

**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:** P1

**Date Received:** 5.01.04

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Marlene Delzoppo



Luke joined the army as a healthy fit young man and as per the army records he was a positive soldier who strived to work at a very high standard. Luke was sent to Darwin 5/7 base. Prior to November 2001 my husband was diagnosed with early Alzimers, this was a unsettling time for all. Luke spoke at length to the padre about how he felt and the problems we as a family felt, Luke then asked to be moved closer to home and within that 12 months period nothing was done to help Luke achieve this.

On the 19th of December 2002 Dr J. Barry sent a letter to the Darwin base requesting Luke be transferred to Rockhampton on Medical grounds, as my husband is suffering from early onset of Dementia (copy of letter enclosed). This was followed up with a letter from the local GP (copy of letter enclosed). I also was asked to explain my husbands illness because they could not understand what he had which I did (copy of letter enclosed).

In January 2003 Felicity Healey (DCO-Darwin) asked for a detailed report from Dr J. Barry which she did (copy enclosed), Luke was also asked to do a statement (copy enclosed). I was also interviewed by DCO-Brisbane (Chris Smith and Marg Crowley) by phone on many occasions, still nothing happened and Luke is still left up in the air being told that his paper work has been lost on its way to Timor? All the time I was screaming out for help and told its in the system. I then wrote to the Brigade Commander for help, still nothing happend, no reply to any letters. Please note that the months are rolling on and we only need Luke home for 12 months to help sort out where Doug should be placed. Felicity Healey states in a letter to Dr J. Barry that the posting must be resolvable within 12 months, it could have been if they would have only listen to the medical people involved in this case.

Yet in March 2003 it was not approved because it fell outside there guide lines but not one person told the doctors of there guide lines, they just keep us all running around doing letters and reports time after time and these reports where either lost or misplaced. In desperation Dr J. Barry phoned Major Archer and he stated he didn't know of Luke's case, but requested she send another report down to him when in fact he already had one, once again doubling up on paper work and asking very busy medical practitioners to do reports time after time because the army could not find them or they were lost in transfer.

Of course my husband was not going to get better within a 12 month period, we knew

that but I needed urgent help and all the support that the Army gave was heartache, with not one department knowing where the paper work had been sent too and not one person understanding that Luke might have needed to see Doug. Luke applied for Leave Without Pay, he was that desperate to get home. We are now up to April 2003, that is 4 months of no help for myself, Luke, or my husband.

I rang the Army Base and spoke to the Brigade Commander and he stated that Luke's was an unusual case, when in fact the social worker from Brisbane said that another boy asked to be transferred because his mother had cancer but she told me this was knocked back because his mother was not guaranteed to die within a 12 month period, and neither would Doug. I was also told that it would be better for Luke and myself if I just put Doug in a home and got on with my life, I said no thanks! In July I contacted Kirsten Livermore MP for help, as by then we didn't know who to turn too.

Luke was injured at work and was told he would be getting a medical discharge now, but we were told a medical discharge could take up to 1-2 years and Luke still had not seen Doug. Kirsten Livermore sent letters to Major Archer, Lieutenant Bywater and Brigade Commander Power asking at least for a response. In July she got a reply from Brigadier Power stating that they consider the welfare of their personnel of the utmost importance. How can he say this when at all times he never replied to my letters, never looked at the medical reports and in fact when I spoke to him he said that he would then check out Luke's transfer, he stated that Luke has no complaints when that was completely untrue.

On the 3rd October Danna Vale MP wrote to Kirsten Livermore stating there was no evidence that Luke applied for a transfer to Rockhampton, I have got to wonder what planet these people in Darwin are on, with all the paperwork we have, how could they say this. She quoted the army policy on compassionate postings is that they will not exceed one posting tenure or 24 months, we only wanted 12 months not a life time. Twelve months of help and care, what we got was no care and certainly no compassion.

On the 24th of November Kirsten Livermore received a letter from Mal Brough MP, we are now 12 months past the date of the first letter, in his letter he stated that compassionate postings for Army personnel are for short term situations that can be resolved in 12 months and that's what we wanted, 12 months or less to give me the help that I needed, not 2 years of Luke's life. I would never do that but Luke needed to also say goodbye to Doug and have that time with him as we all would do if someone close to us was ill.

If anything can be achieved by this submission it would be a department or advocate system, where a particular query can be fielded to the right department or person instead of wasting time like Luke, Myself, and all the medical practitioners who were involved in this mess. The people from DCO tried their best but agreed that no one listens. Throughout this sorry mess we were all fobbed off to one department or another but not one person could give any helpful advice, at least with an advocate they could collect all the paperwork, you would then have someone to go to with questions, paper work would not get lost or you would hope not and maybe the person making the decision would actually read the reports and listen to the nature of the request. How many people have to

be lost to the system as my son was before something is done for us, it was to little and far to late.

The Australian Army cannot say they care about there personnal when they never listen to what they are told and make up stories that are untrue, we were told on many occasions that Luke would be coming home but no date was confirmed. I now believe that it was told to us just to flob us off, not only me and Luke but the Doctors as well. I hope this inquiry deals with this problem and no other family will need to go through the months of hell that our family has.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Marlene Delzoppo', written in a cursive style.

Marlene Delzoppo