

John W. CLARKSON,

Australian Human Rights Commission,
Attn: Ms Elizabeth Broderick – Sex Discrimination Commissioner,
GPO Box No 5218,
SYDNEY NSW 2001.

Tuesday 18th June 2013.

Recent Allegations of Sexual Abuse in the Australian Defence Forces.

Dear Ms Broderick,

As recently as last week, we all heard of yet another wide spread case of systematic sexual abuse of females within the Defence Forces. As an ex-Senior NCO from the RAAF with nearly 25 years of service, I am certainly not naive enough to say 'It didn't happen in my time,' but I think it is somewhat more blatant and more serious now. Nor do I promise to have the magic solution.

However, in my attempt to be of some help to your efforts, I would like to make some comparisons between the laws of yesteryear and the laws of today.

During the 1990s, Australia went through a fairly complex campaign promoting the republic, and to this end, anything to do with 'The Crown' seem to be left behind. Now without getting on either bandwagon of a republic or the monarchy, all Commissioned Officers, Warrant Officers, and NCOs who served up until the late 1980s were defined as "Sworn Servants of the Crown". As such, it was heavily emphasised to us that our personal and professional conduct would be subject to all the appropriate sections of Queen's Regulations.

Of the entire Queen's Regulations under which we served, two of the most serious were:

- If a Sworn Servant of the Crown is attainted with an indictable offence, his/her Commanding Officer may, depending on the seriousness of the offence, seek approval from the Chief of the Defence Force for the servant's removal from the Defence Force; and
- If a Sworn Servant of the Crown receives a conviction for an indictable offence, irrespective of sentence given, if any, then that Servant of the Crown is no longer eligible to serve and will be terminated immediately.

My memory of the wording may be a little inaccurate now, but they were the two main ones which kept us in line. My question is: In today's Defence Forces, and for that matter, in today's Government departments, do "Sworn Servants of the Crown" still exist?

During my time in the RAAF, I knew of a few cases where one of our fellows was suspected of unacceptable conduct toward one or more of the ladies in the unit. In each case, they were interviewed by their Commanding Officers and a decision was made within one or two days. If a charge was laid and proven, they were out of the service the same day as the conviction was reached. If a charge was not formally given, yet unacceptable conduct was strongly suspected, the airman was interviewed at considerable length and in most cases the Commanding Officer sought the airman's immediate discharge.

I also knew of another young airman who worked for me and was accused of a drug offence, (his case was strongly suspected but never proven), yet he was discharged from the service within 72 hours of the

interview. In his case, it was so sad, as he was a magnificent worker – he just needed to be continually employed or he had the knack of finding mischief if he was not!

I do realize that matters of the Crown are not a particularly high priority these days, but I do feel that we have lost a very important guiding influence if those regulations are not current any more.

I also realize that in today's service, electronic communications are far more advanced than they were in our day. In many ways, these advancements provide for a huge improvement in unit efficiency, but they also allow for them to be abused.

I hope I have been of some help in this very complex problem. Each time I hear of these offences happening, I despair once again, and think – What can we do?

Kind Regards,

John Clarkson

(Sergeant – RAAF – Retired).