

Form 59
Rule 29.02(1)

Affidavit

Nos. NSD1485, NSD1486 and NSD1487 of 2018

Federal Court of Australia
District Registry: New South Wales
Division: General Division

Ben Roberts-Smith

Applicant

**Fairfax Media Publications Pty Limited & Ors
The Age Company Pty Limited & Ors
The Federal Capital Press of Australia Pty Ltd & Ors**

Respondents

Affidavit of: [Redacted]
Address: [Redacted]
Occupation: [Redacted]
Date: 18 October 2018

Contents

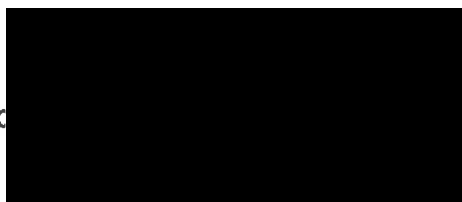
Document number	Details	Paragraph	Page
1	Affidavit of [Redacted] in support of Application for Suppression Order sworn on 18 October 2018	n/a	1-11

Signed [Redacted] Page 1
Taken by: [Signature] Solicitor / Justice of the Peace

Filed on behalf of (name & role of party) [Redacted]
Prepared by (name of person/lawyer) Craig Allan DoRozario
Law firm (if applicable) Potts Lawyers
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Address for service 44 Davenport Street, Southport QLD 4215
(include state and postcode)

Document number	Details	Paragraph	Page
2	Exhibit '██████1', being copy of a photograph which I took of myself on 29 March 2018 showing my black eye	6	12-13
3	Exhibit '██████2', being copy of the series of Telegram messages between myself and Ben on 29 March 2018	7	14-16
4	Exhibit '██████3', being copy of the email I received from 'R Reis' on 15 July 2018	17	17-18
5	Exhibit '██████4', being copy of the online article published by The Australian on or around 25 September 2018	21	19-22
6	Exhibit '██████5', being a photograph copy of a Facebook post by Dallas Beaufort on 25 September 2018 containing comments from user Jake Payne	23(a)	23-24
7	Exhibit '██████6', being a photograph copy of a Facebook post by Australian Brotherhood of Fathers on 25 September 2018 containing comments from user James Basham	23(b)	25-26
8	Exhibit '██████7', being a photograph copy of a Facebook post by Australian Brotherhood of Fathers on 25 September 2018 containing comments from user Sean Flanagan	23(c)	27-28
9	Exhibit '██████8', being a photograph copy of a Facebook post by Tired of Lies on 25 Septmber 2018 containing comments from user Olde Cranky Bastad	23(d)	29-30
10	Exhibit '██████9', being a screenshot copy of a Facebook post by Aussie Stuff for Aussies on 26 September 2018 containing comments from user William Hart	23(e)	31-32
11	Exhibit '██████10', being a photograph copy of a Facebook post by Dallas Beaufort on 25 September 2018 containing comments from user Matt N Narelle	23(f)	33-34
12	Exhibit '██████11', being copy of photograph copy of a Facebook post by Starts at 60 on 11 August 2018 containing a picture and comments from user James Miller	23(g)	35-36
13	Exhibit '██████12', being a screenshot copy of a Facebook post by Law Abiding Firearm Owners Inc on 10 August 2018 containing comments from user Des Hansson	23(h)	37-38
14	Exhibit '██████13', being a screenshot copy of a post published on the michaelsmithnews.com website on 11 August 2018 containing comments from user serenity747	23(i)	39-40

Signed

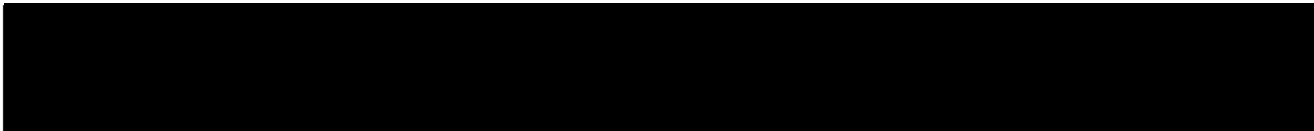


Page 2

Taken by:

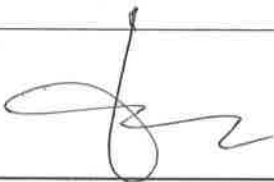
Solicitor / Justice of the Peace

Document number	Details	Paragraph	Page
15	Exhibit [REDACTED] 14" being a photograph copy of a Facebook post by Dallas Beaufort on 25 September 2018 containing comments from user Victor Young	23(j)	41-42
16	Exhibit [REDACTED] 15', being printouts from [REDACTED] website which includes information about myself and [REDACTED]	29	43-46
17	Exhibit [REDACTED] 16', being copy of White Pages search results showing my details	31	47-48
18	Exhibit [REDACTED] 17', being copy of [REDACTED] containing my details	32	49-50
19	Exhibit [REDACTED] 8', being copy of the online article published by The Sydney Morning Herald on or around 14 June 2018	19	51-55
20	Exhibit [REDACTED] 19', being copy of the online article published by The Sydney Morning Herald on or around 23 September 2018	19	56-60

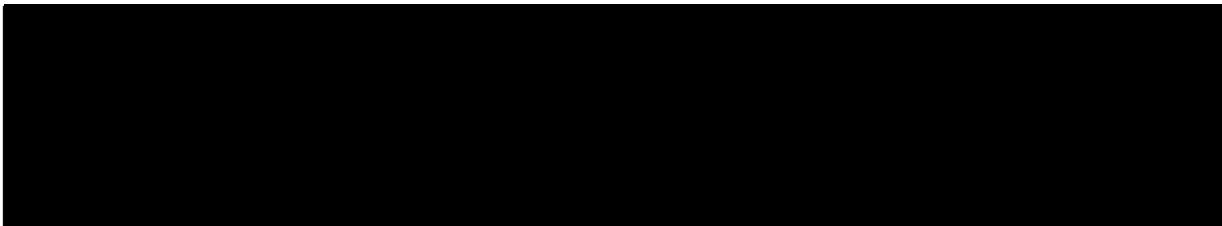



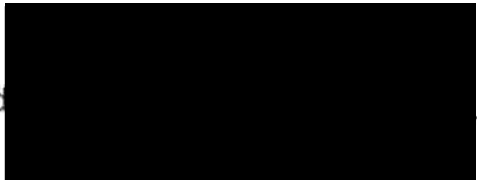
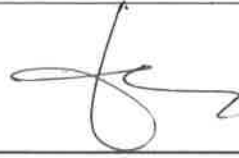
Purpose of Affidavit

1. I am referred to as 'Person 17' in the Defence to Statement of Claim filed by the Respondents on 9 October 2018.
2. I make this affidavit in support of an application for the suppression of information that identifies or tends to identify me and my children in connection with these proceedings. The grounds for the application is that I am concerned for my safety and that of my children should our identities be revealed. The basis for that fear is set out below.

Signed: [REDACTED] Page 3
Taken by:  Solicitor / Justice of the Peace

Police Aware of Assault

- 3. Between 13 October 2017 to 5 April 2018, I had an intimate relationship with the Applicant, Ben Roberts-Smith (Ben).
- 4. On 28 March 2018, during an argument, Ben punched me on the left side of my face with his right hand. I spoke to the police about the assault. That is the act of domestic violence referred to in the article dated 11 August 2018, which Ben has sued over in these proceedings.
- 5. I have given the police photographic evidence of the black eye I suffered as a result of the assault and a series of Telegram messages from the day after the assault in which Ben is coaching me about how I should explain the black eye to my husband.
- 6. 
- 7. Exhibited hereto and marked  2' is a copy of the series of Telegram messages between myself and Ben on 29 March 2018.
- 8. At all times I advised the police that I did not wish to make a formal police complaint which then proceeds to Court. I do not wish for a police complaint to proceed to Court as I am genuinely scared about my safety and that of my children if I am identified in the media, as discussed further below.
- 9. I understand from media reports that the police are currently not pursuing an investigation with respect to the information I provided to them about the assault. I believe that the position of the police is a result of me not wanting to formalise the complaint which may see the matter proceed to Court - as I am scared for my safety and that of my children if I am identified.

Signed  Page 4
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Identity Not Widely Known

10. Ben and I were both married during the course of the relationship and we took many steps to keep it a secret. Ben used a temporary 'burner' mobile phone, which he changed often. I recorded his number in my phone under either assumed names or names of friends. We exchanged messages using the encrypted WhatsApp and Telegram applications. We also used a gmail account which we could both log into and would leave emails in draft there for the other to read.

11. As far as I know, at the moment, very few people apart from the parties to these proceedings know that Ben and I were having an affair and would therefore be able to work out that I am the person who claims to have been assaulted by him on 28 March 2018. To the best of my knowledge, those people are:

- (a) My husband;
- (b) Ben's wife and mother in law;
- (c) Legal advisers involved in this case;
- (d) A close friend in whom I confided;
- (e) A very senior ranking military official;
- (f) Police officers to whom I spoke about the assault.

Genuine Fear for Safety


12. Despite being very secretive, it seems that some people have still been able to find out who I am and harass me and my family.
13. In early June and July 2018, I became aware of the newspaper articles that I now know Ben has sued over in these proceedings.
14. On around 8 July 2018, I became aware that Ben had been publicly named as one of the people being investigated by the Brereton Inquiry.

Signed:

[Redacted Signature]

Page 5

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15. On or around 9 July 2018 my husband received a phone call at his office. He told me that the caller sounded like a woman but would not identify herself. He told me that she said she was 'a friend of Ben and Emma's' and was asking questions about our marriage, whether we were still together, what he knew about our affair and so on. My husband hung up.

16. On Sunday 15 July 2018, I received an anonymous email from a gmail account which appeared to belong to a person called 'R Reis'. I do not know anyone by that name. The email contained links to the Facebook page of a Channel 7 show called 'The Great Day Out' which on 15 July 2018, had featured Ben as a family man and mental health advocate. The text of the email to me states:

'Hmmmmmm ... so it wasn't true.

'Talking yourself up really is a poor way to get attention.'

17. I did not understand what the purpose of the email was but I felt disturbed for having received it. I felt like a person who did not even know me was somehow accusing me of lying or attention seeking. I felt confused, scared and vulnerable. Exhibited hereto and marked [REDACTED] is a copy of the email I received from 'R Reis' on 15 July 2018.

18. I am worried that if people were able to find out who I am, access my contact details and harass me and my husband before my name was even publicly linked to Ben, the affair and the assault, the levels of harassment after my name becomes public will be extreme.

19. I have read a number of media reports that say witnesses have received threats from SASR members in relation to giving evidence against Ben. On or around 14 June 2018, I read an article in the Sydney Morning Herald that referred to a "suspected 'mafia style' plot by a small number of special forces soldiers to threaten and intimidate witnesses assisting an inquiry into war crimes". The article said that a "key inquiry witness and member of the Special Air Service Regiment was sent a letter earlier this week threatening retaliation if he did not recant his testimony to an inquiry led by NSW Supreme Court judge Paul Brereton." More recently, in September, I read another article in the Sydney Morning

Signed: [REDACTED]

Page 6

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Herald in which it was reported that “a second threatening letter has been sent to the Perth headquarters of the Special Air Service Regiment warning against helping a Defence Inspector-General inquiry into allegations of misconduct and war crimes by Australian soldiers in Afghanistan.” Exhibited hereto and marked [REDACTED] 18’ and [REDACTED] 19’ are copies of the articles I refer to. Having read the reports I refer to, I have become very fearful that once my name becomes public, I will also be targeted by people within the SASR and the military generally who support Ben. In addition to their physical capabilities, my relationship with Ben has made me aware of the skills that SASR operatives have which enable them to, for example, monitor phone calls and emails and track individuals. I am so worried that this will happen to me or my children once my name comes out.

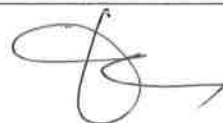
20. From August 2018, when the initial article which is the subject of these proceedings was published, I also noticed that there were a lot of vitriolic and concerning comments made on the internet by people supporting Ben.
21. On or around 25 September 2018 I became aware of another article published online by The Australian which stated that the investigation into the police complaint had been dropped as there was ‘insufficient evidence’ to proceed with any charge. A copy of the online article is exhibited hereto and marked [REDACTED] 4’.
22. When articles discussing the domestic violence allegation were published, I saw that they were then linked to various pages on Facebook and other internet forums which allowed users to make comments.
23. Some of the very concerning comments are as follows:
 - (a) Exhibited hereto and marked [REDACTED] 5’ is a copy of a photograph I took of a Facebook page in which the user Jake Payne states *inter alia* ‘AND A POX times 3 over on the lousy, filthy accusers and their families... ..Shame, Shame, Shame on you’.
 - (b) Exhibited hereto and marked [REDACTED] 6’ is a copy of the photograph I took of a Facebook page in which the user James Basham states *inter alia* ‘FALSE ALLEGATIONS IN DV CASES MUST BE IDENTIFIED AND PUNISHED’.

Signed

[REDACTED]

Page 7

Taken by:



Solicitor / Justice of the Peace

- (c) Exhibited hereto and marked [REDACTED] 7' is a copy of a photograph I took of a Facebook page in which user Sean Flanagan states *'They should be naming the woman now. She needs to live with the consequences of the false accusations'*.
- (d) Exhibited hereto and marked [REDACTED] 8' is a copy of a photograph I took of a Facebook page in which user Olde Cranky Bastad states *'Why isn't the skank on charges for wasting tax payers money'*.
- (e) Exhibited hereto and marked [REDACTED] 9' is a copy of a screenshot I took of a Facebook page in which the user William Hart states *'This almost justifies a touch of violence against some of the low life leftards in the media fo (sic) the slur they intended. Shouldn't someone have their socks sued off for this?'*
- (f) Exhibited hereto and marked [REDACTED] 10' is a copy of a photograph I took of a Facebook page in which the user Matt N Narelle states *'Sue them then kill them'*.
- (g) Exhibited hereto and marked [REDACTED] 11' is a copy of a photograph I took of a Facebook page which shows the user James Miller has posted a picture of an actor preparing a gun to be shot along with the comment *'Me when anyone insults our prophet Ben Roberts Smith'*.
- (h) Exhibited hereto and marked [REDACTED] 12' is a copy of a screenshot I took of a Facebook page which shows the user Des Hansson states *'First a fair trial. Then shootem.'*
- (i) Exhibited hereto and marked [REDACTED] 13' is a copy of a screenshot I took of the michaelsmithnews.com website which the user serenity747 states *inter alia 'The people behind this smear should be exposed and hung drawn and quartered, and hounded out of what ever position they hold, they are nothing more than cowards...'*
- (j) Exhibited hereto and marked [REDACTED] 14' is a copy of a photograph I took of a Facebook page which shows the user Victor Young states *'money grabbing slag'*.
24. Reading these disturbing comments, especially *'sue them then kill them'* and *'why isn't the skank on charges for wasting taxpayers money'* and *'FALSE ALLEGATIONS IN DV CASES MUST BE IDENTIFIED AND PUNISHED'* as well as suggestions of acts of


Signed: _____

[REDACTED]

Page 8

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Solicitor / Justice of the Peace

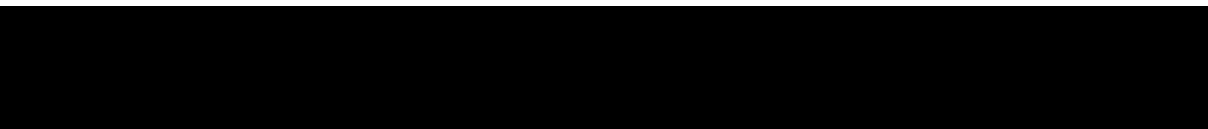


physical violence really frightened me. I felt sick with worry, panicked and like I was a target.

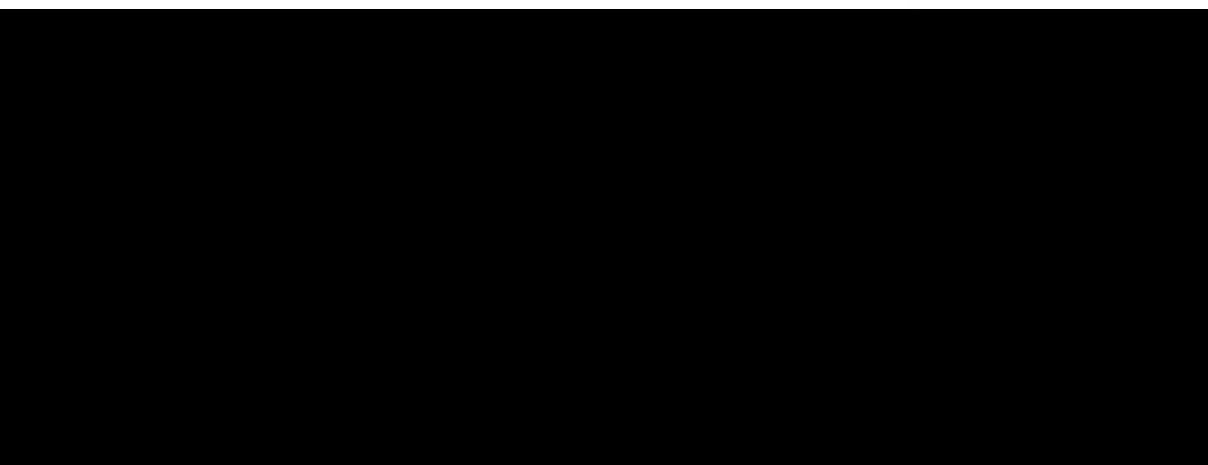
25. When I read those comments on the internet I felt like there were men out there who felt that they had been wrongly accused of domestic violence and were angry because they thought that I had done the same thing to a man that they really admired.

26. Also, the comments made me fearful as there seemed to be a substantial public reaction of wanting to punish and jail someone who some members of the public assume is lying and trying to bring down a 'hero'.

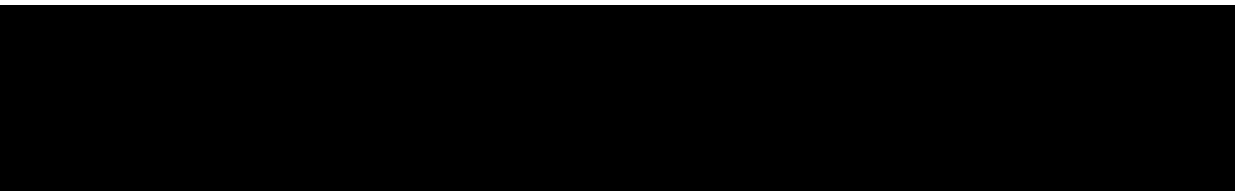
My Address and Contact Details Are Publicly Available

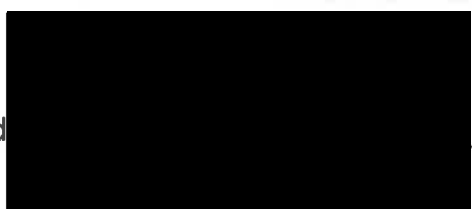
27. 

28. My address or other contact details are available to the public via various sources.

29. 

30. My name and address is on the electoral roll.

31. 

Signed 

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32.

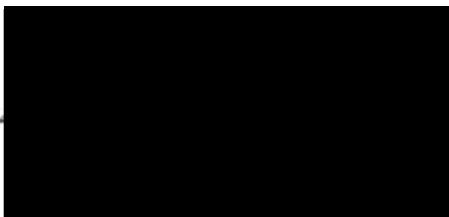


33. I am obviously most concerned about the physical and mental safety of my children, who are still very young.

34. The prospect of my identity being revealed is making me extremely anxious to the point where I suffer panic attacks. These are triggered particularly when I see new reports in the media and social media comments about the domestic violence incident or threats being made to witnesses. I do not sleep well and have been taking prescription medication to help me sleep. I feel emotionally fragile a lot of the time. I cry most days and am anxious about what is going to happen next. When I go out, I often feel paranoid, as though people are looking at me and talking about me.

35. My grave fear is that if my name and identity is revealed, I will be subjected to harassment and vitriol by people who support Ben and think I am just a lying woman trying to bring down a war hero. That makes me feel physically and mentally unsafe. Given the level of distress I feel now, I am frightened that if my name and identity are revealed, I will become too scared to leave my house and will not be able to function, day to day. I am afraid that people will approach me, write me letters, phone me constantly and otherwise try to contact me, so I will have to try and isolate myself. I do not want to risk being approached or harassed when I am out with my children, as I do not want to them to be exposed to this. I do not know how I am going to be able to be with my children and participate in their lives if I cannot go out in public.

Signed:



Page 10

Taken by:

A handwritten signature in black ink, appearing to be 'J. O.' or similar.

Solicitor / ~~Justice of the Peace~~



on 18th October 2018

Before me:

)
)
)
)
)



Signature of witness

Andrew



Name of witness

Solicitor

Qualification of witness

Exhibit marked [REDACTED] 1 to Affidavit of [REDACTED]

Nos. NSD1485, NSD1486 and NSD1487 of 2018

Federal Court of Australia
District Registry: New South Wales
Division: General Division

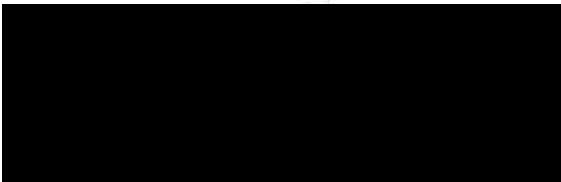
Ben Roberts-Smlth
Applicant

Fairfax Media Publications Pty Limited & Ors
The Age Company Pty Limited & Ors
The Federal Capital Press of Australia Pty Ltd & Ors
Respondents

CERTIFICATE OF EXHIBIT

Exhibit: [REDACTED] 1
Affidavit of: [REDACTED]
Date Sworn: / 8 October 2018

Exhibit	Description	Pages
[REDACTED] 1	Photograph of [REDACTED] taken on 29 March 2018 showing the black eye	12-13



Taken by: 
Solicitor / ~~Justice of the Peace~~

CERTIFICATE OF ANNEXURE

Filed on behalf of (name & role of party)
Prepared by (name of person/lawyer)
Law firm (if applicable)
Telephone
Facsimile
Email
Address for service

[REDACTED] Witness
Craig Allan DoRozario
Potts Lawyers
(07) 5532 3133
(07) 5564 0148
cdorozario@pottslawyers.com.au
44 Davenport Street, Southport QLD 4215

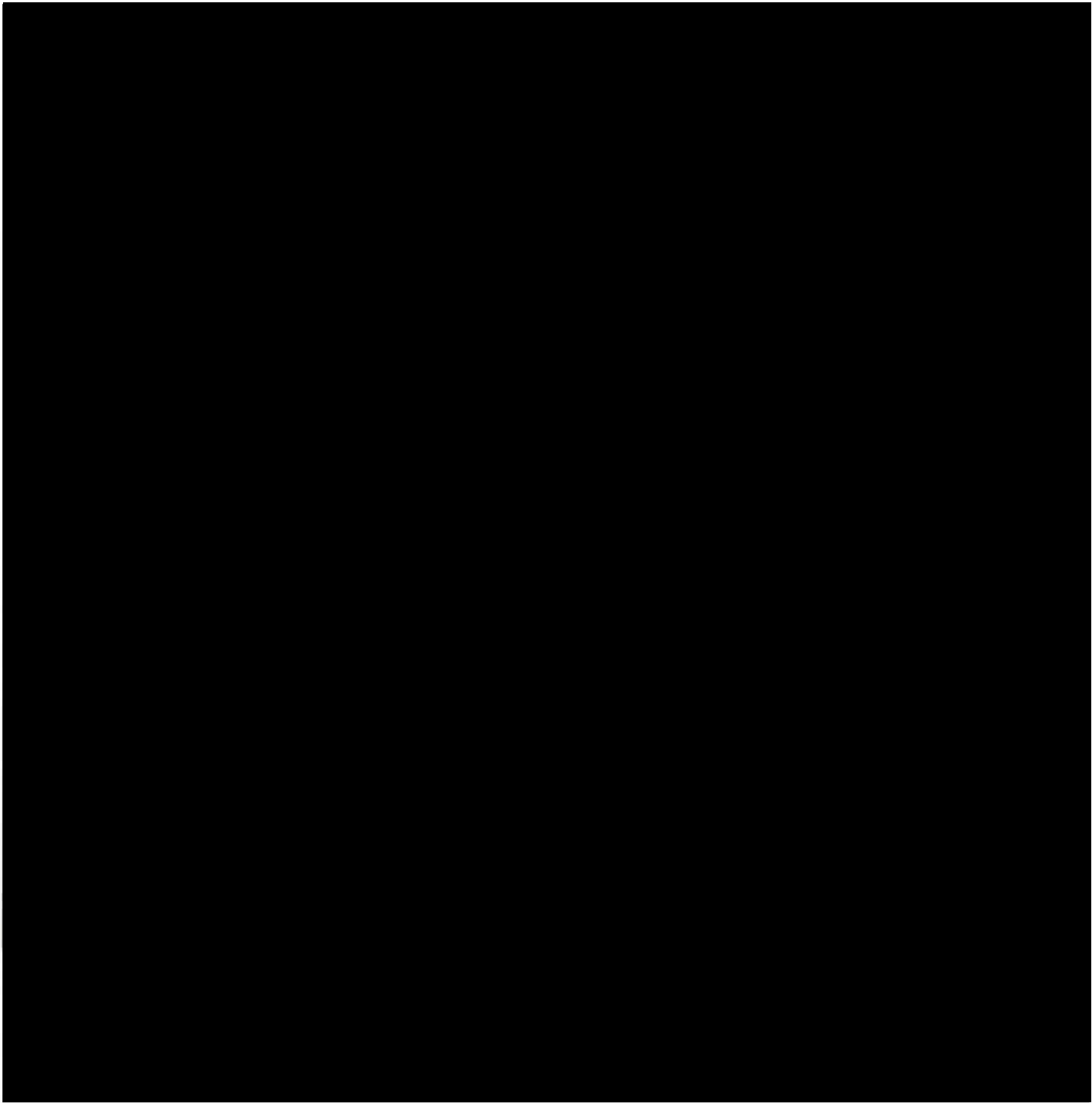


Exhibit marked [REDACTED] 2 to Affidavit of [REDACTED]

Nos. NSD1485, NSD1486 and NSD1487 of 2018

Federal Court of Australia
District Registry: New South Wales
Division: General Division

Ben Roberts-Smith

Applicant

**Fairfax Media Publications Pty Limited & Ors
The Age Company Pty Limited & Ors
The Federal Capital Press of Australia Pty Ltd & Ors**

Respondents

CERTIFICATE OF EXHIBIT

Exhibit: [REDACTED] 2
Affidavit of: [REDACTED]
Date Sworn: 18 October 2018

Exhibit	Description	Pages
[REDACTED] 2	Telegram transmissions between [REDACTED] and the Applicant on 29 March 2018	14-16

Signed

[REDACTED]

Taken by:



Solicitor / Justice of the Peace

CERTIFICATE OF ANNEXURE

Filed on behalf of (name & role of party)
Prepared by (name of person/lawyer)
Law firm (if applicable)
Telephone
Facsimile
Email
Address for service

[REDACTED] Witness
Craig Allan DoRozario
Potts Lawyers
(07) 5532 3133
(07) 5564 0148
cdorozario@pottslawyers.com.au
44 Davenport Street, Southport QLD 4215



March 29

Rob Smith

RS

I hope your head feels ok... are you leaving soon?

10:47 AM

You

Thanks. It's actually killing me. I feel awful. I board in half an hour. I made a drs appt for this afternoon. I spoke to [REDACTED] & sent him a photo. He reacted exactly how you predicted. I think he believes me but is a bit sceptical.

10:51 AM

Rob Smith

RS

I thought he would, what did you say?

10:52 AM

Rob Smith

RS

Does he think I did it?

10:53 AM

You

Yeah he did to begin with & he didn't believe that I'd fall down stairs. I just told him what we talked about.

10:55 AM

Rob Smith

RS

Did you say I was there at all

10:57 AM



Message



You

No. I said I caught up with you earlier in the week but you had to go away for work. He was really worried I was by myself all night after such a bad fall & can't understand why I didn't call him or someone else for help.

11:00 AM

Rob Smith

Just say you didn't realise until you woke up as it has swelled. Also say you were embarrassed call him

11:09 AM

You

Yeah I said that last night I thought it was only a bit swollen up where I'd knocked it so I put some ice on it & fell asleep not realising until this morning how serious it was. I've some other bruises - including a massive one on my thigh on the same side of my body - which will hopefully make the falling story more believable. I think having my period will also work in my favour in terms of convincing him I wasn't with you.

11:17 AM



Message



Rule 29.02(8)

Exhibit marked [REDACTED] 3 to Affidavit of [REDACTED]

Nos. NSD1485, NSD1486 and NSD1487 of 2018

Federal Court of Australia
District Registry: New South Wales
Division: General Division

Ben Roberts-Smith

Applicant

**Fairfax Media Publications Pty Limited & Ors
The Age Company Pty Limited & Ors
The Federal Capital Press of Australia Pty Ltd & Ors**

Respondents

CERTIFICATE OF EXHIBIT

Exhibit: [REDACTED] 3

Affidavit of: [REDACTED]

Date Sworn: 18 October 2018

Exhibit	Description	Pages
[REDACTED] 3	Email, R Ries to [REDACTED], dated 15 July 2018	17-18

Taken by: _____


Solicitor / Justice of the Peace

CERTIFICATE OF ANNEXURE

Filed on behalf of (name & role of party)

Prepared by (name of person/lawyer)

Law firm (if applicable)

Telephone

Facsimile

Email

Address for service

[REDACTED] Witness

Craig Allan DoRozario

Potts Lawyers

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cdorozario@pottslawyers.com.au

44 Davenport Street, Southport QLD 4215

Find
Related
Select
Find

Follow Mark as
Up
Unread
Options

Safe Lists
Not Junk
Junk E-mail

Block
Sender
Other
Actions

Move to
Folder
Rule
Actions

Delete
Respond
Forward
to All

Reply
Respond
Forward
to All

From: R Reis [bcreis11@gmail.com]

To: [REDACTED]

Cc

Subject:

Hmmmmmm ... so it wasn't true.

Talking yourself up really is a poor way to get attention.

<https://www.facebook.com/TheGreatDayOut/photos/a.236544133116154.42522.103832643053971.1512837835486771/?type=3&theater>

<http://thegreatdayout.com.au/imgdo/ben-roberts-smiths-gdo>

Exhibit marked [REDACTED] 4 to Affidavit of [REDACTED]

Nos. NSD1485, NSD1486 and NSD1487 of 2018

Federal Court of Australia
District Registry: New South Wales
Division: General Division

Ben Roberts-Smith
Applicant

Fairfax Media Publications Pty Limited & Ors
The Age Company Pty Limited & Ors
The Federal Capital Press of Australia Pty Ltd & Ors
Respondents

CERTIFICATE OF EXHIBIT

Exhibit : [REDACTED] 4
Affidavit of: [REDACTED]
Date Sworn: 18 October 2018

Exhibit	Description	Pages
[REDACTED] 4	Article: <i>Police clear VC hero Ben Roberts-Smith of domestic violence claim</i> , published by The Australian on 25 September 2018	19-22

Signed: [REDACTED]

Taken by: 
Solicitor / ~~Justice of the Peace~~

CERTIFICATE OF ANNEXURE

Filed on behalf of (name & role of party)
Prepared by (name of person/lawyer)
Law firm (if applicable)
Telephone
Facsimile
Email
Address for service

[REDACTED] Witness
Craig Allan DoRozario
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(07) 5532 3133
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44 Davenport Street, Southport QLD 4215

Police clear VC hero Ben Roberts-Smith of domestic violence claim

EXCLUSIVE

By PAUL MALEY, DEFENCE EDITOR

12:00AM SEPTEMBER 25, 2018

Police have dropped an investigation into allegations that Australia's most decorated war hero, Ben Roberts-Smith, committed an act of domestic violence against an unnamed woman, concluding there was "insufficient evidence" to proceed with any charge.

Six weeks after Mr Roberts-Smith was named in media reports as being the subject of a domestic violence complaint, ACT Police have written to him to advise he has no case to answer.

In a letter dated September 21 and addressed to Mark O'Brien, Mr Roberts-Smith's lawyer, ACT Chief Police Officer Justine Saunders said police had looked at the allegation and were taking no further action.

"I write to inform you that ACT Policing has undertaken an investigation of the allegation and has concluded on the basis of available information (that) there is insufficient evidence to support any prosecution," Ms Saunders wrote.

"Consequently, ACT Policing will not be taking any further action in respect of this matter."

The letter is the latest instalment in what has been a murky investigation into Mr Roberts-Smith's personal life and military service record, one that has played out in the pages of newspapers and courtrooms.

Mr Roberts-Smith has blamed a small group of disgruntled SASR troopers for running a malicious whispering campaign against him.

Last month, he instructed his lawyers to begin defamation proceedings against Fairfax Media after it published a magazine article accusing him of assaulting detainees while a trooper in Afghanistan, bullying fellow soldiers and committing an act of domestic violence against a woman with whom he had been in a relationship.

The story said Mr Roberts-Smith had an extramarital affair with the woman, who subsequently made a complaint following an alleged incident at a Canberra hotel.

The incident was said to have occurred on March 28 following a function at Parliament House.

Mr Roberts-Smith denied the allegation, saying Fairfax misrepresented the facts surrounding the relationship, which he said had not been an extramarital affair.

Mr Roberts-Smith said the relationship began while he was separated from his wife and ended when the pair reconciled.

He said the woman, who was not named, became heavily intoxicated during the event and fell down stairs while he was summoning a car to leave.

He said she sustained an injury to her head and was assisted by AFP officers on guard around the building.

“When I got there, there were two federal police officers; they were basically holding her up. She had a huge lump on the top of her head and what appeared to be a scrape on the top of her eye, and she said she had a sore hip,” Mr Roberts told *The Australian* last month.

Yesterday, Mr Roberts-Smith took aim at Fairfax for running the allegation. “My wife and I were devastated to have Fairfax misrepresent our personal circumstances,” he told *The Australian*. “To so blatantly disregard due diligence and report on such a flippant allegation is just disgraceful.”

Mr Roberts-Smith said he was not interviewed or contacted by police about the alleged incident, a fact that spoke volumes about the credibility of the claim against him.

Mr Roberts-Smith is Australia's most decorated living soldier, having won the Medal for Gallantry in 2006 and the Victoria Cross for heroism in Afghanistan in 2010.

He is now managing director of the Seven Network's Queensland operations.

Exhibit marked [REDACTED] 5 to Affidavit of [REDACTED]

Nos. NSD1485, NSD1486 and NSD1487 of 2018

Federal Court of Australia
District Registry: New South Wales
Division: General Division

Ben Roberts-Smith
Applicant

Fairfax Media Publications Pty Limited & Ors
The Age Company Pty Limited & Ors
The Federal Capital Press of Australia Pty Ltd & Ors
Respondents

CERTIFICATE OF EXHIBIT

Exhibit : [REDACTED] 5
Affidavit of: [REDACTED]
Date Sworn: 18 October 2018

Exhibit	Description	Pages
[REDACTED] 5	Facebook post by Dallas Beauford on 25 September 2018 containing comments from user Jake Payne	23-24

Signed: [REDACTED]

Taken by: [Signature]
Solicitor / ~~Justice of the Peace~~

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Prepared by (name of person/lawyer)
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Address for service

[REDACTED] Witness
Craig Allan DoRozario
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44 Davenport Street, Southport QLD 4215

...oh and those treasonable bastard politicians. They've totally ruined our country. They all need a blindfold and a last cigarette. Freedom of speech.. my arse.. you've bitten off too much this time Murdoch and your fetch boys. This man is a true Aussie hero leave him alone.

Like · Reply · 15h



Chris Baker The Left smear campaign lost but , you guessed it , No apology , In an apology demanding Nation. Funny about that

Like · Reply · 14h



Peter Cuthbertson Media influences thinking and decision making. Is it no wonder Australia is moving further to the socialist left into Communism and it's One World Government.

Like · Reply · 6h



Jake Payne AHhhhhhhh Yes, the old "concluding there was "insufficient evidence" to proceed with any charge." This minor yet so, so effective kant tactic is used so often by disgruntled employees within the Commonwealth Government Agencies, leaving just a 'hint' of sour dog flatulence in the air surrounding Our Wonderful VC Awardee. Accusations, made by faceless people, with absolutely NIL EVIDENCE other than 'accusations' to muddy the waters for their own twisted and evil agenda.....

Like · Reply · 5h · Edited



Jake Payne LONG LIVE BEN and FAMILY !!!!!!!!!!!!! AND A POX times 3 over 'on the lousy, filthy accusers & their families..... Shame, Shame, Shame on you

Like · Reply · 5h



Boyd Scott This is just like the Kavanaugh case, Roberts-Smith was guilty as soon as the story broke in many eyes....just so wrong. Hope he and his family recover as soon as possible from this slander

Like · Reply · 4h



Write a comment...



Exhibit marked [REDACTED] 6 to Affidavit of [REDACTED]

Nos. NSD1485, NSD1486 and NSD1487 of 2018

Federal Court of Australia
District Registry: New South Wales
Division: General Division

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Exhibit : [REDACTED] 6
Affidavit of: [REDACTED]
Date Sworn: 13 October 2018

Exhibit	Description	Pages
[REDACTED] 6	Facebook post by Australian Brotherhood of Fathers on 25 September 2018 containing comments from user James Basham	25-26

Signed: [REDACTED]

Taken by: 
Solicitor / ~~Justice of the Peace~~

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War hero cleared of violence

Police have dropped an investigation into allegations that...

107

16 Comments 43 Shares

Like

Comment

Share

Most Relevant

Write a comment...



Dominic Besedic Females who lie should face criminal charges! When will Australia adopt a Justice system as opposed to a Legal system.. 🤔

Like Reply 10h



Top Fan

James Basham The Family Law Act and its derivatives that allow and enable women to knowingly make false allegations without penalty are not a "joke". They are a disgrace!...and an opportunity for any woman who chooses, to "legally" lie to the court. This "legal" inadequacy is so well known within women's networks that it is taught and used as a political power weapon. The DV/Family Courts are now being blatantly used for gender political purposes. The effects of this disgrace reach very widely and deeply throughout the Australian community which depends heavily on stable and secure families to contribute to community wellbeing. **FALSE ALLEGATIONS IN DV CASES MUST BE IDENTIFIED AND PUNISHED.** Genuine equality demands this.

Like Reply 12h



Top Fan

Sharyn Ebyworth And the woman was not named.

Like Reply 17h



Lynda Katiwski Donohue This man's reputation is now tainted forever because of false accusations.

Like Reply 18h



Exhibit marked [redacted] 7 to Affidavit of [redacted]

Nos. NSD1485, NSD1486 and NSD1487 of 2018

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Ben Roberts-Smith

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Exhibit : [redacted] 7
Affidavit of: [redacted]
Date Sworn: 18 October 2018

Exhibit	Description	Pages
[redacted] 7	Facebook post by Australian Brotherhood of Fathers on 25 September 2018 containing comments from user Sean Flanagan	27-28

Signed:

[redacted signature]

Taken by:

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Top Fan

James Basham The Family Law Act and it's derivatives that allow and enable women to knowingly make false allegations without penalty are not a "joke". They are a disgrace!...and an opportunity for any woman who chooses, to "legally" lie to the court. This "legal" inadequacy is so well known within women's networks that it is taught and used as a political power weapon. The DV/Family Courts are now being blatantly used for gender political purposes. The effects of this disgrace reach very widely and deeply throughout the Australian community which depends heavily on stable and secure families to contribute to community wellbeing. FALSE ALLEGATIONS IN DV CASES MUST BE IDENTIFIED AND PUNISHED. Genuine equality demands this.

Like Reply 1h



Top Fan

Sharyn Ebsworth And the woman was not named.

Like Reply 5h



Lynda Kajowaki Donohue This man's reputation is now tainted forever because of false accusations.

Like Reply 4h



Top Fan

Karen McDonald Poor Guy. Just another case where a man has a bad wrap for no good reason.

Like Reply 23m



Peter Campbell Name the woman.

Like Reply 3h



Sean Flanagan They should be naming the woman now. She needs to live with the consequences of the false accusations.

Like Reply 5h Edited



Ben Tucker There should be penalties for the liars who damage reputations and harm families using these allegations. And the allegations are enough to get an order and then that can be used as evidence of fearful relations. Ridiculous conduct

Like Reply 4h

Rule 29.02(8)

Exhibit marked [REDACTED] 8 to Affidavit of [REDACTED]

Nos. NSD1485, NSD1486 and NSD1487 of 2018

Federal Court of Australia
District Registry: New South Wales
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Exhibit : [REDACTED] 8

Affidavit of: [REDACTED]

Date Sworn: 18 October 2018

Exhibit	Description	Pages
[REDACTED] 8	Facebook post by Tired of Lies on 25 September 2018 containing comments from user Olde Cranky Bastad	29-30

Signed: [REDACTED]

Taken by: 

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Like Reply 18h

Carmen Morris Good some sense at last

Like Reply 11h

Ally Damo Patullo Good I hope you win

Like Reply 15h

Michael Norris

When your son's name is
Allah Akbar

And you lose him at the mall



Like Reply 22h ---

Olde Cranky Basted Why isn't the skank on charges for
wasting taxpayers money

Like Reply 10h

Exhibit marked [REDACTED] 9 to Affidavit of [REDACTED]

Nos. NSD1485, NSD1486 and NSD1487 of 2018

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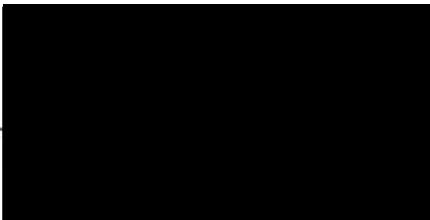
Exhibit : [REDACTED] 9

Affidavit of: [REDACTED]

Date Sworn: 18 October 2018

Exhibit	Description	Pages
[REDACTED] 9	Facebook post by Aussie Stuff for Aussies on 26 September 2018 containing comments from user William Hart	31-32

Signed:



Taken by:

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12 shares



Warren Francis

Media should hang their heads in shame. Aren't they a disgraceful pack of hyenas. Trying to disrespect one of our greatest MEN. Hold your head high soldier and ignore the left wing low life's.



57 mins Like Reply More



Peter Macdonnell

A great patriot Australia

57 mins Like Reply More



William Hart

This almost justifies a touch of violence against some of the low life leftards in the media fo the slur they intended. Shouldn't someone have their socks sued off for this.?



40 mins Like Reply More



Robert Cowell

It should never of happened there just a bunch of arseholes

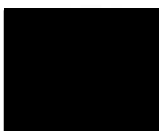
15 mins Like Reply More



Clarence Goldthorpe

And now Ben has a ? over his name that he should not have !!

13 mins Like Reply More



Write a comment...

Post



Exhibit marked [REDACTED] 10 to Affidavit of [REDACTED]

Nos. NSD1485, NSD1486 and NSD1487 of 2018

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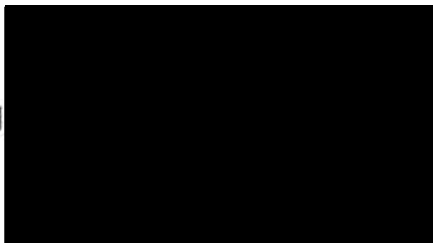
Exhibit : [REDACTED] 10

Affidavit of: [REDACTED]

Date Sworn: 13 October 2018

Exhibit	Description	Pages
[REDACTED] 10	Facebook post by Dallas Beaufort on 25 September 2018 containing comments from user Matt N Narelle	33-34

Signed



Taken by: _____

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Alison Johnston Thank heavens for that. It should never have come to this in the first place! Go for the jugular Sir in retaliation.

Thank you for your service



Like · Reply · 22h



Victor Young Money grabbing slag.



Like · Reply · 22h



Sarah Potts Not just the media... The disgruntled wanna-be SAS-cats who couldn't make it and want to bring down those who could.



Like · Reply · 22h



Matt N Narelle Sue them than kill them



Like · Reply · 21h



Keith Bond The media simply cannot be trusted ...



Like · Reply · 21h



Sharon Thomas Message to all weak adult children don't ever attack this hero , you won't beat the country's public who admire him and are grateful, a true hero



Like · Reply · 20h



Dallas Taylor this is great news.



Like · Reply · 20h



Shirley Leon Yes I hope he sues it's about time the media stop with Rubbish news



Like · Reply · 20h



Ken Burnett These jourmos are the same pieces of shit how criticise President Donald Trump for accusing jourmis of FAKE NEWS stating jourmos always investigate the facts first before publishing. FAKE NEWS form liars and mentally challenged unstable bigots.



Like · Reply · 20h

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Nos. NSD1485, NSD1486 and NSD1487 of 2018

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Division: General Division

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Exhibit : [REDACTED] 11
Affidavit of: [REDACTED]
Date Sworn: 18 October 2018

Exhibit	Description	Pages
[REDACTED] 11	Facebook post by Starts at 60 on 11 August 2018 containing comments from user James Miller	35-36

Signed: [REDACTED]

Taken by: 

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Like Reply 7w

Gabriele Gentry Disgusting reporting.

Like Reply 7w

Jayne Cottle How dare they do this to our hero 🤔🤔🤔🤔

Like Reply 7w



James Miller

Me when anyone insults our prophet Ben Roberts Smith



Like Reply 7w

Noreen Gracie Media at it again. 🤔

Like Reply 7w ...

Julie Dechaineux Here we go again Australia....tall poppy syndrome

Like Reply 7w

Pam Pridham Fake news rearing its ugly head?

Like Reply 7w

Exhibit marked [REDACTED] 12 to Affidavit of [REDACTED]

Nos. NSD1485, NSD1486 and NSD1487 of 2018

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Exhibit : [REDACTED] 12
Affidavit of: [REDACTED]
Date Sworn: 18 October 2018

Exhibit	Description	Pages
[REDACTED] 12	Facebook post by Law Abiding Firearm Owners Inc on 10 August 2018 containing comments from user Des Hansson	37-38

Signed: [REDACTED]

Taken by: 
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 Facsimile (07) 5564 0148
 Email cdorozario@pottslawyers.com.au
 Address for service 44 Davenport Street, Southport QLD 4215

**Bill Jeffery**

It's just a horrible world at the moment, people get put out there and hung out to dry. Doesn't matter whether your innocent or guilty, what ever makes a good story. These so called investigative Journalist shouldhave endure the trauma these poor people go through before they get to report on it. 😞😞😞



2 mos Like Reply More

**Duncan McGrath**

Ben Roberts-Smith is a bloody legend ! Thanks mate



2 mos Like Reply More

**Michael Schulze**

The leftards have no shame. Its time to round them up and make them disappear. They are a curse on our country.



2 mos Like Reply More

**Des Hansson**

First a fair trial. Then shootem.

2 mos Like Reply More

**Andrew Bartlett**

Don't need to worry about that I always have a quiet chuckle that they will be the first ones rounded up when they "achieve their aim"

2 mos Like Reply More



Write a reply...

Reply



Exhibit marked [REDACTED] 13 to Affidavit of [REDACTED]

Nos. NSD1485, NSD1486 and NSD1487 of 2018

Federal Court of Australia
District Registry: New South Wales
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Exhibit : [REDACTED] 13

Affidavit of: [REDACTED]

Date Sworn: 13 October 2018

Exhibit	Description	Pages
[REDACTED] 13	Post published on michaelsmithnews.com on 11 August 2018 containing comments from user serenity747	39-40

Signed: [REDACTED]

Taken by: [Signature]
Solicitor / ~~Justice of the Peace~~

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44 Davenport Street, Southport QLD 4215

Reply

Saturday, 11 August 2018 at
09:42 PM



serenity747 said...

The people behind this smear should be exposed and hung drawn and quartered , and hounded out of what ever position they hold , they are nothing more than cowards , seems the socialists are really pushing their luck at the moment , the squibs are controlling the show.

Reply

Saturday, 11 August 2018 at
11:18 PM



Alice said...

Thank God for strong men like
Brendan Nelson the Australian



Rule 29.02(8)

Exhibit marked [REDACTED] 14 to Affidavit of [REDACTED]

Nos. NSD1485, NSD1486 and NSD1487 of 2018

Federal Court of Australia
District Registry: New South Wales
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Exhibit : [REDACTED] 14

Affidavit of: [REDACTED]

Date Sworn: 18 October 2018

Exhibit	Description	Pages
[REDACTED] 14	Facebook post by Dallas Beaufort on 25 September 2018 containing comments from user Victor Young	41-42

Signed: [REDACTED]

Taken by: 

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Alison Johnston Thank heavens for that. It should never have come to this in the first place! Go for the jugular Sir in retaliation.

Thank you for your service 🇺🇸

Like · Reply · 22h



Victor Young Money grabbing slag. 🇺🇸 3

Like · Reply · 22h



Sarah Potts Not just the media... The disgruntled wanna-be SAS-cats who couldn't make it and want to bring down those who could.

Like · Reply · 22h



Matt N Narelle Sue them then kill them 🇺🇸 2

Like · Reply · 21h



Kelth Bond The media simply cannot be trusted ...

Like · Reply · 21h



Sharon Thomas Message to all weak adult children don't ever attack this hero , you won't beat the country's public who admire him and are grateful, a true hero

Like · Reply · 20h



Dallas Taylor this is great news. 🇺🇸 1

Like · Reply · 20h



Shirley Leon Yes I hope he sues it's about time the media stop with Rubbish news

Like · Reply · 20h



Ken Burnett These journos are the same pieces of shit how criticize President Donald Trump for accusing journis of FAKE NEWS stating Journos always investigate the facts first before publishing. FAKE NEWS form liars and mentally challenged unstable bigots.

Like · Reply · 20h



Rule 29.02(8)

Exhibit marked [REDACTED] 15 to Affidavit of [REDACTED]

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Exhibit : [REDACTED] 15

Affidavit of: [REDACTED]

Date Sworn: 18 October 2018

Exhibit	Description	Pages
[REDACTED] 15	Printouts from the [REDACTED] [REDACTED]	43-46

Signed

[REDACTED]

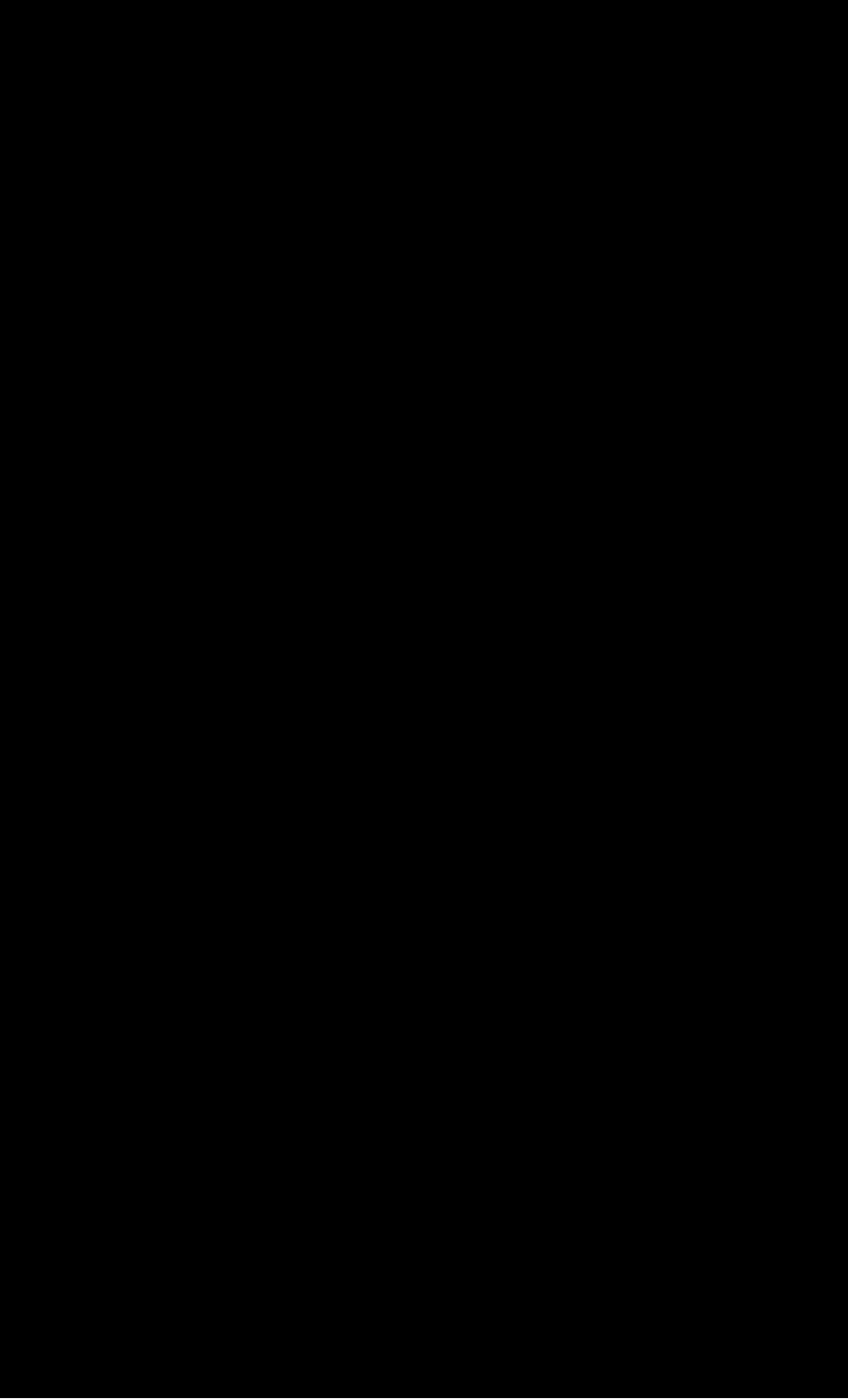
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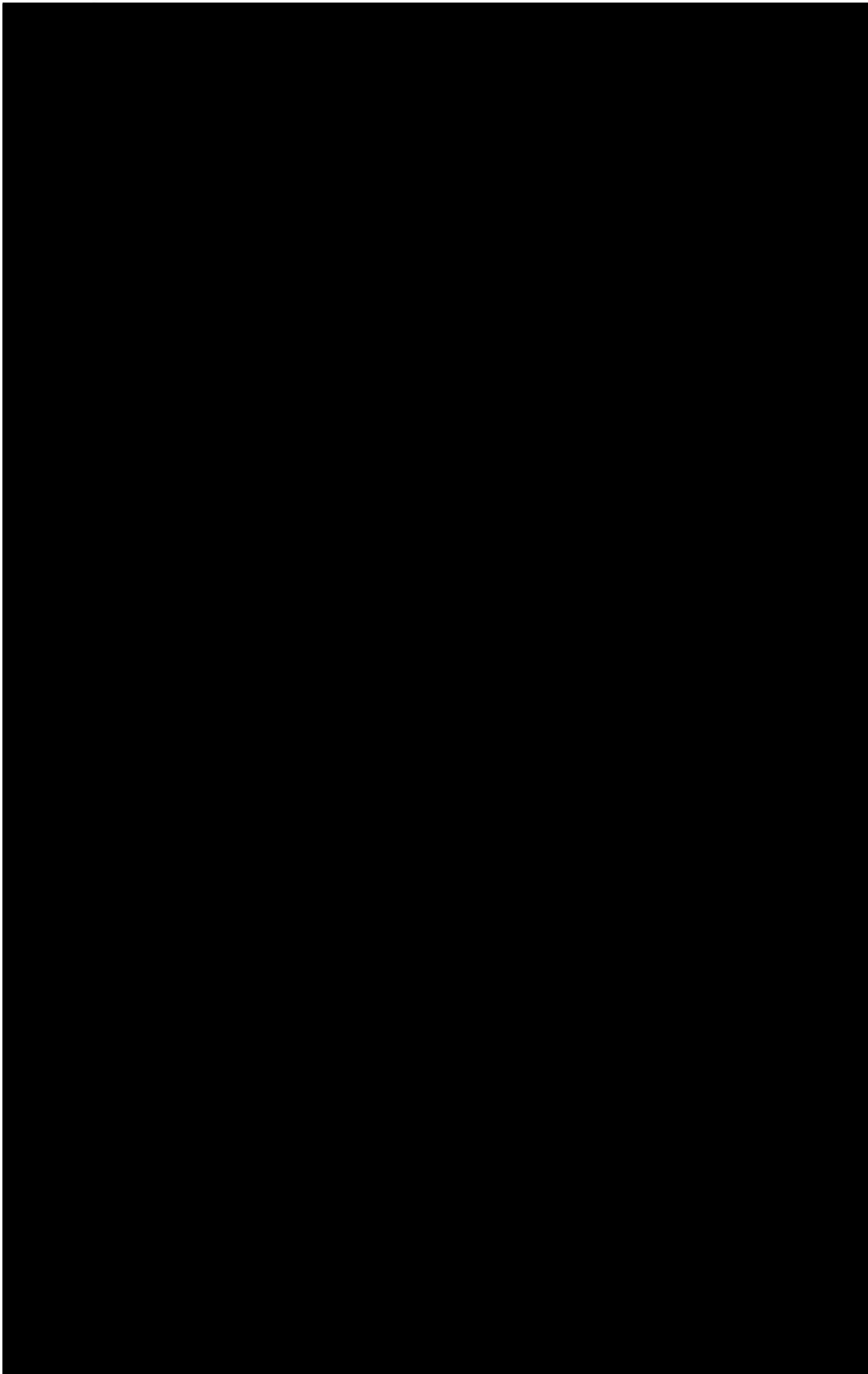
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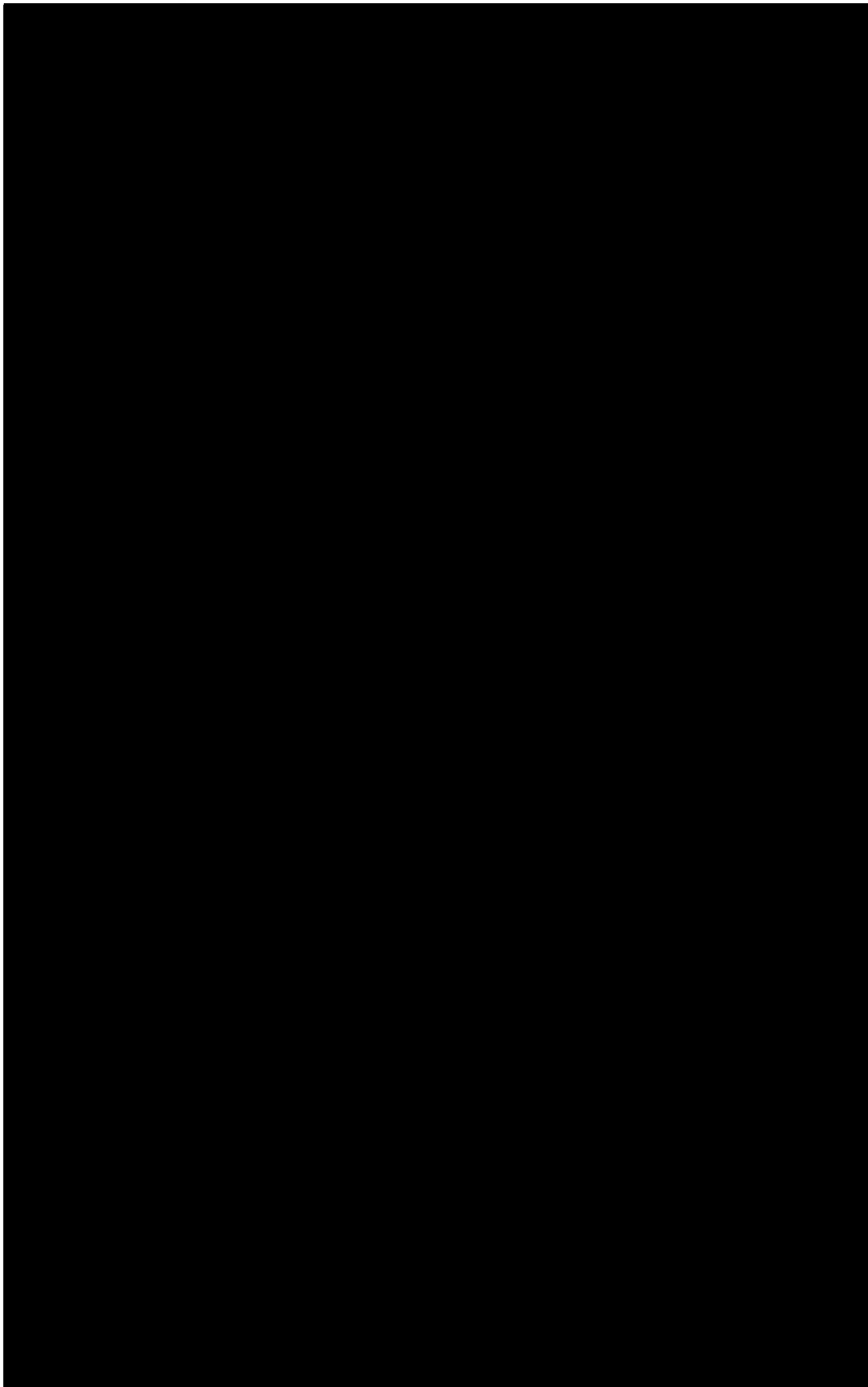


Exhibit marked [REDACTED] 16 to Affidavit of [REDACTED]

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Exhibit : [REDACTED] 16

Affidavit of: [REDACTED]

Date Sworn: 18 October 2018

Exhibit	Description	Pages
[REDACTED] 16	White Pages search results showing [REDACTED]	47-48

Signed:

[REDACTED]

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Australian Maritime Safety Authority

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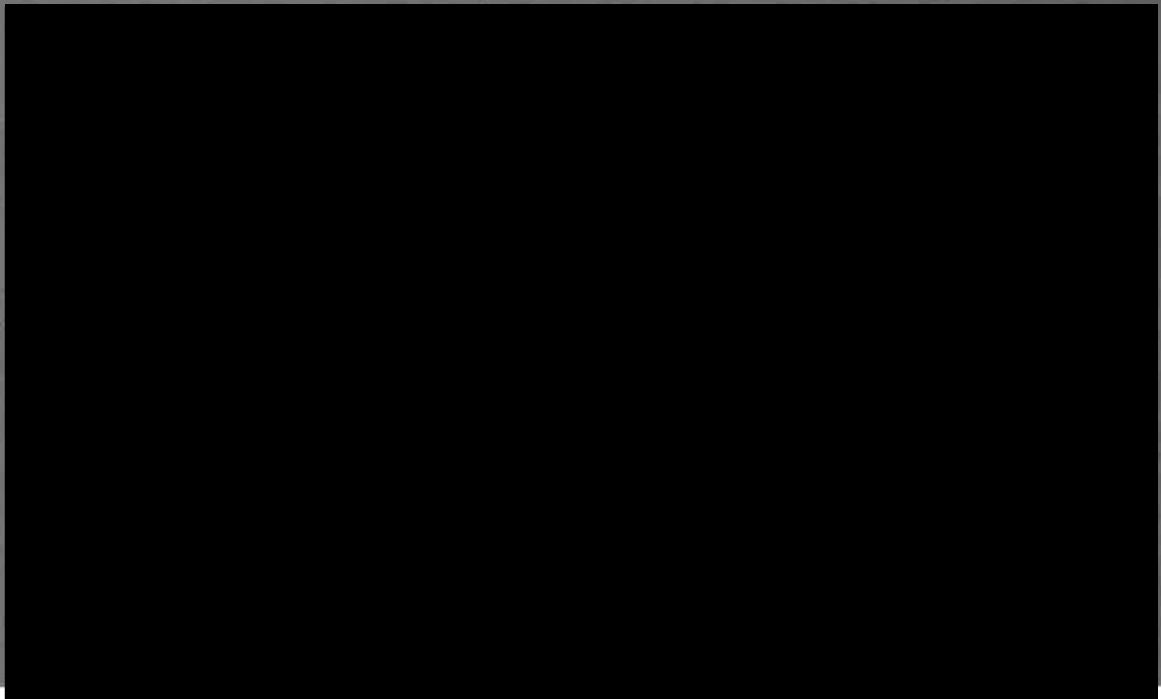


Exhibit marked [REDACTED] 17 to Affidavit of [REDACTED]

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Exhibit : [REDACTED] 17

Affidavit of: [REDACTED]

Date Sworn: 18 October 2018

Exhibit	Description	Pages
[REDACTED] 17	[REDACTED]	49-50

Signed:

[REDACTED]

Taken by: _____

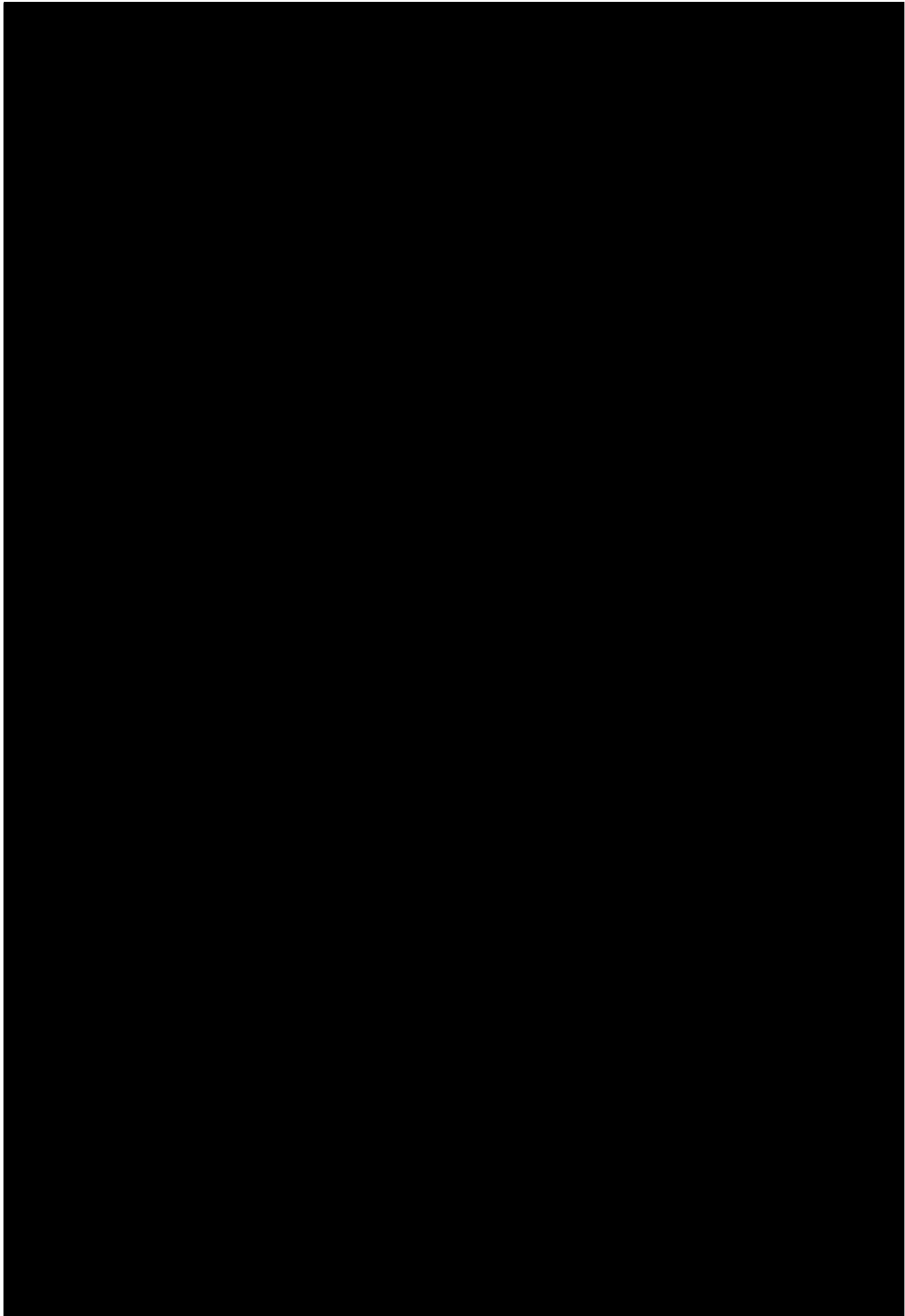


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44 Davenport Street, Southport QLD 4215



Rule 29.02(8)

Exhibit marked [REDACTED] 18 to Affidavit of [REDACTED]

Nos. NSD1485, NSD1486 and NSD1487 of 2018

Federal Court of Australia
District Registry: New South Wales
Division: General Division

Ben Roberts-Smith

Applicant

**Fairfax Media Publications Pty Limited & Ors
The Age Company Pty Limited & Ors
The Federal Capital Press of Australia Pty Ltd & Ors**

Respondents

CERTIFICATE OF EXHIBIT

Exhibit : [REDACTED] 18

Affidavit of: [REDACTED]

Date Sworn: 13 October 2018

Exhibit	Description	Pages
[REDACTED] 18	Online article published by The Sydney Morning Herald on or around 14 June 2018	51-55

Signed

[REDACTED]

Taken by:



Solicitor / ~~Justice of the Peace~~

CERTIFICATE OF ANNEXURE

Filed on behalf of (name & role of party)

Prepared by (name of person/lawyer)

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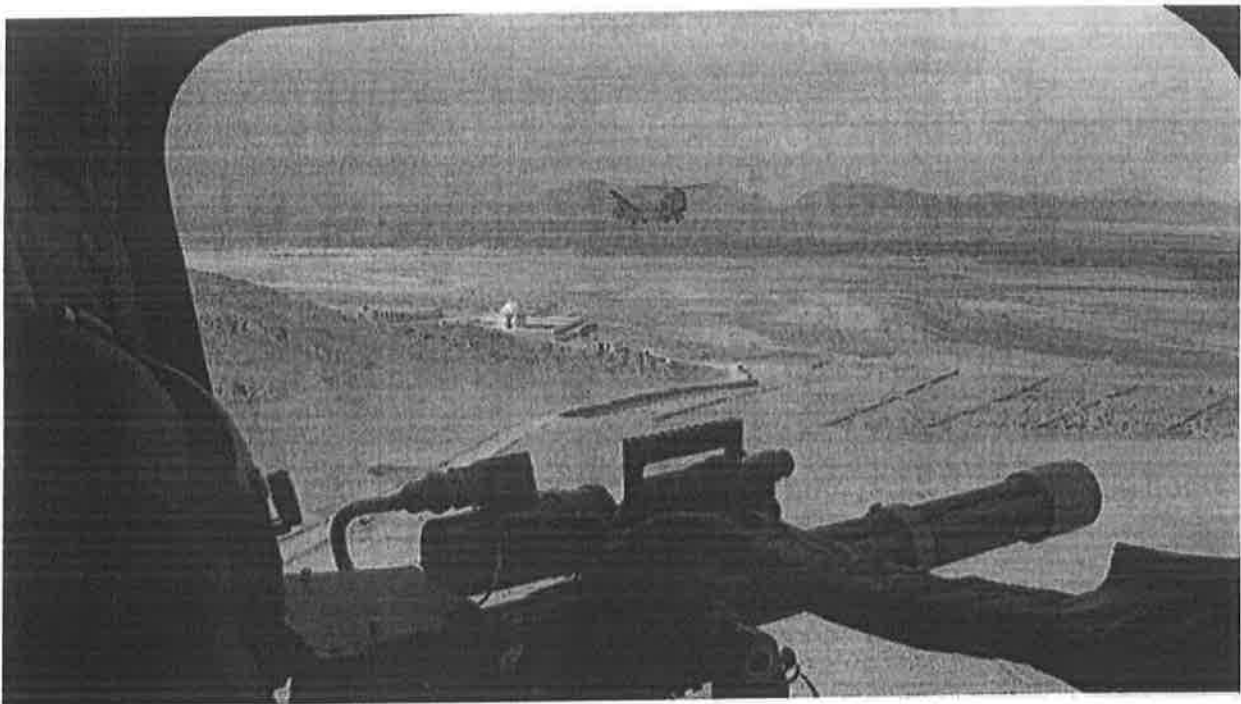
Witnesses at war crimes inquiry subject to 'mafia style' threats

By Nick McKenzie & Chris Masters

14 June 2018 – 8:02pm

The Defence Force is scrambling to deal with a suspected "mafia style" plot by a small number of special forces soldiers to threaten and intimidate witnesses assisting an inquiry into war crimes.

Defence sources have confirmed that a key inquiry witness and member of the Special Air Service Regiment was sent a letter earlier this week threatening retaliation if he did not recant his testimony to an inquiry led by NSW Supreme Court judge Paul Brereton.



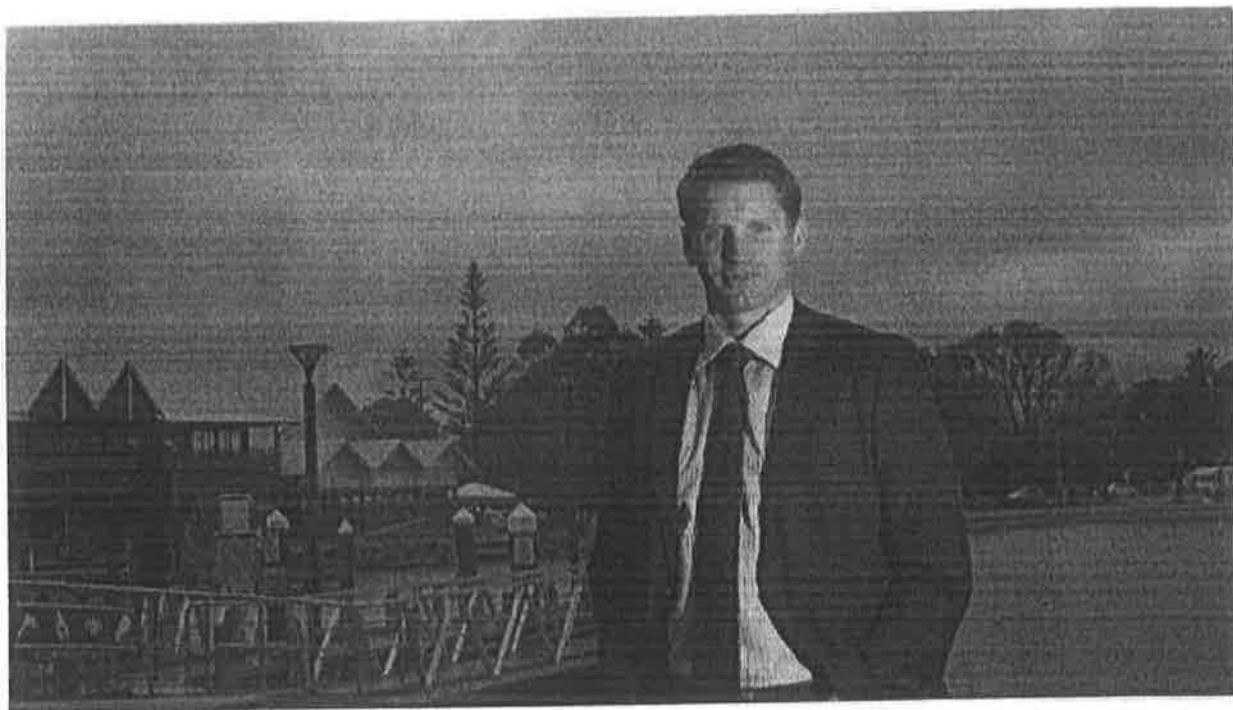
Australian special forces in Afghanistan. AUSTRALIAN DEFENCE FORCE

He is the second witness subject to suspected efforts to frighten them into silence.

Former SASR officer turned Liberal MP Andrew Hastie, who has served in Afghanistan, described the threats as "disgraceful" and "deeply concerning" efforts apparently designed to undermine the most important military inquiry in decades.

"The inquiry process must not be undermined," Mr Hastie said. "As chair of the Coalition's backbench committee on defence and veterans issues, I will be seeking an assurance from the

Defence Minister that the Brereton inquiry has the resources and protection that allows it to continue unhindered."



Andrew Hastie: "The inquiry process must not be undermined." TREVOR COLLENS

Sources familiar with the contents of the letter said it included detailed references to the activities of 2 Squadron SASR and was designed to scare the witness, an experienced soldier, into covering up information relating to the alleged execution of an Afghan detainee.

It was sent to the witness just days after he was summoned to testify before Justice Brereton.

In an apparent blackmail attempt sources likened to that carried out by the mafia or a bikie club, the letter states that adverse allegations about the witness will be aired if he exposes wrongdoing.

The contents of the letter and the fact it was sent to a soldier whose identity is protected under national security laws indicated it was "without doubt" prepared at the behest or in conjunction with a serving or former regiment member with likely inside knowledge of the numbers, home addresses and movements of potential regiment witnesses.

While the identity of witnesses to the Brereton inquiry are meant to be secret, the act of calling witnesses via the chain of command – often meaning they are removed suddenly and conspicuously from a training course or other regiment activity – means SASR insiders can infer which of their colleagues have been called.

The threat, sent by a person who identified as "a friend of the regiment", involves a breach of criminal laws prohibiting efforts to interfere with a Defence inquiry.

Two serving SASR members said some of their colleagues were worried about their personal safety, given the training and capability of the two key suspects behind the threat, one of whom is a serving regiment member and the second a former member.

"There is talk about whether physical harm is a possibility," said a regiment member.

The letter was seized earlier this week by the current SASR commanding officer, who alerted Chief of Defence Force Mark Biskin. Defence is understood to have launched a major inquiry.

In a statement released on Thursday night, a Defence spokesperson confirmed that "a member of the Special Forces received a threatening letter in the mail, relating to his giving evidence to the IGADF Afghanistan Inquiry."

"Making such a threat is a criminal offence and Defence has referred the matter to the police," the spokesperson said.

"Witnesses are protected by law from intimidation and from liability for what they tell the Inquiry."

It is the second time a witness to the Brereton inquiry has been the subject of clandestine efforts to undermine or attack their credibility.

On 13 October 2017, a person using a false email address emailed then federal politician Nick Xenophon falsely alleging that the witness – a serving SASR member who had earlier testified before Justice Brereton – was mentally unstable and at risk of performing a repeat of the "Los [sic] Vegas Massacre", a reference to a US incident on October 1 in which a gunman killed 58 people.

The letter urged Mr Xenophon to get the federal police to act as a matter of "urgent public safety".

Well-placed Defence and law enforcement sources said the message to Mr Xenophon was designed to force police to launch an urgent raid without assessing the accuracy of the allegation. The details in the letter confirmed it was sent by a serving or former regiment insider.

The "massacre" warning included a detailed description of how the witness had, in September 2012, brought a non-Defence-issued weapon on a deployment to Afghanistan. Defence sources said the inclusion of the 2012 weapon allegation appeared designed to give the false massacre allegation credibility.

Security sources in Canberra confirmed the complaint forced border force and WA police to conduct a raid, which located no weapons.

The revelations place pressure on Defence Minister Marise Payne and the Defence Force to ensure the Brereton inquiry is capable of investigating the most serious and high-profile allegations to ever face Australia's special forces.

SASR insiders have privately complained that Justice Brereton began working full time on the inquiry only in April, two years after it began.

On Monday, Fairfax Media revealed that former spy chief David Irvine has been commissioned to investigate the Defence Force's handling of the war crimes allegations.

Fairfax Media has confirmed the Irvine inquiry was commissioned by army chiefs earlier this year amid concerns raised in leaked Defence reports of an entrenched culture of impunity within the nation's Special Operations Task Group.

It is the third investigation into the special forces to be launched in two years.

Senior Defence sources said one of the central questions Mr Irvine is examining is why so few soldiers or officers have been held accountable for a litany of suspected problems from 2001 to 2016, ranging from skylarking, excessive drinking or drug abuse and bullying to alleged war crimes.

The alleged war crimes occurred in Afghanistan between 2006 and 2013, but other instances of less grave suspected misconduct have occurred in Australia or other locations overseas over a longer time frame.

Mr Irvine's appointment by army chief Angus Campbell comes as Fairfax Media, as part of a six-month investigation, uncovers the first corroborated claims that a small number of members from a rogue Australian Special Air Service Regiment patrol were involved in the summary execution of unarmed detainees in Afghanistan.

Fairfax Media has also seen leaked Defence reports from 2016 that describe a culture of impunity and concealment in the special forces. The main combat elements of Australian special forces are the Special Air Service Regiment and the Commandos.

The Defence Force previously commissioned consultant Samantha Cromptoets to interview SASR and Commandos insiders to gather accounts of wrongdoing. That report prompted the ongoing inquiry by the inspector-general of the Australian Defence Force, led by Justice Brereton.

Got a tip? Contact the reporters on this encrypted, secure and anonymous online platform



Nick McKenzie



Nick McKenzie is a leading investigative journalist. He's won Australia's top journalism award, the Walkley, seven times and covers politics, business, foreign affairs and defence, human rights issues, the criminal justice system and social affairs.

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Exhibit : [REDACTED] 19

Affidavit of: [REDACTED]

Date Sworn: 18 October 2018

Exhibit	Description	Pages
[REDACTED] 19	Online article published by The Sydney Morning Herald on or around 23 September 2018.	56-60

Signed: [REDACTED]

Taken by: 

Solicitor / ~~Justice of the Peace~~

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Filed on behalf of (name & role of party)
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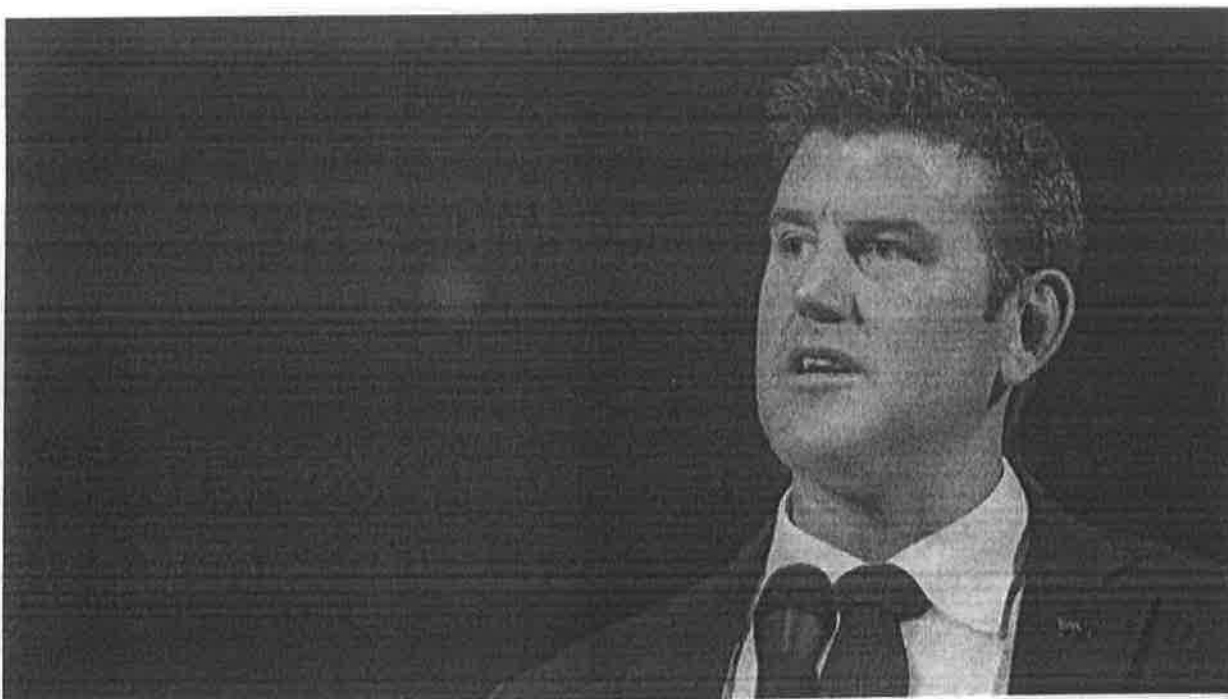
Fresh threat to SAS soldiers assisting war crimes inquiry

By Nick McKenzie & Chris Masters

23 September 2018 – 11:50pm

A second threatening letter has been sent to the Perth headquarters of the Special Air Service Regiment warning against helping a Defence Inspector-General inquiry into allegations of misconduct and war crimes by Australian soldiers in Afghanistan.

Fairfax Media can reveal that the federal police has launched an investigation into the latest anonymous threat – which was posted in late June – and is working with the Defence Force investigation to uncover the identity of the sender.



SAS veteran and Victoria Cross recipient Ben Roberts-Smith. COLE BENNETTS

The threatening letter was addressed to a soldier who served in Afghanistan in a patrol alongside SAS veteran and Victoria Cross recipient Ben Roberts-Smith, who now runs Seven West Media's Queensland operations for media mogul Kerry Stokes. The soldier who received the letter cannot be named because it is illegal to identify serving SAS troops.

The Inspector-General's probe, which is headed by NSW Supreme Court of Appeal Justice Paul Brereton, was established in 2016 to examine alleged misconduct including war crimes by a small number of SAS troops during the protracted conflict in Afghanistan.

The Brereton probe was launched after a report in March 2016 by then Special Operations Commander Major-General Jeff Sengelman identified serious "governance and behavioural lapses" within the SAS.

The establishment of the Brereton probe was supported by senior Defence officials including Defence Force chief Lieutenant-General Angus Campbell and has the backing of former SAS officer turned MP Andrew Hastie, the Australian Defence Association and, privately, many SAS soldiers.

But the investigation of anything but the most "egregious" war crimes has been attacked by War Memorial head Brendan Nelson. Some ex-soldiers, including Mr Roberts-Smith, have also attacked the inquiry, claiming it is chasing "rumours".



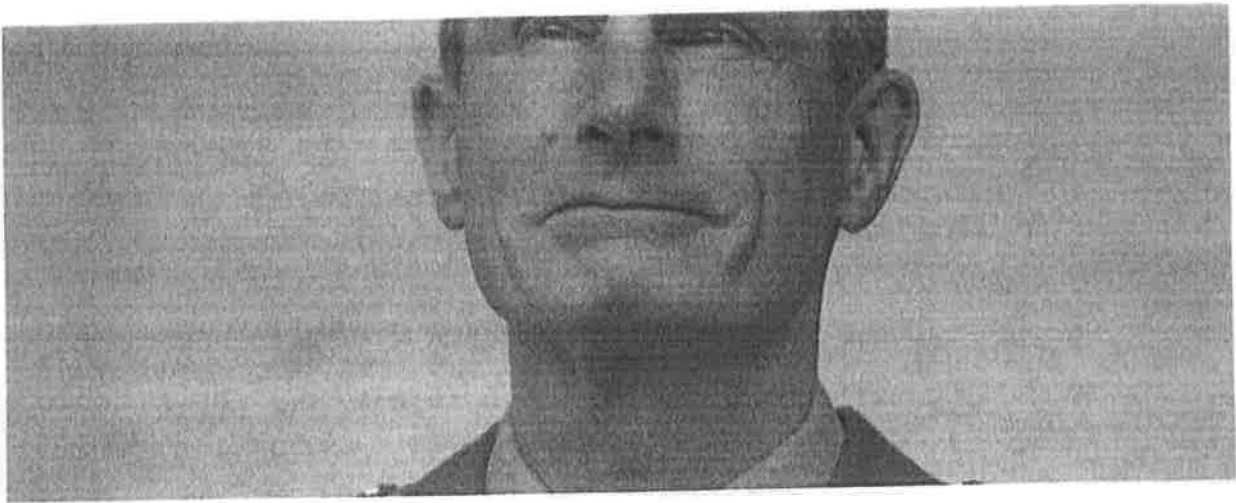
War Memorial head Brendan Nelson and SAS veteran Ben Roberts-Smith. KATHERINE GRIFFITHS

Mr Roberts-Smith, a Victoria Cross recipient for acts of bravery in Afghanistan, is one of a small number of soldiers being probed by the Brereton inquiry. Special forces insiders have implicated small SAS teams Mr Roberts-Smith helped to lead in alleged serious breaches of the laws of armed conflict. He denies all wrongdoing and has vowed to expose the allegations as lies while suing Fairfax Media over a report that detailed the claims.

In June, Fairfax Media reported a key inquiry witness and member of the SAS was sent a letter threatening retaliation if he did not recant his testimony to the inquiry. Sources familiar with the contents of the first letter said it included detailed references to the activities of 2 Squadron SAS and was designed to scare the witness, an experienced soldier, into covering up information being sought by the Brereton Inquiry.

It has now emerged that a second letter was sent after the reports of the first threat were published. The second threat also arrived in the form of anonymous letter sent to a confidential post box used by the SAS in Perth.





Defence Force chief Lieutenant-General Angus Campbell. ALEX ELLINGHAUSEN

The sender identified himself as a “friend of the regiment”, according to a source. The second threat was sent within days of the recipient, a patrol commander, alerting defence officials that he had received the original letter containing threats.

The letters contain details about the activities of some members of patrols that Mr Roberts-Smith was a part of between 2009 and 2011, according to a source.

There is no suggestion that Mr Roberts-Smith is involved in sending the letters. However, the federal police and defence investigators are examining if the mystery perpetrator was seeking to stop allegations being made about the high profile soldier or his supporters.

Senior Defence figures are privately furious about the intimidation of witnesses and efforts to portray the inquiry as a politically correct witch-hunt. They say the most serious allegations – which include the suspected brutalising or murder of prisoners – have been raised by SAS veterans who served in Afghanistan.

Defence sources said it was unlikely the source of the threatening letters will ever be uncovered. They added that the senders appeared to want to scare witnesses from assisting the inquiry.

The same sources said the letter has had the reverse effect, with more SAS soldiers agreeing to assist the Brereton inquiry, the most serious misconduct probe in recent Australian military history. Two hundred witnesses have so far been interviewed by Justice Brereton.

More than two dozen special forces insiders have told Fairfax Media that they back the work of the Brereton inquiry.





Air Chief Marshal Mark Binskin. JAMILA TODERAS

After Fairfax Media revealed the existence of the first threatening letter in June, then Defence chief Air Chief Marshal Mark Binskin described it as an abhorrent and illegal act.

"I think it's absolutely disgusting that a disaffected person thought they could threaten a witness and look to influence the [war crimes] inquiry," Air Chief Marshal Binskin said. The fact that a second threat was sent shortly after the first had remained a tightly held secret in Defence.

The first letter to the SAS soldier was sent within days of it becoming known inside the regiment that he may have testified before the Brereton inquiry.

It is understood soldier's status as a confidential witness may have been revealed inside the regiment by a fellow soldier who spotted him at the inquiry, or, inadvertently, by a more senior officer who had knowledge of his inquiry attendance.

Mystery also surrounds the role of Queensland paparazzo Nathan Richter, who helped send false information via email to authorities and *The Australian* newspaper about another serving SAS soldier. Defence sources said it was well known within the tightly knit special forces community that the soldier targeted by the Richter-linked emails was the author of a complaint about the awarding of a commendation to Mr Roberts-Smith, which had been forwarded to the Brereton inquiry.

The false information in the emails implied the SAS soldier may be poised to commit a violent offence, harming members of the public.

It is unclear if the false claim was spread to intimidate the SAS soldier and there is no suggestion that Mr Roberts-Smith or any of his supporters were involved in sending it.

When contacted by Fairfax Media, Mr Richter refused to say who he was working for but confirmed he was working for a third party. "You send me a text and I can send it to someone who may be able to help," Mr Richter said.

An associate of Mr Richter said the photographer sent the information on behalf of a third party closely connected to a former SAS soldier.

The federal police said in a statement it was "assessing" the threatening letters sent to the SAS in Perth and was liaising with the Defence Force investigation service over the emails that warned the SAS soldier may harm the public.



Nick McKenzie



Nick McKenzie is a leading investigative journalist. He's won Australia's top journalism award, the Walkley, seven times and covers politics, business, foreign affairs and defence, human rights issues, the criminal justice system and social affairs.