

“forget it.” TUNSTALL had also noticed what was happening so he grabbed me from behind and warned me that if I did anything to MEEHAN, the senior cadets would seek retribution when I got back to the college. Meg again told me to forget what happened so I reluctantly let her lead me to the door. I never reported the incident but it remained ingrained in my memory. I felt great anger and frustration over this incident, and other similar incidents, because it appeared to me that the senior cadets considered themselves a group of “untouchables.” To have assaulted MEEHAN, or to have reported the incident, would have undoubtedly resulted in swift and severe retribution from the senior cadets at the college (* Staff Cadet MEEHAN was forced to repeat a class and did not graduate until June 1988). This was one of many incidents I spoke of in interviews with psychiatrists and psychologists after my arrest and in subsequent media interviews (see Attachments 14-16 & 19-20).

TOC Incident

In one incident on a Saturday afternoon in May 1987, I was ordered to prepare tea, coffee and toast for some of the senior cadets in 15 Platoon. This was for afternoon “TOC” (literally “Tea or coffee?” an acronym used to refer to tea breaks at the college) and was conducted in a spare room in the barracks converted into 15 Platoon’s “TOC room”. The room was located directly opposite my room in the Kokoda Company barracks. I was initially instructed to prepare the TOC orders of senior cadets whilst I was on the TOC room floor, crawling from table to table. After about five minutes, I was instructed to prepare the orders without touching the floor, so I had no option but to climb over the tables and chairs. Throughout this exercise the senior cadets present, which included 2nd Class Staff Cadets DUNKLEY and COLMER, yelled at me to hurry up with the orders or they changed their orders when their initial order was partially completed. After about 10 minutes, me and another 3rd Class cadet, Staff Cadet Paul THOMPSON (CSC No 5328), were both given a piece of toast smothered in butter, honey and peanut butter. We were then ordered to force our slices of toast unbroken into our mouths and eat them. The winner of this “race” was the first to get the entire slice into their mouth. Soon after this “race”, Staff Cadet COLMER strode into my room, stood on my chair and stuck a piece of butter-covered toast onto the ceiling. When the slice eventually fell to the floor, COLMER wiped the residue butter off the ceiling and threw the slice of toast into my bin. The entire episode lasted about 15 minutes

and was a great source of entertainment to the senior cadets involved. Staff Cadet THOMPSON and I, however, treated the incident warily as "all in good fun". Even so, I considered it as juvenile "fun" that I did not particularly wish to participate in. It was apparent it was a custom of the "old" Duntroon and I did not wish to perpetuate it.

By mid-May 1987, I was feeling increasingly isolated and persecuted at the college. I felt disappointed in myself when I got myself into trouble, and I was becoming increasingly angry and bitter at the unprovoked treatment I was receiving from many - but not all - senior cadets. Instead of ignoring or reporting the victimization and harassment, I became defiant and sought to "tough it out". I was too immature and too strong willed to simply disregard the persecution and wait another month until the 1st Class graduated and I became a 2nd Class cadet. I failed to recognize that by confronting the senior cadets I was simply worsening my own position. I felt that I had been singled out for "special treatment" with the aim of forcing me to resign, and the treatment I did receive only serves to confirm this assumption. I was determined that I would be thrown out before I resigned of my own volition. In the evenings I began to seek solace by driving into Civic (even though it was an AWOL offence for 3rd Class cadets to go on local leave during Monday to Thursday), buying a few cans of beer, then returning to the Kokoda Company rear car park to drink and brood alone in my car. I drank alone in my car not out of respect for the ban on alcohol in the barracks, but because I wanted to avoid any interaction with senior cadets. When on local leave I tried to avoid the traditional hang-outs of Duntroon cadets, such as the Private Bin nightclub, and went to socialise in Belconnen or further afield.

My pent-up anger and suppressed frustration at the college coincided with increasing incidences of violence when I was on local leave. Although I was spending most of my local leave with my civilian girlfriend and our friends, and I was trying to avoid encountering senior cadets outside the college, I still frequented pubs and nightclubs which Duntroon and ADFA cadets also frequented. This was practically unavoidable in Canberra. Throughout mid-May 1987, I was involved in a number of fights with civilians at nightclubs in Civic. In the main, however, I did not instigate these confrontations. In one incident at the Civic Club I interceded in a confrontation between Kokoda Company 3rd Class cadets Craig SMITH and Doug BARTLE and a small group of civilians. As I approached the group it appeared that Staff Cadet SMITH, who was very drunk, was about to be assaulted by the

civilian he was arguing with so I rushed over and assaulted the civilian. The club's bouncers broke-up the ensuing fight.

Fight with ADFA cadets

On the night of Friday 22 May 1987, I gave a lift to two 3rd Class cadets from Kokoda Company, John "Steve" McQUEEN and Eric GARDINER (CSC No 5251). Following a minor accident I had on Canberra Avenue, which incapacitated my car, Staff Cadet McQUEEN was given a lift by a passing civilian to his dinner date, and I caught a taxi into Civic with Staff Cadet GARDINER. We arrived at around 2100hrs and we went directly to the Private Bin nightclub to meet up with other 3rd Class cadets. While at the Private Bin, I drank heavily.

At around 0100hrs on Saturday 23 May 1987, I left the Private Bin with Kokoda Company 3rd Class cadets Craig SMITH and Doug BARTLE. As we were leaving we crossed paths with a group of six ADFA cadets who were about to enter the club, two of whom were RAN midshipmen dressed in their White Jacket Mess Dress uniforms. SMITH, who was drunk, made some loud derogatory remarks about the Navy as he passed them. After further derogatory remarks by SMITH, a fight ensued between us and the ADFA cadets in a laneway near the Private Bin nightclub. Although Staff Cadet SMITH had provoked the confrontation, I was the one who initiated the fight by throwing the first punch. During this encounter I suffered a broken nose and two chipped front teeth. When an ADFA cadet and I were the last ones fighting the fight was broken up by the intercession of the others present. My injuries were treated at 5 Camp Hospital at around 0130hrs by the Medical Officer on night duty, Lieutenant K.E. MILLER (but my broken nose was not re-set or bandaged). I told Lieutenant MILLER that I had been in a fight with civilians in Civic, but later admitted that it was with ADFA cadets. I was kept in 5 Camp Hospital for observation and I was discharged at 0930hrs by the duty Nursing Officer, Flying Officer D. THOMAS.

The failure of the medical staff at 5 Camp Hospital to set my broken nose has left me with permanent damage to the inside of my nose. This damage was not detected until I was administered a COVID-19 Rapid Antigen Test by a prison nurse on 19 February 2022. Although I had suffered breathing difficulties since leaving the Army I had not connected

these difficulties to my previously broken nose. Nor had I ever had cause - or the ability - to look up my own nose. On 2 February 2023, I was informed by prison doctor Dr Saji JOHN that I will require surgery to have this damage corrected.

7th Charge

After going on local leave on Saturday 23 May 1987, I spent the night with my girlfriend in my room in the Kokoda Company barracks (in contravention of Standing Orders relating to entertaining civilian friends in the lines). Early the following morning we were leaving the barracks hand-in-hand when we passed an instructor, Major P.J. NEUHAUS (who was one of the officers on my Selection Board), as he was entering the barracks. Although Major NEUHAUS said nothing at the time and simply kept walking, he later charged me with Failure to Comply With a Lawful General Order in breach of s.29 of the *DFDA*. It was my seventh charge. The fact that others entertained their girlfriends or other civilian friends in the lines was not an excuse.

On the morning of Monday 25 May 1987, I was examined at 5 Camp Hospital by a Navy doctor, Lieutenant P.J. NEWBERY, who sent me into Civic to have my head x-rayed at a medical centre. The x-rays indicated that I had an undisplaced nose fracture but no other cranial fractures. As a result, Lieutenant NEWBERY passed me as 'Fit for Restricted Duty' only, and recommended that I be employed as a "Command Post Warrior" (HQ signaller) during the upcoming field exercise FEX "Samichon". Later that afternoon I attended the 21st Dental Unit, located in a wing of the 5 Camp Hospital, to have my damaged front teeth treated. The Army dentist, Captain A.J. LYNHAM, filed down the chipped lower front tooth and filled in the chipped upper tooth.

By the time I reported back on duty that afternoon the Battlecraft testing, which was being held that day in the hills behind the college, was practically over. This was a major training assessment so my failure to complete it had a detrimental effect on my academic rating (*see Attachment 6*).

Aspects of Training

During my time at Duntroon there were a number of questionable aspects to the training.

Of the infantry WO2 instructors, all were Vietnam War veterans except one, WO2 REMIN. For whatever reason, WO2 REMIN peppered his commands to staff cadets with supposed Vietnamese expressions taken from Vietnam War movies, such as "Di Di Mau." I have asked Vietnamese prisoners about the Vietnamese spoken in Vietnam War movies and they tell me it is gibberish. On the occasion we were completing the Bayonet Assault Course at the Majura Range WO2 REMIN ran up and down the course firing blank rounds at us from an M60 machinegun. His young son (aged around 7) accompanied him dressed in a child's camouflage uniform.

The lecture we were given on handling or becoming POWs was given by an infantry WO2 who was a Vietnam War veteran. He began with a laughing referral to the fact that Australians "didn't take many prisoners in Vietnam." The instruction in relation to both taking prisoners and to surrendering was along the lines suggested by the well-known Geneva Conventions (i.e. only to give name, rank and serial number). I asked the question whether, if you were fighting an enemy known to torture prisoners, it would be better to keep the last bullet for yourself. I was contemptuously told that I was "an idiot" and that "You can if you want to, but no-one else will." As far as Australians having a reputation for not taking many prisoners, subsequent events in Afghanistan would seem to suggest that the Vietnam War-era attitude became inculcated in the Australian Army.

On one occasion at Majura Range we were given a firepower demonstration with L1A1 SLR and M16 rifles, and an M60 machinegun, being fired by NCO instructors at a very large gun tree. As we sat in front of the tree the officer who introduced the demonstration pinned a white piece of paper behind the tree and challenged anyone to bet that the piece of paper would not be shot full of holes. I quietly said to Staff Cadet GRACE that there was no way those rounds were going to penetrate it (the tree was around 6' in diameter - an Armour Piercing 105mm tank round would not have penetrated it!) A cadet sitting next to us said I didn't know what I was talking about. In fact, I did. I owned a 7.62mm x 51 calibre M14 rifle before attending Duntroon and I had fired it at trees of various thickness in the Tooborac/Puckapunyal area. Needless to say, of the hundreds of rounds fired at the tree at Majura, not a single one penetrated it.

I had participated in a handful of contact drills during my time in the Army Reserve and I was in no way proficient in these drills (and I never claimed to be). At times I tried to be innovative in giving orders during section contact drills. When acting as a section commander during FEX "Samichon" (*see below*) my solution to the section being caught on a ridgeline during a contact with an "enemy" rifleman was to order Staff Cadet MACKS to "Rip a '66 [66mm Short Range Anti-Armour Weapon] into him!" I was criticized for doing this by the Directing Staff. Having watched hours of news reports from Iraq and Afghanistan during 2001-2017, I have noticed that this particular 'solution' actually became commonplace.

It did not occur to me until after I left the Army that I was not expected to be innovative but to simply follow the drills taught to us so that my ability to give orders could be assessed.

Last Classroom Assessment

On 25 May 1987, I topped my group during a public speaking exercise. The classroom exercise was a mock Royal Commission hearing based on the Tasman Bridge maritime disaster when a ship had crashed into Hobart's road bridge. I was given the role of the ship's captain. After the exercise concluded, the instructor, Captain L.A. GREENLAND, praised me for my communication skills and told me, in front of the rest of the class, that I had topped the class (*see Attachment 7*). She also told me that she was pleased to see me making a much greater effort in class.

I am not suggesting that my commendable performance in this last classroom assessment outweighed my other, poor, results. I do submit, however, that it lends credence to my claim that I had decided at this stage to improve my performance. It is also an example of what I could achieve when I made an effort and what I could achieve vis-à-vis my classmates.

On the morning of Tuesday 26 May 1987, I reported to 5 Camp Hospital for an arranged check-up. I told the Army medic who examined me, Sergeant T. GIULIANI, that I felt well

enough to patrol so I was passed 'Fit for Restricted Duty' with the only restriction being that I protect my nose which was having a problem setting.

FEX "Samichon"

FEX "Samichon" was held during 26-29 May 1987, and was a 4-day tactical operations exercise held in the Bateman's Bay region of the Mogo State Forest on NSW's south coast. The exercise was essentially training in patrolling, contact drills and counter-ambush drills at the 11-man section level. As only 3rd Class cadets were attending the exercise, every cadet was rotated through the various positions in each section, including the command positions of section leader and section 2IC. The instructor assigned to each section assessed each cadet in the section on two occasions; once after the cadet acted as the section 2IC, and once again after he acted as the section leader. Each assessment was recorded on a Field Report card (known as "pinks"). During FEX "Samichon" I was energetic and did my best to act as mature and responsible as possible, and to make as few mistakes as possible. I was intent on making a good impression on my section instructor, Sergeant P.J. STILL, and I concentrated on maintaining a good performance throughout the exercise. When there were section de-briefings following tactical manoeuvres I made thoughtful and sensible contributions, and I refrained from being a "smart-arse" or making stupid comments. I was also overjoyed to be on a field exercise without 2nd Class cadets, and this was quite clearly displayed in my general manner and attitude. My overall performance on FEX "Samichon" was in direct contrast to my performance on the previous field exercise, FEX "Tobruk", during which I had been constantly angry, unenthusiastic, had made as little effort as possible, and was generally indifferent to practically everything that happened on the exercise.

My determination and concerted effort to excel on FEX "Samichon", however, turned to bitterness at the end of the exercise when I was shown my end-of-exercise Field Report card. I was disappointed at Sergeant STILL's comments on the card, which concentrated almost entirely on the mistakes I had made while acting as section leader. Even so, after some reflection, I accepted most of the criticisms. Sergeant STILL had noted that I had run 'around as if he's bullet proof', and that I used 'Rambo tactics' (the use of the 66mm SRAAW was an example given). Sergeant STILL also noted that, 'Knight's navigation is suspect', due to a

considerable error I made in pin-pointing the section's location on the map after having only moved a short distance. Sergeant STILL did, however, note that I gave clear and concise "fire orders" and that I had controlled the fire of the section's machinegun group very well when I had acted as the section 2IC. What disappointed me was not the comments on the Field Report card, but the overall mark I received - 5/10 - the same mark I had received at the end of FEX "Tobruk". I received the lowest mark in the section, along with Staff Cadet C.G. HILL (CSC No 5258), who also received 5/10.

At the end of FEX "Samichon", as we were driven back to the college, I felt bitter, withdrawn and deeply depressed. I felt defeated in my attempts to make a comeback and I felt a sense of impending doom. I sat next Staff Cadet EXAUDI-LARSEN during the journey back to the college. Kim told me how he felt that succeeding at RMC would be his last chance to make his parents proud of him, and that if he resigned and went home his parents would be ashamed of him. He said, therefore, that he would never resign of his own choice because he felt that if he did, he would have nothing to return home to. Kim was adamant that if he did resign and return home, it would be in disgrace as far as his family would be concerned. I confessed to him that I felt that I was in a similar situation and that I too had been resolute in my decision not to resign. I told him that I had concluded, however, that at that stage it looked like I would eventually be run out of the college or be thrown out.

I point out that the fact that I had still not voluntarily resigned after months of constant bastardization by senior cadets could be construed as evidence of resilience on my part.

We arrived back at the college in the late afternoon of Friday 29 May 1987, and we assembled at the MTW building near the Kokoda Company barracks. As was the usual practice, we had to clean and return issued weapons and equipment before we would be dismissed. After a couple of hours I was still cleaning some equipment at the MTW armoury when I was informed by another 3rd Class cadet from Kokoda Company, Staff Cadet McQUEEN, that I was the Kokoda Company "Coy-Ord" (Company Orderly) for the day and that a 2nd Class cadet had been covering for me until then (** Each company had a Company Orderly rostered on every day of the week with both 2nd and 3rd Class cadets being rotated through the duty via a roster system. It was a 24-hour duty commencing each day at 0600hrs*). I asked McQUEEN if he was joking as we had just returned from a field exercise (** It was standard practice that a*

cadet was not rostered on as Company Orderly upon returning from a field exercise). McQUEEN replied that he was only telling him what a 2nd Class cadet, Staff Cadet SHAW, had told him to tell him.

An hour later I finished cleaning the exercise equipment and returned to the Kokoda Company barracks. I immediately went to the company's main noticeboard to read through the Kokoda Company Coy-Ord roster. The Company Orderly rostered for that day was, in fact, Staff Cadet SHAW and I was not due to relieve him until 0600hrs the following day. My anger began to rise as I made my way to the company's recreation room where a group of cadets were watching a video. Staff Cadet SHAW was amongst them and when he saw me in the doorway he told me that I was the company's Coy-Ord for the day. I retorted angrily, "Bullshit! I've seen the roster. I'm not doing your Coy-Ord duty for you." SHAW spun around in his lounge chair to face me and yelled, "You'll do what I fuckin' tell you to do!" I responded by telling him he could "forget it!" as I walked off into the foyer.

A couple of hours later I got in my car and went on local leave. I drove straight to the Belconnen Mall and purchased a black-handled, stainless steel, imitation switchblade knife with a 4" blade from the mall's army disposal store. I chose that particular knife because it was easy to handle, was easy to conceal and had a double-edged blade with the leading edge fully sharpened, and the other edge partially sharpened near the tip of the blade. I considered the fights I had recently been in with civilians and the increasing confrontations I was having with senior cadets, and I decided that it was wise to start carrying a knife for my own protection.

Jeans Incident at Private Bin

After purchasing the knife I left the Belconnen Mall and drove straight to my girlfriend's house in the nearby Canberra suburb of Page. My girlfriend, Meg RUMMERY, and I then left her house and arrived at the Private Bin nightclub at around 2130hrs. We entered the ground floor bar and went to get a table by the door. On the way, we passed Lance-Corporal THORP and Staff Cadet EVERINGHAM, who were on local leave and who were drinking by the bar. EVERINGHAM sternly called me over and told me that he did not like the faded jeans I was wearing (he was himself wearing jeans) and, anyway, RMC Dress Regulations

forbade the wearing of denim by cadets when they were on local leave (** This was a regulation that was almost universally disobeyed by cadets of all classes*). He told me that I should not be wearing them and I would be in trouble if any instructors caught me. He then ordered me to return to the college and change. I told EVERINGHAM that I would take the risk of being caught and then I walked back to Meg at a nearby table.

Bayonet Incident

At around 0730hrs on Saturday 30 May 1987, all the cadets at RMC attended a parade rehearsal for the upcoming Queen's Birthday Parade. The rehearsal involved drill with rifle and bayonet. The rehearsal finished at around 0930hrs and the cadets were marched off the college's main parade ground. As they were forming up into their respective companies to march back to their barracks, Lance-Corporal THORP angrily called me over to where he was standing on the road leading to the parade ground. The moment I arrived THORP began abusing me over the jeans incident the previous night. As THORP ranted at me he had his unsheathed bayonet levelled a couple of inches from my chest. He furiously told me that I "must be a fucking idiot" for wearing jeans on local leave, and for not returning to the barracks when instructed to by Staff Cadet EVERINGHAM. When THORP had finished abusing me he quickly jabbed me in the chest with his bayonet (not tapped me on the shoulder with it as was later claimed). I reacted instantly by angrily pushing THORP's arm away and striding off to form up with the rest of Kokoda Company. I ignored THORP's furious commands to return to where he was standing.

Kokoda Company marched off in formation and just before we halted at the Kokoda Company barracks THORP, who was behind me, told me to remain behind after we were dismissed. Moments later the company halted and was dismissed on the road in front of the barracks. THORP immediately told me that he was going to charge me with insubordination for walking off on him. I queried this but THORP interjected by shouting "Stand to attention when you talk to me!" I responded, "You can get fucked. I'm sick of this shit." Exasperated, I turned around and strode off. THORP yelled at my back, "Get back here, Knight!" He then added, "I'm going to charge you!" I shouted back over my shoulder, "Good! We'll settle it at the charge hearing!" I then mounted the steps into the barracks and walked to my room.