

PART 1**SARAH ABO:**

Good evening and welcome to a special edition of '60 Minutes'. I'm Sarah Abo. You may not like what we are about to reveal. It's the unpalatable truth about a group of men Australians think of as heroes. They are special forces soldiers from SAS and commando regiments who fought in the war in Afghanistan. It's not in dispute the men put their lives on the line for their country. But what's questioned is the way a small number did battle.

Tonight, you will hear damning allegations from their fellow soldiers about men taking the law into their own hands and committing what could amount to serious war crimes, including the execution of innocent civilians and detainees. This story is a joint investigation by the 'Sydney Morning Herald', 'The Age' and '60 Minutes' and is the culmination of two years of extraordinary research by renowned journalists, Chris Masters and Nick McKenzie. Here's Nick.

NICK MCKENZIE :

Afghanistan's capital, Kabul, is not a destination for the nervous. In this war ruined city you take your pick of threats. Too many people carry weapons. Others prefer suicide bombs.

As harsh as it sounds, life here usually has less value than in Australia. But not always. I'm meeting the family of a man you've probably never heard of, or ever would have, except for one sensational claim. That he was murdered after being detained and handcuffed by elite Australian soldiers.

(SPEAKS IN FOREIGN LANGUAGE) Nice to meet you.

Ali Jan's wife and children are getting used to fielding inquiries from curious Australians.

Thank you for travelling so far, I know it's been a big journey for all of you...

Three months ago AFP detectives were here as part of secretive and sensitive murder investigation.

Why do you think Australian soldiers is are responsible for your husband's death?

BIBI DHORKO:

(SPEAKS IN FOREIGN LANGUAGE) They killed him, the whole world says they killed him. He has not committed any crime or cruelty. They killed him for no reason.

NICK MCKENZIE:

And it's not just the AFP. The Australian military's chief war crimes investigator also wants to know what happened to Ali Jan, and who was responsible.

The allegations about what happened here in Afghanistan during our longest war are deeply disturbing. Significantly, they come from within the ranks of our own special forces.

It's special forces soldiers who first spoke up about what happened to Ali Jan. In fact, in a war where thousands of Afghans have lost their lives, his death might just be the most significant of all.

UNIDENTIFIED SOLDIER 1:

Every Australian should care if their husband went for a litre of milk and he didn't come home.

NICK MCKENZIE:

Until now, everything about this inquiry has been kept confidential. No-one in the military has discussed publicly exactly who and what they are investigating. That all changes with this story. In remote locations in Australia, we arranged secret meetings with serving members of the special forces.

G'day, good to see you.

They reveal stories of war crimes they claim were committed by their brothers in arms in Afghanistan.

UNIDENTIFIED SOLDIER 1:

I think they actually thought they were above the law. I think they actually thought they were not going to be caught. That it was a free for all.

UNIDENTIFIED SOLDIER 2:

And I think it's fair to say, in some cases, straight murder.

NICK MCKENZIE:

Tonight, the extraordinary revelations of two serving SAS soldiers. Who say they are duty-bound to expose the failings of their own regiment. The words are theirs, the voices have been changed.

UNIDENTIFIED SOLDIER 2:

Special Air Services Regiment gets a lot of kudos, we've been highly decorated both with individual honours and unit awards, citations and battle honours.

To know that's not quite the picture, that there's this grubby element, this dirty element that existed throughout our time in Afghanistan, there's nothing to be proud of there.

NICK MCKENZIE:

The risks our SAS insiders are taking in speaking out, even with their identities protected, cannot be underestimated. It could cost them their careers, land them in a military prison or they could face other blow back, in part because of what they are saying about our most decorated soldier.

Who are you talking about?

UNIDENTIFIED SOLDIER 1:

We are talking about Ben Roberts-Smith.

NICK MCKENZIE:

You are accusing him of engagement in war crimes?

UNIDENTIFIED SOLDIER 1:

I am.

NICK MCKENZIE:

Ben Roberts-Smith is Australia's most famous Afghanistan war veteran. The recipient of a Victoria Cross for bravery.

ANNOUNCER:

To be presented the Victoria Cross for Australia, Corporal Benjamin Roberts-Smith.

NICK MCKENZIE:

He denies he has done anything wrong, but we've confirmed he is a suspect at the centre of both the federal police and Australian Defence Force investigations into Ali Jan's death.

ANDREW HASTIE:

It's important for the regiment that, if these rumours are true, then we take action and we move on, and we account for ourselves. But if they are false, then the regiment is cleared and we get on with the job.

VOICEOVER:

Coming up...

UNIDENTIFIED SOLDIER 2:

A hero is not someone who harms innocent individuals.

VOICEOVER:

Rats in the ranks.

I

UNIDENTIFIED SOLDIER 2:

A law on to themselves.

VOICEOVER:

Or courage under fire.

NICK MCKENZIE:

Did I take that too far?

UNIDENTIFIED SOLDIER 1:

People were focused on kills.

VOICEOVER:

Why these SAS fighters...

NICK MCKENZIE:

How do you feel when people say, this is all about taking down our war heroes ?

VOICEOVER:

..are attacking their own.

UNIDENTIFIED SOLDIER 2:

It is going to be hard for some people to accept.

VOICEOVER:

That's next on '60 Minutes'.

PART 2

NICK MCKENZIE:

From what we've been told, this is the only photo in existence of Ali Jan. He was an unremarkable Afghan farmer killed on September 11, 2012. 11 years to the day since the 9/11 catastrophe that started the Afghan conflict. But the story of his death and how he came to incur the wrath of Australian soldiers actually began a fortnight earlier with another deadly incident.

At a small operating base in Urozgan province, an Afghan army sergeant named Hekmatullah went from ally to enemy when he turned his weapon on Australian soldiers. At point blank range, he killed Corporal Rick Milosevic, Sapper James Martin and Private Robert Poate. Hekmatullah fled immediately.

The SAS was given a pretty important job to do after that, what was it?

UNIDENTIFIED SOLDIER 2:

Correct. We were given the task of finding Hekmatullah.

NICK MCKENZIE:

For two weeks the SAS unsuccessfully chased the fugitive. Then came a tip-off he might be in a tiny village called Darwan. Deep in Taliban badlands. The Australian Special Forces soldiers, including patrol commander Ben Roberts-Smith, flew straight to the village. As coincidence would have it, Ali Jan was also in Darwan that day. Collecting flour for his wife and children.

Was Hekmatullah there?

UNIDENTIFIED SOLDIER 2:

Hekmatullah was not there, no.

NICK MCKENZIE:

What happened?

UNIDENTIFIED SOLDIER 2:

The mission was conducted over a number of hours. We probably spoke to 50 individuals, and of that, we determined there was probably five or roughly five who needed to go back to Tarin Kowt to answer further questioning.

NICK MCKENZIE:

It was an operation much like this one. Men of fighting age were questioned, and some detained. They included Ali Jan. He was allegedly handcuffed and held near this compound next to this sandy cliff.

UNIDENTIFIED SOLDIER 2:

The majority of soldiers were highly professional, used impeccable judgment, were morally and ethically, you know, above board.

NICK MCKENZIE:

But despite that, our SAS insider says Ali Jan didn't stand a chance. He says a small number of his SAS colleagues were preoccupied with revenge. Their feelings fuelled by a Spartan warrior culture. Exemplified in a well-watched movie, '300'.

This warrior culture people talk about, what was it, how did it come to be?

UNIDENTIFIED SOLDIER 2:

It's hard to put your finger on how it came to be. I think it's fair to say that the majority of the unit were not caught up in it.

NICK MCKENZIE:

These soldiers who thought they were warriors, how do they act?

UNIDENTIFIED SOLDIER 2:

A law unto themselves, very little respect for command, couldn't be told what to do, couldn't be told they were doing the wrong thing.

NICK MCKENZIE:

Did some blokes take the idea of being like the ancient Spartan warriors too far?

UNIDENTIFIED SOLDIER 1:

Yeah, I'd say yes. In that I think people were focused on kills. You know, who has got a kill? Who killed someone on this trip? Who did this when we went outside the wire?

SOLDIER:

Move!

NICK MCKENZIE:

Eyewitness and SAS insider accounts help piece together Ali Jan's last surviving moments. Witnesses allege his hands were bound. He was taken from the compound to the cliff. He was placed on his knees near the edge. And an Australian soldier took a short run-up and then kicked the Afghan farmer. Like a scene from the movie '300'.

GERARD BUTLER AS KING LEONIDAS:

This is Sparta!

NICK MCKENZIE:

This is somebody in the custody of the SAS?

UNIDENTIFIED SOLDIER 2:

This was an individual, a local individual, civilian, who was at that point in time, yes, in custody by members of the SAS.

NICK MCKENZIE:

This is the second serving SAS member to reveal the name of one of the soldiers he claims figured in the brutal death of Ali Jan.

Who do you think kicked the man, the prisoner of war, at Small Cliff?

UNIDENTIFIED SOLDIER 2:

The individual who kicked the detainee off the cliff was Ben Roberts-Smith.

NICK MCKENZIE:

You are saying this about Australia's most famous soldier?

UNIDENTIFIED SOLDIER 2:

It is going to be hard for some people to accept, but that is the truth.

NICK MCKENZIE:

Witness accounts say the soldiers, including Ben Roberts-Smith, discussed what to do with the handcuffed and injured detainee. It was allegedly agreed another soldier kill him, and he was shot dead.

UNIDENTIFIED SOLDIER 2:

The allegation is that he was kicked off the cliff, and then was executed at the bottom of the cliff.

NICK MCKENZIE:

The allegation of this potential war crime is vehemently denied by Robert Smith and his supporters who in turn accuse critics of jealousy and medal envy.

ANNOUNCER:

Your Excellency, I present to you Corporal Benjamin Roberts-Smith, awarded the Victoria Cross for Australia.

UNIDENTIFIED SOLDIER 1:

This is to me, it just stinks. It's disgusting. And that's how strongly I feel about coming forward. It's a bad look. A very bad look.

NICK MCKENZIE:

How do you feel when people say this is all about taking down our war heroes, the SAS are our war heroes, it's about taking the SAS down?

UNIDENTIFIED SOLDIER 2:

No, a hero is not someone who harms individuals, innocent individuals.

VOICEOVER:

Coming up, special forces of the front line.

ANDREW HASTIE:

All you are focused on is your kill count.

VOICEOVER:

Fighting Australia's longest war.

ANDREW HASTIE:

You have to be hard of heart, and you become emotionally calloused.

VOICEOVER:

Did unbearable pressure...

ANDREW HASTIE:

Beating them with their rifle butts, kicking them in the face, stomping on their heads.

VOICEOVER:

..lead to deadly decisions?

NICK MCKENZIE:

Did you begin to worry that some people thought that they could be judge, jury and executioner in the field?

DAVID WEGMAN:

Not only did we think that we were, we were ordered to be that.

VOICEOVER:

That's next on '60 Minutes'.

PART 3

NEWS REPORTER:

And you can see the two towers, a huge explosion, raining debris on all of us. We got to get out of the way!

ANDREW HASTIE:

We saw the first tower, then the second tower and both of them come down.

NICK MCKENZIE:

That's the moment you said to yourself "I want to serve"?

ANDREW HASTIE:

Yeah, I felt at that moment that this was a significant moment in history and I didn't want to be on the sidelines.

NICK MCKENZIE:

Andrew Hastie is a Western Australian federal MP with Anzac in his veins. As a boy, he loved hearing his granddad's tales about being a flying boat gunner in World War II. Years later, he was outraged by the 9/11 attacks on America and decided to join the army.

JOHN HOWARD:

Our forces will be overseas fighting in our name within a very short period of time.

NICK MCKENZIE:

Hastie didn't know it then, but Afghanistan would claim 41 Australian lives. Over 13 long years. Now, it has triggered our longest war crimes investigation.

After his first tour of Afghanistan in 2009, Hastie applied to join the SAS. Mentally and physically tough, he passed the gruelling selection trial.

ANDREW HASTIE:

When I was on selections I remember thinking "Why are we walking around with no food, with 50kg on our back with no sleep, carrying heavy stuff?". I thought "What are they trying to get at here?" And then it clicked, they are testing your ability to endure pain and fatigue. Ultimately, selection is about who can hold their hand on the hot plate the longest. And war is a contest of wills.

NICK MCKENZIE:

Hastie returned to Afghanistan in 2013 as an SAS captain, but says by then the war effort was bogged down and was losing its purpose.

ANDREW HASTIE:

When you are doing force protection and your job is to remove enemy threats from the battle field, of course your capture and kill count becomes a metric by which you judge the success of your deployment.

NICK MCKENZIE:

How many people you've killed, basically?

ANDREW HASTIE:

That's right, or captured.

NICK MCKENZIE:

Now, of course, killing and capturing bad guys is the job of soldiers. But Hastie was worried that a decade into the war, and frustrated by a lack of progress, there was a risk a small number of his special forces colleagues may have begun to chase kills.

Is there a danger that starts to erode, for some people, at least, the morality of what they are doing?

ANDREW HASTIE:

Yeah, if all you are focused on is your kill count, well, there is incentive to kill. And that may not be the way forward. Particularly when you are unsure of the overarching strategic objective.

NICK MCKENZIE:

But it wasn't just Andrew Hastie who had concerns about the lack of purpose or erosion of professional discipline in small pockets of the special forces. It wasn't just the SAS.

DAVID WEGMAN:

When you set the conditions for a culture to breed and grow in a certain way, the special forces culture is built around superiority and entitlement, you know? And heroism and service and courage, but also there is a lot of ego in the game.

NICK MCKENZIE:

Australian commando, David Wegman, was deployed to Afghanistan four times. Like Hastie, he is proud of his war service, but says that by 2012, the rules of engagement for some may have become blurred as the emphasis shifted to kill counts.

Did you begin to worry that some people thought that they could be judge, jury and executioner in the field?

DAVID WEGMAN:

Not only did we think that we were, we were ordered to be that.

NICK MCKENZIE:

Ordered to be what?

DAVID WEGMAN:

Judge, jury and executioner, literally.

You can't hear anything on the chopper, you can't really have any conversations...

NICK MCKENZIE:

As David showed me some of his own battle field videos, he explained the difficulty many soldiers faced deciding who was friendly and who was hostile.

DAVID WEGMAN:

They are a farmer when they are a farmer, and they are the Taliban when they are the Taliban.

NICK MCKENZIE:

The never-ending problem Australians were there to protect the Afghan people from the Taliban. But those same Afghans would frequently turn on them, launching deadly attacks. And to add insult, when prisoners were captured, a corrupt and chaotic Afghan justice system meant they were often quickly released and able to rejoin the war.

DAVID WEGMAN:

It was a revolving door at the judicial system, like that pressure gives you a sense of hopelessness in what it is to take someone prisoner.

The danger on the battlefield is that, when you get put in a more ambiguous situation, your tendency is going to be erring on the side of killing them rather than giving people the benefit of the doubt.

ANDREW HASTIE:

Immensely frustrating. You capture a known Taliban bomb maker or leader, and because of the need for evidence to satisfy the growing Afghan judicial system, if you didn't have evidence, well then three days later he was released and then you were going back out again. The question is going through your mind "Why are we doing this again? Why are we risking our lives again just to release him in three days time?".

NICK MCKENZIE:

Andrew Hastie says frustration could have encouraged some special forces soldiers to write their own rule book.

If there were prisoners who were executed what impact did that have on the ground?

ANDREW HASTIE:

I think it would have turned the population against us. If you are trying to make inroads to the population that sort of behaviour does nothing for you.

UNIDENTIFIED SOLDIER 1

I don't know why. I don't know why they did it. I just don't know why blokes took the law into their own hands. But I honestly think because they weren't being watched, and it was for some of them maybe it was just chalking up kills.

NICK MCKENZIE:

Chalking up kills?

UNIDENTIFIED SOLDIER 1:

Just chalking up the numbers.

NICK MCKENZIE:

Farmer Ali Jan wasn't the only one allegedly executed by Australian soldiers. Tonight, we reveal more incidents are being scrutinised by investigators, including another summary execution. In this case, a soldier has confessed to the killing. How do we know this? Well, we have been told about it by multiple defence sources, and we have got this. It's a written record of the man's confession.

GFX:

"The way in which the man looked at him caused him to know that he was murdering an innocent man."

NICK MCKENZIE:

The incident took place on 3 October, 2012, when an Australian commando shot a prisoner of war in the back of the head at point blank range. The soldier says the prisoner he killed did not deserve to die.

In his confession, the soldier says he now lives with enormous regret, but at the time of the shooting, he was acting on the orders of his superior. And when he challenged the demand, he was told to get on with the job.

GFX:

"And he was told that it was OK because he was a 'bad guy'..."

"...but he knew within himself that the prisoner was an innocent non combatant who had just been caught up in the skirmish."

NICK MCKENZIE:

Have you seen broken soldiers?

ANDREW HASTIE:

I've seen guys deeply affected by this, yeah. And I think that's why my point is that, if we are going to talk about soldiers, we also need to talk about the leadership of the ADF and also the politicians who sent them there. Everyone is accountable, some more than others, and some for more grievous actions. If proven. But everyone is accountable.

NICK MCKENZIE:

But especially Australia's elite soldiers. As equally important as aggression, professional restraint has long been an envied of SAS troops. When Andrew Hastie heard that one of his soldiers had severed the hands of a dead insurgent, he reported him and stopped the practice.

ANDREW HASTIE:

An investigation was launched after the issue was raised up the chain of command and it was raised by me.

NICK MCKENZIE:

In another incident, Hastie withstood pressure from an Afghan partner force officer to execute prisoners who were being bashed by other Afghan soldiers.

ANDREW HASTIE:

They were just beating them with their rifle butts, kicking them in the face, stomping on their heads, one guy had his neck broken, and the commander was telling me we needed to execute them on the spot because there was no room in the jails.

NICK MCKENZIE:

How did you push back?

ANDREW HASTIE:

I just said "No, that's not what we do".

NICK MCKENZIE:

Have you ever thought what would have happened if it went a different way, if you'd said "Yes"?

ANDREW HASTIE:

Yeah. Well, you know, I don't think I'd be sleeping very well. They were in our care, they weren't a threat. They were prisoners and it was our duty to take them back. Execution just wasn't an option.

VOICEOVER:

Coming up...

ANDREW HASTIE:

Two little bodies, it was obvious they were children.

VOICEOVER:

..when war is hell.

ANDREW HASTIE:

"I'm the one who gave the order, and I'm sorry." And he said "I forgive you".

VOICEOVER:

The agony of getting it wrong.

DUSTY MILLER

There is a huge amount of guilt that I feel, that I should have stepped in, said something, but I didn't.

VOICEOVER:

And a family's search for answers.

BIBI DHORKO:

They killed him for no reason, why did such cruelty happen?

VOICEOVER:

That's next on '60 Minutes'.

PART 3

NICK MCKENZIE:

After 18 troubled years, Afghanistan's capital, Kabul, is probably more dangerous today than it was when the war began.

AMERICAN REPORTER 1:

The explosions, followed by a rush to assist the injured .

AMERICAN REPORTER 2:

The blast through cars in all directions .

BRITISH REPORTER 1:

The Taliban said they have 20 gunmen rampaging through Kabul.

NICK MCKENZIE:

The Taliban still looms large. There are frequent suicide bombings and kidnappings. But my journey here was much safer than the one Ali Jan's family has taken.

Hello. (SPEAKS FOREIGN LANGUAGE). Nice to meet you.

It's taken three days for Ali Jan's wife, Dhorko, her youngest children, and Ali's brother Achmed to make it here from their mountain village in Urozgan province. Along the way, they've risked reprisals from the Taliban as they travelled through country far too dangerous for outsiders to visit. But just as I'm in search of answers, so too is this grieving family. They need to know why Ali Jan never turned after leaving the family home in September 2012. He had gone to buy supplies in the village of Darwan, when he had a chance encounter with Australia's SAS and was detained.

BIBI DHORKO:

(SPEAKS FOREIGN LANGUAGE) They threw him for no reason, they killed him for no reason, they did injustice to him. He was innocent. He went to bring flour for his children.

NICK MCKENZIE:

What did the villagers tell you about how Ali Jan had died?

ACHMED JAN:

The villagers said they shot Ali Jan, he was thrown from the cliff to the ditch, he was dragged in the drainage and shot.

NICK MCKENZIE:

This family had little to begin with, but since Ali Jan's death they have got even less. Seven years on, the knowledge that Australian authorities are finally investigating the killing brings little comfort.

BIBI DHORKO:

I am so sad it becomes hard for the day and night to pass. I keep thinking about why this happened to me, why is he gone for no reason? Why did such cruelty happen?

NICK MCKENZIE:

Was Ali Jan involved with the Taliban or with militants?

BIBI DHORKO:

He was not Taliban. There was no gun. He knew nothing about guns. He hated the Taliban.

NICK MCKENZIE:

The AFP investigation into Ali Jan's death is far-reaching. Multiple defence sources have confirmed the AFP has not only travelled to Afghanistan, has not only taken multiple eyewitness statements, but has also spoken to SAS insiders in Perth and elsewhere overseas. The men the AFP have spoken to include those who were at Darwan and who allege they saw Ali Jan kicked off a cliff.

UNIDENTIFIED SOLDIER 1:

It's shocking. I mean, it's disgusting. Because there is some, you know, third world urchins, no-one cares about it. It's just wrong. It's absolutely wrong. I don't think we get it, because we are so removed from Afghanistan, sitting in our comfortable homes watching TV, but we should care. Every Australian should care if their husband went for a litre of milk and he didn't come home. This is what happened. And you know, not once or twice. This happened a number of times.

ANDREW HASTIE:

The risk is, when you send guys on multiple deployments over many years, you can, over time, I think, erode moral judgment.

NICK MCKENZIE:

Do you think that was happening?

ANDREW HASTIE:

Well, potentially. Potentially. When you go to war, you harden your heart. Because you are there to fight. I know the special operations task group, our job was to take it to the enemy, so you have to be hard of heart and naturally callous, you become emotionally calloused, but if you do that multiple times, year after year, it does come at a cost, especially when some of our special operators have spent more time in the field than many of our World War II vets.

NICK MCKENZIE:

Andrew supports the multiple investigation of war crimes allegedly committed by Australian Special Forces soldiers, but he knows from harsh personal experience how things can and do go wrong in war. He says it's vital there is a distinction between unlawful killing and a tragic accident.

On his first SAS mission to Afghanistan, he called in an air attack on approaching Taliban soldiers. But US helicopters misjudged the coordinates and fired missiles at the wrong target. Innocent civilians were killed.

ANDREW HASTIE:

It was straightaway, because I saw it come in. We are looking that way and the gun fire was, you know, something like 600-800m out, and my heart just sank, like it just dropped through the floor. And, yeah, I knew we had to do something. We went out there, and there were two little bodies, six- and eight-years-old, it was obvious they were children.

NICK MCKENZIE:

It was a genuine fog of war blunder, which led the SAS captain to offer his resignation. Instead, Andrew Hastie was flown to a meeting with the boys' grieving family.

ANDREW HASTIE:

I said to the uncle "I'm the one who gave the order, and I'm sorry". And he said "I forgive you". Big relief.

NICK MCKENZIE:

What did you think about the Afghan people when you had that interaction?

ANDREW HASTIE:

It humanised them for me, because he was a poor family...

NICK MCKENZIE

Take your time, you're right.

ANDREW HASTIE:

..who had lost two boys, had every right to not say those words, but they did.

NICK MCKENZIE

Did he give you peace when he said "I forgive you"?

ANDREW HASTIE:

Peace of a kind. Peace of a kind.

NICK MCKENZIE

As we have spoken to more and more Afghanistan veterans, it's clear that most do want accountability, not for fog of war incidents, but for those suspected of war crimes that cross a line. But something else is also clear. Those who witnessed or know of atrocities are desperately searching for their own peace, and true accountability might just help them find it.

DUSTY MILLER:

Yeah, it's indelible. It's with me, my job in the army is I'm an army medic, and it goes completely against everything that I believe in.

NICK MCKENZIE:

Dusty Miller is the SAS medic who saw too much. On deployment in Afghanistan seven years ago, he was unwittingly involved in something horrible. So bad, it festered for years after his return. Until a few weeks ago, his home was the veteran's psychiatry unit at Austin Hospital in Melbourne.

Did you see unlawful conduct by fellow Australians?

DUSTY MILLER:

I did, yes.

NICK MCKENZIE:

Did you see prisoners mistreated?

DUSTY MILLER:

Yes, I did.

NICK MCKENZIE:

What did you see?

Dusty is still serving in the army, which means he can't answer my question, but the awful incident that's affected him so much has been described to me by other soldiers.

It was mid-2012 and Dusty was treating a wounded detainee.

SOLDIER:

He's coming with me.

NICK MCKENZIE:

Our sources tell us this wounded man was taken away from Dusty by another SAS soldier, who we are not naming for legal reasons. It's alleged this wounded man was then executed.

DUSTY MILLER:

Yeah, there is a huge amount of guilt that I feel. Morally, I feel, as a medic, I could have intervened and maybe more than I did, and that will stay with me. But again, I can't expand any further than that.

NICK MCKENZIE:

What Dusty saw is now also the subject of a war crimes investigation, but it's the personal burden which hurts this man of conscience and broken soldier the most.

Tell me about the way that guilt eats away at you.

DUSTY MILLER:

It's something I think about often, it's one of the obtrusive thoughts I get. It just feels like I lacked intestinal fortitude at the time, that I should have stepped in, said something, but I didn't. And I know there are others out there that feel the same way I do. You can't keep this stuff to yourself. I thought it was the noble thing to do, it was the let's-keep-it-in-house thing to do, but it's not. It needs to be - there needs to be accountability. And the truth needs to be told.

VOICEOVER:

Coming up...

UNIDENTIFIED SOLDIER 2:

If an individual has done nothing wrong what has he got to be afraid of?

VOICEOVER:

D-day for Australia's special forces.

UNIDENTIFIED SOLDIER 1:

Ultimately we want the truth to come out and the history books corrected.

VOICEOVER:

On the long road to redemption.

ANDREW HASTIE:

There are two forms of courage in war, moral and physical courage. I think moral courage is greater.

VOICEOVER:

Why bravery beats bastardry.

DUSTY MILLER:

That's the bottom line, we want to save lives and I believe we can do that.

VOICEOVER:

That's next on '60 Minutes'.

PART 4

NICK MCKENZIE:

At AFP headquarters in Canberra, Australia's most sensitive murder investigation continues. It's into allegations Afghan man Ali Jan was handcuffed, kicked off a cliff and shot dead. A second war crimes investigation is being run for the defence inspector general by Major General Paul Brereton, a judge in the NSW Supreme Court of Appeal.

Many SAS soldiers have given sworn statements to the AFP, and more than 200 special forces personnel have testified on oath before Justice Brereton. They include men who are trained to endure torture, to withstand interrogation, but if they lie before Justice Brereton, they can be charged. The men we have met as part of our investigation say the truth must be told. Still, some witnesses have been warned by anonymous third parties to stay silent.

UNIDENTIFIED SOLDIER 2:

What are you scared of? If we have done nothing wrong, if an individual has done nothing wrong, what has he got to be afraid of?

UNIDENTIFIED SOLDIER 1:

Ultimately we want the truth to come out. What happened in Afghanistan. And the history books corrected. The truth is going to help us carry on with our lives.

NICK MCKENZIE:

The truth is the cleanser?

UNIDENTIFIED SOLDIER 1:

It is the cleanser.

NICK MCKENZIE:

Afghan veteran Andrew Hastie says the inquiry is a way of holding people to account. Including top military commanders and the politicians who sent our soldiers to war.

ANDREW HASTIE:

Everyone wanted to be there for medal ceremonies and people turned up for the funerals, but your responsibility doesn't end there. You have to be engaged intellectually in the war, what's happening, are the policy settings working? This is the thing, the nature of war is inherently chaotic, so you need to be constantly revisiting your policy, adapting your policy and changing, and I don't think we saw that.

UNIDENTIFIED SOLDIER 1:

Unfortunately, it's the few that spoil it for the majority, and in this instance, we have got one or two really bad eggs who have drawn the unit and the army into disrepute.

UNIDENTIFIED SOLDIER 2:

We don't want to be an army that is as low or lowers ourselves down to the level of the enemy that we are fighting against. The inspector general's investigation will look into these incidents, and if it's seen that individuals have a case to answer, they will be made accountable. Then we will find out who our heroes are. A hero is not someone who harms innocent individuals.

AMERICAN REPORTER 3:

The army has charged Matthew Goldstein, awarded the silver star in Afghanistan with premeditated murder.

NICK MCKENZIE:

Australia is not alone in all this. War crimes allegations against American special forces soldiers have sparked intense controversy. The intervention of President Donald Trump prompted one war hero to speak out.

Elliott, tell me about working with Australian Special Forces, what were they like?

ELLIOTT ACKERMAN:

The Australians I worked with were very professional a pleasure to work with.

NICK MCKENZIE:

Elliott Ackerman is a highly decorated veteran. a former marine corps special ops officer who served five tours in the Middle East and earned a silver star for bravery.

ELLIOTT ACKERMAN:

Things happen in war, situations move very fast, move very fluid, and accidents can happen. But there is also some cases that are pretty black and white. You don't take a prisoner behind a house and put a bullet in his head. You just don't. If we cease going to wars with laws, then what rule is there? There is only the rule of the jungle, and if there's only the rule of the jungle, then guess what? You're just like those ISIS savages putting det cord around people's necks and blowing up their heads. What makes us any different than them?

NICK MCKENZIE:

Why is it special forces around the world, Australia, the US, the UK, especially, facing some of the most gruesome allegations of war crimes? What is it about these special, these special warriors that has taken them down...?

ELLIOTT ACKERMAN:

I think at this point it might be the duration of our wars, that the true professionals, ones who have been doing it day in, day out for years and years and years are special operators and the longer you stay in these environments, what seems normal can start to bend and twist and become unrecognisable. It's easy to become unmoored.

NICK MCKENZIE:

The Australian war crimes inquiries will provide a legal reckoning of the law, but for many veterans it's moral reckoning they require. For Dusty Miller, an SAS medic, a form of moral injury was caused not just by what he encountered, but more so by the fact he didn't act to prevent it.

DUSTY MILLER:

That guilt that you hold for something that maybe you may have done or witnessed, that you just don't let go of. It's something that your moral code or your ethics is completely fighting with. And that has a profound effect on your mental health.

NICK MCKENZIE:

How long have you felt guilty?

DUSTY MILLER:

Seven years. Yeah, 100%. Each day.

NICK MCKENZIE:

Even today, Dusty still carries the crushing burden of not knowing if he could have saved a man's life. By stopping an execution.

When did you realise what you had seen was impacting on you in a very, very harmful way?

DUSTY MILLER:

Probably shortly after I got back in 2012. Yeah. It was almost immediate, actually. I knew there was an issue. And it really did culminate at the beginning of this year. It came to a sort of a crescendo, and I pretty much had a full breakdown, and it was probably the toughest time of my life.

When you approach him, mate, if you can come up from the side rather than the front...

NICK MCKENZIE:

Exposing the ugly underside of war is helping him to heal.

DUSTY MILLER:

Talk to him, they like that as well. They are very intuitive, so they will pick up...

NICK MCKENZIE:

Now Dusty is saddling up with his mates to start an outdoor therapy program, Mounted Missions in country Victoria, for damaged vets.

DUSTY MILLER:

If you've got anxiety you get instant feedback from that animal. And it knows if you are anxious, it will not work with you. I think it gives you that sense of grounding and sense of connection with the animal. And, in its path, helps you.

NICK MCKENZIE:

What is the feeling you have when you know it's working?

DUSTY MILLER:

You stop thinking about the things that often just intrusively enter your mind. That might be situations that happened overseas, in Afghanistan, particularly. I find that I don't think about those things.

NICK MCKENZIE:

Of course, it may not help men like Dusty that the war crimes inquiry is dredging up old demons. And that the conflict that affected him so deeply is now tainted by scandal. But he supports the inquiries, and knows that truth is the best way to start getting better.

DUSTY MILLER:

I know that it works. I know that this is a very grounding, very natural way of healing. I hope that, you know, we can save some lives. That's the bottom line. We want to save lives. And I believe that we can do that.

NICK MCKENZIE:

Dusty has found an early backer for his support program, Andrew Hastie MP. Hastie says the men brave enough to speak out against illegal conduct should be supported. He is proud of an Anzac ethos that reflects toughness and decency, fairness, honesty and justice. Losing it, he says, is far worse than losing a war.

ANDREW HASTIE:

There's two forms of courage in war, moral courage and physical courage. I think moral courage is greater, so these guys have shown that, and the Australian people should be glad, going forward we have men of that calibre in the SAS.

SARAH ABO:

And that's our program for tonight. But before we go, a reminder to have your say about any of our stories. You can find us on Facebook, Twitter and Instagram. To catch up on anything you've missed and our 'Extra Minutes' segments, head to Nine Now. We will be back next week with another edition of '60 Minutes'. I'm Sarah Abo. See you then.