

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

SUBMISSION COVER SHEET

Inquiry Title: Effectiveness of Australia's Military Justice System

Submission No: P5

Date Received: 06.11.03

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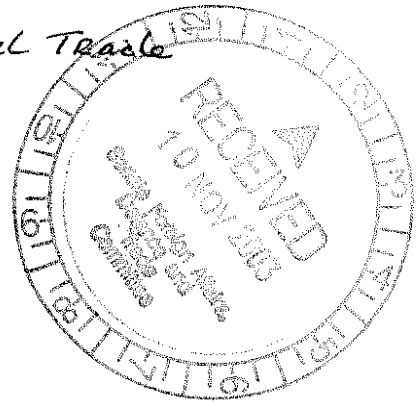
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Allan WARREN

6 November 2003

Brenton Holmes
Secretary, Foreign Affairs, Defence and Trade
Reference Committee
Department of the Senate
Parliament House
Canberra, ACT 2600



Dear Secretary

RE: Senate Reference Committee Inquiry into Military Justice
Procedures in the Australian Defence Force

I refer to our telephone conversation this morning and wish to now make this initial submission to your Senate inquiry.

I want to record my concerns about the serious levels of dishonesty and incompetency by senior officers in their decision-making and handling of investigations and justice procedures, and the repeated failures of Government and Parliament to bring their abuses of authority to account.

I base my concerns on my own experience and violent treatment at the hands of this senior officer culture from 1980 to date. The facts of my case show that their culture is one of deceit and moral cowardice driven by self-interest and careerism. And this culture has progressively worsened over time. It has become more cunning in how it handles responsible ministers and parliamentary scrutiny.

Over the past 10 years there has been several parliamentary inquiries, in one form or another, into the failure of the service chiefs to deliver honesty and competency in their reporting to Government. The Ex-Major WARREN case is a classic example of this systemic problem. Yet repeatedly committees of inquiry have wittingly or unwillingly

failed to grasp or come to terms with the evidence of the case, blatant as it is.

The public has now earned the right to judge that parliamentary committees of inquiry into Defence maladministration as being expensive exercises in navel-gazing. One has to question how competent or genuine are these inquiries?

The public deserved better from senior military officers but they have failed to deliver. It is time that parliamentary committees of inquiry into Defence failures start to deliver. Perhaps in the past they have been as guilty of the 'nudge, nudge, wink, wink, what is in this for me' mentality that is at the heart of careerism amongst senior service officers. Their perverse handling of the ex-Major Warren case 1980 to date is testimony to their deliberate intent to corrupt the rule of law in military justice administration.

The several ministerial investigations of my case, and the ensuing decision-making by the responsible Defence Minister(s), Prime Minister(s) and the then Governor-General were perverted applications of due process or natural justice. They repulsed any notion that such decisions should be based on proper information and fair consideration. The case demonstrates the bald manner by which senior army officers hold the rule of law in contempt.

This Senate inquiry owes it to the Australian people to get to the bottom of this military culture of deceit and cowardice.

Yours sincerely

AK WARREN