

KNIGHT: He went back (to Townsville) yesterday.

EARLE: What course of action do you propose to follow?

KNIGHT: I am undecided at this stage Sir. I have legal counsel and will take their advice.

EARLE: Alright so you know where you stand now?

KNIGHT: Yes Sir.

EARLE: So you go off on convalescent leave until 12 Jun 87. After your hearing, you are to report to the ADJT [RMC Adjutant, Captain MARTIN], and we will make the necessary arrangements then. OK is all that clear?

KNIGHT: Yes Sir.

I wanted to present my own case to the DMA but I did not believe that there would be any point. It was obvious that I did not have a chance of remaining at Duntroon; my fate had been sealed by the Board of Study. I also did not believe that the Board's decision for me to "Show Cause" was not related to my 'current difficulty as a result of the incident the other night' (** The official Army records of the BOS's meeting clearly shows that my suspicion was correct, and that the stabbing incident had been a determining influence in the Board's final 'Show Cause' decision- see Attachment 15*). I knew that "Show Cause" hearings only ever had one outcome: an immediate and dishonourable discharge. It was known by every cadet at the college that "Show Cause" hearings were only an administrative formality when the college authorities wanted to expel a cadet from the college, and the cadet in question refused to resign voluntarily. At this stage, I was graded as 108/118 in academics and 115/118 in leadership, but I was the only 3rd Class cadet asked to "Show Cause" by the Board of Study after their 3 June 1987 meeting. My appointment as a Staff Cadet at Duntroon had been tenuous for some weeks but the stabbing of my CSM effectively left the college authorities with no option but to force me to resign.

For most of the time was on convalescent leave in Canberra I was with relatives or friends. I did not return to the college during this time, nor did I visit the Private Bin.

Court Hearing

On the morning of Friday 12 June 1987, I appeared in the ACT Magistrates' Court in Civic for a bail hearing (Case No CC3792/87). Two of my uncles accompanied me. Major

VERCOE also attended the hearing in civilian attire. A solicitor from the Canberra law firm of Crowley and Chamberlain appeared for me and made a brief plea on my behalf before the magistrate bailed me to appear again in the ACT Magistrates' Court on Tuesday 10 November 1987. Bail was set at a \$5,000 self-surety so I simply had to sign the bail register and I was free to go. I was not required to appear in court again until 10 November 1987.

Resignation & Discharge

Following the court hearing, I returned to Duntroon to report to the CSC Adjutant, Captain MARTIN, and to be further interviewed by Colonel EARLE in his office. The WO Cadets at the college, WO2 Graeme MOFFATT, sat in on the interview as the transcriber. The official Record of Interview recorded only part of the interview:

EARLE: I understand your court case hearing has been delayed until 10 Nov 87?

KNIGHT: Yes Sir that's right.

EARLE: Now about your future when do we hear as to what you intend doing?

KNIGHT: Would after mid-term break be okay Sir?

EARLE: No. What about next Friday. In any case why do you need so long to make a decision?

KNIGHT: I'm waiting on legal advice.

EARLE: The other option is to suspend you. Once your hand is healed you could go on leave without pay until November. I want you to report back to me at 1200hrs next Friday. And in the meantime you will be on convalescent leave until then, in the Canberra area. Now are you quite clear?

KNIGHT: Yes Sir.

EARLE: Okay just tell me in your own words what I have just outlined.

The DMA and I then went on to discuss my options. The DMA finally gave me three options: First, I could go on leave on full pay until my hand had healed, then on leave without pay until the completion of my court case in November. I would then be asked to "Show Cause" with its inevitable result. Second, I could front a 'Show Cause' hearing before the Board of Study the following Thursday, 18 June 1987. This would result in me being discharged that day with a week's pay and a dishonourable discharge on my military record. Third, I could

resign my appointment as a Staff Cadet immediately and take six weeks' convalescent leave on full pay, then be honourably discharged from the Army. It is important to note that this third option was not recorded in the minutes of the meeting but is exactly what transpired. If this third option was not raised, how is that this is the option I eventually took?

I had no real option but to take the third option. My hand was going to remain in a half-cast until 1 July 1987, so I was unemployable until then and so I needed the pay that accompanied convalescent leave. I also wanted to re-enlist in the Army Reserve so I could not front a "Show Cause" hearing as the dishonourable discharge that accompanied it might affect my chances of re-enlistment. I knew that I had no real option but to resign but I stalled until the following week before I informed the DMA of my decision.

At this stage I had made the decision to settle in Canberra after my discharge from the Army. I applied to join the ACT Fire Brigade, but I withdrew my application form after I discovered that I was required to list any pending criminal charges. I began looking for a flat to rent in the Canberra area, but I could not find a suitable flat. I was also not financially stable as I had not obtained re-employment and my savings were quickly diminishing.

On Tuesday 16 June 1987, the Graduation Parade for the 1st Class cadets was held at Duntroon. I later received a copy of June 1987 edition of *The Journal of the Royal Military College Duntroon*. I appear in the rear row of the 15 Platoon, Kokoda Company photo on page 32 (see Attachment 3), and in the fourth row of the Class III A photo on page 47.

On Thursday 18 June 1987, I returned to the college to draft my letter of resignation and to begin my discharge procedure. I had no idea about how to write my letter of resignation so I was given a copy of one by an admin sergeant at the CSC HQ. The resignation I was given was that of another 3rd Class cadet, Staff Cadet S.A. BRADSHAW (CSC No 5228), who had recently resigned. My resignation was dated 18 June 1987, and was essentially a copy of Staff Cadet BRADSHAW's letter of resignation. It was addressed to the then Chief of the General Staff, Lieutenant General Lawrie O'DONNELL. My letter of resignation read:

Sir,

1. ...
2. Staff Cadet Knight's performance at RMC has been poor. He was interviewed by the Commanding Officer of the Corps of Staff Cadets (CO CSC) on 9 April 1987 and counselled because of his poor academic (108/118) , leadership (103/118) and discipline record (five charges). He was subsequently raised for special mention at the Director of Military Art's (DMA's) Board of Study on 3 June 1987 because his leadership position had declined (115/118), and he had been disciplined on two further occasions. In the interim, Staff Cadet Knight was charged by the ACT Police in connection with an incident where another staff cadet was stabbed. Following an initial court appearance, Staff Cadet Knight has been remanded until 10 November 1987.
3. I interviewed Staff Cadet Knight on 19 June 1987, and I am satisfied that he does not possess the motivation or maturity to successfully complete the course. I therefore recommend that the enclosed 'Tender of Resignation' be accepted and that, pending a decision, he be posted to the Regimental Supernumerary List in the 2nd Military District, to be administered by Local Administration Canberra.
4. Staff Cadet Knight is currently on convalescent leave recovering from a wound received during the course of the incident mentioned above (he cut his hand while allegedly stabbing another cadet with a pocket knife). Therefore recommend that the effective date of his discharge be 24 July 1987. This will allow adequate time for the necessary treatment to be completed.
5. Staff Cadet Knight is not recommended for future officer training.
6. Staff Cadet Knight has indicated that he wishes to re-enlist in the Army Reserve. Should he do so, I recommend that the application not be processed until the civil charges against him are resolved.

[Signed]

R.M. Earle

Colonel

Performing the Duties of Commandant

I was ignorant of the existence of this letter, but even so, I realised at that time that I would never again be considered for officer training. To compensate for this and to ease the stress of this realization, I fell back on the idea that I would re-enlist in the Army Reserve.

I arrived back in Canberra from my leave in Melbourne on Wednesday 1 July 1987. I had the cast on my forearm removed at the Royal Canberra Hospital that morning. I then drove directly to Duntroon to complete my formal discharge from the college. Although I ended up being discharged from RMC on Thursday 2 July 1987, it was not until 10 July 1987 that I obtained my final clearance from the college.

During the period 2-10 July 1987, I spent much of my time completing my clearance procedure.

On Thursday 2 July 1987, I fronted my final Army Medical Assessment Board at 5 Camp Hospital. The medical examination was conducted by Captain Sue STONES who acted as the Examining Medical Officer. She recorded my weight at 69kgs and my blood pressure at 120/80. She also tested my hearing and sight and 24 other medical areas, which she recorded all as 'Normal'. These included my 'Emotional stability' and my 'Mental capacity'. I was also required to answer a Medical History Questionnaire and be interviewed by the CO of 5 Camp Hospital, Lieutenant-Colonel Stacey ROPE, as part of my discharge procedure. During my interview with Lieutenant-Colonel ROPE, I noticed that on one of the forms an interview with a psychologist was listed as part of my discharge procedure. When I brought this to Lieutenant-Colonel ROPE's attention and asked, "Don't I have to see a psychologist as part of my discharge?" ROPE laughed and replied, "Don't worry about it. You're not mad, are you?"

During Tuesday 7 July 1987, I received my final medical examination and treatment at the Royal Canberra Hospital and 5 Camp Hospital.

Another matter which had to be finalized as part of my discharge from RMC was the \$250 worth of Army-issue uniforms and equipment that had been stolen from my room in the Kokoda Company barracks while I was in hospital. Following the stabbing incident, all of my property in the barracks had been removed from my ununlockable room and moved into

a lockable room in the south wing of the Kokoda Company barracks. I submitted an Army Loss or Damage form that described the missing items and outlined the circumstances of their loss. Major VERCOE and Under Officer REED had investigated the matter in early June 1987, and their investigation had revealed nothing about the disappearance of the items, nor did it locate any of them. Sergeant JORGENSON assisted with the investigation but he was also unable to locate any of the missing items. As a result, Major VERCOE officially freed me from liability. I, of course, suspected that the senior cadets in Kokoda Company had stolen the items from my room. I also believe that when my father and Major VERCOE attended my room in early June 1987, a senior cadet was in the process of stealing my Army-issue SLR rifle. As a payback for this attempted theft and the theft of my items, I stole a handful of Army-issue items, including a complete set of webbing and a Japara waterproof jacket and trousers set, when I collected my property from the barracks in early June 1987. I later discovered that the items belonged to Staff Cadet BURNSIDE, one of the 2nd Class cadets who had harassed me over the previous months.

On Wednesday 8 July 1987, as part of my discharge from RMC procedure, I was interviewed by the RMC Student Counsellor, Lieutenant-Colonel HALL, in the Student Counsellor's office next to 5 Camp Hospital. This was the first and only occasion I met with the Student Counsellor. During my time at Duntroon I had no idea as to what the Student Counsellor did or how to contact him. The interview was conducted in private and I was questioned about my 6 months at the college, my opinions about the officer training program, and any suggestions or complaints that I had. The interview only lasted about 10 minutes and I was very guarded about what I said. I did not believe that I would achieve much by detailing my complaints or recounting my experiences of bastardization. I just wanted to get my discharge procedure completed and return to Melbourne. I did, however, complain strongly about the joint 2nd Class/3rd Class field exercises saying that "it was a nightmare going on exercise with 2nd Class."

I finally completed my RMC discharge procedure on Friday 10 July 1987. I collected my regimental records, including my medical, dental and pay records, and handed in my completed RMC Clearance Certificate at the CSC HQ. As I had ultimately decided to return to Melbourne instead of settle in Canberra, my movement orders had been changed so that I would now be discharged from the ARA at the Discharge Cell at the District Support Unit

(DSU), at Watsonia, and I would be placed on the Regimental Supernumerary List in the 3rd Military District [Victoria]. My final task was having my *Certificate by Unit Adjutant/Administrative Officer* completed and signed by an admin WO2 at the CSC HQ. With this completed, I left Duntroon for the last time.

While I was completing my discharge procedure at the college I was ignorant as to a lot of the administrative paperwork related to my discharge that had been circulating, and would continue to circulate, throughout the military bureaucracy. One Army Minute Paper sent to the Military Secretary (Officer Postings) (MS3) at Army Office was titled, *TRANSFER TO THE ACTIVE ARMY RESERVE AND POSTING 3204059 OCDT J. KNIGHT*. The first entry on the Minute Paper was completed by an MS4A, Captain D.B. SPEARS, on the 8 July 1987. It contained the message that if I attempted to re-enlist in the Army Reserve then the office of the Army's Military Secretary was to be notified 'A.S.A.P.' A second entry on the Minute Paper in response to the first was completed by an AMS3, Geoff E. ROACH, on 9 July 1987. ROACH's entry read:

1. Transfer to the Army Reserve of the above officer is not recommended in any capacity.
2. Based on the RMC submission I very much doubt that Knight is suitable for enlistment as an Other Rank. It would be as well to have DPE [Directorate of Personnel Employment] confirm this now so that Knight can be told and unnecessary administrative action avoided in future.

As a result of ROACH's suggestion, Captain SPEARS sent an Urgent Minute Paper to the Directorate of Personnel Employment (Army) (DPE-A) on 13 July 1987, requesting comments on my resignation and my suitability for re-enlistment. The Minute Paper was returned to Captain SPEARS on 15 July 1987 by WO2 P.K. AMOS, a WO2 at the DPE-A, with the entry, 'OCDT KNIGHT would not be suitable for enlistment into the Army Reserve.'

On Saturday 11 July 1987, I drove out to Staff Cadet WHITTING's house in Hughes to collect a few boxes of my property that I had stored there after my discharge from 5 Camp Hospital in early June 1987. Chris was the last Duntroon cadet that I saw in Canberra.

Later that morning, I drove into Civic to register my vote in the Australian Federal Election. After I parked my car and began walking to the Civic polling office, I met my old MHSCU 5 Platoon mate Dechlan ELLIS, who was also going to the polling office to vote. I told Dechlan that I was leaving the Regular Army and returning to Melbourne that afternoon. When he asked me what I intended to do after my discharge, I replied, "get a job and re-enlist in the Chocos." Dechlan later stated that his 'impression of Julian was that he was very likeable, caring of others, good humoured, happy-go-lucky. He had a problem coping with discipline' (Statement by Dechlan Robert Ellis to Private Investigator Peter Tierney, 28 January 1988, pages 2-3, contained in my Legal Aid Commission file).

On Sunday 12 July 1987, I arrived back in Melbourne.

On Monday 13 July 1987, I completed the procedures for my discharge from the ARA at the Discharge Cell, DSU, Simpson Barracks, Watsonia. The Commandant of RMC, Major General BLAKE, had approved me for Trainee Leave from the 14-28 July 1987, although I would be formally discharged and have my service terminated on Friday the 24 July 1987.

On Wednesday 22 July 1987, Brigadier Kenneth R. PHILLIPS, performing the duties of Chief of Personnel (Army), sent my tender of resignation to the Army's Chief of the General Staff, Lieutenant General O'DONNELL. Attached to the tender of resignation was a Minute Paper with Brigadier PHILLIPS's typed comments on it. The comments were as follows:

1. Attached is a tender of resignation by OCDT Knight who has requested release to take effect from the expiration of 24 July 1987. He has also asked to serve with the Active Army Reserve. This is not recommended as the member has a record of misconduct.
2. OCDT Knight is 19 years of age having commenced training at RMC in Jan 87 as a direct entry cadet.
3. OCDT Knight wishes to resign because he perceives that he is unable to cope with the requirements of Service life at the College.
4. OCDT Knight has been interviewed by COMDT RMC who advises the member's performance at RMC has been poor and he had recently been charged by the ACT

Police in connection with an incident where another cadet was stabbed with a pocket knife. COMDT RMC recommends the resignation be accepted.

5. I recommend that the resignation of OCDT Knight be accepted to take effect from the expiration of 24 Jul 87 and that his request to serve with the Active Army Reserve not be approved.

My tender of resignation with Brigadier PHILLIP's attached Minute Paper was received by Lieutenant General O'DONNELL the next day. In response, Lieutenant General O'DONNELL signed the relevant resignation authorization document. It simply read;

INSTRUMENT ACCEPTING THE RESIGNATION OF AN OFFICER CADET

Pursuant to sub-section 17(3)(a) of the *Defence Act 1903*, I HEREBY ACCEPT the tender of resignation submitted by 3204059 [Officer Cadet Julian Knight] to take effect from the expiration of 24 July 1987. Dated this 23rd day of July 1987.

On Friday 24 July 1987, I was discharged from the ARA *in absentia*. My final discharge administration was completed at the Defence Department in Canberra, at the Discharge Cell at Watsonia, and at the Central Army Records Office (CARO) in Melbourne. This was my last contact with the ARA.

On Tuesday 28 July 1987, I attempted to re-enlist in the Army Reserve at the 7th Transport Squadron in Broadmeadows, but I was prevented from doing so because of the charges pending in the ACT Magistrates Court.

On Wednesday 29 July 1987 and Wednesday 5 August 1987, I attempted to re-enlist in the Army Reserve at my old regiment, the 4th/19th Prince of Wales's Light Horse Regiment in Carlton, but I was prevented from doing so because of the charges pending in the ACT Magistrates Court.

Hoddle Street Shootings