



Australian Government
Department of Defence

**SEXUAL MISCONDUCT
PREVENTION AND RESPONSE
OFFICE SUPPLEMENTARY
REPORT 2016-17**

**A SUPPLEMENT TO THE
DEFENCE ANNUAL REPORT 2016-17**

Contents

CLIENT AND SERVICE PROFILE IN 2016–17	2
SEXUAL MISCONDUCT INCIDENTS FORMALLY REPORTED TO DEFENCE IN 2016–17	4
ENGAGING WITH DEFENCE	5
COMPLEX CASE MANAGEMENT FOR VICTIM SERVICES CLIENTS	6
Recency	6
Physical, mental, and psychological safety needs	7
Case management complexity and recency	8
GENDER	10
ADVICE CLIENTS	11
AUSTRALIAN DEFENCE FORCE CADETS ORGANISATION	12
RECOVERY, RESPONSE, AND PREVENTION	13

Client and service profile in 2016–17

The Sexual Misconduct Prevention and Response Office assisted 488 new clients with support, case management, advice, and other information in 2016–17 (Table 1).

Table 1: **Sexual Misconduct Prevention and Response Office services 2016–17**

Client type	Number of clients 2016–17	Per cent of clients 2016–17
Support to victims	136	28%
Advice managing incidents and assisting victims in Defence	218	45%
Debriefing and other mental health support	26	5%
Services provided, marketing, and prevention education	94	19%
Other information requests—non-sexualised behaviours; non-Defence incidents	14	3%
Clients total for 2016–17	488	100%

Client numbers increased between 2015–16 and 2016–17 across all of the services provided by the Sexual Misconduct Prevention and Response Office’s support coordinators:

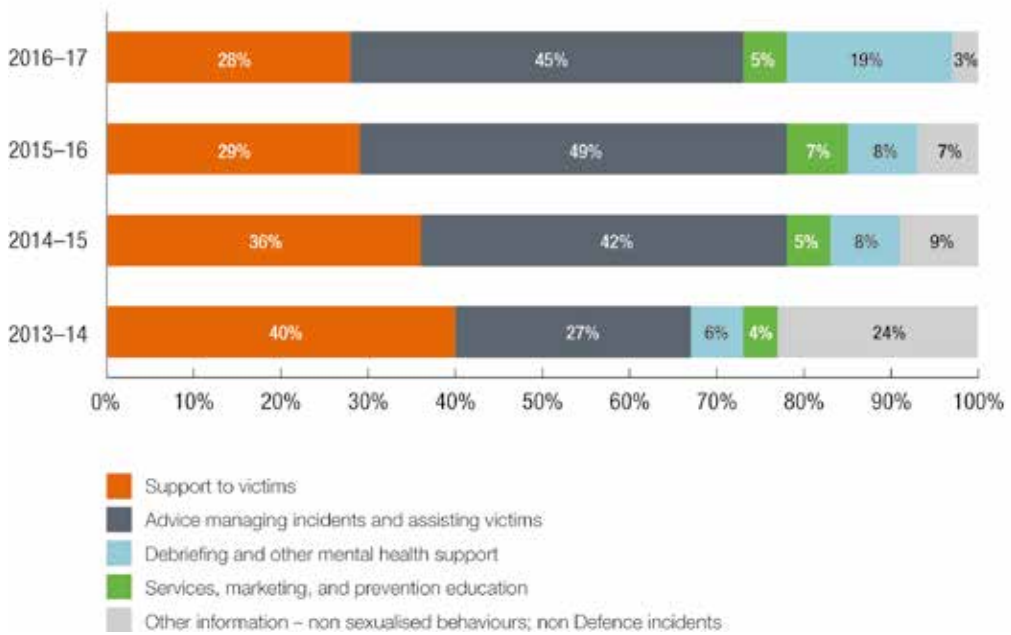
- victim services clients increased by 77 per cent
- debriefing clients increased by 44 per cent
- advice client numbers increased by 69 per cent
- callers seeking information about support and prevention services increased by more than 400 per cent in the same timeframe.

The Sexual Misconduct Prevention and Response Office’s client base continued to change in 2016–17. Victim services clients who had never contacted the Sexual Misconduct Prevention and Response Office before remained at just below 30 per cent of all clients. Advice clients comprised 45 per cent of new clients, which was a few per cent less than the year before.

Calls about the services the Sexual Misconduct Prevention and Response Office provides, marketing material, and education products more than doubled from 8 per cent in 2015–16 to 19 per cent in 2016–17. These callers sought information about bystander education, course participation, sexual ethics education presentations for their bases and units, and their education proficiency records. They also gave feedback on the education products, website, and marketing material. The very large increase in this contact reflects increased willingness to engage with the Sexual Misconduct Prevention and Response Office and awareness of cultural change messaging in Defence.

Figure 1 illustrates that calls about non-sexualised behaviours, behaviours outside of Defence's scope, and other information requests continued to fall in 2016–17.

Figure 1: **Sexual Misconduct Prevention and Response Office services from 2013–14 to 2016–17**



Note: Bars may not total to 100 per cent due to rounding.

Sexual misconduct incidents formally reported to Defence in 2016–17

The Sexual Misconduct Prevention and Response Office's increased client numbers in 2016–17 were not reflected by an increase in sexual misconduct incidents formally reported to Defence in the same period. Numbers of formal reports to Defence have changed little since 2013–14. Defence received 265 reports of sexual misconduct incidents in 2016–17. Formal reporting to Defence for sexual misconduct incidents has fluctuated up and down by 5 per cent or less over the last four years. Table 2 illustrates that the proportions of formal reports made about each type of incident have also been consistent since 2014–15.

Table 2: Sexual misconduct incidents reported to Defence from 2012–13 to 2016–17

Incident type		2012–13	2013–14	2014–15	2015–16	2016–17
Pornography	Number	14	21	12	9	4
	Per cent	7%	8%	5%	4%	2%
Sexual harassment	Number	57	67	88	72	80
	Per cent	29%	26%	34%	29%	30%
Acts of indecency	Number	63	73	63	87	94
	Per cent	33%	28%	24%	35%	36%
Sexual assault	Number	40	74	70	53	59
	Per cent	21%	29%	27%	21%	22%
Aggravated sexual assault	Number	20	22	28	31	28
	Per cent	10%	9%	11%	12%	11%
Total	Number	194	257	261	252	265

Note: Some columns do not total to 100 per cent due to rounding.

The Sexual Misconduct Prevention and Response Office classifies sexual offences, and defines acts that are non-criminal sexualised behaviours, based on the Model Criminal Code (Model Criminal Code Officers Committee 1996). Formally reported incidents and offences occur in multiple jurisdictions across Australia and overseas. The Model Criminal Code describes those offences in a way that mirrors most Australian criminal legislation.

Sexual harassment—actions including leering, unwelcome touching, suggestive comments, insults of a sexual nature, sexually explicit messages, stalking, and inappropriate advances.

Acts of indecency—sexualised physical touching, flashing, taking or transmitting sexually explicit videos or photographs without consent, upskirting, and voyeurism.

Sexual assault—a penetrative act, or the threat of a penetrative act, without consent.

Aggravated sexual assault—a penetrative act committed without consent, or the threat of a penetrative act committed without consent, with aggravating circumstances such as violence, weapon use, proscribed consent, or committed in company.

Pornography—behaviours such as posting sexually explicit pictures, in hardcopy or in softcopy, using Defence resources or in a Defence workplace.

Model Criminal Code Officers Committee 1996. Model Criminal Code. Chapter 5: Sexual offences against the person—discussion paper. Model Criminal Code Officers Committee of the Standing Committee of Attorneys-General: Canberra.

Engaging with Defence

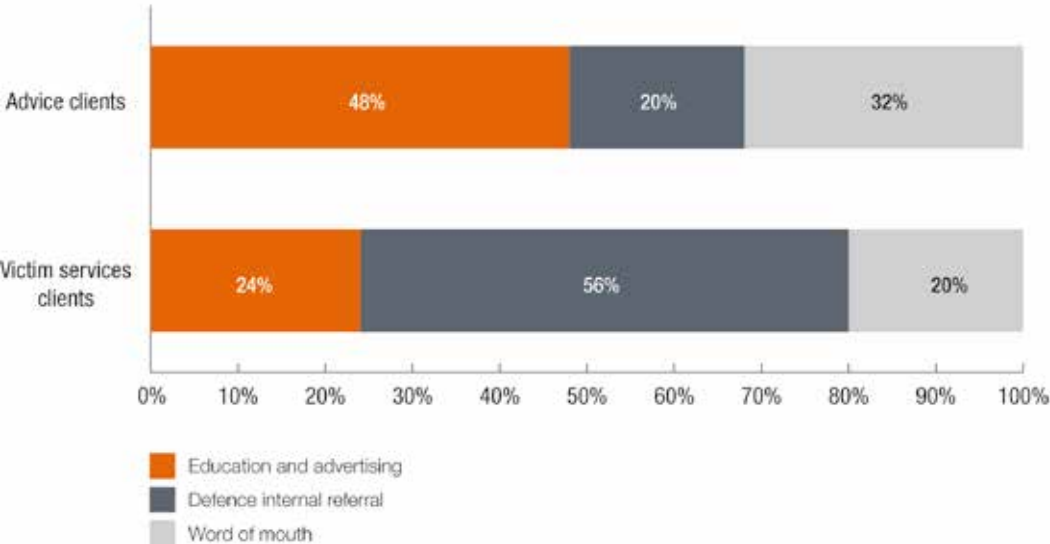
Defence focused on increasing awareness of the Sexual Misconduct Prevention and Response Office in 2016–17 and this resulted in greater client numbers. The Sexual Misconduct Prevention and Response Office is developing strong relationships with commanders, and other parts of Defence, to assist leaders to support their personnel.

Support coordinators do not solicit information from clients if it is not clinically relevant, but document the way clients became aware of the Sexual Misconduct Prevention and Response Office if it is disclosed. More than half of these clients indicated they had heard about the service through internal Defence referrals. Around one-third heard about the service from their commander or supervisor. A further 20 per cent were referred from the Australian Defence Force Investigative Service or another Defence support or health service.

Twenty per cent of the victim services clients sample sought help from the Sexual Misconduct Prevention and Response Office in the last two years because of word of mouth. It reflects the consistent, reliable, and professional service provided by support coordinators.

A further 30 per cent of the victim services clients indicated they became aware of the support and case management services at a Sexual Misconduct Prevention and Response Office presentation. The General Awareness presentations span consent, reporting obligations and legal frameworks, the impacts of trauma, and the support services available to victims. General Awareness presentations were delivered to 24,960 Defence personnel in 2016–17.

Figure 2: Client awareness about the Sexual Misconduct Prevention and Response Office in 2016–17



The contents of the Command and Management Team education package have evolved as the Sexual Misconduct Prevention and Response Office has matured. The presentations for command teams cover reporting obligations, incident management requirements, and responding to victims using trauma-informed care principles. The program delivers high-quality training, designed by adult education professionals, in concert with the clinicians in the team. A total of 4,287 personnel attended a Command and Management Team presentation in 2016–17.

Feedback from Command and Management Team education participants indicated that the concurrent focus on trauma-informed care and Defence processes increased their confidence and skills to deal appropriately and sensitively with sexual misconduct incidents reported to them.

Complex case management for victim services clients

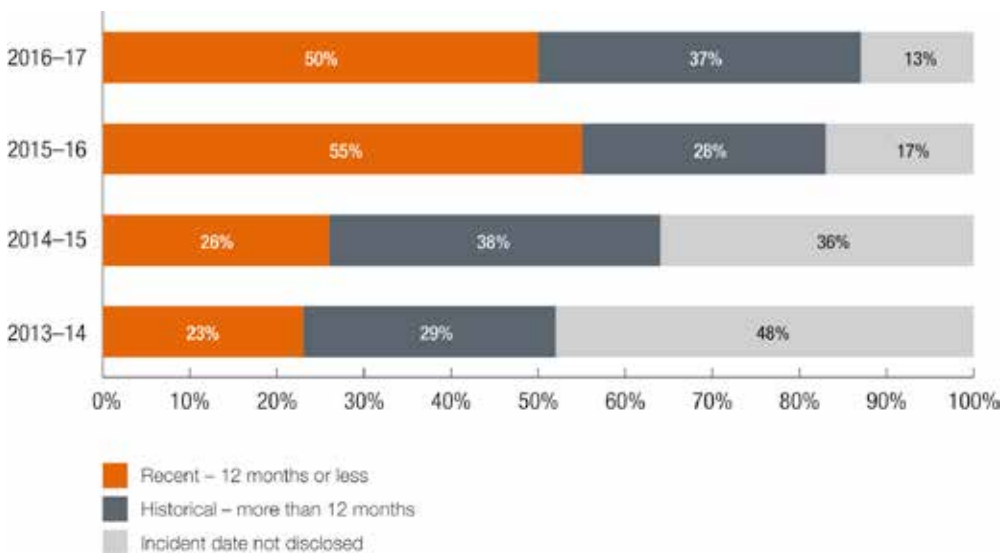
Victim services clients were predominantly current serving Australian Defence Force members, female, and ranks other than officers. Those demographics fit around two-thirds of all victim services clients and have remained consistent in 2016–17.

Recency

The specific services that support coordinators provide to victim services clients have become more complex over time. One key client demographic change is the recency of clients' sexual misconduct experiences.

The time between clients being victimised and seeking help from the Sexual Misconduct Prevention and Response Office diminished between 2013–14 and 2016–17. Less than one-quarter of victim services clients from 2013–2015 contacted a support coordinator within one year of a sexual misconduct incident. Victim services clients were far more likely to seek help about historical sexual misconduct incidents in the first two years of operation. In contrast, more than half of all victim services clients in 2015–16 and 2016–17 contacted the Sexual Misconduct Prevention and Response Office within a year of being victimised (Figure 3).

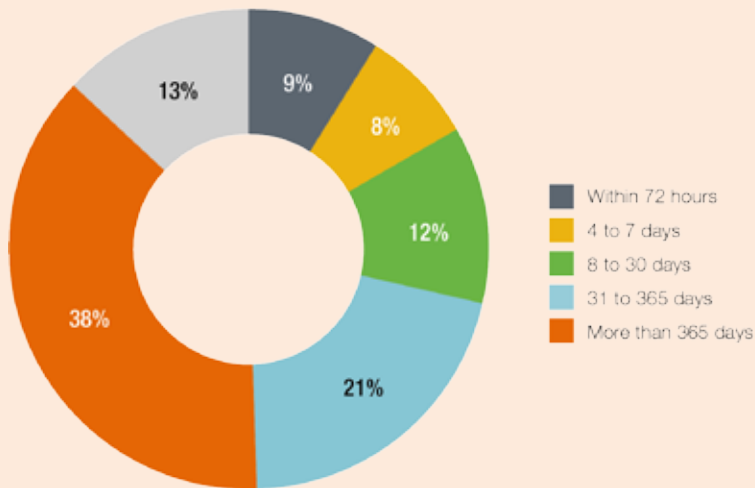
Figure 3: Sexual Misconduct Prevention and Response Office victim services clients' recent and historical experiences



Timeframes

The Sexual Misconduct Prevention and Response Office has supported more victim services clients within one month of the incident in 2016–17 than previous years. Figure 4 illustrates the timeframe between incidents and contact with the Sexual Misconduct Prevention and Response Office.

Figure 4: Number of days between incident and contact with Sexual Misconduct Prevention and Response Office, 2016–17



Physical, mental, and psychological safety needs

The Sexual Misconduct Prevention and Response Office responded to the needs of the growing number of clients with recent experiences by providing a more diverse range of services. The physical, mental, and psychological safety needs are often different for victim services clients with historical experiences than for those with recent ones. Victim services clients who make contact about historical experiences often seek help to connect with ongoing support services and with Department of Veterans' Affairs claims; to discuss the role of the Defence Force Ombudsman; to initiate a restorative engagement within Defence; or to have someone in Defence acknowledge that their experiences occurred without seeking anything further.

The Sexual Misconduct Prevention and Response Office helps victim services clients with recent sexual misconduct experiences to make choices about their next steps. Support coordinators offer clients with very recent experiences assistance to access medical treatment, for disease prevention and unwanted pregnancies, and to access forensic evidence services if they wish to proceed with a formal complaint. Victim services clients with recent experiences are more likely to request in-person services such as support while making witness statements with civilian or service police; support while attending court or court martial proceedings; and support during and after receiving the outcomes of proceedings. Support coordinators link clients with local services in location, or provide those services directly, to obtain the best outcome for the client.

Forensic examinations

The shift in victim demographics has changed the role-specific knowledge and training for the Sexual Misconduct Prevention and Response Office support coordinators.

Support coordinators assist clients to identify and access relevant services in their area. Civilian forensic services for sexual offences operate under legal frameworks that vary across Australian states and territories with different supporting regulations and funding arrangements.

The Sexual Misconduct Prevention and Response Office has identified the services available for forensic evidence collection in every major military location across Australia, including eligibility, storage requirements and boundaries, formal complaint requirements, and the timeframes between incident and client presentation to the forensic examination service. Support coordinators identified the ongoing support services in all locations, including their eligibility requirements and specialisations, for face-to-face support during those procedures and afterwards.

Case management complexity and recency

Four out of ten victim services clients, across all years of operation, sought help with a recent incident; that figure increased to one in two for clients who were current serving members. Case management complexity often increases for current serving members who become victims of sexual misconduct in Defence environments for several reasons.

Support coordinators do not solicit information about perpetrators but formally reported incident data suggest the perpetrators involved were Defence members with proximity to the victim services clients. The data from incidents formally reported to Defence in 2016–17, and in the previous four financial years, indicate that consistently around 86 per cent of incidents with a Defence victim were perpetrated by another Defence member.

Assisting clients to establish physical, mental, and psychological safety means working with the victim to feel safe in their workplace and in their home. For some current serving Defence members, particularly those who are new to Defence, both work and home are Defence spaces. Support coordinators help current serving Defence members to navigate their immediate options around positions and accommodation where the perpetrator may also live and work.

The Sexual Misconduct Prevention and Response Office helps clients within Defence's administrative systems. Support coordinators do not act as victim advocates. The dual client model is one where the victim and Defence are simultaneous clients. The support coordinator is acting for the best interests of the victim within Defence rather than representing the client against the organisation. The dual client model means working with Defence, and the victim, to keep that member safe, supported, and able to give unrestricted service.

Victim services case study: Client JP

Client JP was a junior-ranking female Reserve member in a work area with few other women. Client JP had been a victim of an aggravated sexual assault before she enlisted. She had been subjected to an act of indecency during her first posting after category training. Client JP reported the incident to Defence around six months afterwards.

The support coordinator's initial involvement with Client JP was therapeutic intervention after the initial disclosure. Therapeutic intervention typically involves a single session where the practitioner normalises the client's response to a traumatic event from a trauma-informed care framework, which applies the principles of safety, trustworthiness, choice, collaboration and empowerment. The support coordinator's ongoing role with Client JP included liaison with the Australian Defence Force Investigative Service during the investigation; liaison with Defence psychological services, the Defence chaplain service, and with a state government sexual assault support service to negotiate ongoing support provision for the client. The support coordinator worked with Client JP around some of the complexities with accessing ongoing support as a Reserve member at the time.

The support coordinator liaised with the Office of the Director of Military Prosecutions about legal proceedings once Client JP's case was set to proceed to a hearing. Client JP received in-person support throughout the legal proceedings. The support coordinator attended the proofing session, where Client JP went through her evidence with the prosecutor ahead of the hearing.

The support coordinator stayed with Client JP while she gave evidence at the hearing. A senior non-commissioned officer was also present to support Client JP while she gave evidence, as was another member of Client JP's unit. With the client's consent, both of these members liaised with the support coordinator, rather than with Client JP, to make the process as smooth as possible. The local sexual assault service continued to provide ongoing counselling. One of the support coordinator's key roles during the hearing was to prepare Client JP for both guilty and not guilty verdicts from the legal proceedings.

The outcome of a hearing, regardless of the verdict, can be difficult for clients. A non-guilty verdict can have a significant impact on a victim of a sexual offence and the support coordinator prepared Client JP for that possibility. Support coordinators can assist clients to understand non-guilty verdicts by helping them to consider verdicts as outcomes of a legal process and not a reflection of their experiences. The support coordinator also helped Client JP to prepare for a guilty verdict. Guilty verdicts can also overwhelm victims of sexual offences, especially if the sentence is not aligned with the victim's expectations ahead of time. Support coordinators start managing those expectations ahead of the hearing taking place.

The Defence Force magistrate found the perpetrator guilty of an act of indecency against Client JP. The guilty verdict brought a sense of relief to Client JP. Client JP felt it was an acknowledgment of her experience. The client advised there was a lot of gossip in her work area about the incident. The gossiping had a large impact on Client JP as she was blamed for being victimised. The prosecutor gave the outcome to Client JP at the end of the hearing and the support coordinator had follow-up contact.

Client JP has since successfully finished studying and she has transferred into full-time permanent service.

Client JP consented to her Support coordinator discussing her client information for this case study and has approved this text.

Gender

Sexual offences are gendered crimes. Victims are mostly females; perpetrators are mostly males. The gendered nature of sexual offences is reflected in the sexual misconduct incidents formally reported to Defence. Females consistently comprised eight out of ten victims in sexual misconduct incidents formally reported to Defence in each of the last five financial years. Males comprised around 95 per cent of identified perpetrators in sexual misconduct incidents formally reported to Defence in the same period.

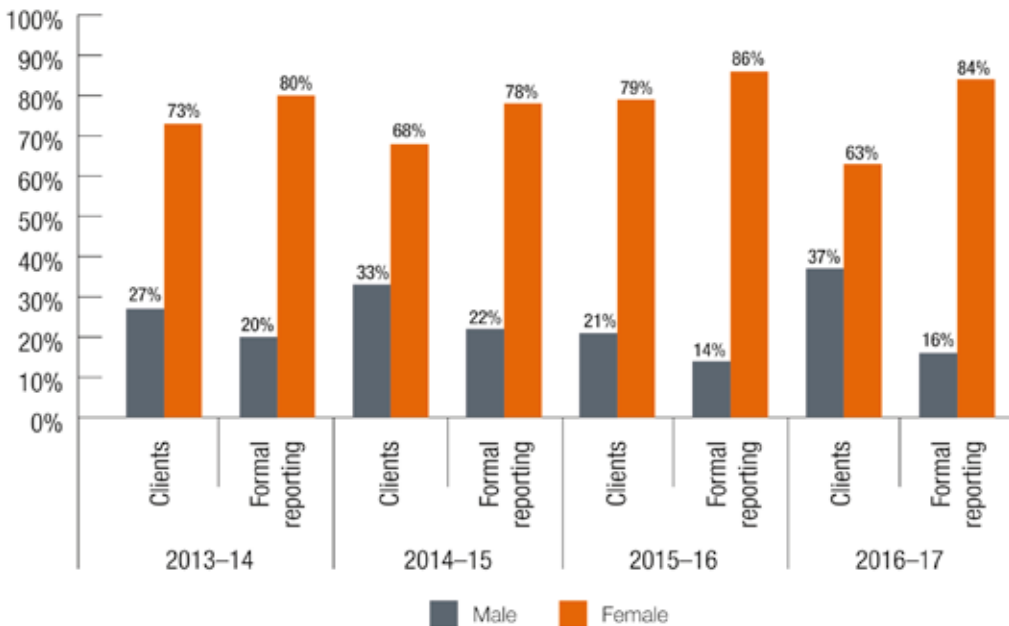
Most perpetrators are men but most men are not perpetrators. Defence is an environment mostly made up of men. Around 80 per cent of Defence personnel in 2016–17 were males. Individual males are far less likely to be victimised in sexual misconduct incidents than females but Defence’s gender mix means that helping both male and female victims in sexual misconduct incidents remains important.

The gendered nature of sexual offences contributes to the barriers to help-seeking behaviour for female and male victims in different ways. The Sexual Misconduct Prevention and Response Office has a unique challenge in helping men feel comfortable to seek help when victimised, and ensuring female victims feel safe to access the same services, while delivering sexual ethics education as part of Defence’s cultural change initiatives.

The majority of the Sexual Misconduct Prevention and Response Office’s victim services clients in the last four financial years were women. The client base reflects the evidence available about victims of sexual offences inside Defence and in the Australian community. The number of male victim services clients, however, was higher than might be anticipated from the number of male victims in incidents formally reported to Defence.

Males were 37 per cent of new victim services clients in 2016–17 and 30 per cent of clients since commencement. Support coordinators have helped 50 new male victim services clients in 2016–17 and more than 120 male victim services clients, in total, between 2013–14 and 2016–17. Figure 5 illustrates the representation of males and females in formal reporting to Defence, and among victim services clients, between 2013–14 and 2016–17.

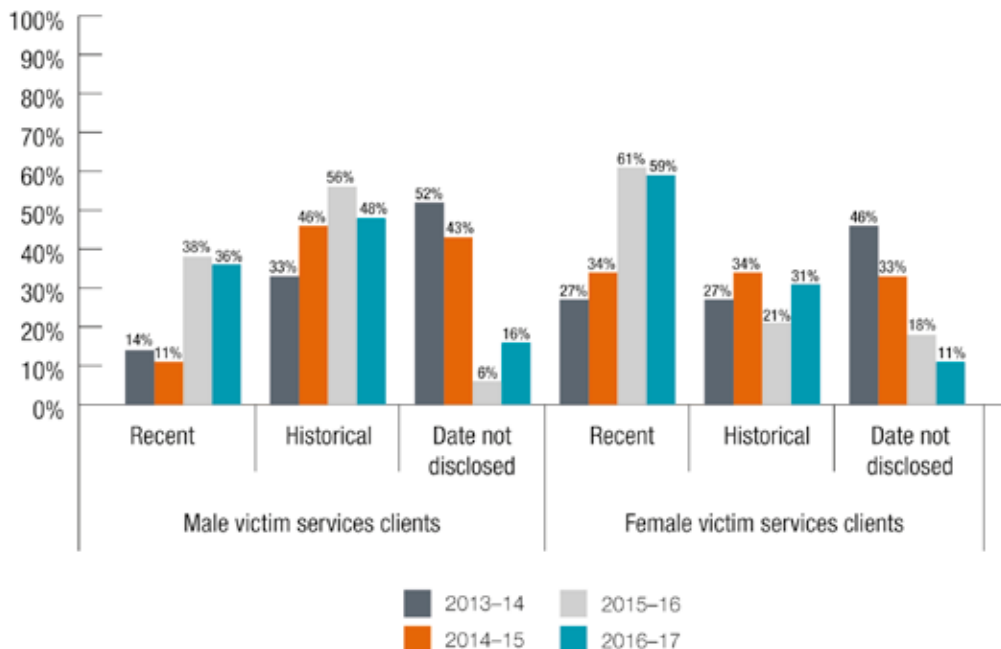
Figure 5: Female and male victim services clients and victims in formal reporting



Note: Columns may not total to 100 per cent due to rounding.

Proportionally more male than female victim services clients sought help with an historical sexual misconduct incident in each year of operation. Female clients increasingly sought assistance with recent incidents but that increase was less distinct with male clients. Sixty per cent of female victim services clients requested assistance with a recent incident in 2015–16 and 2016–17. Twelve per cent of the male victim services clients called about a recent incident during 2013–14 and 2014–15. That figure increased to 36 per cent of male victim services clients in 2015–16 and 2016–17 but remained less than requests for assistance with historical incidents in those years (Figure 6).

Figure 6: Recent and historical female and male victim services clients



Note: Some columns do not total to 100 per cent due to rounding.

Advice clients

Advice clients are personnel who seek assistance from the Sexual Misconduct Prevention and Response Office to manage incidents and support victims. The Sexual Misconduct Prevention and Response Office assisted 218 advice clients in 2016–17. Service provision to advice clients has increased by more than 500 per cent in the four years between 2013–14 and 2016–17. Around two-thirds of the advice clients in 2016–17 were commanders who sought help with incident management and victim assistance. The other types of advice clients in 2016–17 were:

- Australian Defence Force Investigative Service personnel
- Defence and civilian healthcare providers
- Defence legal personnel
- other internal Defence services and areas
- victims’ friends, family, and colleagues.

Australian Defence Force Cadets organisation

The Australian Defence Force Cadets youth development organisation has approximately 26,000 young people enrolled in three cadet programs.

The Royal Commission into Institutional Responses to Child Sexual Abuse scrutinised the policies and practices of the Australian Defence Force Cadets organisation in June 2016. Defence extended the Sexual Misconduct Prevention and Response Office support services to cadets, their families, officers and instructors of cadets, and adult volunteers in a 12-month trial that commenced in October 2016. The trial was in response to the issues raised by the Royal Commission about managing sexual misconduct incidents in the Australian Defence Force Cadets organisation.

The trial service provision to cadets, families, and adults involved with Australian Defence Force Cadets extended support services to victims, advice and information for managing incidents and helping victims, and debriefing services.

Support coordinators assisted 15 clients with an Australian Defence Force Cadets sexual misconduct matter in the eight months of the trial to 30 June 2017. These clients included victims and those seeking advice on managing incidents.

The dual client model and young people

Support and advice services to Australian Defence Force Cadets operate in a complex environment. The work that Support coordinators do with clients involved in Australian Defence Force Cadets reflects the dual client model visible in practice work with adults. Support coordinators work with victims, parents, friends, and volunteers using the trauma-informed care framework, which promotes safety, trust, choice, collaboration, and empowerment. Support coordinators also work with officers and instructors of cadets, volunteers, program administrators, and parents as advice clients to advise on complying with reporting obligations and incident management procedures to achieve child safety as an organisational outcome.

Recovery, response, and prevention

Defence established the Sexual Misconduct Prevention and Response Office in 2013 as a central component of enacting cultural change. It was established to assist Defence personnel to recover from, respond to, and prevent sexual misconduct.

The Sexual Misconduct Prevention and Response Office facilitates cultural change through incident response. In 2016–17, support coordinators directly assisted 218 advice clients to manage incidents, and respond to personnel appropriately. Command and Management Team education increased commanders' skill and confidence to manage incidents, within the policy requirements and in a victim-focused way. The dramatic increase in calls soliciting advice about incident management and trauma-informed care indicates that education has aided commanders to respond in a way that assists recovery and aids retention.

The willingness of commanders to engage in incident management illustrates to all personnel the messages about zero tolerance. The volume of contact the Sexual Misconduct Prevention and Response Office has had about available presentations and proficiency recording suggests that Defence personnel perceive the organisation's commitment to zero tolerance.

The Sexual Misconduct Prevention and Response Office facilitates cultural change through recovery from sexual misconduct and aids capability by assisting personnel to continue to give unrestricted service.

Seeking help sooner after an incident can aid recovery. Current serving victim services clients increasingly sought help within a year of a sexual misconduct incident. The shift to contact from clients with recent experiences suggests an increase in awareness of Sexual Misconduct Prevention and Response Office services and a change to how victims perceive the Defence response.

The changes to the Sexual Misconduct Prevention and Response Office victim services client base suggest cultural change in other ways. Many of the clients make contact about an incident they have formally reported to Defence through their commander or through the Australian Defence Force Investigative Service. Appropriate responses to disclosure aid recovery and also aid Defence's reputation and future recruitment.

NOTES