

Additional Comments from Senator Jacqui Lambie

Concurring with the Committee Report

1.1 Senator Jacqui Lambie, of the State of Tasmania, concurs with the committee report, all of its recommendations, and writes separately to more fully address the following issues: (1) evidence received on resistance to interrogation (RTI)¹ training conducted by the Department of Defence (DoD) doubling as training for army interrogators, enabling them to practice information extraction techniques on personnel undertaking training to resist interrogation;² and (2) RTI training recordings by the DoD. Senator Lambie makes two further recommendations.

1.2 It should be noted that the case of SAS Trooper Evan Donaldson, mentioned in the committee report, was settled last week.³

1.3 Submission 9, Name Withheld, as part of the SAS selection course had been a participant in a 72-hour RTI exercise, and noted specifically that the training had 'doubled as a training exercise for army interrogators, using SAS applicants as targets, again without informed consent...it placed SAS participants in a position where they were part of abusive, unethical and illegal behaviour, which once it started, they had no capacity to stop or extricate themselves from'.⁴

1.4 The DoD's written submission noted that '[o]nly qualified ADF Resistance Trainers are authorised to deliver training'.⁵ The DoD submission does not address any issues raised by Submission 9 with respect to training being doubled as a training exercise for army interrogators.

1.5 The committee report notes the thousands of hours of recordings made by the ADF of RTI training. The DoD made available a sample video at its Russell Offices for a private viewing by the committee in February 2017. Dr Steven Scally, a 21-year Army career soldier who was both an involuntary participant in RTI training and later involved as a medical officer, provided a submission noting that DoD 'will assure that all activities are supervised via CCTV and recorded for later scrutiny...no amount of CCTV video footage can show the viewer what has never been recorded, and what cannot be recorded'.⁶ Dr Scally observed that the 'generals, intellectuals and politicians can take it from here...and decide whether international and domestic laws have been breached',⁷ citing the United Nations and Geneva Convention principles.

1 RTI training has been renamed Conduct after Capture (CAC) training.

2 Name Withheld, *Submission 9*, pp. 3–4.

3 ABC News, *Former SAS elite soldier has service recognised after costly legal battle with Defence* (21 Mar 2017).

4 Name Withheld, *Submission 9*, p. 3.

5 Department of Defence, *Submission 8*, p. 3.

6 Dr Steven Scally, *Submission 7*, p. 3.

7 Dr Steven Scally, *Submission 7*, p. 4.

Recommendation 1

1.6 That future Conduct after Capture (CAC) training by the Department of Defence does not serve as a dual purpose for training interrogators.

Recommendation 2

1.7 That the thousands of hours of Department of Defence CCTV video recordings made of RTI and/or CAC be made available to the Commonwealth Ombudsman for an independent assessment as to whether any United Nations or Geneva Convention principles on human rights were violated in order to ensure that Australia has upheld, and continues to uphold, its international obligations with respect to any treaties it has entered into.

**Senator Jacqui Lambie
Senator for Tasmania**