



**GENERAL D.J. HURLEY, AC, DSC
CHIEF OF THE DEFENCE FORCE**

**Opening Statement
Budget Estimates Hearing**

20 November 2013

*Delivered by
Air Marshal Mark Binskin, Acting Chief of the Defence Force
Check against delivery*

Good morning Chair and Senators, there are several notable absences today. The Chief of the Defence Force, General Hurley, is currently attending AUSMIN talks with the Minister in the United States and sends his apologies. I will represent General Hurley in my capacity as Acting Chief of the Defence Force. The Chief of Navy, Vice Admiral Griggs; the Chief of Army, Lieutenant General Morrison; and the Chief of Air Force, Air Marshal Brown also send their apologies. The Service Chiefs are also in Washington for the inaugural Defence Chiefs' Strategic Dialogue with their US counterparts. Each of the Service Chiefs will be represented today by their respective Deputies.

Senators, the end of Australia's mission in Uruzgan province, Afghanistan is rapidly approaching. We have reached the point where the Afghan National Security Forces are successfully providing security for the people of Uruzgan with minimal coalition support. By the end of the year, Afghan Forces will assume full responsibility for security in Uruzgan and will take control of what is currently known as Multi-National Base - Tarin Kot. This fundamental shift in security will allow the first major drawdown of Australian troops and over the coming weeks, we will see a steady flow of our personnel returning to Australia.

To recognise achievements and sacrifices to date, two ceremonies were held in Afghanistan over the past four weeks. Earlier this month General Hurley led an emotional visit to Afghanistan with the families of our fallen who attended a Commemorative Service in Tarin Kot. It was a deeply moving experience for all involved and the families were extremely grateful for the opportunity to understand what their loved ones experienced during their deployment to Afghanistan.

The service honoured Australia's fallen soldiers, including Corporal Cameron Baird who was killed by small arms fire during a partnered operation in Southern Afghanistan on the 22nd of July, 2013. Corporal Baird, MG was an extremely accomplished and highly respected member of the Sydney based 2nd Commando Regiment. On behalf of the ADF, I extend my condolences to Corporal Baird's family, friends and colleagues. He is sorely missed by all who knew him, but Corporal Baird is not forgotten.

The other event was a Recognition Ceremony in Tarin Kot on the 29th of October. This ceremony acknowledged the efforts and achievements of every Australian who has conducted or supported operations in Afghanistan and the Middle East since our first deployment arrived in 2002 - including more than 26,500 Defence personnel. Over the past eight years, the ADF has worked in partnership with the Afghans to degrade the insurgency while our training and mentoring mission has allowed the Afghan National Army 4th Brigade and the Afghan National Security Forces to develop into a capable force. This represents a fundamental shift in the nature of operations.

Throughout 2013, Afghan National Security Forces have led operations while ISAF adopted a support role. For the most part, Afghan Forces have outmatched the Taliban tactically throughout 2013. This is an encouraging sign when you consider across the country, 98 percent of all special operations and 95 percent of all conventional operations are Afghan led. Despite the Afghans' significant progress the in fielding effective combat forces, support capabilities such as logistics and sustainment are still developing.

So while we will have achieved our objective to train the Afghan National Army in Uruzgan, the conclusion of our mission in the province does not mark the end of the ADF contribution in Afghanistan. The indigenous force will still require training, advice and assistance until the end of 2014. Next year our focus will shift from operations in Uruzgan toward a more nationally oriented mission. In 2014, our deployed numbers will reduce to around 400 personnel who will continue to provide training and assistance to the Afghan National Security Forces in Kabul and Kandahar.

Despite the Afghan Forces' marked improvement and our change in posture, we should not underestimate the ongoing threat. Afghanistan will remain a difficult and dangerous place and we must not become complacent about the risks. As we have seen in recent weeks, the threat of insider attacks, in particular, will continue into 2014.

Outside Uruzgan, Senior Afghan and US officials will meet in Kabul tomorrow to continue discussions regarding the US-Afghan Bilateral Security Agreement. The BSA will provide the legal framework for US forces' continued presence in Afghanistan beyond the current mission. NATO will similarly enter discussions with the Afghan Government once the US-Afghan BSA has been confirmed.

Senators if I could turn now to an issue which was raised during the Estimates hearing in May last year. On the 28th of May 2012, News Limited alleged that Defence had failed to investigate after a prisoner was killed, allegedly during interrogation. As a result of the public interest in this matter, the Chief of Joint Operations directed that the death of a suspected insurgent in Afghanistan on 3 October 2010 be investigated. The Chief of the Defence Force gave an undertaking to update the Committee on the progress of that investigation.

Senators I can advise that the Australian Defence Force Investigative Service (ADFIS) has completed the investigation and found that the insurgent attempted to attack an Australian soldier with a knife. Recognising the immediate threat to his own

life, the Australian soldier engaged and killed the man. The ADFIS investigation concurred with the initial assessment in 2010; that the soldier acted lawfully in the circumstances and within the Rules of Engagement.

Defence has also completed its consideration of an insider attack on Australian and New Zealand soldiers in the Qargha region near Kabul on the 26th of October this year. An Afghan National Security Forces member was shot and later died when he opened fire on the Coalition soldiers. One Australian and one New Zealander were wounded in the attack. Members of the Australian Force Element who responded are considered to have acted in self defence within the Rules of Engagement and no additional action or inquiries are anticipated in relation to this incident.

Senators if I could turn now to operations in our region - Operation ANODE, our decade long commitment to the Regional Assistance Mission Solomon Islands, known as RAMSI, concluded in September. Over the past 10 years more than 7,200 ADF members have deployed to the Solomon Islands and more than a third of these were Reservists. RAMSI has successfully improved security in the Solomons and established a new model to address complex security situations in conjunction with our regional partners and across government.

As you would be aware, Australia's whole of government effort to protect our borders and maritime interests is now led by the Joint Agency Task Force under the banner Operation Sovereign Borders. The Department of Immigration and Border Protection is responsible for the Joint Agency Task Force which leads Operation Sovereign Borders.

Lieutenant General Angus Campbell is seconded to the Department of Immigration and Border Protection to command the Joint Agency Task Force. He answers to the Minister for Immigration and Border Protection with respect to the Joint Agency Task Force but Lieutenant General Campbell remains accountable to the Chief of the Defence Force for the 10 Defence personnel who are also seconded to the Task Force Headquarters.

Separate to the Task Force, Defence continues to assign personnel and assets to Australia's maritime security operations under Operation RESOLUTE. The ADF has increased the number of ADF personnel assigned to Operation RESOLUTE from 500 to 800 people.

In response to the unique stressors associated with Operation RESOLUTE, Navy Psychology is providing tailored screening and support to personnel, particularly following a critical incident or traumatic event. Research data shows referral rates for mental health support from personnel deployed on Operation RESOLUTE are comparable to the referral rates from other operations. However, as with all our operations, we continue to capture data and monitor mental health trends for Operation RESOLUTE.

I would like to move onto some key issues which have attracted significant public interest in recent months.

Defence recently received the Defence Abuse Response Taskforce's assessment on the so-called 'ADFA 24' cases. In accordance with the Taskforce's terms of reference, that advice identifies plausible allegations against 12 ADF members. Senators I note that not all of these members are currently performing active duty. Some are reservists and the most senior rank of the individual members identified by the Taskforce is equivalent to Lieutenant Commander, Major, or Squadron Leader.

Defence is now reviewing the Taskforce's advice and assessing the options available in relation to each of the cases of alleged abuse. All options available will be considered and those cases where the alleged perpetrator is still providing active duty will be considered in priority.

Central to the Defence review is respect for the complainants' wishes and interests, a responsibility to do no further harm, and the requirements to undertake thorough further inquiries or investigative action where necessary to inform any further action. Defence understands that only six complainants related to the 'ADFA 24' cases contacted the Taskforce and none of these individuals have agreed for their matter to be referred to the police. Accordingly, Defence understands that none of the 'ADFA 24' cases the Taskforce has assessed have been referred to civilian police by the Taskforce.

On 7 November, the Chief of Navy announced the Australian Defence Force Investigative Service had commenced an investigation into allegations of inappropriate behaviour aboard HMAS *Ballarat*. Following a formal administration process, a number of sailors were returned to mainland Australia. The ADFIS investigation remains ongoing, but Navy's swift action in dealing with these allegations shows the ADF leadership's united determination to take a strong stance against inappropriate behaviour.

The decision to terminate the service of six Army members in relation to offensive and demeaning emails and the removal of former ADFA cadet at the centre of the Skype scandal are further evidence of the action we are taking to reinforce the standard of behaviour we expect. Senators our message to ADF personnel and to the Australia public is clear - we will not accept or excuse illegal, offensive or discriminatory behaviour in the ADF. Such behaviour contradicts our Defence values and will have swift and decisive consequences.

The community expects its Defence Force to uphold the highest standards. When we fall short of these standards we have an obligation to investigate why things have gone awry.

On 16 October a fire started during a routine explosive ordnance training activity at Marrangaroo Training Area. The NSW Rural Fire Service has subsequently determined that this caused the State Mine Fire near Lithgow which destroyed five private properties, significantly damaged the ZigZag Railway and burnt approximately 56,000 hectares of bush and scrub.

Last week the Chief of the Defence Force announced retired Sydney judge, The Honourable John O'Meally, would lead a Commission of Inquiry into the circumstances surrounding the fire at the Marrangaroo Training Area. Senators, I

appreciate you may have questions relating to the training activity or the fire however, given this matter is the subject of a Commission of Inquiry there are limits to the level of detail I am able to provide. Let me assure you that we are treating this matter very seriously. I have apologised to those people who were affected by the State Mine Fire, particularly those whose property was lost or damaged.

The purpose of the inquiry is to fully determine the facts so that informed decisions can be made to help avoid a similar occurrence in the future. The Commission of Inquiry will determine how the fire started at the Defence training area, the condition of the training area on the day, and the adequacy of orders, instructions and procedures relevant to the exercise and related matters. The Commission of Inquiry is scheduled to commence open hearings early next month. Defence will continue to cooperate with the other agencies including the New South Wales Police throughout the Commission of Inquiry.

As is normal during an emergency such as this, Defence assisted the bushfire effort throughout NSW, providing accommodation and meals for fire fighters, as well as refuelling and ground support for New South Wales rural fire service aircraft. Following the fires, Defence personnel assisted with the community recovery efforts. Under Operation NSW BUSHFIRE ASSIST, an Army Engineer Remediation Force worked with the Emergency Recovery Committee to make the Blue Mountains area safe for residents. Personnel based at RAAF Glenbrook have also volunteered to assist the local community with remediation activities, including the Zig Zag Railway and the Memorial Garden at Blackheath.

Finally Senators, I would like to acknowledge the efforts of the ADF personnel who are currently deployed in the Philippines to assist with the international recovery effort in the wake of the devastating Typhoon Haiyan.

Under Operation PHILIPPINES ASSIST, Joint Task Force 630 is working closely with the Philippines Armed Forces, the US Expeditionary Forces and our counterparts from the UK, New Zealand and Canada to ensure a coordinated response that allows the international aid effort to focus on the priorities set by the Philippines Government.

HMAS *Tobruk* is en-route to the Philippines with an embarked Recovery Support Force drawn predominately from the Townsville based 3rd Combat Engineer Regiment. The Recovery Support Force has the capability to provide clean water and restore power as well as clear debris. *Tobruk* is also carrying a Navy rotary wing element and medium landing craft. These additional elements complement Air Force's air lift capability. To date RAAF C-17A Globemaster and C-130J Hercules aircraft have transported the civilian Australian Medical Assistance Team to the Philippines, evacuated more than a thousand people from Tacloban and carried more than 300 tonnes of cargo into the disaster stricken areas.

The ADF has an excellent reputation for providing humanitarian assistance to our regional neighbours and we also stand ready to assist as required during the Australian summer season.

ENDS