

HIB Number: 000942

Date/Time
Transmitted: 12/09/2011 04:43 PM

Subject: OUTCOME OF GENERAL COURT MARTIAL FOR SAILOR AT HMAS
STIRLING

Comment:
Action Area DNMC

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HOT ISSUE BRIEF

ISSUE: Outcome of General Court Martial for Sailor at HMAS *Stirling*

SENSITIVITY: High. Due to the nature and seriousness of the convictions and punishments imposed.

KEY ISSUES:

- A General Court Martial was convened at HMAS *Stirling* 5-8 December 2011 for a junior sailor charged with two DFDA offences, being DFDA section 61(3) and Crimes Act 1900 (ACT) section 29(4) Culpable driving of a motor vehicle.
- The offences arose out of a serious single motor vehicle crash on the *Stirling* Causeway on 16 December 2009, which injured two sailors. The passenger in the car was seriously injured and the sailor who had been in the rear of the utility was rendered a quadriplegic as a result of the crash.
- The junior sailor pleaded guilty to both charges. The conviction imposed by the Court Martial Panel was dismissal from the Defence Force on the first charge, and dismissal from the Defence Force and 18 months imprisonment on the second charge.

- The junior sailor's parents were in attendance throughout the trial.

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Date issued: **8 December 2011**

Reference: **2011/1126935 – NDIB**
21/11

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TALKING POINTS

- **A sailor has pleaded guilty at a General Court Martial to two offences of culpable driving of a motor vehicle, pursuant to the Defence Force Discipline Act and the ACT Crimes Act.**
- **The punishment imposed on the first conviction was dismissal from the Defence Force and on the second conviction, dismissal from the Defence Force and 18 months imprisonment in a civilian jail.**
- **The sailor will be held in custody at the Defence Force Corrections Establishment pending the legal review of the punishments imposed.**

- **The sailor will be provided with necessary support during this time.**

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