

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

SUBMISSION COVER SHEET

Inquiry Title: Effectiveness of Australia's Military Justice System

Submission No: P63

Date Received: 28 June

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Date Authorised:

25 June 2004

The Secretary
Senate Foreign Affairs, Defence & Trade Committee
Parliament House,
Canberra
ACT 2600

Honourable Senators,

Although I am probably too late I would like to make a submission to your enquiry into Effectiveness of Australia's military justice system.

I am a member of the Victoria Police with over 20 years policing service. I often liaise with members of the ADF service police and have found all 3 services have very good investigators.

The difficulty I see for the ADF is that its policing service is within its own ranks. Members transfer in from other areas and are then trained in the job still remaining at their rank structure.

The ADF is basically 2 levels with Officers and ORs being 2 treated completely different. Unfortunately most service police are ORs meaning that most duties fall to lower ranks who find it exceedingly difficult to examine Officer conduct.

Although a radical step, the solution as I see it is to follow a more US style model with all service police/investigators being non ranked members (effectively civilians). The service police would run as a single unit across the 3 services and be like a civilian police service in a community policing role. Both criminal law and administrative matters could be investigated independently of any pressures that are brought to bear.

A fully independent and impartial ADF police/investigation service is a requirement to give the general community an assurance that the services do not cover up or obscure the effectiveness of military justice. The new body could even come under the proposed Director of Military Prosecutions.

Yours sincerely

Peter Dolheguy