

Case Summary
Office of the Judge Advocate General

DEFENDANT: CPL Tulk
TYPE OF PROCEEDING: Defence Force Magistrate
DATE OF TRIAL: 26-27 March 2025
VENUE: Blamey Barracks, NSW

Charges and plea

	Statement of Offence	Plea
Charge 1	DFDA, s. 60(1) Prejudicial conduct	Guilty
Charge 2	DFDA, s. 61(3) and Crimes Act 1900 (ACT), s. 393 Indecent exposure	Guilty
Charge 3	DFDA, s. 60(1) Prejudicial conduct	Guilty
Charge 4	DFDA, s. 61(3) and Crimes Act 1900 (ACT), s. 393 Indecent exposure	Guilty
Charge 5	DFDA, s. 61(3) and Crimes Act 1900 (ACT), s. 393 Indecent exposure	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 guilty pleas.

Findings

	Finding
Charge 1	Guilty
Charge 2	Guilty
Charge 3	Guilty
Charge 4	Guilty
Charge 5	Guilty

Sentencing: Facts and legal principles

Over the period 16 Mar 23 – 17 Feb 24, the defendant engaged in various sexual acts and exposed his genitals in public parks and on a sports field at Lavarack Barracks. He filmed these acts and uploaded most of them to his X (formerly 'twitter') account. The matter was reported to the defendant's chain of command when two junior colleagues became aware of the videos and an investigation ensued. The defendant then participated in an electronically recorded interview and made wide ranging admissions to the offending conduct.

The Prosecuting Officer submitted that the offending was objectively serious, involved a course of conduct over a not insignificant period of time, demonstrated a departure from service values, was deliberate and brazen and showed little regard for other members of the community. With respect to

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the exposure offences, the Prosecuting Officer submitted that the only appropriate penalty was a period of imprisonment.

In mitigation of penalty, the Defending Officer made submissions regarding the defendant's prior good character, early pleas of guilty, genuine remorse and assistance provided to investigative authorities. A psychiatric report was also relied upon but did not establish a causal nexus between certain disorders and the offending conduct.

In all of the circumstances, the DFM held that notwithstanding the mitigating features, the minimum penalty that would adequately satisfy the sentencing principles of personal and general deterrence and the maintenance of good order and discipline in the Defence Force was dismissal.

Punishments and orders

Charge 1	Dismissal
Charge 2	Dismissal
Charge 3	Dismissal
Charge 4	Dismissal
Charge 5	Dismissal

Outcome on automatic review

The Reviewing Authority's decision on automatic review was handed down on 09 April 2025.

	Conviction	Punishments / Orders
Charge 1	Upheld	Upheld
Charge 2	Upheld	Upheld
Charge 3	Upheld	Upheld
Charge 4	Upheld	Upheld
Charge 5	Upheld	Upheld

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