

Tabled Document 2
25 February 2015



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Department of Defence
PO Box 7900
CANBERRA BC ACT 2610

CDF/OUT/2014/983

Mr R. Patrick
Acoustic Force Pty Ltd
PO Box 2146
WOOLOOWARE NSW 2230

By email: rex.patrick@acousticforce.com.au

Dear Mr Patrick,

I refer to your contact with me during July this year in which you asked that I review the conduct of certain Navy officers in connection with your public comments concerning submarines and your company's engagement with Navy. As you know I referred the matter to the Inspector General Defence (IGD).

The IGD has now completed his assessment and determined that no further inquiry or investigation is warranted into the allegation that senior Navy officers acted inappropriately to make unwarranted demands on you in relation to restricting your public comment. Although permissible for you to engage in public debate, it was proper for Navy to seek to protect official information from publication and to make you aware of concerns about use of official information. Communications about balancing public comment with an obligation to protect official information and reputation could have been managed differently, but it was not unreasonable for Navy to seek to protect official information and make you aware of such requirement.

The IGD also found that there was nothing improper in the conclusion of your contract. I acknowledge the background concerning public comment, however the contract ran its full term, including options to extend, and was not ended inappropriately. It was open to Navy to determine that services such as you provided were no longer required. Should they have been, the usual Defence procurement processes would have applied, and you would not have been assured of obtaining a further contract for services.

I understand that IGD has separately advised you of the outcome of his consideration. Despite your apparent disappointment with conduct of certain members and the ending of your contract, there is nothing in the matters about which you complain where further resolution is required.

Your passion for, and expertise in, submarine issues is well documented. You are entitled to engage in public debate to the extent that it does not disclose official information acquired during the course of your contract, and your views in this specialisation are respected.

I thank you for bringing your concerns to my attention.

Yours sincerely,



M. D. BINSKIN, AC
Air Chief Marshal
Chief of the Defence Force

17 September 2014