

Case Summary
Office of the Judge Advocate General

DEFENDANT: GNR Bullard
TYPE OF PROCEEDING: Defence Force Magistrate
DATE OF TRIAL: 15 August 2024
VENUE: Robertson Barracks, NT

Charges and plea

	Statement of Offence	Plea
Charge 1	DFDA, s. 60(1) Prejudicial conduct	Guilty

Pre-Trial: Closed hearing and non-publication orders

Application made:	No
Determination:	N/A

Trial: Facts and legal principles

Nil, as the case proceeded by way of a guilty plea.

Findings

	Finding
Charge 1	Guilty

Sentencing: Facts and legal principles

On 14 Mar 23, service investigators seized the defendant's mobile telephone during the execution of a search warrant. On 25 Mar 23, a forensic examination of the telephone was completed with targeted Universal Forensic Extraction Device (UFED) report being generated on 26 Jun 23. The report identified a SnapChat group that was created on 21 Jul 22. Participants of the group were other members of the ADF. On 24 Aug 22, the defendant sent a link to the group of a BitChute music video by a band containing patently racist content. The link was followed by a message stating "Anthem".

The Prosecuting Officer conceded that the defendant had co-operated with investigators by making candid admissions during the course of two electronic records of interview, had entered a plea of guilty at the earliest opportunity, enjoyed good prospects for rehabilitation and that the punishments of imprisonment and dismissal would be excessive. The Defending Officer also submitted that the defendant had not reoffended in the intervening two-year period, was otherwise of good character and very motivated to continue with his career in the ADF. A number of impressive character references were tendered on his behalf.

The DFM made clear that had he been dealing with the matter closer to 24 Aug 22, the punishment of detention with time to be served would have been contemplated. However, taking into account all of the mitigating features, the DFM held that the punishments of a not insubstantial fine coupled

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with a reprimand were the minimum required to satisfy the principles of general deterrence and the maintenance of good order and discipline.

Punishments and orders

Charge 1	To be fined the sum of \$1,000.00. To be reprimanded.
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Outcome on automatic review

The Reviewing Authority's decision on automatic review was handed down on 27 August 2024.

	Conviction	Punishments / Orders
Charge 1	Upheld	Upheld

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