

Calls for 'kneepads' Smith to Resign as Defence Minister

by Dennis Shanahan via baz - The Australian *Wednesday, Mar 7 2012, 8:21am*

national / social/political / other press

The findings of an inquiry into a sex scandal at an Australian defence academy, even in their distilled form, lays the groundwork for credible demands that Stephen 'kneepads' Smith resign from the defence portfolio.



Stephen 'kneepads' Smith refuses to admit fault

Smith has been shown to have acted in such a way as to betray faith with the defence force, and to have misled the public while attempting to exploit for political gain a case of alleged sexual abuse.

The outcome of the inquiry demonstrates that Smith acted erroneously and in haste, misled the public about what was happening last April after the allegations concerning seven male cadets at the Canberra military campus, continued to mislead the public yesterday and wrongly interfered in the military justice system.

Even in the face of the findings of Rod Kirkham QC, which exonerated Australian Defence Force Academy chief Bruce Kafer, Smith could not bring himself to admit he erred, or offer an apology to a senior military officer whose career has been publicly blighted and put on hold for almost a year.

From the moment Smith decided to go public in response to reports of the sex case, his actions were guided by political gain and media manipulation.

As Defence Minister, Smith co-ordinated his public appearance to field questions about the academy to blot out a press conference by then foreign minister Kevin Rudd. The timing of the press conference was about giving prominence to the sex scandal in the 24-hour news cycle over Rudd's remarks about the dumping of the emissions trading scheme in 2010.

While that was cynical enough, it was the substance of Smith's remarks at the press conference and subsequent media appearances that condemn his behaviour as a minister.

Last April, Smith endorsed "cadet Kate" going to the Ten Network to plead her case because she did not believe she was getting a fair hearing or a proper investigation, and then made a series of claims about Kafer and Defence that he said "coloured" the handling of the Skype sex scandal.

The decision to hear previous cases of discipline breaches by the female cadet were "inappropriate, insensitive and wrong" and "a serious error of judgment", Smith said. It was "not just unfortunate,

it's deeply invidious" and "somewhere between being completely insensitive and completely stupid".

He said Kafer and Defence were responsible and, as a "lapsed lawyer", he offered the legal opinion that the other disciplinary actions were "faulty in law" and should be dealt with again.

In relation to allegations of vilification against Kate, Smith said his advice was that most were denied, but he confirmed there was "an instance of vilification, ie smearing her door" and that "I made it public her door had been sprayed with shaving cream".

Smith implied it was his legal expertise that had resulted in Defence returning to the Australian Federal Police for a second view on whether the filming of the sexual intercourse had broken commonwealth law.

In fact, the second referral to the AFP had already been ordered by Defence.

After receiving the Kirkham report in December, and a Defence recommendation to re-instate Kafer before the ADFA academic year began, Smith let the recommended schedule lapse.

Yesterday we found the report exonerated Kafer, did not find the parallel disciplinary action "coloured" the proceedings, found it was "reasonable" to proceed with the disciplinary hearings and that there was no "error of judgment". It said there was no vilification or plastering with shaving foam.

Yet Smith refused to resile from his attacks on Kafer, and said: "At the time these allegations were made, I said I had advice or strong advice to the contrary."

Kafer was stood aside last year as a compromise on Smith's demands to sack him. In the meantime, Kafer has sought independent legal advice, and Smith is refusing to release the Kirkham report for legal reasons.

If it hadn't been for the guts and integrity of the then chief of the defence force, Angus Houston, this whole episode could have been much worse for Defence.

As it is, it's a low point for Smith as Defence Minister, and offers voters a reasonable explanation as to why he wanted to go back to foreign affairs.

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