

**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:** P3

**Date Received:** 19.01.04

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**Date Authorised:**

On the 16<sup>th</sup> August 2001, I was deployed with the Australian Contingent 5 at the United Nations Hospital in Dili, East Timor. The position I was deployed to was the Quartermaster for the Hospital store. I was responsible for the supply of domestic consumables at the Hospital for the Australian, Singaporean and Egyptian contingents.

I had six military personnel under my control as well as ten locally employed civilians. I was answerable to an Army Major who was the Logistics Officer for the Hospital. After assuming the position of Quartermaster, I came under constant harassment and verbal abuse from the Major. This harassment and abuse was known by my Commanding Officer however; no action was taken during the deployment.

On the 10<sup>th</sup> February 2002, the Major abused me very violently and loudly in front of witnesses to the extent that I suffered a nervous breakdown. I was hospitalised and sedated however; nothing was annotated on my medical files at the time. My weapon was removed and all ammunition was withdrawn. I received my weapon two days later however; I was not issued with ammunition for the rest of the deployment.

I submitted the appropriate paperwork through the Equity Officer at the Hospital detailing the harassment and abuse that I had received during the deployment the following day. I was interviewed by the Commanding Officer and was informed that as the contingent was returning to Australia within 14 days, no action would be taken prior to our return. I advised the Commanding Officer that this action contravened the requirements of Defence Equity, but I was advised that no action would be taken at that time.

The contingent returned to Australia on the 21<sup>st</sup> February 2002 and I took leave of six weeks. During that time I informed the Commanding Officer of my contact details and that I would be available for the Investigating Officer interview at any time. During my leave I attended several appointments with a Psychiatrist at my own cost. It was also during my leave that I elected discharge from the Royal Australian Air Force with a discharge date of the 2<sup>nd</sup> June 2002.

On the 4<sup>th</sup> June 2002, I attended the initial interview with the Investigating Officer. This Officer had been appointed in May 2002, three months after our return from East Timor. The Investigating Officer was appointed by the same Commanding Officer from the United Nations Hospital who had refused to commence the investigation in East Timor.

Over the following 13 months I requested a copy of the Investigating Officers report and details of my hospitalisation from my former Commanding Officer.

On receipt of the Investigating Officers report, I was deeded to have caused the Major to direct the harassment and abuse to me due to my insubordination. As a Flight Sergeant in the RAAF with 22 years experience, I cannot understand if I was insubordinate to a senior Officer, why I was not charged. This would also have been a serious charge due to the war like nature in East Timor at the time.

The last correspondence I received from my former Commanding Officer advised that I would have to contact Defence Health records for my hospitalisation details however; the attending doctor or the medical staff have never furnished these details.

I have written twice to the Chief of the Defence Force requesting his assistance. I received a reply three weeks after my first letter advising that my case would be reviewed. My second letter was sent three months later after I had not received any details. To date the CDF has not replied some five months after my initial request.

I was not the only member of the deployment who was harassed or abused by the Major however; I was the only member to submit the required paperwork. The other members were all female.

My case is considered closed by my former Commanding Officer. From the initial submission of the Equity report to the last correspondence from the Commanding Officer, some 17 months had elapsed. This was not in the spirit of the CDF instructions under the much publicised Defence Force "Fair Go".

I still wait in hope that I will receive a "Fair Go" from the Australian Defence Force.

Keith Showler