navy. The Royal
38 Commission will hear that "bastardisation" was a term used
39 in the context of ADF training and educational institutions
40 to refer to bullying, harassment, victimisation and
41 illegitimate initiation practices. Acts of bastardisation
42 described by survivors of abuse at Leeuwin including the
43 following: "blackballing" or "nuggeting", a practice that
44 involved a junior recruit being held down by other junior
45 recruits, with boot polish, toothpaste or other substance
46 being forcibly smeared on his genitals or anal area,
47 sometimes with a hard brush; "gotcha", a practice which

1 involved grabbing or pinching a junior recruit's genitals,
2 usually in the showers, and saying "gotcha"; "royal flush",
3 a practice which involved junior recruits holding the head
4 of a junior recruit in a toilet bowl and flushing,
5 sometimes after the toilet had been used; and "running the
6 gauntlet", a practice which involved junior recruits
7 arranging themselves into two lines facing each other,
8 usually in a confined space, such as corridor or staircase,
9 while holding heavy items, other junior recruits would be
10 forced to run through the centre of the lines while being
11 beaten with the heavy items by the junior recruits standing
12 on either side of them.

13
14 The survivors will give evidence that they were
15 subjected to serious forms of sexual abuse including
16 fondling of genitals, masturbation, oral sex and anal
17 penetration by a penis or other object. The Royal
18 Commission will hear that these incidents of sexual abuse
19 commonly occurred in the context of violent physical
20 assaults on the victim which resulted in serious injuries.

21
22 Consistent with the findings of previous inquiries
23 into abuse at Leeuwin, the Royal Commission will hear
24 evidence that survivors did not report the abuse they
25 suffered because they were overpowered by shame. They
26 didn't want to be labelled as dobbers by their peers, or
27 feared that they would be subject to further abuse if they
28 reported. Several survivors who did report abuse at the
29 time will tell the Royal Commission that they were
30 subjected to further abuse by other recruits as a
31 consequence of making the report.

32
33 Some survivors will say that they made or attempted to
34 make reports about incidents of abuse to staff and that
35 they were not believed or told that the abuse was a rite of
36 passage into the Navy, or that no action was taken. One
37 survivors will give evidence that he reported the abuse to
38 a staff member and was subsequently threatened with
39 dishonourable discharge.

40
41 All survivors will tell the Royal Commission that the
42 abuse and defence's response to their abuse has had
43 significant short- and long-term impacts on their lives.
44 They will all describe their struggle with health issues,
45 such as PTSD, depression, anxiety, suicidal ideation and
46 alcoholism.

47

1 I will now briefly summarise what the different
2 survivor witnesses will tell the Royal Commission. [CJA]
3 interviewed as a junior recruit in 1967, when he was
4 16 years of age. [CJA] will give evidence that he
5 regularly forced to perform and receive oral and anal sex
6 on other junior recruits during his first six months at
7 Leeuwin. [CJA] will give evidence that staff members were
8 sometimes involved in these incidents. [CJA] will give
9 evidence that he disclosed the physical and sexual abuse to
10 the chaplain at Leeuwin at the time, Mr Peter Ball. [CJA]
11 will give evidence that Mr Ball told him not to do anything
12 and that his life would likely be in danger if the junior
13 recruits thought that he had ratted on them. Mr Ball will
14 be called to give evidence.

15
16 [CJA] eventually ran away from Leeuwin. He will tell the
17 Royal Commission that when he was eventually arrested by
18 Navy police he was sexually abused while in their care.
19 Prior to his court martial, [CJA] disclosed the abuse he'd
20 suffered at Leeuwin to his divisional officer, John
21 Johnson. He will give evidence that during the court
22 martial Mr Johnson, who is now deceased, described [CJA] as
23 troublemaker, did not discuss the abuse and that, as a
24 result, [CJA] was discharged as unsuitable rather than
25 being granted a free discharge, which he had sought.

26
27 In 1971 [CJA] was interviewed by Judge Rapke as part
28 of his investigations into bastardisation at Leeuwin.
29 [CJA] will give evidence that prior to his interview by the
30 judge he was told by an ADF staff member that he would pay
31 a dear price if he described what happened at Leeuwin as
32 anything other than boys being boys.

33
34 [CJA] reported to DART in 2013 and has an ongoing
35 claim for compensation against defence.

36
37 Graeme Frazer entered Leeuwin as a junior recruit in
38 1967 when he was 16 years old. He will give evidence that
39 on two occasions he was held down and nudged by other
40 junior recruits. He will also give evidence that he was
41 regularly subjected to physical beatings and these physical
42 beatings eventually broke his spirit. Mr Frazer will
43 describe making two formal reports about the abuse he was
44 experiencing to his divisional officer, Frank McCarthy.
45 Mr Frazer's evidence will be that Divisional Officer
46 McCarthy, who is now deceased, responded by saying that the
47 abuse was a rite of passage and that he would get through

1 it.

2
3 Mr Frazer made a claim for compensation to DVA in
4 2001. The claim was initially rejected due to a lack of
5 corroborating evidence. Following an appeal to the
6 Administrative Appeals Tribunal, Mr Frazer's claim was
7 accepted when he was able to locate a witness to his abuse.
8 Mr Frazer reported to DART in 2013.

9
10 [CJT] entered Leeuwin as a junior recruit in 1971 when
11 he was 15 years old. He will give evidence that when he
12 refused to perform oral sex on a junior recruit in the
13 showers he was held down by a group of junior recruits and
14 sexually assaulted. He did not report the abuse at the
15 time for fear of further abuse.

16
17 He will give evidence that junior recruits with
18 visible injuries were hidden away from Judge Rapke during
19 his visit to Leeuwin as part of his inquiry.

20
21 Glen Greaves entered Leeuwin as junior recruit in 1971
22 when he was 16 years old. He will give evidence that he
23 was held down and anally penetrated with a broomstick on
24 three occasions in his first six months at Leeuwin.
25 Mr Greaves will tell the Royal Commission that he attempted
26 to report this abuse to a divisional officer at the time
27 but was told to "piss off and harden up".

28
29 Mr Greaves will give evidence that he missed the
30 cut-off to report to DART. In 2014 he brought a claim for
31 compensation against defence in relation to the abuse he
32 suffered at Leeuwin. This public hearing will examine the
33 responses of both defence and DVA to this claim.

34
35 [CJB] entered Leeuwin as a junior recruit in 1971 when
36 he was 15 years of age. He will give evidence that within
37 the first three weeks at Leeuwin he was forced to perform
38 oral sex on a divisional officer, Chief Petty Officer
39 Cross. [CJB] will give evidence that after the incident,
40 Chief Petty Officer Cross, who is now deceased, told him
41 that if he disclosed the abuse he wouldn't see the
42 following morning. He will tell the Royal Commission that
43 he attempted to report the incident to another divisional
44 officer the following day but was prevented from doing so
45 by Chief Petty Officer Cross. [CJB] will give evidence
46 that he was later successful in reporting the incident to
47 the divisional officer only to be told to "get the fuck out

1 of here". [CJB] reported to DART in 2013.
2

3 The Royal Commission will hear from four staff members
4 at Leeuwin in the period 1967 to 1974. Peter Ball, as you
5 have heard, was a chaplain at Leeuwin in 1967. He will
6 give evidence that his office was, as he put it, a place of
7 refuge for junior recruits seeking escape bastardisation in
8 the blocks. Mr Ball will give evidence that despite being
9 aware that bastardisation occurred, he does not recall any
10 junior recruits reporting sexual abuse to him at the time.
11

12 Geoffrey Curran will describe his role as a divisional
13 officer at Leeuwin from 1970 to 1972. He will tell the
14 Royal Commission that he was not aware of any incidents of
15 sexual abuse involving junior recruits during his time at
16 Leeuwin.
17

18 Laurence Watson was secretary to the commanding
19 officer at Leeuwin from 1971 to 1973. He will give
20 evidence of his role in responding to serious disciplinary
21 matters, including his awareness of incidents of physical
22 and sexual abuse during this time at Leeuwin.
23

24 Peter Sinclair was the executive officer at Leeuwin
25 from 1972 to 1974. Mr Sinclair will give evidence that he
26 was appointed to assist the new commanding officer to, as
27 it was put to him, "shake it up" at Leeuwin following the
28 Rapke Report. To this end, he introduced various changes,
29 including reinforcing the supervision of junior recruits
30 out of hours and establishing social opportunities for
31 junior recruits. He will give evidence that he believes
32 that the initiatives that he introduced were successful in
33 achieving their aims.
34

35 Now I will move on and deal with the Army Apprentice
36 School at Balcombe. Balcombe Barracks was an Australian
37 Army base located on the Mornington Peninsula in Victoria
38 and operated as an Army training establishment from 1948 to
39 1982. The apprentice school at Balcombe provided Army
40 trade training and general education for tradesmen and
41 tradeswomen recruited directly from secondary schools.
42

43 Over 7,500 apprentices graduated from Balcombe during
44 the period of its operation. Children from the age of 15
45 undertook four-year apprenticeships and various technical
46 and clerical trades, including motor mechanics,
47 electricals, metals, radio and music.

1
2 By the end of the second year, apprentices had
3 completed all modules of recruit training and additional
4 training to meet the military skills required for promotion
5 to corporal. The apprentices were divided into companies
6 and the trades were distributed evenly across companies.
7 Each company was comprised of three platoons, which were
8 each commanded by a sergeant, company sergeant-major and
9 clerk and storeman.

10
11 Platoon staff were responsible for supervising
12 apprentices within their platoons. Survivors will give
13 evidence that within intakes senior apprentices were often
14 assigned an unofficial of hut corporal, and that
15 apprentices were required to report to hut corporals before
16 reporting any issues to divisional staff.

17
18 Much like at Leeuwin, apprentices who entered Balcombe
19 were immediately confronted with an unofficial ranking
20 structure based on the different intakes at Balcombe. That
21 ranking structure placed senior apprentices in a position
22 of power over new apprentices or "sprogs", as they were
23 known. The Royal Commission will hear that this unofficial
24 hierarchy was a factor in much of the abuse at Balcombe.

25
26 DART received complaints from 68 complainants about
27 physical and sexual abuse at Balcombe. Of those,
28 30 complaints were of sexual abuse committed against
29 recruits who were minors at the time. In its final report,
30 DART noted the following: it had received a high number of
31 complaints from former apprentices involving sexual abuse
32 in the context of hazing or initiation practices; the
33 sexual abuse at Balcombe was reported by complainants as
34 having been carried out for the amusement of senior
35 apprentices and the humiliation of the junior apprentices
36 involved; and many complainants had no doubt that members
37 of staff were aware of the abuse that took place.

38
39 In response to notices issued by the Royal Commission,
40 Defence has not produced any documents which specifically
41 relate to policies for dealing with child sexual abuse at
42 Balcombe. Vice Admiral Griggs is expected to give evidence
43 that the process for reporting and investigating personnel
44 incidents was set out in a document called the Manual of
45 Personnel Administration which applied to all Army members.
46 It is anticipated that he will say that the requirement to
47 report personnel incidents included the requirement to

1 report sexual assault. Vice Admiral Griggs will tell the
2 Royal Commission that a copy of the Manual of Personnel
3 Administration from that time cannot be found.
4

5 It is expected that defence witnesses will say that
6 Balcombe maintained a 24-hour duty non-commissioned officer
7 at each company and a duty officer at the headquarters.
8 The duty NCO is said to have been required to maintain a
9 log book of all occurrences, and that if a sexual assault
10 had occurred and was reported, the duty NCO would have
11 logged the incident and reported it to the duty officer.
12 Defence has not produced any Balcombe log books to the
13 Royal Commission.
14

15 The evidence is expected to be that no records can be
16 located of any incidents of child sexual abuse reported
17 during 1970 to 1980. Vice Admiral Griggs will give
18 evidence that a record has been located which indicates
19 that a senior apprentice was discharged for an incident of
20 child sexual abuse in 1982.
21

22 It is expected that there will be evidence from at
23 least one survivor who knew that the process of making a
24 complaint at Balcombe required him to report to his
25 supervising officer, but none of survivors giving evidence
26 recalls the nature of the specific complaints procedure to
27 be followed.
28

29 The Royal Commission has been contacted by 12 people
30 about child sexual abuse at Balcombe. In this public
31 hearing the Royal Commission will hear evidence from five
32 survivors who were sexually abused at Balcombe. All of the
33 survivors giving evidence of their experiences at Balcombe
34 were sexually abused in the first year of their
35 apprenticeship.
36

37 All survivors will give evidence that they were
38 sexually abused by senior apprentices. Two survivors will
39 give evidence that they were also sexually abused by staff
40 members who were on base at Balcombe.
41

42 Survivors will describe that they were subjected to
43 similar practices of bastardisation as those who were at
44 Leeuwin, including "royal flushes", "gauntlets" and
45 "gotcha". The survivors will give evidence that they were
46 subjected to various forms of sexual abuse including
47 fondling of genitals, anal penetration with an object and

1 forced masturbation.

2
3 Similar to the survivors of abuse at Leeuwin, the
4 witnesses giving evidence in relation to their experiences
5 at Balcombe are expected to describe a fear that they would
6 suffer more abuse if they disobeyed the orders of more
7 senior apprentices or if they disclosed the abuse they were
8 experiencing. One survivor will say that he attempted to
9 report the abuse to a staff member but was told that
10 "pranks will happen".
11

12 All survivors will say that the abuse and defence's
13 response to their abuse has had significant short- and
14 long-term impacts on their lives and that they've struggled
15 with health issues such as PTSD, depression, anxiety
16 suicidal ideation and alcoholism.
17

18 I will now briefly summarise what each of the survivor
19 witnesses will tell the Royal Commission.
20

21 Mr Sparreboom entered Balcombe as an apprentice in
22 1970 at 16 years of age. During his first year at
23 Balcombe, Mr Sparreboom was sexually assaulted in his bed
24 by several other apprentices who anally penetrated him with
25 a broomstick. Mr Sparreboom will give evidence he had a
26 conversation with Captain Wymess in which he made a comment
27 that people were "getting broomsticks up the bum" and
28 Captain Wymess responded with words to the effect of "you
29 are all young fellers and pranks will happen". The
30 Royal Commission has been unable to locate Captain Wymess.
31

32 Mr Sparreboom reported to DART in 2013. In 2014 he
33 made a claim for compensation to DVA. His claim was
34 rejected due to a lack of contemporaneous evidence.
35

36 [CJC] entered Balcombe as an apprentice musician in
37 1971 at the age of 16. [CJC] will give evidence that he
38 was sexually abused by a senior apprentice, the hut
39 corporal, on two occasions in his first six months at
40 Balcombe. On each occasion, the senior apprentice told
41 [CJC] to keep his mouth shut about the abuse.
42

43 [CJC] reported to DART in 2013.
44

45 Darryl James entered Balcombe as a musician apprentice
46 when he was 15 years of age. Mr James will give evidence
47 that he was anally penetrated with a broom handle by a

1 group of senior apprentices in 1972. He was also sexually
2 abused by a civilian laundry assistant on the base at
3 Balcombe. He did not report any of this abuse at the time.
4

5 Mr James will give evidence that he continued to work
6 alongside his perpetrators through out his career in the
7 Army.
8

9 He reported to DART in 2013. In 2015 he made a claim
10 for compensation to DVA. His claim was rejected due to a
11 lack of contemporaneous evidence.
12

13 [CJV] entered Balcombe in 1972 as an apprentice
14 electrician when he was 16. [CJV] will give evidence that
15 not long after he started at Balcombe he woke up to find
16 two senior apprentices standing at the end of his bed.
17 They grabbed his genitals and said, "gotcha". [CJV] was
18 the victim of the form of abuse called "gotcha" almost
19 every weeknight for the rest of the year.
20

21 [CJU] entered Balcombe in 1978 as an apprentice
22 musician at the age of 15.
23

24 He was nudged by senior apprentices at Balcombe in
25 1978. He was groomed and exposed to pornographic material
26 by the same laundry attendant as Darryl James. [CJU] was
27 also taken off base and forced to masturbate a staff
28 member.
29

30 He did not report the abuse due to fear of
31 repercussions.
32

33 He reported to DART in 2013 and in 2015 he made a
34 claim for compensation to DVA. His claim was rejected due
35 to a lack of contemporaneous evidence.
36

37 The Royal Commission will hear from one institutional
38 witness in relation to the abuse at Balcombe.
39 Alan McDonald was commanding officer at Balcombe from 1972
40 to 1974 and will give evidence in relation to his role and
41 responsibilities at the time. It is expected that
42 Mr McDonald will give evidence that he was not aware of the
43 nature and extent of sexual abuse occurring at the time.
44

45 A number of the survivors of sexual abuse at Leeuwin
46 and Balcombe have made claims for compensation to DVA for
47 the abuse they suffered. A large number of these claims

1 have been rejected by DVA due to a act lack of
2 contemporaneous evidence. The Royal Commission will hear
3 from an institutional evidence who will give evidence
4 regarding DVA's policies and procedures for assessing
5 claims.

6
7 In addition to the claims made to DVA, the
8 Royal Commission will hear that three survivors of sexual
9 abuse at Leeuwin have made claims for compensation to
10 defence. In particular, the Royal Commission intends to
11 examine defence's response to claims brought by
12 Glen Greaves and there will be evidence from the solicitor
13 who represented Mr Greaves.

14
15 I now turn to look at the ADF Cadets. The ADF Cadets
16 is a community-based youth development organisation
17 administered by the ADF. It conducts training and activity
18 programs for children in a military style environment. The
19 stated purpose of the ADF Cadets is to develop an
20 individual's capacity to contribute to society, to foster
21 an interest in ADF careers and to develop ongoing support
22 for the ADF.

23
24 The ADF Cadets is comprised of three cadet
25 organisations, being the Australian Navy Cadets, the
26 Australian Army Cadets and the Australian Air Force Cadets.

27
28 The term "ADF Cadets" is used as an unofficial
29 collective title to represent the three service-based cadet
30 organisations. Cadets are not members of the ADF.
31 However, the Cadet Forces Regulation of 2013 provides that
32 ADF service chiefs are responsible for the organisation,
33 maintenance, regulation, control and discipline of
34 officers, instructors and cadets.

35
36 Vice Admiral Griggs will give evidence that the ADF is
37 responsible for developing ADF Cadet policies, including
38 policies that deal with child protection and complaints
39 involving child abuse.

40
41 Children are eligible to join the ADF Cadets from the
42 age of 13 and are able to remain as cadets until they turn
43 20. Upon turning 18, cadets transition to become adult
44 cadet staff members before they "age out" at the age of 20.
45 Cadets are eligible to apply to become instructors of
46 cadets when they turn 18 and officer of cadets when they
47 turn 19.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47

Cadets typically attend weekly meetings called parades with ADF Cadet unit. ADF Cadet units also hold overnight camps and conduct week-long training and promotional camps at ADF bases around Australia. At the meetings, ADF Cadets are supervised by officers or instructors of cadets, sometimes referred to as ADF Cadet staff members. Typically, ADF Cadet staff members are not members of the ADF, although there are ADF personnel who also perform the roles of officers or instructors of cadets.

ADF Cadet staff members are paid a cadet force allowance by the ADF for attendance at weekly meetings and other specified activities. They're also able to claim specified travel, meal and vehicle expenses.

In this public hearing the Royal Commission will focus on the Australian Air Force Cadets as representative of the ADF Cadets' response to child sexual abuse. We will hear evidence that intimate relationships between adult instructors and cadets can and do have devastating effects. It appears that since at least 2004 the ADF and ADF Cadets have been seeking to address this issue. Despite these efforts, the Royal Commission will hear that intimate relationships between adult instructors and cadets continue to occur.

The response to a notice issued by the Royal Commission, defence has produced documents in relation to known incidents and or allegations of child sexual abuse that occurred within the ADF Cadets since 1 January 2001. The Royal Commission's analysis of these documents indicates that defence has recorded a total of 154 such incidents or allegations in that period. 51 of these recorded incidents are of allegations involving an adult instructor and a cadet, of which 10 alleged perpetrators were ADF members. The remaining 103 alleged incidents were of sexual abuse perpetrated by other cadets.

There are currently 25,886 active ADF Cadet members in 544 ADF Cadet units around the country.

The ADF Cadets play a significant role in encouraging children to follow careers in the ADF. The ADF Cadets' website note that cadets represent 12.4 per cent of enlistments to the ADF and that in 2009-2010, 20 per cent of entrants to ADFA were former ADF Cadets.

1
2 I'll now identify the legal provisions that have the
3 potential to make it a criminal offence for an adult cadet
4 instructor to have sex with a cadet.

5
6 The legal age for consensual sex varies across
7 Australian State and Territory jurisdictions. Currently,
8 the legal age when an individual is able to validly consent
9 to sex is 17 years in Tasmania and South Australia, and
10 16 years in the Australian Capital Territory, New South
11 Wales, the Northern Territory, Victoria, Western Australia,
12 and Queensland; and in Queensland the age of consent for
13 anal sex is 18 years of age.

14
15 Notwithstanding the age of consent, legislation in the
16 Australian Capital Territory and the Northern Territory,
17 New South Wales, Victoria, Western Australia and South
18 Australia makes it an offence for a person in a supervisory
19 role to have sexual intercourse or intimacy with a person
20 under their special care who is aged 16 or 17 years. A
21 person in a supervisory role providing special care may
22 include, for example, a teacher, foster parent, religious
23 official or spiritual leader, or an employer of the child.
24 These provisions are commonly referred to as the "special
25 care provisions". Their specific terms with regard to both
26 the sexual activity that they cover and the definition of
27 the special care relationship vary from jurisdiction to
28 jurisdiction.

29
30 It is reasonably clear that the special care
31 provisions in New South Wales, Western Australia and the
32 Northern Territory would categorise the relationship
33 between a cadet instructor and a cadet as being a situation
34 of special care, thereby engaging the prohibition or higher
35 age of consent. The position is not as clear in the ACT,
36 South Australia and Victoria.

37
38 It is expected that some witnesses will give evidence
39 that these special care provisions are not widely known
40 among those cadets and adult cadet staff. The
41 Royal Commission will hear that in December 2015 a young
42 adult instructor was sentenced to a term of imprisonment of
43 two years under these provisions in New South Wales in
44 circumstances where neither he nor his victims knew that it
45 was a criminal offence for him to have sexual intercourse
46 with a 16- or 17-year-old cadet.

1 The Royal Commission will hear evidence that since
2 2000, the protection of children and the responses to child
3 sexual abuse within ADF Cadets have been governed by a
4 complex hierarchy of interconnected policies and
5 procedures.
6

7 In this case study we will examine the following:
8 general ADF policies and procedures that apply to all
9 members of the ADF, including ADF members under the age of
10 18; general ADF Cadet policies and procedures that apply to
11 all cadets, officers of cadets and instructors of cadets
12 and ADF personnel involved in any of the ADF Cadet
13 services; and specific Australian Air Force Cadet policies
14 and procedures that apply to cadets, officers, instructors
15 and ADF personnel involved in the Air Force Cadets.
16

17 We will also hear from survivors and a former Air
18 Force Cadet instructor about how this complicated policy
19 framework impacts on the training of Air Force Cadets and
20 staff instructors.
21

22 It is anticipated that this public hearing will hear
23 that Air Force Cadet policy documents and training
24 materials have, at different times since at least 2001,
25 contained either inaccurate or incomplete information
26 regarding the legal age of consent in Australia and that
27 the ADF Cadet policies contain no specific direction to
28 cadet instructors on the applicable special care provisions
29 that may apply in the event of any sexual activity between
30 cadet instructors and cadets.
31

32 Evidence will be put to the Royal Commission that
33 since at least 2000, the Air Force Cadets has had policies
34 in place which set out general behaviour expectations of
35 cadets and that all Air Force Cadet members are required to
36 sign and abide by a code of conduct that adopts these
37 behavioural requirements.
38

39 The Air Force Cadet behaviour policy is consistent
40 with the ADF Cadet behavioural policy which is applicable
41 across all ADF Cadet services. The Air Force Cadet
42 behaviour policy states that sexual misconduct is a form of
43 unacceptable behaviour and that sexual relations and
44 intimacy, referred to as "fraternisation" between Air Force
45 Cadet members is prohibited. The behaviour policy also
46 states that it is inappropriate for any Air Force Cadet
47 staff member to engage in a close personal relationship of

1 any nature with any cadet, and specifically that sexual
2 relationships are strictly prohibited and will result in
3 administrative action such as termination.
4

5 There will be evidence from Vice Admiral Griggs that
6 the purpose of the Air Force Cadet behaviour policy and
7 wider ADF Cadet policies is to educate defence personnel on
8 what constitutes and how to identify all forms of
9 unacceptable behaviour, including sexual misconduct.
10

11 Survivors are expected to give evidence that they were
12 provided with information, documents and briefings relating
13 to the Air Force Cadet behaviour policy and code of conduct
14 when they joined the Air Force Cadets but were too young to
15 appreciate the importance of this information. It is
16 expected that there will be evidence that survivors were
17 aware of the rule against fraternisation between Air Force
18 Cadet members, but they were not explicitly trained about
19 the prohibition against relationships between Air Force
20 instructors and cadets.
21

22 The Royal Commission will also explore what
23 information the Air Force Cadets provides to parents of new
24 cadets and if any information is provided to parents
25 reading to the behaviour policy, code of conduct and other
26 child protection matters.
27

28 It is expected that there will be evidence that cadets
29 receive ongoing training on unacceptable behaviour and the
30 code of conduct throughout their involvement with the Air
31 Force Cadets, particularly through leadership training
32 packages at career progression points such as promotion
33 courses. This ongoing training is consistent with the
34 ADF's mandatory online or face-to-face training on
35 unacceptable behaviour for all ADF personnel.
36

37 It is expected that there will be evidence that when a
38 cadet reaches the age of 18, he or she must complete a
39 compulsory adult transition program which details the Air
40 Force Cadets and wider ADF and ADF Cadet policies on the
41 Air Force Cadet members' child protection obligations.
42

43 Survivors will give evidence that they participated in
44 such ongoing training at Air Force Cadet activities and
45 promotion courses. However, the training did not give
46 specific training on the different legal ages of consent or
47 special care provisions.

1
2 There will be evidence that since at least 2000 the
3 Air Force Cadets have required that all adults who have
4 contact with children in Air Force Cadets must pass various
5 recruitment and screening obligations set out in the
6 policies. These requirements are consistent with child
7 protection obligations in ADF and ADF Cadet policies.
8

9 Relevantly, the child protection policies provide that
10 all staff instructors and adult Air Force Cadet members
11 must: hold a working with children clearance; comply with
12 ADF Child Protection Code of Conduct and Air Force Cadet
13 Code of Conduct which both expressly prohibit any sexual
14 conduct with a child; and complete the mandatory
15 Safeguarding Children Awareness Package, referred to as
16 "SCAP", an online education course comprising six modules.
17

18 In addition, there will be evidence that Air Force
19 Cadet staff instructors are required to attend a staff
20 induction program which includes instruction on acceptable
21 and unacceptable behaviour within an Air Force Cadet
22 monitoring relationship. Air Force Cadet staff also attend
23 societal and legal training which reinforces the rule of no
24 fraternisation between staff and cadets and the principles
25 in the behaviour policy.
26

27 Despite the enormous breadth of information and
28 training provided to Air Force Cadet staff instructors,
29 there will be evidence from a former staff instructor that
30 staff, as with the cadets, were not given clear training on
31 the legal provisions concerning the age of consent and the
32 special care provisions.
33

34 Evidence will be put to the Royal Commission about the
35 mandatory reporting obligations and internal procedures in
36 the child protection policies which govern the Air Force
37 Cadet members' response to allegations of child sexual
38 abuse. These procedures are consistent with policies
39 governing the conduct of all ADF personnel and cadets.
40

41 Pursuant to the child protection policies, Air Force
42 Cadet members have mandatory reporting obligations that
43 require any adult supervisor who becomes aware of any
44 suspected or known child sexual abuse to report the matter
45 immediately to local authorities, being civilian police and
46 child protection agencies, and report up the chain of
47 command. These policies also set out the obligation on Air

1 Force Cadet staff to support survivors during the
2 complaints handling process.

3
4 It is proposed to examine the Air Force Cadets
5 policies and procedures for responding to allegations of
6 child sexual abuse and hear evidence of when reports of
7 child sexual abuse have not been reported up the Air Force
8 Cadet supervisory chain of command in compliance with the
9 child protection policies.

10
11 There will be evidence that defence is currently
12 consolidated its policies concerning minors in the ADF and
13 the ADF Cadets and that a central policy document, known
14 known as the Youth Policy Manual, or "YOUTHPOLMAN", will
15 be produced.

16
17 There will be evidence that the YOUTHPOLMAN is
18 expected to serve as the single reference point for ADF and
19 ADF Cadet personnel for all aspects of youth defence
20 engagement, development programs and the governance of
21 ADF Cadets. Although a number of chapters have been
22 published, the chapter detailing the ADF child protection
23 policy is as yet undrafted and is expected to be published
24 later this year.

25
26 The purpose and proposed content of the YOUTHPOLMAN as
27 it relates to the protection of children involved with the
28 ADF and the ADF Cadets will be examined in the course of
29 public hearing.

30
31 The Royal Commission has been contacted by more than
32 25 survivors of sexual abuse within the ADF Cadets. The
33 public hearing will hear evidence from seven witnesses who
34 will give evidence about five cases involving child sexual
35 abuse within the ADF Cadets. Each of these five cases
36 involved sexual abuse perpetrated by an adult instructor on
37 a cadet who was aged between 15 and 17 years of age when
38 the abuse occurred.

39
40 I will now briefly summarise each of the cases.

41
42 Ms Susan Campbell is the mother of Eleanore Tibble who
43 joined the Australian Air Force Cadets in 1999 in Hobart
44 when she was 14 years old. Ms Campbell will give evidence
45 that when Eleanore was 15 years old allegations arose that
46 Eleanore and a 30-year-old Air Force Cadet instructor,
47 Matthew Harper, were involved in an intimate and possibly

1 sexual relationship. Ms Campbell will tell the
2 Royal Commission that Eleanore was interviewed by Air Force
3 Cadets about her contact with Harper and later received a
4 telephone call from an Air Force Cadet flight officer
5 giving her a choice of either resigning or being
6 dishonourably discharged from the Air Force Cadets.
7

8 The Royal Commission will hear that Eleanore was
9 upset, anxious and stressed about the possibility of being
10 dishonourably discharged and that Eleanore committed
11 suicide on 20 November 2000.
12

13 Ms Campbell will give evidence that the Air Force
14 Cadets had decided not to pursue the fraternisation charges
15 and to reinstate Eleanore before her death but had failed
16 to tell Eleanore.
17

18 Ms Campbell will tell the Royal Commission that her
19 efforts to obtain an inquiry into the circumstances of
20 Eleanore's treatment ultimately resulted in her giving
21 evidence before a senate inquiry. Ms Campbell will give
22 evidence that the senate inquiry recommended that the ADF
23 take steps to improve its policies in relation to child
24 protection.
25

26 Ms Campbell's evidence about the circumstances that
27 led to the death of her daughter Eleanore and the inquiries
28 that followed provides an important backdrop to the changes
29 that were then brought about in the ADF Cadets with regard
30 to child protection.
31

32 [CJD] will give evidence that she joined the
33 Australian Navy Cadets in 1998, when she was 13 years old.
34 The Royal Commission will hear that [CJD] was groomed by
35 [CJK], an instructor approximately 35 years older than her.
36 [CJD] is expected to describe that when she was 15, [CJK]
37 started asking her and her friends to sit on his lap. He
38 would also touch them on the breasts or buttocks as they
39 walked past, or would grab them on the vagina through their
40 clothes when he was joking around. [CJK] commenced a
41 sexual relation with [CJD] shortly before she turned 18 and
42 ended the relationship when she was 23.
43

44 The Royal Commission will hear that shortly after
45 ending the relationship, [CJD] reported the relationship
46 with [CJK] to her commanding officer, [CJN], and another
47 officer, [CJM], in her Squadron. [CJM] indicated that he

1 had thought something was going on and that he did not do
2 anything about the relationship because [CJD]'s wife was a
3 former commanding officer of the cadet unit. The identity
4 of the perpetrator of [CJD]'s abuse and other people
5 referred to by [CJD] has been anonymised in order to
6 protect [CJD].
7

8 Aaron Symonds, in 1996, at the age of 13, joined the
9 Australian Air Force Cadets in Queensland. The
10 Royal Commission will hear that in 1999, when he was 16,
11 Mr Symonds was groomed and sexually abused by a cadet
12 instructor who was about 27 years old. Mr Symonds will
13 give evidence that he did not report the abuse at the time.
14

15 It is expected that he will give evidence that in 2013
16 he reconnected with the ADF Cadets and discovered that his
17 perpetrator was now a commanding officer of an ADF Cadet
18 unit. Mr Symonds subsequently reported his abuse to the
19 ADF Cadets, who reported the matter to the Queensland
20 police. The latter were unable to establish sufficient
21 evidence to press charges.
22

23 The Royal Commission will hear from two institutional
24 witnesses regarding their response to Mr Symonds's
25 complaint in 2013.
26

27 Then there is the matter of Christopher Adams. In
28 relation to that matter, [CJE] joined the Air Force Cadets
29 in New South Wales in 2009 when she was 13. She will give
30 evidence of meeting Christopher Adams, an ADF Cadet
31 instructor, when she was 15 and that over the next two
32 years Adams's was contact with her became increasingly
33 flirtatious and sexually suggestive. In January 2013, when
34 she was 17, [CJE] engaged in a sexual relationship with
35 Adams during a promotional camp at the Air Force Base at
36 Wagga Wagga.
37

38 The Royal Commission will hear that a third party
39 reported the sexual relationship to the Air Force Cadets
40 and reports were made to the NSW Police. In 2015, Adams
41 was ultimately convicted of two counts of having sexual
42 intercourse with [CJE] whilst she was under his special
43 care and was sentenced to two years imprisonment in
44 relation to child abuse involving [CJE] and two others.
45

46 [CJE] will give evidence that she was never informed
47 of the procedures for or possible outcomes of Air Force

1 Cadets' investigation and that she was frustrated by
2 the Air Force Cadets' slow responses. She will also tell
3 the Royal Commission that she was never informed that a
4 sexual relationship between an instructor and a cadet may
5 amount to a criminal offence by the instructor.
6

7 [CJG] joined the Air Force Cadets in New South Wales
8 also in 2009, at the age of 13. The Royal Commission will
9 hear that [CJG] also met Christopher Adams through the Air
10 Force Cadets when she was 15. She is expected to give
11 evidence that in 2013, when she was 17, Adams groomed her
12 and had sexual intercourse with her on at least three
13 occasions during Air Force Cadet courses.
14

15 In 2015, Adams was convicted under the special care
16 provisions for having sexual intercourse with [CJG] in the
17 same criminal proceedings in which the offences against
18 [CJE] were tried.
19

20 [CJG] will give evidence that she believes her
21 treatment by the Air Force Cadets and the manner in which
22 it handled this investigation led her parents to believe
23 that the situation was her fault and that it wasn't
24 serious. [CJG] says that her relationship with her family
25 has been destroyed.
26

27 The Royal Commission will hear that [CJJ] was an Air
28 Force Cadet staff member in New South Wales and attended
29 several promotion camps where [CJE], [CJG] and Adams were
30 present. [CJJ] is expected to give evidence that she
31 observed Adams sending sexual text messages to [CJE] and
32 reported her concerns about Adams's behaviour to Air Force
33 Cadet staff, but that she is not aware if any action was
34 taken.
35

36 [CJF] was an Air Force Cadet instructor and was
37 [CJE]'s support person during the Air Force Cadet
38 investigation into Adams's conduct. She's expected to
39 describe her experiences as a cadet instructor in the Air
40 Force Cadets, as well as her involvement in the Air Force
41 Cadets' handling of the complaint of a sexual relationship
42 between Adams and [CJE].
43

44 The Royal Commission will hear that CJF feels she was
45 bullied and refused a promotion as a result of speaking out
46 against the way the investigation was conducted and also
47 for involving the Director-General of the Air Force Cadets

1 in the investigation.

2
3 The Royal Commission will hear from a number of
4 institutional witnesses regarding their involvement in the
5 Air Force Cadets' response to the matter involving
6 Christopher Adams.

7
8 The documents tendered and the evidence provided by
9 witnesses in this public hearing are expected to assist in
10 the examination of the following issues: firstly, in
11 relation to Leeuwin and Balcombe, the contribution of an
12 unofficial although tolerated hierarchy within junior
13 recruits and apprentices to the perpetration of child
14 sexual abuse; the existence of an ADF culture that did not
15 support the reporting of child sexual abuse; the existence
16 or absence of policies on the making of complaints and the
17 effect this may have had on the disclosure of child sexual
18 abuse; and the responses of staff members in identifying
19 and responding to child sexual abuse.

20
21 Secondly, in relation to the response of defence and
22 the DVA to claims for entitlements and/or compensation, the
23 following matters: the eligibility requirements to access
24 compensation for historical child sexual abuse relating to
25 ADF service and whether these requirements are excessive
26 and/or achievable due to the nature of the complaint
27 procedures and the culture arising in both Leeuwin and
28 Balcombe; the process of compensation offsetting and how
29 this impacts on claimants' access to entitlements and/or
30 compensation; and the level of satisfaction these processes
31 provide to those seeking redress.

32
33 Thirdly, in relation to the ADF Cadets: the systems,
34 policies, procedures and training in place within the ADF
35 and ADF Cadets to identify and prevent child sexual abuse,
36 to respond to allegations of complaints of child sexual
37 abuse and to inform cadets, officers and instructors of
38 cadets of the age of consent, special care provisions and
39 any criminal sanctions applicable to persons involved in
40 child sexual abuse; whether these systems, policies,
41 procedures and training are impeded by any culture or
42 attitude existing among ADF Cadet personnel to the effect
43 that relationships between staff members and cadets are
44 unofficially regarded as acceptable; the internal
45 management of complaints or allegations of child sexual
46 abuse within ADF Cadets and the impact that approach may
47 have on the ADF Cadets' capacity to protect children; and,

1 finally, the impact of the ADF Cadets' internal
2 investigation mechanisms on criminal investigations.

3
4 It is anticipated that there will be evidence from
5 about 35 witnesses, and the public hearing was been set
6 down obviously commencing today and ending on Friday of
7 next week - that's Friday, 1 July. If your Honour pleases.

8
9 THE CHAIR: Thank you. Are there any preliminary matters
10 I need to resolve before we turn to the evidence?

11
12 MR STEWART: Not that I'm aware of, your Honour.

13
14 THE CHAIR: Very well. We will take the morning
15 adjournment now so that the cameras can be removed and then
16 we'll commence the evidence. Thank you.

17
18 SHORT ADJOURNMENT

19
20 THE CHAIR: Yes, Mr Stewart?

21
22 MR STEWART: Your Honour, the first witness will be a
23 witness who has been allocated the pseudonym [CJA]. The
24 witness's names and address are known to the Royal
25 Commission.

26
27 The witness will be assisted by his solicitor,
28 Mr Patrick Nunan, who will read his statement.

29
30 THE CHAIR: Mr Stewart, I meant to say to you, there are
31 some people in the hearing room obviously having difficulty
32 hearing you talking. I don't know whether your microphone
33 needs to be adjusted in any way, but we need to make sure
34 that you can be heard.

35
36 Sir, you have to be sworn to tell the truth. Would
37 you take an oath on the bible or an affirmation?

38
39 THE WITNESS: An affirmation, sir.

40
41 <[CJA], affirmed: [11.47am]

42
43 <EXAMINATION BY MR STEWART:

44
45 MR STEWART: Q. Mr [CJA], just before we start the
46 reading of the statement, I'd ask you to confirm it. If
47 you take a look at the statement which has been signed by

1 you and dated 31 May 2016, could you just confirm, is that
2 your statement? Can you confirm, Mr [CJA], is that your
3 statement dated 31 May 2016?

4 A. Yes, sir, I can confirm that.

5

6 Q. Thank you. You need not stand to answer my questions,
7 but thank you. Do you confirm that the statement is true
8 and correct?

9 A. Yes, I confirm the statement is true and correct.

10

11 MR STEWART: I tender the statement, your Honour.

12

13 THE CHAIR: That document will be exhibit 40-001.

14

15 EXHIBIT #40-001 STATEMENT OF WITNESS [CJA]

16

17 MR STEWART: Would your solicitor read the statement for
18 you perhaps commencing at the fourth paragraph.

19

20 MR NUNAN:

21

22 My full name is [CJA]. I was born in 1951
23 and I am 65 years old.

24

25 Growing up in Inverell, New South Wales, I
26 was the fifth oldest of a family that had
27 seven boys and one girl. My father was an
28 ex-British Royal Marine and my three older
29 brothers had been or were still serving in
30 the military when I joined the Navy in
31 1967.

32

33 My father emigrated from England and worked
34 in the radio industry and then later with
35 the Queensland Government. My mother spent
36 most of her time looking after the family.
37 The relationships in my family were mostly
38 healthy and we all got along generally well
39 together.

40

41 In 1966, when I was about 15 years old,
42 I applied to join the Navy as a junior
43 recruit. I admired my brothers because
44 they were not only serving their country,
45 but also had steady, well-paying jobs with
46 bright prospects for the future. In my
47 case, being dyslexic, I believed I had

1 minimal academic prospects in normal
2 schooling. My brother, who was in the
3 Navy, told me about his adventures and
4 encouraged me to join.

5
6 I received a letter from the Navy in early
7 1967 requesting that I report for a medical
8 examination and undergo suitability
9 testing. After completing these, I was
10 offered a position as a junior recruit on a
11 12-year enlistment contract.

12
13 On 7 July 1967, I was officially enlisted
14 in the Navy and sent to the Navy's Junior
15 Recruit Base at HMAS Leeuwin in Fremantle,
16 Western Australia. I was so excited to
17 start my life as a sailor and serve my
18 country in the Navy.

19
20 I arrived at Leeuwin by bus along with many
21 of the other junior recruits in my intake.
22 When we disembarked, the older recruits
23 greeted us by slamming their fists into
24 their palms and shouting threats of abuse
25 for money and cigarettes. This occurred in
26 front of the base staff. I felt
27 intimidated at the time and was concerned
28 given this was to be my "home" for the next
29 year.

30
31 I do not recall being told by any staff at
32 the time of any rules or who I should speak
33 to if I had any problems or concerns.
34 Instead, we were issued commands by the
35 base staff, mostly leading seamen, about
36 what to do and where to go.

37
38 We were initially shown our rooms. I was
39 placed in the Morrow Port Division and
40 accommodated in the second barracks. Each
41 of the five blocks that accommodated the
42 junior recruits were identical three-storey
43 brick buildings.

44
45 Soon after our arrival, we were introduced
46 to our division commander and some of his
47 staff. We were told, "Don't stuff up or

1 you'll feel the full force of Navy
2 discipline." There was never any, "If you
3 have any problems, my door is always open",
4 type of talks. However, we were told that
5 there was always a staff member in the
6 office in each accommodation block, and
7 that we should see him if we had any
8 questions. At some time later, I remember
9 being addressed by a Navy chaplain who
10 explained that his rank was chaplain, and,
11 as such, he was equal to all other ranks.
12 He said if we needed help they were always
13 there to help us.

14
15 I can't remember ever being given a booklet
16 about being a naval recruit. I am now
17 aware of the existence of a "recruits
18 handbook", but I never saw this handbook at
19 the time.

20
21 Shortly after arriving at Leeuwin, I was
22 required to report to the chief petty
23 officer who I believe was in charge of the
24 Naval Police. I was escorted to his office
25 by a shore patrolman. Whilst standing
26 before him, I innocently rested my hands on
27 his desk. The shore patrolman immediately
28 swung his arm hitting me in the chest. The
29 force knocked the wind out of me and sent
30 me flying across the room. I was totally
31 shocked by the response to what I felt was
32 a very minor breach of protocol.

33
34 From that point on, I learned that staff
35 could and did use physical force to punish
36 junior recruits. At one point I told the
37 chief petty officer that I felt that
38 something should be done about the brutal
39 behaviour at Leeuwin. He warned me that
40 I should just shut up, or my life may take
41 a turn for the worst if I were to pursue
42 the matter. I was left feeling hopeless
43 and lost. I was already homesick, but
44 after this, I became depressed and feared
45 for my life. I tried as hard as I could to
46 become invisible. It was made abundantly
47 clear to me that confiding and seeking help

1 from base personnel was pointless.

2

3 It wasn't only staff who used physical
4 force. Within a short time of being at
5 Leeuwin, the threats from the older
6 recruits progressed to bullying and
7 physical attacks.

8

9 I witnessed junior recruits in my intake,
10 otherwise known as the "new grubs", being
11 rounded up, stripped naked and forced to
12 run through long corridors while older
13 recruits hit them with pillows filled with
14 bottles, old cans and football boots. This
15 was a common practice known as the
16 "gauntlet". I too was a victim of these
17 gauntlets and suffered many injuries.

18

19 I was also a victim of "midnight raids"
20 which occurred while we slept. On these
21 occasions I was woken up by punches to the
22 face and the body by my attackers. I was
23 sometimes beaten on the genitals or had my
24 penis rubbed until I had an erection. On
25 some occasions, base staff participated in
26 these bashings. The night attacks, like
27 the gauntlets, were spasmodic and
28 irregular. I recall losing a tooth after
29 one of these raids.

30

31 On other occasions I was hauled out of bed
32 and thrown into cold showers or taken
33 outside and beaten by both older recruits
34 and base staff who hid their identities.
35 I recognised some of them as base staff
36 because they were physically bigger than
37 the recruits. On one of these attacks, I
38 was hit on the back multiple times with a
39 large lump of wood.

40

41 Following some of these attacks, I was
42 forced to carry other junior recruits on my
43 back while bent over or in a duck walk
44 position back to the barracks. This caused
45 me significant back pain, which I believe
46 was the start of my long-term back
47 problems.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47

I never reported the physical abuse I suffered to anyone at Leeuwin at the time of the event, nor did I always seek medical attention for the injuries I sustained. When I was being physically abused, the older recruits often said, "If you go to the medical section, pretend you ran into a door or fell off a bed. If you do, your life will be hell." Looking back, I'm not sure how much worse it could have been.

In addition to the physical abuse I suffered at Leeuwin, I was sexually abused by some of the recruits and also witnessed the sexual abuse of other junior recruits.

I was forced to take part in homosexual games. This included being forced to perform sexual acts on junior recruits, such as oral sex and masturbation. This mostly happened at night after rounds. Most of these attacks happened in the outside area concealed by trees and other times in our rooms or the bathrooms. Sometimes on the weekends, when there were fewer staff around, these attacks happened in broad daylight in open areas such as playing fields. Even when base staff did witness something suspicious, they just walked away. Sometimes base staff were involved.

On multiple occasions, I was snatched from my bed in the middle of the night by older recruits and dragged to a sports oval. I was forced to suck another junior recruit's penis or lick a junior recruit's anus. This was often after the junior recruit had been buggered by an older recruit and had been ejaculated into. Other times I was forced to have anal intercourse with other junior recruits, or I was raped by another junior recruit who was directed to do so by the older recruits or base staff. This happened repeatedly.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47

The environment made it useless to resist. One could stand only so much abuse before realising that saying "no" was pointless. After a while compliance and getting it over and done with seemed the best solution.

At no time during any of my abuse did any base staff come to my aid. The staff members who took part in the incidents were obviously not going to assist or rescue me, but even those base staff who were not directly involved, were not interested in prevention or interference. Each accommodation block had a staff room located on the bottom storey right next to the main entry. There was always at least one adult staff member on duty. Given this, staff must have heard what was going on.

I sometimes reported the abuse to base staff, but I ran into brick walls, thus it seemed pointless. A big deterrent to reporting was the sense of being a "dobber" and also the shame. At that point in my life, I knew little about sex, but knew that what was happening was intensely wrong. The violation was immense, and the shame was overpowering.

On a number of occasions, I wrote to my father about the "problems" I was having at Leeuwin. I did not describe in detail the abuse as I was too ashamed to tell my father what had happened to me. Instead, I wrote that I wanted him to help me get a discharge from the Navy. As the years went on the letters became more desperate. My father always replied with stories of his youth spent on the ships in the merchant navy, which had little utility to me. His advice otherwise was to "suck it up boy, I did, and it will make a man of you."

1 The first six months at Leeuwin were sheer
2 hell and the second six months were hell
3 built on bitter memories of hell. Often
4 during attacks, I went into some hiding
5 place inside myself. I guess this was one
6 of my ways of coping. Sometimes I would
7 cry deep sobs of bitterness, wondering why
8 my father didn't get it and get me out.
9 Sometimes I even cried out to God to kill
10 me. Sometimes I spent hours in hiding and
11 woke in the morning still in my hiding
12 place, just to be filled with a sense of
13 guilt and cowardice, because, unlike many
14 others, this time, I had escaped.
15

16 After about six months at Leeuwin, I was
17 entitled to go home on my first leave
18 break. When I went home, I tried to tell
19 my father what was happening at Leeuwin,
20 but I was too ashamed and disgusted. The
21 shame and disgust, mingled with
22 self-hatred, deterred me from telling my
23 father the full extent of my abuse.
24

25 To deal with my physical abuse, my father
26 paid for me to take boxing lessons. On
27 reflection, answering violence with
28 violence was probably not the help that
29 I needed, but my father saw this as a way
30 for me to at least defend myself against
31 the senior recruits. Upon my return to
32 Leeuwin I found this effective sometimes,
33 as I was able to physically defend myself
34 and thus deterred some of the senior
35 recruits from targeting me.
36

37 At some point, I made an appointment to see
38 the base chaplain, Chaplain Ball.
39 I disclosed to him the physical and sexual
40 abuse that was inflicted on both me and the
41 other junior recruits. When I asked him
42 what I should do about it, he replied,
43 "It might be better if you don't do
44 anything about it. If it ever got out that
45 you ratted on your predators, your life may
46 be in danger."
47

1 I was surprised by Chaplain Ball's response
2 and felt that he himself was scared.
3 I remembered I had been told that the
4 Navy chaplain had no rank and thus equal to
5 all ranks, meaning they could do anything
6 at any level, with no repercussions. This
7 didn't work in practice. I left the
8 chaplain's office hoping he would at least
9 bring my problem to the attention of the
10 base commander. Chaplain Ball never told
11 me whether he ultimately passed on my
12 concerns to the base commander or any other
13 staff member with authority at Leeuwin.
14

15 Despite this disclosure, the physical and
16 sexual abuse at Leeuwin did not stop.
17 I was frustrated that nothing was being
18 done to stop it. Due to the lack of
19 action, I approached a staff member on duty
20 in my block, and sought an interview with
21 my divisional officer, Lieutenant Commander
22 John Johnson. I was again discouraged by
23 the possible ramifications and as such did
24 not report to Lieutenant Commander Johnson.
25

26 The physical and sexual abuse whilst
27 lessening as my time there wore on, was
28 nonetheless relentless. Most of the time I
29 was too scared to report the abuse. I felt
30 that every time I did report, I was warned
31 against taking it further and discouraged
32 to raise any issues.
33

34 Towards the end of my first year at
35 Leeuwin, some of the junior recruits were
36 taken to Garden Island off the coast near
37 Perth for about a week. Staff accompanied
38 us on this trip, however, there was no
39 direct supervision in the barracks where we
40 slept. Although I was not physically or
41 sexually abused during this trip,
42 I witnessed other recruits being punched
43 and sexually abused via "games" such as
44 "milking the cow", which was where one boy
45 masturbated another recruit who had been
46 forced to undress and get on all fours.
47

1 I did not want to be part of these "games",
2 so I disappeared from the group and hid in
3 a small cave. While hiding, another junior
4 recruit came in and we spoke about how the
5 physical and sexual abuse was sub-human and
6 that as long as we were in the Navy, it
7 would continue to happen to us. The other
8 recruit told me he had also reported his
9 physical and sexual abuse to his superior,
10 but no action was taken.

11
12 When we returned to base we developed a
13 plan to escape Leeuwin. It was not my
14 intention to be on the run forever, just
15 long enough to be considered a "deserter"
16 and thus be given a court martial. I felt
17 this would provide a venue where I could
18 finally tell everyone, including the senior
19 base staff at Leeuwin, what I had
20 experienced and why I had run away. In my
21 mind, this would not only provide an
22 opportunity to expose the physical and
23 sexual abuse that was ongoing at Leeuwin,
24 but it would also allow me to make a
25 statement that would be recorded.

26
27 On April 29, 1968, the other recruit and
28 I escaped Leeuwin and headed to Kalgoorlie.
29 We worked there for a short time to support
30 ourselves. When we felt we had been away
31 long enough, we surrendered ourselves to
32 the Kalgoorlie police station, where we
33 were locked up.

34
35 After a few days, we were taken back to
36 Leeuwin by two shore patrolmen who roughed
37 me up. When I arrived back at the base,
38 I was transferred to a lock-up cell where I
39 was kept for a number of weeks. The other
40 recruit was kept in a different cell.
41 I wasn't aware of how long I was to be
42 locked up, but assumed it would be until a
43 court martial was convened.

44
45 During the day, I was let out to complete
46 punishment chores, such as washing dishes
47 and scrubbing pots. Whilst in the kitchen

1 I learnt a valuable lessons of what
2 happened to those who complained about the
3 food. I watched a cook masturbate and
4 ejaculate into an officer's mashed potatoes
5 before returning it to the officer who had
6 complained. I was also required to spend
7 time each evening running around the parade
8 ground holding a rifle above my head. This
9 was carried out regardless of the weather
10 and was the discipline enforced on me for
11 running away. This punishment was easy
12 compared to what I experienced at night in
13 the lock-up.

14
15 At night, I was physically and sexually
16 abused multiple times by the Navy police.
17 The sexual abuse consisted of oral sex,
18 masturbation and buggery. I felt that
19 I had no choice but to surrender to this
20 abuse. There was nowhere to run, hide or
21 escape. I was locked in a small cell and
22 was subject to the control of the Navy
23 police. I didn't immediately report the
24 abuse inflicted on me in the cell, as
25 I feared retribution, and with no way to
26 escape, I feared it would be merciless.

27
28 During my time in the lock-up I wrote a
29 number of letters to the commanding officer
30 indicating that I wanted a discharge from
31 the Navy because I was unhappy. No-one
32 ever asked why I was unhappy or why
33 I escaped Leeuwin.

34
35 After a few weeks in the lock-up, my court
36 martial date finally came. I had very
37 little knowledge about the process other
38 than what I had heard on the grapevine.
39 Prior to my court martial, I was visited by
40 a commissioned officer who asked if
41 I wanted to resolve my issues in some other
42 way. The only thing he told me was that
43 the court martial process was very
44 expensive for the Navy. I told him I still
45 wanted the court martial, as I felt this
46 was the only way my objectives could be
47 realised.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47

The day prior to the court martial Lieutenant Commander Johnson visited me in lock-up. He told me I could select a representative to testify on my behalf and asked if I wanted him to represent me, to which I replied yes. I really didn't know him that well, as I only had an official relationship with him, but assumed he would do right by me.

During Lieutenant Commander Johnson's visit he asked me what I really wanted to achieve out of the court martial. I told him that I wanted to be discharged from the Navy. I then proceeded to tell him all about the physical and sexual assaults that I experienced, including the abuse that I suffered by the Navy police in the lock-up. I told him I wanted it on record just what had pushed me to take such drastic action in deserting.

Lieutenant Commander Johnson tried to convince me to stay in the Navy as he said he felt I would make a good sailor, and that my performance was beyond reproach and academically I was doing well. I told him I couldn't take the bastardisation any more and I really wanted to leave the Navy. Eventually he conceded and said that he would help me and that I should let him do all the talking at the court martial.

Finally, I felt like I was being heard and that I could trust Lieutenant Commander Johnson to expose what had been happening at Leeuwin. I didn't just want the Navy to know. I wanted the world at large to know, and for necessary changes to be made. I felt that surely, if the situation at Leeuwin was exposed, action would be taken to correct it.

At my court martial Lieutenant Commander Johnson told the court that I was troublemaker, did not work at my studies or

1 my duties and that I would never make a
2 good seaman. He never mentioned the
3 reasons why I had escaped Leeuwin nor the
4 physical and sexual abuse I experienced. I
5 was in total shock. This was the complete
6 opposite to the conversation we had
7 previously had. I felt like I had been
8 completely duped and thus didn't pay
9 attention to the rest of the proceedings as
10 my mind was reeling from the betrayal that
11 I felt.
12

13 I was not given an opportunity to say
14 anything at the proceedings and ultimately,
15 I recall that the judge made a decision to
16 dishonourably discharge me. He chastened
17 me for the dishonour that I had brought on
18 the good name of my family and the
19 Royal Australian Navy. All my back pay,
20 savings, leave pay and pension rights were
21 taken.
22

23 On 17 June 1968, which I believe was the
24 day after the court martial, I was
25 dishonourably discharged and sent home. At
26 that time, I felt caught between two
27 emotions. On one hand, I was elated that I
28 was finally being released from hell and on
29 the other hand, I felt betrayed. I was not
30 given the opportunity to put on record my
31 experiences and what had driven me to such
32 extreme measures. I went home feeling like
33 a total failure.
34

35 Instead of feeling equipped with
36 life skills, my experience at Leeuwin only
37 taught me how to fight and defend myself,
38 and how those with authority could not be
39 trusted.
40

41 As I took the long and arduous train trip
42 back to Brisbane, I felt ashamed that I was
43 in a uniform without insignia or markings,
44 as I had been told that this was regarded
45 as a public disgrace. My real regret was
46 that the criminals who had inflicted such
47 indignity and pain on others were free to

1 continue with their ghoulish predatory
2 behaviour of destroying many more boys'
3 lives. I didn't raise any of the issues
4 with my family, and they didn't raise them
5 with me. I don't know why. I did however,
6 talk a little to my mother, and she just
7 hugged me and said, "You're home now son,
8 and you're safe."
9

10 By keeping myself busy, my mind didn't go
11 to the places that hurt, this allowed me to
12 at least function. In mid-1969, when I met
13 my future wife, I realised if I was going
14 to be a good husband and father, I needed a
15 well-paying and secure job to support them.
16 Thus, I joined the RAAF in September 1969
17 and after graduating from basic training at
18 RAAF Base Edinburgh, I headed straight to
19 Brisbane where I wed on December 22.
20

21 In about June 1971, while I was serving as
22 an aircraftman in the RAAF, I was told that
23 there was an inquiry into the
24 bastardisation and abuse at Leeuwin, and to
25 report to a Judge Rapke in Sydney. In my
26 mind, I thought at last, someone was going
27 to fix what was occurring at Leeuwin.
28

29 I have since found out that prior to
30 reporting to Judge Rapke, my parents wrote
31 to the Minister for the Navy in April 1971
32 responding to a newspaper report of abuse
33 at Leeuwin. A couple of days later I
34 understand the Minister responded to my
35 parents and my parents subsequently met
36 with Judge Rapke, where they discussed
37 their recollection of my experiences at
38 Leeuwin and the discussions that they had
39 with me about the abuse that I experienced.
40 I was not aware of the letters or this
41 meeting at the time.
42

43 On 15 June 1971, I was flown to Sydney to
44 report to Judge Rapke. Upon arrival at
45 HMAS Sydney, I was escorted to the judge's
46 room by a shore patrolman. While being
47 escorted, the shore patrolman said to me

1 words to the effect, "If you say anything
2 about what happened at Leeuwin, other than
3 it being just boys being boys, you're going
4 to pay a very dear price. We know where
5 you are now and we have people at the top
6 in all services. Your Air Force career
7 will end in disgrace if you say anything."
8

9 Initially, I was angry and wanted to tell
10 him to get stuffed and that I was going to
11 tell the complete story. However, while
12 waiting to see the judge, I thought about
13 my responsibility to my young family, and
14 I didn't want them to pay any price for
15 what happened to me. The intimidation
16 worked and I limited my statements to the
17 judge to only implicate some of the junior
18 recruits in the vile bastardisation. While
19 I didn't lie, I did not tell him the
20 complete story either.
21

22 As a 20-year-old airman holding a junior
23 rank, I was extremely nervous as I entered
24 the judge's room. I don't recall a lot of
25 what Judge Rapke asked me, however, to the
26 best of my memory, I was frank in my
27 explanations of being both a witness to,
28 and a victim of, the bashings and the sex
29 games the recruits played. I gave him some
30 of the names of the ringleaders amongst the
31 recruits and the judge asked whether any
32 staff members at the base were involved in
33 the bastardisation. This seemed to me to
34 be the main point of the inquiry. His
35 questions were more like statements:
36 for example, "There were no staff members
37 involved, right." And, "It was really just
38 boys being boys, right." I don't remember
39 if the judge asked me if I tried to report
40 the abuse, but I hoped that by the way
41 I answered him, he would somehow understand
42 I had been threatened and, yes, there had
43 been staff members involved.
44

45 The entire interview was brief. As I left,
46 I felt that the only reason the inquiry had
47 been conducted was to protect and exonerate

1 staff members who had served at Leeuwin.
2 I felt that nothing would result from the
3 inquiry and, as time proved, I wasn't
4 wrong. I again felt that I had been denied
5 justice by an institution of "old boys"
6 looking after each other.
7

8 After starting as an aircraftsman in the
9 airframe trade in the RAAF, I retired some
10 21 years later as a warrant officer
11 engineer. This was the highest rank
12 I could attain without being commissioned.
13 During my time in the RAAF, apart from
14 meeting with Judge Rapke, I never disclosed
15 to anyone the details of the physical or
16 sexual abuse that I had experienced at
17 Leeuwin.
18

19 In early 2013, my brother told me about the
20 Defence Abuse Response Taskforce (DART) and
21 the reparation scheme they had in place for
22 survivors of abuse in the
23 Australian Defence Force.
24

25 In October 2013, I completed the forms and
26 submitted them to DART. In this report,
27 I detailed my personal account of the
28 bullying and the physical and sexual abuse
29 I had experienced at Leeuwin. I also spoke
30 of the reports I had made to the chaplain
31 and other staff members at Leeuwin,
32 including Lieutenant Commander Johnson.
33

34 In April 2014, the DART awarded me
35 compensation for the physical and sexual
36 abuse I suffered at Leeuwin. I was also
37 offered restorative engagement and
38 counselling, both of which I accepted. The
39 counselling process was in some ways
40 inadequate, as I lived overseas and the
41 only option offered was via video over the
42 internet. To complicate this, I had
43 service related hearing difficulties, which
44 negatively impacts electronic
45 communication. I felt happy with the
46 restorative engagement process. Overall,
47 I felt that the response by the DART has

1 not been totally adequate, as my
2 expectations were not fully met. I concede
3 that my expectations might have exceeded
4 their given objectives.

5
6 In 2014, I had a number of conversations
7 with RSL advocates who advised me that
8 I would require doctor's reports and
9 official documents, authored at the time of
10 my sexual abuse before I could make a claim
11 for any compensation from the Department of
12 Veterans' Affairs. I gave up on pursuing
13 this avenue, as to the best of my
14 knowledge, no such evidence existed.

15
16 On 28 October 2014 I made a civil claim
17 against the Australian Defence Force. My
18 lawyers wrote to Defence proposing we enter
19 into alternative means of dispute
20 resolution to avoid the expense and delay
21 of a court hearing. The response from
22 Defence to this was positive and
23 cooperative. My experience has been that
24 Defence has been non-adversarial,
25 cooperative and helpful in attempting to
26 settle my claim informally. My claim is
27 currently in the process of settlement
28 negotiations.

29
30 Despite the time it had taken, the informal
31 settlement protocols adopted by Defence
32 have been effective and relatively stress
33 free for me. It would appear that most of
34 the delays in the process have been caused
35 by the lack of cooperation by the DVA who
36 have been exceedingly slow in responding to
37 questions asked of them. In particular,
38 I requested my lawyer ensure that my
39 current status with the DVA not be affected
40 by my civil claim. Accordingly, he wrote
41 to them, but it has taken the DVA many
42 months to respond.

43
44 On 21 March 2016 the DVA sent me a letter
45 stating that: "Could you have your client
46 review the list and identify which medical
47 expenses relate to his claim. Once the

1 list is received I will be able to advise
2 you of the amount (if any) the department
3 will be seeking to fully recover under the
4 provisions of section 93 of the Veterans'
5 Entitlement Act 1986." This claim has not
6 been finalised.

7
8 The impact and sexual abuse at Leeuwin has
9 had a deep and far-reaching impact on my
10 life.

11
12 As a result of the anxiety and stress from
13 the memories of the abuse, my heart began
14 to beat very fast and I was left completely
15 overwhelmed. I was eventually diagnosed
16 with a condition called paradoxical
17 arterial fibrillation, which means that my
18 heart sometimes beats irregularly, which in
19 my case is at about 230 beats per minute.
20 I believe that this condition may have been
21 caused by the ever-present stress and
22 trauma from the abuse.

23
24 The abuse has affected my relationships
25 with my wife and son. I am often very
26 cranky, although I really try not to be.
27 My son is an affectionate child, and often
28 wants to be physically close, and while
29 I have no problems with this, I sometimes
30 find it uncomfortable and have often had to
31 remove myself from the situation. He sees
32 this as rejection. However, because of his
33 age, I can't explain to him why I have this
34 reaction to him. I often worry about the
35 long-term effect of my behaviour towards
36 him.

37
38 I also have many nightmares relating to my
39 experiences at Leeuwin. While I am having
40 these nightmares, I punch and kick and
41 occasionally my poor wife has been on the
42 receiving end. On other occasions, I have
43 thrown myself out of bed and incurred
44 injuries from this. We now sleep in a
45 king-sized bed with pillows between us to
46 provide some level of protection for her.

47

1 As a result of the sexual abuse, I distrust
2 men and I am unable to form normal male
3 relationships. I have forgiven those who
4 offended me, but I have not forgotten. The
5 pain never leaves and I believe that it has
6 caused deep-seated damage that has never
7 been repaired.

8
9 There are no circumstances in which
10 violence and sexual assault is acceptable.
11 Defence should wholeheartedly acknowledge
12 what happened to the victims of abuse.
13 Each victim should receive a personal and
14 written apology from Defence admitting its
15 failure in preventing the acts of physical
16 and sexual abuse and for the miscarriage of
17 justice in their handling of, and their
18 response to, the abuse.

19
20 My discharge from Leeuwin is recorded as
21 "services no longer required" and
22 "unsuitable". At my request this has now
23 been amended. It has been reviewed and
24 changed to "discharge at own request".
25 I felt this same option should be made
26 available to all the other victims.

27
28 Realistic compensation should be made to
29 all victims for the physical and sexual
30 abuse experienced while under the care and
31 guardianship of Defence. Compensation
32 should also be made for the inaction of
33 Defence, particularly relating to
34 complaints made at the time, to Navy
35 personnel. In addition, all moneys and
36 entitlements that were forfeited as
37 punishment, such as pay, leave pay,
38 savings, and pension entitlements should be
39 reinstated and reimbursed at today's value.

40
41 The DVA should accept the claims of victims
42 based on the strength of existing evidence.
43 Medical and psychological conditions
44 resulting from their mistreatment at
45 Leeuwin should be accepted by the DVA as
46 service-related conditions, regardless of
47 the time that has elapsed between the

1 events and the application being submitted.
2 In addition, compensation paid in any form
3 should not negatively impact any future
4 claims for Leeuwin related medical
5 conditions being accepted by the DVA. It
6 should also not affect the level of support
7 provided by the DVA.

8
9 The DVA should also issue appropriate
10 statement of principles to cover the
11 medical and psychological conditions that
12 have manifested in the victims of the
13 abuse, regardless of whether or not they
14 have ever served in war or warlike zone.
15 Professional assistance should also be
16 given to the victims in completing DVA
17 applications."

18
19 MR STEWART: No questions for the witness, your Honour.

20
21 THE CHAIR: Does anyone else have any questions?

22
23 MS McLEOD: No questions, thank you, Commissioner.

24
25 THE CHAIR: No questions? Yes, thank you, Mr [CJA].
26 Thank you for your evidence. You are excused.

27
28 THE WITNESS: Thank you, sir.

29
30 <THE WITNESS WITHDREW

31
32 MR STEWART: Your Honour, the next witness is Mr Graeme
33 Andrew Frazer.

34
35 <GRAEME ANDREW FRAZER, sworn: [12.33pm]

36
37 <EXAMINATION BY MR STEWART:

38
39 MR STEWART: Q. Thank you, Mr Frazer. Do you have
40 before you a copy of a statement signed by you and dated
41 2 June 2016?

42 A. Yes, I do.

43
44 Q. I understand that there are a few corrections or
45 changes you wish to make to that statement; is that
46 correct?

47 A. That's right, three paragraphs.

1
2 Q. Could I take you to them and you can correct me if
3 I've got them wrong. At paragraph 16, I understand that at
4 the end of the first line you would add the words "some
5 of" - in other words, it would read, "started to physically
6 abuse some of the new recruits"; is that right?
7 A. That's correct.
8
9 Q. At paragraph 46, in the second-last line, the fifth
10 word is the word "home" and you would delete that and
11 replace it with the word "apartment"; is that correct?
12 A. After "case" - "Ultimately", that sentence --
13
14 Q. I beg your pardon?
15 A. After "case", full stop, that last sentence is
16 deleted.
17
18 Q. Are you on paragraph 46?
19 A. Oh, sorry. Yes. Yes.
20
21 Q. Paragraph 46?
22 A. Yes.
23
24 Q. Sorry, I think we may have been at cross-purposes.
25 I understand that in the second-last line where there is
26 the word "home", you wish to change that to "apartment"; is
27 that right?
28 A. Yes, yes, that's correct.
29
30 Q. The third one is paragraph 63; is that right?
31 A. In paragraph 46, as well, that last sentence is
32 deleted.
33
34 Q. Okay, I missed that, thank you. So the sentence
35 "Ultimately Legal Aid continued to act for me during the
36 AAT hearings", is to be deleted?
37 A. Yes, that's right.
38
39 Q. Thank you. In paragraph 63, there are a few changes
40 here. I understand it is to read as follows, and I'll
41 indicate where I've made insertions:
42
43 There are some people in Defence who still
44 think that it is okay to break people down
45 by whatever means necessary, but I hope
46 that things change so that ...
47

1 And then you would insert "in the future" is that right?
2 You're nodding?

3 A. Yes.

4

5 Q. "... the victims are seen", and then you would delete
6 the next two words and replace them with "for what they
7 are"?

8 A. Yes.

9

10 Q. "and not", and insert the word "simply"
11 "as members of the Defence Force that submitted to a
12 process", and then you would add at the end, "subtly
13 condoned by military institutions"; is that correct?

14 A. Yes, that's right.

15

16 Q. Subject to those amendments do you confirm your
17 statement as being true and correct?

18 A. I do.

19

20 THE CHAIR: That will become exhibit 40-002.

21

22 EXHIBIT #40-002 STATEMENT OF GRAEME ANDREW FRAZER
23 DATED 02/06/2016

24

25 THE CHAIR: Q. Should we understand that you appeared
26 for yourself at the AAT hearing, is that what happened?

27 A. Initially, I did, which was not - sorry, it wasn't the
28 AAT. I did have a lawyer representing me.

29

30 Q. You didn't have Legal Aid, but you had a lawyer
31 instead of Legal Aid?

32 A. I had a lawyer, yes.

33

34 MR STEWART: Q. Mr Frazer, I invite you to read your
35 statement, perhaps commencing at paragraph 3.

36 A. Thank you. "My full name is Graeme Andrew Frazer. I
37 was born in 1951 and I am 65 years old.

38

39 I had a very happy childhood growing up in Sydney,
40 surfing and playing sport. I was also involved in Scouts
41 and in the local Anglican Church youth group, however,
42 I didn't enjoy school that much. Overall, I would say
43 I had a pretty sheltered upbringing.

44

45 My father was keen to get me into a secured
46 profession, so I signed up to the Navy as a Junior Recruit.
47 Even though I was colour-blind, short and left-handed,

1 I hoped that there would be something in the Navy that
2 I would be good at. Prior to my admission, I saw a Navy
3 psychologist and my parents signed a consent form because I
4 was only aged 16.

5
6 HMAS Leeuwin
7

8 After being admitted, I travelled with my intake of
9 over 100 boys to the Navy training base (HMAS Leeuwin) in
10 Western Australia. This was only the second time I had
11 travelled without my parents.
12

13 I arrived at Leeuwin in July 1967 to undertake
14 12 months of Navy training. Four intakes a year were sent
15 to Leeuwin for training. I was part of the 20th intake at
16 Leeuwin.
17

18 Each intake of recruits prior to our intake were our
19 seniors. When we arrived, the senior recruits shouted at
20 us as we got off the bus. All the recruits at Leeuwin were
21 about the same age, around 15 or 16 years old.
22

23 My intake was split into six different divisions.
24 I was put into the 'Rhodes Starboard division'. I attended
25 classes, trained and slept in the same dormitories as the
26 boys in this division. A copy of a photograph of my
27 'Rhodes Starboard division' is here. I am in the front row
28 to the right of the shield.
29

30 The dormitories were long, two-storey buildings with
31 bathrooms. The dormitories were arranged in cubicles with
32 four boys sleeping in each cubicle. A copy of a Navy
33 promotional photograph is here. I am the first boy on the
34 left. We are sitting in one of the cubicles in the
35 dormitory.
36

37 We had daily classes which were taken by instructors
38 who I think were lieutenants. Other non-commissioned
39 officers, such as petty officers and leading seamen,
40 supervised the recruits but they did not teach us. These
41 staff would mainly be around Leeuwin during the day and
42 would be in charge of us when we had to march to different
43 classes or go on boats.
44

45 A divisional officer named Frank McCarthy was in
46 charge of our recruit group. Recruits could go to him if
47 they needed things like compassionate leave. We were given

1 the Junior Recruit Handbook which noted that recruits could
2 make a request to see the divisional officer if,
3 for example, they had any problems at Leeuwin.
4

5 In addition to these Navy officers, two boys in each
6 intake were appointed as Leading Junior Recruits by the
7 class or by the administration. The Leading Junior
8 Recruits were in charge of discipline and cleanliness
9 amongst the recruits. I believed at night, the Leading
10 Junior Recruits were in charge because the adult NCOs were
11 mainly present at Leeuwin during the day while we were in
12 classes.
13

14 Training at Leeuwin consisted of both educational
15 studies like maths and science and military seamanship
16 training.
17

18 The military seamanship training included navigation
19 skills and drill. Drill was particularly difficult for me
20 as I was left-handed and everything had to be done
21 right-handed. I remember making mistakes and often being
22 called out to the front of my class and made fun of by the
23 instructors. This training was also difficult for me
24 because my colour blindness meant that I had problems
25 distinguishing between red and green and I could not,
26 for example, read flags or see the difference between port
27 and starboard markers during sailing or rowing instruction.
28

29 When I made a mistake the whole class had to re-do the
30 task and would have to do after hours or punishment drills
31 as a consequence. As a result of this, my class identified
32 me as being a liability and so some in my class frequently
33 mocked and intimidated me. I was given the name of 'Fairy'
34 and this name remained with me for the duration of my time
35 at Leeuwin.
36

37 Physical abuse at HMAS Leeuwin 38

39 A week or two after arriving at Leeuwin, some of the
40 senior recruit started to physically abuse some of the new
41 junior recruits. The senior recruits would regularly come
42 to the junior dormitories at night and order us around and
43 get us to polish their shoes and iron their shirts. They
44 also made us give them cigarettes and protection money.
45

46 After a while a specific group of senior recruits
47 started coming into my dormitory on a regular basis after

1 the evening meal with the purpose of intimidating me.
2 I was punched, kicked and beaten up on several occasions
3 and I am certain that at one time my nose was broken and it
4 felt like one or two of my ribs were as well. I never
5 reported this to the sick bay for fear of repercussion.
6 I did not fight back or resist senior recruits. I tried to
7 maintain my dignity.

8
9 The senior recruits would sometimes make junior
10 recruits run down a corridor in the dormitory with people
11 hitting them with sacks filled with irons, boots and other
12 items. They called this 'the Gauntlet'. On two occasions
13 I was made to return the Gauntlet. One of these was in the
14 evening after mealtime. Whilst running I was hit on the
15 head by a pillowcase which had a heavy object in it. The
16 blow forced me against the wall and I fell down
17 unconscious. When I came to, the dormitory was deserted
18 and I lay there for some time with blood coming from my
19 head. I recall a leading junior recruit appearing some
20 time later. I think he tried to assist me. I cannot
21 recall the rest of that night, but I know I did not go to
22 sick bay.

23
24 The senior recruits would also force us to fight them
25 or each other. One evening I was taunted by a senior
26 recruit outside a dormitory into fighting him. Everyone
27 was watching us and there were even recruits watching from
28 the second storey of the dormitory. The senior recruit
29 said, 'Come on Graeme, I'll give you the first punch.'
30 I punched him and I think I broke his nose. After I hit
31 the recruit, I ran for some time, then hid, and later dug a
32 hole under the wire fence that surrounded the depot and
33 kept running. But I had nowhere to go and no-one to call.
34 This fight really got to me. I felt like the senior
35 recruits had broken me because I did what they wanted me
36 to.

37
38 I didn't go to the sick bay for any of the injuries
39 I sustained from this physical abuse because people might
40 have asked questions. You just don't 'dob'. If you
41 reported the abuse the senior recruits would get into
42 trouble and there would be ramifications for you.

43
44 Sexual abuse at HMAS Leeuwin

45
46 While at Leeuwin, I was also sexually abused. This
47 consisted of what was called 'nuggeting' which involved

1 being held down and stripped naked, while your genitals
2 were covered in boot polish. Nuggeting did not happen to
3 everyone at Leeuwin but it was not uncommon. Between July
4 1967 and the beginning of 1968, I was nuggeted twice.
5

6 The first occasion occurred in my dormitory at night
7 by senior recruits. They stripped me, held me down and
8 then applied boot polish with a hard bristle brush to my
9 genitals. It was extremely painful. They then had me
10 parade around naked in front of the other recruits. It was
11 humiliating.
12

13 The second time I was nuggeted by recruits from my own
14 class. I think they saw me as an easy target because I did
15 not usually fight back when I was being picked on.
16

17 I did not characterise it as sexual abuse at the time
18 but looking back, I can see that it was.
19

20 Reporting abuse at HMAS Leeuwin 21

22 In 1967, I made two reports to McCarthy about the
23 abuse and bastardisation I was receiving from the senior
24 recruits. I cannot now remember the exact details of each
25 report, but I know I followed the formal procedure for
26 making a complaint set out in the Junior Recruit Handbook.
27

28 I made my first complaint after I was made to run the
29 'gauntlet' and was left unconscious. I made my second
30 complaint after I was nuggeted by the senior recruits.
31 I decided to report because it was all just getting too
32 much for me. I had decided to take an attitude of not
33 fighting against the abuse, hoping it would stop, but this
34 was just not working.
35

36 Both times I made my complaint in writing. I cannot
37 remember precisely what I wrote, but I complained about
38 being 'picked on' and that I was copping harsh treatment
39 from the senior recruits. I don't recall mentioning the
40 'nuggeting' or any specific incidents of abuse because I
41 was too embarrassed and I was afraid of retribution.
42

43 Shortly after making the complaints I was told to go
44 to McCarthy's office where I spoke to him about my written
45 complaints. I told McCarthy about the physical abuse and
46 bastardisation I was receiving from the senior boys.
47 McCarthy replied that this was a 'rite of passage to the

1 real navy.' He also said, 'We'll teach you how to box' and
2 'you'll get through.' The overall message I got from
3 McCarthy was that I had to put up with it.
4

5 I left this meeting feeling devastated because there
6 was nothing more I could do to try to stop the abuse. I
7 was fearful because I could not get away from it.
8 Following my discussions with McCarthy, I knew nothing
9 would be done in response to my formal complaints, nor
10 would anything be done to stop the behaviour. It was like
11 a year-long initiation and the officers in charge knew it
12 was happening and allowed it to happen. The whole
13 experience made me feel like I, not the system, was to
14 blame.
15

16 Life after HMAS Leeuwin 17

18 I finished my 12 months training at Leeuwin in 1968
19 and I moved to Nowra to work at the naval base
20 HMAS Albatross.
21

22 I remained in the Navy for my 12-year term until 1979.
23 I left the Navy with the rank of leading seaman.
24

25 While living in Nowra I became more involved in the
26 community by coaching soccer and cricket as well as being a
27 regular churchgoer. After I left the Navy, I spent a year
28 at Nowra High School and matriculated to university.
29 I completed three degrees at Sydney University and then
30 worked in hospitals as a social worker in both Sydney and
31 Tasmania.
32

33 Around 1995, I developed a neurological condition.
34 This condition caused me great pain in my limbs. I retired
35 in 1998 as a result of this condition. I had also been
36 battling with anxiety and depression.
37

38 After being off work for about 12 months, I started to
39 look for some work that I could do even though I was still
40 unwell.
41

42 In about December 2000, I went to the
43 Commonwealth Rehabilitation Centre and my case worker
44 suggested that we discuss job interview techniques. I told
45 her I was unable to do interviews in small rooms because it
46 brought back painful memories of my time at Leeuwin. These
47 rooms reminded me of the cubicles where I had been dragged

1 into and bashed, kicked and punched on a number of
2 occasions. I then revealed to her (for the first time
3 ever) my experiences as a junior recruit. After hearing
4 what I said she encouraged me to approach the Department of
5 Veterans' Affairs to claim financial assistance for my past
6 and ongoing medical costs.

7
8 Prior to this conversation, I was not aware of my
9 ability to claim compensation or receive treatment for my
10 conditions from the DVA.

11
12 Original Claim to DVA through Military Compensation
13 and Rehabilitation Service.

14
15 In February 2001, I made a claim to the Military
16 Compensation and Rehabilitation Service through the DVA for
17 various injuries, including anxiety and depression, which
18 I believed was a result of the bastardisation and physical
19 and sexual abuse which I received during my training at
20 Leeuwin. MCRS advised that there were no incident reports
21 on my personnel file that supported my claim. They also
22 requested reports from specialists who had treated me in
23 the past.

24
25 On 24 September 2001, the MCRS rejected my claim for
26 compensation and denied that the Navy was liable for my
27 injuries because there were no incident reports or medical
28 documents to substantiate my claim. I later found out that
29 my two written complaints could not be found by the Navy.

30
31 In October 2001, I requested that this decision be
32 reconsidered by the MCRS.

33
34 The following month I received a letter from the MCRS
35 which stated that they were having trouble substantiating
36 my claim because there was no evidence of bastardisation
37 and abuse on my file to corroborate my claim. The DVA
38 asked me for corroborating evidence and the names of any
39 witnesses.

40
41 Within a couple of weeks I provided the MCRS with more
42 information about my abuse and the reason why I had not
43 lodged a claim before this time.

44
45 In March 2002, I received a letter from the MCRS
46 stating that they had decided to uphold the MCRS's original
47 decision and denied that the Navy was liable for my

1 injuries.

2
3 I found that my interactions with the MCRS and DVA
4 about this claim very difficult because they just did not
5 accept that the abuse happened to me without corroborating
6 evidence.

7
8 Appeal to Administrative Appeals Tribunal

9
10 I just could not accept that the MCRS and the Navy
11 would not acknowledge my abuse at Leeuwin and that it had
12 caused me very significant and lifelong injuries. I felt
13 this was a wrong that needed to be made right and that is
14 why I decided to appeal the MCRS's decision to the
15 Administrative Appeals Tribunal in April 2002.

16
17 Approximately two weeks prior to the AAT hearing,
18 Legal Aid, who had represented me for a long period of
19 time, suddenly withdrew their aid. They said it was
20 because I owned an apartment even though I had told them
21 about this at the start of the case. I had to also appeal
22 this decision which caused me great anxiety because I knew
23 that I would have to sell my apartment to pay the legal
24 bills if I lost the case.

25
26 The AAT hearing was held on 27 July 2004 and went for
27 7 days. The MCRS vigorously defended my appeal, including
28 calling medical witnesses at the hearing to say I had
29 personality disorders before I started at Leeuwin and
30 questioned my credibility and the credibility of my friend,
31 and fellow victim, who gave evidence at the hearing.

32
33 On 24 December 2004, the AAT delivered its decision.
34 It held that the MCRS was wrong and found that I had been
35 abused while I was at Leeuwin and that this abuse had
36 resulted in my injuries. The judgment acknowledged that
37 there was a culture of 'bullying, harassment, intimidation,
38 bastardisation, victimisation and violence' at Leeuwin and
39 'that such activity was either effectively condoned by the
40 officers in control of the facility, or that no effective
41 steps were taken to wipe out or minimise these practices.'
42 This was the first time that someone in authority
43 acknowledged my abuse.

44
45 After the decision by the AAT, the MCRS disagreed with
46 the level of compensation and as a result, my claim was to
47 go before the AAT again. The issue, however, was finally

1 settled by both parties prior to any further action.

2
3 I have since had various other dealings with the DVA
4 and MCRS regarding the calculation and payment of my
5 incapacity benefits and permanent impairment compensation.
6 These interactions continue to be very difficult because of
7 the level of proof they require to substantiate claims.

8
9 Defence Abuse Response Taskforce

10
11 I approached the Defence Abuse Response Taskforce in
12 October 2013 to share my experiences at Leeuwin.

13
14 My dealings with DART were completely different to my
15 dealings with the DVA and MCRS. DART were very responsive
16 to my situation and it felt like they were really trying to
17 understand what I had been through.

18
19 As part of the reparation process, DART organised for
20 me to meet with a senior officer of the Navy. I met with
21 Commodore Martin Brooker in Hobart and he assured me that
22 he would do whatever he could to try and make sure that the
23 situation that had happened to me wouldn't happen again.

24
25 Prior to my involvement with DART, no-one in the Navy
26 or the Department of Defence had ever acknowledged my abuse
27 at Leeuwin, let alone ever apologised.

28
29 I ultimately received a maximum \$50,000 payment from
30 DART.

31
32 Since my dealings with DART, I have pursued a claim
33 against Defence for loss and damages as a result of my
34 abuse at Leeuwin.

35
36 Impacts of the abuse

37
38 The abuse has affected me in my social interactions
39 and my mental health. For example, I do not feel
40 comfortable in groups of people and I am not a very social
41 person. This is evidenced by the fact that I had only one
42 brief relationship in 42 years, prior to meeting my wife.

43
44 My anxiety was so severe that job interviews were
45 distressful and it took 17 interviews before I was accepted
46 for a position as a social worker.

1 MS McLEOD: No questions, thank you, your Honour.
2
3 THE CHAIR: Thank you, Mr Frazer. Thank you for your
4 evidence, you're excused.
5
6 THE WITNESS: Thank you.
7
8 <THE WITNESS WITHDREW
9
10 THE CHAIR: We will take the luncheon adjournment.
11
12 LUNCHEON ADJOURNMENT
13
14 MR STEWART: The next witness, your Honour, is [CJT]. He
15 is in the witness box.
16
17 <[CJT], sworn: [2.05pm]
18
19 <EXAMINATION BY MR STEWART:
20
21 MR STEWART: Q. Mr [CJT], your names and address are
22 known to the Royal Commission. Do you have before you
23 a copy of your statement dated 25 May 2016?
24 A. Yes, I do.
25
26 Q. Do you confirm that that statement is true and
27 correct?
28 A. I do.
29
30 MR STEWART: I tender the statement, your Honour.
31
32 EXHIBIT #40-003 STATEMENT OF [CJT] DATED 25/05/2016
33
34 MR STEWART: Q. Sir, I will ask you to read the
35 statement commencing at paragraph 3?
36 A. Okay. "My full name is [CJT]. I was born in 1955
37 and I am 60 years old.
38
39 Growing up I had a good relationship with my parents
40 and siblings. My father was somewhat of a strict
41 disciplinarian and while we often clashed, life at home as
42 a child was relatively stable and secure.
43
44 In 1964, when I was about nine years old, I joined the
45 Scouts. During my time in the Scouts I was sexually abused
46 by the Scouts leader on a number of occasions at camps and
47 at a monastery. I never reported the abuse to anyone at

1 the time, including my parents, because I was too afraid
2 and I felt that if I reported the abuse, I would end up in
3 trouble. In 1969 when I was 14, I quit the Scouts. Before
4 I left the Scouts the general scout-master had visited the
5 monastery on suspicions raised by others and confronted the
6 scout leader. I was informed later that the scout leader
7 was moving on and he never returned.

8
9 In 1970, when I was about 15 years old, I was
10 interested in joining the Royal Australian Navy. As a kid
11 I was attracted to the ocean and liked the idea of being at
12 sea. I also wanted to leave where I came from and escape
13 the guilt and the shame of being sexually abused at the
14 Scouts.

15
16 I attended a careers night about joining the Navy and
17 I later completed some forms and undertook physical and
18 medical examinations. I initially wanted to join the
19 apprentices at HMAS Nirimba, but at that stage I was not
20 successful in being offered a place in their intake. I was
21 offered a place in the junior recruit intake for
22 HMAS Leeuwin. I had no understanding at the time of what
23 I would be doing at Leeuwin but I was just happy that I was
24 finally joining the Navy and leaving suburbia.

25
26 On 8 April 1971, at 15 years and eight months old,
27 I was sworn into the Navy as a junior recruit. It was one
28 of the proudest moments of my life. Over the next four
29 days, I travelled to Perth with other junior recruits to
30 commence my training.

31
32 At Leeuwin, recruits completed a one-year training
33 program before being allocated to officer training or
34 assigned to a ship. Leeuwin received intakes of junior
35 recruits every three months, meaning that there were four
36 intakes of junior recruits each year.

37
38 There were over 100 junior recruits for each division
39 at Leeuwin. The junior recruits ranged in age from about
40 15 and a half to 16 and a half years old.

41
42 I arrived at Leeuwin by bus with what at the time
43 seemed to be hundreds of other recruits dressed in uniform
44 shouting abuse at the junior recruits as the bus drove
45 past, yelling things like, 'Look, fresh blood', 'The girls
46 have arrived', and 'That one's mine.' I remember feeling
47 intimidated at the time. It continued as we disembarked

1 from the bus. Some of the naval staff, including able
2 seaman and leading seaman were yelling at the other
3 recruits to 'piss off', but it did not seem to make any
4 difference as they continued to yell and shout abuse.

5
6 When I disembarked from the bus, a leading seaman
7 allocated me to a cabin in the Stevenson block with the
8 other recruits in my intake. At the block I was issued
9 with bedding, drill and dress uniforms, boots and other
10 items including boot polishing brushes.

11
12 An able seaman showed me and the other junior recruits
13 how we were expected to iron our uniforms. I recall he
14 said that white fronts needed to be ironed inside out to
15 keep them clean during storage, but to also obtain the
16 required creases. The able seaman described the creases as
17 representing 'two tits and a cunt'. Although it was not
18 the first time I had heard or indeed used those words,
19 I was just somewhat surprised hearing that language as part
20 and parcel of my instruction and induction.

21
22 During this first day, we were addressed by
23 a lieutenant commander about the ground rules and I recall
24 he said words to the effect, 'Some, if not all of you will
25 get homesick and that is nothing to be ashamed of. The
26 divisional officers and the padres are available to talk to
27 you about such matters.'

28
29 I found this to be welcoming relief to know that
30 I could approach the divisional officers and other naval
31 staff if I had any issues. Although, I later discovered
32 that approaching divisional officers and naval staff did
33 not always resolve my issues.

34
35 Each intake was placed in one of four divisions based
36 on the intake period. The divisions were 'Stevenson',
37 'Marks and Morrow', 'Rhodes' and 'Collins'.

38
39 Each division was accommodated in one of the four
40 blocks that were named after the division. My intake were
41 placed in the Stevenson division and we were accommodated
42 in the Stevenson block. As new intakes we were known among
43 the other recruits as the new grubs.

44
45 The Marks and Morrow division held intakes who had
46 already served three months at Leeuwin and they were known
47 amongst the other recruits as grubs. Rhodes Division held

1 intakes who had served six months at Leeuwin and they were
2 known among the other recruits as the shits. The Collins
3 division held intakes who had served nine months and were
4 in their final term of training and they were known as the
5 top shits.

6
7 This was the unofficial hierarchy among the recruits
8 at Leeuwin. After three months, each intake group
9 progressed into the next term and gained more hierarchy
10 among the other recruits. For example, 'new grubs' became
11 'grubs' after completing three months and the new intake of
12 junior recruits became the 'new grubs.'

13
14 From memory, each division had a divisional officer, a
15 divisional petty officer, leading seaman and able seaman.
16 These officers were full-time Navy sailors. A commanding
17 officer was in charge of Leeuwin and all the divisions.
18 During my time at Leeuwin there were seven naval staff who
19 were rostered in the Stevenson Division. Although I cannot
20 now recall the names of these seven staff, I recall that
21 the divisional officer in charge was Lieutenant Curran.
22 The commanding officer at Leeuwin during this time was
23 Commodore Ramsey.

24
25 The Stevenson block was a brick building that was
26 three-storeys high. There was a bridge connecting the
27 Stevenson block to the Rhodes block providing access to the
28 cabins. Access was also provided through a front door that
29 was unlocked.

30
31 Each floor of the Stevenson block had about six to
32 seven cabins on either side of a long passageway and four
33 recruits were assigned to a cabin and each cabin had steel
34 bunks and small built-in lockers. There was a fixed
35 divider in the middle which separated and provided privacy
36 between the bunks. There were no doors between the cabins
37 and the hallway, and anyone could enter the cabins if they
38 wanted. On one end of each floor there were showers and
39 toilets.

40
41 The first floor had an administrative office for the
42 divisional staff, who, depending on the watch, would
43 include a petty officer, a leading hand and able seaman.
44 My recollection is that the duty staff did not sleep in the
45 divisional block and were only there during the weekday
46 daylight hours, Monday to Friday. Intermittently, one of
47 the staff may have been in attendance during the daylight

1 hours of the weekend and in the evening during rounds at
2 1900 hours. The second floor had an office for the
3 divisional officer but the divisional officer's office was
4 only manned during weekday daylight hours Monday to Friday.
5

6 Lights in the block were turned off at around 2100
7 hours. At lights out, the leading seaman checked all
8 recruits were in bed, but I do not recall any other
9 supervision or patrols occurring throughout the night.
10

11 I attended naval training classes, which included
12 parade ground training, basic seamanship, navigation and
13 academic classes, including English, maths and geography.
14 All classes were provided by full-time naval officers,
15 non-commissioned officers and at times leading seamen.
16

17 On weekends, recruits were allowed to go on day or
18 weekend leave, if they had an approved sponsor, but some
19 recruits were required to stay on base if they had duty
20 watches to perform.
21

22 Physical abuse at HMAS Leeuwin 23

24 Junior recruits quickly learned that order and
25 discipline was important at Leeuwin. While there were some
26 naval staff who taught order and discipline to prepare
27 junior recruits for service, other naval staff used their
28 superior position to initiate punishment regimes to control
29 daily life.
30

31 I recall at least two occasions when a leading seaman
32 forced all junior recruits in my division to line up
33 outside our block after lights out because of an alleged
34 minor or major infraction. I and the other junior recruits
35 were directed on to our haunches and made to duck waddle up
36 the hill to the Rhodes Division and then back down again.
37 Although I was left sore behind the knees, in my mind, the
38 punishment did not teach me order and discipline for
39 service, but instead taught me that power and control could
40 be exercised by naval staff whenever they wanted.
41

42 It may well have been considered a means by which we
43 could be toughened up for mess deck life at sea. However,
44 that would not explain why when it came time for the 27
45 recruits who had decided to take an optional discharge
46 after 6 months, their final humiliation was to be a formal
47 pipe over the PA system, 'Stevenson Division guttoes, main

1 gate'.

2
3 Power and control was also enforced on the new grubs
4 by the other recruits, particularly by the top shits. We
5 quickly learned that the top shits had the power to order
6 and control the other recruits to do whatever they wanted.
7 Any recruit who questioned the top shits was a target.

8
9 At meal times, known by the recruits as SCRAN time,
10 which is an acronym for 'Shit cooked by the Royal
11 Australian Navy', when the top shits and shits arrived,
12 they would push in front of the more junior recruits and at
13 times inflict physical abuse. Naval staff supervising the
14 SCRAN all saw this but never intervened. The naval staff
15 were aware and allowed this unofficial hierarchy of
16 recruits at Leeuwin to exist as nothing was ever done about
17 it.

18
19 By about my second week at Leeuwin, I fell victim to
20 the physical abuse by the top shits. While sitting in a
21 chair on one side of the recreational area, two top shits
22 from the front of the room confronted me for sitting in
23 'their chair'. Before I could do anything or respond, the
24 legs of my chair were flipped sending me crashing to the
25 floor. One of the top shits then said to me, 'Look what
26 the fuck you have done.' The top shit then kicked me
27 as I tried to get up, while the other top shit king hit me
28 from behind. When I regained consciousness, I left the
29 recreational area. I did not report the physical abuse to
30 anyone.

31 32 The Rapke investigation

33
34 In my experience, top shits weren't the only recruits
35 who asserted power and control on the new grubs. Within
36 weeks of my arrival I saw another recruit in my own intake,
37 Shane Connolly, at the entry of our block, and he had been
38 so badly beaten he was almost unrecognisable. He was black
39 and blue. His eyes looked like slits in a swollen face and
40 his lips were swollen. Although I did not witness the
41 incident, I was told by other recruits that he had been
42 beaten by about three top shits.

43
44 A few weeks later, Judge Rapke visited Leeuwin to
45 investigate the incident involving Connolly. I am not
46 aware of anyone in my division being interviewed by
47 Judge Rapke or being asked to provide a statement about any

1 alleged abuses at Leeuwin. Instead, during Judge Rapke's
2 visit, there was no sick parade at Divisions. Instead,
3 anyone with a sling, exposed bandage or other injury
4 (regardless of how the injury was sustained) were to be
5 confined in the blocks until classes commenced.
6

7 In the weeks and months following Judge Rapke's visit,
8 nothing improved at Leeuwin. The abuse and bullying
9 continued unabated and the unofficial hierarchy continued
10 to be enforced by the top shits and went ignored by naval
11 staff.
12

13 According to the radio news and other media reports at
14 the time, there was no evidence of systemic bastardisation
15 at Leeuwin. Instead, the Connolly incident was said to be
16 the fault of both Connolly and a few other individuals, all
17 four of whom had been disciplined equally.
18

19 First sexually related incident at HMAS Leeuwin 20

21 Some time after the Shane Connolly incident, I was
22 approached by two fellow junior recruits one morning and
23 I had a conversation with them to the following effect.
24 The first junior recruit said, 'We're going to fill in
25 [redacted]. He said he's going to have sex with us.' The
26 term 'fill in' was slang for beating someone up. I said,
27 'Bullshit. I don't believe you.' The junior recruit said,
28 'No, it's true. He wants us to meet him this afternoon in
29 the heads down at the Academy.' I said, 'If what you're
30 saying is true, why don't you just report him?' The junior
31 recruit said, 'No-one will believe us.' I said, 'Look, why
32 don't I and [redacted] (another junior recruit) go and hide
33 on the embankment next to the heads and if we witness
34 anything, we'll report him.' The junior recruit said,
35 'Okay.'
36

37 Later that afternoon I went with the other recruit and
38 hid behind the embankment. I saw the recruit in question
39 approach the two junior recruits and heard him say, amongst
40 other things, 'Nobody needs to know. I can suck you both
41 off and you can do it to me.'
42

43 Later I met with the two junior recruits. I told them
44 that now they had witnesses they should report the
45 incident. At that point, I felt that I had done the right
46 thing. I knew nothing about consenting homosexuality,
47 I had only ever known the terms used that day in the

1 context of my earlier sexual abuse in the Scouts and this
2 was why I encouraged the incident to be reported with us as
3 being witnesses. A short time later, I was called, along
4 with the other witnesses, to the main gate. When
5 I arrived, I was told that a report had been made naming me
6 as a person involved in an incident.
7

8 I was then taken to a room adjacent to the holding
9 cells and interviewed by someone I assumed was a member of
10 the regulating staff. In recounting my version of events,
11 I initially had difficulties saying out loud the actual
12 words that had been used, saying words like 'suck', 'fuck',
13 and 'cock' to a superior I found difficult. I admitted
14 that I had encouraged the other two recruits to report the
15 incident. At the time, I felt that I had done the right
16 thing, but instead I felt like I was being attacked and
17 felt like I was the one being investigated.
18

19 After the interview, I was told that I would be placed
20 on open arrest, as was the other witness. I was absolutely
21 taken aback. I felt sick in the stomach and on the verge
22 of tears. No-one explained to me why I was being placed on
23 open arrest, only that this meant I was denied leave and
24 was to report to the main gate every two hours. I was also
25 advised that the recruits who had reported the incident
26 were confined to cells.
27

28 In the next day or two, I, along with the other
29 recruits, were summonsed to appear before the commanding
30 officer of Leeuwin, Commodore Ramsey, to be disciplined.
31 We were not told what the charge was for.
32

33 I felt absolute trepidation standing before
34 Commodore Ramsey, who was yelling and accusing us of making
35 up a story. He did not explain why we had been locked up
36 or placed on open arrest or why we were being disciplined.
37 Instead, he said, 'I'm considering dishonourably
38 discharging the lot of you. You are never to repeat what
39 you reported to anyone, and you are to stay away from the
40 recruit in question.'
41

42 I was left feeling gutted. I believed that what we
43 did was right, but instead we were made to feel wrong. In
44 my mind, Commodore Ramsey was prepared to disregard,
45 castigate and discharge four 15-year-old junior recruits
46 for reporting an incident and I can say without doubt in my
47 mind that I have never felt more betrayed and let down by

1 a system of justice than I did on that day.

2
3 When I returned to the block and subsequently to
4 normal daily routines, I perceived, rightly or wrongly,
5 that the other divisional staff, including
6 Lieutenant Curran, no longer had any confidence in me. It
7 may well have been the erroneous perception of
8 a 15-year-old but I did not feel comfortable in approaching
9 them or discussing anything with them after this
10 experience.

11
12 My experience with Commodore Ramsey instilled in me
13 a lifelong distrust of authority and from that point on,
14 I did not ever again willingly report any incident to naval
15 staff for fear of similar repercussions.

16
17 Sexual abuse by other recruits at HMAS Leeuwin

18
19 Shortly after this incident, I was sexually abused by
20 recruits in the showers at my block at Leeuwin on a weekend
21 when most junior recruits had day or overnight leave.

22
23 Along with a few dozen other junior recruits on this
24 particular weekend I decided to stay on base, do my washing
25 and get my kit in order for the following week. After
26 I finished my washing and polished my boots, I proceeded to
27 the showers.

28
29 As I was washing my hair, and while my eyes were
30 closed, I all of a sudden felt a hand grab my genitals.
31 I heard at least three voices in the shower block but could
32 not make out what was being said or who they were, although
33 I believe they were junior recruits from other divisions.
34 I blindly punched in the direction of the recruit holding
35 my genitals and saw him stagger backwards. The other two
36 recruits then hit me and knocked me down into the shower
37 cubicle. They commenced kicking me one after the other.

38
39 I was then dragged out of the shower on my knees and
40 was held down by the shoulders. The recruit who touched my
41 genitals stood in front of me and punched me twice in the
42 face. He then exposed his penis to me and said, 'Don't
43 think you can get away that easily. Now you'll suck on
44 this.' I spat blood out on the floor and said words to the
45 effect, 'If you put that anywhere near my mouth, it will be
46 the next thing I spit out.'

1 One of the other recruits slapped me hard across the
2 ear and told me to do it. The recruit with his penis out
3 hit me again and told the others to pin me on the ground.
4 I was pushed down on to the tiles face-down, with my back
5 and shoulders held down. My legs were spread apart and
6 I was terrified that I was about to be raped.

7
8 I then felt something being rubbed over my backside
9 and between my cheeks near my anus. They then rolled me
10 over and applied shoe polish to my penis and scrotum and
11 started scrubbing it with a brush. I was kicking and
12 screaming and they continued for a little while before one
13 of them said, 'That's enough. We'll finish him later.'

14
15 They left the showers and I was left lying on the
16 tiles, bleeding, with black shoe polish all over my penis
17 and scrotum. It was one of the most traumatic experiences
18 I had at Leeuwin, even worse than being placed on open
19 arrest.

20
21 A few minutes later, two other junior recruits entered
22 the shower and saw me lying on the floor. They asked if
23 I was okay. I said I was fine, but remained on the floor.
24 One of the junior recruits then said to me, 'Do you want us
25 to get the duty PO?' I panicked, got up off the floor and
26 said, 'No, we don't need to tell anyone what happened'.
27 I then draped myself in a towel and went back to my cabin.

28
29 I do not recall seeing any divisional staff in the
30 block prior to or after the time I was abused. During
31 weekends, access to divisional staff in the blocks was
32 limited. Naval staff rarely supervised or patrolled the
33 block on weekends.

34
35 I did not seek any medical assistance nor did I report
36 the abuse to anyone because of my previous experiences.
37 I was scared that if I reported the abuse I would not be
38 believed and I was concerned that the threat of discharge
39 from the previous occasion may come to fruition. I felt
40 alone and did not feel like I could turn to anyone.

41 42 Leaving HMAS Leeuwin

43
44 I did not see the other recruits again during my
45 remaining time at Leeuwin but I remained scared that
46 I would be abused again. I never forgot their parting
47 words, 'We'll finish him later'.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47

Despite what had happened to me, I did not hate every moment of my time at Leeuwin. The academic tuition was great and I learnt skills of seamanship. There were some naval staff who were a credit to themselves and the Navy.

However, all I wanted to do was escape Leeuwin. I stayed at Leeuwin for nine months and was successful in getting transferred to HMAS Nirimba as an engine room artificer. At the time, I didn't know what that role involved. I just wanted to get out of Leeuwin.

I served in the Navy for six and a half years and in September 1977 I secured a SNLR (services no longer required) discharge.

In early 2014, I made a request to obtain Judge Rapke's Leeuwin report. In the process of submitting a request, I was contacted by a researcher who informed me of an investigation being conducted by the Defence Abuse Response Taskforce (DART). I considered making a submission to the DART for a while and eventually decided that I should say and do something.

In July 2014 I sent a letter to the Honourable Len Roberts-Smith of DART setting out my experiences at Leeuwin. I also wrote to the Department of Defence reporting the abuse at Leeuwin.

I received a response from the Department of Defence informing that they offered support services and provided me with details of who to contact if I wanted my complaint to be formally investigated. I decided not to have my complaint formally investigated as Commodore Ramsey had since passed and I could not in any case identify the perpetrators of my assault.

Around the same time, I was informed that DART had concluded their investigations and that I should provide my account of my experiences at Leeuwin to this Royal Commission. I was disappointed that I didn't know about the DART deadline until it was too late. I believe that I am fairly astute at keeping up with the news and current affairs but I had not heard anything about the DART until it was too late to respond.

Personal impact of the abuse

1
2 The sexual and physical abuse I suffered at Leeuwin
3 has had an ongoing and adverse impact on my life and
4 exacerbated my battle with alcohol which started at
5 Leeuwin.
6

7 I still feel a lot of guilt and shame about the abuse.
8 I have suffered depression and I have tried to avoid
9 exposure to child sexual abuse on the news because it
10 brings back memories of my experiences at the Scouts and at
11 Leeuwin.
12

13 I attempted suicide a few years ago, but decided not
14 to go through with it as I decided the effects on those
15 I loved would be devastating. This prompted me to seek
16 professional help, but I found counselling traumatic, as it
17 was difficult to discuss what had happened to me. Instead,
18 I used counselling to focus on managing my triggers.
19

20 I was perhaps a hypervigilant parent when it came to
21 child abuse. I made sure my sons were acutely aware of the
22 potential of sexual predators and instilled in them
23 a confidence that they could talk to me about anything, at
24 any time of the day or night.
25

26 My wife was most understanding after I eventually
27 shared my experiences but, with time, it nevertheless took
28 its toll on our relationship. I became depressed and
29 I think everything overwhelmed us both and we amicably
30 separated in 2001.
31

32 I have occasionally regressed into depressive states,
33 however, they have been short lived and while my drinking
34 does not impact on the performance of my duties, for all
35 intents and purposes I nevertheless remain an alcoholic.
36

37 Recommendations to the Royal Commission

38
39 Tradition and culture in any institution have their
40 rightful place; however, the continuation of their
41 adherence needs to be reviewed not only according to
42 changing social norms but, more importantly, on an
43 objective and honest assessment of evidence that may
44 threaten the ongoing wisdom of maintaining the tradition or
45 culture.
46

47 Damage control is appropriate when a ship or technical

1 system is under threat. Censorship of the truth may also
2 be appropriate for national security reasons. However,
3 neither should be tolerated when it comes to the abuse of
4 children.

5
6 That has not, however, been the history of those in
7 control of such institutions, be that government
8 departments, such as Defence, the Boy Scout Association,
9 the Catholic Church or the myriad of other institutions
10 that this Royal Commission has had cause to consider.

11
12 I am not aware of any whistleblower legislation that
13 has truly protected whistleblowers, nor do I think
14 strengthening such legislation will do anything to further
15 protect those who report any misfeasance.

16
17 Instead, and as opposed to suggesting what
18 institutions could do to reasonably avoid the occurrence of
19 child abuse, suggestions which may or may not be heeded, it
20 would be my recommendation that legislation be introduced:
21 (a) requiring all institutions dealing with children to
22 retain a person with the delegated authority to deal with
23 all complaints of child abuse, sexual or otherwise;
24 (b), that it be a criminal offence for those in delegated
25 authority of any institution who do not initiate an
26 investigation, conducted independently of the institution,
27 into allegations of child abuse, sexual or otherwise; and
28 (c) that it be a criminal offence for a delegated authority
29 of an institution not to then pursue, act upon or report to
30 the police any adverse findings of any such investigation.

31
32 With respect to government-run institutions such as
33 but not limited to Defence, legislation should be enacted
34 which prohibits the public suppression of any part of an
35 investigation into child abuse, sexual or otherwise,
36 unless: (a) sanctioned by a court of competent
37 jurisdiction where the court is satisfied that it is in the
38 public interest to do so; and (b) it is also satisfied that
39 any findings of misfeasance have been or are being dealt
40 with according to law; and (c) is also satisfied that
41 action has been initiated to adequately address any
42 systemic failings identified in the report.

43
44 On that, I would thank the Royal Commission for the
45 opportunity to give my evidence." Thank you.

46
47 MR STEWART: Your Honour, I do have two questions for the

1 witness.

2

3 Q. Perhaps you can help me, sir. Where there is
4 a reference to things occurring "during the night hours or
5 the dogs" - do you have an understanding as to what that
6 reference to "the dogs", means?

7 A. I don't think it is in mine, but dog watch is usually
8 where they split the watches between 1600 and 1800 and 1800
9 and 2000 hours, so that someone on three by eight hour
10 shifts will sneak around one shift. They will be on day
11 shift today, then they'd go on the dogs, so tomorrow they
12 might be on the afternoon shift. Is that what you are
13 referring to?

14

15 Q. You are right, it is not one of your documents, but in
16 fact Judge Rapke says to someone "most of this", referring
17 to the physical and other abuse, "occurs during the night
18 hours or the dogs"?

19 A. Well, yeah, the night hours are traditionally 2000 to
20 midnight and then midnight through to 6 o'clock in the
21 morning, and the dog watches are, as I said before, where
22 they will split the dogs - split the watches, so you don't
23 do 1600 to 2000 hours of a watch, you will do 1600 to 1800
24 and someone else will do the second dog, which is 1800
25 hours to 2000 hours, and that was just a means by which
26 people on a 24-hour roster, with an eight-hour shift,
27 wouldn't be stuck on the night shift the next day; they
28 would be on the morning shift, because they had split the
29 dogs the night before.

30

31 Q. Thank you. Then my other question is there is also
32 reference by Judge Rapke to "the gangway" at HMAS Leeuwin.
33 What would that be a reference to?

34 A. The gangway is the main gate, where you come on board
35 and where you leave the establishment. That was called the
36 gangway, much - you know, explained in the same way as
37 a ship: you would leave the ship by walking down the
38 gangway onto the wharf; you would leave HMAS Leeuwin by
39 going out the main gate, which was termed the gangway.

40

41 <EXAMINATION BY MR FEHRING:

42

43 MR FEHRING: My name is Mr Fehring and I am appearing for
44 a number of the witnesses from Balcombe.

45

46 Q. Perhaps it is very understandable that you have
47 a distrust of, if you like, the command structure within

1 the military, but you were in a military institution and
2 the military continue on, and one of the questions that
3 this Commission is investigating is, if you like,
4 recommendations it might make for military institutions to
5 properly control and supervise younger people. My question
6 is this: do you have a view as to whether or not it should
7 be clearly and unequivocally set out that the commanding
8 officer in any particular barracks, camp or whatever,
9 should be required to report to higher authority any
10 complaint - not necessarily the result, but any complaint -
11 which they receive in respect to physical or sexual abuse?
12 A. Yes, I would agree with that.

13
14 Q. And should they have the responsibility - I don't
15 think you would probably agree with this - to then
16 investigate that complaint, or should it be given to
17 someone else from off the base to investigate?

18 A. Like, within Defence, I don't think it would really
19 matter whether they were from the base or in the Navy, for
20 argument's sake. If you are talking about someone
21 independent of the ADF, to my mind, that would be better
22 because then it indicates that there is that independence
23 and you are not getting someone looking after the boys, as
24 I would term it.

25
26 If you look at the Rapke Report - I haven't seen it,
27 I've only seen the media at the time - it seemed to me that
28 they had this report into an incident to look into
29 bastardisation and then say, "It didn't happen but we're
30 not going to release the report", and I think that - even
31 if there was no evidence of bastardisation, the fact that
32 they don't release the report to demonstrate the veracity
33 of the claim leaves a reasonable person to infer that it's
34 a cover-up.

35
36 Q. You have partly answered this, but it might be a
37 little more difficult in a military situation as opposed to
38 a civilian to have someone investigate who is not
39 a military officer. Would you accept that?

40 A. Not entirely. You could have an independent group
41 within the ADF. Like, in a lot of government and civilian
42 corporations, they will have an investigating unit, whether
43 they call it an ethical standards unit or some
44 investigative thing to look into complaints. Then -
45 I mean, it's always possible for someone inside to be part
46 and parcel of a cover-up, but I'm probably not that
47 paranoid to think that that would occur every time. But

1 something like the Rapke Report - now, that was
2 independent, that was said to be independent. That was
3 somebody from the judiciary coming in to have a look,
4 notwithstanding that, my understanding is, he had some
5 connection with the Defence Force in a previous life. So
6 even if it is independent, that's not necessarily going to
7 give society succour, because that was an independent
8 investigation that came out and said, "Nothing happened but
9 we're not releasing the report". What's that? 45 years
10 ago. What damage could there possibly be, except for
11 redacting names of the accused or the complainants -
12 I can't see how society can be - I don't think we can - we
13 need to be protected from that 45 years later.
14

15 MR FEHRING: Thank you.
16

17 <EXAMINATION BY MS DAVID:
18

19 MS DAVID: Q. As you realise, I am representing yourself
20 and for the record, my name is David. Just a couple of
21 questions. Just one practical matter. When you've
22 referred to the incident which you witnessed at the
23 academy, the reference to "the heads", that is reference to
24 the toilets?

25 A. It's the toilet block, yes, I beg your pardon.
26

27 Q. Yes, that's all right, just to be clear.

28 A. Just on that issue, I guess, when I first reported to
29 DART, I was probably a lot more comprehensive, because it
30 just blurted out, I just did it in one hit. It seems
31 strange, but that was an incident that, to my mind, caused
32 the greatest angst for me than the assault, and something
33 at the time I wouldn't have considered a sexual assault,
34 but with a 60-year old mind I now recognise was. But the
35 thing - what I thought was doing the right thing and
36 reporting it so that it would go through the line, and, as
37 I said, I had no idea at the time of homosexuality or that
38 someone might be trying to chat somebody up, for argument's
39 sake, and only heard those terms in relation to the abuse
40 that I had experienced younger, and to get put on open
41 arrest for that was one thing, I was gobsmacked, and then
42 to front the Commodore and be verbally abused, as occurred,
43 was another, and threatened with discharge. I couldn't
44 understand any of that. And it was some weeks later that
45 I was told that the perpetrator at the time - his dad was
46 a highly decorated member of the ADF, and so it seemed to
47 me that it was an example of Navy looking after their own

1 reputation at the expense of four junior recruits who, in
2 the whole scheme of things, didn't really mean much.

3
4 I would imagine that the Commission has a copy of my
5 Navy record and when I got a SNLR discharge, a SNLR is a
6 services no longer required discharge, that was as a result
7 of going AWOL and I was sentenced to 21 days in
8 1st Military Correctional Establishment at Holsworthy.
9 I take no issue with that. I think the skipper at the time
10 gave to me penalty at the lower end of the scale, but the
11 point is that Holsworthy is not designed to be a nice place
12 and it's certainly not a place you would go on a holiday
13 too. It's there to discipline you and to a degree punish
14 you. But if someone was to give me a choice of any three
15 weeks at Leeuwin, or three weeks at Holsworthy, I'd take
16 Holsworthy in a heart beat, you know, and I think that sort
17 of summed it up, how I would compare Leeuwin to anything
18 else I experienced in the Navy, including Holsworthy. The
19 other part of it is that the Navy hierarchy - I'm not
20 saying individuals knew exactly what was going on, but they
21 reasonably could have.

22
23 I remember - and I think one of the previous witnesses
24 said something from the Rapke Report about boys being boys.
25 That's the point. Boys will be boys and that's why you
26 need control measures in place so they don't cross the
27 boundaries, and that's - we didn't have that at Leeuwin.
28 It's not as bad as Lord of The Flies, by any stretch of the
29 imagination, nowhere near like that, but the top shits had
30 the conch, you know, and God help anybody that tried to
31 take that away from them.

32
33 Q. That raised the issue of supervision. I understand
34 there is a number of points you would like to make to the
35 Commission that may assist the Commission in their findings
36 and recommendations beyond what you have said in your
37 statement. Are there any points you would like to make in
38 that regard relating to supervision or something --
39 A. I don't think so now, I think I have covered all of
40 those in answering those few questions, thank you very
41 much.

42
43 MS DAVID: Thank you.

44
45 MS McLEOD: No questions, your Honour, thank you.

46
47 <EXAMINATION BY MR NUNAN:

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47

MR NUNAN: Q. Patrick Nunan, I am acting for some of the Leeuwin witnesses. At paragraph 65 of your statement, you mention that your battle with alcohol started at Leeuwin.

A. Yes.

Q. You were about 15 or 16 at the time?

A. Yes, I was 15 and a half when I joined, yes.

Q. Can you tell the Commission how that may have started and why?

A. I think - first off, I think it was because you weren't allowed to and that's always an appeal to a young person. So we would - and it was always - whatever was the cheapest that you could find, because I think we got \$12 a fortnight, so money wasn't going to stretch that far, and we would always have to go on leave in uniform and return in uniform, and so we would get the smallest bottles that you could buy, the five or seven-ounce flask, put them in your socks and come back in through the gangway. At first it was a bit of a lark, really, "Oh, look, we got away with that." And then there was, like, a fortified wine, a Muscat, I think it was, and when everything seemed to be going pear shaped, I found myself drinking more of it, and I would rationalise it, and, like, at the time - I've compartmentalised many things in my life, like individual incidents, whether at Leeuwin or the Scouts or whatever, and the drinking - then you start rationalising it, oh, you know, I've had a bad day. In our built-in lockers there was - it was raised about four inches from the floor with a kickboard on it, and that was where you put all your shoes and I remember using the cutlery from the gallery to lever that up just so you could pop the nails and when you popped it back down, the nail heads would still be seen, but you had a cavity underneath that you could hide whatever your drinks were, and I recall having things like Brandivino and brown Muscat hidden away in there and you would drink that after - during the night hours or on the weekends.

MR NUNAN: Thank you. Thank you, your Honour.

MR STEWART: I have no further questions, your Honour, thank you.

THE CHAIR: Thank you, Mr [CJT]. Thank you for your evidence. You are excused.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47

THE WITNESS: Thank you.

<THE WITNESS WITHDREW

MR STEWART: The next witness is [CJI]. He has formerly had a pseudonym [CJI] but has since indicated that he is happy to be identified by name, Mr Glen Greaves.

<GLEN THOMAS GREAVES, sworn: [3.50pm]

<EXAMINATION BY MR STEWART:

MR STEWART: Q. Thank you, Mr Greaves. Can I ask, do you have in front of you a copy of your statement signed on 1 June 2016?

A. Yes, sir, I do.

Q. Do you confirm that the statement is true and correct?

A. I do, sir.

MR STEWART: I tender the statement, Commissioner.

EXHIBIT #40-004 STATEMENT OF GLEN THOMAS GREAVES
DATED 01/06/2016

MR STEWART: Q. Mr Greaves, I invite you to read your statement, commencing at paragraph 3.

A. Yes, sir. "My name is Glen Thomas Greaves. I was born in 1955 and I am 61 years old.

I grew up in Oakleigh, Victoria, in a loving and supportive family. I have two older sisters and one younger brother. My father had three jobs and worked hard to support our family. My mother was a housewife. We were all relatively very close.

I went to Doveton Primary School and then attended Doveton High School, where I completed year 10.

Joining the Royal Australian Navy

From a very young age, I knew that I wanted to join the Navy. Then in around 1970, when I was aged 15, I saw an advertisement in the newspaper that it was possible to join the Navy and finish your academic studies whilst also

1 receiving naval training. I thought this was a great idea.

2
3 Later that year I applied to join the Navy. As part
4 of the application, I undertook a medical and psychological
5 test. I passed all the tests and was offered a place in
6 the 35th junior recruit intake for HMAS Leeuwin.
7 (Leeuwin). I was nervous to be leaving home, but I was
8 also excited to be starting my career in the Navy.

9
10 On 10 April 1971, I was formally enlisted into the
11 Royal Australian Navy.

12
13 HMAS Leeuwin

14
15 When my intake arrived at Leeuwin, we were greeted at
16 the gates by an officer who ordered us to form into two
17 orderly lines and pass through the gates. He said, 'Do as
18 you're told and stand in line, you're in the Navy now.'
19 I was a shy boy and so felt pretty intimidated by how
20 regimented everything was.

21
22 The training program at Leeuwin lasted 12 months.
23 A new intake of junior recruits started every three months.
24 This meant that there were four intakes of junior recruits
25 at Leeuwin at any given year. These quarterly intakes
26 formed the basis of an unofficial hierarchy amongst the
27 junior recruits at Leeuwin.

28
29 Junior recruits who were in their first three months
30 of training were referred to as 'new grubs' and were at the
31 bottom of the hierarchy. Junior recruits in their second
32 three months of training were referred to as 'grubs'.
33 Junior recruits in their third three months of training
34 were called 'shits'. Junior recruits who were in their
35 final three months of training were called 'top shits'.
36 Top shits were at the top of the hierarchy. Although this
37 unofficial hierarchical system was known between the junior
38 recruits, I believe the base staff were aware of it.

39
40 Each intake was placed in one of the four divisions.
41 The name of the four divisions were Stevenson, Marks and
42 Morrows, Rhodes, Collins and Walton. Each division held
43 about 100 recruits. My intake was assigned to the
44 Stevenson division.

45
46 The commanding officer in charge when I was at Leeuwin
47 was a man named Commodore Ramsey. I never met him

1 personally. Each division was commanded by a divisional
2 officer, a divisional petty officer, leading seaman, and
3 able seaman. The divisional officer in charge of Stevenson
4 division at the time was Lieutenant Curran.

5
6 The Stevenson division was assigned to the barracks in
7 F block. My room was on the ground floor, which had a long
8 passageway down the middle, with small rooms on each side.
9 We referred to these rooms as 'dongas'. Each donga
10 contained four steel beds and four small built-in
11 wardrobes, which looked like very basic lockers.

12
13 At one end of the passageway there was the divisional
14 office, which was a small office which belonged to the
15 divisional leading seaman or able seaman. The leading
16 seaman and able seaman worked in the office during the day
17 but slept in separate living quarters called the
18 'ships company' at night. I never saw any staff in the
19 barracks at night.

20
21 I learned very quickly at Leeuwin that discipline and
22 order was very important.

23
24 Our rooms had to be immaculate at all times.
25 Similarly, our uniforms had to be perfectly maintained. If
26 we failed to do this, we were given extra duties which
27 included additional physical training or cleaning or
28 kitchen duties.

29
30 During the day, I attended naval training classes and
31 regular academic classes which finished at 4pm. We also
32 attended daily physical training sessions and training in
33 military drills. After classes, we completed our daily
34 chores which included washing and ironing of our uniforms,
35 spit-polishing our boots and completing any homework for
36 the next day. We always had something to do. There was
37 very little free time.

38
39 Each night the lights would be turned out at 9pm.
40 A leading seaman would walk along the passageway of the
41 barracks yelling, 'Lights out. Shut up. Get your heads
42 down. I don't want to hear you.' After lights out, the
43 leading seaman would leave. I never saw any of the
44 divisional staff in our barracks after lights out.

45
46 I experienced my first incident of physical abuse by
47 the top shits within a week of arriving at Leeuwin. I was

1 regularly physically assaulted by the top shits.
2

3 Physical assaults often occurred at meal times in the
4 dining hall. We referred to the dining hall as the SCRAN
5 which stood for 'shit cooking Royal Australian Navy'. When
6 lining up for food, the top shits would 'jack up the line'.
7 This meant that they could push in front of you. You could
8 be lined up for your whole lunch or dinner break and a top
9 shit and his mates would push in front of you. If you
10 protested, they would lay into you, hitting you around the
11 head. You couldn't do anything about it. They had been at
12 Leeuwin for nearly a year and were so much stronger than
13 us. Staff were present when this occurred, however, they
14 turned a blind eye to the behaviour of the top shits.
15 I would often miss meals in order to avoid being assaulted.
16

17 I witnessed the bashing of Shane Connolly in the SCRAN
18 line. Connolly was bashed by four top shits. He ended up
19 with a black eye, a split lip, and had blood pouring out of
20 his nose. I feel terrible because I didn't step in to help
21 him. I was too scared. We all were.
22

23 Connolly reported the abuse to his parents, who ended
24 up going to the media. I understand that this led to an
25 investigation by Judge Rapke into what happened to him and
26 the abuse at Leeuwin more generally. I was never
27 interviewed by Judge Rapke. I was provided with a copy of
28 the Rapke Report at the time. I have only recently read
29 the Rapke Report. In my view, the report sweeps what was
30 happening at Leeuwin under the carpet.
31

32 Sexual abuse at HMAS Leeuwin 33

34 In May 1971, one month after I joined HMAS Leeuwin,
35 I was woken up in the middle of the night by four top shits
36 who had come into my room. They said, 'Come with us or you
37 will get bashed!' They then dragged me out of bed and down
38 to the toilet block at the end of the building. We passed
39 the leading seaman's office, which was empty. At first,
40 I couldn't understand why none of these other recruits came
41 to my aid, but I know they would have been scared of
42 repercussions.
43

44 When we arrived in the toilet block, one of the top
45 shits held my head on to the concrete floor and said,
46 'You're going to give me a head job or you'll get
47 a belting.' I said that I would rather get a belting.

1 A couple of the top shits then punched me into the back of
2 my head and in my kidneys. They then held me face down on
3 the floor and ripped off my underpants. I was
4 spread-eagled naked on the floor. They stuffed toilet
5 paper in my mouth so that I couldn't scream. I felt them
6 insert something into my back side. I could not see what
7 it was, but I think it was a wooden broomstick. They kept
8 thrusting the broomstick into my anus saying, 'You like it,
9 don't ya'. I was in agony. After a while, they pulled the
10 object out of my backside. I could feel blood running down
11 my leg.
12

13 They said, 'We haven't finished with you yet! You are
14 gonna clean the urinal.' They dragged me to the urinal and
15 removed the toilet paper from my mouth. They said, 'Lick
16 the urinal or we will smash your head into it.' I was
17 terrified. I licked the urinal. They then threw me back
18 on to the bathroom floor. They told me that if I reported
19 the incident to anyone, they would come back for me. They
20 then left.
21

22 After a while, I went and got toilet paper and cleaned
23 the blood from my backside. I was red raw between the
24 buttocks. I then took myself back to bed and cried myself
25 to sleep.
26

27 My backside continued to bleed for three days. I was
28 terrified that the blood would seep through my undies and
29 on to my uniform and then someone would see. For three
30 days I put toilet paper in my undies to soak up any blood.
31 I was so ashamed.
32

33 The next day, during physical training, I was in
34 agony. I couldn't walk properly and my backside was so
35 sore. I couldn't complete the exercises properly. I was
36 so embarrassed.
37

38 Not long after this incident I decided to report what
39 happened to me. I went up to the leading seaman in the
40 divisional office in our barracks. Just before I was about
41 to tell him, he said, 'If you've come here to fucking
42 whinge, piss off now and harden up.' I left and never
43 reported the incident in the toilet block.
44

45 A couple of days later I was walking up the hill to
46 the dining area. About halfway up the hill I was grabbed
47 from behind by the same four top shits as before. One of

1 them said, 'You told someone!' I told them that I hadn't.
2 They didn't believe me and beat me around the head.
3 I remember feeling lumps on my head and again I was crying.
4

5 In June 1971, about four weeks after the first
6 assault, the same four top shits came to my room again
7 during the night. They took me to the toilet block and
8 showed me all my mail, which was in the toilet covered in
9 faeces. They said, 'There's your mail' and stuck my head
10 into the toilet and left. After this incident, I cried and
11 cried. I hadn't received mail from my parents for weeks
12 and I had begun to feel like they had forgotten about me.
13 I felt so lonely.
14

15 The day after this incident, I was called to
16 divisional officer, Lieutenant Curran's office and was told
17 I was going to be charged with blocking the toilet with my
18 mail. Someone must have cleaned the blocked toilet and
19 seen my name on the envelopes. I told Lieutenant Curran
20 that I did not put the mail there. I did not tell him that
21 the top shits were responsible. Lieutenant Curran did not
22 end up charging me, although he did give me extra duties
23 cleaning pots in the kitchen.
24

25 I was sexually abused a further two times during my
26 first six months at Leeuwin. Each time, I was dragged out
27 of bed by the same top shits and had the broom shoved up my
28 backside. I started having trouble walking from the
29 discomfort and pain. I tried my best to hide this, but my
30 backside was red raw and I could hardly walk. One of the
31 instructors noticed I wasn't performing as well in my
32 physical training and asked me what was wrong. I told him
33 I just wasn't feeling well and he seemed to accept that.
34

35 In December 1971, I went home for Christmas. I never
36 mentioned anything to my parents about what happened to me
37 at Leeuwin. They asked me how I was going at Leeuwin and
38 I just told them everything was 'good'. I was too ashamed
39 to say anything about the abuse.
40

41 I didn't experience any further abuse at Leeuwin after
42 the Christmas leave period. In my final three months at
43 Leeuwin the other top shits in my division asked me to bash
44 the new grubs. I refused to do it. They called me a
45 'pussy' and what-not, but I didn't care. There was no way
46 I was going to do to them what had been done to me.
47

1 I believe that the staff members knew about the abuse
2 at Leeuwin. Once I saw another junior recruit run out of
3 the toilet with blood running down his legs. A leading
4 seaman walked right past him. The boy was clearly
5 distressed. The leading seaman must have seen that
6 something was wrong but he didn't do anything. I said,
7 'Did you see that, Sir?' He just said, 'See what?' I felt
8 that the leading seaman was deliberately choosing not to
9 witness what we had seen.

10 Leaving the Navy

11
12
13 On 26 June 1972, when I was 17 years old, I finished
14 my training at Leeuwin. In October 1972 I was posted to
15 HMAS Sydney. I did an assignment in Vietnam for about 30
16 days in that same month. I was one of the youngest seamen
17 in Vietnam.

18
19 In 1981 I decided to leave the Navy so I could be
20 closer to my wife and children. I was eventually
21 discharged from the Navy on 30 April 1981.

22
23 In 1999 I applied for a totally and permanently
24 incapacitated pension (TPI pension) through the Department
25 of Veterans' Affairs. For the purpose of the application
26 I was assessed by two psychiatrists and diagnosed with
27 post-traumatic stress disorder and alcohol dependence.
28 I never disclosed the sexual abuse I suffered to the
29 psychiatrists. I was still too ashamed. As a result, my
30 diagnosed PTSD and alcohol dependence was found to be
31 related to my service in Vietnam. In April 1999, I was
32 awarded the TPI pension and have received it ever since.

33
34 In around June 2014, I watched a report on television
35 about sexual abuse within the Australian Defence Force
36 Academy. After seeing that television program, I decided
37 I needed to speak out about what happened to me at Leeuwin.

38
39 Soon after, I contacted the Defence Abuse Response
40 Taskforce (DART). I was told that I had missed the cut-off
41 to make a complaint to DART. I was disappointed to hear
42 that DART had a cut-off date. I was still able to register
43 my complaint with DART, but I was informed that was as far
44 as I could go with them. Prior to the television program,
45 I had never heard or read anything about DART. I felt like
46 the existence of DART was not advertised properly. I was
47 even more disappointed with DART after this, as I had never

1 heard another word from them, no phone call, no nothing.
2 I thought at least they would have contacted me and
3 inquired as to how I was going and if I had supports or had
4 been successful in making contact with lawyers to assist me
5 in a civil claim, but I received nothing from them.
6 I thought the fact that I had registered with them, this
7 may entitle me to some kind of redress with them, but
8 obviously it didn't.

9
10 In around about October 2014 I contacted a lawyer who
11 told me that I could make a civil claim for compensation
12 against Defence for the sexual abuse I had suffered while
13 at Leeuwin. As such, I decided to make a civil claim for
14 compensation.

15
16 In July 2015, at the request of the Defence, I was
17 assessed by Dr Allnutt, a forensic psychiatrist.
18 I disclosed all of my sexual abuse to Dr Allnutt. This was
19 the first time I had told anyone about the abuse other than
20 my wife. Dr Allnutt diagnosed me with suffering from PTSD.
21 He found that the PTSD was wholly related to the sexual
22 abuse that I suffered at Leeuwin. Dr Allnutt also
23 diagnosed me as suffering from alcohol use disorder, which
24 he found was substantially related to the sexual abuse that
25 I suffered at Leeuwin.

26
27 On 24 November 2015, I attended a mediation with
28 Defence in Sydney. During the mediation, the lawyers for
29 the Defence told me, 'If you accept any compensation,
30 you'll have to pay back all the money that you have been
31 getting from the Department of Veterans' Affairs and you'll
32 lose your TPI.' I was so confused. If I had known that
33 I would have to pay back all the money that I had received
34 and lose my TPI pension, I would never have brought a civil
35 claim against Defence in the first place.

36
37 At the end of the mediation, I received a written
38 apology from Captain Neville Teague on behalf of the Chief
39 of the Navy, Vice Admiral Tim Barrett. I appreciated the
40 apology, but after what I had just been told about the
41 outcome of the compensation, the apology felt hollow.
42 Captain Teague was very kind to me, but I felt like he was
43 just doing what he was told by the Navy.

44
45 At the conclusion of the mediation, I had to sign
46 a disclaimer stating that I would take no further legal
47 action against Defence. I was told if I didn't sign this

1 disclaimer, my lawyers wouldn't be paid.

2
3 When I walked out of the mediation, I was gutted.
4 I went back to my hotel and I just balled my eyes out.
5 I was absolutely distraught. I said to my wife, 'I went
6 through all this paperwork - seeing a psychiatrist -
7 dredging up the abuse again - for nothing!' It felt like
8 I was being abused all over again.

9
10 Impact of abuse

11
12 The sexual abuse that I suffered at Leeuwin has had
13 a significant impact on all aspects of my life, including
14 my health, my relationships and my career.

15
16 I have struggled with anxiety and depression
17 throughout my life. Since 1999, I have seen a succession
18 of psychiatrists and psychologists for PTSD, anxiety and
19 alcohol dependence. Since 1999, I have been prescribed
20 with a variety of anti-depressant medications. I continue
21 to see a psychiatrist and psychologist every two weeks.
22 These counselling services help a lot, but I continue to
23 struggle with feelings of anger, shame and worthlessness.

24
25 I attempted to commit suicide in 2011, but my son
26 stopped me.

27
28 I have battled with diarrhoea ever since I was abused
29 at Leeuwin. I sometimes have to have three or four showers
30 a day because I cannot control my bowels. I have seen
31 numerous doctors and have been diagnosed with irritable
32 bowel syndrome.

33
34 I continue to have nightmares about people coming to
35 attack me in the night. As a result, I tend not to sleep
36 well. I keep a baseball bat under my bed and the windows
37 must be closed.

38
39 I have used alcohol as a way of coping with my
40 feelings throughout my life. By the time I left the Navy,
41 I was drinking eight to 12 beers a night. I have continued
42 to binge drink, especially when I feel anxious. Drinking
43 has been the only thing that has helped to take my anxiety
44 away. I have been admitted to a clinic for treatment in
45 relation to my alcohol consumption on four separate
46 occasions since 2000.

1 I have trouble trusting people. I generally always
2 prefer to be alone. Apart from my wife, I don't socialise
3 much. In 1989, I started my own business so that
4 I wouldn't have to work with other people. I avoid places
5 where there are likely to be lots of people, such as pubs
6 and shopping centres.
7

8 My anxiety about people has affected my family and my
9 marriage. I have not been an easy person to live with.
10 I sometimes become easily aggressive, irritable and
11 short-tempered. I have sometimes been very tough on my
12 children, and I regret this enormously. My wife has put up
13 with a lot. I feel lucky that she has stuck by me. I do
14 not know what I would do without her.
15

16 In 2014 I told my mother what happened to me at
17 Leeuwin. This was a difficult experience for me. Mum was
18 very distressed. She had thought that when I went to
19 Leeuwin I would be safe and that it was going to be
20 a positive experience for me. When I told her what had
21 happened to me there, she said she felt responsible and
22 that she wished she had never sent me.
23

24 Looking back, I feel like what happened to me at
25 Leeuwin has stolen the best parts of my life. Prior to
26 Leeuwin, all I wanted to do was serve my country. However,
27 what happened to me at Leeuwin has deprived me of a career
28 in the Navy. It has also deprived me of my physical and
29 mental health and it has prevented me from being a good
30 husband and father to my children.
31

32 Recommendations to the Royal Commission 33

34 I believe legislation needs to change in regards to
35 a person receiving Veterans Affairs entitlements under the
36 TPI pension and not being able to apply for compensation
37 without it affecting their pension or having to pay it all
38 back, as it was in my case."
39

40 Q. Thank you, Mr Greaves. Can I refer you to
41 paragraph 47 of your statement. There you say, with regard
42 to the mediation of your claim for compensation against
43 Defence, that you were told that if you didn't sign
44 a disclaimer, your lawyers would not be paid. Can I ask
45 you, who told you that?

46 A. My barrister, Gerry Collins, and also my solicitor,
47 and also the mediating barrister said there were some

1 moneys for the solicitors, but they did give me the - they
2 said to my wife and myself, "You have the option to walk
3 out, but they will not be paid." And what they did, they
4 left myself and [REDACTED] in the room by ourselves to think it
5 over, did we want to walk out or sign the document and the
6 lawyers get paid. When they came back in, I - I felt like
7 I couldn't do that to Adair and Shine Lawyers. I decided
8 to sign the documents so they would get paid.

9
10 MR STEWART: Thank you.

11
12 THE CHAIR: Q. Did you ever get to talking amounts of
13 money?

14 A. At one stage, sir, some money was thrown around.
15 I was offered, before the mediation - Gerry Collins made
16 out, I don't know what you call it, it was paperwork saying
17 I could be offered \$4 million - and this is "could"; it was
18 never final.

19
20 Q. But was an offer ever made to you?

21 A. It was - no, because we never got that far, because
22 they said if I accept one cent I will lose my TPI pension.

23
24 Q. And you said to yourself your TPI pension was worth
25 more than anything they could offer you?

26 A. Well, it depends. If it was 2 million - I need
27 medical - the problem with me, I've got a lot of health
28 issues, and if I add up all the medical for the next
29 10 years, like, I'm having a couple of operations shortly -
30 nothing would cover that, I don't think.

31
32 Q. All right. So you said to yourself, "They can't
33 offer me enough money to replace the TPI"?

34 A. That's about it, sir, yes.

35
36 Q. Did you ask anyone for help to work out whether that
37 was actually correct?

38 A. No, sir, I didn't know what - I didn't know I could.

39
40 Q. What about your lawyer? Did your lawyer suggest
41 that maybe you should sit down and try and work it out?

42 A. Well, I - all day, six hours in those chambers of the
43 Defence Department lawyers, they were going out, leaving my
44 wife and I by myself, and as far as I'm concerned, they
45 were trying to work something out all day, but I don't know
46 what was said. All I know is if I'd received - there's
47 some legislation in DVA that because I've been treated for

1 PTSD for Vietnam, I cannot go for a claim for sexual abuse.
2 Even my psychiatrist said that is ridiculous, because how
3 can they differentiate one from the other - what are you
4 going to suffer with more in your nightmares, Vietnam or
5 sexual abuse? But, no, I wasn't told that I could ask
6 someone else later on, no.

7
8 MR STEWART: Q. And the position, Mr Greaves, is that
9 you went, as it were, almost directly from graduating from
10 Leeuwin - you joined HMAS Sydney and went to Vietnam; is
11 that right?

12 A. It's actually not - I've told this story that many
13 times, I got it quite - I actually went to Cerberus, did my
14 marine engineering training, then to Sydney. But I was 16
15 and a half, 17, when I went to Vietnam.

16
17 Q. Mr Adair Donaldson is expected to give evidence. He
18 was your solicitor; am I right?

19 A. That's correct, sir.

20
21 Q. So he will be able to explain what efforts he made --

22 A. Adair did tell me at different stages, "I don't want
23 to jeopardise your TPI pension" - he said several times.
24 I know Adair's heart is in the right place. I have read
25 Adair's statement. He did email me his statement. Only
26 one issue on that statement I don't agree with, and at the
27 end of his statement, he said I was advised to walk out -
28 he advised me to walk out. That is not correct. We were
29 advised to - we had the option to walk out; we were not
30 advised to walk out.

31
32 THE CHAIR: Q. So did you always understand that
33 although you may have to forgo your TPI, you could
34 negotiate for a significant sum of money?

35 A. I thought I could, up to the mediation, that we might
36 have a chance. But obviously that day, like I said, the
37 barristers and the Defence barristers and the mediation
38 barristers - they were going in and out of our room all
39 day. Roughly six hours we were there. And I've got no
40 idea what was discussed in the other rooms.

41
42 THE CHAIR: Yes.

43
44 MR STEWART: Thank you. Those are my questions.

45
46 THE CHAIR: Does anyone else have any questions?

47

1 MS DAVID: Yes.
2
3 MS McLEOD: I think I should perhaps wait to the end, if
4 that's appropriate.
5
6 THE CHAIR: I'm not sure it is appropriate, actually.
7
8 MS McLEOD: Well, I don't have any questions at this
9 stage, thank you sir.
10
11 THE CHAIR: Very well.
12
13 <EXAMINATION BY MS DAVID:
14
15 MS DAVID: Q. As you know, I'm your representative. My
16 name is David, for the record. Just a couple of questions:
17 were you assisted with the maths, if I could put it like
18 that, just to show what it might look like if you did give
19 up your TPI pension?
20 A. There were several figures. I've got the paperwork at
21 home, I'm sorry, but my memory - I'm not real good right
22 now, but there were figures at one stage - 4 million, then
23 2 million; and then I wasn't offered anything, because
24 I never got that far, because I just took it for granted,
25 if I accepted even one cent, my TPI would go.
26
27 Q. If, for example, you had been given an amount over
28 and above the TPI, or what you were currently receiving
29 from either the Department of Veterans' Affairs or through
30 DART or through the civil process, how would it have
31 affected you in overcoming the impact of the abuse that you
32 suffered?
33 A. Well, I travel five and a half hours to my
34 psychiatrist in Newcastle, from Inverell. I live in
35 Inverell, which is northern New South Wales, near the
36 border. I travel several hours to all my specialists.
37 I've had heart surgery. All the specialists are at least
38 two to three hours plus away, and what I wanted to do, if
39 I did get monetary value, is relocate, but I can't afford
40 to do it. And I want to relocate so that I'm near big
41 hospitals.
42
43 We've even considered now, since I didn't receive
44 anything from the compensation: sell the house, get what
45 I can and rent. But you're sort of - you own a house now
46 and you're going back to renting. It's a hard decision.
47 But we have no specialists in our area, only Tamworth,

1 which is two hours away plus, and Newcastle, five and a
2 half hours.

3

4 Q. After you contacted DART - I understand your wife
5 made a telephone call to DART; is that correct?

6 A. That's correct.

7

8 Q. And what was she told?

9 A. We got a recorded message saying, "If you have
10 a problem with sexual abuse, please contact Beyond Blue or
11 Lifeline."

12

13 Q. What impact did that have on you?

14 A. That impacted on me in the way that I thought DART was
15 there for us, not to send us to a volunteering organisation
16 like Beyond Blue or Lifeline. But now I hear DART has been
17 dismantled.

18

19 Also, I did not know there was a cut-off date. When
20 I actually rang DART and said I wasn't aware, they said,
21 "Well, you should have been. It was all in the media."
22 Well, I rang up several - I email a lot of veterans and
23 they said they had never heard it on the media, and I live
24 in a regional area, I read the newspapers, listen to the
25 radio and TV, and I never heard anything about a cut-off
26 date with DART.

27

28 Q. And you have some associations with former veterans'
29 associations?

30 A. I'm in the Vietnam Veterans' Association; I'm in the
31 Peacekeepers organisation; I'm in the retired RAN
32 association. I'm also in the - I was what they call
33 a stoker, an engineer: I'm in the Naval Stokers'.

34

35 Q. And through any of that, none of those organisations,
36 you heard anything?

37 A. No, not at any time did I know about a cut-off date.
38 Look, I can't believe that we wouldn't hear it on the
39 media, if it was extensively said on media.

40

41 Q. Is there anything else that you would wish --

42 A. No, I just wish I could have - I wore my medals for
43 a reason. I love my country and I wanted to serve my
44 country, and I regret that some of my childhood, teenage
45 years, weren't the way I planned. Thank you.

46

47 MS DAVID: Thank you.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47

MR STEWART: I have no further questions, your Honour.

THE CHAIR: Thank you, Mr Greaves. Thank you for your evidence. You are excused.

THE WITNESS: Thank you, your Honour.

<THE WITNESS WITHDREW

MR STEWART: The next witness, your Honour, is [CJB]

<[CJB], sworn: [3.28pm]

<EXAMINATION BY MR STEWART:

MR STEWART: Your Honour, Mr [CJB]'s full names and address are known to the Royal Commission.

Q. Sir, can I ask, do you have before you a copy of your statement, signed on 7 June 2016?

A. Yes, sir.

Q. I understand that there is a correction you wish to make to paragraph 40 of the statement; is that right?

A. Yes, sir.

Q. That is in the second line, where it says "an ordinary seaman" - this is when you joined HMAS Sydney and went to Vietnam. You would delete those words "an ordinary seaman", and replace them with the following "a junior recruit, at the junior recruit rate of \$12.50 per fortnight"; is that right?

A. That's correct, sir.

Q. Subject to that correction, do you confirm that this statement is true and correct?

A. I do, sir.

EXHIBIT #40-005 STATEMENT OF [CJB] DATED 07/06/2016

MR STEWART: Q. Sir, I invite you to read your statement commencing at the third paragraph.

A. "My full name is [CJB]. I was born in Hobart, Tasmania, in 1956. I am 60 years old.

My parents separated when I was eight years old.

1 I lived with my dad, and my mum took my two sisters. My
2 childhood was lonely. My dad was a school principal and
3 worked a lot. I didn't have much to do with my mum and
4 sisters after the separation.

5
6 When I was 15 years old, my father suggested I enlist
7 with the Navy as he had been in the Navy himself for five
8 years during World War II. My father left the Navy as
9 a chief petty officer. I think my dad saw it as a career
10 path for me and a way of allowing him to carry on with his
11 busy life.

12
13 I signed on to the Navy for 12 years with the
14 expectation I would be at Leeuwin for the first 12 months
15 and then transferred to other ships.

16 HMAS Leeuwin

17
18
19 In October 1971, when I was 15 years old, I headed
20 across the Nullarbor with the boys from the East Coast to
21 HMAS Leeuwin in Perth, Western Australia. I was in the
22 37th intake named 'Rhoades' with about 120 other boys aged
23 between 15 and a half and 16 and a half.

24
25 When I got off the bus at Leeuwin my first thoughts
26 were 'This is a gaol'. We were greeted by three divisional
27 officers that were in charge of the Rhodes Division. These
28 men were tasked with integrating us into Leeuwin. They
29 allocated us our bunks, uniforms and handed us a Junior
30 Recruit Handbook. This book stated what we could and
31 couldn't do. We were told that we had an option to leave
32 Leeuwin after three months.

33
34 The three divisional officers in the order of highest
35 to lowest rank were Lieutenant Commander 'Guns' Johnson,
36 Divisional Chief Petty Officer Cross and a divisional
37 leading seaman whose name I can't remember. If we had
38 a problem, we were to follow the chain of command starting
39 with the divisional leading seaman.

40
41 At Leeuwin, discipline was pretty tough. There was no
42 room for error. During the day, we attended school classes
43 which consisted of basic entry-level high school and then
44 naval indoctrination. We also did a lot of physical
45 training.

46
47 There was a very strict hierarchy amongst the junior

1 recruits. There were four divisions within HMAS Leeuwin
2 and a new intake would arrive every three months. In your
3 first three months you were known as a 'new grub'; then a
4 'grub'; and a 'shit'; and in your last three months you
5 were a 'top shit'. The new grubs were the lowest of the
6 hierarchy and subject to the most abuse from other
7 recruits. The top shits had the run of the place.

8
9 We stayed in a three-storey building. There were
10 around 40 dormitories on each floor with around four boys
11 in each cubicle. I was in a cubicle on the ground floor.

12
13 At night, there was always one divisional officer in
14 the divisional office that supervised us. Their office was
15 on the ground floor.

16
17 On my second day at Leeuwin I remember Chief Petty
18 Officer Cross coming up to me and putting his arm around my
19 shoulders and saying, 'I will look after you.' I remember
20 being frightened and backing away and Chief Petty Officer
21 Cross told me to, 'Calm down, calm down'. I felt
22 uncomfortable and uneasy around him from then on and
23 I tried to keep my distance from him.

24
25 At times, I felt that Chief Petty Officer Cross was
26 targeting me as I would get the blame for things that I did
27 not do. For example, if the cubicle I shared with three
28 others was not pristine, it was me who got the blame for
29 it. There was no redress for this though and I just had to
30 put up with it.

31
32 I didn't like my first few months at Leeuwin.
33 Everything occurred in a very militaristic manner. For
34 example, we had to make our bed 10 times if a 20 cent piece
35 didn't bounce on the counterpane. I didn't understand why
36 this was necessary and found it very frustrating that
37 no-one would explain it to us.

38 39 Physical abuse and bastardisation

40
41 There was a culture of bastardisation at Leeuwin and
42 physical abuse was both expected and experienced. It was
43 especially bad when you were a new grub. You were taken
44 advantage of, dictated to, bastardised and everything else
45 under the sun in those first three months.

46
47 Within my first month there I was king-hit and knocked

1 out unconscious. I did not know who hit me. I woke up in
2 the sick bay the next morning. I was told by the nurse and
3 doctor that I had 'fallen over'. As my memories came back
4 to me, I knew I had not fallen over and someone had punched
5 me.

6
7 There was no way I was going to report this assault.
8 I didn't know who had hit me and no-one came forward.
9 I had a fear of reprisals if I attempted to report this
10 assault.

11
12 For physical training, we would box, and we never wore
13 protection. Sometimes this was part of a formal training
14 session and other times we would box unsupervised. When
15 unsupervised, the recruits would really try and kill each
16 other, because everyone would bet cigarettes on the
17 results. We would go for broke in an attempt to gain power
18 within Leeuwin.

19
20 Within the first three months of Leeuwin, besides
21 being king-hit, I suffered a broken nose and I had four
22 teeth knocked out from fighting with senior recruits when
23 I was a new grub.

24 Sexual abuse

25
26
27 About three weeks after arriving at Leeuwin, I awoke
28 one night around 9.30pm to Chief Petty Officer Cross
29 shining a torch in my face. I had been sound asleep, as
30 was the rest of my cubicle. The days were very long at
31 Leeuwin and once the lights went out at around 8pm we were
32 all sound asleep. Chief Petty Officer Cross said to me,
33 'I want to see you in the office.' I asked him, 'Okay,
34 sir, should I get dressed?' He said, 'No, come up the way
35 you are.' I was dressed in a singlet and pyjama shorts.

36
37 Chief Petty Officer Cross took me to his office on the
38 ground floor. No-one else was around. I did not know why
39 he wanted me in his office at night by myself so I asked
40 him, 'What is the problem, sir?' Chief Petty Officer Cross
41 said, 'I don't think I like you. I'm going to show you
42 something that happens to boys that don't toe the line.'
43 He then pulled out his dick and said, 'You're going to get
44 on your knees and you're going to suck on this dick.' I
45 told him that I would not do that, and he brought out a
46 paddle that was often used for punishments and said, 'It's
47 either that or you cop 50 of these.' I said, 'Well, I'll

1 cop 50 of these.' Chief Petty Officer Cross then came over
2 and grabbed me by the hair, forced me down and made me
3 perform oral sex on him. When he finished, he pushed me
4 away and said, 'You're a dirty little piece of shit. Get
5 back to your bed and if you ever breathe one word about it,
6 you won't see tomorrow morning.'

7
8 After he had finished I went back to my bed.
9 I couldn't sleep for the rest of the night and was trying
10 to think of how I could escape Leeuwin.

11
12 I did not tell any of the other boys about it.

13
14 The next morning, Chief Petty Officer Cross addressed
15 our division and asked how we all slept. I felt that he
16 was looking right at me.

17
18 The same morning, after our physical training,
19 I waited around the divisional office area hoping to speak
20 with Lieutenant Commander Johnson about what had happened
21 to me the previous night. When I saw Lieutenant Commander
22 Johnson in the foyer outside the divisional office I said,
23 'Sir, I would like to speak with you in private', and he
24 said, 'What about?' I said, 'About an incident that
25 happened through the night.' He then yelled at Chief Petty
26 Officer Cross to come over and told him, '[CJB] wants to
27 talk about something. Go and find out what it is and bring
28 him to up to me .'

29
30 When we were alone in the foyer outside the divisional
31 office, Chief Petty Officer Cross asked me whether I wanted
32 to speak to Lieutenant Commander Johnson about what
33 happened the previous night. I told him that I didn't and
34 he said, 'I tell ya fuckin' what, if it is, you remember
35 what I said to ya, don't ya?' I said, 'Yes, sir,
36 absolutely.'

37
38 Chief Petty Officer Cross then took me into the
39 divisional office in front of Lieutenant Commander Johnson.
40 I could feel Chief Petty Officer Cross breathing down my
41 neck and I knew I couldn't tell the truth. I made up
42 something on the spot and said, 'I'm just having trouble
43 sleeping at night.' Lieutenant Commander Johnson told me
44 that I needed to 'man up and grow up, otherwise you're on
45 the train home.'

46
47 After this, I noticed that Chief Petty Officer Cross

1 left me alone and no longer was targeting me. I avoided
2 him as much as I could. For example, I would stand at the
3 back of the pack so he wouldn't see me.
4

5 Second report of abuse 6

7 About a month after I was violated I finally got
8 Lieutenant Commander Johnson alone at the swimming pool.
9 I said, 'Sir, could I talk to you about a matter?'
10 Lieutenant Commander Johnson said, 'Didn't we go through
11 all this before? It was about fuckin' bad dreams or
12 something.' I said that Chief Petty Officer Cross 'made me
13 do something sexual that I wasn't comfortable with.'
14 I then told him everything that happened.
15

16 Lieutenant Commander Johnson said, 'Oh, don't be such
17 a fuckin' baby. Don't go making these things up just
18 because you can't handle it. Why didn't you bring this up
19 when Chief Petty Officer Cross was in the office the other
20 week?' I told him that I didn't for fear of reprisal, and
21 he told me to, 'Get the fuck out of here.'
22

23 I never reported the sexual abuse again whilst on
24 board Leeuwin. I also felt unable to report my physical
25 abuse because if no-one was going to listen to me about
26 being sexually violated, they were not going to care about
27 me being physically abused.
28

29 After Christmas holidays 1971 30

31 After three months at Leeuwin, we had our Christmas
32 holiday break. I returned home to Hobart. I never told my
33 dad what had happened to me at Leeuwin and put on a brave
34 face for him. I returned to Leeuwin in January 1972.
35 Around 40 boys did not return to Leeuwin.
36

37 When I returned to Leeuwin, all three divisional
38 officers were gone and we had three new divisional officers
39 in their place. Life was completely different. The
40 divisional officers were much nicer and life for the last
41 nine months at Leeuwin was much, much better than my first
42 three months.
43

44 Many of the boys were involved in a sponsorship scheme
45 where they were allowed to leave Leeuwin and stay with
46 a volunteer family on weekends. I was told by my new
47 divisional officer that Chief Petty Officer Cross had ruled

1 me out of this scheme before he had left. This made me
2 feel belittled, although there was nothing I could do.

3
4 I graduated from Leeuwin in October 1972.

5
6 In 1972, when I was 16 years old, I was drafted onto
7 HMAS Sydney and went to the Vietnam War as a junior recruit
8 on the junior recruit pay level of \$12.50 per fortnight.

9
10 It was much like being a new grub back at Leeuwin.
11 There were about 200 to 300 guys on the ship. Guys were
12 much older and physically much larger than me.

13
14 I was sexually assaulted by three older sailors within
15 my first two weeks on board. I attempted to report this
16 incident to a senior sailor who told me that I would be
17 opening a bombshell if I pursued the matter. Nothing
18 further came from my attempt to report.

19
20 After 10 years in the Navy I elected to be discharged.
21 I thought it was time for a change of lifestyle. I was an
22 air traffic controller in the Navy at the time and felt
23 that I had no further opportunities for career progression.
24 I wanted to seek another career outside of the Navy.

25
26 I was able to secure work in security and I had
27 a family to look after.

28
29 In 1998, I made a claim to the Department of Veterans'
30 Affairs for post-traumatic stress disorder which was
31 related to the sexual abuse I experienced on HMAS Sydney.
32 My claim was ultimately successful and I was awarded
33 a pension from DVA.

34
35 Around three or so years ago, I made a submission to
36 the Defence Abuse Response Taskforce (DART) about the
37 sexual abuse I experienced on HMAS Sydney. I received the
38 maximum \$50,000 payment from DART.

39
40 I did not feel able to disclose my abuse at
41 HMAS Leeuwin as I did not think anyone would believe me
42 because my abuse occurred so long ago and there was no-one
43 rest to be held accountable.

44
45 Impact of the abuse

46
47 There are several ways to describe the impact of the

1 abuse. It varies from making me stronger to making me
2 somewhat sad and disillusioned. Certainly my relationships
3 have suffered due to PTSD. That unfolds into a very
4 depressed state at times as I wonder if it is me or the
5 PTSD and if it will ever go away.

6
7 The abuse I suffered in the Navy has impacted on my
8 relationships with others. I have had two serious
9 relationships in my life and yet I was unable to fully
10 disclose the abuse I suffered to both my partners. I felt
11 that my relationships have dissolved because of my PTSD.
12 I thought it was better for my children and my former
13 partners that I remove myself from them so they didn't
14 carry the burden of my PTSD with them.

15
16 I have one adult daughter from my first marriage and
17 two younger boys from my second relationship. I have tried
18 hard to conceal any overt signs to my children. I tell
19 them about the positives of life, to enjoy their childhood
20 and to be responsible for their decisions.

21
22 I have seen counsellors and psychiatrists over the
23 years in order to deal with my PTSD. To date, I still have
24 not found the right person. I found that they were all too
25 young and I felt uncomfortable disclosing my abuse to them.
26 As such, I have worked hard to manage my PTSD on my own.

27
28 I live alone and manage my health as best as I can.
29 Like most people, there are good and bad days and nights."

30
31 MR STEWART: Thank you, sir. I have no further questions.

32
33 THE CHAIR: Does anybody else have any questions?

34
35 MS McLEOD: No questions, thank you, your Honour.

36
37 MR O'BRIEN: Very briefly, if I may.

38
39 <EXAMINATION BY MR O'BRIEN:

40
41 MR O'BRIEN: Q. O'Brien is my name, Mr [CJB] and, as you
42 know, I represent you in these proceedings. I just wanted
43 to clarify, if I could, a set of three paragraphs, 44
44 through to 46, if you can turn them over. That's your
45 account as to your going to the Department of Veterans'
46 Affairs. You said that in 1998 you made a claim to the
47 Department of Veterans' Affairs for post-traumatic distress

1 disorder related to the sexual abuse on HMAS Sydney?
2 A. That's correct.
3
4 Q. I showed you a document earlier today. It is at
5 tab 46 in the bundle, for the interest of the Commission,
6 but it appears that, in fact, you were unsuccessful at
7 first instance in getting that recognised; is that the
8 case?
9 A. Yes, that's correct.
10
11 Q. You had to appeal that decision before it was
12 successfully determined; is that right?
13 A. I did. That's correct.
14
15 Q. I wanted to then take you, after that, to the next
16 paragraph, the Defence Abuse Response Taskforce, "DART".
17 I want to clarify that paragraph and the next. It is the
18 case that you have received a payout from DART in relation
19 to what happened to you at HMAS Sydney; correct?
20 A. That's correct.
21
22 Q. But not what happened to you at HMAS Leeuwin; correct?
23 A. That's correct. Because I never sought one.
24
25 Q. When you saw DART, they had your entire service
26 record, didn't they?
27 A. They would have, certainly.
28
29 Q. You would expect that they would have?
30 A. Oh, well, I'm sure they would have, because - yeah,
31 because I was already on a Veterans' Affairs claim, so the
32 history had been documented, yes.
33
34 Q. So they knew, when you came to see them, that they
35 were dealing with someone who had been, as a teenager,
36 recruited through Leeuwin; right?
37 A. Correct.
38
39 Q. Did they ask you what had happened at Leeuwin in
40 your experience?
41 A. I started to tell them and they - and I said [sic],
42 "Well, there's no authentication of these matters, of what
43 happened at Leeuwin."
44
45 Q. Is your evidence that they were dissuading you from
46 giving any suggestion of what had happened to you at
47 Leeuwin to them?

1 A. Well, the words were that if there's no evidence,
2 there's no proof.
3
4 Q. They told you that?
5 A. Yes.
6
7 Q. So you felt, as you have said in paragraph 46, that
8 you could not disclose that because there wasn't any
9 evidence of it?
10 A. I thought the perpetrators were dead. That was my
11 understanding. And also the fact that they sort of
12 conveyed to me that I was better to pursue or explain to
13 them the circumstances on HMAS Sydney, which resulted in,
14 again, some sort of contention about the matter that I was
15 only 16, and they disbelieved me, that you could go into
16 a war zone when you were 16. Again, the documentation had
17 to be retrieved to confirm that.
18
19 Q. Has the Department of Veterans' Affairs, or, indeed,
20 any other Commonwealth department, including, I suppose,
21 the Department of Defence, ever got back in touch with you
22 about your experience at Leeuwin?
23 A. No, sir.
24
25 MR O'BRIEN: Thank you. No further questions.
26
27 THE CHAIR: Yes, Mr Stewart?
28
29 MR STEWART: I have no further questions for the witness,
30 your Honour.
31
32 THE CHAIR: Thank you, Mr [CJB]. Thank you for your
33 evidence. You are excused.
34
35 THE WITNESS: Thank you.
36
37 <THE WITNESS WITHDREW
38
39 MR STEWART: Your Honour, the next witness is Mr Geoffrey
40 Edwin Curran, an institutional witness. I'm in
41 your Honour's hands as to whether we press on.
42
43 THE CHAIR: I think we might start him tomorrow morning.
44 We will adjourn until 10.
45
46 AT 3.50PM THE COMMISSION WAS ADJOURNED TO
47 WEDNESDAY, 22 JUNE 2016 AT 10AM