



THE HON. WARREN SNOWDON MP

Minister for Defence Science and Personnel

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IMPROVING MILITARY JUSTICE

A Bill tabled today by the Minister for Defence Science and Personnel, Warren Snowdon, dramatically enhances Defence's military justice system.

It is one of the final developments in response to a decade of reviews and inquiries calling for improvement, culminating in the Senate's 2005 report, 'The effectiveness of Australia's Military Justice System'.

"The Foreign Affairs Defence and Trade Committee pushed for reform, in Opposition Labor pushed for reform, and now in Government, Labor is achieving a fairer, more transparent and accountable military justice system," Mr Snowdon said.

"The Defence Legislation Amendment Bill 2008 strikes the right balance between effective discipline and the rights of those individuals who are subject to it.

"The court martial system is now gone. Finally, military justice offers the same rights to a fair hearing as civilian justice.

"This Bill extends those reforms to the summary discipline system, where many military offences are first dealt with."

Amongst the reforms is the right in all cases to appeal summary authority convictions to a Military Judge of the Australian Military Court, and the right to choose trial over summary discipline in all but a number of minor offences.

"I am also, unlike the previous Government, ensuring rules of evidence still apply," Mr Snowdon said.

"While simplified, this means evidence in summary proceedings must be relevant, reliable, sufficient, and consistent."

Through the Bill, a maximum three-month time limit will be set between the laying of charges and the trial by a summary authority and, as with civilian practice, will allow the possible suspension of whole or a greater range of punishments.

"These initiatives, and many more incorporated in the Bill, aim to streamline and improve the ADF discipline system," Mr Snowdon said.

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