

Report released on “rough justice” in the Army

Serious incidents have occurred in one section of an Army unit, but there is no culture of violence evident in the wider Army. That’s the conclusion of the Joint Committee on Foreign Affairs, Defence and Trade following its probe into allegations of brutality within the Army’s parachute battalion (3 RAR).

In its recently released report – *Rough Justice?* – the Committee noted that during its investigation it had been made aware of specific incidents in 3 RAR that “reflected no credit on the individuals involved, and sullied the reputation of an outstanding and highly-decorated Army unit”.

“There were failures of character, command and process,” the Committee said. “In its entirety the episode was poorly handled.” At the same time the Committee noted that pressure from the Committee and subsequent action by the Chief of the Defence Force and the Chief of the Army have “put a process in place to correct the situation.”

In its report, the Committee has made eight recommendations aimed at improving military justice processes.

For a copy of the report – *Rough Justice?* – or for more information

Visit: www.aph.gov.au/house/committee/jfadt

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Chief of the Army, Lieutenant-General Peter Cosgrove, gave evidence to the Foreign Affairs, Defence and Trade Committee’s inquiry. Photo: Newspix

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“Parliament, especially through its committees, has tried to remind the Government that letting the managers manage does not imply that only the managers have any right to know how they are managing.

“Parliament as an institution (and most parliamentarians) are committed to the position that, so long as Government activities involve the spending of public monies or are believed to be areas for which the Government must bear a special responsibility (health, the welfare of children, the armed services, the police – for example), the Government as a whole must be accountable to and answerable *through the Parliament* to the people for those monies and those activities.

“Because they depend on taxpayers’ monies as their financial base, all the processes of Executive Government must be subject to parliamentary supervision and public auditing both for financial propriety in an accounting sense and for policy propriety in terms of responsible government. This includes departments, agencies, statutory organisations and great public institutions such as the ABC.”

Dr Thompson concludes that while highly-disciplined parties and Executive dominance are still the foundation stones of Australian parliamentary democracy, they have been moderated substantially since the late 1960s.

“Parliament as an institution may be the weaker partner in the Executive/Legislative relationship but it is far from irrelevant.”

Vision in Hindsight

Dr Elaine Thompson is Associate Professor at the School of Politics and International Relations, University of NSW. Her essay ‘Australian Parliamentary Democracy After a Century: What Gains, What Losses?’ is part of the *Vision in Hindsight* project of the Department of the Parliamentary Library for the Centenary of Federation.

Vision in Hindsight: Parliament and the Constitution is a collection of essays each of which tells the story of how Parliament has fashioned and reworked the intentions of those who crafted the Constitution. The essays are published as research papers available on the Parliamentary Library’s web site (www.aph.gov.au/library). A selection of the essays will be included in a volume of work to be published in November 2001.

With the agreement of the Parliamentary Library and essay contributors, *About the House* is publishing summaries and extracts from some of the *Vision in Hindsight* essays.

A full copy of Dr Thompson’s essay is available from the Parliamentary Library’s web site at:
www.aph.gov.au/library/pubs/rp/1999-2000/2000rp23.htm

For more information on the *Vision in Hindsight* project call Judy Hutchinson on (02) 6277 2512 or email: dpl.publications@aph.gov.au