

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

SUBMISSION COVER SHEET

Inquiry Title: Effectiveness of Australia's Military Justice System

Submission No: P62

Date Received: 22 June

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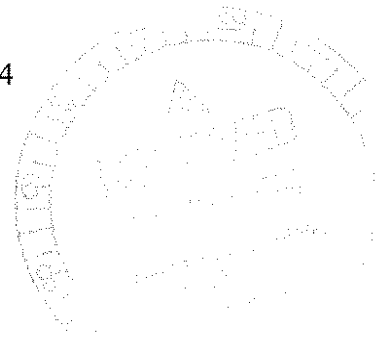
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Date Authorised:

9 June 2004



The Secretary

Senate Foreign Affairs, Defence and Trade References Committee
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**SUBMISSION TO THE SENATE FOREIGN AFFAIRS, DEFENCE AND TRADE
REFERENCES COMMITTEE – EFFECTIVENESS OF AUSTRALIA’S MILITARY
JUSTICE SYSTEM**

References:

- A. Investigating Officer’s Report Into the Death of 299931 Private Jeremy Paul Williams Formerly RAInf Initial Employment Trainee School of Infantry, Singleton on 2 February 2003, dated 4 July 2003
- B. Hansard, *Senate-References FAD&T* dated Wednesday, 28 April 2004
- C. Submission to the Senate Foreign Affairs, Defence and Trade References Committee – Effectiveness of Australia’s Military Justice System by Jan Williams and Charles Williams dated 12 February 2004

1. I am the officer who was appointed to investigate the circumstances surrounding the death of Private Jeremy Williams at Singleton on 2 Feb 02. It is my understanding that the Committee has received a copy of my report detailed at reference A. I am writing in response to written and verbal evidence provided to the Committee by the Williams family that I consider to be adverse in relation to my character and integrity.

2. I refer to the following evidence:

- a. During verbal testimony to the Committee on 28 April 2004, which was subsequently entered into Hansard, Mrs Williams specifically named me as the Officer who investigated Private Williams’ death (see reference B, page 53).
- b. In paragraph 2.2.2 of reference C, Mr and Mrs Williams state: *‘We are very concerned that the psychologist who assessed Jeremy’s state of mind never met Jeremy, and further that her statement was changed by the Investigating Officer, and then cited to support his conclusions about what factors weighed most heavily on Jeremy’s mind. To quote from the Psychologists report – “He moved into a state where his depressed mood would have been exacerbated by the alcohol,” The Investigating Officer in his Decision Document quoted the psychologist – “He moved into a state where the alcohol would have exacerbated his depressed mood”.*
- c. In paragraph 2.8 of reference C, Mr and Mrs Williams state: *‘Certain aspects of the investigation into Jeremy’s death were changed in order to diminish the Army’s responsibility for his mindset. The example of this is that the quote by the responsibility [sic] as shown in Para 2.2.2 above.’*

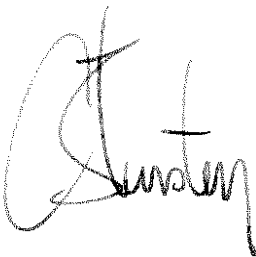
- d. During the Williams family verbal testimony to the Committee on 28 April 2004, the contents of paragraph 2.8 of reference B were referred to by Senator Hogg and entered into Hansard (Reference B, page 55). Shortly afterwards, Mr Williams referred to the change in wording detailed above, stating: '*...We see that as yet another attempt by the Army to diminish its responsibility for Jeremy and his mind-set.*'

3. From the statements above, there is a clear implication that I purposely altered evidence in order to 'diminish the Army's responsibility' in relation to the death of Private Williams. I reject this implication in the strongest possible terms.

4. The change in wording was a result of an inadvertent transcription error. Having been made aware of the error, I wrote to the Appointing Authority on 2 December 2003 and formally advised that the sentence should be changed. While I regret that the error was made, I believe that the two statements still mean the same thing. Both statements indicate that a depressed mood was pre-existing, compounded by the consumption of alcohol. As a result, I saw no reason to change any of the conclusions in the report.

5. I believe that my report was comprehensive, detailed and fairly based on the evidence available. After conducting a legal review of the report on 16 July 2003, Colonel Richard Tracey, QC identified no faults with the document, stating '*Given the time available, the investigating officer conducted a remarkably thorough inquiry.*'

6. I request that the Committee accept this correspondence as a formal submission and that it be placed on the public record.



C. J. ANSTEY, CSC
Brigadier