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Subject: PARENT OF HMAS STUART SAILOR CLAIMS ALLEGATIONS OF VICTIMISATION.
Comment:
Action Area: CJOPS

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HQJOC HIB 2011/1

HOT ISSUES BRIEF

ISSUE: PARENT OF HMAS STUART SAILOR CLAIMS ALLEGATIONS OF VICTIMISATION.

Sensitivity: Medium, parent indicates option of seeking other resources to address. Assess approach to media or MINDEF possible.

Key Issues

- On 28 Feb 2011, the Commanding Officer of HMAS *Stuart* received an email from the father of a [REDACTED] of his crew highlighting his concerns with respect to the welfare of [REDACTED] in relation to an inquiry regarding a possible inappropriate relationship with a [REDACTED] being conducted onboard HMAS *Stuart*.
- The [REDACTED] has been the subject of a Routine Inquiry with respect to a potential inappropriate workplace relationship onboard HMAS *Stuart*.
- The email referred to an inquiry based on what the father termed "unsupported allegations". He claimed that as a consequence, [REDACTED] was "the subject of ridicule and victimisation, which some may characterise as bastardisation". As a result of these claims, the Commanding Officer of HMAS *Stuart* has initiated a

Quick Assessment into the father's claim of victimisation.

- The Routine Inquiry into the inappropriate relationship supported the allegation that an inappropriate relationship was being conducted onboard HMAS *Stuart*, and the Commanding Officer has now issued a Notice to Show Cause to both sailors as to why they should remain onboard. Both sailors have seven days to respond to their notices.

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BACKGROUND

A [REDACTED] and a [REDACTED] onboard HMAS *Stuart* have been the subject of a Routine Inquiry into a potential inappropriate workplace relationship, as defined by Defence Instruction (General) - Personnel 35-3. The Routine Inquiry was conducted in accordance with Australian Defence Policy Publication 06.1.4 *Administrative Inquires Manual*, and has been subject to legal review by the Joint Task Force 633 Legal Officer prior to the Commanding Officer of HMAS *Stuart* making a determination.

Based on this inquiry, an inappropriate workplace relationship was deemed to exist between the two sailors. After considering the operational importance of each member's role, the Commanding Officer of HMAS *Stuart* initially decided to issue a Notice to Show Cause for Early Return to Australia to the [REDACTED] only and deal with the [REDACTED] administratively - but retain [REDACTED] onboard. After further consideration the Commanding Officer of HMAS *Stuart* determined that his decision may be perceived as inequitable, so he is now proceeding with administrative processes to determine if he should recommend to Commander Joint Task Force 633, as the Imposing Authority for Early Return to Australia, that both sailors be removed from HMAS *Stuart*.

Throughout the process, the [REDACTED] has received considerable divisional support and counselling. The [REDACTED] father acknowledges this in his email to the Commanding Officer of HMAS *Stuart*.

The email from the [REDACTED] father refers to his 20 years service in uniform, and a 15 year association with the Defence community as his basis for his understanding of dealing with defence matters. [REDACTED]

TALKING POINTS

- **FOLLOWING ALLEGATIONS RELATING TO THE BEHAVIOUR OF TWO SAILORS ONBOARD HMAS STUART A ROUTINE INQUIRY HAS BEEN CONDUCTED.**
- **THE INQUIRY HAS BEEN CONDUCTED IN ACCORDANCE WITH DEFENCE GUIDELINES.**
- **BOTH SAILORS HAVE BEEN AFFORDED SUPPORT BOTH WITHIN THE SHIP AND FROM EXTERNAL SOURCES DURING THE ADMINISTRATIVE PROCESS.**
- **THE MATTER IS STILL THE SUBJECT OF ONGOING ADMINISTRATIVE ACTION.**
- **CLAIMS OF UNACCEPTABLE BEHAVIOUR BY, OR AGAINST, ANY MEMBER OF THE AUSTRALIAN DEFENCE FORCE ARE TREATED VERY SERIOUSLY.**