Senate Foreign Affairs, Defence and Trade References Committee

SUBMISSION COVER SHEET

Inquiry Title:

Effectiveness of Australia's Military Justice System

Attachment to submission

Submission No:

P56 - attachment 1

Previously published in ADF Family Matters, Dec 2003

Date Received:

19.04.04

Submitter:

Group Captain Morrall

Organisation:

Address:

Phone:

Fax:

Email:

Name/Contact:

Group Captain (Rtd) Philip Morrall AM, CSC

Date Authorised:

13 May

I HAVE SEEN LIFE FROM BOTH SIDES NOW

[GPCAPT (Rtd) P L MORRALL AM, CSC]

"I only have one question, is he dead or alive? ... I am sorry ..., we believe he is dead. Then we had better go inside".

Introduction

When you have been an Administrator in the Air Force for 30 years and you exit the lift in your hotel to find two 'uniforms' at your door, after midnight on a Saturday night, you don't need to be told what the subject is. Rosemary beat me to the punch by a few seconds with the inevitable question. On so many occasions it had been me waiting or knocking on the door, now it was our turn.

While being very careful not to extrapolate from the particular to the universal, we hope this insight into our experiences can be of assistance to others.

Background

Luke our 23-year-old second son was a FLGOFF Logistics Officer at RAAF Williamtown, he and his great mate FLTLT Euan Duncan had been flying the RAAF Williamtown Flying Club tiger moth on Saturday afternoon and it had crashed. Rosemary and myself were not at home in Canberra but were in Brisbane, our elder son was away in Wollongong at a friend's 21st birthday and our daughter was at a B&S ball in Canberra.

The RAAF casualty system swung into action shortly after the accident, by chance Luke's Commanding Officer was in Canberra so he and a Chaplain headed for our home; to do what I can attest is the worst job in the world. But of course no one was home. Liaison with my previous professional colleagues could not elicit a contact point so the notification team waited. By coincidence our daughter returned home, the ball was not so crash-hot, at about 9-00 pm and after notifying her of the situation, she was of course able to give a contact for us in Brisbane.

It was necessary to then organise a second notification team from Brisbane via DCO and RAAF Amberley, we were out at dinner and it was this team that confronted us as we exited the lift.

The Reality

A first thing first, there is no nice way to tell next of kin their loved one is dead. From personal experience the facts simply have to be stated. We were told clearly, compassionately and simply the fact of the accident, that Luke's Commanding Officer was at our home with our daughter and would we please ring him. This we did and again the simple facts were conveyed including that the bodies were not yet recovered but in reality 'he was a known passenger' and there were no survivors.

Those who know me well will have no difficulty in believing that my instinctive mechanism for handling this situation was to drop into my 'control-freak' mode; which is exactly what I did. 30 years of officer training and experience instantly stepped to the fore and I had a mental checklist of necessary actions within minutes.

Checklist

The one omission from my instant checklist was not to be a control-freak!! I managed to over-ride my wife's perfectly reasonable request for a scotch with less than tact and understanding. As clear as day I still recall the motivation, 'no need for alcohol – need for a clear head', I did receive my counselling session later.

However, the checklist did require me to tell our other son over the telephone, I was sure he would find out other ways if this were not done. Telephone notification is the absolute pits. Similar arrangements were necessary for other family members.

Returning home was of course a priority but I made the decision to drive back and declined the extraordinarily kind offer of air travel, with the car return arranged later. Again, as clear as day I recall the motivation, 'I needed time to work this through'. No, I did not ask Rosemary and again I did receive counselling on this matter.

The Initial Period After Notification

The assistance rendered by the DCO and RAAF in those first few hours must be commended. It was compassionate, professional and truly appreciated. Our friends and both our daughter and son's friends rallied round and physically and emotionally supported them from the outset. Many were still in residence or attendance at our home when we arrived back a day and a half later.

The casualty notification team left us at the hotel in the early hours of the morning, their unenviable task well done.

Once alone the enormity of the situation hit home, tears were shed and anguish shared. Across my mind flashed the inevitable question – why? Just as quickly I thought of several very long-standing similar cases with which I have been associated over the years.

Responsibility Parental / Familial or Otherwise

In those few moments, questions such as why, who is to blame, who is responsible, all arose? I could now appreciate the intense feelings of those who had faced these very questions before; because obviously if there were no one else responsible, then it must be my fault. My total non-involvement in any aspect of the accident, my geographical isolation etc, were of course totally rational, but irrelevant. I had not protected my child.

But thank God, I had had the experience of witnessing others go down this destructive track, in relation to the loss of a child or spouse. I had seen it destroy them, their marriages, their wider circle of family and friends. I had seen it become an obsession, based on the purest of motives, but steeped in continuing despair, frustration and pain.

I recall vividly the decision and indeed my vow that 'no way, no chance, we were not going down that path'. Again this was a private decision made as a consequence of Air Force experience but which now had a much more personal and raw relevance.

The Waiting

Our (my selfish) decision to elect to drive home, taking an overnight stop on the way provided a very private but lengthy opportunity for Rosemary and I to reflect on the situation. We knew our other children were safe and in the company of friends. We knew we had none of the 'rush to a bedside or life support' type decisions to make. Regular updates from

RAAF authorities kept us abreast of developments, including the release of names etc to the press.

Over those hours in the car, we talked through my experiences with families in similar circumstances, which of course had at best been only names to Rosemary. We worked out that we had had no capacity to influence the circumstances but that we had to live with the consequences. We decided that Luke's death and the accident were not going to become a 'taboo' subject, thus stilting conversation and interaction with family and friends. We now faced our new reality.

I received my totally justified counselling based upon 'how dare I speak for both of us without asking'; a more contrite control-freak emerged. Because we both hold a deep Christian faith, the role of God, life, death and such, also received much debate and attention through those hours.

Professionally, I had always been of the view that there was merit in getting the funeral 'over and done with' as quickly as possible, in order to provide the family with a foundation upon which to face their new reality. Because of coronial requirements we both knew very early that there was to be a delay in gaining access to the bodies etc.

This delay of some 10 days proved in our case to be a godsend. It allowed us to talk through with the children, what had happened, what we each and all wanted in the way of a funeral etc. It allowed us and Luke's special friend, time with the assistance again of DCO staff, Chaplains, Funeral Directors and family to clearly establish what we did and did not want. From a much more personal perspective I now thought again of my longstanding views; accepting the organisational imperative to 'move on', how awful must it be to wake up after the funeral, to wishes about what should or should not have been done.

For us, the funeral service was truly a 'celebratory' event. Made all the more so by the involvement of so many Air Force friends and colleagues. Again it must be stated that the administration prior to, during and after the funeral, from all concerned (particularly the Chaplains) was excellent and I know just how difficult it is to keep everything on track.

Similar accolades have been forthcoming from Euan Duncan's family where the difficulties were compounded by their location in Scotland. It was an inspiration to see how well our Air Force handled this unusual aspect of casualty administration.

Fear and Silence

Some of our friends, particularly some of my direct peers, experienced profound difficulty in approaching us and discussing the events. This lasted for days, weeks and in some cases over a year. Once the subject was broached, what was the problem?

It was fear, that gut wrenching fear that 'there but for the grace of God...'. Each had children of the same age, particularly sons, many of our children had grown up together and gone to school together.

As we eventually discussed the issues it became readily apparent that their worst fears were worse than our reality.

Crash & Accident Issues

Through favourable circumstances, Rosemary and I were offered an opportunity to visit the crash site just outside the base at Williamtown. Although I saw little need, this was an opportunity we accepted, it proved very beneficial. To view the site removed any ambiguity

and again by happenstance the regeneration of the impact tree provided demonstration that life does go on. We were fortunate to attend a memorial dedication at the Base.

Similarly, the Air Transport Safety Bureau had introduced new protocols relating to families and fatal aircraft accidents. Very early in the piece they contacted us and offered to provide a personal face-to-face briefing on their intended investigation procedures and protocols. This we accepted and the briefing was professional, easily understood and comprehensive.

We also were granted the opportunity to view the aircraft wreckage that had been recovered to Canberra for further investigation. Again this proved very beneficial, removing ambiguity and allowing Rosemary in particular to gain an appreciation of the 'rag, wood & wire' construction of the aircraft.

Throughout the whole investigative process we were as a family kept in the picture, receiving advance copies of appropriate reports and findings, with offers of further briefings on any issues that were unclear.

Some 16 months later, we await the last of the necessary administration, the coronial hearing, which is scheduled for mid - 2003. Again the liaison and notification from coronial authorities has been timely and professional.

This direct liaison and personal involvement in the crash and accident investigative process greatly assisted us on our grieving journey. We were able to feel involved and doubts and uncertainties were minimised. This is an approach I commend to all. Take up the opportunities for involvement if offered.

The Inevitable Administration

As befits any large organisation service (and death) in the Air Force occasions the inevitable administration. To complicate matters Luke, notwithstanding his father's protestations and Air Force policy, died without a will. This required an application to the Supreme Court (\$3000 and four months delay) in obtaining appointment for Rosemary and myself as administrators of his estate.

Notwithstanding, the administration from DCO, DEFPAY, MSBS, and the Air Force as a whole in respect of personal effects, pay, superannuation and other entitlements was without blemish.

One issue of importance, MSBS payouts to members without dependents are treated as 'Eligible Termination Payments' and result in a tax liability of about 33%. This information is included in MSBS literature accompanying entitlement notification and should be noted. 33% of the payout is no small sum.

12 Months On

The inevitable and unavoidable series of 'firsts', birthday, mother's day, Christmas and anniversary of the crash, have come and gone. Each brings with it a tide of emotion that varies from family member to family member. Again friends and colleagues are not immune from the emotional impact.

Each member of our family has trod the path in their own way over the last year. A valuable lesson is that there is no right or wrong way. Each person has to find what is right for them; but the experience of others amateur and professional does help and should be accepted if offered.

I can only talk with authority of my personal path. As a self confessed control-freak my strategy has been to so load up my intellectual time that I am forced to apportion it between issues. Far from shedding activities I took on more. My time is apportioned, family and Luke get their share; but there is no spare time for 'wallowing in self-pity' or the like. Others have found their path in friendship, craft, study and other activities. Each to their own.

You do not 'get over it'; rather you learn to live with your new reality.

The Overview

Having been involved in Air Force casualty administration for so many years as an Administrator, being on the other side of the door, brings new experiences and perspectives. I am no longer so sure that my previous well-intentioned rules of thumb were so efficient or effective.

There is no easy way of breaking the news. Simple statements of the facts delivered in a compassionate way still seem the best. The importance of keeping administration timely, clear, considerate and unambiguous cannot be overstated. Such simple matters as providing written confirmatory notes of issues raised and advice given helps, when you try to workout 'what exactly did the DCO *lady* say..?'.

This feeling of parental or familial responsibility or guilt, while perhaps totally irrational, represents a potential disaster. Perversely, no degree of rational analysis seems to assuage the feeling, if it takes hold. Based on my personal experience, this feeling of 'seeking to apportion blame or responsibility' arises very early and unless it is resolved, perhaps within 48 or 72 hours, can become a permanent feature of the grief process. Should it become so, it seems to have the capacity to negate any offers of assistance and indeed it may very well freeze the grieving process. A vicious spiral of 'blame' can easily ensue, leading to the destruction of any meaningful relationship between the aggrieved and the Air Force.

How does one avoid this dilemma? I am not sure; I can only attest that my knowledge of the propensity for such feelings and their destructive capacity helped me. This knowledge was sufficient, even in those first few hours, to commit my family to another path. Although I have doubts I could have dissuaded other family members had they not been inclined to this view.

Acknowledging the 'organisational' imperative to move on, particularly where there are multiple casualties, families still need to be given time and space to workout what it is they wish in terms of funerals etc. Yes, confusion reigns at times, suggestions based on entitlements and professional experience help, but to awake to the 'if only we had....' syndrome could be awful. Within reason perhaps the family should be told there is 'no rush'.

Offers of involvement in the investigative process, in the forms of briefings and updates should be forthcoming and should be accepted if at all possible. Ambiguities and uncertainties, fears spoken and unspoken can be addressed in this way.

Perhaps self-evidently, there is a need for compassion, understanding and professionalism on everyone's part, which is easier said than done. The little things assume far greater importance than warranted in the emotion charged atmosphere, be they for good or bad. But based on our experience genuine concern and empathy wins through, particularly from those who are given the unenviable task of dealing with the grieving family.

The Bottom Line

All members of the Services may through no choice of their own be cast in a part within a tragedy. This may be as family, friend, notification officer, DCO member, Chaplain, Section Commander or Commanding Officer. No matter on which side of the door we finds ourself, we might be called upon to make decisions and choices in what is undoubtedly an emotion charged atmosphere.

Those choices or decisions might not really be classified as right or wrong but from our experience they can be for better or worse. So many of the choices, particularly those made early, set the path for future directions.

To dwell on matters of life or death is surely unhealthy but to have at least addressed the subject, if only by reading this article, might well help to give some context to the situation should it happen.

Our thanks go to all who helped us in our time of need. We hope this insight might help others.

P.S. To control-freaks. It is OK to be one - it really is. Just remember to add consultation and negotiation to that checklist!!!!!

June 2003

Addendum:

The coronial inquiry has been completed. The findings dismissed pilot error and maintenance issues. The cause of the accident is unknown. The hearing process was non-adversarial but still stressful. Our dealings with the Coroner, court officials and police were cooperative, considerate and compassionate.

Our second year without Luke has indeed been more stressful than the first but we are adapting to our new reality.

January 2004