

For Official Use Only - Sensitive: Personal

**BRIEF TO REPARATION PAYMENTS ASSESSOR**

Application for Reparation Payment under the Defence Abuse Reparation Scheme

by: **DAVID SPARREBOOM**

CMS Complaint Reference: 2013/952 TRIM Reference: D13/7035

**RECOMMENDATION:**

We recommend:

- |   |                |
|---|----------------|
| 1. You note the material contained in the attachments   | Noted/Discuss  |
| 2. Under the Defence Abuse Reparation Scheme this Application for Reparation Payment:   |                |
| a. meets the eligibility requirements   | Agree/Disagree |
| b. raises plausible abuse   | Agree/Disagree |
| c. qualifies the Applicant for a <i>Category 4 (Abuse)</i> payment of \$45 000  | Agree/Disagree |
| d. qualifies the Applicant for a <i>Category 5 (Mismanagement by Defence)</i> payment of \$5 000, and   | Agree/Disagree |
| 2. You approve the proposed letter to the Applicant ( <b>attached</b> to the end of this brief and direct that the payment process be commenced | Agree/Disagree |

Approved/Not Approved/Discuss

.....  
 Reparation Payments Assessor

**APPLICANT OVERVIEW:**

The Applicant was born on **REDACT** 1953, turned 18 in 1971 and is currently 60 years old. He joined the Army in 1970 at age 17 as an Apprentice. The Applicant alleges sexual abuse, physical abuse, and bullying and harassment during his time at the Army Apprentice School Balcombe, Victoria in 1970 (aged 17). The Applicant discharged from the Army in 1974. He is currently employed as a mechanic.

This brief has priority because the Applicant has been identified as a suicide risk, possesses health and mental health concerns and is experiencing severe financial hardship. The Applicant is legally represented by Shine Lawyers.

**ANALYSIS:**1. **ELIGIBILITY**

1.1. The Taskforce considers this Application for Reparation Payment meets the eligibility criteria.

2. **ABUSE***Summary of abuse*

2.1. The Applicant alleges sexual abuse occurring whilst serving at the Army Apprentice School (AAS) in Balcombe, Victoria in 1970 (aged 17 – we note the Applicant states he was 15 or 16 at the time of the alleged abuse). The Applicant reports that during the night he “was held face down” and “had a broomstick shoved up [his] anus” on one occasion by a group of unknown individuals (see **Personal Account, pg 16 of attachments**).

2.2. The Applicant also alleges physical abuse, and bullying and harassment effected his peers and by CORPORAL Derek COLLINS (**CPL COLLINS**), Sergeant BARRETT (**SGT BARRETT**) and MAHON (unknown rank) whilst serving at

Reparation Officer: [REDACT]	Group Director - [REDACT]	on 24/04/2014
Cleared by: Assistant Director - [REDACT]		

For Official Use Only - Sensitive: Personal

For Official Use Only - Sensitive: Personal



Australian Government

**DEFENCE ABUSE RESPONSE TASKFORCE**

DEFENCE ABUSE REPARATION SCHEME

the AAS, Balcombe in 1970. For a detailed account of the abuse, please see the Applicant's Personal Account (pg 16 of attachments for further details). (Note that a search of Taskforce records at this time indicates that [REDACTED])

***Plausibility of abuse***

2.3. The Taskforce considers the alleged abuse has the appearance of reasonableness and is plausible for the reasons outlined in the Assessment Note (see Assessment Note, pgs 26-29 of attachments).

**2.4. *Category of Abuse payment recommendation***

2.5. We recommend the Applicant qualifies for a *Category 4 (Abuse)* payment because the Applicant was held down by multiple individuals and was anally penetrated with a broomstick. We recommend that this is further justified with the plausible physical abuse, and bullying and harassment.

**3. MISMANAGEMENT**

3.1. We recommend the Applicant qualifies for a *Category 5 (Mismanagement by Defence)* payment because:

- Information available to the Taskforce suggests the existence of a pattern or practice of abuse at the AAS, Balcombe throughout the 1960s and 1970s of a similar nature to the plausible abuse suffered by the Applicant, which Defence would plausibly have known about prior to the Applicant's abuse occurring and plausibly failed to take management action to stop or prevent the pattern or practice of abuse continuing. As at 25 October 2013, the Taskforce has received 42 complaints regarding allegations of abuse at the Army Apprentice School in Balcombe in the period 1959-1982. Of these complaints, 36 relate to allegations of physical abuse by more senior Apprentices on junior Apprentices. Four within the time period 1968-1974 have described sexual assault with an object consistent with the Applicant's account. We note that the Applicant has provided numerous reasons for not reporting the abuse including that he felt "everybody knew what was happening but no one was prepared to do anything about it" (see Personal Account, pg 17 of attachments).
- The plausible physical abuse experienced by the Applicant was effected by [REDACTED] and [REDACTED] who were persons in a position of seniority to the Applicant at the time the abuse occurred to whom the Applicant could or would have otherwise reported the abuse.

**ATTACHMENTS:**

Page	Document
1	Personal Account (including statutory declaration and certified identification)
25	Application for Reparation Payment Form
26	CMS Assessment Note
	Proposed letter to Applicant

DAVID SPARREBOOM

CMS File Reference:

2013/952

TRIM Reference:

D13/7035

For Official Use Only - Sensitive: Personal