This Information Document explains:

- what the DLA Piper Review is
- why the Review is requesting you to provide a statement or statements to the Review
- what the Review will do with the information requested
- how to provide the information requested.

**WHAT IS THE DLA PIPER REVIEW OF ALLEGATIONS OF SEXUAL AND OTHER ABUSE AND RELATED MATTERS IN DEFENCE?**

A media release issued by the Minister for Defence on 21 May 2011 explains what the DLA Piper Review is and who is conducting it. The media release explained the review would cover:

> 'allegations of sexual or other forms of abuse that have been raised since the recent Australian Defence Force Academy incident'.

The role of the review is to:

> 'make an initial legal assessment of all complaints and allegations raised with the office of the Minister for Defence, the Department of Defence, or reported in the media since 1 April 2011 to put the Government in a position to make further decisions about how to deal with these matters'.

The review is conducted by a DLA Piper Review Team

> 'led by DLA Piper Special Counsel, Dr Gary Rumble, assisted by former Commonwealth Ombudsman and DLA Piper Special Counsel, Professor Dennis Pearce AO, and by partner Melanie McKeown.'

The Minister encouraged

> 'current and former Defence personnel (including members of the Australian Defence Force) to make or refer allegations relating to sexual or other forms of abuse in Defence to the review until 17 June 2011'.

The Minister also asked

> 'community associations and Australian media outlets that may have been notified of complaints or allegations to provide any information about those matters which they can reveal to the review by 17 June 2011'. 
WHY IS THE DLA PIPER REVIEW ASKING YOU FOR INFORMATION?

The DLA Piper Review is gathering and considering information about allegations/complaints/reports of sexual and other abuse and related matters which have been made in the period 1 April 2011 to 17 June 2011:

- to the Minister for Defence;
- in reports in the media;
- by referral to the Review from Defence or other agencies;
- by direct contact with the Review.

The Review believes that you have information which comes within one of these categories.

WHY DOES THE DLA PIPER REVIEW NEED THE DETAILED INFORMATION IT IS ASKING FOR?

The DLA Piper Review will make a Report on the allegations/complaints/reports covered by the Review to the Minister for Defence and the Department of Defence as soon as possible.

The Review is aiming to deliver the Report by the end of August (extended from the end of June as originally proposed).

The Report to the Minister and the Department will report for each allegation/complaint/report:

- if it has not previously been reported to Defence - whether action should be taken;
- where a matter has been previously reported to Defence - whether - on the information available to the Review - it appears that the allegation or complaint brought has been properly and appropriately dealt with by Defence; and
- make recommendations on any further action which should be taken.

In making its Report to the Minister and to the Department of Defence the Review needs enough information to form a view for each allegation/complaint/report:

- whether the allegation/complaint/report comes within the 'sexual and other abuse and related matters’ covered by the Review;
- whether the allegation/complaint/report is plausible;
- how serious is the conduct referred to in the allegation/complaint/report;
- whether the conduct covered by the allegation/complaint/report has been reported to or otherwise submitted to any Defence or other process;
- if so, what was the outcome of that process;
- whether Defence's response to the allegation/complaint/report has been proper and appropriate;
- what has been the impact of the conduct on the person concerned;
- how long ago the conduct occurred.

The Review understands that it may be distressing for you to recall and write out for others to read details of your experience. Information about counselling services is provided below.

If you cannot recall every detail of an incident that does not mean that your information cannot be considered. However, the Review will not be able to give as much weight to a general statement such as 'I was abused' as it will to statements which include details such as 'Corporal A held me by the arms and Sergeant B punched me in the face'.

Similarly, the Review will not be able to attach as much weight to a general statement such as 'I was sexually assaulted' as it will to statements such as 'I was held down by A and B while C removed my trousers and underwear and then touched my genitals.'

The more information which you can provide to the Review, the better placed the Review will be to report on your allegations/complaint.

Furthermore the Review will seek to provide to the Minister and to the Department of Defence a base of information on which there can be further investigation and/or action if the Minister decides that further investigation or action is appropriate.

The more detail which you can provide, the more complete will be the base information for the Minister to direct further investigation or action.

**HOW DOES THE DLA PIPER REVIEW WANT YOU TO PROVIDE THE INFORMATION?**

The DLA Piper Review asks you to fill out and return the attached forms with:

- Your consent/restrictions on disclosure of personal information
- Your personal details (if you are happy to provide them)
- A summary of your history with Defence
- A detailed Statement for each allegation/complaint/report you wish the Review to consider.

If we have already received information about your allegation/complaint/report, then we have already completed some of the Statement using information you gave us. We ask you to check that information and correct it or confirm it.
HOW DO YOU RETURN THE INFORMATION TO THE DLA PIPER REVIEW?

Please return the completed form by email to
gary.a.rumble@dlaphillipsfox.com - or melanie.c.mckean@dlaphillipsfox.com

or by reply paid post (no postage stamps required) to:

DLA Piper
Defence D.R.
Reply Paid 172
CANBERRA ACT 2601

If you have documents to attach with your completed Statement form(s) please only send copies of documents. The Review will not be returning documents so please do not send original documents to the Review.

HOW QUICKLY DOES THE REVIEW NEED YOUR INFORMATION RETURNED?

The Review has to consider and report on a significant number of allegations/complaints/reports.

The sooner that you return your forms to the Review, the more time the Review will have to take your information into account in preparing the Report.

We ask that you return the completed forms no later than 10 days after receiving our letter.

If you cannot meet that turnaround, the Review will still receive your information up to delivery of the Report. However, the later your information arrives, the more difficult it will be for the Review to consider the information in its Report.

The Review will include in its Report recommendations on what action should be taken in relation to information which has not been considered by the Review in time for the Report.

IF YOU HAVE ALREADY PROVIDED A STATEMENT TO THE REVIEW, DOES THE REVIEW STILL WANT YOU TO COMPLETE THE STATEMENT FORM?

Even if you have already provided a statement to the Review, the Review still asks you to complete the Statement Form because:

- the more detail the Review has about your allegation/complaint/report, the better placed it will be to make recommendations to the Minister and the Department of Defence;

- the more detail which is gathered about your allegation/complaint/report, the better placed the Minister and the Department of Defence will be to consider taking action on your allegation/complaint/report.

If you have already provided the Review with a statement which answers particular questions in the Statement Form, you can refer to that statement/document. It is not necessary to repeat the statement or send another copy of the documents.
CAN YOU TALK TO SOMEONE WITH THE REVIEW INSTEAD OF FILLING IN THE FORM?

The Review understands that you may find telling the story of your experience distressing.

If you have already put your story in writing in a Defence or other process you may find it easier to provide us with a copy of that statement rather than to fill in the Statement Form.

The Review has provided a 1 800 number Monday to Friday between 2.00 pm and 9.00 pm. This number will no longer be available after 17 June 2011 for new contacts with the Review.

The number of persons who have contacted the Review has now reached a level where it is not feasible for the Review to speak to all those persons in time for the Review to prepare and deliver its Report.

If you have difficulty completing the Statement Form then please let the Review know what your difficulty is by leaving a message on

1 800 424 991; or

send the Review an email:

gary.a.rumble@dlaphillipsfox.com - or - melanie.c.mckean@dlaphillipsfox.com

If you wish to speak to a person who is the same gender as you please let us know that in your message or in your email.

The Review will attempt to arrange a caller to make contact for those who have difficulty in completing the forms.

If the Review is not able to speak directly to all people who have difficulty completing the Forms before delivering the Report, the Review will make recommendations about what follow up there should be with such people after the Report.

IS COUNSELLING AVAILABLE IF YOU FIND IT DISTRESSING TO RECALL YOUR EXPERIENCE WITH ABUSE?

Defence has arranged counselling for people who are distressed by recalling their experience with abuse.

For currently serving ADF members:

The All-hours Support Line (ASL) is a confidential telephone service to assist ADF members and their families with accessing mental health services, such as psychology, medical, social work, and chaplain services.

The ASL number is 1800 628 036.
For Defence public service (APS) employees:

The Employee Assistance Program (EAP) is a confidential and free service. It is provided by professional counsellors who will provide practical assistance to APS employees, and their immediate family members, who may require counselling services.

Appointments can be made via the EAP hotline on 1300 366 789.

For former ADF members and former Defence public service employees and their immediate families:

Special arrangements have been made to extend the EAP service for immediate, initial counselling to former ADF members and former Defence public service employees and their immediate families who raise or have raised allegations affecting them with the external review team and who require counselling assistance. The EAP is a confidential and free service provided by professional counsellors.

This service can be accessed via the EAP hotline on 1800 451 138 and selecting Option 1 - Crisis Intervention.

DO YOU HAVE TO FILL IN ALL OF THE FORM?

The Review understands that you may not be able to recall all of the detail requested in the Form. Please fill in as much detail as you can remember because:

- the more detail the Review has about your allegation/complaint/report, the better placed it will be to make recommendations to the Minister and the Department of Defence;
- the more detail which is gathered about your allegation/complaint/report, the better placed the Minister and the Department of Defence will be to consider investigating further or taking action on your allegation/complaint/report.

HOW WILL THE INFORMATION YOU PROVIDE BE USED BY THE REVIEW?

The Report to the Minister and the Department will report for each allegation/complaint/report:

- if it has not previously been reported to Defence - whether action should be taken;
- where a matter has been previously reported to Defence - whether - on the information available to the Review - it appears that the allegation or complaint brought has been properly and appropriately dealt with by Defence; and
- make recommendations on any further action which should be taken.

The Review will not carry out full investigations of all allegations/complaints/reports.

Furthermore, the Review can only report and make recommendations. The Review does not have power to 'fix' any of the matters which are raised with the Review.
It is possible that the Report will make recommendations for some of the matters to be investigated further.

It is also possible that the Report will contain recommendations for specific action by Defence in relation to specific allegations/complaints/reports.

It is possible that before completion of its main Report that the Review will report to the Minister and/or Defence on matters that may require urgent action.

**WILL THE PERSONAL IDENTIFYING INFORMATION WHICH YOU PROVIDE TO THE REVIEW GO INTO THE REPORT?**

The Report to the Minister and the Department will include a summary and report on each allegation/complaint/report considered by the Review with recommendations about whether there should be further investigation or other action on each allegation/complaint/report.

The Review will not include in its Report personal identifying information which you provide to the Review if you do not consent to your information being provided to the Minister and the Department.

However, if you do consent to the Review including your personal information in the Report then the Minister and the Department of Defence will be in a position to direct further investigation and/or action on particular allegations/complaints/reports covered by the Report.

The Minister does not propose to publish personal identifying information provided to him in the Report unless compelled to do so by some law or legally binding process or to the extent necessary to prevent threat of injury or abuse of other persons.

It is possible that during preparation of the Report the Review will report to the Minister and/or Defence on matters that may require urgent action.

**HOW DO YOU TELL US WHETHER YOU CONSENT OR DO NOT CONSENT TO DISCLOSURE OF THE PERSONAL INFORMATION YOU PROVIDE TO US?**

The Consent/Restrictions form asks you to state whether you consent to the Review disclosing to the Minister and the Department some or all of the personal information which you provide to the Review and whether you consent to your personal information being disclosed and used for further investigation and action.

Even if you have already filled in a form like this with the Review, the Review asks you to fill in the form attached because it now includes some new questions and some new information.
IF YOU COMPLETE THE FORM STATING THAT YOU DO NOT WANT YOUR PERSONAL INFORMATION DISCLOSED, DOES THE REVIEW GUARANTEE THAT IT WILL NOT BE DISCLOSED?

The Review cannot guarantee not to disclose your identity or your information because:

- The Review might be made to disclose your identity or your information by a law or by legally binding order (such as a Court order); or

- The Review might need to reveal your identity or the information which you have provided to prevent injury or abuse to other persons.

Subject to those points:

- If you ask not to be identified then the Review agrees not to give your identifying information to the Minister, Defence or others; and/or

- If you ask that some or all of the information you give the Review be kept confidential - the Review agrees to that information being kept confidential.

If you put limits on how the Review can use and disclose your information then DLA Piper in its Report and the Minister and Defence after receiving the Report may not be able to use your information to follow up your allegations/complaints/reports.

However, it is your right to ask for these limits and even with those limits, your information may still help the Review to make recommendations to the Minister and Defence.

DLA Piper Review