

OFFICIAL



Australian Government

Inspector-General of the Australian Defence Force

**Military Justice
Statistics Catalogue
FY 2022-2023**

OFFICIAL



Australian Government

Inspector-General of the Australian Defence Force

IGADF/BN97550311

See distribution

INSPECTOR-GENERAL OF THE AUSTRALIAN DEFENCE FORCE CATALOGUE OF MILITARY JUSTICE STATISTICS FOR THE PERIOD 1 JULY 2022 TO 30 JUNE 2023

I am pleased to release the *Inspector-General of the Australian Defence Force Military Justice Statistics Catalogue* for the period 1 July 2022 to 30 June 2023. Subsection 110C(1)(b) of the *Defence Act 1903*, enables me to conduct performance reviews of the health and effectiveness of the military justice system. One of the methods used is to collect and analyse military justice statistical information and trends from a wide range of sources and across the Australian Defence Force (ADF). Preparation of the 2022–23 Catalogue was delayed because of reprioritisation of Inspector-General of the ADF (IGADF) resources to support the important work of the Royal Commission into Defence and Veteran Suicide.

The Catalogue contains information relating to the four core elements of the military justice system: disciplinary proceedings under the *Defence Force Discipline Act 1982*, adverse administrative actions, the conduct of fact-finding and administrative inquiries, and complaint handling.

The Catalogue compiles information from the following sources:

- a. Data extracted from the Conduct Reporting and Tracking System, the Australian Defence Force Administrative Tracking System and the Complaint Management Tracking Reporting System (ComTrack).
- b. Information obtained from focus group surveys during the conduct of IGADF Military Justice Performance Audits.
- c. Data collected by the Office of the IGADF, other areas of Defence, or data reported in the Defence Annual Report. These data include information about the suspected causes of death, including by suicide, for those ADF members of whose deaths IGADF was notified during the reporting period.

The Catalogue is designed to provide a convenient overview and management tool examining the operation of the military justice system across the ADF. Service specific Annexes are included at the end of the Catalogue. The Catalogue is also available on the IGADF website at www.igadf.gov.au.

A handwritten signature in black ink, appearing to read 'J.M. Gaynor', written over a white background.

JM Gaynor CSC
Inspector General of the Australian Defence Force

26 March 2025

Distribution:

CDF
Secretary
VCDF
Associate Secretary
DEPSEC DP
CN
CA
CAF
CPERS
CJOPS
CJC
HMP
CDI
SG-ADF / CJHLTH
COMAUSFLT
COMD FORCOMD
ACAUST
SOCAUST
Chief Counsel
JAG
GCML
CJA
DMP
DDCS
RMJ
DMADL
COMD JMPU / PM-ADF

Contents

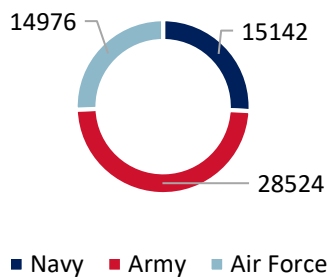
1	Executive Summary	1
2	Discipline System	4
3	Administrative Inquiries	15
4	Administrative Sanctions	16
5	Complaints	19
6	Military Justice Performance Review	21
7	Deaths and Incidents	22

Demographics

To assist with trend data interpretation and analysis, ADF Service strength for permanent (Service Category 7 and 6) and Reserve personnel undertaking continuous full time service (Service Option C: SERVOP C), as of 30 June 2023, was:

- Navy 26% (15,142)
- Army 49% (28,524)
- Air Force 25% (14,976).¹

Graph 1: ADF Service strength



Disciplinary investigations

There are two types of disciplinary investigations under the *Defence Force Discipline Act 1982* (DFDA); investigations at unit level and matters referred to the Joint Military Police Unit (JMPU) for investigation. In 2016, the Vice Chief of the Defence Force (VCDF) implemented measures to reduce the timeframes for units to manage disciplinary matters. VCDF Directive 02/2021 *Military Discipline System Performance and Reporting Summary Tribunals* was promulgated on 23 November 2021. The Directive reduced the time to complete unit investigations from 28 days to 14 days.

Overall, 68% of unit level investigations across the ADF were completed within the VCDF directed timeframe.

In FY22-23, the average time to conduct unit disciplinary investigations was higher:

- Navy: 47 days (27 days in FY21-22)
- Army: 15 days (11 days in FY21-22)
- Air Force: 16 days (9 days in FY21-22)

The percentage of unit level investigations completed within 14 days:

- Navy 44%
- Army 77%
- Air Force 80%

Joint Military Police Unit (JMPU) investigations

During FY22-23, JMPU reported 3,558 incidents, resulting in 384 investigations.

In 2016, the VCDF delay reduction measures stipulated JMPU investigations be completed within 4 months of a notifiable incident assessment (unless there were exceptional circumstances).

Disciplinary Infringements

2,733 Disciplinary Infringements were recorded during FY22-23. This represents an overall decrease of about 17% from the 3,276 infringements recorded previously in FY21-22. In FY22-23 the Services recorded:

- Navy: 934 infringements (34%).
- Army: 1509 infringements (55%).
- Air Force: 290 infringements (11%).

Disciplinary trials (Service Tribunals)

Courts martial, the Defence Force Magistrate or Summary Authorities can conduct disciplinary trials.

Until 13 December 2022, there were three types of Summary Authority - Superior Summary Authority (usually at the O7/O6 rank), a Commanding Officer (usually O5 rank), or a Subordinate Summary Authority (usually O4 rank). On 13 December 2022, the position of Subordinate Summary Authority was removed from the DFDA.

In FY22-23, the total number of Summary trials decreased across all Services by approximately 37% to 460 trials, compared to 721 from the previous FY21-22. Numbers of Summary trials by Service are:

- Navy: 110 trials (184 the previous FY 20-21)
- Army: 317 trials (462 in FY 20-21)
- Air Force: 33 trials (75 in FY20-21)

¹ Data taken from Table 6.2 of the Defence Annual Report for 2022-23

Summary level trials are required by VCDF to be conducted within 14 days from the date a member is charged. During FY22-23, the Service compliance averaged:

- Navy: 20 days (71% of Navy trials)
- Army: 14 days (77% of Army trials)
- Air Force: 23 days (59% of Air Force trials).

Of the 460 Summary trials held in FY22-23, there were 601 convictions recorded: Navy 176, Army 389 and Air Force 36.

There were 44 courts martial and Defence Force magistrate (DFM) trials recorded in FY22-23 (Navy 16, Army 22, Air Force 6). These led to:

- 72 convictions (Navy 30, Army 35 and Air Force 7)
- 23 not guilty findings (Navy 10, Army 6 and Air Force 7).

504 Service Tribunal trials were held in FY22-23; a combined total from courts martial, DFM and Summary Authority trials. This was a 33% decrease from the 756 trials recorded in FY21-22.

Of the total 504 Service Tribunal trials, 673 convictions were recorded; a decrease of 28% over the 932 convictions recorded in FY21-22.

Civil convictions

ADF members who are arrested and/or charged with a civil offence, or participate in a Diversionary Program, must inform the ADF. Reporting these matters enables the ADF to consider whether the member remains suitable for their current employment or position.

Civil convictions increased by 18% for ADF members; from 146 in FY21-22 to 178 in FY22-23.

Punishments imposed by a civil authority on ADF members increased by 36%, from 92 in FY21-22 to 125 in FY22-23.

Protection Orders

The ADF requires that Protection Orders are reported to assist with management of Defence members who are provided protection from a Protection Order, and who are a respondent to a Protection Order.

During FY22-23, 75 Protection Orders were recorded (Navy 22, Army 38, and Air Force 15); an increase of 25% over the 60 recorded in FY21-22. An additional

28 (Navy 0, Army 23, Air Force 5) Protection Orders were extended.

Administrative inquiries

The CDF or certain delegates under the *Defence (Inquiry) Regulations 2018* can appoint commissions of inquiry and inquiry officer (IO) inquiries.

During FY22-23, 22 ADF IO inquiries were entered in the ADF Administrative Inquiry Tracking System (ADFAITS) (Navy 9, Army 12, Air Force 1).

IGADF Administrative inquiries

The IGADF is an independent office and separate from the ADF chain of command. The IGADF can exercise inquiry powers under the *Defence Act 1903* and the *Inspector-General of the Australian Defence Force Regulation 2016*.

IGADF received 104 inquiry submissions in FY22-23, slightly higher than the 94 submissions received in 2021-22.

For FY22-23, 64 submissions were finalised following IGADF inquiry or assessment.

Administrative sanctions

An ADF commander may impose an administrative sanction on ADF members whose conduct, performance, or standards are unsatisfactory.

During FY22-23, there was an approximate 26% decrease in administrative sanctions from 1283 in 2021-22 to 954 in FY22-23.

- Navy: decreased 32%, from 474 to 322.
- Army: decreased 27% from 650 to 474
- Air Force: decreased by 0.6% from 159 to 158.

Redress of Grievance (ROG)

A Redress of Grievance (ROG) is a statutory complaint process under Part 7 of the *Defence Regulation 2016*. A Defence member may complain about a decision, act or omission relating to their service in the ADF.

During FY22-23, ADF members submitted 245 new ROGs, representing a 6% decrease on the previous period (261).

- 259 ROGs (Navy 60, Army 129, Air Force 70) were completed in 2022-23.
- 25% of ROG complaints finalised in FY22-23 were fully or partially upheld.

Unacceptable behaviour complaints

Defence compiles unacceptable behaviour data from ComTrack, the Army Incident Management System (AIMS) and the Defence Policing and Security Management System (DPSMS).

During FY22-23, 1,165 unacceptable behaviour complaints were submitted. This represents an increase of 20.85% from the 964 complaints received in 2021-22.

Of these, 887 complaints related to incidents that occurred during the financial year, with the remaining 278 relating to incidents occurring in previous financial years.

- 713 unacceptable behaviour complaints were finalised during FY22-23.

Sexual offences

The Australian and New Zealand Standard Offence Classification (ANZSOC) 2011 for classifying sexual offences is used by the Defence Sexual Misconduct Prevention and Response Office (SeMPRO) and the Joint Military Police Unit (JMPU).

During FY22-23, 133 alleged sexual offences were reported to the JMPU – a decrease of 10% from the 148 alleged offences reported in FY21-22.

IGADF military justice performance audits

The IGADF conducts Military Justice Performance Audits (IGADF Audit) of ADF units every four to five years pursuant to section 110C(1)(b) of the *Defence Act 1903*, and section 5(d) of the *Inspector-General of the Australian Defence Force Regulation 2016*.

In FY22-23, 54 IGADF Audits (Navy 12, Army 28, Air Force 13, Joint 1) were conducted, an increase from 41 in FY21-22.

During an IGADF Audit, ADF personnel of the unit under audit attend focus group discussions. In FY22-23, 3598 ADF personnel (Navy 829, Army 1934, Air Force 636, and Joint 199) participated in a focus group discussion.

Deaths and incidents

The IGADF is responsible for inquiring into deaths of ADF members, permanent and reserve, where the death appears to have arisen out of, or in the course of, the ADF member's service.

In FY22-23 IGADF received notification of 46 deaths of ADF members.

IGADF finalised 50 inquiries into the deaths of ADF members during FY22–23, approximately 56 per cent more than FY21-22 where IGADF finalised 32 death related inquiries. Of those deaths finalised, the causes were:

- 31 illness-related (62 per cent)
- 14 suicides (28 per cent)
- 1 training accident (2 per cent)
- 4 accidents (8 per cent)

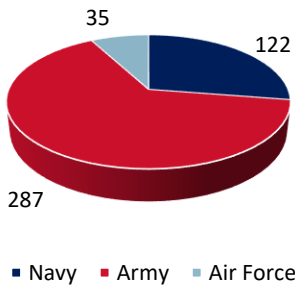
2 DISCIPLINE SYSTEM

DISCIPLINARY INVESTIGATION TRENDS

During FY22-23, the Services conducted 444 unit level investigations:

- Navy: 122 investigations (27%)
- Army: 287 (65%)
- Air Force: 35 (8%).

Graph 2: Unit level discipline investigations



Duration of Investigations (Calendar Days)

VCDF released revised summary trial performance targets on 23 November 2021 (VCDF Directive 02/2021), reducing timeframes for unit level DFDA investigations from 70 days to 14 days.

At unit level, the time taken to investigate alleged offences averaged 26 calendar days in FY22-23, higher than the 13 day average in FY21-22. Services averaged:

- Navy: 47 days (27 days in FY21-22)
- Army: 15 days (11 days in FY21-22)
- Air Force: 16 days (9 days in FY21-22)

Table 1: Average days for unit Investigation

	2019-20	2020-21	2021-22	2022-23
Navy	32	27	27	47
Army	10	10	11	15
Air Force	16	10	9	16
ADF	15	13	13	26

Services completed the following proportion of unit level investigations within the revised VCDF performance measure of 14 days:

- Navy: 44%
- Army: 77%
- Air Force: 80%

Overall, the ADF completed 68% of unit level investigations within the VCDF timeframe.

Time Taken from Charge to Summary Trial (Calendar Days)

VCDF Directive 02/2021 amended the completion timeframes for uncontested and contested Summary level trials to 14 and 28 days respectively, from the date the member is charged. Previously the timeframes were 14 days in normal circumstances and 21 days for exceptional circumstances.

In FY22-23, Summary level trials were conducted within 19 days on average. This is above the VCDF Directive timeframe of 28 days for contested and 14 days for uncontested Summary level trials. Service averages were:

- Navy: 20 days (93% of Navy trials)
- Army: 14 days (98% of Army trials)
- Air Force: 22 days (97% of Air Force trials).

96% (577 of 599) of disciplinary matters² (Summary level) were brought to trial within the three months mandated by section 129D of the DFDA.

Table 2: Average days charge to Summary Trial

	2019-20	2020-21	2021-22	2022-23
Navy	21	20	12	20
Army	14	12	12	14
Air Force	15	15	11	22
ADF	15	14	12	19

JOINT MILITARY POLICE UNIT (JMPU) investigations

During FY22-23, JMPU received reports of 3,558 incidents, resulting in 384 investigations. This was an increase of 9% from 351 investigations in FY22-23.

Four key disciplinary investigation types were:

- 127 Fraud offences (33% of the 384 investigations).
- 52 Sexual assault and related offences investigated (14%).
- 187 General discipline offences (49%).
- The remaining 18 investigations (5%) related to security and misconduct.

A comprehensive breakdown of investigation descriptions is below.

² A disciplinary matter refers to each individual charge.

2 DISCIPLINE SYSTEM**Table 3: JMPU breakdown of investigation descriptions**

Description	JMPU 2019- 20	JMPU 2020- 21	JMPU 2021- 22	JMPU 2022- 23
Fraud	174	121	119	127
Credit Card or Cheque	40	14	16	26
Deception	35	30	17	9
Entitlement	53	47	68	73
Loss or Theft	39	25	14	14
Misuse Commonwealth Property	5	4	0	4
Unethical Conduct	2	1	4	1
Other	4	7	6	3
Information Request	1	0	0	0
Misconduct	2	6	5	3
Work Health & Safety	1	1	1	0
General Discipline	374	350	216	239
Absence from Duty	5	0	0	0
Absence Without Leave	10	2	3	1
Acts Intended to Cause Injury	82	57	53	52
Contravention of Professional Standards	0	0	0	1
Damage to Property	18	18	8	15
Dangerous/Negligent Acts Endangering Persons	8	14	6	1
Harassment & Threatening Behaviour	28	24	20	25
Illicit Drug Offences	22	14	16	10
Miscellaneous Offences	63	79	31	46
Mutiny, Desertion and Unauthorised Absences	1	0	0	0
Offences against Justice Procedures/Govt. Ops	1	0	0	4
Other	-	-	-	1
Public Order Offences	1	3	1	3
Road Traffic/Motor Vehicle Regulatory	21	15	2	7
Robbery, Extortion and Related Offences	1	1	0	0
Sexual Assault and Related Offences	77	88	62	52
Sudden Death and Wounded in Action	9	5	1	1
Theft, Lost or Found Property	20	28	12	17
Unlawful Entry with Intent/Burglary	7	2	1	3
Security	17	6	10	15
Disclosure	1	1	0	0
Disruptive behaviour - External person(s)	-	-	-	1
Data Handling/Transport	0	1	1	0
ICT/Cyber Incident - Internet/public domain	-	-	-	1
Inappropriate disclosure/release - Data/Info	-	-	-	2
Inappropriate handling/transport - Non-ICT Equip.	-	-	-	1
Inappropriate storage - Data/Info	-	-	-	1
Inappropriate storage - Non-ICT Equip.	-	-	-	1
Lost - Non-ICT Equip.	-	-	-	1
Non-ICT Equip Misuse	5	0	2	0

2 DISCIPLINE SYSTEM

Lost/Stolen Non-ICT Equipment	0	2	3	3
Unauthorised Access Data	0	2	4	3
Unauthorised access - Site/building/perimeter	-	-	-	1
Physical	2	0	0	0
Weapons, Explosives & Controlled Items	9	0	0	0
Total	569	484	351	384

2 DISCIPLINE SYSTEM

DISCIPLINARY INFRINGEMENTS

In late 2022, the Disciplinary Infringements scheme underwent a number of changes including broadening the number of offences that could be dealt with by a Discipline Officer rather than a Summary Authority.

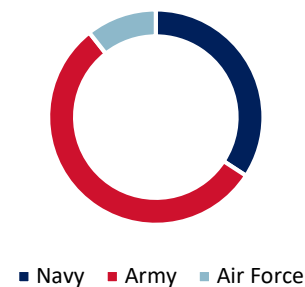
From 13 December 2022, an Infringement Officer could issue an infringement notice to an ADF member for the following infringements:

- Absent from duty – cease to perform (DFDA section 9DA(2))
- Absent from duty – not attend (s 9DA(1))
- Absent without leave not exceeding 24 hours (s 9DH)
- Absent without leave not exceeding 3 hours (s 9DB)
- Creating a disturbance etc. (s 9DJ)
- Disobeying a lawful command (s 9DC)
- Driving service vehicle for unauthorised purpose (s 9DO)
- Driving service vehicle without due care or attention (s 9DP(1))
- Driving vehicle on service land without due care or attention (s 9DP(2))
- Failing to comply with a general order (s 9DD)
- Failure to perform duty or carry out activity (s 9DF)
- Insubordinate conduct (s 9DI(1))
- Insubordinate language (s 9DI(2))
- Insulting or provocative words (s 9DK)
- Intoxicated while on duty etc. (s 9DN)
- Member on guard or on watch – intoxicated (s 9DE(c))
- Member on guard or on watch - leaves post (s 9DE(d))
- Member on guard or on watch - sleeps at post (s 9DE(a))
- Member on guard or on watch - sleeps on duty (s 9DE(b))
- Negligent discharge of weapon (s 9DM)
- Prejudicial conduct - act (s 9DG(1))
- Prejudicial conduct - omission (s 9DG(2))
- Unauthorised discharge of a weapon (s 9DL).

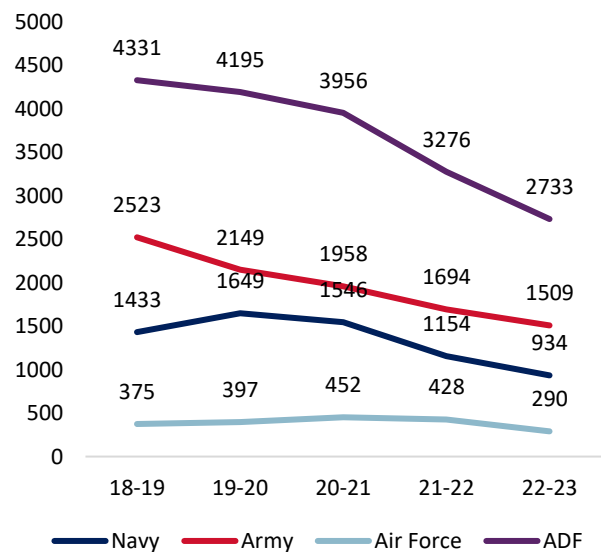
During FY22-23, 2,733 Disciplinary Infringements were recorded. This represents an overall decrease of about 17% from the 3,276 Infringements recorded in FY21-22. The Services recorded:

- Navy: 34% of all Infringements with 934.
- Army: 55% with 1509 Infringements.
- Air Force: 11% with 290 infringements.

Graph 3: Disciplinary Infringements FY2022-23



Graph 4: Disciplinary Infringements by FY

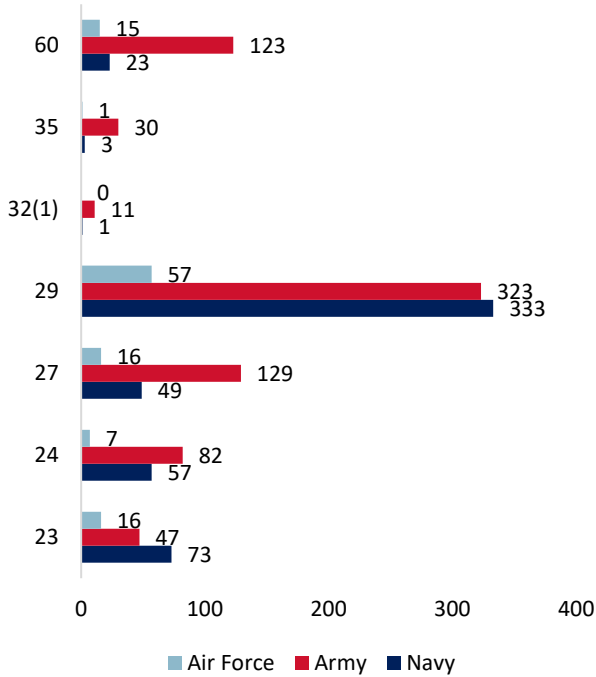


The most common offences were absences (517), disobeying lawful commands (388), and failure to comply with a general order (1,317 – 52% of all infringements).

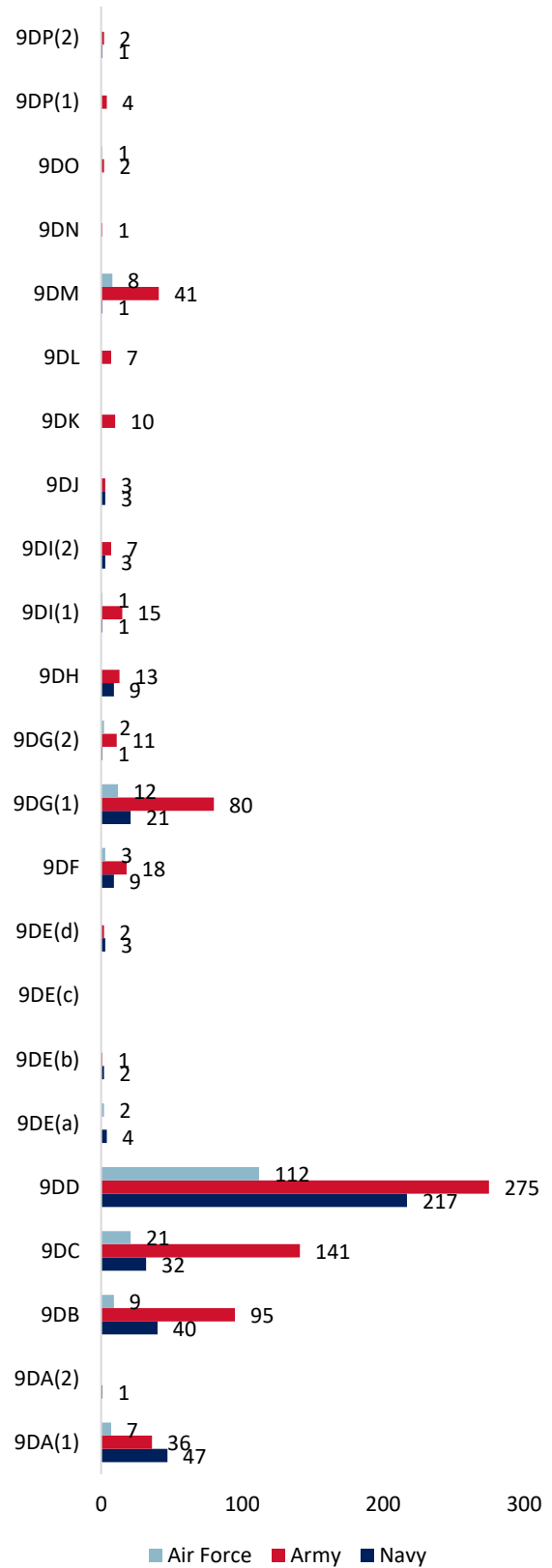
Please note, the following two graphs for this section differ because of significant changes to the Disciplinary Infringement scheme on 13 December 2022, which expanded the range of available infringements.

2 DISCIPLINE SYSTEM

Graph 5a: Infringements by DFDA infringement provision June 2022 - December 2022

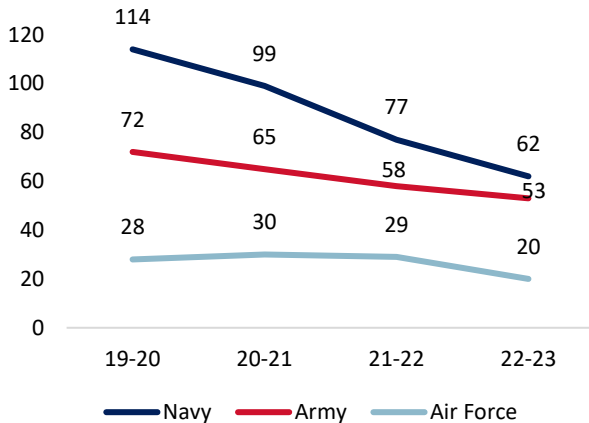


Graph 5b: Infringements by DFDA infringement provision January 2023 - June 2023



2 DISCIPLINE SYSTEM

Graph 6: Disciplinary Infringement Scheme per 1000 (SERCAT 7 - Permanent)



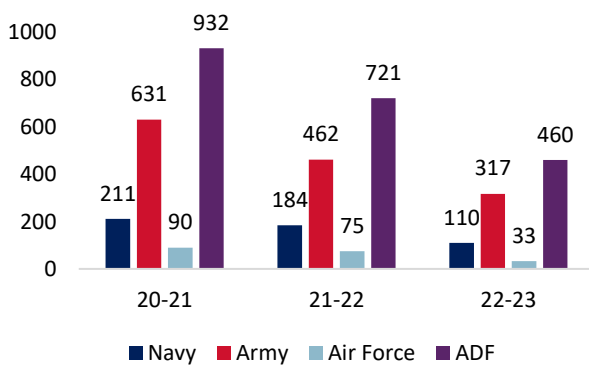
On a per 1000 member basis, Navy (62) continues to use the scheme more than Army (53) and Air Force (20) for minor disciplinary infringements. This is despite considerable decreases in the overall use of infringements over the past four reporting periods.

SUMMARY AUTHORITY TRIALS

During FY22-23, there was a decrease of approximately 36% to 460 Summary trials from 721 in FY21-22:

- Navy: 110 Summary trials (184 in FY21-22)
- Army: 317 (462 in FY21-22)
- Air Force: 33 (75 in FY21-22)

Graph 7: Service summary trial trends by FY

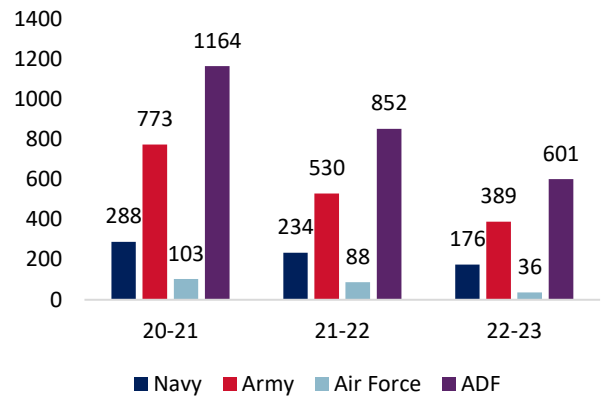


Summary trial convictions

In FY22-23, 601 Summary DFDA convictions were recorded. That is a decrease of approximately 30% in convictions recorded from 852 in FY21-22. DFDA Summary convictions by Service in FY21/22 were:

- Navy: 176 (234 in FY21/22)
- Army: 389 (530 in FY21/22)
- Air Force: 36 (88 in FY21/22)

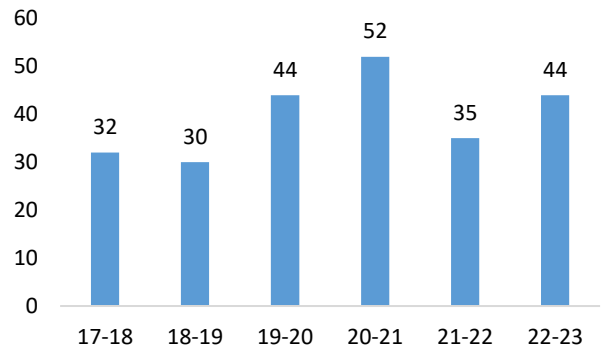
Graph 8: Service summary trial conviction trends by FY



HIGHER SERVICE TRIBUNAL

In FY22-23, there were 44 courts martial and Defence Force magistrate (DFM) proceedings held (Navy 16, Army 22, Air Force 6). This is a 20% increase over the 35 trials recorded in FY21-22.

Graph 9: Higher Service Tribunal by FY

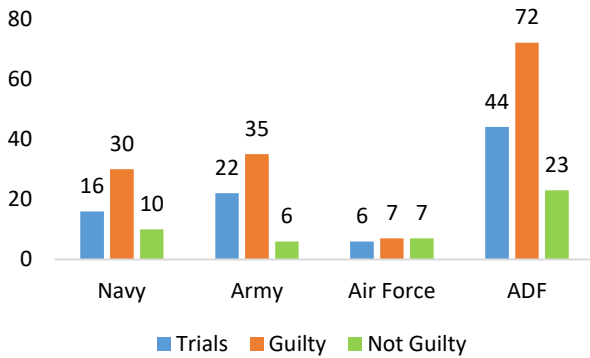


The Service tribunal trials results were:

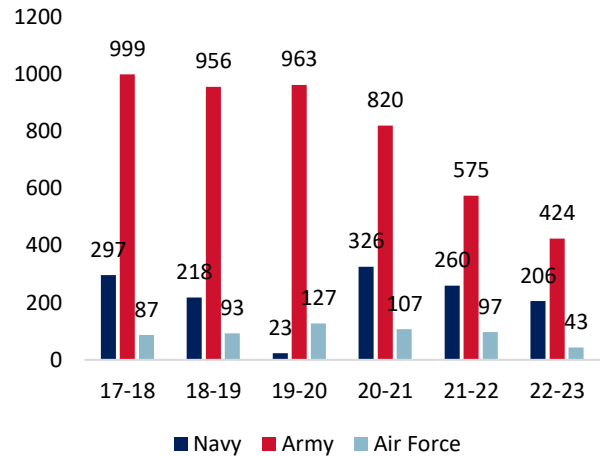
- conviction of 72 offences (Navy 30, Army 35 and Air Force 7)
- 23 not guilty findings (Navy 10, Army 6, and Air Force 7)
- A further 18 charges (Navy 6, Army 4, Air Force 7) were withdrawn prior to, or during proceedings.

2 DISCIPLINE SYSTEM

Graph 10: Higher Tribunal and trial outcomes



Graph 12: Combined discipline convictions



Combined DFDA trials

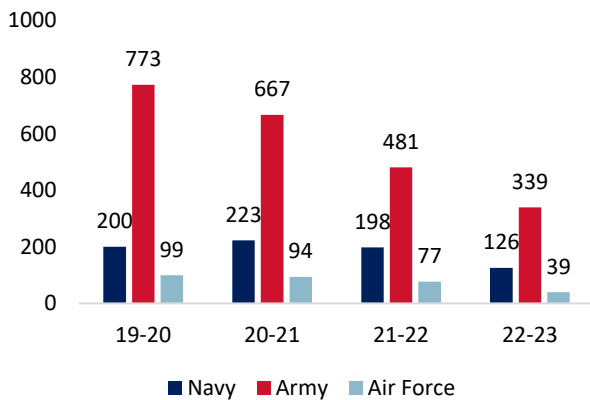
There were 504 trials involving courts martial, DFM (44) and summary authority (460) proceedings in FY22-23. This equates to a 33% decrease from the 756 trials recorded in FY21-22.

Historically, Army has accounted for three-quarters of all DFDA trials and convictions, which has been the trend since FY12-13. In FY22-23, Army continues to have the highest number of DFDA trials; accounting for 70% of all DFDA trials.

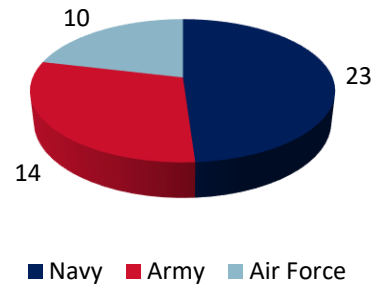
Combined not guilty findings

During FY22-23, not guilty findings were recorded from both Superior tribunal and Summary trials (Navy 23, Army 14, Air Force 10). This is an increase of 42% from the 33 not guilty findings recorded in FY21-22.

Graph 11: Combined discipline trials



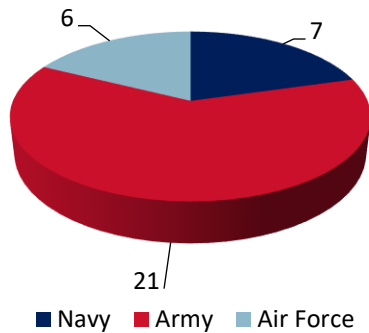
Graph 13: Combined not guilty findings from DFDA trials



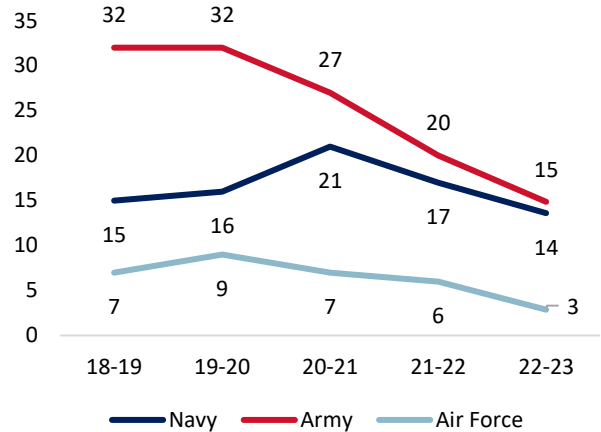
During the legislated automatic review of DFDA convictions, an additional 34 convictions (Navy 7, Army 21, Air Force 6) were quashed in FY22-23. This is a 30% decrease from the 48 quashed convictions recorded in FY21-22.

2 DISCIPLINE SYSTEM

Graph 14: Combined quashed findings from DFDA action



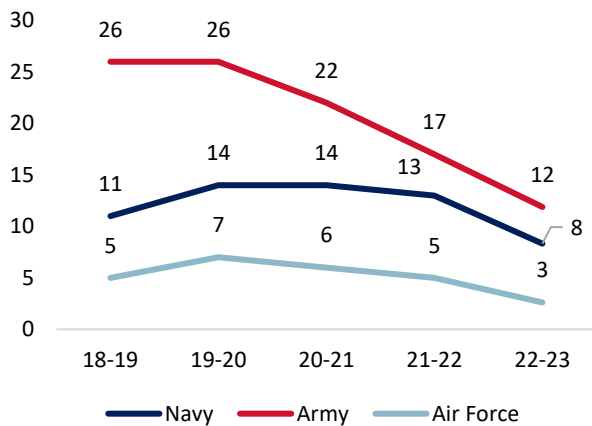
Graph 16: Combined discipline convictions per 1000 (SERCAT 7 - Permanent)



Trial trends per 1000 members

Army continues to record the highest trial rate per 1000 members (permanent force) with 12 trials; followed by Navy 8 and Air Force 3.

Graph 15: Combined discipline trials per 1000 (SERCAT 7 - Permanent)



Conviction trends per 1000 members

Similarly, Army continues to have the highest conviction rate of 15 per 1000 members (permanent force), followed by Navy with 14 and Air Force 3.

Offence categories

In the last three years there has been a declining trend in offending. The type of DFDA offences charged at Summary trials also replicate the overall decline in offence type.

Table 4: Summary level DFDA offence categories

	2020-21	2021-22	2022-23
Absence from duty/without leave	128	121	135
Insubordinate conduct	51	26	20
Disobeying a lawful command	128	70	39
Failing to comply with a general order	466	269	77
Assaults	24	27	42
Weapon discharge	117	110	80
Prejudicial conduct	148	145	81
Total	1062	768	600
Percentage of all convictions	91%	90%	79%

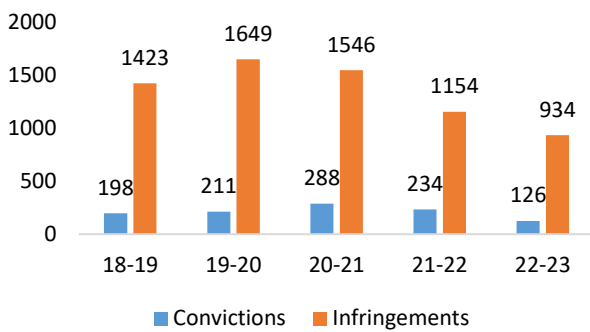
2 DISCIPLINE SYSTEM

Trends between conviction and infringements

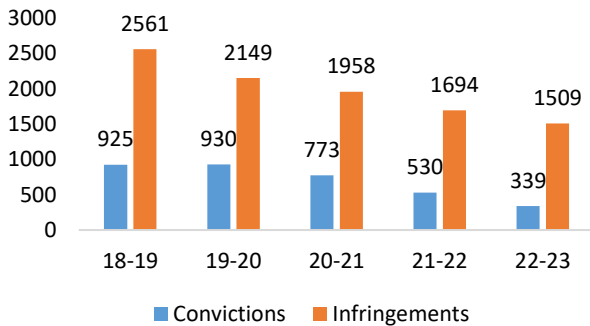
Service discipline trend comparison across the DFDA charges and infringements processes continue a similar pattern. The number of disciplinary infringements recorded continues to be at a higher rate than summary discipline convictions. The following three graphs depict discipline rates and trends.

Overall, Navy, Army and Air Force recorded significant decreases of 25%, 17%, and 36% respectively during 2022-23.

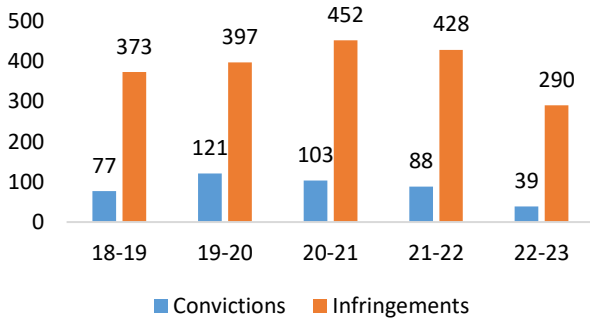
Graph 17: Navy discipline trends



Graph 18: Army discipline trends



Graph 19: Air Force discipline trends



DFDA convictions for offences committed on deployment or involving alcohol

In FY22-23, 31 DFDA convictions were recorded for offences committed while on deployment (excluding alcohol-related convictions), a 26% decrease over the 42 recorded previously in FY21-22. The DFDA convictions per Services were:

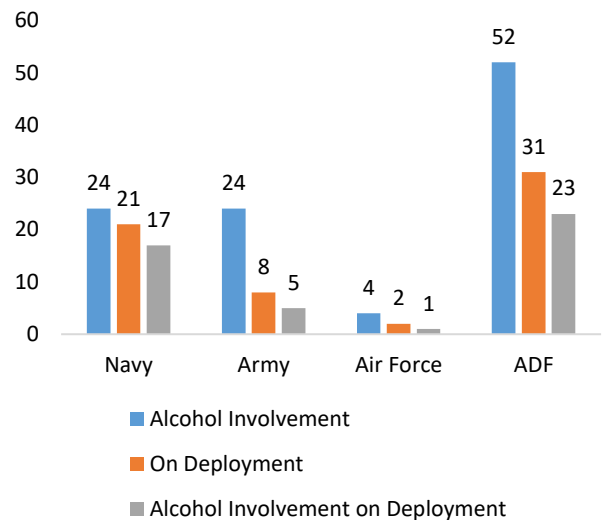
- Navy: 21 DFDA convictions (68%)
- Army: 8 DFDA convictions (26%)
- Air Force: 2 DFDA convictions (6%).

Alcohol was a contributing factor in 52 DFDA convictions; a 58% decrease from the 90 recorded in FY21-22. The Service breakdown:

- Navy: 24 DFDA convictions (40%)
- Army: 24 convictions (51%)
- Air Force: 4 convictions (9%).

Alcohol related offending committed on deployment during FY22-23 involved 23 convictions (Navy 17, Army 5, Air Force 1).

Graph 20: Alcohol related and on deployment DFDA Convictions



2 DISCIPLINE SYSTEM

CIVIL CONVICTIONS

ADF members who are arrested and/or charged within a civilian offence, or who participate in a civilian diversionary program, must inform the ADF. This enables the ADF to consider whether the member remains suitable for their current employment or position. Civil convictions must be entered into the Complaint Management Tracking Reporting System (CRTS) on PMKeyS pursuant to the Military Personnel Policy Manual, Part 9, Chapter 7.

Civil convictions increased by 18% for ADF members, from 146 in FY21-22 to 178 in FY22-23.

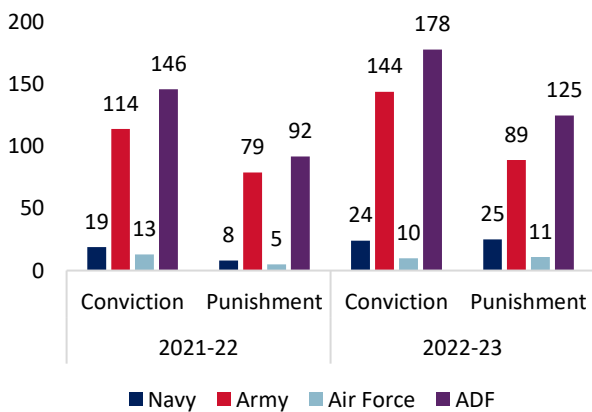
Punishments imposed by a civil authority increased by 36%, from 92 in FY21-22 to 125 in FY22-23. Fines (64) and loss of licence/suspension (44), account for 86% of all punishments imposed by a civil authority.

Table 5: Imposed Punishment by Civil Authority

Punishment Type	Navy	Army	Air Force	ADF
Community service order	0	1	0	1
Fine	13	46	5	64
Driving Licence suspended/revoked	9	31	4	44
Undertaking of good behaviour	3	11	2	16
Total	25	89	11	125

The graph below depicts a breakdown of civil offences, convictions and punishments by Service.

Graph 21: Civil convictions and punishments for 2021-22, and 2022-23



2 DISCIPLINE SYSTEM

PROTECTION ORDERS

Defence has policy regarding the management of ADF members who are either a protected person under a Protection Order, or a respondent to a Protection Order.

It is mandatory for notified unit commanders to record any civilian Protection Orders issued. Protection Orders include:

- Orders made against an ADF member (respondent)
- Orders made for the protection of an ADF member (protected person)
- any interim, temporary, provisional and/or final Orders.
- a Protection Order may include orders that control access to, or possession of, weapons. The requirement also includes a Weapon Protection Order issued by some States or Territories.

Depending on the Australian State or Territory, Protection Orders include: Domestic Violence Orders, Aggravated Violence Order, Family Violence Order, Personal Protection Orders, Restraining Orders, Weapon Protection Orders, or similar.

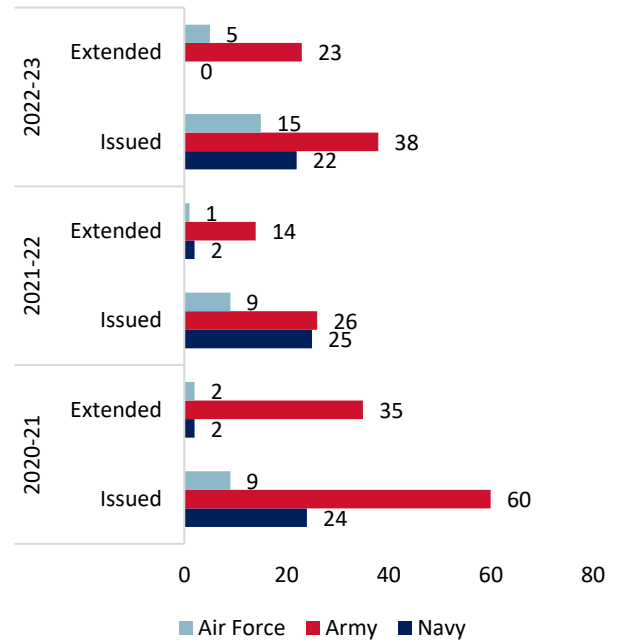
Protection Orders are required to be entered into the Complaint Management Tracking Reporting System (CRTS) on PMKeyS pursuant to the Military Personnel Policy Manual, Part 9, Chapter 4.

During FY22-23, 75 Protection Orders were recorded; an increase of 25% compared to the 60 recorded in FY21-22. Of those recorded, either for or against a member, the Service breakdown was:

- Navy: 22 (29%)
- Army: 38 (51%)
- Air Force: 15 (20%).

An additional 28 protection orders were extended during FY22-23: (Navy 0, Army 23, and Air Force 5).

Graph 22: Protection orders issued and extended: FY 2018-19 to 2022-23



3 ADMINISTRATIVE INQUIRIES

ADF ADMINISTRATIVE INQUIRIES

ADF Commanders can commence inquiries under the *Defence (Inquiry) Regulations 2018*. Inquiries are required to be entered into ADFAITS pursuant to the Administrative Inquiries Manual, Chapter 3, paragraph 3.17.

During FY22-23, 22 Inquiries were entered in ADFAITS (Navy 9, Army 12, Air Force 1).

The table below shows all ADF administrative inquiries recorded since July 2006 when the collection of statistical information concerning ADF inquiries became mandatory.

Table 6: ADF Administrative Inquiries 2006 – 30 Jun 2023

	CDF / Joint	Navy	Army	Air Force	Total
Inquiry Officer Inquiry	83	235	378	91	787
Board of Inquiry	9	3	-	-	12
Commission of Inquiry	30	-	-	-	30
Total	122	238	378	91	829

IGADF ADMINISTRATIVE INQUIRIES

The IGADF is an independent statutory office, separate to the ADF chain of command. The IGADF can commence inquiries under the *Defence Act 1903* and the *Inspector-General of the Australian Defence Force Regulation 2016*. IGADF inquiries are not recorded in ADFAITS.

During FY22-23, IGADF received:

- 104 inquiry submissions and referrals; higher than the 94 submissions received in FY21-22.
- 47 complaints against the professional standards of the Military Police.

By 30 June 2023, 64 submissions/referrals were finalised following IGADF inquiry or assessment.

Graph 23: IGADF submission/referral case load summary by FY

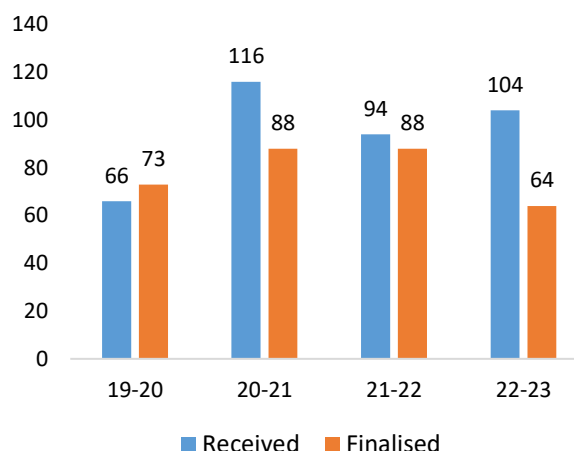


Table 7: Categories of complaints received by IGADF

Complaint type	2019-20	2020-21	2021-22	2022-23
Abuse of authority	2%	0%	1%	0%
Admin mis-management	14%	11%	22%	24%
Alleged offence	11%	19%	6%	6%
Complaint against MP	0%	1%	1%	2%
Failure of DFDA	0%	1%	0%	0%
Failure of process	14%	13%	18%	19%
Medical related	6%	5%	0%	4%
Misconduct	5%	0%	0%	0%
Misuse social media	0%	0%	1%	0%
Non-Compliance law/policy	0%	2%	1%	1%
Other (not in jurisdiction)	2%	0%	0%	6%
Professional misconduct	0%	8%	6%	2%
Sexual misconduct	0%	0%	5%	1%
Unacceptable behaviour	46%	40%	38%	33%
Unfair dismissal	0%	0%	0%	1%
Victim of domestic violence	0%	0%	1%	1%

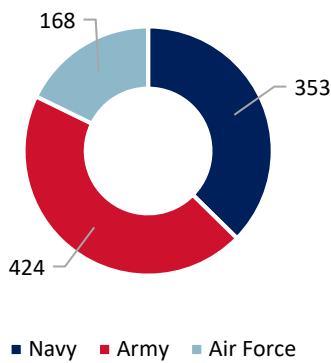
ADMINISTRATIVE SANCTIONS

An ADF commander may impose an administrative sanction on ADF members whose conduct, performance or standards are unsatisfactory. Usual types of sanctions are Formal Warning, Censure, Removal from Appointment, Reduction in Rank, or Termination of Service.

Administrative sanctions are required to be entered into the Complaint Management Tracking Reporting System (CRTS) on PMKeyS pursuant to the Military Personnel Policy Manual, Part 9, Chapter 8.

During FY22-23, there was an overall decrease of 26% from 1,283 sanctions imposed in FY21-22 to 945 sanctions in FY22-23.

Graph 24: Administrative Sanctions FY22-23



During FY22-23, the Service data records:

- Navy: with a decrease of 26%, from 474 (FY21-22) to 353.
- Army: with the largest decrease of 35% from 650 (FY21-22) to 424.
- Air Force: with an increase of 5% from 159 (FY21-22) to 168.

See Graph below for sanction trends by Service and ADF total since 2016 and Table for FY22-23.

Sanction type. There are four common types of administrative sanction that account for 90% of all sanctions imposed:

- Formal Warning (483)
- Termination (175)
- Formal Counselling (153) (Navy and Army only)
- Censure (46)

Air Force does not consider Formal Counselling to be a sanction.

Sanction reason. An administrative sanction can be imposed for more than one reason. However, the five main reasons for administrative sanctions in FY22-23 were:

- Fitness Failure (1018)
- Unsatisfactory Conduct (964)
- Civil Convictions (178)
- Misuse of Alcohol (98)
- Suspension from Duty (77)
- Protection Orders (75)

See Graph and Table below for reason types by Service.

Reasons per Service. The highest reason for an administrative sanction broken down by service is:

- Navy: for fitness test failure (174 of 1018), unsatisfactory conduct (299 of 964), and civil convictions (24 of 178).
- Army: for fitness test failure (529 of 1018), unsatisfactory conduct (464 of 964), and civil convictions (144 of 178)
- Air Force: for fitness test failures (315 of 1018), unsatisfactory conduct (315 of 964), and civil convictions (10 out of 178).

Graph 25: Administrative sanctions imposed trends

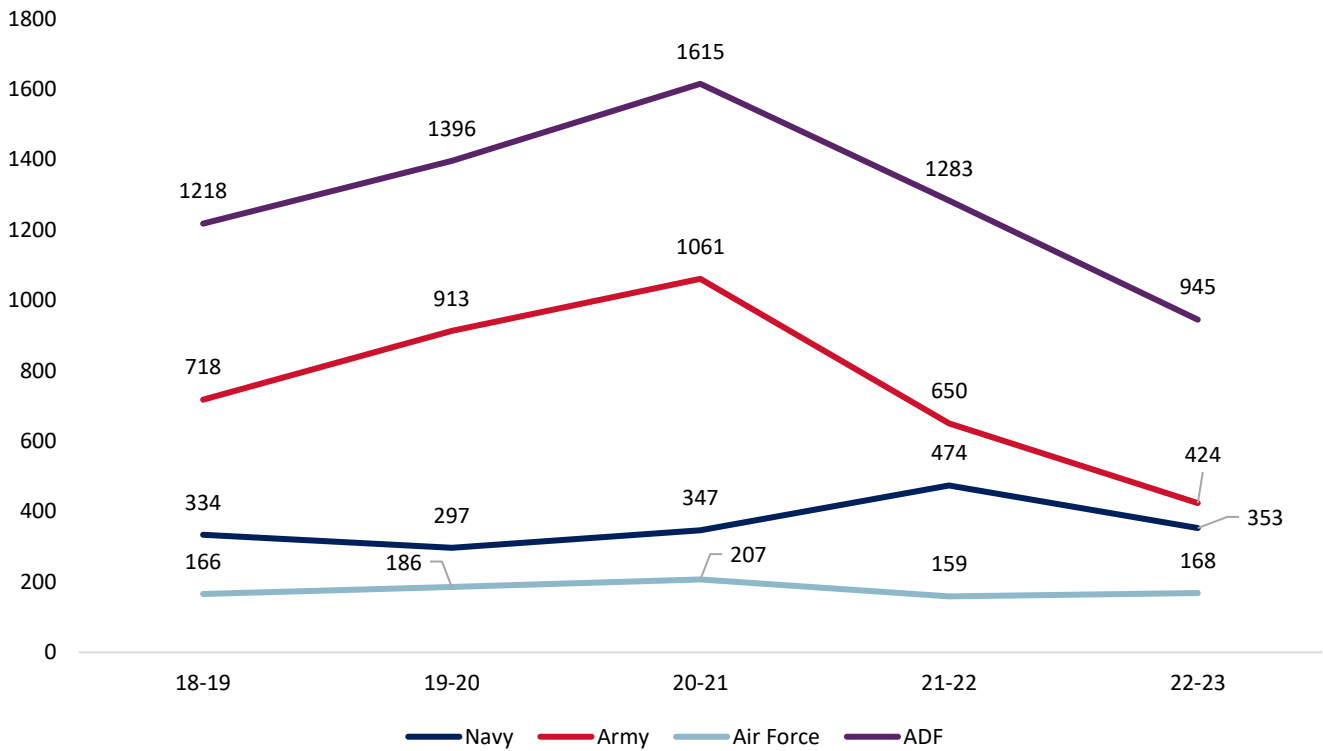


Table 8: Imposed Administrative Sanction FY22-23

	Navy	Army	Air Force	TOTAL
Censure	22	9	15	46
Compulsory transfer	3		3	6
Formal Counselling	88	65		160
Formal Warning	117	248	118	483
Probation		2		2
Reduction in rank	11	4		15
Removal from posting		2	4	6
Suspension from duty	13	6	6	25
Termination	4	15	2	21
TOTAL	353	424	168	945

Graph 26: Five main reasons for administrative sanctions FY22-23

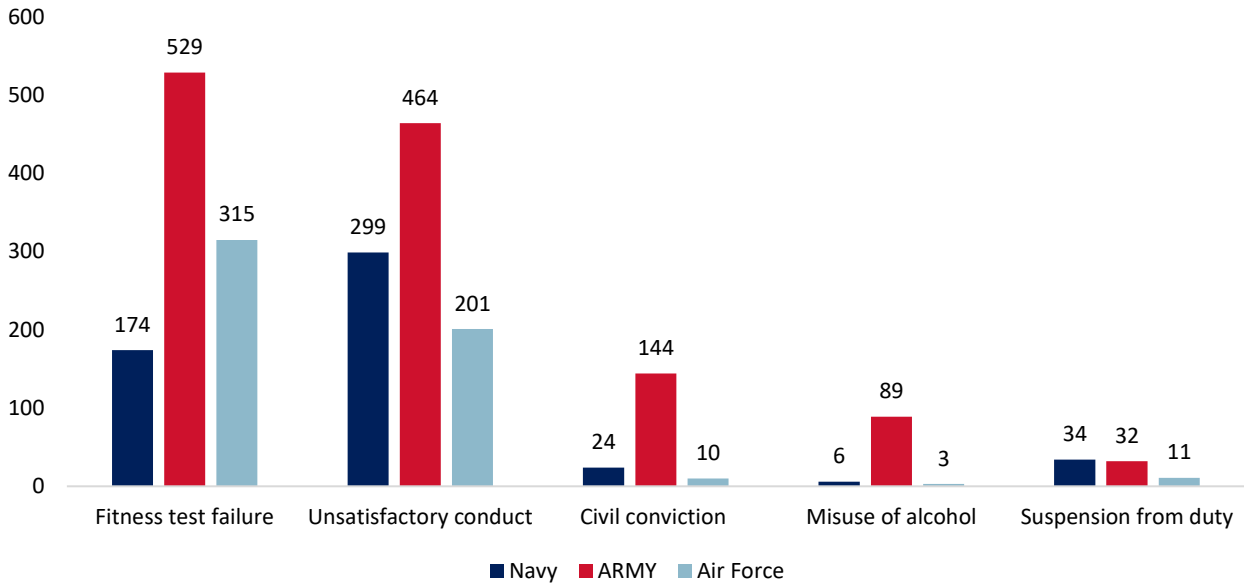


Table 9: All reasons for Administrative Sanction FY22-23

	Navy	ARMY	Air Force	TOTAL
Civil conviction ³	24	144	10	178
Civil offence ⁴		10		10
Fitness test failure	174	529	315	1018
Misuse of alcohol	89	6	3	98
Non-medical use of drugs		3		3
Personal qualities		4		4
Protection orders	27	53	17	97
Security	3	1		4
Suspension from duty	34	32	11	77
Unsatisfactory conduct	299	464	201	964
TOTAL	650	1246	557	2453

³ Number of administrative sanctions imposed as a direct consequence of civil convictions, commonly due to DUI.

⁴ Number of civil charges as reported in form PD 52.

5 COMPLAINTS

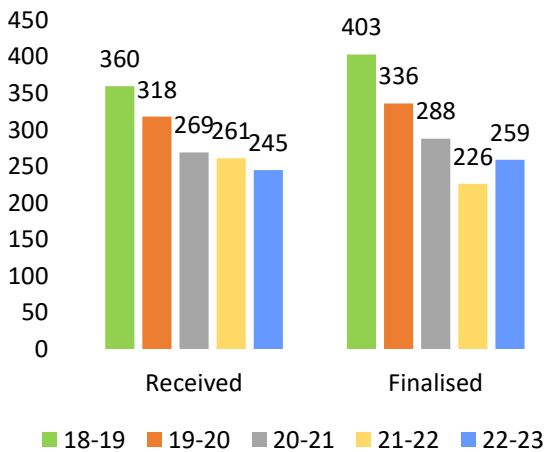
APPLICATION FOR REDRESS OF GRIEVANCE

Redress of Grievance (ROG) is a statutory complaint process under Part 7 of the *Defence Regulation 2016*. A Defence member may complain about a decision, act or omission relating to their service in the ADF.

The ROG complaint process commences with the ADF member submitting an electronic complaint form. The ROG is initially considered by a Commanding Officer or an Authorised Complaint Recipient. If necessary, further independent and separate consideration by the Office of the IGADF will occur.

During FY22-23, 245 new ROGs were submitted by ADF members, representing a 6% decrease on the previous period FY21-22 (261).

Graph 27: Grievance complaints by FY



ROGs completed

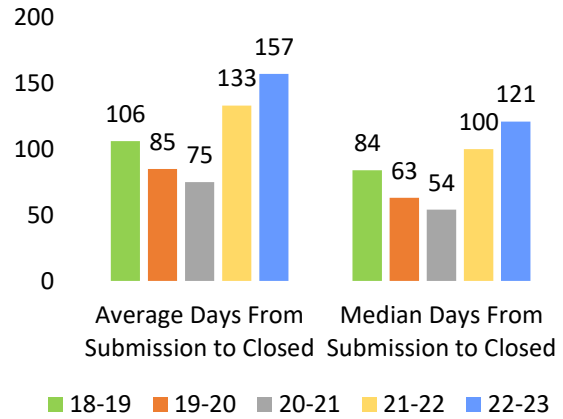
During FY22-23, 259 ROGs (Navy 60, Army 129 and Air Force 70) were completed:

- 65 (25%) were fully or partially upheld. In comparison to previous years, 18% FY20-21, 14% FY19-20, 16% upheld in FY18-19
- 124 (48%) had no merit
- 35 (13%) were withdrawn by the member
- 18 (7%) were excluded from the jurisdiction of the Redress of Grievance system
- 17 (7%) were resolved administratively outside the ROG process.

Time Taken. In FY22-23, the average time taken to finalise ROG complaints was 157 days, with a median time of 121 days. This represents an increase in average time taken to finalise complaints, over the

133 days (average time) and 100 days (median) recorded in FY21-22.

Graph 28: Time taken to resolve grievances by FY



ROG Categories. In FY22-23, the main categories of the 259 complaints closed were:

- termination of service (15% of complaints)
- the member’s career (43% of complaints)
- the member’s entitlements (27%)
- financial, security, medical, privacy and processes (16% of complaints).

Unacceptable behaviour

Unacceptable behaviour data within Defence is compiled using ComTrack, the Army Incident Management System (AIMS) and the Defence Policing and Security Management System (DPSMS).

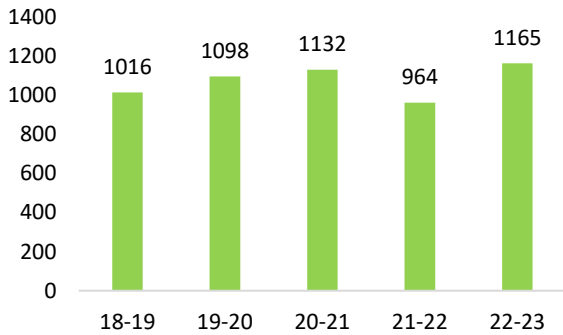
Unacceptable behaviour complaints, including alleged incidents, are required to be entered into the ComTrack pursuant to the Complaints and Alternative Resolution Manual, Chapter 3.

During FY22-23, 1165 unacceptable behaviour complaints were submitted. This represented an increase of 21% from the 964 complaints received in FY21-22.

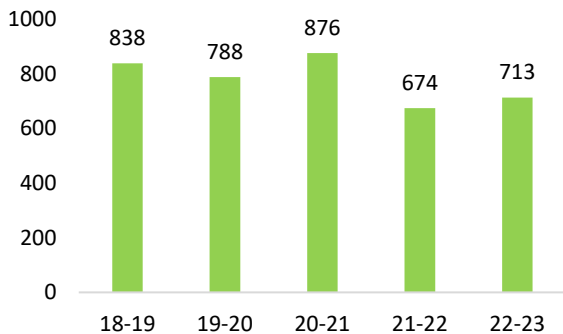
713 unacceptable behaviour complaints were finalised during FY22-23.

5 COMPLAINTS

Graph 29: Unacceptable behaviour complaints submitted by FY



Graph 30: Unacceptable behaviour complaints finalised by FY



Sexual offences

The Australian and New Zealand Standard Offence Classification (ANZSOC) 2011 for classifying sexual offences is used by the Defence Sexual Misconduct Prevention and Response Office (SeMPRO) and the Joint Military Police Unit (JMPU).

ANZSOC is the international framework for criminal/sexual offence reporting. The categories are:

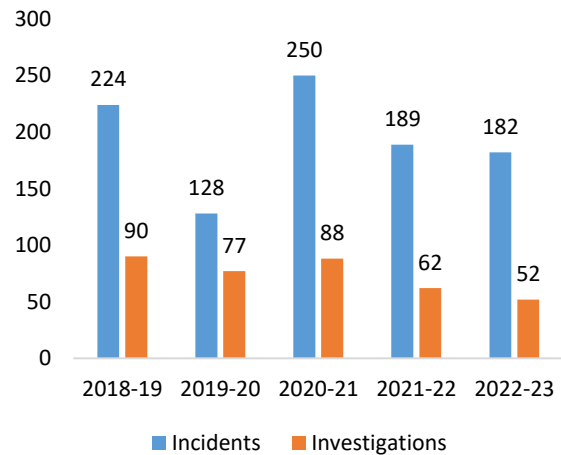
- Aggravated sexual assault. A sexual assault that involves any of the following aggravating circumstances: sexual intercourse; inflicts injury or violence; possession or use of a weapon; consent proscribed; or committed in company.
- Non-aggravated sexual assault. Sexualised physical contact without any of the aggravated circumstances as defined in aggravated sexual assault.
- Non-assaultive sexual offences. Offences of a sexual nature, or intent, against another person that do not involve physical contact with the person and where the person does

not give consent, or gives consent as a result of intimidation or deception, or consent is prohibited (e.g.: under-age).

Reported. During FY22-23, 182 alleged sexual offences were reported to the JMPU. A decrease of 4% from the 189 alleged offences reported in FY21-22. NOTE: This figure is higher than the reported 133 alleged sexual offences in the Defence Annual Report for FY22-23. Those alleged offences occurring within FY22-23 but reported after 30 June 2023 were reflected in the JMPU data.

Investigations completed. 52 investigations into alleged sexual offences were completed by JMPU during FY22-23.

Graph 31: Alleged sexual offences and investigations by FY



6 MILITARY JUSTICE PERFORMANCE REVIEW

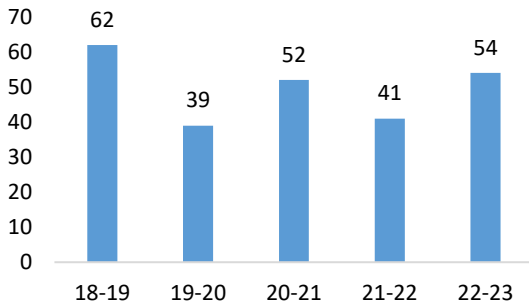
MILITARY JUSTICE PERFORMANCE AUDITS

The IGADF conducts Military Justice Performance Audits (IGADF Audits) of ADF units pursuant to section 110C(1)(b) of the *Defence Act 1903* and section 5(d) of the IGADF Regulation.

IGADF audits are conducted every four to five years of major ADF units. During the audit, the unit’s management of the military justice system over the previous 12 months is reviewed for compliance against military justice law and mandatory Defence policy.

During FY22-23, the IGADF conducted 54 Military Justice Performance Audits (Navy 12, Army 28, Air Force 13, Joint 1).

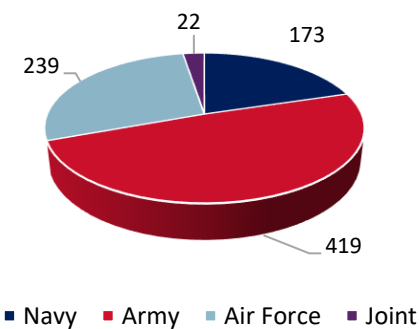
Graph 32: IGADF Audits conducted by FY



Since 2004, 853 IGADF Audits have been conducted. By Service breakdown:

- Navy: 20% (173)
- Army: 49% (419)
- Air Force: 28% (239)
- Joint (tri-service) units: 3% (22).

Graph 33: Audits by Service since 2004



Focus Group discussions

During an IGADF Audit, ADF personnel of the unit being audited attend focus group discussions. Focus group discussions ask set questions about the military justice system and how it was implemented in the unit. For the FY22-23 audit program, 3598 ADF personnel (Navy 829, Army 1934, Air Force 636, Joint 199) participated in focus group discussions.

Graph 34: Audit Focus group participation by FY

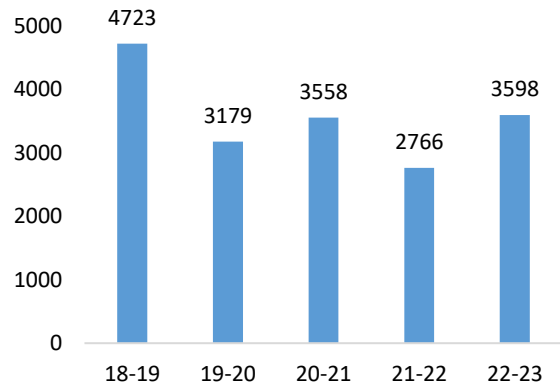


Table 10: Military Justice Survey Participants by FY

	18-19	19-20	20-21	21-22	22-23
Navy	1064	713	240	137	829
Army	2702	1794	1844	1750	1934
Air Force	692	475	1272	802	636
Joint	265	197	202	77	199
ADF	4723	3179	3558	2766	3598

7 SELECT INCIDENT REVIEW

The IGADF is responsible for inquiring into deaths of ADF members, permanent and reserve, where the death appears to have arisen out of, or in the course of, the ADF member’s service.

The Office of IGADF received notification of 46 deaths of ADF members during FY22–23. Of those deaths, the suspected causes were:

- 28 illness-related (61%)
- 8 suspected suicides (17%) – there were 16 suspected suicides in the 2021-22 financial year
- 4 accidents (9%)
- 5 undetermined (11%) – this is based on the limited information being available to determine cause of death
- 1 homicide (2%)

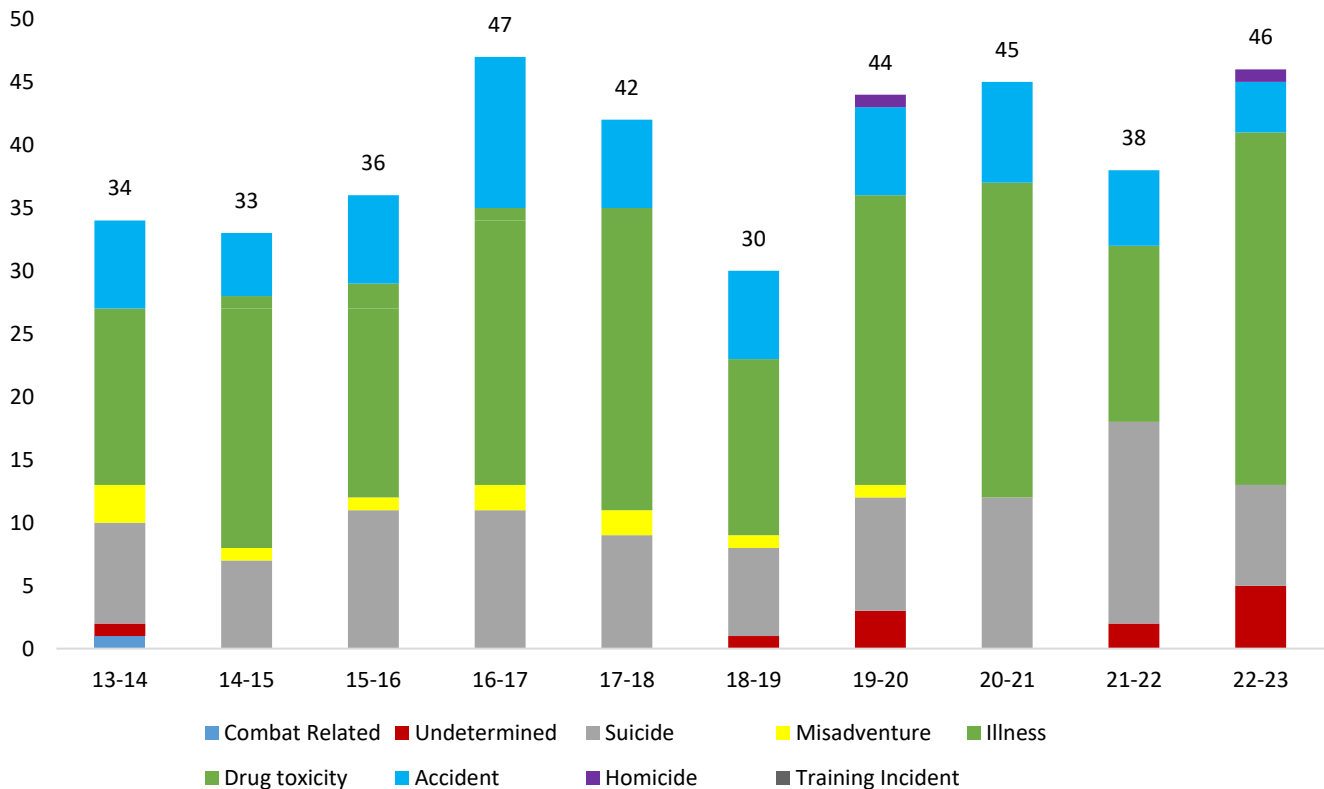
Service death inquiries

The IGADF finalised 50 inquiries into the deaths of ADF members during FY22-23, approximately 56% more than FY21-22, where IGADF finalised 32 death related inquiries. Of those deaths finalised, the causes were:

- 31 illness-related (62%)
- 14 suicides (28%)
- 1 training accidents (2%)
- 4 accidents (8%)

As depicted in graph 35 below, the average time taken to finalise these inquiries was 518 days. In relation to the 14 suicide inquiries, the average time to complete these inquiries was 830 days. In contrast, the average time taken to complete training related death (684 days), accident related deaths (439 days) and illness related deaths (382 days) was significantly shorter.

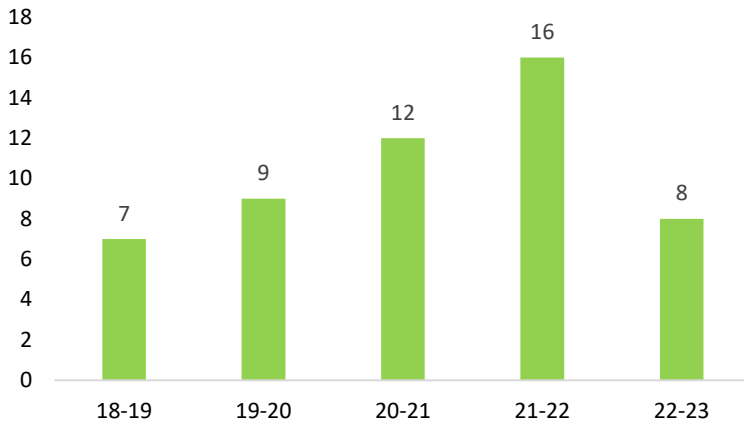
Graph 35: Cause of death each financial year (in the case of ongoing, incomplete inquiries, a preliminary provisional finding about cause of death is shown)



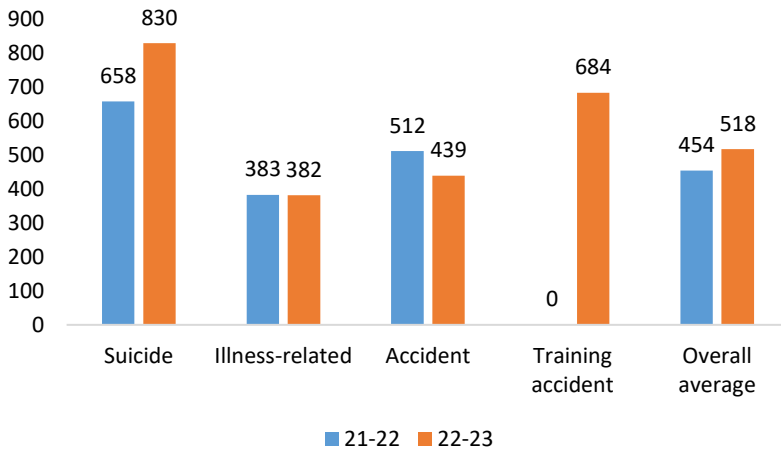
7 SELECT INCIDENT REVIEW

Graph 36: Suicide by FY

(in the case of ongoing, incomplete inquiries, this graph shows a preliminary provisional finding)

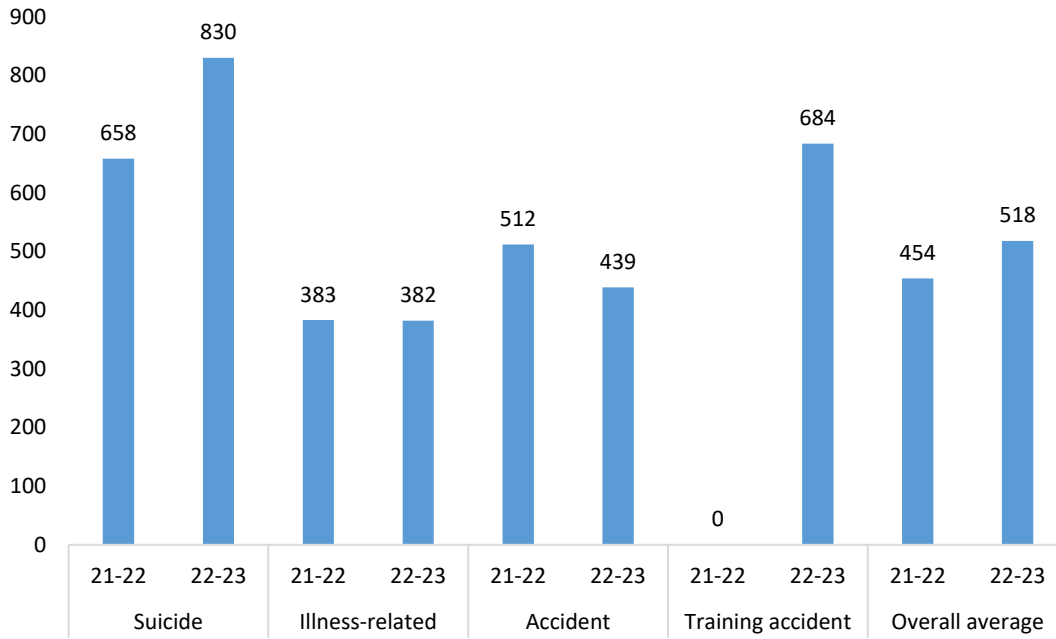


Graph 37: Average days to complete death inquiries 2021-22 and 2022-23



7 SELECT INCIDENT REVIEW

Graph 38: Average days to complete death inquiries 2021-22 and 2022-23



IGADF focus group military justice survey

During an IGADF audit, Focus Group participants are requested to complete a survey containing 38 questions.

Responses to the IGADF military justice survey against Service groups, Joint unit and ADF averages are highlighted below. Questions marked with an asterisk (*) indicate that a lower response average is better than higher.

Responses from FY18-19 to FY21-22 are also included below as a comparison. The survey responses assist in providing useful indicators of the effectiveness of the ADF's military justice system, and how it is administered at the unit level.

		ADF-Wide				
Survey Question		FY18-19	FY19-20	FY20-21	FY21-22	FY22-23
Total participants		4723	3179	3558	2766	3598
1	Believe the discipline process is fairly and consistently applied	73%	78%	75%	71%	71%
2	Believe the DFDA is an effective tool for the maintenance of discipline	80%	83%	84%	78%	76%
3	Receive adequate discipline training to discharge their DFDA responsibilities	60%	57%	53%	48%	47%
4	Are aware of their rights and obligations under the discipline system	75%	75%	72%	68%	68%
5	Believe processes involved in investigating offences take too long (*)	31%	25%	26%	33%	35%
6	Believe processes involved in trying offences take too long (*)	27%	25%	21%	27%	28%
7	Believe the complexity of the DFDA discourages people from laying charges (*)	32%	33%	34%	43%	39%
8	Believe members are presumed innocent until proven guilty	55%	60%	59%	48%	51%
9	Believe members found guilty are in fact guilty	42%	42%	44%	37%	44%
10	Believe their unit would treat them fairly and impartially if they were the subject of an administrative inquiry or fact finding ⁵	78%	80%	79%	70%	71%
11	Understand the concept of the 'right to be heard' or 'the right of reply' otherwise known as procedural fairness	87%	90%	89%	84%	85%
12	Believe members subject to administrative sanctions are treated fairly	62%	63%	64%	57%	60%
13	Believe their unit would fairly consider any response made by the member before imposing an administrative sanction	72%	74%	73%	67%	68%
14	Believe adverse administrative action procedures take too long (*)	27%	21%	23%	27%	29%
15	Are aware of all avenues of complaint available	70%	72%	72%	67%	64%

⁵ This question was amended in August 2020 to include if a member were the subject of a fact finding

		ADF-Wide				
	Survey Question	FY18-19	FY19-20	FY20-21	FY21-22	FY22-23
16	Know how to lodge an application for redress of grievance	60%	61%	57%	49%	50%
17	Have confidence in their chain of command to resolve complaints	80%	79%	77%	72%	73%
18	Believe complaints made to their chain of command are dealt with fairly, promptly and impartially	67%	68%	65%	62%	63%
19	Believe their unit maintains a balance between the rights of complainants and the rights of respondents	59%	64%	62%	57%	60%
20	Believe the military justice system provides sufficient feedback to complainants and respondents	46%	48%	46%	40%	41%
21	Believe their chain of command would support the member if they approached an external complaint handling agency (e.g. equity and diversity, public interest disclosure or SeMPRO hotline)	75%	76%	74%	72%	72%
22	Have experienced or witnessed unacceptable behaviour at their unit ⁶ (*)	18%	14%	25%	25%	31%
23	Believe appropriate action would be taken if they reported an incident of unacceptable behaviour	87%	86%	82%	82%	82%
24	Know where to go to get advice or information on unacceptable behaviour	89%	87%	88%	83%	84%
25	Believe all ranks are treated equitably	70%	73%	69%	59%	63%
26	Believe all genders are treated equally	75%	77%	78%	70%	74%
27	Believe individuals are not ostracised, segregated or otherwise not included because of perceived or actual difference	77%	78%	77%	70%	71%
28	Believe their unit would take appropriate action if they became aware of an incident or complaint of sexual misconduct, including sexual assault	93%	93%	91%	90%	89%
29	Believe their unit provides appropriate opportunities to access flexible working arrangements	72%	74%	75%	69%	62%
30	Are aware of their responsibilities concerning the use of social media	97%	96%	96%	95%	95%
31	Believe there is a culture of anti-social behaviour (*)	8%	9%	9%	9%	9%

⁶ This question (question 22) was amended in August 2020 to include members who had witnessed unacceptable behaviour.

		ADF-Wide				
	Survey Question	FY18-19	FY19-20	FY20-21	FY21-22	FY22-23
32	Believe alcohol testing programs are effective in reducing the effects of alcohol abuse/misuse in the workplace	59%	58%	62%	63%	56%
33	Believe drug testing programs are an effective deterrent to drug use or abuse in ADF members in reducing the effects of alcohol abuse/misuse in the workplace.	64%	64%	68%	70%	62%
34	Have confidence in the units Officers	83%	80%	78%	72%	74%
35	Have confidence in the units WOs/SNCOs	84%	82%	83%	75%	79%
36	Have confidence in the units JNCOs	85%	84%	83%	74%	80%
37	Believe their current overall workload is excessive (*)	26%	30%	30%	31%	37%
38	Believe morale is good	77%	73%	64%	63%	63%

The military justice survey questions identify a member's perception as to:

- knowledge of the military justice system – questions 3, 4, 11, 15, 16, 24 and 30
- effectiveness of the military justice system – questions 2, 20, 32 and 33
- timeliness of the military justice actions – questions 5, 6, 7, and 14
- confidence in the unit's chain of command – questions 17, 18, 21, 23, 28, 34, 35 and 36
- fair treatment in the unit – questions 1, 8, 9, 10, 12, 13, 19, 25, 26, 27, and 29
- military justice culture of the unit – questions 22 and 31
- morale and workload in the unit – questions 37 and 38.

Navy Annex

DISCIPLINE TRENDS

Unit level DFDA investigations - 122 (27 % of 444)

Table 12: Average duration by FY (days)

Average days	2018-19	2019-20	2020-21	2021-22	2022-23
Duration of Investigation	51	32	27	27	47
Charge to Summary Trial	28	21	20	12	20

Table 13: Navy Discipline matters by FY

FY	Infringements	Summary Trials	Summary Convictions	Tribunal Trials	Tribunal Convictions	Civil Convictions	Protection Orders
2018-19	1433	153	198	9	20	13	6
2019-20	1649	182	211	18	20	10	9
2020-21	1546	211	288	12	38	26	24
2021-22	1154	184	234	14	26	19	25
2022-23	934	110	176	16	30	24	22

Table 14: Navy Administrative matters by FY

FY	Inquiries	Sanctions	ROG Rec'd	IGADF Audits	Military justice survey
2018-19	1	334	84	12	1064
2019-20	0	297	70	9	713
2020-21	1	347	61	2	240
2021-22	7	474	64	2	137
2022-23	9	353	66	12	829

IGADF focus group military justice survey – Navy statistics

Responses from Navy participants to the IGADF military justice survey are indicated in percentages. Responses from FY18-19 to FY21-22 are also included below as a comparison:

		NAVY				
Survey Question	Total Participants	FY18-19	FY19-20	FY20-21	FY21-22	FY22-23
		1064	713	240	137	829
1	Believe the discipline process is fairly and consistently applied	69%	80%	80%	55%	70%
2	Believe the DFDA is an effective tool for the maintenance of discipline	74%	80%	81%	71%	69%
3	Receive adequate discipline training to discharge their DFDA responsibilities	53%	51%	57%	33%	44%
4	Are aware of their rights and obligations under the discipline system	72%	71%	68%	53%	67%
5	Believe processes involved in investigating offences take too long (*)	42%	30%	30%	41%	41%
6	Believe processes involved in trying offences take too long (*)	37%	28%	23%	33%	30%
7	Believe the complexity of the DFDA discourages people from laying charges (*)	35%	33%	25%	47%	41%
8	Believe members are presumed innocent until proven guilty	49%	58%	66%	33%	49%
9	Believe members found guilty are in fact guilty	39%	36%	43%	29%	41%
10	Believe they their unit would treat them fairly and impartially if they were the subject of an administrative inquiry or fact finding	71%	80%	80%	54%	68%
11	Understand the concept of the 'right to be heard' or ' the right of reply' otherwise known as procedural fairness	84%	87%	85%	72%	82%
12	Believe members subject to administrative sanctions are treated fairly	58%	64%	66%	43%	60%
13	Believe their unit would fairly consider any response made by the member before imposing an administrative sanction	65%	72%	74%	49%	67%
14	Believe adverse administrative action procedures take too long (*)	36%	28%	30%	32%	31%
15	Are aware of all avenues of complaint available	67%	71%	68%	57%	65%
16	Know how to lodge an application for redress of grievance	54%	56%	56%	41%	53%
17	Have confidence in their chain of command to resolve complaints	76%	79%	79%	62%	68%
18	Believe complaints made to their chain of command are dealt with fairly, promptly and impartially	61%	67%	67%	48%	58%
19	Believe their unit maintains a balance between the rights of complainants and the rights of respondents	53%	63%	64%	37%	57%
20	Believe the military justice system provides sufficient feedback to complainants and respondents	41%	43%	42%	25%	39%

NAVY						
Survey Question	FY18-19	FY19-20	FY20-21	FY21-22	FY22-23	
21	Believe their chain of command would support the member if they approached an external complaint handling agency (e.g. equity and diversity, public interest disclosure or SeMPRO hotline)	74%	78%	73%	63%	68%
22	Have experienced or witnessed unacceptable behaviour at their unit (*)	19%	14%	20%	28%	27%
23	Believe appropriate action would be taken if they reported an incident of unacceptable behaviour	85%	85%	88%	76%	77%
24	Know where to go to get advice or information on unacceptable behaviour	86%	87%	88%	74%	81%
25	Believe all ranks are treated equitably	59%	70%	71%	36%	58%
26	Believe all genders are treated equally	71%	73%	80%	56%	69%
27	Believe individuals are not ostracised, segregated or otherwise not included because of perceived or actual difference	71%	77%	79%	57%	69%
28	Believe their unit would take appropriate action if they became aware of an incident or complaint of sexual misconduct, including sexual assault	92%	93%	92%	87%	86%
29	Believe their unit provides appropriate opportunities to access flexible working arrangements	66%	69%	71%	52%	62%
30	Are aware of their responsibilities concerning the use of social media	96%	95%	95%	92%	93%
31	Believe there is a culture of anti-social behaviour (*)	11%	10%	11%	7%	9%
32	Believe alcohol testing programs are effective in reducing the effects of alcohol abuse/misuse in the workplace	67%	66%	74%	59%	58%
33	Believe drug testing programs are an effective deterrent to drug use or abuse in ADF members in reducing the effects of alcohol abuse/misuse in the workplace.	62%	66%	74%	72%	57%
34	Have confidence in the units Officers	79%	81%	72%	62%	69%
35	Have confidence in the units WOs/SNCOs	81%	81%	83%	62%	75%
36	Have confidence in the units JNCOs	84%	85%	87%	66%	81%
37	Believe their current overall workload is excessive (*)	31%	32%	25%	27%	36%
38	Believe morale is good	73%	80%	58%	51%	65%

Army Annex

DISCIPLINE TRENDS

Unit level DFDA investigations - 287 (65 % of 444)

Table 15: Average duration by FY (days)

Average days	2018-19	2019-20	2020-21	2021-22	2022-23
Duration of Investigation	10	10	10	11	15
Charge to Summary Trial	17	14	12	12	14

Table 16: Army Discipline matters by FY

FY	Infringements	Summary Trials	Summary Convictions	Tribunal Trials	Tribunal Convictions	Civil Convictions	Protection Orders
2018-19	2523	757	925	15	31	78	27
2019-20	2149	752	930	21	33	79	22
2020-21	1958	631	773	36	47	151	60
2021-22	1694	462	530	19	45	114	26
2022-23	1509	317	389	22	35	144	38

Table 17: Army Administrative matters by FY

FY	Inquiries	Sanctions	ROG Rec'd	IGADF Audits	Military justice survey
2018-19	12	718	195	33	2702
2019-20	6	913	158	18	1794
2020-21	18	1061	122	21	1844
2021-22	18	650	130	23	1750
2022-23	12	424	115	28	1934

IGADF focus group military justice survey – Army statistics

Responses from Army participants to the IGADF military justice survey are indicated in percentages. Responses from FY18-19 to FY21-22 are also included below as a comparison:

		ARMY				
Survey Question	Total participants	FY18-19	FY19-20	FY20-21	FY21-22	FY22-23
		2702	1794	1844	1750	1934
1	Believe the discipline process is fairly and consistently applied	82%	72%	76%	72%	72%
2	Believe the DFDA is an effective tool for the maintenance of discipline	86%	81%	81%	77%	77%
3	Receive adequate discipline training to discharge their DFDA responsibilities	67%	61%	59%	52%	52%
4	Are aware of their rights and obligations under the discipline system	82%	74%	75%	73%	73%
5	Believe processes involved in investigating offences take too long (*)	30%	30%	30%	32%	29%
6	Believe processes involved in trying offences take too long (*)	25%	25%	26%	27%	24%
7	Believe the complexity of the DFDA discourages people from laying charges (*)	28%	29%	31%	32%	33%
8	Believe members are presumed innocent until proven guilty	64%	53%	56%	54%	53%
9	Believe members found guilty are in fact guilty	51%	48%	52%	47%	46%
10	Believe they their unit would treat them fairly and impartially if they were the subject of an administrative inquiry or fact finding	83%	70%	76%	75%	75%
11	Understand the concept of the 'right to be heard' or ' the right of reply' otherwise known as procedural fairness	90%	83%	87%	84%	85%
12	Believe members subject to administrative sanctions are treated fairly	71%	58%	65%	62%	61%
13	Believe their unit would fairly consider any response made by the member before imposing an administrative sanction	77%	65%	70%	69%	68%
14	Believe adverse administrative action procedures take too long (*)	25%	25%	23%	24%	26%
15	Are aware of all avenues of complaint available	75%	66%	72%	66%	69%
16	Know how to lodge an application for redress of grievance	63%	53%	57%	52%	53%
17	Have confidence in their chain of command to resolve complaints	83%	73%	78%	75%	75%
18	Believe complaints made to their chain of command are dealt with fairly, promptly and impartially	71%	63%	68%	68%	64%
19	Believe their unit maintains a balance between the rights of complainants and the rights of respondents	67%	59%	64%	63%	60%

		ARMY				
Survey Question	FY18-19	FY19-20	FY20-21	FY21-22	FY22-23	
20	Believe the military justice system provides sufficient feedback to complainants and respondents	57%	52%	50%	47%	46%
21	Believe their chain of command would support the member if they approached an external complaint handling agency (e.g. equity and diversity, public interest disclosure or SeMPRO hotline)	75%	67%	69%	68%	70%
22	Have experienced or witnessed unacceptable behaviour at their unit (*)	12%	21%	22%	20%	22%
23	Believe appropriate action would be taken if they reported an incident of unacceptable behaviour	89%	81%	84%	81%	83%
24	Know where to go to get advice or information on unacceptable behaviour	88%	81%	86%	84%	83%
25	Believe all ranks are treated equitably	78%	65%	68%	62%	65%
26	Believe all genders are treated equally	79%	67%	74%	72%	75%
27	Believe individuals are not ostracised, segregated or otherwise not included because of perceived or actual difference	82%	70%	75%	74%	74%
28	Believe their unit would take appropriate action if they became aware of an incident or complaint of sexual misconduct, including sexual assault	94%	87%	90%	89%	90%
29	Believe their unit provides appropriate opportunities to access flexible working arrangements	77%	66%	70%	70%	68%
30	Are aware of their responsibilities concerning the use of social media	97%	93%	95%	96%	94%
31	Believe there is a culture of anti-social behaviour (*)	9%	14%	9%	10%	9%
32	Believe alcohol testing programs are effective in reducing the effects of alcohol abuse/misuse in the workplace	64%	58%	55%	59%	56%
33	Believe drug testing programs are an effective deterrent to drug use or abuse in ADF members in reducing the effects of alcohol abuse/misuse in the workplace.	72%	67%	66%	65%	64%
34	Have confidence in the units Officers	84%	71%	73%	71%	72%
35	Have confidence in the units WOs/SNCOs	88%	77%	81%	78%	81%
36	Have confidence in the units JNCOs	89%	81%	85%	83%	83%
37	Believe their current overall workload is excessive (*)	26%	34%	35%	32%	40%
38	Believe morale is good	80%	63%	66%	62%	62%

Air Force Annex

DISCIPLINE TRENDS

Unit level DFDA investigations - 35 (8 % of 444)

Table 18: Average duration by FY (days)

Average days	2018-19	2019-20	2020-21	2021-22	2022-23
Duration of Investigation	15	16	10	9	16
Charge to Summary Trial	20	15	15	11	23

Table 19: Air Force Discipline matters by FY

FY	Infringements	Summary Trials	Summary Convictions	Tribunal Trials	Tribunal Convictions	Civil Convictions	Protection Orders
2018-19	375	60	77	6	16	8	4
2019-20	397	94	121	5	6	5	6
2020-21	452	90	103	4	4	7	6
2021-22	428	75	88	2	9	13	9
2022-23	290	33	36	6	7	10	15

Table 20: Air Force Administrative matters by FY

FY	Inquiries	Sanctions	ROG Rec'd	IGADF Audits	Military justice survey
2018-19	1	166	81	14	692
2019-20	0	186	90	11	475
2020-21	6	207	86	22	1272
2021-22	1	159	67	14	802
2022-23	1	168	64	13	636

IGADF focus group military justice survey – Air Force statistics

Responses from Air Force participants for the IGADF military justice survey are indicated in percentages. Responses from FY18-19 to FY21-22 are also included below as a comparison:

		AIR FORCE				
Survey Question		FY18-19	FY19-20	FY20-21	FY21-22	FY22-23
	Total participants	692	475	1272	802	636
1	Believe the discipline process is fairly and consistently applied.	82%	78%	74%	71%	72%
2	Believe the DFDA is an effective tool for the maintenance of discipline.	85%	88%	81%	73%	74%
3	Receive adequate discipline training to discharge their DFDA responsibilities.	57%	53%	43%	29%	44%
4	Are aware of their rights and obligations under the discipline system.	75%	75%	68%	59%	67%
5	Believe processes involved in investigating offences take too long (*)	23%	17%	23%	26%	29%
6	Believe processes involved in trying offences take too long (*)	21%	15%	17%	23%	28%
7	Believe the complexity of the DFDA discourages people from laying charges (*)	38%	31%	34%	44%	44%
8	Believe members are presumed innocent until proven guilty.	65%	67%	54%	51%	59%
9	Believe members found guilty are in fact guilty.	41%	39%	36%	32%	35%
10	Believe they their unit would treat them fairly and impartially if they were the subject of an administrative inquiry or fact finding.	87%	88%	78%	77%	80%
11	Understand the concept of the 'right to be heard' or ' the right of reply' otherwise known as procedural fairness.	90%	94%	88%	87%	88%
12	Believe members subject to administrative sanctions are treated fairly.	69%	67%	62%	57%	62%
13	Believe their unit would fairly consider any response made by the member before imposing an administrative sanction.	80%	81%	72%	75%	74%
14	Believe adverse administrative action procedures take too long (*)	21%	15%	19%	24%	23%
15	Are aware of all avenues of complaint available.	69%	72%	67%	65%	63%
16	Know how to lodge an application for redress of grievance.	59%	64%	50%	46%	56%
17	Have confidence in their chain of command to resolve complaints.	86%	83%	76%	76%	77%
18	Believe complaints made to their chain of command are dealt with fairly, promptly and impartially.	75%	70%	64%	64%	66%
19	Believe their unit maintains a balance between the rights of complainants and the rights of respondents.	66%	64%	60%	58%	63%
20	Believe the military justice system provides sufficient feedback to complainants and respondents.	46%	48%	40%	31%	35%

AIR FORCE						
Survey Question	FY18-19	FY19-20	FY20-21	FY21-22	FY22-23	
21	Believe their chain of command would support the member if they approached an external complaint handling agency (e.g. equity and diversity, public interest disclosure or SeMPRO hotline).	81%	81%	75%	75%	76%
22	Have experienced or witnessed unacceptable behaviour at their unit (*)	15%	12%	23%	20%	23%
23	Believe appropriate action would be taken if they reported an incident of unacceptable behaviour.	92%	90%	82%	83%	84%
24	Know where to go to get advice or information on unacceptable behaviour.	91%	90%	85%	83%	84%
25	Believe all ranks are treated equitably	79%	80%	69%	64%	68%
26	Believe all genders are treated equally	82%	83%	77%	72%	78%
27	Believe individuals are not ostracised, segregated or otherwise not included because of perceived or actual difference.	86%	83%	74%	74%	72%
28	Believe their unit would take appropriate action if they became aware of an incident or complaint of sexual misconduct, including sexual assault.	95%	96%	90%	92%	92%
29	Believe their unit provides appropriate opportunities to access flexible working arrangements	84%	73%	70%	78%	70%
30	Are aware of their responsibilities concerning the use of social media	97%	96%	95%	96%	97%
31	Believe there is a culture of anti-social behaviour (*)	6%	7%	8%	8%	6%
32	Believe alcohol testing programs are effective in reducing the effects of alcohol abuse/misuse in the workplace	60%	60%	59%	57%	60%
33	Believe drug testing programs are an effective deterrent to drug use or abuse in ADF members in reducing the effects of alcohol abuse/misuse in the workplace	70%	66%	66%	66%	65%
34	Have confidence in the units Officers	87%	86%	79%	74%	75%
35	Have confidence in the units WOs/SNCOs	90%	81%	79%	79%	83%
36	Have confidence in the units JNCOs	89%	83%	79%	79%	85%
37	Believe their current overall workload is excessive (*)	28%	23%	30%	35%	37%
38	Believe morale is good	80%	76%	67%	68%	64%

Joint (Tri-Service) command Annex

IGADF focus group military justice survey – joint (tri-Service) ADF units

Responses from Joint (tri-Service) unit participants to the IGADF military justice survey are indicated in percentages. Collection of data is based on the nature of the unit, rather than the Service type of the member.

Responses from financial years FY19-20 to FY21-22 are also included below as a comparison:

		JOINT			
Survey Question	Total participants	FY19-20	FY20-21	FY21-22	FY22-23
1	Believe the discipline process is fairly and consistently applied	80%	70%	84%	69%
2	Believe the DFDA is an effective tool for the maintenance of discipline	85%	92%	89%	82%
3	Receive adequate discipline training to discharge their DFDA responsibilities	64%	53%	76%	49%
4	Are aware of their rights and obligations under the discipline system	80%	76%	86%	62%
5	Believe processes involved in investigating offences take too long (*)	24%	20%	32%	42%
6	Believe processes involved in trying offences take too long (*)	32%	17%	26%	29%
7	Believe the complexity of the DFDA discourages people from laying charges (*)	38%	48%	47%	38%
8	Believe members are presumed innocent until proven guilty	63%	59%	53%	45%
9	Believe members found guilty are in fact guilty	44%	43%	40%	54%
10	Believe they their unit would treat them fairly and impartially if they were the subject of an administrative inquiry or fact finding	82%	82%	74%	61%
11	Understand the concept of the 'right to be heard' or ' the right of reply' otherwise known as procedural fairness	94%	95%	92%	86%
12	Believe members subject to administrative sanctions are treated fairly	64%	62%	64%	58%
13	Believe their unit would fairly consider any response made by the member before imposing an administrative sanction	79%	78%	76%	62%
14	Believe adverse administrative action procedures take too long (*)	16%	21%	28%	35%
15	Are aware of all avenues of complaint available	79%	79%	80%	60%
16	Know how to lodge an application for redress of grievance	69%	65%	57%	39%
17	Have confidence in their chain of command to resolve complaints	81%	74%	77%	70%
18	Believe complaints made to their chain of command are dealt with fairly, promptly and impartially	71%	59%	70%	62%
19	Believe their unit maintains a balance between the rights of complainants and the rights of respondents	71%	61%	69%	61%
20	Believe the military justice system provides sufficient feedback to complainants and respondents	48%	53%	58%	46%
21	Believe their chain of command would support the member if they approached an external complaint handling agency (e.g. equity and diversity, public interest disclosure or SeMPRO hotline)	79%	78%	82%	74%

JOINT					
	Survey Question	FY19-20	FY20-21	FY21-22	FY22-23
22	Have experienced or witnessed unacceptable behaviour at their unit (*)	8%	35%	31%	50%
23	Believe appropriate action would be taken if they reported an incident of unacceptable behaviour	89%	76%	88%	83%
24	Know where to go to get advice or information on unacceptable behaviour	90%	92%	91%	88%
25	Believe all ranks are treated equitably	76%	69%	74%	61%
26	Believe all genders are treated equally	83%	79%	78%	75%
27	Believe individuals are not ostracised, segregated or otherwise not included because of perceived or actual difference	81%	81%	73%	70%
28	Believe their unit would take appropriate action if they became aware of an incident or complaint of sexual misconduct, including sexual assault	95%	94%	93%	87%
29	Believe their unit provides appropriate opportunities to access flexible working arrangements	87%	87%	74%	47%
30	Are aware of their responsibilities concerning the use of social media	99%	98%	97%	95%
31	Believe there is a culture of anti-social behaviour (*)	7%	9%	9%	13%
32	Believe alcohol testing programs are effective in reducing the effects of alcohol abuse/misuse in the workplace	49%	60%	78%	49%
33	Believe drug testing programs are an effective deterrent to drug use or abuse in ADF members in reducing the effects of alcohol abuse/misuse in the workplace	57%	66%	76%	63%
34	Have confidence in the units Officers	81%	88%	81%	82%
35	Have confidence in the units WOs/SNCOs	88%	88%	81%	78%
36	Have confidence in the units JNCOs	88%	81%	70%	70%
37	Believe their current overall workload is excessive (*)	31%	30%	33%	36%
38	Believe morale is good	75%	67%	70%	59%