

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

**SUBMISSION COVER SHEET**

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**Inquiry Title:** Effectiveness of Australia's Military Justice System

**Submission No:** P46

**Date Received:** 25.02.04  
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## **Information for Senate Inquiry into Defence Force Justice**

When I first approached the Chief of Navy's office with video evidence of bastardisation onboard HMAS Onslow in 1999, the contents of the video was reviewed by CN's office. The response from CN's office was 'We have reviewed the tape and there is no evidence of any bastardisation, and therefore we have no reason to open an investigation'.

Having achieved less than satisfactory answers from CN's office, the video evidence was presented to the Defence Force Ombudsman's office, point of contact Mr. Dennis Kavanagh. The initial response from the Ombudsman's office was to have a joke and make out that the kind of ritual that existed on the video tape was behaviour that 'happened all the time'. Having received no satisfactory answers from the Defence Force Ombudsman's office, I decided that enough was enough, and that the only way to get any real answers from official hierarchy was to make the matter public through 'A Current Affair'. The 'A Current Affair' team informed me the night it was to be broadcasted that the Navy 'demanded' they be allowed to make a public response to the video that was shown nationally. The Navy's representative on the program stated that the HMAS Onslow incident was 'totally unacceptable' and 'an isolated incident', which was not the viewpoint shared by either CN's office or the Defence Force Ombudsman's office the first time they were approached with the video evidence of bastardisation.

I have proven beyond any doubt that it takes public embarrassment to myself to force those in the Defence Force hierarchy to listen and take action against a formal complaint that was lodged in the correct manner using the Divisional System. Ultimately I had to appear totally naked on national television before the R.A.N. would admit to any wrongdoing, and only then to state that it was an 'isolated incident'. The Defence Force Justice system is seriously flawed, as are the mechanisms for official complaints or Redress of Grievances put forward by non-commissioned ranks.