

HIB Number: 000950

Subject: OUTCOME OF DEFENCE FORCE MAGISTRATE TRAIL FOR A HMAS
STIRLING SAILOR

Comment:
Action Area CN

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HOT ISSUE BRIEF

ISSUE: Outcome of Defence Force Magistrate Trial for a HMAS *Stirling* Sailor

SENSITIVITY: LOW: While the matter is sensitive due to the involvement of drugs, no media were present as the hearing was held onboard HMAS *Stirling*.

KEY ISSUES:

- As advised in Minsubs CN/OUT/2011/464 of 30 June 2011, COMSPT/OUT/2011/S4393730 of 17 August 2011 and CN/OUT/2011/0652 of 17 September 2011, a sailor serving at HMAS *Stirling*, who was involved in a motor vehicle accident on 21 June 2011, was also subject to a DFDA investigation in relation to the administering of prohibited drugs (methamphetamines, LSD and ecstasy).
- The sailor appeared before a Defence Force Magistrate at HMAS *Stirling* on 14 December 2011, where he pleaded guilty to three counts under DFDA section 59(6) *Administering a prohibited drug in Australia*.
- The sailor was convicted on the three charges and the Defence Force Magistrate imposed a punishment of dismissal from the Defence Force on each of the convictions.
- The punishments will be subject to legal review before they can take effect.

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TALKING POINTS

- A sailor has pleaded guilty at a Defence Force Magistrate trial to three offences of administering a prohibited drug in Australia, pursuant to the Defence Force Discipline Act.**
- The punishment imposed on each of the three convictions was dismissal from the Defence Force.**
- The punishments will be subject to legal review before they can take effect.**
- The Royal Australian Navy does not condone the use of drugs and the outcome of this trial should be considered a deterrent to others.**

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