

On Sunday 9 August 1987, 16 days after my discharge, I committed the Hoddle Street shootings in Clifton Hill, Melbourne. As a result of my actions 7 people were killed and 19 were wounded. I surrendered after I was cornered by police and I ran out of ammunition.

It is my belief (based on what I was subsequently told by a number of individuals who were at RMC and in Canberra at the time), that following my commission of the Hoddle Street shootings the entire cadet body at RMC was subjected to a company-level "briefing" by the college authorities regarding my attendance at RMC. I believe that the gist of what the cadets were told was that they were not to speak to the media under any circumstances about my service at RMC and that, if anyone asked, they were to state that they did not know me and had not served with me. I further believe that the cadets were instructed that if they disobeyed these instructions, their appointment as staff cadets would be terminated.

It is also my belief that these type of instructions were also issued to people outside of Duntroon who were connected indirectly to the college but who could be pressured not to speak to the media, such as relatives of staff cadets (*see Attachment 36*).

It is also my belief that following my commission of the Hoddle Street shootings an internal investigation was undertaken into my service at RMC, with an emphasis on any "bastardization" that I had been subjected to. After my sentencing in 1988 it was reported that, 'Knight's commanding officer at Duntroon, Lieutenant-Colonel Kibbey, confirmed in a report prepared after Knight's resignation that there had been at least two incidents of harassment of Knight while he was at Duntroon' (*see Attachment 24*). It is apparent that this review included Major VERCOE's two reports (*see Attachments 14 & 15*) and the Brief for Lieutenant-Colonel KIBBEY (*see Attachment 16*).

It is also my belief that the Director of Army Legal Services (DALs) was informed of the results of these investigations and provided advice to the Victorian Office of Public Prosecutions (OPP) regarding allegations of "bastardization" I was likely to make in court. It is also apparent that there was regular contact between DALs and the Victorian OPP in the lead up to and during my plea and sentencing. Note the line in the letter dated 18 May 1988 from Brigadier J.C. GREY to Brigadier P. DAVIES, AM, that; 'The Victoria Police are receiving assistance from RMC to prepare the prosecution case' (*see Attachment 22, second*

paragraph). The DALs file in relation to my case (*Ex Staff Cadet Julian Knight (3204059) – Hoddle Street Killings – DALs Aspects*, File Ref: 88/25598/P1) was destroyed in 2001; it is the only record in relation to my service in the Army that has been destroyed.

Vercoe Reports

The OC of Kokoda Company, Major VERCOE, produced two reports after my arrest in Canberra: (1) Report on SCDT J. KNIGHT and Incidents at the 'Private Bin' 30/31 May 87, by Major T.W. VERCOE, OC Kokoda Company, May 1987 (*see Attachment 14*), and (2) Report on the CSC Management and Performance of SCDT J. KNIGHT, by Major T.W. VERCOE, OC Kokoda Company, 2 June 1987 (*see Attachment 15*).

The first report includes the accounts given by senior cadets who were present at the Private Bin. As such, it is a mixture of fact and tendentious falsehoods. I did not know the report was being prepared and I was not questioned by Major VERCOE about what happened. It should be noted that there is no record anywhere in the report of any of the senior cadets involved being disciplined in any way as a result of these events.

The second report consists of an overview of my time at RMC with an emphasis on my record of ill-discipline ('extra training and formal punishment') and poor results. It should be noted that the record of Extra Training (paragraph 2) does not include informal Show Parades (such as the ones ordered by Staff Cadet BURNSIDE – *see above*). I also note that as late as 15 May 1987, I was still not rated by my 'peers' as the worst 3rd Class cadet in Kokoda Company but as 23rd out of 26 (paragraph 20 at page 4). I was, however, the only 3rd Class cadet in Kokoda Company to resign at the end of 3rd Class. As far as the two incidences of 'Harrassment' [*sic*] are concerned (paragraphs 22-34 at pages 4-5), as with the first report, there is no record anywhere of any of the senior cadets involved being disciplined in any way as a result of these events.

I have only managed to obtain copies of the two reports by Major VERCOE through civil action in the ACT courts after I made my submission to the DART.

Brief for CO CSC

A further report was produced after my arrest in Melbourne, a Brief for CO CSC on Ex-SCDT J. KNIGHT (*see Attachment 16*). This report is not signed and I do not know who the author was. I accept many, if not most, of the criticisms of my performance that appear in this report. I have admitted as much in the body of this statement. The report does, however, contain a number of contentious claims that I would take issue with. For instance, I was never 'reprimanded for swearing and breaking wind in mixed company' (*paragraph 12 at page 3*). In fact, I do not recall any cadet being reprimanded for doing so. The report also contains a number of patent falsehoods. For instance, Captain BROWN reportedly said that he recalled me on FEX "Tobruk" 'removing [my] shirt whilst digging with the apparent intention of showing off [my] tattoos' (*paragraph 13 at page 3*). I do not, and have never had, any tattoos. When compared with what I have written above, it is also apparent that the staff cadets who were interviewed failed to mention their own involvement in the events described (e.g. Staff Cadet Craig SMITH's involvement in a number of the fights I was involved with - *see paragraph 21 at page 5*). It needs to be remembered that this report was compiled after my arrest for the Hoddle Street shootings in Melbourne. Given the reason for the report being written (to assist the CO of the CSC vis-à-vis my prosecution by the Victorian authorities) it is not surprising that it is tendentious. Even so, the Brief refers to the two incidences of harassment mentioned in Major VERCOE's reports, the "bishing" on 17 March 1987 and the confrontation with Lance-Corporal THORP on 30 May 1987 (*see paragraph 24 at page 6*). The Brief concludes (*at paragraph 26 at page 6*) that, 'the events of the day and evening are a cause of concern and there is little that can be done if they are raised in court.'

The fundamental failing of the Brief is that it does not address anywhere near the multitude of acts of "bastardization" that I have detailed in this statement, and which I originally detailed in my report to my defence counsel in 1987 (*see below*). If I had testified during my plea in 1988 as to the "bastardization" I was subjected to at Duntroon, Lieutenant-Colonel KIBBEY would not have been in a position to respond to most of the allegations I made. This fact is a serious counter to the assertion that has since been made that the decision not to raise "bastardization" during my plea was made so as to not cause the Crown to call rebuttal evidence.

R -v- Knight

As part of their investigation into my background, Victoria Police obtained statements from my ICT instructor, Sergeant Kim HOGAN, and from a 3rd Class cadet in my section, Staff Cadet Christopher WHITTING.

As part of the preparation of my defence, the Legal Aid Commission of Victoria used a private investigator to obtain statements about my time in Canberra from Meg RUMMERY, Liz GLOVER, Staff Cadet Christopher WHITTING and ADFA Officer Cadet Dechlan ELLIS.

Also as part of the preparation of my defence, I prepared a lengthy 'Report on Bastardization at the Royal Military College, Duntroon During the Period 13 January 1987 - 12 June 1987' (* *The dates represent the period of 3rd Class*) for my lawyers and the psychiatrist and psychologists who examined me. Much of this complaint, and my earlier submission to the DART, is taken from that initial report. The original handwritten report is contained in my LAC files (*see Attachment 17. LAC Correspondence File A, Document No 96 - Handwritten notes of Julian Knight (19 pages) 10 Dec 87 - Account of bastardisation at RMC Duntroon*).

At my committal hearing in the Melbourne Magistrates Court on the morning of Monday 18 April 1988, my defence counsel, Robert RICHTER QC, submitted the following:

"The issues which are to be litigated, the rising out of these mad actions, can only be properly resolved in the Supreme Court and they include the question of responsibility for mad acts, the effect of training and bastardization undergone by young people who are training to become officers. The fact is from what has been opened to your Worship by our learned friend, it is quite clear that he went into what can only be described as military mode. The repetition and the material of the assertion that he has military training is not the mere throw-away lineage, it is quite apparent what happened. He was in a situation of combat at least as far as he was able to perceive it, albeit that on the material before your Worship, it was precipitated by him."

By the time of my plea in October 1988 (*see below & Attachment 23*) the reference to "bastardization" had inexplicably been dropped.

It could have been argued that if it were not for the bastardization at Duntroon, there would have been no Hoddle Street massacre. As a simple matter of placement, if I had not been forced into resigning then at 9.30pm on Sunday 9 August 1987 I would have been in my barracks at the college and not on the streets of Melbourne. There is also psychological evidence for this proposition, particularly the professional opinion of Mr WATSON-MUNRO (*see Attachment 21*).

On 6 June 1988, the Presentment against me was filed in the Supreme Court of Victoria at Melbourne (Case No T557 of 1988). I was formally charged with 7 counts of murder and 46 counts of attempted murder.

At the start of September 1988, following negotiations with the Victorian OPP, it was decided that I would plead guilty to all charges in the Presentment filed against me (7x counts of murder and 46x counts of attempted murder). It is my understanding that these negotiations involved input from the Army. Part of my plea agreement with the Crown and their main condition was that no evidence of the bastardization I had experienced at Duntroon would be led during my plea hearing. In return, the Crown undertook that it would not oppose the setting of a minimum term to the Life sentences I was certain to receive. It was made clear by the Crown that if we went back on this agreement, by raising the issue of bastardization at Duntroon, the Crown would renege on its promise not to oppose the setting of a minimum term and would treat the plea hearing as a contested proceeding.

In light of documents that have since come to light (*see Attachments 16 & 22*), it is clear that the Army was intimately involved with the Victorian authorities in their prosecution of me.

On 4 September 1988, I instructed my lawyers that as a result of the 'plea bargain' that they had entered into with the Crown, my formal instructions to them were to enter a plea of guilty to all charges (*see Attachment 21*). It has lately been asserted by those associated with my case that there was no such "plea bargain" or that they do not recall any such agreement.

I point out that no-one has categorically denied the existence of an agreement with the Victorian OPP (and by extension with the Department of Defence). I also point out that I clearly refer to a 'plea bargain' in my instructions. If there was no such agreement, then why is there no evidence, documentary or otherwise, that shows my lawyers attempted to cure me of this misapprehension? I was not pleading guilty to a minor driving offence in a country magistrates court but to the most serious charges in the Supreme Court of Victoria. It is inconceivable that a misunderstanding as to what I was pleading to or the circumstances of that plea would be allowed to go uncorrected. My assigned solicitor, Mr Michael "Mick" O'BRIEN, claimed in 2015 that the Crown had agreed to the setting of a minimum term at my committal hearing on 16 February 1988. An examination of the transcript of that hearing clearly shows that no such concession was made. In fact, the setting of a minimum term was not even discussed.

On 28 and 31 October 1988, my plea hearing was held in the Supreme Court of Victoria at Melbourne before the Honourable Justice George HAMPEL. The Crown was represented by Senior Crown Prosecutor John "Joe" DICKSON QC, with Julian LECKIE as junior counsel, instructed by Peter BUCKLEY, Solicitor to the Director of Public Prosecutions (DPP). My defence was conducted by Robert RICHTER QC, with Richard PIRRIE as junior counsel, instructed by Mick O'BRIEN, the then Associate Director of the Criminal Law Division of the Legal Aid Commission of Victoria. My plea hearing was attended by the CO of the CSC, Lieutenant-Colonel David KIBBEY, and an Army staff officer, Major WATKINS. Both were dressed in civilian attire, sat with the Crown prosecutors and did not approach or speak to me. My time at Duntroon was addressed briefly during the first day of my plea hearing (Ref: *R -v- Knight*, Supreme Court of Victoria, *transcript*, Friday 28 October 1988, pages 20-23 - *See Attachment 23*), but no acts of bastardization were detailed. Instead of raising the issue of bastardization at Duntroon, lead counsel for the defence, Robert RICHTER QC, submitted that what I was subject to was simply "rough play" that I was unable to take in my stride. He alluded to any allegations of bastardization by me to being no more than my own perceptions (*see Attachment 23, esp. page 21*). The bastardization I was subjected to at Duntroon was, however, detailed in the report of forensic psychiatrist Dr David SIME tendered to the Court. I have attached the conclusion section of Dr SIME's report (*see Attachment 20*). I have also attached the conclusion section of the report prepared by forensic psychologist Tim WATSON-MUNRO (*see Attachment 19*). Mr WATSON-

MUNRO was not ultimately called to give evidence because it was considered that his conclusions were too critical of the Army (and thus in breach of the agreement not to examine the bastardization I was subjected to at Duntroon). Mr WATSON-MUNRO did, however, speak to the ABC for the "Hoddle Street" documentary (as did Dr SIME) and at later conferences on this issue (*see below & Attachment 26*).

On 10 November 1988, I was sentenced by the Honourable Justice HAMPEL in the Supreme Court of Victoria to life imprisonment with a minimum non-parole term of 27 years (Ref: *R -v- Knight* [1989] VR 705, www.lexis.com/research Ref: 1988 VIC LEXIS 530). In sentencing me His Honour said (at 706):

In 1986 you joined the Army Reserve and later that year were accepted at Duntroon Military College where you commenced as a Cadet in January 1987. Your adoptive father was a career army officer. Although your adoptive parents separated when you were about twelve and you felt rejected by your father, nevertheless you admired him and wanted to be like him. You have always wanted to be a soldier and getting into Duntroon was the ultimate achievement for you. In fact your time there turned out to be one of a series of events which, according to the evidence of the experts, contributed to your final inability to cope.

You did not do well at Duntroon and could not cope with the pressures of life and discipline at such an institution. Your perception was that you were ill-treated and dealt with unjustly. You clashed with your superiors and ultimately, as a result of an incident in which you stabbed a sergeant with a pocket knife, you had to leave Duntroon and return to Melbourne in early July 1987.

The minimum non-parole term set by Mr Justice HAMPEL was not appealed by either the defence or the Crown. My earliest eligibility date (EED) for release on parole was 8 May 2014. On 1 April 2014, however, the Victorian Government enacted the *Corrections Amendment (Parole) Act 2014* (Vic) which removed my entitlement to parole.

Given the legislative changes in 2014, I now feel aggrieved by the decision (admittedly for selfish reasons) to not lead evidence of bastardization at Duntroon during my plea hearing. The comments of Mr RICHTER, and their adoption by the Honourable Mr Justice HAMPEL, now particularly aggrieve me. It is crucial to note that the material I provided to my lawyers in 1987 formed the basis of my submission to the Defence Force Abuse Taskforce (DART) in 2013, and that this submission was found by the DART to (a) contain an account of abuse that was plausible and (b) raised plausible mismanagement by Defence of a plausible report of abuse. If I was not subject to bastardization at Duntroon, why did the DART find that I was? If I was not subject to bastardization at Duntroon, why did Lieutenant-Colonel KIBBEY find that I was? Given that I was subjected to bastardization at Duntroon, what did I have to gain from *not* raising it as part of my defence? I submit that the only plausible explanation is that an “agreement” existed (formal or otherwise) not to raise the issue of bastardization in open court.

If I had known in 1988 that I was never going to be released from prison, I would have certainly initiated civil litigation over the bastardization (including physical injuries) that I experienced. I forwent such action in the belief that to do so would mean renegeing on the supposed “plea bargain” entered into with the Crown. It should be noted that sentencing may be part of the trial or plea process, but it is not the end of the criminal justice process. Parole in Victoria is not a right that can be enforced. Post-sentence behaviour can always be, and often is, taken into account when a decision is made as to granting parole. Given that there is no right in Victoria to reasons for the Adult Parole Board’s decisions, I would never know if renegeing on the “plea bargain” was the cause for refusing to grant parole.

I have found that since the legislative changes in 2014, and the failure to achieve any real outcomes from my submission to the DART, I am thinking about my time at Duntroon on a daily basis. Whereas I had previously come to live with forgoing taking civil action as the price of one day obtaining my freedom, I now feel cheated that I did not “have my day in court” *and* did not get released.

Media Reports

I have attached photocopies of two press reports which contain accounts of my time at Duntroon: (1) 'The Julian Knight Story: How rejection turned Knight into a murderer', by Keith MOOR, *The Herald*, Friday 4 November 1988, page 1, and (2) 'An obsession with firearms, a short course in rejection, a sniper stalks', by Paul CONROY, *The Age*, Friday 11 November 1988, page 21. I have also attached a report of public comments made by forensic psychologist Tim WATSON-MUNRO at a conference in Hobart during 12-13 November 1988 ('Bastardisation' under fire', David McKNIGHT, *The Sydney Morning Herald*, Monday 14 November 1988, page 10) (see Attachments 24-26). These articles constitute contemporaneous evidence that I complained of "bastardization" between my discharge from the Army in 1987 and my sentencing in 1988.

On 14 December 1988, the ABC broadcast its TV documentary "Hoddle Street" (produced by David MORGAN and Mark RUSE, and narrated by Jonathan HOLMES). This documentary included excerpts from an interview with the Commandant of RMC, Major-General Murray BLAKE (see Attachment 27). It also included commentary on my time at Duntroon by Tim WATSON-MUNRO and Dr David SIME. Both Mr WATSON-MUNRO and Dr SIME were critical of the Army's handling of my discharge in light of the circumstances surrounding my discharge. It is possible to obtain a copy of the "Hoddle Street" documentary from the ABC. In the documentary Major-General BLAKE, stated:

"I'd certainly make the point very clearly and firmly and empathetically that there's no way I'd tolerate bastardization in the college. I've issued very implicit instructions to that effect and I go to great lengths to make sure that my instructions are carried out."

This claim was never tested and it is apparent from my experience and those of others that Major-General BLAKE's instructions were *not* carried out.

Since my sentencing in 1988, details of my service at Duntroon have appeared in Darren MOORE's history of Duntroon, '*Duntroon: The Royal Military College of Australia 1911-2001*', at pages 153-6 (see Attachment 28), and on Wikipedia (see Attachment 29). Dr MOORE's book also contains a section on bastardization at Duntroon (at pages 385-386) which accords almost exactly with the situation I found myself in at the college. The only difference from

the description given by Dr MOORE is that the bastardization myself and other selected 3rd Class cadets were subjected to was inter- not intra-class.

Of the 129 staff cadets listed as being members of the I/87 Class at RMC, 1 was killed in a car accident on 16 August 1987 (Staff Cadet Doug BARTLE), and 31 never graduated (a failure rate of 24%). A number of those cadets who resigned were serving soldiers or NCOs who preferred to return to their units and resume their previous non-commissioned rank.

Of the 96 members of my class that eventually graduated, one had previously been at the "old" Duntroon, 4 were ADFA "drop-outs", one had previously been an officer cadet at the RAN College Jervis Bay, 7 were forced to repeat 2nd or 1st Class for whatever reason (i.e. medical or below standard) and graduated in December 1988, and one (Staff Cadet McQUEEN) did not graduate until June 1989 due to medical reasons (* *He was seriously injured in the same car accident that killed Staff Cadet BARTLE*). Of the 31 members of my class that did not graduate, I do not know of any that were asked to "Show Cause". I believe they all resigned of their own volition.

I believe the last member of my class to retire from the Army, and the only one to reach general rank, was Brigadier Paul NOTHARD, AM, CSC (CSC No 5291), who retired in 2019.

Submission to the DART

On 26 November 2013, I made a submission to the Defence Force Abuse Taskforce (DART) regarding my experiences at Duntroon (Submission No 906049). My Personal Account submitted to the DART was in the form of a statutory declaration and was 94 pages in length. In my submission I alleged both physical abuse and workplace harassment and bullying at Duntroon. I also submitted an *Application for Reparation Payment Form* to the DART pursuant to the Defence Abuse Reparation Scheme (DARS) (Ref No: 2013/7518).

According to the DART's '*Report on abuse in Defence*' (2014), the outcomes that were provided by the DART were the following:

If the Taskforce is satisfied that an allegation is within the scope of its Terms of Reference and meets the plausibility test, the Taskforce consults with the complainant about appropriate outcomes. These outcomes might include: