



## CHIEF OF NAVY

RI-4-C001, Russell Offices, CANBERRA ACT 2600

2006/1068120  
CN/OUT/2007/604

**Dr K. Dermody**  
Committee Secretary  
Senate Standing Committee on Foreign Affairs, Defence and Trade  
Parliament House  
CANBERRA ACT 2600



*Dear Dr. Dermody,*

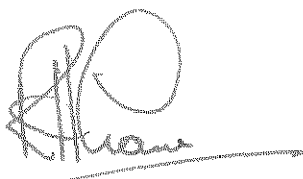
I would like to take this opportunity to provide the Committee with Navy's support for the *Defence Legislation Amendment Bill 2007* (the Bill) currently before Parliament. I understand that Senator Payne has invited the Department of Defence to provide a written submission to your Committee's inquiry into the provisions of the Bill.

The changes proposed in the Bill will significantly improve the military discipline system and assist in a material way with the maintenance of naval discipline. The Navy fully supports the Bill, particularly the provisions that simplify summary trial procedures. I am confident that they will result in a more effective, transparent and fair system which will be of particular benefit to Navy members. This will be achieved through a number of safeguards and checks that are built into the system, including the automatic right of appeal from summary proceedings and the comprehensive system of elections and reviews that are provided for in the Bill.

Navy has been involved in the development of the policy initiatives that are reflected in the provisions of the Bill, such as the removal of the separate scale of Navy summary punishments. As a result, I am satisfied that the changes made in the Bill accommodate the unique operating requirements of the Royal Australian Navy and will enhance the ability of the Navy to operate effectively and safely. The initiatives in the Bill, which in part give legislative effect to the Government's agreed recommendations flowing from the 2005 Senate report into '*The effectiveness of Australia's military justice system*', will ensure that the ADF has a military justice system that is contemporaneous and reflects best practice.

Reform of the summary trial system under the *Defence Force Discipline Act* is one of the main aims of the Bill. The summary system is critical to the maintenance of discipline in the Navy and is employed by Navy commanders on a regular basis. To be effective, it must be efficient, easily understood and fair. The changes in the Bill, notably in respect of the simplified evidence framework and simplified summary procedures, will ensure that the system is better understood and more accurately and fairly applied by Navy commanders.

I am confident that the provisions of the Bill meet Navy's operational requirements and will support the Navy in its ability to operate effectively and safely. I am equally confident that the changes incorporate the safeguards that are necessary to protect the rights of individual Navy members.

A handwritten signature in dark ink, appearing to read 'R.H. Crane', with a horizontal line drawn underneath it.

**R.H. CRANE**  
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Acting Chief of Navy

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24 August 2007