

DRAFT SUBMISSION ROYAL COMMISSION INTO DEFENCE AND VETERAN SUICIDES, FEBRUARY 2022

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1. I want to tell this Royal Commission (RC) that the normative variables leading to suicide in the community need to be put aside if those variables unique to Defence, and conducive to veteran and service personnel suicides, are to be identified and addressed. These unique variables subject veterans and serving personnel to chronic stress, trauma and unbearable pain that can and does precipitate suicide or attempted suicide. Abuse of the Military Justice System (MJS), systemic improbity, and indeed corruption by Department of Defence, perpetrate wrongdoings and psychological trauma to veterans or serving personnel is substantiated in this submission.
2. Basic statistics that I have gleaned, if correct, show that male veterans have a 24% higher suicide rate than the national average, whilst serving members have a lower rate. Men who left the Australian Defence Force (ADF) voluntarily have a similar suicide rate to the general public. Those who were involuntarily discharged medically are three times (300%) more likely to suicide than their peer group. In 1981 I was forced to dishonourably resign in disgrace on false charges of gross incompetence and unprofessionalism. This put me in one of the highest cohorts for potential suicides in Australia. I have lived this experience for the past 40 years because of both systematic and systemic misfeasance and malfeasance by Defence, including the army generals.¹ They have been supported in this by both Liberal and Labor party relevant portfolio responsible ministers and hence the Australian Government at large.

¹ In this submission 'army generals' includes brigadiers

3. I have personal longitudinal and detailed knowledge and evidence of how abuse of power and corruption of administrative law is used by key officials to traumatise Defence and Veteran persons. This psychological torment is a serious factor in pushing veterans towards suicide and suicide thoughts. What defines and causes suicide, attempted suicide and suicidal thoughts are questions that often relate to the abuse of power. These questions are particularly potent in context of Defence. It is bad enough that incompetence by key officials is a causal factor in suicides but misfeasance takes this to a much higher level. What is happening in my case should not be allowed to happen to others. But it will because the Australian Government and the generals continue to lie about what they are doing to me and are immune from sanction. Defence is significantly corrupted. Its will and competency to fully investigate has failed completely. It cannot and will not eradicate particular corruptive practices by the generals.
4. The obligation of this RC is to Defence and Veteran suicides and attempted suicides (hereafter referred to as service suicides). If this RC is to be adequate then it is imperative it is cognizant of the generals' systemic failures in their leadership over the MJS that has contributed to service suicides. Examination of this problem ought to be a key point in this RC's search for the truth. If past performance is any measure, the generals will attempt to lie and cheat their way out of any responsibility or accountability. If pressed they will try to lay the blame elsewhere. In my case they sought to blame the victim and continue to lie that no official has acted unfairly against me, including from a Governor-General of Australia down to my 1980 Commanding Officer (CO).
5. RCs are expected to establish the truth. The importance of this is demonstrated in the high cost to the taxpayer and the generous time frames allowed to enhance the soundness of their findings. The previous RC involving Defence was a pathetic travesty of justice wherein the RC findings were based on lies. Australia's Defence top officers were able to perpetrate the most

vindictive and corrupt legal event in our history. The establishment closed ranks, in a 'group think' mindset, to protect the reputations of mates by destroying the careers and reputation of others. I am not aware of any other case in the world where a second RC was needed to undo the lies and ignominy of the first one. I refer to the sinking of HMAS Voyager in 1964.

6. The Australian public knows that the MJS has habitually failed to detect wrongdoings and it has been used by senior officers to cover up multiple cases of harassment, bullying and torment. In my case Defence's senior officers have remained arrogant and duplicitous for years. As their lies are progressively exposed they keep changing their story to continue their cover-ups. It is how the MJS is abused by the generals in cases such as mine that in all probability contributed to service suicides and attempted suicides. The generals seem to consider themselves above the law and have no regard to maintain its integrity, yet always seek to hide behind it. Defence is a vast and powerful department. This aids the protection of misfeasance by the generals. They have repeatedly pledged 'Reform Programmes' which quickly evaporate. My concern is that they will treat this RC with the same contempt Defence gave to the HMAS Voyager RC over 55 years ago.
7. The Profession of Arms is like no other. Horrible as it sounds, Defence's role is to kill people. So what defines or constitutes suicide needs to be put into perspective of Defence's environment, purpose, culture and its alleged 'esprit de corps'.
8. Difficult as it is to accept, it is the duty of the general to kill his own soldiers in the interests of the government of the day. Hence, Defence's accountability standards ought to be of the highest order. But they are not. Australians have suffered decades of weak and incompetent Ministers for Defence who have been unable or unwilling to hold Defence to account. A society would be foolish not to ensure that the integrity and competency of the nation's generals is beyond question. It took two RCs into HMAS Voyager to find this

was not the case. My case confirms little has changed since then and the generals still cannot be trusted by the public.

9. The parameters that define suicide or attempted suicide are broader in context of the armed services than in the community at large. Generally it might be stated that community cases occur in a small cohort of the general population when they perceived their situation as hopeless and unsolvable and the pain of this becomes unbearable. Usually more than one factor is involved. Financial problems, relationship breakdowns, work stress, mental disorders, provocations and passions all add to the mix that inflict upon this group. Reasons for suicide may well have resulted from irrational thoughts. Service personnel and veterans are part of this national community cohort. It would be easy to subsume service and veterans' suicides into the national cohort. However, to do so would be to ignore the role the MJS plays in precipitating suicide. To distinguish service and veteran suicides from the national cohort would need for each case to be examined in detail by a professionally qualified person – say a coroner. Attempted suicides amongst Defence and veterans would be much easier to examine for obvious reasons.
10. One study found that people who survived a 'suicide jump' predominately said that in the first split second of their jump they knew they had made a mistake. We have many great and successful organisations and people that help trauma sufferers from making that jump. In my case Defence and the Australian Government stand accused of pushing me towards that jump. Their provocations have been substantial, systematic, systemic and sustained.
11. Gallipoli, at the Nek, makes for an interesting study in what constitutes military suicide. ANZAC soldiers made three waves of suicidal bayonet charges against Turkish machine guns and rifles. The Turkish commander pleaded with his Australian counterpart to stop this madness but was ignored.

12. The hundreds of ANZACs that lay dead and wounded in front of their opponents could not have been more masculine Australians. They were from an era when men were resilient, self-sufficient and individualistic. The generals gave them an irrational order to suicide and they did. Their situation was not desperate, the order was atrociously incompetent and there was no Australian culture of the warrior at the time. They should have lived and not have been ordered to suicide for God King of Australia. There is a big difference between sacrificing soldiers for the greater good and the mental deficiency of unwarranted slaughter of one's own soldiers.

13. The Australian Government created the fable of the great Australian warrior from these ANZAC suicides. It has been used to inspire generations of soldiers to follow. Our government glorifies military suicides and exploits them when it is in its interests to do so. The threat of hostilities is forever present in the history of mankind. Tomorrow could find Australia committed to war in support of our allies' stances on global conflicts. Russia's quest to take the Ukraine and China's intent to capture Taiwan are the current tensions. Defence's direct participation in such conflicts is what separates it from 'community norms' of behavior.

14. Thus, because of Defence's unique role in the nation state, it requires a virtual autocratic set of laws to compel service personal to kill people and indeed kill themselves on the orders of a superior. These laws are the MJS. It has Discipline Law and Administrative Law components. Both impose rigid laws to enforce obedience and to punish disobedience. In Australia a serial killer cannot be executed but a soldier found asleep on sentry duty in a combat zone can be shot. The MJS also has laws that protect soldiers from abuse by colleagues or superiors. Given the severity of the system as a whole, these components of the MJS are very important. However, they are the parts of the MJS that have been subject to widespread abuse and corruption by officers up the chain of command. Herein lays the connection between service suicides and the MJS.

15. It is abhorrent that our generals have abused and corrupted MJS administrative laws for so many years and still do so. A senator on one of the many parliamentary committees of inquiries into the systemic failures of the MJS publicly stated that it was so broken it was unfixable. His comment was surely made from his frustration with Defence. It does however have a link to service caused service suicides. The generals didn't subvert those parts of the MJS that give them hash powers to enforce discipline. These laws remain intact. Over time they subverted the components of the MJS that were meant to protect subordinates' rights to be treated fairly. It is incomprehensible that they would do this but they have. Careerism in peace time could possibly be a factor? The supplanting of subordination with subservience I know to be a factor. Subservience promotes an irrational 'group think' mentality. But this does not excuse individuals from their personal breaches of fidelity to duty, especially when it causes trauma to others.

16. Ethical and competent military leadership would have ensured no parliamentary inquiry would ever have been required into their command and control over the MJS. The fact that several such related inquiries were needed over the past 20 plus years is an indictment to their improbity, dishonesty and laxity. The subsequent injustices the chain of command has perpetrated against the unfortunates adds to the trauma they have endured. They know wrongs perpetrated against them will not be redressed nor honestly investigated within Defence. Apprehension, fear, distress and anxiety have become the weapons of an abused MJS because the generals lost their moral compass and stopped being rational. This led to a crisis in command that the generals were incapable of fixing so parliamentary intervention was necessary – not once but several times. Parliamentary inquiries resulted in Defence promising reforms but each time these failed because of insincerity and deceit. In my case, multiple ministerial investigations and decision making, spanning decades have been habitually and chronically dishonest and improper. It has been one cover-up after another.

17. I firmly believe there is a collocation between mental traumas caused by maladministration within the MJS and service related suicides and attempted suicides.
18. I was a career army officer, rank T/Major, with over 15 years service. On 10 February 1981 exaggerated and fabricated accusations were used to charge me with gross incompetence and unprofessionalism. The charges, under Section 16 Defence Act, 1903, were grave and aimed to have the Governor-General dishonourably terminate my commission from Army with loss of all financial entitlements. There was no real evidence, nor justification, nor facts to support these charges. In 1980 I was targeted for termination by a co-ordinated effort to discredit me. My CO was complicit in this.
19. In 1980 my CO wrote two adverse performance appraisal reports on me (June and December). They contained false and exaggerated accusations to discredit me. This was especially so after his immediate superior officers within the chain of command imputed the June'80 report with his savage additional, false allegations. His alterations seriously downgraded the report's score. He belittled my CO by questioning his competency to appraise his subordinate's performance, namely mine. He also sent my CO a clear message to be subservient. He affirmed with evidence that he had been ordered by his superior general to input on my June'80 report –otherwise he had no legal right to even see my report, let alone alter it, as he was not in my direct chain on command.
20. My 1980 CO then corroborated the now severely downgraded June'80 report with additional derogatory letters that added more false accusations against me. He forwarded these letters into the performance report system at Army Headquarters (AHQ), Canberra. His superior officer in the corps chain of command had also injected false evidence into the report system to prove that I was grossly incompetent. He used this sophistry to be the first officer to recommend I be terminated from Army. There was no substance to their stinging allegations against me. By mid 1980 my CO's superior left him in no

doubt that the chain of command expected him to write a second performance report on me to deliberately bring about my termination from Army. He did so with the December 1980 report. An FOI Act document I got in 1991 showed that a small group of corps officers at AHQ were determined to destroy my career.

21. To put their conduct into perspective, both the June and December 1980 reports on me T-Scored 2 on a T-Score scale 20 to 80. Privately, my CO later wrote to Defence that, "I had less competent majors than Warren serving under my command". He had five majors under his command, including myself. By this letter, alarm bells should have been loud at Defence.
22. The generals at AHQ used my CO's 1980 report accusations to constructively dismiss me from Army. This was despite my sound and accurate formal reply report against their charges. The Military Justice System required that they strenuously and properly decide upon my defence report in reply. They did not. After superficially reading it they discarded it. "Superficial" is the Administrative Appeals Tribunal (AAT) word it used to describe the general's deliberation of my defence reply. The generals who charged me were the same ones who improperly disregarded my defence report against their charges. They then sentence me to dishonourable termination from Army (i.e. by recommending the G-G do so). Their charges against me were predetermined to achieve this end.
23. From 1981 to 1993 a hand full of ministerial investigations into my dishonourable resignation in disgrace upheld the charges against me. Portfolio responsible ministers gave their decisions that the rule of law and natural justice had prevailed; that no official had treated me unfairly and there was no evidence of victimization, obstruction and indifference involved in my case. In response to my formal representations to them, these decisions were unanimously made by three Ministers for Defence in succession, then a Prime Minister and then a Governor-General. They asserted that their investigations of my case were comprehensive, objective and thorough and done by

competent authority. The G-G apologized for the delay in his investigation but, “this was necessary to examine all aspects of the case in detail.”

24. In 1994, after my three separate AAT hearings from 1991 to 1993 on Defence related FOI Act matters, a Minister for Defence ordered yet another investigation of the Section 16, Defence Act 1903 charges against me. The AAT had found that the destruction of my career was tragic; that there were **NO** previous several ministerial investigations of my case, and; the AAT criticized the input by senior officers on my 1980 performance reports. These AAT findings forced Defence and its Minister to change the lies of previous ministers and invent a new narrative to cover-up this systemic misfeasance.
25. Since 1995 to date, several Prime Ministers and Ministers for Defence gave their decisions that there was NO evidence whatsoever in my 1980 performance reports to demonstrate that I was incompetent or unprofessional. They regret that an innocent mistake was made and it was unfair that my career and reputation were destroyed by this error. These ministerial decisions are lies. They are reminiscent of the HMAS Voyager RC and the Dreyfus case. These ministers are defiant in the lie that no officials at any time has acted unfairly or improperly against me. They simply did not have the integrity or courage to hold Defence to account. Instead they have opted to continue the cover-ups of the corruption of power involved in this case. This has caused continuing chronic stress and trauma to me.
26. The Australian Government now asserts that my 1980 CO and his immediate superior in the corps chain of command DID NOT write any adverse assessments of my performance that warranted the Section 16 Defence Act 1903 charges. Therefore, they did nothing wrong and always acted fairly towards me. My 1980 CO, in October 1992 and then a civilian, aware that my constructive dismissal from Army was under re-investigation by the G-G, wrote to Defence. Consistent with his 1980 mindset, he wrote to further accuse my 1980 performance as been totally disloyal to him and of attempting to undermine his authority. These were extremely serious accusations and whilst

untrue, it is odd that he did not raise these issues with me in 1980 or include them in his 1980 reports on me. He also wrote that he could not remember key events that he had initiated to escalate my dishonourable termination from Army because it was too many years ago.

27. A government lawyer, acting for the Department of Defence, made a legal move to prevent me from using an FOI Act copy of this ex-1980 CO's 1992 letter to Defence as my evidence at my 1993 AAT hearing. The AAT forbid its use as evidence. Unbeknown to me at the time, the general at the centre of the fabrication of the charges against me in 1980 was by 1990, retired from army and served as a non-presidential member of the AAT in the same city as my hearing. The AAT failed to make proper criticism of the 1980 conduct of this ex-general. Evidence in my ex-CO's 1992 letter would have weighed against him.
28. Without my then CO's 1980 report accusations the generals had no grounds to raise the Section 16 charges against me. In fact the then Director of Army Legal Services (DALs) had formerly told them so. They had no real evidence or facts. Nor could my 1980 CO provide any proper evidence to them even though a general had ordered him to gather such evidence. Hence, they needed to fabricate strong accusations against me before they could raise their false charges. My 1980 CO and his superior provide this in the two reports. As found by a Defence audit in 1994, both reports T-Scored 2 on a range of 20 to 80.
29. The Australian Government, from Prime Ministers down has persisted with the lie that the generals made an innocent mistake in using my 1980 performance reports as their proof of my gross incompetence. In reality the generals had no legal or integrity standards in their professional conduct. They abused their power simply because they could, knowing an 'old-boy' network would back them up. They had the entire might of Defence and a harsh MJS to conceal their purpose and there was no FOI Act in place at the time. My 1980

CO report accusations provided them with the necessary perfunctory evidence to perpetrate their improper use of power with intent to destroy my career.

30. The Australian Government also has persisted with the lie of an "innocent mistake" and argued that these generals made a second major legal error by discarding my sound and proper reply in defence against their Section 16 charges. That reply established there were no substantive facts or evidence in my 1980 performance reports to demonstrate the charges. These report criticisms were built on unjustified damning accusations. It beggars belief that these generals had genuinely erred by incompetently failing to know the difference between allegations and evidence. This is especially so as my defence reply, which they improperly disregarded, altered them to this error in their charges. Furthermore, if these generals were the incompetent fools that the Australian Government seeks to paint them as then any honest internal Defence review of my case would have quickly exposed these wrongs. Feigned stupidity puts corruption above the law. It seems that the Australian Government is hell bent on going down this path – except this feigned stupidity has now become real stupidity. It is also evil and has inflicted much trauma on me, sometimes unbearably so.
31. The duplicity and improbity of the Australian Government, via its Ministers of the Crown and the generals, needs to be exposed. The trauma they inflict is a causal factor in 'service suicides'. They are empowered to order soldiers to kill civilians or themselves in the interests of government but are too cowardly to honestly redress wrongs perpetrated by their inferiors or mates. This causes mental health problems not only to the victims but also to staff who must be subservient to such improbities. The government obviously has decided it is best for the generals to let their victims rot, or perhaps even suicide so that the problem vanishes. This is exactly the position adopted by the French Government in the Captain Alfred Dreyfus case. When its criminality and conspiracy were exposed one LtColonel opted to suicide in disgrace. Subservient participation with a superior officer's improper or corrupt conduct

must be considered as a trauma factor that contributed to service suicides and attempted suicides.

32. People who join the armed services are trained to kill. Regardless of an individual's military employment and skill set all are expected to act as combatants should the circumstances arise. Military budgets, equipment, environment, training and ethos conditions them to be psychologically prepared to kill. If not, then they are not fit for purpose and hence severely compromise Defence's reasons to be.
33. In times of conflict Defence personnel often kill more civilians than they do enemy soldiers. Approximately 200,000 civilians were killed in the 'coalition of the willing' Iraq war. Soldiers can be ordered to carry out such killings and must obey. I could list scores of such events as could many others. Then there is the issue of the killing of prisoners as revealed by our investigative journalists and then by the Brereton Inquiry.
34. My father was an army fitter and turner, rank corporal. He had to remain in Borneo after World War 11 had ended to help rebuild oil industry infrastructure. He returned to Australia distraught by his knowledge there of the slaughter of over 5,500 surrendered Japanese soldiers after the war had ended. This happened under the aegis of Australian commanders. Our government hides from such facts. About 20 years ago it introduced war crimes law that assisted such commanders from being prosecuted. Yet, they can order subordinates to participate in such atrocities. The Brereton Inquiry also exonerated senior officers from responsibility for the war crimes of their subordinates lower down the chain of command.
35. A professor of psychology couldn't understand why anyone would want to join the army. I took this to be an extempore point. We discussed the content of a widely used questionnaire given to assess a client's personality profile in connection to mental health issues. I remarked that it was peppered with repetitive questions, variously framed, to ask the same question, namely,

“have you thought about committing suicide because of what you have endured?” The professor explained that the repetition of the question would confirm identification of pathologies. I opined that I did not think it a good idea to keep seeding someone’s mind, who possibly has mental health issues, with the repetitive idea of suiciding. I compared it to political propaganda techniques of repeating short pity messages to incite compliance.

36. I asked the professor why it is assumed in the questionnaire that people who are distressed enough to end it all would only contemplate suicide, that is inward violence. I suggested instead they might consider venting that violence outwardly, that is against others. The questionnaire, if balance, should also seek to detect such client’s thoughts with appropriate questions. The professor’s spontaneous answer was to the effect, “Oh no, we couldn’t put that in a questionnaire because it might give people ideas.” The contradiction was blatant.
37. I expressed my concern that the questionnaire was potentially harmful and unbalanced. It could actually prompt people towards suicide attempts. Many service personnel and veterans seeking mental health assistance probably have been subject to such questionnaires whereby the alleged potential help becomes the poison. And such questionnaires deliberately avoid exploring outwards violence pathologies. There is a case for review of such questionnaires to ensure they cannot contribute to harm.
38. Australian Government corruption and injustices cause serious despair and anger. This can and does incite people to self harm and harm to others in various forms, including physical and psychological. This RC probably has no data on deaths caused by veterans with mental health issues. Such deaths are crimes and no suicides. Yet, they probably result from the same events or causes. Inward and outward violence both can lay waste to life. A mother and wife who kills her husband after enduring years of brutal domestic violence becomes a criminal. Her action is the desperate self-destruction of her own and family existence with consequences far greater than attempted suicide. It

was the mental health of the violent husband that should have been the centre of attention in this example as he was the cause of the harm and injury.

39. The government has excluded from the Terms of Reference for this RC examination of violent deaths caused by Defence and Veteran members. However, this RC should be mindful of such deaths. It might consider at least a sympathetic acknowledgement that such deaths probably arise from the same or similar causes as suicides.
40. Shakespeare's 'Hamlet' directly addresses the outward violence of suicide in his lines, "To be or not to be.....for who would bear....the oppressor's wrongs....the laws delay....the insolence of office.....to take up arms against....and by opposingdie." Like the violent husband, corrupt politicians and bureaucrats can inflict serious trauma on their quarry and frequently do so with immunity. It befits this RC to identify such contagions within Defence and Veteran Affairs and recommend ways to curtail them so as to reduce the causes of service suicides and attempted suicides.