

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

SUBMISSION COVER SHEET

Inquiry Title: Effectiveness of Australia's Military Justice System

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SENATE INQUIRY INTO THE MILITARY JUSTICE SYSTEM

My name is Melissa Munday. I am 29 years old, and reside at

I am currently unemployed, having PTSD as a result of the fire on HMAS Westralia, being 100% incapacitated from work.

I have been asked to enter a submission for this Inquiry, in which I am thankful for the opportunity.

I joined the Royal Australian Navy on the 13th of February, 1995, as a **Marine Technician**. After my initial training, I received a posting to the HMAS Westralia in June of 1996, when the ship was just coming out of refit from Newcastle.

I had served almost two continuous years working in the engine room of HMAS Westralia, carrying out the duties of Marine Technician, when on the 5th of May, 1998, a fire broke out, which claimed the lives of 4 young sailors. I myself was inside the Machinery Control Room, the main compartment within the engine room when the fire broke out, and having seen the smoke coming inside the compartment from the engine room first raised the alarm.

I was extensively involved in fire fighting duties that day, and used three OCCABA bottles of air whilst carrying out duties in the engine room. The most disturbing part of my duties was holding a battle lantern (a very powerful torch unit used to see through smoke) over the body of Bradley Meek for over 30 minutes, so as to enable the ship's Fire Fighting Hose Teams to step around him as they made their descent into the Engine room to fight the fire. Bradley's body was located right at the bottom of one of the stairwells, and without my lantern the Hose Teams could not see their way down the ladder, and could trip over or step on his body. Brad was badly burnt, with his eyes wide open but quite obviously dead, and as I held the torch I could see him melting to the deck plates, and cooking and twitching before me. At one stage I thought he might still be alive as he was moving, but I soon realized he was actually cooking. I spent about an hour and a half in total in the engine room, at different times, and as a result was asked to give evidence at the Board of Inquiry.

The fire occurred on Tuesday, May the 5th, 1998, and on Friday, May the 8th, 1998, we attended a Memorial Service for the dead, at HMAS Stirling, the home port of HMAS Westralia. Sometime during the day I was approached by a Naval Lawyer and told I would be required to come in the following day, Saturday the 9th of May, to give a statement for the Board of Inquiry. I thought this to be quite surprising, as our friends had only been dead a very short time.

I gave my statement to a female Naval Lawyer, who wrote it down as I spoke. I read through the statement, and noticed she had left out something that had happened whilst I was holding the torch on Brad. One of the members of the Hose Team, having seen Brad's burnt body, went into hysterics, screaming uncontrollably, before breaking away from the Hose Team, and leaving the room. The naval lawyer told me that there had

been some public criticism into how some females had handled the situation, and it was best if it was left out, as the Press would be present at the Inquiry. The statement was then typed up, and brought back to me to read through. I noticed some parts had been added in the typed up version, specifically relating to what I could or could not touch in the engine room. I queried this, and was told it was just to clarify to the Board that we were not allowed to work on anything that we were not qualified to do so, even though quite often that was not the case.

I then noticed, that almost an **entire** page of my original statement had been left out altogether, being page nine. Only two lines of the page were included in the typed up version. It was suggested to me that my statement was quite detailed, and it was best that some of it be removed, mainly those comments about Bradley Meek, as they would be too disturbing for the Meek family. In Page nine I described his appearance, him being badly burnt with his eyes wide open, my thinking I saw him move, and the body fluid that was coming out of his mouth and nose. I agreed with the lawyer and said I did not want to upset the families, and accepted that those parts had been removed from the statement.

She then crossed out another two paragraphs on the typed up version, which referred to the checking of Bradley's pulse, and made some other alterations. This version was typed up again, and submitted to the Board of Inquiry. By the time the Board got the statement, it had been altered three times.

I now regret letting the naval lawyer change my statement, even though at the time I thought it was the best thing for the families. From evidence given at the BOI, Bravery Awards were given to every person who entered the Engine room that day, even the sailor on the Hose Team who went into hysterics. I, however, did not receive one. I believe I was robbed of mine because of my statements to the BOI being changed. I spent **longer** in the Engine room than most people did that received an award, and helped the Hose Teams to see their way down the stairs to enable them to fight the fire. A lot of people say they did not even know I was in the engine room that day, and had no idea what I had done with Bradley. Some of the Hose Team members who received Bravery Awards even offered to me that they would not accept their awards unless I received mine. I told them not to worry about me and to take theirs. They all said I should have got one. I am hoping that something can be done so I can be considered for my Bravery Award, and that my original statement will be used, not the one that the Navy amended that left out all the relevant details. I believe that in some degree the Navy was only trying to protect themselves against bad publicity, and were not really fully concerned about the families.

I think there also need to be a Senate Inquiry into the Royal Australian Navy for the way they handled and treated the remaining sailors aboard HMAS Westralia after the fire. I know this is not relevant to this Inquiry, but I think it is absolutely essential for this to happen, as the public would be appalled if they knew how grossly negligent the Navy has been. I myself was kept working in the engine room on HMAS Westralia against my will for 18 months after the fire, with continued requests to be transferred, but was refused. I

have proof of this, with Naval Documents. We were told by top Naval Brass in the days that followed the fire that **“No-one would be made to remain on the ship if they did not want to, everyone would be allowed to post off and transfer to another ship or port”**

I was made to stay on that ship, that smelt like burnt flesh for months after, that still carried the melted outline of Bradley Meeks body on the deck plates, until I suffered a major flashback and panic attack whilst on the ship and was posted off under the advise of a Psychiatrist, **in November 1999**, with the diagnosis of Post Traumatic Stress Disorder. I remained in the Navy for another 10 months, went on a binge of alcohol and drugs before the Navy discharged me in September 2000, as a result of my bad conduct, saying it had absolutely **NOTHING** to do with the fire, or the way I was treated. I have proof of gross negligence on behalf of the Navy, who received a report from a Psychiatrist stating I had PTSD from the fire and needed counseling every two weeks, and also anti depressants, but the Navy kept that letter to themselves, and this advise went unknown to me until I found the letter on my Medical file when I was discharged. The letter had been written in November 1999, 10 months before my discharge. Since my discharge I have been severely depressed, unable to work or function properly, my partner had to leave work to look after our son fulltime, and I have contemplated suicide many times. On another occasion I was even thrown into a smoking chamber and physically held in there against my will for a few minutes after suffering a flashback during a fire fighting course that took place just before my discharge. The Navy will still not acknowledge they did anything wrong. Since I have left the Navy and started medication and counseling in the last two years, things are a lot better for me, which makes me think if the Navy had done the right thing from the start and taken the advise of the Psychiatrist, or had not kept me onboard HMAS Westralia after the fire, I would not have lost the best career of my life, and would not have missed being a part of my baby sons life for so long.

I could add many pages of things that have happened since the 5th of May, 1998, but this Inquiry does not extend that far. I hope that someone reading this will call for a separate Inquiry, for the justice of our retired and active servicemen and women.

If I can be of assistance at all to this Inquiry, please do not hesitate to contact me at home

Yours faithfully,

Melissa Ann Munday