

**Senate Foreign Affairs, Defence and Trade
References Committee**

SUBMISSION COVER SHEET

Inquiry Title: Effectiveness of Australia's Military Justice System

Submission No: P45

Date Received: 24.02.04

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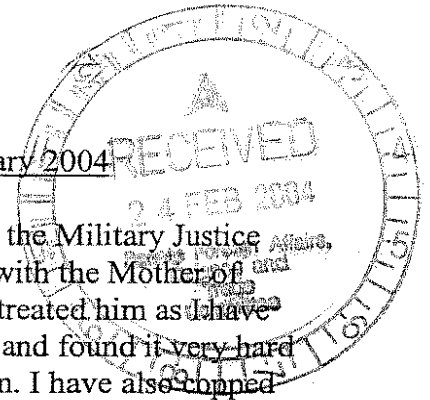
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Submission of Gary Wayne Jenkins - 23 February 2004



I would like to lodge a submission about the Westralia fire and the Military Justice System that followed. First off I would like to say that I agree with the Mother of Matthew Liddell, and am not surprised with the way the Navy treated him as I have been treated the same way. I stayed on the ship after the fire and found it very hard to deal with, but at that time told myself I didn't have a problem. I have also chopped abuse and taunts from others, as recently as this year and last year where I was posted back to sea by the Navy system. I drafted on to HMAS Manoora and tried very hard to keep it quiet about me being on the Westralia but it got out and some of my mess members started calling me names like, Loopy, crazy, fruit loop and the list goes on. They started hiding the knives in the mess. Making statements, like we better start locking the shower doors as he might come in with a knife, we better sleep with the lights on and you better not serve him alcohol he is fxxxx crazy. That comment was said one night in a bar in Sydney with about 20 or more people inside. I too had become suicidal and needed medical help and that's why I was sent home from Manoora and am now being Medically discharged from the Navy. The Navy didn't care about the people from Westralia, they never will, all they care about is filling positions at sea. This is not a winge about being Medically discharged, I am looking forward to getting out of the Navy and not being reminded about the fire every time I see Westralia alongside at HMAS Stirling. I also would like to add about the Military Justice system after the fire on Westralia.

The day after the fire the crew of the ship had been told to muster out side the Stirling cinema at about 10am in the morning. I ran into the Engineering Officer who thanked me for all my help and said that I did a very good job and shook my hand. After that the then Chief Coxswain pulled me aside and said to me that I better start writing out a statement about the Planned Maintenance on the CO2 system. They had problems with the discharging of the CO2 system and I was very concerned with this as I thought to myself we hadn't even got back to work and they were starting to look for some one to blame and my neck was on the chopping block. When I told the Engineering Officer about what the Chief Coxswain had said, the Engineering Officer pulled the coxswain a side and had words to him. The meeting in the cinema was about the press and how we were not to talk to them, and was to leave it up to the public relations officer at HMAS Stirling. It was also about what was going to happen with the ship. They announced a Board of inquiry would start straight away.

The next few days the crew were all sent to major disaster briefing that was conducted by psychologists from Stirling and Chief Petty Offices that had done the Major Disaster canalling course and was also from Stirling. I got told by one of the Officers from the ship that I would be going to the briefing with the control and command team, which meet the people that made the decisions on that day. I was put in with all of the ships crew, people that were not involved with the fighting of the fire. At the briefing the psychologists tried to get every body to talk about what they did on the ship on that day but I couldn't talk about it and I started to get very emotional and annoyed. Some of the crew were starting to ask questions about the way we did things, why we had sent the hose team back in, what was Midshipmen Pelly doing in the Engine room and so on. I felt that I couldn't answer them at this stage and walked out. This major disaster briefing was a joke it didn't help in any way in fact it made things worse for me.

The memorial service for the Navy was on the Friday Morning as most of the crew went too, but in the afternoon, I had an appointment with Navy Lawyers at HMAS Stirling. I thought this to be bad timing due to the fact that we hadn't even buried the deceased nor had time to grieve, and I and a few others were being interviewed by lawyers. Once again the Navy was looking for someone to blame. I gave a statement to a young looking legal officer that took some time and once again I got very emotional and starting crying and felt very sick.

The Board of Inquiry had started and I hadn't been contacted yet as they were interviewing the engine room personnel first. There was a game of volleyball in the gym so I went and played to get my mind of this but tore a ligament in my ankle, so I went to the sickbay. They put a bandage on it and told me to report to the sickbay the next day, which I did. When I was there the chief medic asked me how I was, he noticed that I look tired, I said that I haven't been sleeping to good and have been having nightmares. He arranged for the doctor to prescribe some sleeping pills, which didn't help. In the following weeks I went to physio and decided to have a knee operation that I had postponed because I couldn't be spared from the ship. I still hadn't heard from the BOI and had been talking to the guys that had been going. There were also a lot of articles in the press about the fire.

I got called up to the BOI and went in the morning, I read through my statement I had done only to find that it was all wrong, the young Lawyer had missed out things so I had to redo the hole statement again, which took a day. I was a bit worried about some of the contents of my statement and what the press would report. They had reported about other peoples statements, that I knew were wrong, so I asked the lawyer to leave it out, which he did and put it in a confidence statement that only the BOI members would read. For three days I sat at the BOI being questioned about the fire and if I had anything to do with the fitting of the hoses. The BOI asked if I understand the way CO2 puts out a fire and I said yes. It's a cooling affect. They also asked why I sent the hose team back in and I said that the temperatures were coming back up and I had to stamp out the fire now as there wasn't a back up system as we have just used the CO2 system. I felt that if the fire got out of control again it would not have been extinguished. They also asked about the PMs on the CO2 system. I felt that the BOI members were looking for some one to blame. The week after was filled with maintenance on the ship and talk about the fire with Ships company. There was also the replacement of all the engine room fire equipment and there was still no decision on what the government was going to do with the ship. I got called back up to the BOI again to answer some more questions about what was said between the Scene leader and myself, and was I wrong about the timing of finding Brad Meek. In my mind for some reason I still think that we found Brad before we CO2 the engine room but I might be wrong. I was told that I was wrong in the timing weeks before by the Deputy Engineer. He said to me that its was impossible to see Brad Meek across a smoked filled room but I was sure that I got a report before we CO2 the engine that he was deceased.

The findings from the Board of Inquiry had been published, and the Ships company had been mustered at the Stirling cinema where the crew was given a copy of the report. The officer out the front told us that the then Maritime Commander was going

to take the blame and some of the Ships Company have been recommended for Honours and Awards that would be announced in the New Year. In September 1999 the Honours and Awards were announced, which was very secret. I was very annoyed with some of the BOI recommendations about the Honours and Awards. Some people who I thought should have got an award didn't. The people who ran like cut snakes and left us there to fight the fire were getting a bravery award. It didn't make sense to me, so I went and saw the new captain about it. He said that its out of his hands and that's the way it is, so stop bitching and get on with it. So I did. That week I put in my discharge and left the RAN in September 08 2000.

The Military Justice System has let most of us down, as the Navy was looking for someone to blame from day one. Also the medical system has a lot to answer for. It was once said to me that the people who passed away in the fire have got off easy, the ones who are left have to live with this for the rest of there lives and put up the Navy politics. You know what they are right. I am still a serving member of the RAN, I have been doing CFTS contracts in a office job but as I stated before I am how getting Medically discharged and can not work for the Navy again due to my medical condition. I saved lives and helped bring the ship back to port, which could have been a disaster off the coast of WA on that day, like a number of the crew members but the Military Justice System and the Medical system let a lot of us down.

In con I am very happy to leave the service that I have been apart of for 24 years and try and get employment else where and not have to be reminded of the fire, cop abuse and taunts from others. I hope that some good comes out of this for the following severing members of the Defence Force.

Gary Wayne Jenkins