

**AN EXAMPLE OF A
QUICK ASSESSMENT BRIEF FOR UNACCEPTABLE BEHAVIOUR**

This example is for illustration purposes only. It is not based on any known people or events.

Quick Assessment Brief for SQNLDR Cleary

Complaint of Unacceptable Behaviour: LACW Jones and CPL Mercer

Date of incidents: 2-11 Mar XX

DIRECTION

1. On 12 Mar xx at 0930, SQNLDR Cleary appointed me, FSGT Gooding, to conduct a Quick Assessment (QA) following a verbal complaint received by him, through the chain of command on 12 Mar xx at 0900. Notes of the directions received, including details of the verbal complaint are provided at Attachment A.

ALLEGATION

Summary of the allegation

2. LACW Jones has alleged that CPL Mercer harassed her by making inappropriate advances towards her over the period 2-11 Mar. This included approximately eleven phone calls to her home and eight suggestive text messages to her mobile phone.

Summary of Details.

3. Parties involved:

- a. Complainant – LACW Karen Jones, 99SQN, Sydney.
- b. Respondent – CPL Steven Mercer, 99SQN, Sydney.
- c. Witness – CPL Mary Stewart, 99SQN, Sydney.
- d. Section Commander – FLTLT Peter Mills, 99SQN Sydney.

4. Date, Time and Place of Incident(s) 2-11 Mar 09. The alleged phone calls and text messages were made during and after work hours. The alleged phone calls were made to LACW Jones place of residence and the alleged text messages were made to her private mobile phone.

5. Supporting Information or Evidence. CPL Stewart shares accommodation with LACW Jones and has been home when the alleged phone calls took place. She has also sighted a number of the alleged text messages. Photocopies of the mobile phone displaying three of the text messages allegedly sent from CPL Mercer to LACW Jones are at Attachment B.

PARTIES INTERVIEWED

6. FLTLT Mills. A face-to-face interview was conducted with FLTLT Mills on 12 Mar 09 at 1030 h. He stated that LACW Jones approached him on 12 Mar 09 at 0800 and made a verbal complaint of harassment against CPL Mercer. FLTLT Mills reported the complaint to SQNLDR Cleary. A copy of the interview notes with FLTLT Mills can be found at Attachment C.
7. LACW Jones. A face-to-face interview with LACW Jones was conducted on 12 Mar 09 at 1100. LACW Jones made a verbal complaint to FLTLT Mills on 12 Mar 09 at 0830. LACW Jones alleged that CPL Mercer had made approximately eleven phone calls to her home since 2 Mar 09 and has sent her eight text messages with suggestive comments. She has three text messages saved in her phone which she made available for this QA.
8. LACW Jones also stated that on 1 Mar 09, prior to the phone calls and text messages, CPL Mercer was romantically interested in her and asked her out on a date. She declined. With each phone call, she asked CPL Mercer to stop contacting her. LACW Jones contacted an Equity Advisor on 4 Mar 09 to discuss what options were available to her. On 6 Mar 09, LACW Jones attempted to resolve the matter and confronted CPL Mercer in the workplace. She told him that she was not interested in a relationship and requested that he cease contacting her. The phone calls and text messages continued to 11 Mar 09. A copy of the interview notes with LACW Jones can be found at Attachment D.
9. CPL Stewart. A face-to-face interview with CPL Stewart was conducted on 12 Mar 09 at 1200. CPL Stewart stated that she shares accommodation with LACW Jones and that she was at home when a person identified by LACW Jones as CPL Mercer made phone calls to LACW Jones. She stated that LACW Jones was upset with each phone call, that she heard LACW Jones ask the caller to stop contacting her, and that she heard LACW Jones advise the caller that she was not interested in going out with them. CPL Stewart also stated that she answered the phone on three occasions but the caller had hung up. She suspected that the phone calls were from CPL Mercer. These phantom phone calls occurred during 2-11 Mar 09.
10. CPL Stewart claims to have sighted three of the alleged text messages sent to LACW Jones which were deleted. These messages were alleged to be requests to meet up with LACW Jones. A copy of the interview notes with CPL Stewart can be found at Attachment E.
11. CPL Mercer. A face-to-face interview with CPL Mercer was conducted on 12 Mar 09 at 1400. CPL Mercer confirmed that he made a number of phone calls to LACW Jones during the period of 2-11 Mar 09, and that he had sent the suggestive text messages. He also confirmed that he had asked LACW Jones out on a date. He stated that he was romantically interested in LACW Jones and thought that if he persisted in asking her out that she would eventually say yes. He didn't believe that the text messages were offensive.
12. He was apologetic for his actions and stated that he did not realise that he was making LACW Jones feel uncomfortable or that his behaviour was inappropriate. He stated that he would apologise to her and that his actions would stop. A copy of the interview notes with CPL Mercer can be found at Attachment F.

Complainant's Desired Outcome

13. LACW Jones would like CPL Mercer to stop contacting her. She wants CPL Mercer to understand that she is not romantically interested in him and that he should undertake some type of counselling or training in acceptable behaviour and to be more respectful to women.

ACTION TAKEN TO DATE

14. LACW Jones has attempted self resolution without success. LACW Jones has contacted an Equity Advisor and is aware of her options and support available. LACW Jones lodged her complaint in accordance with DI(G) PERS 35-3 through her chain of command. I have consulted with the Senior Equity Advisor, FLTLT Smyth.

ASSESSMENT OF THE COMPLAINT

15. The evidence available supports the allegations made by LACW Jones. CPL Mercer has admitted to making the phone calls and sending the text messages. However, CPL Mercer was unaware that his behaviour was unacceptable.

16. Type of Unacceptable Behaviour. CPL Mercer's alleged behaviour is consistent with the definition of sexual harassment as per Annex B to DI(G) PERS 35-3.

17. Resolution. LACW Jones seeks an informal resolution through an apology and request for CPL Mercer to undertake individual development needs. ADF disciplinary action or administrative action is not considered an appropriate response to this complaint. Both parties are willing to undertake informal resolution. As the previous self-resolution attempt was unsuccessful, it may be appropriate to pursue supported self-resolution in which LACW Jones is assisted in her preparation.

18. Notification/Reporting.

- a. Reporting to Fairness and Resolution is required. The complaint is to be reported within seven days of the receipt of the complaint or upon completion of this QA (Form AC875-1). Closure of the complaint following resolution will also be required (Form AC875-3).
- b. Occupational Health and Safety Branch reporting and Comcare notification is not required in this instance as injury/illness or potential illness, as per Annex F to DI(G) PERS 35-3, has not been identified.

19. Safety, Health and Wellbeing. LACW Jones is aware of her support options and has stated that she does not require any further assistance at this time.

20. Systemic/Procedural/Cultural/Training/Communication Issues. The unit has not undertaken its annual mandatory equity and diversity training this year.

RECOMMENDATIONS

21. The recommendation in relation to the complaint is for the matter to be resolved informally by supported self-resolution.

22. The recommendations related to the management of the complaint are:

EXAMPLE: STAFF-IN-CONFIDENCE (when drafted)

- a. report the complaint to Fairness and Resolution in accordance with Annex F of DI(G) PERS 35-3, identifying the category of unacceptable behaviour as sexual harassment;
- b. monitor the success of the resolution by requiring FLTLT Mills to make regular enquiries with the complainant and respondent;
- c. consider training or counselling options for CPL Mercer; and
- d. schedule annual mandatory equity and diversity training for the unit in the near future.

F. GOODING

FSGT
99SQN

Tel: 71111

13 Mar xx

Attachments

- A. Notes regarding QA direction and verbal complaint details
- B. Copies of three text messages
- C. Interview notes with FLTLT Mills
- D. Interview notes with LACW Jones
- E. Interview notes with CPL Stewart
- F. Interview notes with CPL Mercer

Commander/manager decisions:

I concur / do not concur with recommendations. *(delete as appropriate)*

Additional or alternative decisions and directions: *(insert if appropriate):*

SQNLDR Cleary

Mar xx