

**Senate Foreign Affairs, Defence and Trade
References Committee**

SUBMISSION COVER SHEET

Inquiry Title: Effectiveness of Australia's Military Justice System

Submission No: P2

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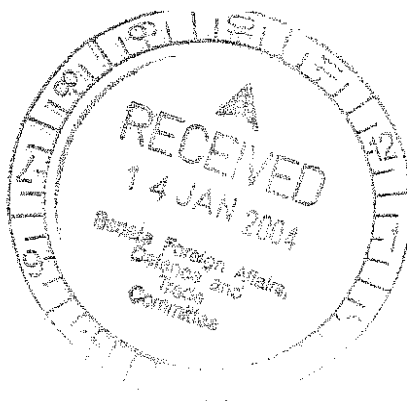
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SUBMISSION BY:



:: Committee Enquiry into Australia's Military Justice System ::

I make this submission on behalf of my son, Acting Leading Seaman Cameron Gurr who was lost at sea on 1 May 02 from HMAS Darwin in the vicinity of Christmas Island and seek to have unanswered questions in relation to his disappearance and the subsequent investigation finalised.

In my opinion the investigation was lacking in certain areas and has caused our family much frustration, trauma and anxiety in not getting a clearer picture on what did actually happen to, or cause the disappearance of my son.

As laymen it is difficult to grasp the legal complexities of such investigations and the frustration that people have, when it appears that nothing is resolved for the person or his/her family with the concentration of the investigation appearing to have more focus absolving the Defence Department of any blame.

Since the investigation has been completed I personally have no idea which way to proceed to get an answer or conclusion as to the events that led up to the disappearance of my son. Or what has happened internally within the Defence Force as to any culpability, disciplinary action or whatever resulting from the investigation, and more importantly what processes have been put in place to see that someone else does not suffer the same fate.

Even though Cameron was serving in the defence force at the time of his disappearance it should not be forgotten that he was first and foremost my son whom I intrusted to the Navy to provide a safe working environment for, particularly on board ship. In Cameron's short service life I always had concerns for his safety whilst he was on shore leave as he did not have any immediate protection from the Navy and accepted that fact, but never once thought that the working environment on board ship, in the protection of the Navy, could or may have contributed to me losing him.

I accept that individuals should be responsible for their own actions but their actions are greatly influenced by the environment in which they work and the duty of care responsibilities of their employees.

The "Report of the Board of Enquiry" dated 5 July 02 has a common thread of alcohol indulgence (sections 3.1.7, 4.9.10 through to 4.9.16, 4.1.2, 4.1.2.10, 4.1.10) with the perception that this was the major contributing factor to Cameron's disappearance, was in excess of the Navy regulations, but appeared to be condoned by all ranks, the question begs:

- Why was this condoned?
- Why was this an accepted culture?
- Why was this fostered?
- Why was there no disciplinary action to stamp this out before it became a culture?
- What has happened since Cameron's disappearance to correct this and stop the possibility of a similar happening again?
- Does the Navy believe it's duty of care responsibilities are adequate?

In summary I would like to have been better informed as to the outcome and resultant actions coming out of the Board of Enquiry in the hope that something positive & constructive has been done after the tragic loss of my son.

Yours faithfully

Joan Gurr.

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5.1.04.