

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

SUBMISSION COVER SHEET

Inquiry Title: Effectiveness of Australia's Military Justice System

Submission No: P9

Date Received: 2.02.04

Submitter: Ms Rosa Satatas

Organisation:

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Name/Contact: Ms Rosa Satatas

Date Authorised:

Submission to Senate inquiry to military justice, by Rosa Satatas

For the attention of the committee, regarding the death of my son, John Satatas:

- Defence did not contact me into whether I wanted an inquiry into John's death.
- Defence did not say that an inquiry would be held, and we were not given any reason as to this decision.
- We were not asked what the inquiry was to include. We believe that Defence ignored some of our suggestions in regards to who should be interviewed.
- We have not been given a copy of the Terms of Reference of the inquiry.
- Defence did not offer us any assistance such as a lawyer, counsellor or translation help after John's death, or relating to the inquiry.
- We have been given no information in regards to the finalising of the inquiry.
- We have not been interviewed by the inquiry or given any chance to contribute.
- We are deeply concerned that John suffered discrimination, in particular certain derogatory terms were found scribbled on his body. We are concerned that Defence did not take this matter seriously enough and has not investigated it fully.
- We believe that there are further matters that Defence has not investigated or has not let us know about, specifically in regards to allegations of bullying towards John by some senior members who had returned from overseas duty. We do not think that this has been dealt with properly.

Submission by:

Rosa Satatas

R. Satatas



Statement by Charles Ramos Bodas, regarding circumstances of the death of John Satatas.

For the attention of: R.P. Van Kampen (Colonel, Inquiry Officer)

CC: Senator Robert Hill, Minister for Defence;
Fran Bailey MP, Parliamentary Secretary To the Minister for Defence;
Mal Brough MP, Minister Assisting the Minister for Defence;
Senator Chris Evans, Shadow Minister for Defence;
Graham Edwards MP, Shadow Parliamentary Secretary (Defence).

I, Charles Ramos Bodas, of . , hereby make this statement for the attention of the investigating officer:

John and I were cousins, and furthermore he was also my godson. Unfortunately over the period of time he was in the army, we had not seen each other as often I would have liked, however we spoke on the phone every once in a while. The last time I had seen or spoken to John was around Christmas time of 2002. At that time he seemed to be in a good disposition. I asked him how the army was going, and he replied that it was fine. I said that it must be hard getting up so early all the time, that the food is probably terrible and the training must be difficult, but he said it was tough, but OK when you got used to it. I asked him some more about the particulars of his training, and if he was up to making a career of it. He said that he was a gunner in his current unit, but he wanted to perhaps try out for some more elite positions with the commandos (I'm not sure if he meant SAS). I mentioned that the training in that case would be intense, but he said that he met the fitness requirements for it. He also stated that he was preparing for a parachute jump in a few months, that it was to be his first and he was nervous but excited about it.

Furthermore at that time, there was talk about the Iraq war being imminent. I asked John about how he felt being posted to a hot spot such as Iraq, East Timor or some other location where he would be on active combat duty with live ammunition and real enemies. I distinctly remember the tone of his response, which was more or less as follows: "...that's exactly what we've been training for. You've got to follow your superiors and your training. If we've been training hard and taking that training on board it would be good to put it all into action, and test ourselves out. That's my job now, I wouldn't mind being posted overseas...".

I noticed that since the last time I had seen him, he had changed appreciably. It seemed to me that he had changed from a boy into a young man. This was not only associated with his maturing adolescence, but it seemed to me that his demeanour had subtly changed. He appeared more confident when he spoke, he had put on a significant amount of lean muscle mass, and his skin was tanned and largely clear of the acne which had affected him for a few years. Upon making those observations I decided that perhaps the army was the right move for him. Before I left I told him that we would have to catch up when he was back in Melbourne for a while, and he said probably around Easter would be the best time.

I was shocked to learn of his apparent suicide, as it didn't make sense with what he had told me, nor with my family's impressions of him.

Following my contact with George and Rosa Satatas, they allowed me to view some of the reports they received, and I have a few points to make and queries that I would like resolved on behalf of myself and Rosa, George, Richard and Phillip Satatas:

1. When Major Payne visited us at _____ in the aftermath of the tragedy, we remember him saying that John had been found wearing his combat fatigues, yet the Police and Coroner's report clearly state that he was found in civilian attire.
2. Major Payne further stated that the army would cover all costs associated with the funeral and burial, but the Satatas family has received an invoice of about \$1300 from the funeral home.
3. There are a number of discrepancies in the Coroners and Police Report. The Police officer attending the scene states that he observed that John had a number of open sores on his hand and forearm, but there is no mention of this in the post mortem examination report. Surely this should have been remarked upon?
4. We (John's family), find it hard to understand how someone could hang themselves when the deceased's feet are clearly found flat on the ground, as was stated in the police report of both attending officers. Rosa, George and Richard Satatas have stated to me that they believe that the tree, which they were shown to be the one from which John's body was recovered, did not have limbs, nor the fork of the tree in a position in which a person may attach a length of rope without some difficulty. This is a cause of some confusion to all of us, as they observed there were many other trees in the area which it would seem would be much simpler to commit such an awful act. Is it common to find suicide victims in a position where the body is found in such a position that it appears to the attending officers as if the deceased were standing facing the tree, with his feet flat on the ground? Was any forensic examination of the items found with John's body made to ascertain that it was indeed placed there and used by John (e.g. fingerprints on the stool/chair and length of cord that was found)? If not, why not?
5. There is also some confusion as to whether John was on leave at the time of his death, or if he was on duty. He had told Rosa that he was asked to stay back, as they were undermanned. If he was on duty, surely the army has processes in place so that someone would try to find him as soon as it was apparent he was missing. His commanding officer has indicated that he was indeed asked to stay back and was still on active duty at the time. (This ties in with point 1 about the clothes he was found wearing). Why is it taking so long to confirm this? Surely the army, of all employers, keeps accurate and detailed records of who is on duty and where, and when leave is taken. This is even more confusing when it is considered that his personal items, including ID badge and wallet were found on Monday morning. I am under the impression that army staff do not leave their base or barracks when they are expected back without their ID, as it is impossible to enter. Surely finding his ID and wallet should have led to alarm bells going off earlier, as it would indicate that he was missing but still on base.
6. Is it common practice for army staff to physically and mentally abuse their fellow soldiers by using such derogatory terms as "Spic" to those of non Anglo-Saxon backgrounds? Furthermore why do your soldiers feel the need to scribble this on their fellow soldiers' bodies? As a proud Australian of Mediterranean-European descent, I am appalled and angered at this degradation inflicted on fellow Australians. I pity any Aboriginal or ethnically Asian members of the armed forces, not to mention those who might be of the Muslim faith. In a proudly multicultural society such as Australia, any such behaviour is unconscionable, and any toleration of such attitudes can only lead to the further worsening of the stereotyping of the armed forces. I was under the impression that all Commonwealth employers including the armed forces fully subscribe to the idea of equal opportunity in the workplace. I would hope that the army has fully taken this notion on board, and does not just pay lip service to the concept.

7. John's family has a number of concerns regarding the apparent suicide rate of young men in the armed forces. We have been in contact with other families who have been affected in a similar manner. Do the armed forces keep records of this statistic? How does this compare with the general population? Can we view these records? Is this an ongoing issue? And what measures are the armed forces taking in response?
8. John's family would like access to his personnel records, including but not limited to training history, work history, postings/transfer records, performance evaluations, medical and psychological records. The army's line of questioning of George and Rosa Satatas seems to indicate that they are looking for evidence to support the notion that John suffered from either depression or some other mental affliction. If this is the case why was this information not acted upon sooner? Surely all army personnel undergo rigorous psychological profiling at the time they apply for the service, and there must be mechanisms in place that regularly evaluate soldiers' performance, which must include some comment on their apparent state of mind or mental state, and ability to perform their job under the stressful conditions that soldiers are likely to encounter in combat situations.
9. Rosa Satatas would like to know the reasoning behind the defence department not allowing her to be present at the memorial service for Jeremy Williams, when she was invited by Mr. and Mrs. Williams.
10. The Satatas family is concerned at the length of time it took for permission to be granted for the family to view John's living quarters.
11. Finally, John's family has not yet been contacted in regards to any Senate inquiry into military justice.

A prompt response to the above points would be appreciated. Furthermore I wish to point out that the Satatas family would like a copy of the investigating officers report and other supporting and relevant information as requested above, sent to Rosa and George Satatas,

I can be contacted as follows:

Charles Bodas

Signed,

Co-signed:

Charles Bodas

Name:

Date:

Date: