

**SENATE FOREIGN AFFAIRS, DEFENCE AND TRADE REFERENCES
COMMITTEE INQUIRY INTO THE EFFECTIVENESS OF THE MILITARY
JUSTICE SYSTEM**

QUESTION ON NOTICE 6 August 2004

Legal Policies and Manuals

QUESTION 1

ACTION AREA: DGADFLS

Senator Johnston

Hansard: page 6

Please provide copies of Defence instructions and manuals relating to the conduct of disciplinary investigations and hearings, the Discipline Law Manual and the McClelland review of the Defence Legal Service.

RESPONSE

The following documents are attached:

- DI(G) PERS 12-1 General Scope of Legal Assistance Provided to Service Personnel and Legal Aid to Australian Defence Force Members Overseas
- Circular Memorandum No 7/2002 (3 May 2002) Application for Indemnity and Legal Assistance at Commonwealth Expense – including the Attorney General's Legal Services Directions referenced in the Memorandum.

The following documents have already been provided to the Committee:

- DI(G) PERS 45-1 Jurisdiction under Defence Force Discipline Act-Guidance for Military Commanders
- Vols 1 and 2, ADFP 201 Discipline Law Manual (chapter 3 deals with conduct of investigations)