

Soon after I had finished talking with CROME, MANNERING and SMITH, I was told by a 2<sup>nd</sup> Class cadet that I was to report immediately to CSM REED at his office in the south wing of the barracks. When I arrived at REED's office, REED was sitting behind his desk and he snarled at me to enter the room. I marched straight in and stood to attention in front of REED's desk. As REED adjusted himself in his chair, I turned my head slightly to the right and noticed that Staff Cadet Nicholas EVERINGHAM was sitting atop a filing cabinet in the corner behind me. REED proceeded to reprimand me harshly for what had happened earlier that morning, then he informed me that the charges of insubordination and assaulting a superior were not going to be proceeded with (\* charges that would have most likely resulted in time in the ADF's military prison and a dishonourable discharge or, at a minimum, a dishonourable discharge, but which would have required the pressing of formal charges and the holding of a court-martial). REED said that instead of being charged, he was confining me to barracks for the weekend. He finished by sneering at me and muttering, "Now get out." I began the mandatory, "Excuse me, ple..." but was cut off by REED snapping, "Get out of my sight!"

As I strolled demoralized back to my room I felt a sense of injustice. I was angry because I felt that REED had taken the course of Military Law into his own hands and, as a result, the RMC authorities would not be informed about what had transpired that morning. I believed that REED had acted independently to cover for his fellow 1<sup>st</sup> Class cadets, who probably feared that an official hearing would call some of their own actions into question. I recognized that REED had saved me from yet another charge hearing where I would no doubt be found guilty of some misconduct, but I also realized that REED's motivation was to protect THORP, HAMBURGER, EVERINGHAM and THOMSON from any disciplinary action. I was also angered that REED had acted beyond his powers and had dispensed punishment as a self-established Summary Authority. I wanted my "day in court"; I wanted the matter to go before an official hearing even though I realized that I would also suffer from such a hearing.

I had only just returned to my room when Sergeant STONE told me to join him in his room at the end of the hallway. STONE was an even-tempered, fair, friendly and approachable 1<sup>st</sup> Class cadet who, unlike many senior cadets, never

bastardized or victimized anyone in the company. He was well liked and he was one of the very few senior cadets that I actually liked. When STONE talked to me that morning it was in an informal and unofficial manner while we were both seated around STONE's desk. STONE told me that he was certain that I was going to be thrown out of the college. I had prepared himself for this possibility, but when I actually heard someone say that it was about to happen, I was stunned. I had thought that my increased effort and my improved performance over the previous few weeks had saved me from a dreaded "Show Cause" hearing. STONE's "off the record" revelation was a severe blow to me. I finally realized that my life-long ambition of a career as an officer in the Australian Regular Army was about to come to an abrupt end in the ignominy of what was essentially a dishonourable discharge. STONE advised me to write up my resignation over the weekend and hand it in on Monday morning. He further advised me to re-enlist in the ARA as a private soldier before re-applying for Duntroon in a couple of years. I told him that I would write up my resignation over the weekend and present it to Major VERCOE on Monday morning. I then got up and returned to my room where I sat resigned and dejected at my desk for the next half hour.

Later on Saturday 30 May 1987, I drove two other 3<sup>rd</sup> Class cadets to an oval in Manuka to attend a 2<sup>nd</sup> XVIII Australian Rules football match. On a return trip to the college one of my car's wheel nuts snapped off and I spent most of the rest of the afternoon in the barracks. I spent a lot of this time just brooding in my room. I was rostered on as the Kokoda Company Coy-Ord that day but one of my close civilian friends, Deanne METCALFE, was celebrating her 18<sup>th</sup> birthday at the Ainslie Hotel that evening. I decided that considering I was about to resign and that I would soon be back in Melbourne, I would disregard my Coy-Ord duties that night and attend Deanne's birthday celebrations instead. I was adamant that I was not going to miss her birthday celebrations and that I was not going to spend my last weekend in Canberra confined to barracks. I realized that when I did not report for duty I would be charged with Absence From Duty. Even so, I felt assured that these charges would be withdrawn the moment I submitted my resignation. Even if they were not, I did not care anyway.

## **Incident at Private Bin**

At around 1900hrs that night, I got changed into civilian attire. The last thing I did was put the switchblade knife I had purchased the night before into the front right pocket of my jeans. I then took a taxi to the Ainslie Hotel and arrived there at 2000hrs. Among the group celebrating Deanne's birthday were Deanne, Deanne's parents, my girlfriend Meg RUMMERY, Liz GLOVER, Liz's older sister and her husband, and two other friends, Paula and Justine. Among the 3<sup>rd</sup> Class cadets who attended the celebrations were Craig SMITH (CSC No 5318), Simon MACKS (CSC No 5276), Matt CARRODUS (CSC No 5233), Sean RAPLEY (CSC No 5340) and Peter BUCKLEY (CSC No 5231). We all left the Ainslie Hotel at about 2230hrs, and most of us decided to continue the celebrations at the Private Bin nightclub in Civic. I knew that I was bound to run into senior cadets on local leave at the Bin, but I intended to ignore them, even if they harassed me. Due to the fact that I had decided to resign on the coming Monday, I intended to enjoy my last weekend in Canberra with my friends.

When we arrived at the Bin we congregated around the chest high benches near the ground floor entrance, directly opposite the end of the main bar. By this time, the core of the group consisted of me and Meg, Deanne, Paula, Liz and Liz's sister and brother-in-law. A few minutes after we arrived we noticed that CSM Philip "Mongo" REED and Lance-Corporal Craig THORP were among a large group of Duntroon senior cadets gathered in front of the main bar. REED was the captain of the RMC Rugby team and the nickname "Mongo" derived from the character of the same name in the movie "Blazing Saddles". In order to avoid a confrontation with REED, THORP and the other senior cadets, I sat at a table in a dark corner around the end of the main bar. It was not long, however, before REED noticed, or was informed, that I was on the premises. It had only been about ten minutes after I arrived at the Bin that I noticed a silent, but scowling, "Mongo" REED standing next to me. REED was already very drunk and he was infuriated that I had disobeyed his order that I was confined to barracks. He repeatedly ordered me to return to the college but I calmly replied, "I'm celebrating a friend's birthday and I'm not leaving." REED returned to his friends but at frequent intervals, he returned to me and angrily ordered me to return to the barracks. I simply kept calmly refusing to leave.

At one point, REED, who was becoming increasingly drunk, strode up to me and grabbed me by the front of my jumper. As REED began pushing me backwards he yelled, "You disobeyed me and I fucking hate that!" I just grinned back at him. A few moments later one of the club's bouncers walked over and sternly told REED to, "Let go of him." REED maintained his drunken glare at me but reluctantly released his grip on my jacket. Liz's sister interjected at this point and asked REED to leave me alone. REED responded by slowly turning and glaring at her. Deanne moved behind REED and began to set fire to the seat of REED's trousers with a cigarette lighter. REED eventually felt the heat of the lighter's flame and slowly turned around before walking back to the other senior cadets. I thought that REED would now give up on attempting to force me to leave the club and return to the barracks.

At approximately 0130hrs on Sunday 31 May 1987, I was quietly drinking at the end of the main bar with Meg when REED strode up on my right side and once again ordered him to leave. I retorted, "I'm not going anywhere." REED repeated his order, "You're leaving right now!" I became irritated, and turned to face REED and shouted, "I'm resigning, alright! So why don't you fuck off and leave me alone!" REED looked stunned then slowly turned and walked meekly back to the other senior cadets. I thought that REED would now finally leave me alone. When I leaned back on the bar a civilian standing next to me asked me why REED was hassling me. I did not know the man, who was heavily built and about 6'1" tall with brown shoulder-length hair and a brown moustache. I told him that I was a cadet at Duntroon and that REED was a senior cadet who wanted me to return to the barracks. The man nodded in reply then went back to drinking with his back to the bar next to me.

Only a few minutes later REED, who was a similar size to the civilian standing next to me, returned and shouted at me, "You disobeyed me. I fuckin' hate that! You're leaving right now!" The civilian standing next to me calmly told REED, "Why don't you leave him alone?" REED stepped towards the man and snarled, "Mind your own business", as he slowly grabbed the man by the front of his shirt. A scuffle broke out and THORP, who had been sitting on a bar stool near the entrance a few metres away, ran over with his right hand raised and clenched in a fist. He was aiming for the civilian who had stuck up for me. I spotted THORP

and thought that the least I could do for the civilian who had stuck up for me was to protect him. I swiftly stepped forward and pushed THORP back towards the door. THORP retaliated by punching me in the face. As I wrestled with THORP, I noticed that my nose had started to bleed. At this point, I was jumped from behind by another 1<sup>st</sup> Class cadet, who pinned my arms to my sides in a "bear hug". I was swung around by the cadet who had hold of me. I still had my arms pinned to my sides so I used my back to push myself and the cadet holding onto me backwards into the crowd at the end of the bar. I finally managed to break loose from the cadet's hold. As I did so I saw THORP raise his right fist to hit me again so I quickly threw a punch at THORP's face. Our punches connected simultaneously. Before I could throw another punch, I was again grabbed from behind. I lent forward and was just about to break loose from the cadet's grip when I was hit squarely in the centre of the face. I did not see who threw the punch but it had come from my right side where REED had been standing. The force of the blow split the bridge of my nose. I put my hands up to my face and when I took them away, I saw that they were covered in blood. I was bleeding heavily from both nostrils and from where the break in the bridge of my nose had split the skin. Blood covered the lower half of my face and flowed onto the front of my jacket. A bouncer grabbed me and the cadet who had been holding onto me by the back of our collars, then walked us down the short flight of stairs and pushed us out the front door onto the sidewalk. The other cadet hesitated while the bouncer went back upstairs then re-entered the club. I remained outside on the sidewalk wiping the blood off my face. I was bleeding profusely from a broken nose and I angrily flicked the blood off my hands onto the pavement. Meg, Liz's sister and her husband came out of the club moments later to see how I was. As they gathered around me, Staff Cadets Craig SMITH and Simon MACKS arrived on the scene from another nightclub. I was enraged and as I pulled my switchblade knife out of his jeans pocket I yelled, "I'll be ready for the bastards next time!" SMITH looked down at my right hand and cried out, "He's got a knife!" In an attempt to calm me down, Liz's sister persuaded me to cross the street onto Northbourne Avenue's dividing nature strip and walkway.

While we were on the nature strip Meg, Liz's sister and her husband discussed where we were going to go. Liz's sister suggested that we all go back to her house. I eventually calmed down so Liz's brother-in-law attempted to persuade me to

relinquish my knife. I was adamant that I was going to retain possession of it because, I said, "I might need it." After about ten minutes, Meg said that she was going back to the Bin and she crossed back over the street. I was intent on staying with Meg and began to walk after her. Liz's sister and her husband tried to dissuade me but as I was intent on staying with Meg, they relented and agreed to return to the Bin with me. I told them that first I needed to go to the nearby public toilets to clean myself up. My face and hands were covered in blood so I went with Liz's brother-in-law to the public toilets at the Civic bus terminal to clean myself up. Liz's brother-in-law accompanied me into the male toilets. When he went into a cubicle to relieve himself, I took out my knife, quietly opened the blade and positioned it diagonally down the front of my jeans, then covered the exposed handle with the front of my jacket. I thought to myself that if I was going to be attacked again, I wanted to be prepared to defend myself. Liz's brother-in-law was oblivious to what I had covertly done with the knife.

When we returned to the Bin I saw Meg sitting over in a corner near the end of the main bar, so I walked straight over and joined her. As I bought another can of beer, Staff Cadet Daryl ENTRIKEN (CSC No 5047) a 20-year-old 1<sup>st</sup> Class cadet from Kokoda Company, walked up to me looking anxious and worried. ENTRIKEN told me that I should leave because "Mongo" and THORP were after me, and there were another seven senior cadets and an ARA instructor who were going to join them in bashing me. ENTRIKEN told me that, "You had a fight with 'Mongo' and Thorp before, now there's ten of them." ENTRIKEN also warned me that, "they're going to do a proper job this time. They've got a 'Drillie' [Drill Sergeant] with them. They're all going to lay the boot in when you go down." ENTRIKEN added that, "They're going to get you here or back at the college. They intend to hospitalize you this time."

ENTRIKEN's advice did not give me many options. I knew that I was heavily outnumbered, and at the time I thought that my knife was the only chance of fending off such a large group. I also felt that I could not return to the barracks because I could not lock the door to my room, and I did not want to be bashed by "Mongo" and the others when they returned to the barracks. I also considered that because one of the group was an instructor it would be pointless going to the RMC authorities, and besides which, the RMC authorities were about to throw me

out of the college. After what transpired in the hallway the previous morning, I also felt that my classmates would not come to my aid or bear witness to what would happen. I felt I was very much on my own. In hindsight, I should have accepted Liz's sister's offer and stayed with her and her husband, then reported directly to Major VERCOE early on Monday morning. I, however, thought at the time that the only "solution" to my predicament was to strike first.

REED, THORP and numerous other senior cadets were gathered around the entrance and the main bar, and they continued to stare and scowl at me. Amongst them was Kokoda Company ARA's Drill Sergeant, Sergeant C.A. JORGENSON, who was off-duty and in civilian attire. JORGENSON walked over to me and suggested that I leave. When I replied that I wanted to stay with my girlfriend, JORGENSON warned me that that, "I can't be held responsible for anything that happens after I leave." I responded by glaring back at him and shrugging my shoulders, so JORGENSON walked back to drink with the senior cadets.

Staff Cadet ENTRIKEN and a 1<sup>st</sup> Class cadet, Corporal Leo MAPMANI (CSC No 5086), a 23-year-old Papua New Guinea Defence Force officer cadet being trained at RMC, remained talking with me as I sat calmly in the corner of the bar. ENTRIKEN continued to try to persuade me to leave the club but I was adamant that I was going to stay. I told ENTRIKEN that I was not going to start any trouble and that I was unconcerned about "Mongo" and his gang. I had, however, already formulated a plan to launch a knife attack on REED and THORP and any other senior cadet who entered the fray. I planned to wait until REED and THORP were standing next to each other, then stab them both and make a break for it. At this stage there were about 15 senior cadets gathered at various points around the end of the main bar, and at benches between myself and the main door. I was sitting with my back against the far wall where the main bar met the wall. I, therefore, did not think that I would make it to the exit without being attacked. I viewed the planned stabbing attack as a payback for the months of abuse and persecution that I had endured at the college, and revenge for the beating I had received earlier that night. I also viewed it as a "pre-emptive strike" given what ENTRIKEN had told me. I was adamant that my predicament required the adherence to the old military adage that "the best form of defence is offence." I

believed that by stabbing REED and THORP I would be able to break out of the nightclub. My only regret at that time was that THOMPSON and EVERINGHAM were not also in the club so I would not have the opportunity to stab them as well.

At around 0230hrs, THORP, who had been sitting near the exit in front of me and had been taunting me by pulling faces, left the Bin with another senior cadet. It did not appear that THORP was going to return to the club so I amended my plan to only stab REED as soon as a good opportunity presented itself. At this stage, I could probably have left the Bin without further incident, but I knew that REED and the others would have caught up with me in the street or back in the barracks. I also remembered that my encounter with EVERINGHAM in the Bin the previous Friday night had resulted in the confrontations with THORP and HAMBURGER the next morning. I decided that after I had stabbed REED I would run out of the club, stabbing any senior cadet who tried to stop me, then hand himself in at the nearest police station. I believed that if I stabbed REED then returned to the college, the senior cadets would hunt me down and “kick the shit out of” me before handing me over to the Military Police. I thought that I would eventually be presented before a Court Martial where I would be found guilty of assaulting a superior and sentenced to the maximum two years in the Military Corrective Establishment (the tri-service military prison at Ingleburn in NSW). I believed that if I handed myself in to the Australian Federal Police (AFP), the civilian police responsible for policing in the ACT, I would at least be given a fair trial in a civilian court and an normal discharge from the Army. I remembered from the military law classes at the college that the *Defence Force Discipline Act 1982* (Cth) had removed the previous “double jeopardy” with respect to criminal charges; you could no longer be charged by *both* the military *and* the civil police for the same offence.

At approximately 0255hrs, my girlfriend Meg suggested to me that we join the others in going to Liz’s sister’s house. I agreed with her but I was secretly deciding to launch my planned attack on REED. I gave no indication that I was about to strike. I saw REED talking to a handful of senior cadets on the other side of the main bar. I then covertly adjusted the knife down the front of my jeans. I put my arm around Meg and told her that we would leave with the others



but first I had to go to the toilet. I left Meg with Deanne and Liz's sister and her husband then began making my way through the crowd. As I turned the corner of the main bar, I saw REED talking to Staff Cadet Michelle BILSTON (CSC No 5154), an 18-year-old 2<sup>nd</sup> Class cadet, and about four 1<sup>st</sup> Class cadets. REED was about 3 metres away and was standing side-on to me, facing BILSTON. I decided that it was time to strike so I quickened my pace as I weaved my way through the crowd in front of the bar.

I stopped a pace away from REED and hesitated for a moment as I fixated a stare on the right side of REED's head. I pulled up the front of my jacket with my left hand, then with my right hand I swiftly pulled the knife from the front of my jeans. I raised the knife instantly above my head then plunged it with force into the right side of REED's head. A squelch was heard as the knife drove into the right side of REED's head, just forward of his right ear near his right temple, and struck bone. BILSTON cried out as REED very quickly began to collapse to the floor. I reacted instantly and lent forward and stabbed REED a second time in the right side of his head. The second blow hit REED just behind his right ear as he fell to the floor in a heap. As the other senior cadets looked down at him in shock, I turned and dashed towards the exit. I crouched over and ran through the crowd. I brushed past the bouncers on the door and jumped down the short flight of stairs leading to the entrance door, which I flung open and burst out onto the sidewalk. Without stopping, I turned left and ran down the sidewalk.

I had got about 50 metres down Northbourne Avenue when I heard someone behind me yell, "Come back here, you cunt!" I turned around and saw one of the 1<sup>st</sup> Class cadets who had been talking to REED, standing outside the entrance to the Private Bin, with his fists clenched. I kept running down the sidewalk. As I kept running, I noticed blood on my hands and a dull pain in my right hand. I looked down and saw that I was bleeding from a narrow, but deep, cut to the base of my right little finger. When I had stabbed REED, I had unknowingly held the knife with the fully sharpened edge uppermost. As a result, when the knife hit bone and stopped, my hand had slide down onto the blade. While still running and while still holding the knife in my right hand, I pulled out my handkerchief with my left hand and held it over the wound.

As I was running along Northbourne Avenue I decided to look for a police car to hail down so I could hand myself in. I turned left into London Court and then into Petrie Place where I spotted two uniformed AFP officers (Senior Constable John WELDON and Constable TURK) in a marked police sedan driving slowly along the City Walk. I managed to flag them down in the laneway behind the Ainslie Avenue ANZ Canberra City branch bank. Soon afterwards, a senior AFP detective from the City Police Station, Inspector Brian HEPWORTH, arrived at the scene in an unmarked AFP sedan, and at 0315hrs, another unmarked AFP sedan arrived in the laneway containing two detectives, First Constable Shane AUSTIN and Senior Constable Christopher NOVAK from the Belconnen Criminal Investigation Branch (CIB). AUSTIN later stated that, 'I saw that the defendant had a handkerchief wrapped around his little finger of his right hand and that there was a large amount of dried blood on both his hands. I also saw that his nose was swollen and that he had a laceration approximately one centimetre long across the bridge of his nose. I then gave the defendant a seat in the rear of Inspector HEPWORTH's unmarked vehicle'. At 0340hrs, I was transported under police escort in an ambulance to the Accident and Emergency Department of the Royal Canberra Hospital in Acton.

My girlfriend Meg later told me that, "There was blood everywhere. He [REED] was covered in blood. His mates had to carry him out of the Bin." REED was taken to the Royal Canberra Hospital by his friends and was placed in one of the cubicles in the Accident and Emergency Department about 15 minutes before I arrived. Unbeknownst to REED, I was placed in the cubicle next to him. When First Constable AUSTIN arrived at the hospital he went to examine REED. He later noted, 'I saw that he had a deep laceration about 2 centimetres long just forward of his right ear and another small laceration about 1 centimetre long just behind his right ear. I saw that there was a large amount of blood around these injuries and also on Mr REED's hands and the front of his clothes. I then had a short conversation with Mr REED. I formed the opinion that Mr REED was well affected by alcohol'.

At about 0355hrs, I was escorted to the main desk of the Accident and Emergency Department, where I rang the Duty Officer at Duntroon, Captain HANSON. I did not identify myself; I simply told HANSON that there had been