



Chinese Community Council of Australia Inc

澳華社區議會

Press Release

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Re Court-martial of Major Li

According to the article “Officer court-martialled for reaction to racial slur” in The Age (4 March 2012) by Peter Cai & Mark Hawthorne, a senior Defence official Mr Snashall allegedly made the remarks, “I see you have been polluting the world with your genes” to Major Li, an Australian of Chinese descent. A subsequent Defence investigation concluded that Mr Snashall’s remarks were “as a matter of fact was made”. In NSW, such a remarks could be considered “racial vilification” and therefore unlawful.

The Age report continued further to say:

Mr Street said the issue exposed ongoing "serious systemic and administrative failings", with supervising officers having clear conflicts of interest.

"That alleged disturbance [by Major Li] occurred in circumstances of the legitimate and proper protest by Major Li as to the unlawful racial slur," a letter from Mr Street states.

The disturbance occurred several months after the original slur, when Major Li protested to Mr Snashall and he replied, "I meant everything I said to you," Mr Street alleges.

Several military officials who have examined the complaints have suggested his suspension was unwarranted.

An inquiry by the Inspector-General Australian Defence Force found "there were systematic failings within Defence Legal in that you (Major Li) were suspended without procedural fairness"

The Chinese Community Council of Australia is disturbed by the events as reported and in particular, is seriously concerned that a victim of a racial slur can be further victimized or punished whilst the perpetrator is untouched. It would seem that our anti-discrimination laws in Australia do not apply to a particular senior official of the Defence Department. Instead of expressing regret in his words, he went further to take action against the victim,

In a democracy, no one is above the law and to allow such events to occur makes a mockery of the due process of law. Where is natural justice? No doubt this report will be known globally and CCCA is concerned that Australian international reputation as a fair country would be tarnished.

CCCA has written to the Defence Minister, the Hon Mr Stephen Smith, MP (dated 7 March 2012), requesting his intervention to ensure that justice will prevail particularly where the victim has been “punished” and to initiate a cultural change in the Defence department. Only through such positive actions can Australian international reputation can be salvaged,

Dr Anthony Pun, OAM,