



COMMONWEALTH OF AUSTRALIA

PARLIAMENTARY DEBATES



THE SENATE

**QUESTIONS WITHOUT NOTICE:
TAKE NOTE OF ANSWERS**

Australian Defence Force

SPEECH

Tuesday, 22 November 2016

BY AUTHORITY OF THE SENATE

SPEECH

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Questioner		Responder	
Speaker	Lambie, Sen Jacqui	Question No.	

Senator LAMBIE (Tasmania) (15:33): I move:

That the Senate take note of the answer given by the Attorney-General (Senator Brandis) to a question without notice asked by Senator Lambie today relating to an incident involving members of the Army.

Today, two courageous and dedicated veterans, retired Lieutenant Colonel Dubsy and retired commando Mick Bainbridge, sat in the Senate public gallery to hear the Attorney-General reply to two simple questions relating to restitution and compensation. I acknowledge those veterans' continued presence in the public gallery. Both of these men have also sat before the defence minister to explain their grievances. Today, the Attorney-General, on behalf of the Turnbull government, had an opportunity to start a process that finally delivers speedy justice to these veterans and their families and holds to account the guilty. I am very sad to say that the Attorney-General today failed to commit to a quick resolution for retired Lieutenant Colonel Dubsy and retired commando Mick Bainbridge.

The Attorney-General's reply indicated that justice will not be delivered quickly. I remind the Senate why justice needs to be delivered quickly. Lieutenant Colonel Dubsy was used as a scapegoat by the Australian Army in the so-called Jedi Council scandal. He was falsely accused by the then Chief of Army, David Morrison, of being a member of the Jedi Council, which supposedly was an organised group of Australian Defence Force personnel who shared demeaning emails and pornographic images of women via official Army email. Lieutenant Colonel Dubsy had no involvement with the Jedi Council. His crime was that he received and deleted two inappropriate emails from a man he met twice in two years. While David Morrison was in charge of the Army, Lieutenant Colonel Dubsy had his name illegally leaked to the media and had his good reputation and army career dragged through the media, marred and totally destroyed. A secret police investigation into the Jedi Council, Strike Force Civet, vindicates Lieutenant Colonel Dubsy and makes damning observations about the honesty and integrity of the Australian Defence Force Investigative Service and others. The New South Wales police Strike Force Civet report raises serious questions about the honesty, trustworthiness and integrity of the Australian of the year, retired Lieutenant General Morrison, and all senior members of the military who were involved with investigations into the Jedi Council.

On Saturday morning there was a knock on the door of the commando Mick Bainbridge's home just as he and his young son were preparing some lego and paints for father-son bonding. When Mr Bainbridge opened his door he was greeted by 12 heavily armed officers of the New South Wales Police Force, who had been wrongly and maliciously told by Mr Bainbridge's commanding officer, Lieutenant Colonel Lawson, that he had threatened to commit suicide. Police were also there to involuntarily detain Mr Bainbridge under a mental health order, after once again acting on misinformation supplied by Mr Bainbridge's commanding officer, Lieutenant Colonel Lawson. After meeting with Mr Bainbridge, New South Wales police quickly decided against the course of action.

It is clear that Mr Bainbridge's first mistake was to complain to the Army about not being able to access advanced hearing aids. Mr Bainbridge, while on his fifth tour of the Middle East, damaged his hearing after a Taliban RPG hit a vehicle he was travelling in. Mr Bainbridge was also foolish enough to admit to suffering from PTSD to the Army, which promptly ordered him to go home to go on leave without pay. On the day before the New South Wales police raided his family home, Mr Bainbridge had been ordered before an Army Individual Welfare Board, where his commanding officer made a decision that effectively downgraded his qualifications and pay. It meant that Mr Bainbridge would suffer a financial loss of about \$40,000 a year after he was discharged from the Army, which would mean he would lose his family home. Mr Bainbridge, as he travelled home after the welfare board, told Army psychologists to piss off and leave him alone while he processed his commanding officer's decision. That telephone conversation was the basis of the commanding officer's tip-off to the New South Wales police. Mr Bainbridge is a third-year law student and has kept meticulous notes and records to support his claims.

Question agreed to.