FOI 124/13/14
Item 4
Serial 1
Document 1

AUSTRALIAN ARMY
DEFENCE COMMAND SUPPORT TRAINING CENTRE
DEFENCE INTELLIGENCE TRAINING CENTRE

Kokoda Barracks, CANUNGRA QLD 4275

2011/1057016
AO877061

17/4.
PTO for Consideration

QUICK ASSESSMENT (QA) 013/13 FOR CO DINTTC

HARRASSMENT BRIEF – MAJ B. GAYNOR AGAINST CDF

Direction

1. I, s47F WGCDR A.H. Kitchen, have been tasked by XO DIntTC to conduct a Quick Assessment (QA) following the submission of a harassment brief by MAJ B. Gaynor received 15 Apr 13.

Incident

2. On 15 Apr 13 MAJ Gaynor submitted a brief to CO DIntTC alleging instances of religious, political and sexual harassment against himself and other like minded members of the ADF based on CDF's approved participation of uniformed ADF members in the 2013 Sydney Mardi Gras.

3. Additionally, he draws attention to instances of unfair bias by the ADF towards himself following statements he made in the media highlighting his desire not to have homosexual teachers instruct his children and the favourable support another member of the ADF (LTCOL Morgan, lead officer of the Mardi Gras ADF parade contingent) made in the media regarding his harassment by members of the ADF. This bias, which has resulted in a decision to not allow MAJ Gaynor to parade at DIntTC, forms the basis of his complaint against CO DIntTC.

4. MAJ Gaynor outlines a number of actions in his brief that if CDF undertook, he would accept as addressing the issues he raises; this includes CDF's resignation. He does not provide an indication of his future actions should his redress not be addressed.

Parties interviewed

5. During the conduct of this QA, I interviewed XO DIntTC and established that disciplinary actions are being considered against MAJ Gaynor.

6. Additionally, XO DIntTC advised there is a limited amount of Reserve funding available that has also had an impact on the employment of DIntTC Reservists. However, this is not the primary reason for MAJ Gaynor's lack of employment, which is his tendency to espouse values and behaviours contrary to current Defence policy regarding homosexuality in the ADF and his pursuit of political office.

Actions taken to date

7. Other than review the brief, no other actions have been taken at this time. The 26 page brief is quite detailed and clearly identifies the MAJ's concerns.

Conclusions

8. MAJ Gaynor's brief contains a lot of personal opinion based around the views of an individual with strong Catholic beliefs. He generalises all 'Christians' as having his point of view and of their being offended at the ADF participation in the Mardi Gras. He describes the actions of the more 'radical' elements of the parade and by association, suggests ADF support for behaviour that includes gay marriage, bondage and other 'perverted' sexual acts including the performance of sexual acts in front of children. Though clearly not CDF's intent he does raise other concerns that will need to be carefully considered. These issues include:

a. The ADF traditionally avoids overt support of specific political viewpoints. By allowing official participation in the 2013 Mardi Gras by uniformed personnel the ADF could be seen as now being comfortable in supporting politically polarising issues.

b. If a uniformed member were to support a gathering that insulted strongly held beliefs of a religion other than Christianity (to use his example, vilifying Islam with 'Mohammed is Gay' signs vs the 'Jesus is Gay' signs in the Mardi Gras) that member would be severely dealt with. In the case of the Mardi Gras, the opposite occurred.

9. A key component in the assessment of unacceptable behaviour is that it must be judged '... having regard to all of the circumstances'. The circumstances in this case were based on the CDF showing official and public support to homosexual members of the ADF. MAJ Gaynor provides no evidence directly linking parade members to any of the other groups or actions of groups that may be considered below the standards of the ADF. The Mardi Gras is a communal event bringing together disparate groups and with widely varying opinions to push. The management of this linking of the ADF to 'radical' gay groups and their opinions will be important in addressing MAJ Gaynor's concerns.

Recommendations

10. Based on the information provided, the following recommendations are made:

a. Due to the direct allegations against CO DInfTC of bias DCSTC, as the superior authority, should proceed with the further management of this issue. HQ ADF should be advised of this issue concurrently to CMDR DCSTC as time is of the essence.

b. MAJ Gaynor has some standing with national media and could possibly raise this issue to a more public level. He is also believed to manage an active web log in which he has covered most of these issues. Finally, if this item enters a 'Hot Issues Brief', news agencies will become aware of the submission. A media risk assessment and management plan should be prepared. DOD risk Ack.

s47F

A. H. KITCHEN
WGCDR
AIW SME
Defence Intelligence Training Centre

Tel: (07) 5618 6507
Fax: (07) 5618 6720

Email: andrew.kitchen@defence.gov.au

16 Apr 13

Attachments:

1. HARRASSMENT BRIEF. COMPLAINT AGAINST ADF INVOLVEMENT IN THE 2013 MARDI GRAS.

Commanding Officers Comments

1. Although I consider Major Gaynor's complaint to be wholly unreasonable and self-serving, I agree that DCSTC should manage the handling of it to avoid allegations of conflict of interest.
2. The issue raised concerning the ADF's involvement in polarising events is a matter for CDF & senior leadership.
3. I am not aware of any complaints against myself or DCA.
4. For the record, I assess the complaint does not substantiate a case of UD against the CDF or other ADF members listed in the document.

s47F

C.M. BUXTON
Lieutenant Colonel
Commanding Officer
Defence Intelligence Training Centre

PTO

Tel: (07) 5618 6700
Fax: (07) 5618 6720

Email: christopher.buxton@defence.gov.au

17 Apr 13