

Case Summary
Office of the Judge Advocate General

DEFENDANT: SGT Street

TYPE OF PROCEEDING: Defence Force Magistrate

DATE OF TRIAL: 2 October 2025

VENUE: RAAF Base Williamtown, NSW

Charges and plea

	Statement of Offence	Plea
Charge 1	DFDA, s. 34 Assaulting a subordinate	Guilty
Charge 2	DFDA, , paragraph 33(d) Using insulting words on service land	Not Guilty
Alternative to Charge 2	DFDA, s. 60(1) Prejudicial conduct	Guilty
Charge 3	DFDA, s. 34 Assaulting a subordinate	Withdrawn

Pre-Trial: Closed hearing and non-publication orders

Application made:	No
Determination:	Not Applicable

Trial: Facts and legal principles

Nil, as the case proceeded by way of guilty pleas.

Findings

	Finding
Charge 1	Guilty
Charge 2	Not Applicable
Alternative to Charge 2	Guilty
Charge 3	Not Applicable

Sentencing: Facts and legal principles

On an unknown date in April 2024, the victim was sitting with others when the defendant approached and stood in front of them. The defendant then told the victim that he had an insect on his face before then using his hand to slap the victim's cheek (Charge 1). On 18 April 2024, the victim was sitting with others, including the defendant, when he asked the defendant whether he could swap his upcoming weekend shift to another date. The defendant told the victim that this would be okay before then grabbing the victim's phone and recording a video of himself making derogatory comments about the victim (Alternative to Charge 2).

The Prosecuting Officer conceded that the punishments of imprisonment and dismissal were, in all the circumstances of this case, unnecessary and inappropriate.

- *This summary is not intended to be a substitute for the reasons of the Service tribunal or to be used in any later consideration of the tribunal's reasons.*

The Defending Officer concentrated his submissions in mitigation of punishment on the very early pleas of guilty, the defendant's genuine remorse, limited conduct record, good prospects for rehabilitation and otherwise positive service for over two decades.

Taking all matters into consideration, the DFM held that the minimum punishments required to satisfy the principles of general deterrence and maintenance of good order and discipline were a not insubstantial fine for Charge 1 and a severe reprimand for the Alternative to Charge 2.

Punishments and orders

Charge 1	Fined the sum of \$1000 payable in \$100 instalments
Charge 2	Not Applicable
Alternative to Charge 2	Severe reprimand
Charge 3	Not Applicable

Outcome on automatic review

The Reviewing Authority's decision on automatic review was handed down on 23 October 2025.

	Conviction	Punishments / Orders
Charge 1	Upheld	Upheld
Charge 2	Not Applicable	Not Applicable
Alternative to Charge 2	Upheld	Upheld
Charge 3	Not Applicable	Not Applicable

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