



Defence Force Remuneration Tribunal

DECISION

Defence Act 1903
s.58H—Functions and powers of Tribunal

ROYAL AUSTRALIAN NAVY: MARITIME SPIRITUAL WELLBEING OFFICER

(Matter 6 of 2020)

MS I. ASBURY, PRESIDENT

MR A. MORRIS, MEMBER

CANBERRA, 21 APRIL 2020

RADM J. GOLDRICK AO CSC RAN RTD, MEMBER

[1] This decision arises from an application¹ made under s.58H of the *Defence Act 1903* for the Australian Defence Force (ADF) to establish a new primary qualification within Navy to be known as a ‘Maritime Spiritual Wellbeing Officer’ aligned with Navy Chaplains and placed within the Specialist Officer Career Structure.

[2] As COVID-19 government regulations were in place we considered this matter via teleconference on 2 April 2020. Affidavits were submitted by Principal Chaplain C. Acton RAN, Director General Chaplaincy - Navy and Captain S. Bowater OAM RAN, Commander Shore Force.

BACKGROUND

[3] ADF Chaplains are Defence members who lead worship, provide pastoral care and support, instruct ethical and faith based courses and who are specialist advisors to the chain of command. The proposed Maritime Spiritual Wellbeing Officer (MSWO) role has its origins in the duties and responsibilities of Chaplains and we will often make cross-reference between them in this decision.

[4] The primary role of an ADF Chaplain is to prepare for and provide chaplaincy services in a range of peacetime and operational environments by ensuring that religious, pastoral and spiritual needs are met in accordance with endorsed faith group principles and practices. Chaplains enter the ADF with a Bachelor of Theology and a minimum of two years' pastoral ministry experience post ordination (or faith equivalent).

[5] The Tribunal last considered ADF Chaplaincy in Matter 9 of 2012 – *ADF Chaplains' Specialist Officer Career Structure* when it determined re-alignment of the Competency Levels and Divisions applicable to revised training and functions of chaplaincy.²

SUBMISSIONS

ADF

[6] The ADF submits that since Matter 9 of 2012 there has been a 'significant change' in the religious landscape of the ADF with greater than 50 percent of permanent members now identifying as having "*no religious affiliation*" (as at 20 January 2020).³ Similarly, it submits that Defence Force Recruiting data from July 2019 shows fewer than 30 percent of new entry officers and sailors are annotating any form of religion on entry to the ADF, meaning that 70 percent of the future workforce is likely to have 'no religious affiliation'.⁴

[7] In light of this trend the Navy commissioned a research paper in 2017, titled "*Increasing Diversity within the Navy Chaplain Branch: Respecting the past – creating the future.*" Navy submits that the paper identified the need for the chaplaincy capability to be "*responsive to the changing demographics of the current and future workforce in order to remain relevant and able to support the comprehensive and increasingly complex pastoral care and spiritual needs of Navy people.*"⁵ As a result, Navy submits it has identified a capability gap in the provision of mental health and wellbeing care for its members and their families who are reluctant to access pastoral support from Navy Chaplains based on their religious affiliation.

[8] In order to address this shortfall Navy proposes to introduce a role that will provide diverse and appropriate pastoral, spiritual, health and wellbeing support for members and their families in all environments and work within the chaplaincy workforce.⁶

Commonwealth

[9] The Commonwealth supports⁷ the proposition of the ADF to expand Navy Chaplaincy to include the MSWO and "*agreed there is changing diversity and preferences in the workforce*" remarking it "*appears to be the trend externally as well.*"⁸

WITNESS EVIDENCE

Principal Chaplain C Acton RAN Director General Chaplaincy – Navy

[10] Principal Chaplain (PCHAP) Acton gave evidence that "*the role of the Navy Chaplain has completely changed*" and that they "*have taken on a pastoral care role, of which in the past clergy probably did very little.*"⁹

[11] PCHAP Acton described *“the types of pastoral care we regularly deal with include such issues as relationship breakdown, family and domestic violence, anxiety/depression, suicide ideation and the wider complexities around members having trouble at work, finding it difficult making friends in a new posting location, being lonely or finding life challenging.”* We note his evidence that *“there is little in a theological degree that prepares a chaplain for the practical pastoral and mental health related issues”*, while *“spiritual care has also changed and that spiritual issues concerning this generation are different to what one would find in a bible-literate church going population.”*¹⁰

[12] PCHAP Acton gave written evidence in regard to the diversity, or lack thereof, in the chaplaincy workforce, stating that *“another factor that can, at times, be a barrier to care is the age of the Chaplain”* as the *“median age of the Navy Chaplaincy Branch is low to mid-fifties.”*¹¹ Coupled with this, he submits, is that currently *“gender may also be a barrier to care”* noting that the Branch presently consists of 29 men and five full time women.¹²

[13] His evidence in this regard is that the MSWO will *“likely be from a younger cohort, and so problems associated with the age difference of Chaplains would not be as prevalent.”*¹³ In regard to gender PCHAP Acton remarked that *“the workforce we’re recruiting are predominantly coming from the “helping” professions, which are predominantly feminised workforces.”* Therefore he states *“there is a much bigger pool to recruit from, and we should get younger women and women in general who have different life experiences than what you would get in a church. Their life experiences are directly relevant to what we experience all day, every day in the Navy.”*¹⁴

Captain S Bowater OAM RAN Commander Shore Force

[14] Captain (CAPT) Bowater gave written evidence that his role provides *“shore-based capability which enables and sustains operational effectiveness in maritime Defence elements”* and of which *“Chaplains are one such capability.”*¹⁵

[15] He stated that Navy requires a qualified Branch that is *“about having someone, outside of rank, to look after people, and having someone with whom to talk about deeply personal and sensitive issues.”*¹⁶

[16] His affidavit outlined the MSWO as an *“important additional contribution to our fighting capability”* stating that *“in the absence of a neutral member to fulfil the pastoral and wellbeing role currently provided by Navy’s Chaplain, some people would not seek their help and may be troubled and unable to focus on their roles and responsibilities as we need them to do.”*¹⁷

CONSIDERATION

[17] From the outset, and in considering all aspects of this matter, we were strongly persuaded by the evidence that the *‘Chaplaincy Reporting Tool’* used to monitor the type of work ADF Chaplains do, and how often, shows that on average approximately 95 percent of a Chaplain’s time is spent on non-religious pastoral care and wellbeing support.¹⁸

[18] We assessed the outcomes of the 2017 paper which highlighted the changing demographics of the current and future workforces and recognised the ongoing relevance of chaplaincy to the spiritual and pastoral needs of Navy members. We agree with CAPT Bowater that Navy *“requires a qualified Branch that is focused on the wellbeing of its people, regardless of whether the Branch’s members are religious or not.”*¹⁹

[19] We gave careful consideration to the evidence that a combination of MSWO’s and Navy Chaplains will, provide a *“spectrum of support to a diverse workforce that encompasses pastoral, spiritual, mental health and wellbeing support and religious needs of all Navy people and their families regardless of their faith, or lack of religious faith, commitment.”*²⁰

[20] We note that the MSWO role will work to a ‘scope of practice’²¹ and, in that regard, comment that the Chief of Navy described the role as:

“The MSWO stream will bring knowledge, skills and experience gained from employment in a range of relevant sectors to support the wellbeing of Navy people and their families and will be required to:

- a. deliver high quality, client-centred specialist pastoral care and spiritual support to all people regardless of their faith group or indeed absence of faith;*
- b. hold a genuine commitment to pluralism, a willingness to work with and value all people, and their world views;*
- c. demonstrate an affinity with, and understanding of the spiritual or faith needs of ADF people given the unique nature of military;*
- d. possess a lively and resilient spirituality that is appropriate to the faith group or non-religious beliefs of the individual;*
- e. work collaboratively in teams; and*
- f. offer unrestricted service, including sea service”.*²²

[21] We deliberated on relevant roles where people may have obtained the required pastoral and spiritual care experience and agree they may include, but not be limited to:

- a. human service worker;
- b. youth worker;
- c. psychologist;
- d. social worker or human service worker in correctional facilities, schools, universities, welfare agencies or veterans affairs; and
- e. spiritual care worker in hospitals or industry.²³

[22] We note that Navy reviewed and submitted two options for MSWO remuneration:

- a. placement within the Graded Officer Pay Structure (GOPS); or
- b. placement within the Specialist Officer Career Structure (SOCS) aligned with Chaplains.

The SOCS provides for remuneration for Chaplains in two parts - one relating to skills and qualifications (competency levels), and one to supervision and leadership (Divisions). We gave consideration to the placement of MSWO within this structure, and within GOPS, and accept that the terminology of 'classes' will be used to differentiate the levels of supervision and leadership within the MSWO stream.

[23] We also note that Navy Chaplains do not wear any military rank and instead display Chaplains 'insignia'. This is markedly distinct from Army and Air Force which place their Chaplains within their respective officer rank structures with worn rank. We agree that this provides Navy Chaplains with the benefit of "*floating rank*" i.e. taking on the rank of whoever they are talking to including those at the most senior levels.²⁴ On the matter of insignia, we note that Chief of Navy has given guidance to the Chaplaincy Branch to all wear the same symbol and that on 19 March 2020 he approved that insignia as "*a gold fouled anchor sitting on a silver compass rose.*" We note that Chaplains and MSWOs will further be identified by a worn 'Service Badge' with the symbol of their faith or purpose.²⁵

CONCLUSION

[24] We agree that the role of MSWO meets Navy Chaplaincy workforce requirements with the benefit of the intentional exception of the provision of denominational or religious and faith group rituals. We agree that at present some Navy members may not seek counsel from a Chaplain based on a difference in, or with, religion and that the rationale for the MSWO is most suitable for this situation.

[25] We agree that a professionally trained diverse MSWO workforce will strengthen the resilience of the members and their families. We are supportive of the recent additions to the Navy Chaplaincy Branch of an Islamic Chaplain and the (near future) additions of Buddhist, Hindu and Jewish Chaplains highlighting Navy's intent for provision of broad pastoral and spiritual care and commend Navy in this regard.

[26] We also agree that the Navy Chaplaincy Branch needs to be responsive to the changing demographics of the workforce in order to remain relevant and able to support diverse pastoral and spiritual needs. We are encouraged by its approach and goal to "*be a unified and inclusive workplace where the different streams, denominations and faith groups have equal standing in the organisation and opportunity for advancement.*"²⁶ We consider that the perspectives of each workforce will bring enormous benefit to each other through their comparable suites of skills and different approaches and are assured by the views of PCHAP Acton that "*we will be two primary qualifications but one team.*"²⁷ Here we also specifically note that there is "*not an intent to remove religion from chaplaincy in Navy and that there will always be a place for religious chaplains.*"²⁸

[27] Finally, we agree “*it is reasonable that if we have a workforce that is doing pretty much the same role and responsibilities as a Chaplain, have the similar qualifications and skills and advancement requirements, that they be paid comparatively.*”²⁹ We consider that the Specialist Officer Career Structure provides appropriate remuneration for the MSWO role and recognises them as a selected specialist group aligned with Navy Chaplains. We determine that eligible MSWO’s will also receive the Navy Retention Incentive payment.

[28] We ask the ADF to return to us in 2022 with a final review of this matter to be conducted in 2024. Determination 3 of 2020 gives effect to this decision from 9 July 2020.

MS I. ASBURY, PRESIDENT
MR A. MORRIS, MEMBER
RADM J. GOLDRICK AO CSC RAN RTD, MEMBER

¹ DMR/OUT/2020/BN13803363 *Listing Application – Maritime Spiritual Wellbeing Officer* dated 26 February 2020.

² <https://www.dfrt.gov.au/sites/default/files/ADF-Chaplains-FINAL-decision-20.2.2014.pdf>

³ ADF submission *Maritime Spiritual Wellbeing Officer* dated April 2020 page 1 paragraph 1.2.

⁴ Affidavit of Principal Chaplain C. Acton RAN dated 30 March 2020 page 5 paragraph 20.

⁵ ADF submission page 5 paragraph 2.12.

⁶ While Army and Air Force are supportive of this proposal they do not intend to make any changes to their respective Chaplaincy workforces.

⁷ Commonwealth submission *Royal Australian Navy Maritime Spiritual Wellbeing Officer* dated 23 March 2020 page 1 paragraph 3.

⁸ Ibid page 4 paragraph 19.

⁹ Affidavit of PCHAP Acton page 4 paragraphs 13 and 14.

¹⁰ Ibid page 4 paragraph 15.

¹¹ Ibid page 12 paragraph 42.

¹² Ibid page 13 paragraph 43 and page 14 paragraph 47.

¹³ Ibid page 13 paragraph 42.

¹⁴ Ibid page 15 paragraphs 48 and 49.

¹⁵ Affidavit of Captain S Bowater OAM RAN undated page 2 paragraph 10.

¹⁶ Ibid page 3 paragraph 13.

¹⁷ Ibid page 6 paragraph 23.

¹⁸ Affidavit of PCHAP Acton page 5 paragraph 19.

¹⁹ Affidavit of CAPT Bowater page 3 paragraph 13.

²⁰ Listing application paragraph 4.

²¹ a document that articulates their role and is located in the ADF Chaplaincy Manual.

²² CN AUSTRALIA signal 010047ZAUG2019 *Establishment of the Maritime Spiritual Wellbeing Officer*.

²³ ADF submission page 27 paragraph 6.27.

²⁴ Affidavit of PCHAP Acton page 2 paragraphs 10 and 11.

²⁵ Ibid page 22 paragraph 71.

²⁶ ADF submission page 40 paragraph 8.5.

²⁷ Affidavit of PCHAP Acton page 17 paragraph 58.

²⁸ Ibid page 6 paragraph 22.

²⁹ Affidavit of CAPT Bowater page 6 paragraph 24.