

**VICTIMS OF ABUSE
IN
THE AUSTRALIAN DEFENCE FORCE ASSOCIATION INC.
A0059257W**

The Voice For The Voiceless



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Fact Sheet No 8 – The Dirt On The Dart – The Major General

1.0 The Need To Contact Your Member Of Parliament

- Victims have always had concerns about the DART and its senior leadership.
- Under the new Liberal Government, more and more victims feel that the DART is about sweeping victims under the carpet for the benefit of Defence.
- As electors and victims we call upon you to write to your local Members of Parliament and raise the very serious issues covered by this Fact Sheet.

2.0 Major General Les Roberts Smith RFD QC

Major General Roberts-Smith is the Chairman of the Defence Abuse Response Task Force (DART).

2.1 Working On The Railroad In Western Australia

- Was a prosecutor and in 1989 railroaded an innocent Aboriginal woman Jeanie Angel into a murder conviction.
- He was accused of suppressing evidence –
See <http://netk.net.au/Aboriginal/Aboriginal64.asp>
- She spent three years in jail before her conviction was overturned.
- The Court Of Appeal held that there was no way she could have committed the crime.
- Pity about the family member who committed suicide as a result of the conviction and jailing.
- She has never received compensation.
- As for the prosecutor, Major General he kept making the dollars hand over fist.
- In America, they say that a good prosecutor convicts the guilty, a great one the innocent.
- Clearly the Major General is a great prosecutor.

2.2 Working On The Railroad in the Defence Abuse Response Task Force Part 1- Ignoring The Issue Of Apprehension Of Bias

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- Any inquiry into abuse by Senior Defence Officers has always proved suspect.
- When the Major General was first appointed a letter requiring his recusal was sent on the following basis:-
 - ❖ That as a Major General he is well and truly one of the “club”.
 - ❖ Clearly it would be open to any reasonable lay bystander to apprehend the possibility of bias.
 - ❖ As such it is extremely wrong to have him head the Task Force because there would always be a cloud over the outcomes.
 - ❖ Having Major General Roberts-Smith investigate the abuse in the Australian Defence Force and that those who practiced abuse in Defence and whether they are still in, is like having the police investigating the police.
 - ❖ Had the DART been a judicial proceeding i.e. court proceeding, he would have been forced to step down under the decision of the High Court in *British American Tobacco Australia Services Limited v Laurie* [2011] HCA 29 February 2011 S138/2010.
- He has never responded to the Recusal Letter.

2.3 Working On The Railroad in the Defence Abuse Response Task Force Part 2- Abusing Victim Peter Goon

- Peter Goon had indicated his intent to apply for a Reparation Payment.
- He sought material in the possession of the DART to aid him in completing his Application.
- The Major General railroaded him by:-
 - ❖ Refusing to provide that material, and
 - ❖ Then imposing on him alone of all victims a cut off date of 20th September 2013 whereas everyone else has until 30th November 2013.
- Talk about abusing victims further.
- It would seem that far from being appalled by the stories of the Victims, he is using the victim stories to give him pointers in how better to abuse victims.
- It is also a clear denial of Natural Justice to Peter Goon.
- Shameful!

2.4 Working On The Railroad in the Defence Abuse Response Task Force Part 3 - Abusing Victim Jennifer Jacomb

- Jennifer Jacomb did four things, she raised the issues:-
 - ✓ Of Peter Goon at his request
 - ✓ Relating to her own reparation claim
 - ✓ Being lied to by the Complainant Liaison Manager, Jane Caruana, and
 - ✓ Of questions raised by members over the reparation process.
- The Major General did the following:-
 - ❖ Sent an abusive response
 - ❖ Breached Jennifer’s Privacy by sending information about her claim to those not authorised to receive it and

- ❖ Refusing to deal with the issues raised or allowing other senior officers to deal with the serious issues raised,
- It would seem that the Major General believes that Victims are only there to be abused further and not supported.

4.0 Major General Roberts Smith RFD QC Track Record

It is clear that Major General Roberts Smith has a distinguished track record for railroading the innocent to benefit himself.

This is simply unacceptable.

5.0 More Information

For more information contact Jennifer Jacomb, Public Officer And Secretary of Victims Of Abuse In The Australian Defence Force A0059257W on 0414 724 565 or by email to jennifer@adfabuse.com.

Our Website is www.adfabuse.com

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The Australian Defence Force And Abuse:-

"It was Hubris that made Angels into Devils.

It is obstinacy that keeps them in Hell"