

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

SUBMISSION COVER SHEET

Inquiry Title: Effectiveness of Australia's Military Justice System

Submission No: P10

Date Received: 30.01.04

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Date Authorised:

**Foreign Affairs
Defence and Trade References Committee**

27th January 2004



I would like you to accept this as my submission to the committee. On 29 October 1999, after just four months in the Army, my eldest son Damien John Palmer suicided, by hanging whilst training at Laverack Barracks in Townsville.

Damien was a 19 year old Aboriginal youth who was encouraged to join the Australian Defence Force through the government's Aboriginal and Torres Strait Islander Recruitment and Career Development Strategy ("Strategy"). It is a clear term of the government's strategy, administration and management policy that senior managers within the Army would take responsibility to ensure the implementation and progress of the Strategy.

I enclose for your information the Defence Force's recruitment booklet detailing the Strategy referred to herein which was in place when Damien was a serving member.

In view of my son's experience, I question whether anyone is actually taking responsibility for the welfare of young recruits, particularly those in minority groups.

I reiterate below the issues of greatest concern to me which have contributed to, could have prevented or have arisen because of Damien's death. I request the committee look into these matters.

1. As an active recruiter of indigenous people, the Defence Force promotes itself as being aware of and sensitive to the problems young indigenous people face. I have since learnt that the Defence Force shows an educational recruitment video highlighting Aboriginal cultural problems including but not limited to the issues of alcohol abuse and shows a Sixty Minute's clip of Deaths in Custody (specifically hanging). My issue is then that the Defence Force knew of the high risk category my son Damien fell into. Being away from home for the first time, isolation from family and friends. Being on his third posting in four months of an arduous training course.
2. On his recruit course at Kapooka, Damien told me he was called out in front of his group by an instructor and told that he was only here because he was black. And that he would be receiving no government handouts and not to expect any special treatment. The overtones were not lost on Damien or on any other recruit who was there. I have since asked others who were there but they will only call it, the incident, and to say Damien was upset by the racial connotations of the remarks. Damien didn't want to tell me what was said, but did tell me he was called into an office and what was said nearly made him cry. The instructor's name was Cpl Ayoub. Damien's course was in August 1999.
3. On the night Damien died in Townsville he had learned that his father who is in the RAAF left that morning for Timor. He had not performed well in a test and had to re-sit it the next day. Police investigators who were first on the scene stated that a failed test paper

was found on Damien's bed and that the test paper was shown in photographs to have red pen markings across the pages. On my asking for the test I was told that after the Police left the scene Damien's room was cleaned and any property not of any value such as paper work including the test and homework would have been disposed of. These I feel should have been left for me or for further investigation. The Army told me they shredded them.

4. On the night of Damien's death, he had confided in another soldier that he earlier tried to hang himself but could not tie the knot. In a statement to police the soldier later revealed that he sat with Damien, who was under the influence of alcohol and who was clearly distressed, but left him alone to go to sleep. No one was informed of Damien's state of mind and nothing was done to prevent his suicide despite the clear warning. The soldier who was 24 years old at the time and on his second enlistment failed to recognize and act on the situation and left Damien alone in an obvious state of despair and in need of help.

5. On investigation of Damien's case I found details that the Civilian Police hadn't bothered to look into, which is why keeping all items from the rooms of deceased persons is so important. My discovery was that someone had entered Damien's room via the louvres above his door with a coat hanger to unlock his door. I have been trying to find out who entered his room since 1999. I have never found this out to date. The Army tells me a workmate climbed into his room, I have since been told that it was an officer, but this person was never asked any questions. Security grills were placed over the louvres above the door frames on each room of the blocks in Townsville not long after taking this up with the Army.

6. Bastardisation is something that the military is well aware of. Problems that Aboriginals face is also well known by the military and this fact has been supported by the educational video shown to recruiters highlighting aboriginal cultural problems including, alcohol, family and suicide (deaths in custody). To the committee I ask what sort of support network does the Army have in place for indigenous people when they are well aware of their social problems, and are actively recruiting them? However much the Defence Force tells us that they are treating every one fairly and racial discrimination no longer exists. I cannot feel confident that Damien was treated justly. I have been given an account from a friend of mine that was in the military (Army) 13 years ago. I had no contact with him for some years, until after Damien's death he then told me of his own experiences with the Defence Force. I have enclosed his very personal account which he kindly shared with me and is willing to put before the committee, in the hope things will change for the better. I feel the Defence Force owes this man his dignity back. On my friends behalf I put this to you, the committee, to put this right. It is a violation of his human rights in the extreme. I only pray that my son hadn't gone through the same degradation. How can I be so sure?

The inaction of the soldier who was with Damien on the night of his death highlights another problem within the Defence Force – that of education of all personnel in relation to recognizing and dealing with depression and suicidal tendencies of all members, but particularly the “high risk” group young indigenous persons to which Damien belonged. Even if the Army does presently educate the recruits on the risks related to stresses in the Army, it is obviously not drilled to the extent that a recruit recently out of basic training, which was the case in 1999, failed to act when Damien was in crisis. On looking further into

suicide after Damien's death I have found that 80% of suicides have spoken of their intent prior to actually suiciding. The question I'd like to bring to the committee's attention is --- on how many of the staggering number of suicides in the Armed Force's could have been prevented by personnel being properly educated and strategies in place for suicide recognition and prevention.

The Defence Force cannot claim to have done all they can when a 'Strategy' (Aboriginal and Torres Strait Islander Recruitment and Career Development Strategy) was in place at the time of Damien's death 1999. Even to the extent of showing trainee recruitment officers the 'deaths in custody' tape on their training course. All of which was in place when my son hung himself in his room. Where was the implementation on the 29th October 1999? I know the Defence Force failed my son Damien. I would consider the Army to be failing in their responsibility as an employer and active recruiter of indigenous people.

To the committee I would like to make known that I wrote to the Defence Minister at the time Mr John Moore and let him know of all the points that I have raised with you. So their office cannot say they did not know of what was happening. I let him know of my concerns. This was in 1999-00. I still have all documentation. And I told him then I would not give up until I am satisfied that change is made.

I called for an inquiry in 1999-00 to no avail. What can the Army do to combat this urgent situation? Has anyone looked at the bases themselves? What of the saying "You're useless, go hang yourself". Is that a common saying in the Army? I have been told that it is. What of the Coroners? Why haven't they called for a major inquiry into the Defence Force, when they know of the magnitude of the problem of suicide. I consider they have failed in their duty as well.

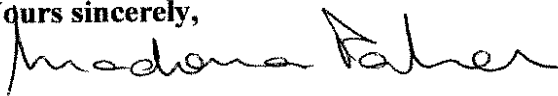
I was told that there was a cluster of suicides at Laverack Barracks including Two suicide deaths in one week around 00-01, one from 10SSB and the other 1RAR. I hope this information is wrong, but I would like you to look into it for me. Just how many suicides are happening in Townsville, how many around Australia?

I am a mother who has to deal with the suicide of her son every day. But I have found out that the Surgeon General in Washington has called for a National campaign to prevent suicide. He is modelling a plan based on the Air Force's policies. Please see paperwork I have enclosed. If I'm a mother who can find this out, what is the Australian Defence Force doing about our lives lost? Or don't we care for our own service personnel's welfare as the U.S military obviously does?

This concludes my submission. On closing I want the Defence Force to tell me they failed my son Damien, as I know they have. I want to know that I have done all in my power to bring about change, for the better of all indigenous service personnel in the Defence Force. Not to be treated differently, only to be treated with dignity as is everyone's right. I want the Defence Force to do all in their power to deal with this tragic epidemic.

I would like to make myself available to present this information in front of the committee if the opportunity presents itself.

Yours sincerely,

A handwritten signature in cursive script that reads "Madonna Palmer". The signature is written in black ink and is positioned to the right of the typed name.

Madonna Palmer.

**This Refers to the E-mails the White Wreath Assoc has been receiving from
the U.S.**

(A recent article published in the Los Angeles Time)

SURGEON GENERAL UNVEILS SUICIDE PREVENTION CAMPAIGN

Washington_ Declaring suicide a serious public health problem, U.S. Surgeon General David Satcher on Wednesday unveiled a national campaign to prevent suicide, which now claims more American lives than homicide.

"Suicide has stolen lives around the world and across the centuries," Satcher said. "Meanings attributed to suicide and notions of what to do about it have varied with time and place – but suicide has continued to exact a relentless toll."

The plan, modelled after Air Force program that by the late 1990's has cut suicide within it's ranks by half, call for a broad-based community-approach to early intervention, counselling and other services.

Praising the Air Force plan, which was developed in consultation with Centres for Disease Control and Prevention, Satcher said that a national attack on the suicide epidemic comes none too soon.

More than 30,000 Americans take their lives annually, making it the nations eight-leading cause of death. Among young people, the rate has tripled since 1952, making it the third-leading killer of those ages 10-24.

There are three suicides for every two murders, and suicide kills twice as many people as AIDS.

"Only recently have the knowledge and tools become available to approach suicide as a preventable problem with realistic opportunities to save many lives," Satcher said, stressing that suicide can successfully be prevented by the combined efforts of families, schools, doctors, states and the federal government.

The Air Force confronted a frightening escalation in suicides that accounted for nearly a quarter of all deaths among active duty U.S. Air Force personnel between 1990-94, and was the second leading cause of death, after unintentional injuries.

Enlisting the help of federal health officials, the Air Force designed a program that emphasised early intervention and support services. They also trained unit leaders, chaplains and medical and mental health providers to recognize persons at risk.

By 1998, the suicide rate in the Air Force had dropped from 16.4 suicides per 100,000 members to 9.4.

To be sure, the military is a closed society with "the ability to impose the kind of discipline that's not available for the public at large," said a spokesman for Satcher. "Nevertheless, it proves such a program can work."

The Surgeon General's suicide prevention report lays out a similar blueprint of public and private actions on a national scope, identifying goals for each segment of the community.

Among other things, the report urged that teachers, clergy and doctors be trained to recognize at-risk behaviours, and that suicide risk screening should become part of every primary health care practice.

It is also called for insurance coverage of services to treat mental health conditions and substance abuse, since the majority of suicides occurs among individuals suffering from disorders.

"Our society is in denial," said Michael M Faenza, president of the National Mental Health Association which issued it's own survey Wednesday showing that as many as 8.4 million Americans have contemplated suicide. "Just as

millions of Americans a decade ago were in denial of cancer risks, Americans today are in denial of the risks of untreated mental illness.”

Thirty-two states now require health plans to offer some mental coverage, according to the National Alliance for the Mentally Ill.

Satcher’s report also challenged the notion that suicide is inevitable among those determined to kill themselves.

“If the general public understands that suicide and suicidal behaviours can be prevented, and people are made aware of the roles individuals and groups can play in prevention, the suicide rate can be reduced,” the report said

Published May 2, 2001

I will type this out in point form for now and improve on the next copy.

1. The first incident I can recall relating to racist treatment I experienced, was when a corporal told me to act out the role of a "silhouette" (a black figure). He told me to walk to the top of a hill, and stand in line with the cut out silhouettes as I would be easy to pick out as a target on the rifle range.

Not sure what to do, I stood my ground and stared at the corporal, I was extremely angered by his remark. Another corporal came face to face with me and whispered "I hate black cunts" and then asked if I was trying to outstare him. I replied "No Sir" He became extremely agitated and irate and said "I work hard for MY money, I'm a corporal, not some fucking stiff desk jockey." This statement was in reference to my calling him "sir". He was then called to step aside by a higher ranking N.C.O..

2. We were engaged in training on an obstacle course. We were put in three groups or teams. We were to be timed to run the obstacle course , similar to a race. I was having trouble jumping onto a high wall, which was about 7 feet high. This involved taking a run up and jumping high to reach the top with your fingertips, then using your feet to walk up the wall to be able to get over it. After about three attempts, I made it over, but two other recruits who were taller than me were in front. After the wall, I was able to master the remaining obstacles and on the run to the end, I eventually beat the other recruits. As I passed the finish line, I heard the Bombadier yelling in a loud voice, "Don't let him win, how the fuck could you let some darkie beat you, you fellas should be ashamed of yourselves" I stated that my aboriginality was perhaps the reason I had won.

Before this exercise was over, I was called up to the platoon quarters to see my sergeant. Whilst standing at ease waiting to be called in, I was questioned by two corporals from our platoon. At first they asked general questions about my aboriginal background, so I answered in a polite and casual manner. The Corporal then made the statement "We wiped out all you niggers in Tasmania, Richards. What do you think about that?" This made me uncomfortable, but due to my position as a recruit and the required respect I was to display, I replied carefully "It took almost 200 years to do that though, Corporal. But it wasn't a warlike situation, it was murder". He then jumped at me and yelled loudly, the other corporal with him followed suit and the both started berating me and intimidating me. Both of the corporals smelt strongly of alcohol.

3. Sometimes during my training I felt comfortable and at ease. A number of fellow recruits were aware of the racist and discriminatory treatment I was subjected to and some offered support. Racist jokes and statements were heard at nights by the corporals, both drunk and sober. I would mostly just laugh to fit in and try not to react and make the situation worse for myself.

At the time of my training, Australia was beaten by the West Indies in cricket. One night I was woken and ordered out of bed by two corporals who had been drinking. They ordered me to march up and down the hallway, in full webbing gear, calling out the score in the cricket match. The reason for this was because my last name is "Richards" and the West Indies captain was Viv Richards and they again used racist slurs against my skin colour.

4. The last incident I recall and which was the event that prompted my absence without leave, was my required training with the Military Police Unit. We were to act in roles of M.P recruits. We would man fences and check buildings and such. On the second day we were shown the cells and holding yards in the M.P. Unit. We also had to act as prisoners to learn the procedures of handling inmates when being locked up.

We were locked in cell and told that when the alarm went off we must stand by our door and wait until it opened. Then quickly step out into the yard before the door closed. After the first attempts, I was told to go into the cell by myself. As I stepped in, they told me that this time, I was to stand back from the door when they opened it. A rope was thrown into the cell. The door was closed and locked. The rope had been tied into a noose. When I realised what was happening, I became extremely frightened and unsure of what was going to happen next. I started yelling out and swearing at them to let me out of the cell. After around 5 minutes or so they opened the door and I immediately left the cell. I was still swearing at them and extremely agitated. The only explanation for their action was that it was a procedure they carried out for certain "ethnic" groups.

5. After the incident in the M.P. training, I was unable to cope emotionally with the ongoing harrassment and unfair treatment I had endured during my time as a recruit. After this incident I was unsure of what would happen next and really became concerned for my safety. As a recruit, it was difficult to find support within the training and recruitment ranks. I had joined the Army having great respect for the institution,

having uncles, and close relatives fight in the wars. My experience while enlisted was nothing short of appalling and my decision to go A.W.O.L seemed to be my only choice at the time. Another 4 recruits left with me at the same time. My experience as a recruit in the Army was degrading, humiliating and a violation of human rights. I have been subjected to racism and discrimination my entire life as an aboriginal australian, but never to the extent that I experienced within the Australian Army.

These events are only an example of what happened in my time as a recruit. There are many other accounts that I can relate if needed.
