



**Australian Government**

**Inspector-General of the Australian Defence Force**

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**INSPECTOR-GENERAL  
OF THE  
AUSTRALIAN DEFENCE FORCE**

**ANNUAL REPORT**

**1 July 2023 to 30 June 2024**

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# LETTER OF TRANSMITTAL



**Australian Government**

**Inspector-General of the Australian Defence Force**

**The Hon Richard Marles MP**  
**Deputy Prime Minister**  
Parliament House  
CANBERRA ACT 2600

Dear Deputy Prime Minister

I am pleased to present to you the Annual Report on the operations of the Inspector-General Australian Defence Force for the period 01 July 2023 to 30 June 2024.

This report has been prepared pursuant to section 110R of the *Defence Act 1903*.

Yours sincerely

A handwritten signature in black ink, appearing to read 'J.M. Gaynor', with a long, sweeping flourish extending to the right.

**JM Gaynor CSC**  
Inspector-General of the Australian Defence Force

12 December 2024

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## THE INSPECTOR-GENERAL'S MESSAGE

The high operating tempo seen in previous years in the Office of the Inspector-General of the Australian Defence Force (IGADF) continued this reporting period, with the Office receiving its largest number of submissions for inquiry or investigation to date. All other workload trends continued to show a significant and consistent increase in the number and complexity of submissions and referrals received by the IGADF. The number of Defence units audited by the Office of the IGADF this year was the highest since the establishment of the Office in 2003.



The increase in caseloads is a trend that has been particularly noticeable over the past four reporting periods. The consistent increase in the number of new submissions and referrals broadly reflects the level of understanding that ADF members have around their rights to complain, and awareness of and willingness to use the avenues available to them to make their complaint under the military justice system.

On 31 October 2023, IGADF commenced the MRH-90 inquiry, to examine the circumstances of the tragic deaths of four Australian Army Soldiers after an MRH-90 Taipan helicopter catastrophically crashed during Exercise TALISMAN SABRE on 28 July 2023. Leading the inquiry is former Justice the Honourable Margaret McMurdo AC, who is supported by Air Vice-Marshal Geoff Harland AM CSC DSM, a recently retired senior Air Force officer with considerable aviation and air safety experience. Additional Assistants IGADF have also been assigned to the Inquiry Team. A number of public hearings have been held into the inquiry, with more public hearings confirmed. At this time, the inquiry is ongoing.

The Office continued to provide support to the Office of the Special Investigator, which is responsible for investigating war crimes allegations arising from the IGADF Afghanistan Inquiry. The IGADF Post-Afghanistan Inquiry Coordination Cell (PICC) devotes considerable resources to this important external activity.

On 1 July 2023, the new National Anti-Corruption Commission Act 2022 (NACC Act) came into effect. During the previous reporting period IGADF established its anti-corruption framework, to coincide with the commencement of the NACC Act. The framework outlines IGADF's interaction with the National Anti-Corruption Commission (NACC), and management of suspected corrupt conduct identified during the exercise of IGADF's role.

Considerable work was done during the reporting period to update one of the Office's foundational policies, the Strategic Plan. The IGADF vision, mission and values are set out in the Strategic Plan and they are supported by eight strategic goals. There are specific strategies that underpin each goal, enabling qualitative and quantitative measures to track the progress and achievements of the IGADF. Business processes will evolve over the life of the Strategic Plan to ensure the IGADF achieves its mission and meets the challenges the Office faces.

As part of IGADF's ongoing commitment to effective oversight, the Inspector-General attended the 8th Independent Commission Against Corruption Symposium in Hong Kong. Events like these are an opportunity for the Inspector-General to engage with similar international authorities and agencies, providing a valuable mechanism to share experiences and approaches to current military justice challenges.

Pursuant to relevant legislation, during the reporting period the staff of the Office of the IGADF included Defence Australian Public Service (APS) employees the Secretary for Defence made available, as well as full- and part-time ADF members the Chief of the Defence Force (CDF) made available, to assist the IGADF in the performance of his statutory role and functions. Ongoing unfilled ADF vacancies and Defence's Job Family reprioritisation activity contributed to the staffing pressures IGADF continued to experience this reporting period, although senior Defence officials, particularly the Associate Secretary, provided consistent support in addressing staffing pressures. The Office conducted a number of APS recruitment activities over the reporting period to increase staff levels.

The IGADF team participated in a wide range of training and development opportunities throughout the reporting period. Training is specifically tailored to ensure that staff have the appropriate knowledge and skills to successfully achieve the IGADF's statutory functions. Particular importance is placed on educating IGADF staff in the latest trauma-informed response methods. Some of the training that staff received over this reporting period included vicarious trauma training, administrative law courses, compassionate foundations training, assessing and protecting official information, and writing and conducting inquiries training.

At the beginning of 2024, the Office held its first whole-of-office IGADF Recall Seminar since the COVID-19 global pandemic. The Recall Seminar was an opportunity for the Office to come together to learn, reflect and collaborate. Over 100 Assistants IGADF attended and had the opportunity to hear from a range of keynote speakers, including the Secretary of the Department of Defence and the Chief of the Defence Force (CDF). The Recall Seminar outlined the priorities of the Office in what is a period of significant change and growth, motivating staff and enabling a cohesive approach to the important work of IGADF.

Throughout this reporting period, IGADF continued to support the work of the Royal Commission into Defence and Veteran Suicide. The Office assisted the very important work of the Royal Commission by supplying tens of thousands of pages of supporting evidence. In July 2023, the Office participated in a roundtable meeting with the Royal Commission and in September 2023, five staff appeared as witnesses in Hearing Block 11.

During the previous reporting period the Inspector-General, supported by the Secretary of the Department of Defence and the CDF, initiated a Twenty-Year Review of the Office of the IGADF, to coincide with the anniversary of its twentieth year of operation. The Twenty-Year Review, completed in this reporting period, was a comprehensive analysis of the functions of the IGADF, its statutory arrangements, structure and operations.

The Office has been the subject of reviews in the past, which considered aspects of IGADF's jurisdiction. In some cases, these reviews resulted in an increase in scope and responsibilities of the Office, including oversight of the military Redress of Grievance complaint process and the conduct of inquiries into the circumstances of all deaths of ADF members. These new responsibilities have been met by the Office with proficiency and an ongoing commitment to the principles of military justice.

Following the Royal Commission and the Twenty-Year review, and in the context of an increasingly complex strategic environment, the IGADF team continue to dedicate themselves to providing impartial, fair and independent oversight of the military justice system for the ADF and its members. The Inspector-General anticipates the Office is well-placed to meet the expected changes and challenges of the next reporting period.

# INSPECTOR-GENERAL OF THE AUSTRALIAN DEFENCE FORCE REPORT FOR THE PERIOD 01 JULY 2023 TO 30 JUNE 2024

## PREAMBLE

The Inspector-General of the Australian Defence Force (the Inspector-General, or IGADF) is an independent statutory appointment under part VIII B of the Defence Act 1903 (the Defence Act), which outlines the Inspector-General's role, functions and responsibilities.

Following recommendations of former Justice Mr James Burchett QC's 2001 review into military justice arrangements in the Australian Defence Force, the position of Inspector-General was established in 2003. The Inspector-General operates independently of the Australian Defence Force chain of command and provides an impartial integrity, inquiry and assurance function, while overseeing of the quality and fairness of Australia's military justice system.

The Inspector-General is appointed by the Minister for Defence pursuant to section 110E of the Defence Act. Section 110F of the Defence Act specifies that the IGADF must be a person who has 'knowledge of and experience in relation to military justice issues and an understanding of their relevance to the role of the Defence Force'.

Mr James Gaynor CSC continued as the Inspector-General during this reporting period.

The roles and functions of the Inspector-General are specified in section 110C of the Defence Act and section 5 of the *Inspector-General of the Australian Defence Force Regulation 2016*.

The Inspector-General's functions are:

- a. to inquire into or investigate matters concerning the military justice system
- b. to conduct performance reviews of the military justice system, including internal audits, at the times and in the manner the Inspector-General considers appropriate
- c. to advise on matters concerning the military justice system, including making recommendations for improvements
- d. to promote military justice values across the Defence Force
- e. investigate or inquire into justice matters including the professional conduct of Service police
- f. to inquire into or investigate deaths of ADF members in Service, where their death appears to have arisen out of, or in the course of, their service

- g. to review complaints submitted by ADF members under the statutory Redress of Grievance complaint system
- h. if directed by the Minister or the CDF – to inquire into or investigate a matter concerning the ADF, and
- i. do anything incidental or conducive to the performance of the Inspector-General's other functions.

The Inspector-General is an avenue for any person to raise concerns about the military justice system or a military justice process. Through conducting inquiries, investigations and audits, those concerns are the subject of independent, impartial and competent review by the Inspector-General. These activities may identify possible failings or flaws in policies, processes and systems. Where this occurs, the Inspector-General may make recommendations to address any issues identified.

## STRATEGIC PLAN

The IGADF Strategic Plan 2023–2025 was updated during the reporting period. This important document outlines the goals of the Office and the high-level strategies to achieve these goals. The IGADF strives to be trusted by all stakeholders and to promote fairness in the ADF. The IGADF has established a mission and set of values to achieve this vision.

During the current reporting period, the Strategic Plan was reviewed in order to capture progress and adjust as required to ensure that collectively, the Office of the IGADF is working to achieve its vision and mission.

The Inspector-General's vision, mission and values ensure alignment across the broad functions of the Office and its diverse and dynamic workforce.

The IGADF vision, mission and values are:



**Vision:** Trusted to independently examine concerns about Defence



**Mission:** Provide an avenue for impartial, fair and independent outcomes, and oversight of matters concerning Defence



**Values:** Respect. Integrity. Independence. Impartiality. Fairness.

Eight strategic goals have been identified to achieve the IGADF vision, and are listed below.

1. Promote military justice values across the ADF – Contributing to a fair and effective military justice system improves the operational effectiveness of the ADF.
2. Maintain confidence that IGADF's outcomes are fair, impartial, accurate, and timely – The IGADF makes decisions and recommendations on a range of matters relating to the ADF. The outcomes of such matters, including assessments, reports and correspondence must be timely, fair and accurate.
3. Monitor the effectiveness of complaint handling within Defence – The ADF and the Australian public must be confident in the integrity of the complaint handling process.
4. Maintain IGADF's reputation as a trusted and respected integrity, oversight and inquiry body – The identification of military justice systemic failures and flaws is important to minimise Unacceptable Behaviour and other misconduct in the ADF.

5. Continue to attract, develop and retain staff with the required attitude and aptitude to undertake the work of the IGADF – A professional, skilled and motivated workforce is key to enabling IGADF to fulfil his statutory role.
6. Continue outreach – The IGADF operates in an increasingly public way. Community and stakeholder engagement occurs at all levels within IGADF and it is a core activity supported by all staff.
7. Maintain internal coordination – The IGADF coordination practices are fundamental to ensuring the office achieves effective and efficient outcomes for individuals and organisation’s involved in an IGADF matter.
8. Improve post-IGADF matter follow-up and quality assurance– IGADF is a review body and examines Defence issues to identify and remedy suspected failures in the military justice system. After the Office has examined an issue its role changes. Part of the role becomes Departmental liaison and post-inquiry witness follow-up.



Through ongoing review of the Strategic Plan, processes will evolve to ensure that the Office of the IGADF continues to achieve its mission and vision. The IGADF is committed to overseeing the health and effectiveness of the military justice system, as well as providing an avenue for alleged failures of the system to be independently investigated and remedied.

The IGADF acts with integrity, and the Office upholds the independence of the Inspector-General. The IGADF acts impartially with regards to work carried out in the Office and the decisions or recommendations that are made.

## **MILITARY JUSTICE SYSTEM**

The military justice system provides the Australian Defence Force with a legal framework which underpins Defence military discipline and command structures and enhances the operational effectiveness of the ADF. The military justice system applies to all ADF members in times of peace and in times of armed conflict, serving both in Australia and overseas.

The ADF's operational capability relies heavily on a military justice system that balances the rights of individuals, and ensures our personnel work in an ordered but equitable environment. An effective military justice system ensures ADF members maintain Service discipline, corrects individual performance and behaviour where necessary, and provides avenues of complaint. The system is crucial to maintaining command and reputation, retaining people and operational effectiveness, while complying with Commonwealth laws.

The Office of the Inspector-General delivers a robust audit program which ensures the military justice system achieves the right balance. It helps supervisors, managers and commanders to maintain discipline and order in the ADF, while upholding each individual's rights to respect, fair treatment and a fair hearing.

The ADF has a far more effective military force when the balance between discipline and members' rights is maintained. When this aspect is not met, the Inspector-General will make recommendations to Defence to correct any systemic or individual failings.

The ADF military justice system has four main components. These are:

- a. disciplinary investigations, prosecutions and proceedings (including Discipline infringements, commanding officer and superior summary proceedings, and Court Martial and Defence Force Magistrate proceedings) under the Defence Force Discipline Act 1982;
- b. adverse administrative action, including administrative sanctions (for example, censures and formal warnings) and involuntary separation from the ADF;
- c. the conduct of administrative inquiries, including Fact Finding and Inquiry Officer Inquiries and;
- d. review and complaint mechanisms, including complaints under the statutory Redress of Grievance complaint system available to ADF members.

## STAFFING

The Inspector-General is a statutory office holder and the staff within the Office of the IGADF are a combination of civilian Australian Public Servants (APS) and members of the ADF. All staff are seconded to the Inspector-General by either the Secretary for Defence or the Chief of the Defence Force. In addition to the on-going IGADF staff, contracting arrangements and consultancies are used where specialist non-ongoing support is required.

The IGADF workforce is geographically disbursed across Australia, although the majority of full-time staff are located in Canberra. Wellbeing of staff is a priority for the Inspector-General. In 2023 the IGADF released the Office's Wellbeing Plan, which covers the period from 2023–2025. The plan sets out how the Office will support all IGADF staff, including consultants and contractors, to ensure their mental and physical health is supported, particularly around the risks associated with exposure to objectionable material.

Staffing numbers in IGADF decreased this reporting period, with a drop of 8 per cent overall, down to a total of 156 ADF and civilian staff by the end of 2023–24. ADF reserve numbers in IGADF decreased by 21 per cent from last reporting period. The number of full time ADF and APS civilian staff increased from last year, by 22 per cent.

Reserve ADF members make up a large portion of the IGADF workforce, comprising of a range of ranks, with these numbers having gradually increased each year, including during this reporting period. Together with their full-time colleagues, the reserve workforce provides valuable and essential knowledge and experience. The range of expertise includes legal, command, personnel, and general service experience. The reserve hours available to IGADF during the reporting period from 96 reserve ADF staff equated to approximately 40 full-time positions.

Table 1 below shows the headcount of IGADF staff, broken down by service, permanent and non-ongoing/reserve.

**Table 1:** IGADF staffing breakdown for FY 2023–2024

Service	Permanent headcount	Reserve / Non-ongoing headcount
Civilian	35	1*
Navy	6	27
Army	7	29
Air Force	11	40
Total	59	97
<b>GRAND TOTAL</b>	156	

\*Statutory office holder

## ***IGADF Organisational structure***

The Office of the IGADF comprises eight Directorates, of which five are operational Directorates and three are enabling Directorates. The Directorates are:

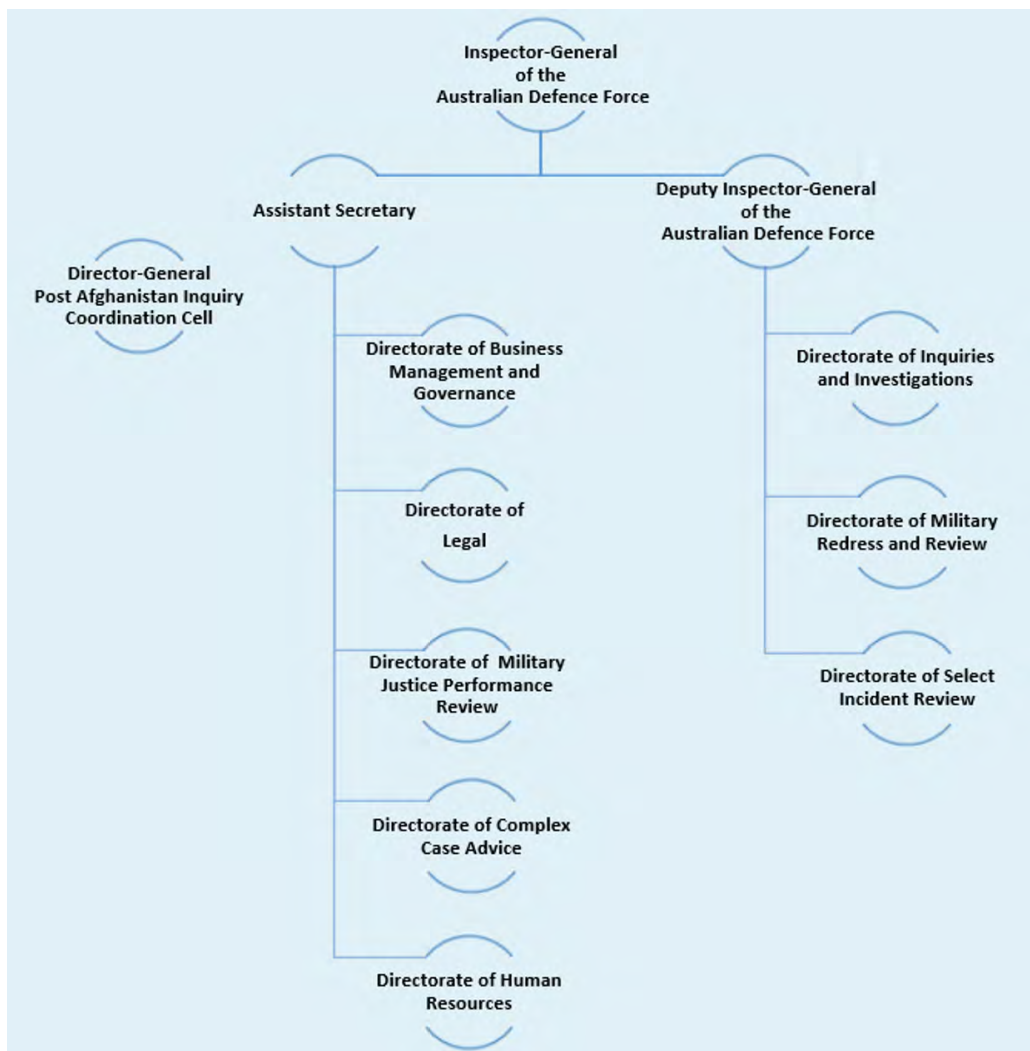
- Directorate of Military Redress and Review
- Directorate of Inquiries and Investigations
- Directorate of Select Incident Review
- Directorate of Business Management and Governance
- Directorate of Military Justice Performance Review
- Directorate of Human Resources
- Directorate of Legal, and
- Directorate of Complex Case Advice.

Each Directorate is made up of an integrated workforce of APS employees, full-time ADF members and reserve ADF members. During the 2023–24 reporting period, two new Directorates were established; the Directorate of Human Resources, providing enabling functions to the Office, and the Directorate of Complex Case Advice, providing an operational function.

The Directorate of Human Resources was formed in February 2024 and is currently staffed by an EL2 Human Resources Director and an APS6 Learning Coordinator. The Directorate of Complex Case Advice was formed in January 2024 and is led by a Royal Australian Navy Captain. The Directorate provides strategic complex case advice to all areas within the Office of the Inspector-General of the Australian Defence Force.

The Office of the IGADF's organisational structure is designed to support the efficient and effective delivery of the Inspector-General's statutory functions and responsibilities. The diagram below shows the IGADF organisational structure.

**Office of the IGADF organisational structure (as at 30 June 2024)**



## **BUSINESS MANAGEMENT AND GOVERNANCE**

Business Management and Governance (BM&G) is responsible for the delivery of corporate enabling functions that support the Office of the Inspector-General of the Australian Defence Force. It comprises a team of subject matter experts in the field of business administration, and works closely with two new Directorates – Human Resources and Complex Case Advice.

The business enabling functions include:

- financial management including budgets, procurement and contracting
- work health and safety
- security
- corporate governance
- travel management
- information and records management
- executive and general IGADF administrative support
- accommodation and facilities management

### ***Professional development***

IGADF staff are very experienced, with a diverse range of professional backgrounds in administrative inquiries, human resources, policing, public policy, public administration and law, among others.

Each year, IGADF staff participate in a range of specific targeted training and development opportunities to ensure that all staff have the appropriate skills to contribute to the OIGADF achieving its statutory functions. Training and development of this nature is undertaken in addition to the Defence Mandatory Annual Awareness Training for both APS and ADF.

Over the reporting period, staff were given the opportunity to participate in training which has been delivered both internally, and externally through Government run training programs and non-Government privately run training programs.

Training remained focused on ensuring all IGADF staff are educated in the latest trauma-informed response methods. Some of the training programs offered to staff have included:

- accidental counsellor training
- unconscious bias training
- compassionate foundations training

- vicarious trauma training
- effective writing training
- training, including continuation training, in the conduct of inquiries
- Freedom of Information decision-making training
- employment/discipline specific continuing professional development training, and
- administrative law and decision making training.

### ***Professional service providers***

On occasion, the IGADF has engaged professional service providers under contract to provide specialist expertise and advice.

The IGADF abides by the Commonwealth Procurement Rules when procuring goods and services, including from professional service providers. IGADF publishes contracts in excess of \$10,000 on the AusTender website, except where the contract is subject to a confidentiality clause, or where publication would prejudice the conduct of an Inquiry or Investigation.

### ***Post-IGADF Afghanistan Inquiry Coordination Cell***

As previously reported, the Post-IGADF Afghanistan Inquiry Coordination Cell (PICC) was established by the IGADF to provide continued support and on-going interaction with the Office of the Special Investigator (OSI).

### ***Engagement with the Office of the Special Investigator***

During the reporting period, the PICC, on behalf of IGADF, continued to engage with the Special Counsel Team assisting the OSI.

This engagement contributed to improved understanding of the legal principles involved in the conduct of the Afghanistan Inquiry, and better consideration of the use of inquiry material OSI may seek to use in its work. During the reporting period, IGADF authorised disclosure of IGADF Afghanistan inquiry-related material to the OSI.

### ***Freedom of Information requests***

Throughout this reporting period, the Office of the IGADF was the subject of considerable interest in information relating to the IGADF and its processes. In 2023–24, IGADF received 22 Freedom of Information applications; 20 were finalised by the end of the reporting period and two were under consideration at the end of the reporting period.

In addition to the 22 Freedom of Information applications, the Office of the IGADF responded to a further 17 requests for consultation, advice or administrative release of documents.

## DIRECTORATE OF INQUIRIES AND INVESTIGATIONS

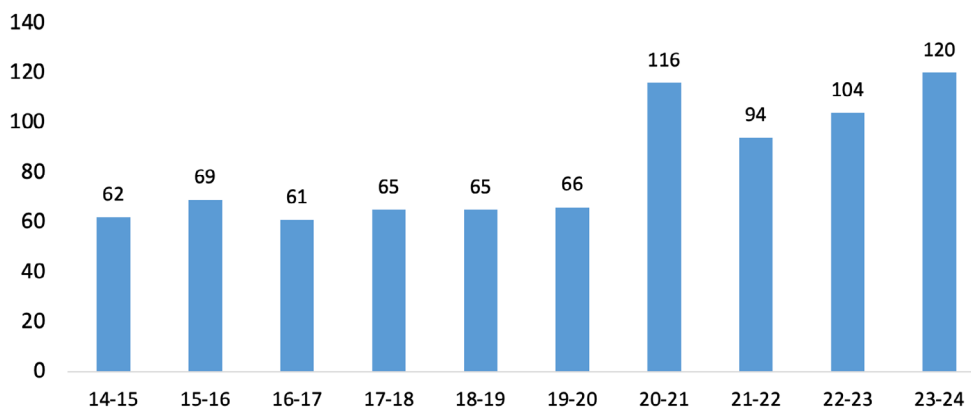
The primary role of the Directorate of Inquiries and Investigations (DII) is to assist the IGADF in the undertaking of inquiries and investigations into reported failures of military justice in the Australian Defence Force (ADF). Failure generally relates to non-adherence to law or policy or individual failures. The DII also investigates referrals from the CDF, the three Services and other government agencies, and complaints about the professional conduct and standards of Military Police.

The wide range of concerns reflected in submissions and referrals for the 2023–24 reporting period demonstrates confidence in the IGADF’s reputation for impartiality and commitment to ensuring the military justice system is fair and transparent. In particular, the progressive increase in the number of submissions reflects members’ increasing awareness of their right to complain and confidence in the complaints mechanism.

### *Military justice submissions*

During the 2023–24 reporting period, the IGADF received 120 military justice submissions and referrals—the highest number received to date, compared to 104 during the 2022–23 reporting period.

**Graph 1:** Submission case load summary by financial year



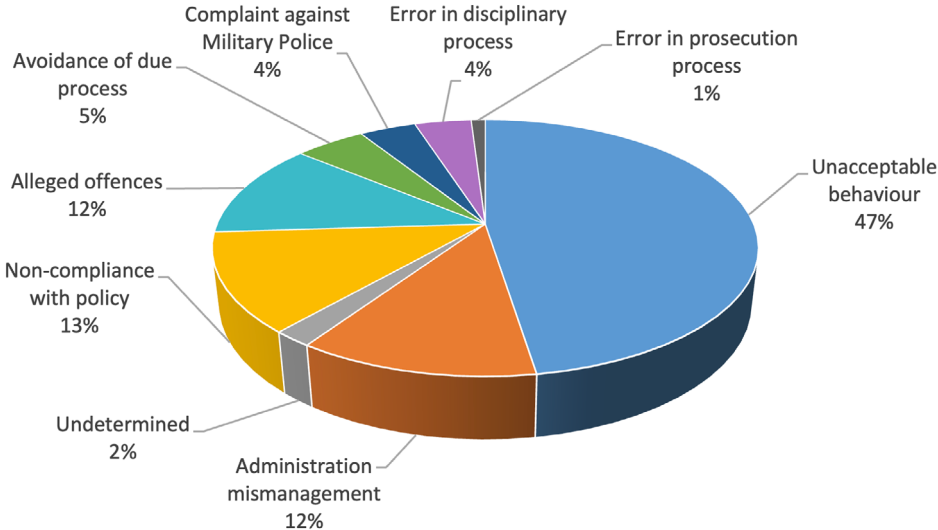
The increasing number of submissions since reporting period 2020–21 has placed pressure on the DII team’s resources. Measures introduced in 2024 to address this include the implementation of a robust triage process supported by the appointment of two additional APS staff. The new triage process is improving the timely referral of submissions to a relevant authority for action, approved by the Deputy IGADF or IGADF, in lieu of every submission needing a time-consuming detailed report to be prepared by an Assistant IGADF before such referral.

Since the implementation of the new triage process, approximately 30 per cent of new submissions received by DII have been approved for referral for immediate action by appropriate authorities, significantly reducing referral timeframes and demand on staff resources required to reach the same referral outcome. Additionally, the triage process quickly identifies any instances where a submission should proceed to an IGADF inquiry, making more efficient use of the limited number of Assistants IGADF available for detailed assessment and inquiry work.

Categorising complaints for recording purposes presented an ongoing challenge as most submissions disclosed more than one complaint category, and the reported behaviours reflected the reporting individual’s perception and experience which, for many reasons, may not accurately represent actual events or behaviour. Consistent with previous reporting periods, the predominant complaint type related to unacceptable behaviour (57 of 120 submissions, or 47.5 per cent) and covered the broad definition of unacceptable behavior provided in the Complaints and Alternative Resolutions Manual (CARM). Commonly reported behaviours associated with unacceptable behaviour were harassment, workplace bullying, sexual misconduct, discrimination, and abuse of authority. Depending on the focus of the complaint, domestic violence was recorded either as unacceptable behaviour or administration mismanagement.

Submissions also associated Unacceptable Behaviour with categories unrelated to the CARM, such as non-compliance with policy and administration mismanagement. In these instances, the most dominant complaint in the submission was recorded.

**Graph 2: Complaint categories for 2023–24**



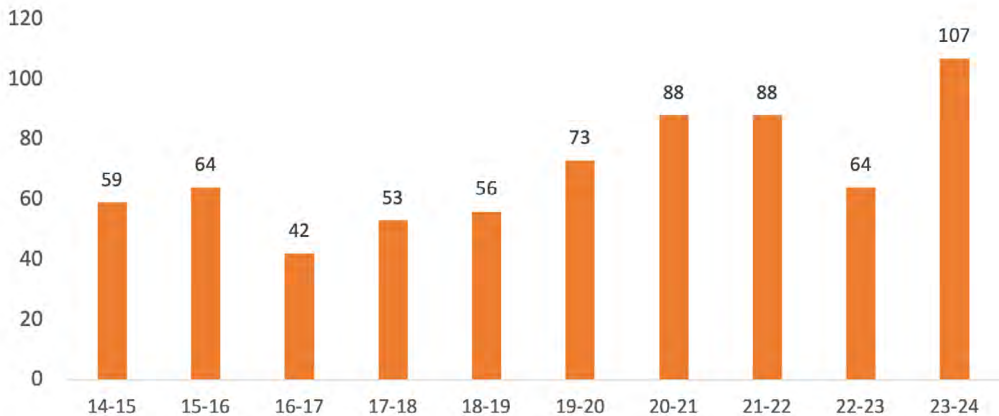
Within the 2023–24 reporting period, 88 assessments were finalised, including 56 submissions received prior to the reporting period and 32 submissions received within the 2023–24 reporting period. Within the reporting period, 16 assessments transferred to an inquiry (inclusive of submissions received prior to the reporting period), and 19 inquiries were finalised (inclusive of submissions received prior to the reporting period).

As at 30 June 2024, of the 120 submissions and referrals received within the 2023–24 reporting period:

- 32 had been assessed and finalised or transferred to inquiry
- 32 had been referred to a Defence Investigative Authority, Service or agency for further action, and
- 56 were current assessments.

The average time taken to complete an assessment during 2023–24 was 171 days, up from 140 days in 2022–23. The average time taken to complete an inquiry was 479 days, up from 467 days in 2022–23. Graph 3 depicts the number of submissions finalised each financial year since 2013–14, inclusive of assessments and inquiries.

**Graph 3:** Finalised submission case load summary by financial year



Completion times for assessments and inquiries were negatively affected by the increased caseload and complexity of submissions, as well as the general availability of ADF reserve staff required for assessments and inquiries. Additionally, the demands of supporting the important work of the Royal Commission into Defence and Veteran Suicide resulted in a diversion of resources which also negatively affected completion timelines for assessments and inquiries.

## ***Military Police Professional Standards***

The IGADF Professional Standards team has jurisdiction to investigate alleged misconduct and complaints against Military Police. When a complaint is received, the section triages the matter and conducts either an administrative assessment or inquiry or, alternatively, a discipline investigation under the Defence Force Discipline Act 1982.

If adverse findings are made about a Military Police member, their suitability is measured against CDF Directive 25/2019 *Military Police Professional Standards Framework: A Military Police Code of Conduct and Management of Military Police Professional Standards Matters* to determine whether the member remains a fit and proper person to serve in the role.

The IGADF Professional Standards team has streamlined internal processes and procedures in 2024. The team continues to foster and grow stakeholder relationships with key units such as the Joint Military Police Force and 1st Military Police Battalion. These improvements have allowed Professional Standards to effectively manage a significantly increased caseload in comparison to previous years.

DII has also engaged with key stakeholders to ensure that units are empowered to undertake unit-level discipline and administrative actions to manage general Human Resource issues, including ensuring awareness of the full range of military justice functions. Military Police misconduct remains within the remit of the IGADF, with all matters requiring assessment as to a Military Police member's fitness to remain a member of Military Police reviewed by the DII. This has seen a significant improvement in timeliness and effectiveness of fitness assessments while also ensuring units and their Command teams are enabled in assuring appropriate trauma-informed processes for their members.

### ***Complaint statistics and performance***

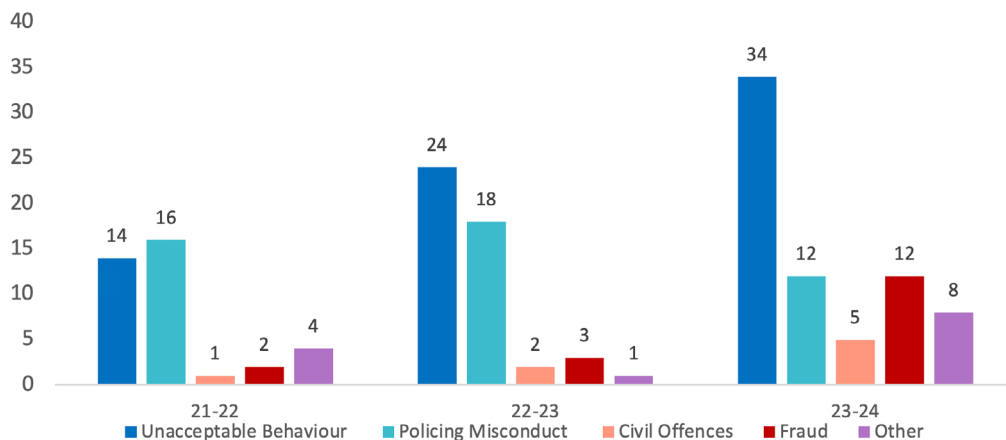
The IGADF Professional Standards team saw a 51 per cent increase in cases from the 2022–23 financial year (47 cases), receiving 71 submissions during the 2023–24 financial year. 79 per cent of the submissions involved a Military Police enlisted member as the respondent, 13 per cent involved a Military Police Officer, and 8 per cent involved both.

The team concluded 44 matters during the 2023–24 financial year. Of the closed matters, 45 per cent identified a breach of the CDF Directive on Military Police misconduct and two found a Military Police member not fit and proper to continue serving as a member of Military Police.

The common types of submissions received by IGADF Professional Standards during 2023–24 included unacceptable behaviour, policing misconduct, civil offences and fraud.

Graph 4 highlights the submission categories dealt with over the previous three FY reporting periods.

**Graph 4:** Professional Standards submission types by financial year



### Reporting observations

The increase in reporting since the 2021–22 reporting period is due to a number of factors, including:

- increased awareness
- members seeking independent consideration external to their chain of command, and
- increased liaison with units regarding reporting expectations.

## **DIRECTORATE OF MILITARY JUSTICE PERFORMANCE REVIEW**

The Directorate of Military Justice Performance Review supports the IGADF in conducting performance reviews of the military justice system. This includes conducting Military Justice Performance Reviews (or Audits) of major ADF units. The Directorate also provides statistical analysis of military justice activity in the ADF.

### ***Military justice audit program***

IGADF Military Justice Performance Audits (IGADF Audits) assess the health and effectiveness of the military justice system at the unit level. In conducting an audit, IGADF staff comply with the relevant Australian Standard on Assurance Engagements ASAE 3500 – Performance Engagements.

During Financial Year (FY) 2023–24, IGADF Audits were routinely conducted every two years for Special Forces units, every three years for ADF training establishments and every four years for other major ADF units. IGADF also commenced auditing headquarters from Brigade, Formation up to Service headquarters.

IGADF Audit teams include both permanent and Reserve ADF members as well as APS staff. An Audit team has four personnel: a Team Leader (O6 rank), Discipline Auditor (an ADF legal officer, Legal Level 3, of O3-O5 rank), Administrative Auditor (O4/O5 rank) and Focus Group Administrator (APS or ADF member). About 80 per cent of auditors are ADF reserve members.

During a routine audit, the team reviews the unit's military justice procedures over the preceding 12 months. IGADF Audit teams are to exercise and apply professional judgement and professional skepticism. In doing so, they need to have an understanding of the unit, be satisfied of the process of military justice activities, and obtain evidence (documents and verbal) to conclude whether the relevant criteria (in IGADF Audit Checklists) are met.

The conduct of an IGADF Audit has several phases:

- Planning / Pre-Audit – collection of preliminary data from military justice sources and Defence databases,
- Physical Audit – attendance at the unit to conduct compliance checks, Focus Group discussions and surveys, with an interim finding provided to the Commanding Officer of the unit, and
- Post-Audit – collation of information, analysis of statistical data, and finalising the written report.

During the physical audit, the IGADF Audit team conducts compliance checks of unit records, processes and competencies. The checks are designed to ensure compliance with military justice law and policy requirements.

IGADF auditors also consult ADF specialists such as military police, legal advisers and chaplains who, although they may not be staff members of the audited unit, routinely provide support to the Commanding Officer and their staff. The purpose of those discussions is to ascertain the relationship those specialists have with the audited unit's command team, as well as the specialists' observations of military justice activities of the unit.

Focus Group discussions are held as part of every audit. They are discussions with unit personnel grouped by worn rank and, for junior ranks and trainees, by gender as well. Discussion questions are designed to prompt participants to share their experiences and perceptions of the military justice system at the audited unit. Discussion topics include questions about how members perceive the unit's command team has implemented the ADF's military justice arrangements. In this way, IGADF Audits have an additional benefit of promoting military justice values and reinforcing basic knowledge among ADF members about their rights and obligations in the military justice system.

A written IGADF Audit report is sent to the audited unit's Commanding Officer approximately three months after an IGADF audit. The IGADF Audit report is also distributed to the unit's chain of command, including the CDF, the Vice Chief of the Defence Force, Chief of Personnel (who is the accountable officer for military justice) and the relevant Service Chief.

The report contains recommendations and suggestions to improve the unit's compliance with military justice requirements and remediate any deficiencies. Where a unit has not complied with law or mandatory policy, the report makes 'recommended corrective actions' for the unit to implement. A 'suggestion' may be provided to improve unit practices and are discretionary matters for the Commanding Officer to consider.

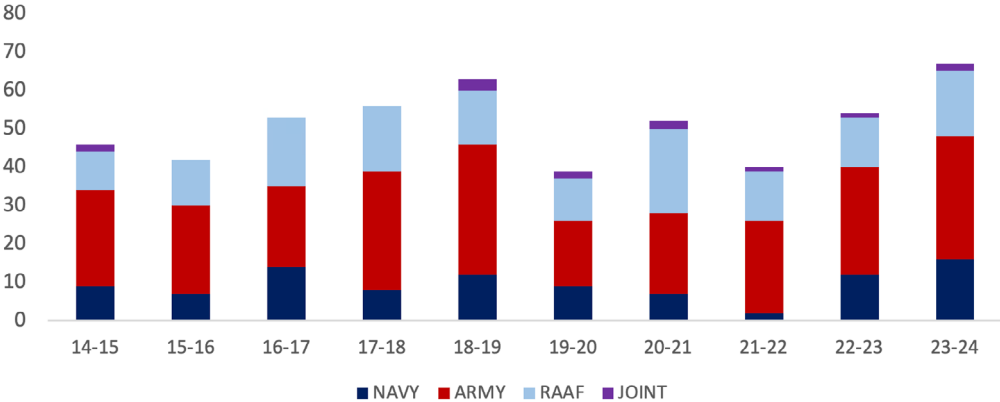
The IGADF requires units to provide feedback within three months on how the unit has implemented audit recommendations and whether the unit has implemented the suggestions.

### ***The FY 2023–24 IGADF Audit program***

In the lead up to the commencement of the IGADF Audit program for FY 2023–24, DMJPR reviewed the number and type of ADF units to identify units that could be audited by the IGADF. The review determined there were 463 units in the ADF. Due to IGADF resources, only units with a specified Commanding Officer and at least 50 ADF personnel were selected for ongoing auditing. A total of 284 ADF units were programmed for routine IGADF Audit. On an ad hoc basis, IGADF continues to audit smaller sized units or conduct Focus Group only activities with units or sub-units that do not have a specified Commanding Officer in location.

In FY 2023–24, IGADF Audit teams conducted 67 military justice performance audits (Navy 16, Army 32, Air Force 17 and Joint 2) during the reporting period. This was a significant increase after lower numbers during the COVID-19 financial years, and the highest number of units audited by IGADF since its establishment in 2003. At the request of the IGADF, two separate targeted Focus Group only activities were conducted (not attached to a usual audit).

**Graph 5: Audits conducted by Service since FY 2014–15**



The 2023–24 audit program included 10 Re-audits from the previous year, and one targeted audit. The targeted audit was at the IGADF’s request and was a comprehensive audit that reviewed the past two years’ military justice matters (instead of the usual 12 months for routine audits). Of the remaining 56 units, three were Headquarters that had not been previously audited. Two units selected to be audited were removed from the program; one postponed to FY 2024–25 and the other because the Headquarters was disbanded under the RAAF Plan MULLEUN Review of existing headquarters structure.

Conducting this high number of audits impacted DMJPR’s extant resources, resulting in delays in finalising written reports and fatigue of some DMJPR staff.

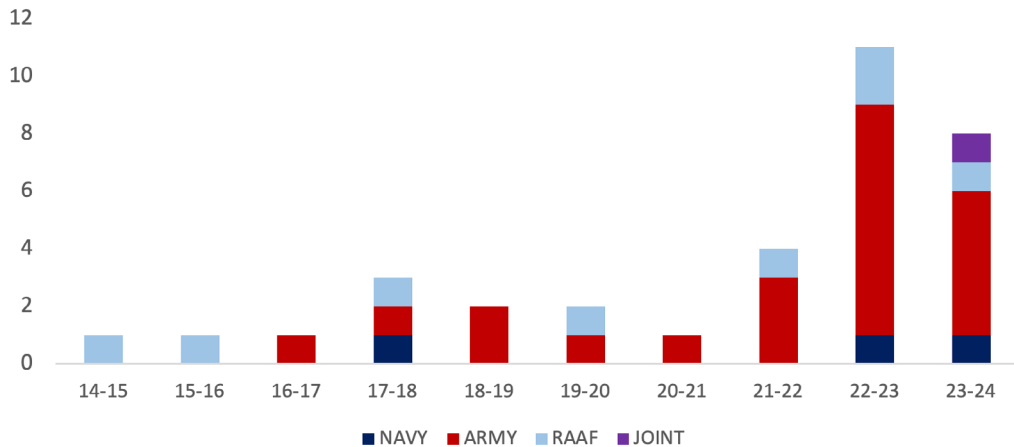
**FY 2023–24 Audit outcomes**

Of the 67 IGADF Audits conducted in 2023–24, eight units had material deficiencies and will require a re-audit in the next financial year. Two of the eight Re-audits will be a ‘limited re-audit’ where only an administrative or discipline auditor will re-audit the unit. Limited Re-audits are conducted where the unit has significant non-compliances in their records but participants in Focus Groups reported positive treatment by command, good morale and an understanding of military justice activities.

The units which were non-compliant were due to a combination of:

- systemic breakdown in military justice procedures that negatively affected members' rights, or
- poor or non-existent record keeping practices (lack of evidence of actions and outcomes).

**Graph 6:** Findings of material deficiencies by Service since FY 2014–15

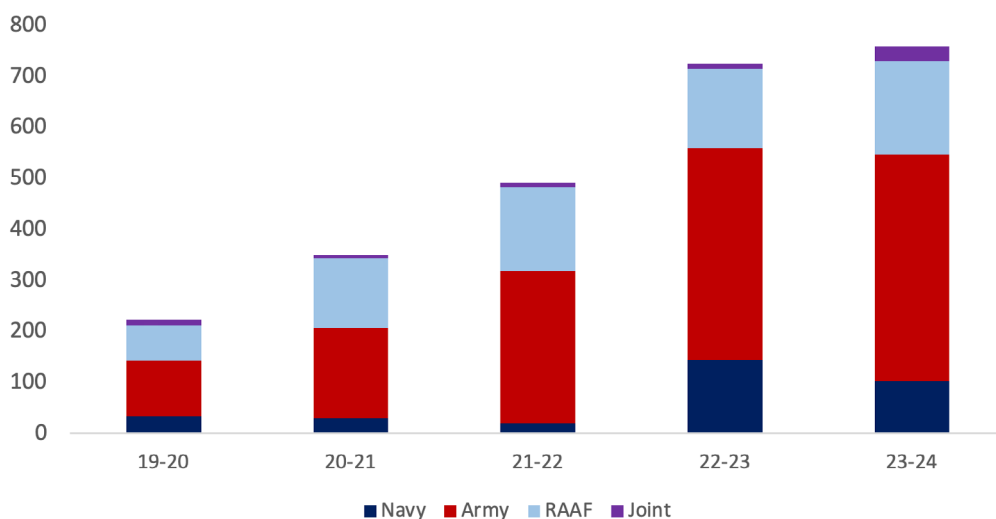


Of the 59 units found compliant in FY 2023–24, the most common Audit recommendations related to:

- lack of reporting of non-routine incidents (that did not require the incident to be reported to higher headquarters)
- correct entry of discipline or administrative steps in Defence databases
- reporting of incidents of Unacceptable Behaviour (including allegations) on all mandated systems
- retention of all relevant records
- communication of outcomes to relevant parties involved in Fact Finding.

During the course of the 2023–24 audit program, a total of 759 (Navy 102, Army 444, Air Force 185 and Joint 28) recommended corrective actions were made to ADF units. A further 483 (Navy 68, Army 275, Air Force 117 and Joint 23) suggestions were made during the audit program.

**Graph 7:** Recommended corrective actions made since FY 2019–20



### ***Record keeping***

Retaining information and documents when auditing ADF units' records is essential for ensuring accountability, transparency and the integrity of the military justice system. These records provide a comprehensive view of the conduct, administrative and disciplinary actions taken within a unit, which is crucial for several reasons.

First, the retention of these documents helps maintain historical accuracy and allows for a thorough review of past actions. This historical perspective is important in understanding trends, identifying recurring issues, and assessing the effectiveness of military justice measures. Without accurate records, it becomes challenging to track patterns of misconduct or to evaluate the impact of previous interventions.

Second, retaining military justice records is vital for legal accountability. In the military, where discipline is foundational to maintaining order and operational effectiveness, ensuring that every action is documented and preserved helps protect both the institution and the individuals involved. These records serve as evidence in disciplinary proceedings or administrative processes, where they can be used to support or contest actions. Inadequate documentation can lead to miscarriages of justice, undermine the credibility of the military justice system, or negatively impact the foundation of fairness, trust and respect between the units' members and command.

Third, these records are essential for upholding transparency within the chain of command and across the broader military structure. Commanders rely on accurate and complete records to make informed decisions about complaints, discipline proceedings, and other personnel matters. Retaining military justice records ensures that decisions are made based on a complete understanding of an individual's history, which helps maintain trust in the leadership and the decision-making process. Providing written outcomes, rather than just spoken, gives members greater understanding of the processes, awareness of the outcome and next steps of review.

In summary, the retention of information and documents in auditing military units' records is a fundamental practice that safeguards the integrity of the military justice system, supports legal accountability, ensures informed decision-making within the chain of command and provides members with outcomes and awareness of their right to review or complain.

The launch of the Defence ERP Case Management Solution (DECMS) on 27 May 2024 was designed to enable an incident or case to be reported, actioned (including uploading documents) and managed from start to finish in one system. There are no longer multiple mandated Defence databases for the reporting and recording of incidents or complaints. To enable the 'go live' of DECMS, several Defence military justice databases were frozen from 15 May 2024. IGADF will be monitoring the performance of DECMS through the military justice audit program.

### ***Incident reporting***

Incident reporting in the ADF is crucial for maintaining operational integrity, safety, and accountability. IGADF audits conduct compliance checks of incident management policy to ensure that any non-routine incidents are promptly reported, actioned and documented. Effective incident reporting helps prevent future occurrences by identifying patterns and risks, thus enhancing the overall safety of military personnel and operations. It also fosters a culture of transparency and responsibility, where mistakes or issues are not hidden but used as learning opportunities. Furthermore, detailed incident reports are vital for legal, historical, and administrative purposes, ensuring that all events are recorded and can be reviewed if necessary. The introduction of the Defence ERP Case Management System (DECMS) should facilitate incident reporting and tracking.

### ***Complaint handling***

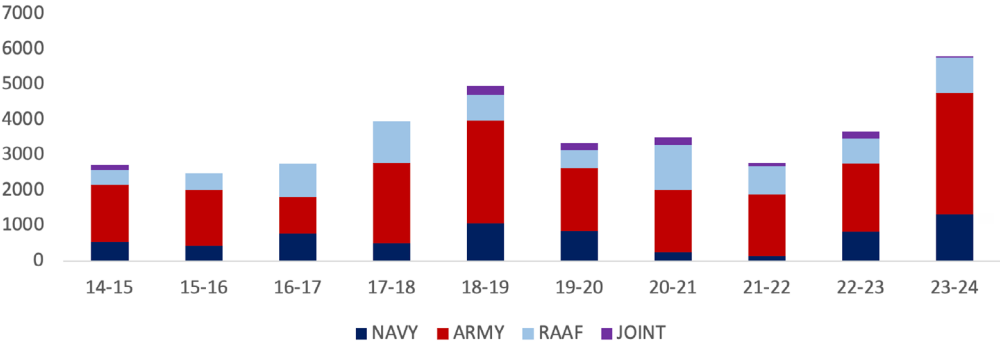
Complaint handling and a unit's morale are also critical components in maintaining an effective military force. The nature of military service often involves high stress, strict discipline, and challenging conditions, which can lead to dissatisfaction or grievances among personnel. Addressing these complaints promptly and fairly in accordance with Defence or Service policy is essential to prevent the build-up of resentment, which can undermine unit cohesion and overall mission effectiveness.

Effective complaint handling can demonstrate that leadership values the well-being of its members, reinforcing trust and respect within the ranks. When military personnel feel heard and that their concerns are taken seriously, it fosters a sense of loyalty and commitment to the organisation. Through IGADF Focus Group discussions and surveys, it is evident the handling of complaints can directly affect morale. A high level of morale is associated with increased motivation, resilience, and willingness to endure the hardships of military life. During the reporting period, many Focus Group participants who had confidence in command also had higher morale, sometimes in spite of feeling overworked due to understaffing.

**Focus Group outcomes**

During the conduct of military justice performance audits in this reporting period (2023–24), 5801 ADF members (Navy 1314, Army 3445, Air Force 1001 and Joint 41) participated in Focus Group discussions.

**Graph 8:** Focus Group participation rate across the services since FY 2014–15



Focus Group participants complete an anonymous, written military justice survey at the conclusion of every IGADF Audit Focus Group. The survey gauges perceptions and effectiveness of the military justice system at the audited unit. The aggregate of Focus Group participants’ survey data provides insights into ADF members’ perceptions of the effectiveness of the military justice system across the ADF as a whole. The majority of 5801 Focus Group participants during 2023–24 were at the ‘Private’ or Junior Non-Commissioned Officer rank.

Table 2 depicts responses in the last four reporting periods to key military justice survey questions.

**Table 2:** responses to the IGADF military justice survey

<b>QUESTION</b>	<b>2020–21</b>	<b>2021–22</b>	<b>2022–23</b>	<b>2023–24</b>
<b>Knowledge of military justice system</b>				
received adequate discipline training to allow the member to discharge their DFDA responsibilities	53 %	48 %	47 %	54 %
understood the concept of procedural fairness	89 %	84 %	85 %	90 %
aware of complaint avenues	72 %	67 %	64 %	73 %
knew where to obtain advice or information on unacceptable behaviour	88 %	83 %	84 %	88 %
<b>Military justice system effectiveness</b>				
the DFDA is an effective tool for the maintenance of discipline	84 %	78 %	76 %	80 %
military justice system provided sufficient feedback to complainants and respondents	46 %	40 %	41 %	50 %
alcohol testing program is effective	62 %	63 %	56 %	58 %
drug testing is effective	68 %	70 %	62 %	62 %
<b>Timeliness</b>				
processes involved in investigating offences take too long	26 %	33 %	35 %	24 %
complexity of the DFDA discourages people from laying charges	34 %	43 %	39 %	34 %
adverse administrative action procedures take too long	26 %	27 %	29 %	23 %
<b>Fair treatment</b>				
discipline process is fairly and consistently applied	75 %	71 %	71 %	79 %
unit would treat them fairly and impartially if they were the subject of an administrative inquiry	79 %	70 %	71 %	82 %
unit maintained a balance between the rights of complainants and the rights of respondents	62 %	57 %	60 %	71 %

<b>QUESTION</b>	<b>2020–21</b>	<b>2021–22</b>	<b>2022–23</b>	<b>2023–24</b>
all ranks would be treated equally under the military justice system	69 %	59 %	63 %	74 %
all genders would be treated equitably under the military justice system	78 %	70 %	74 %	80 %
<b>Confidence in command chain</b>				
confidence in their chain of command to resolve complaints	77 %	72 %	73 %	79 %
complaints made to their chain of command were dealt with fairly, promptly and impartially	65 %	62 %	63 %	72 %
appropriate action would be taken if they reported an incident of unacceptable behaviour	82 %	82 %	82 %	86 %
appropriate action would be taken against an incident or complaint of sexual misconduct, including sexual assault	91 %	90 %	89 %	93 %
<b>Military justice culture / morale</b>				
had experienced or witnessed unacceptable behaviour at their unit	25 %	25 %	31 %	20 %
workload was excessive	30 %	31 %	37 %	28 %
morale was good	64 %	63 %	63 %	74 %

## **DIRECTORATE OF SELECT INCIDENT REVIEW**

The Directorate of Select Incident Review (DSIR) conducts inquiries into the deaths of all ADF members, including reservists, where the death appears to have arisen out of, or in the course of, service with the Defence Force. The Office of the IGADF does not have jurisdiction to inquire into deaths of former ADF members. DSIR's inquiry reports are provided to the CDF pursuant to section 27(4) of the Inspector-General of the Australian Defence Force Regulation 2016.

Although the circumstances of a death are examined to establish whether there was a connection to service in the Defence Force, DSIR helps IGADF perform a crucial role in formulating recommendations designed to prevent or reduce the risk of death or serious injury, and improve systems and processes within the Defence Force. This is achieved by identifying and examining relevant policies, procedures and practices that are applicable in each individual death inquiry.

Family and witness liaison is a crucial component of IGADF's work as it is recognised that families, colleagues and friends of a deceased person have significant information and knowledge to assist inquiries. Trauma-informed practices and compassion are used to work with those affected by a death.

During the reporting period DSIR reviewed all of its processes to improve its communications with those affected by ADF deaths and thereby improve the inquiry process. This has enhanced engagement with families and enabled them to have greater input, and has improved efficiency without compromising inquiries.

### ***Service deaths reported***

IGADF received 31 death notifications during the 2023–24 financial year.

- 14 health related
- 7 suspected suicides
- 5 during training (4 x MRH-90 helicopter crash and 1 x military freefall incident)
- 2 undetermined – cause of death still to be confirmed
- 1 motor vehicle collision (off duty)
- 1 homicide (family violence related)
- 1 killed in Ukraine (not ADF service)

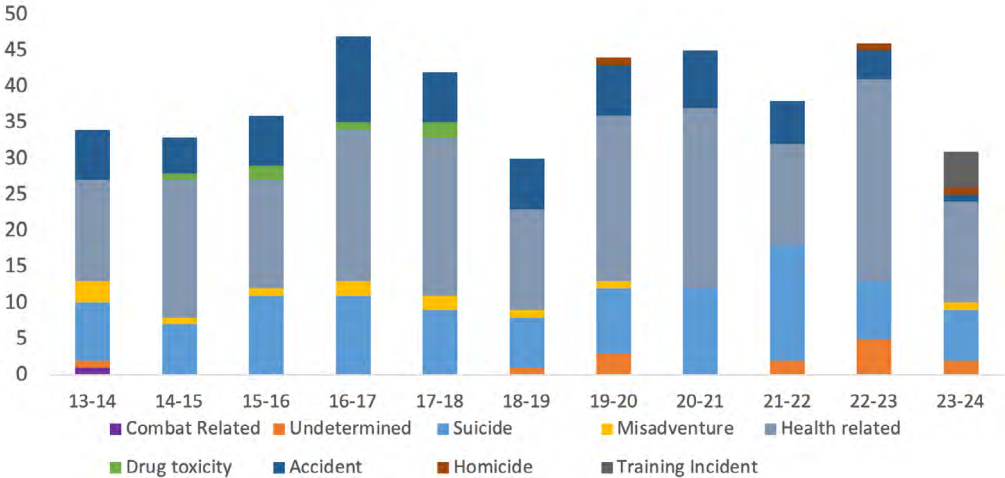
A number of service deaths reported during the 2023–24 financial year were facilitated through voluntary assisted dying. Deaths by voluntary assisted dying are considered as health related deaths for the purpose of the Select Incident Review inquiry process. Whether the illness preceding the death arose out of service in the Australian Defence Force is still considered during the inquiry process.

Two training incidents resulted in the loss of five lives during the 2023–24 reporting period and these matters both remain under inquiry.

During the reporting period all cases of suspected suicide and deaths arising from Defence activities, such as training incidents, DSIR arranged legal support to represent the interests of the deceased ADF member through Defence Counsel Services. There was one instance where the authorised legal personal representative (next of kin) declined representation from Defence Counsel Services.

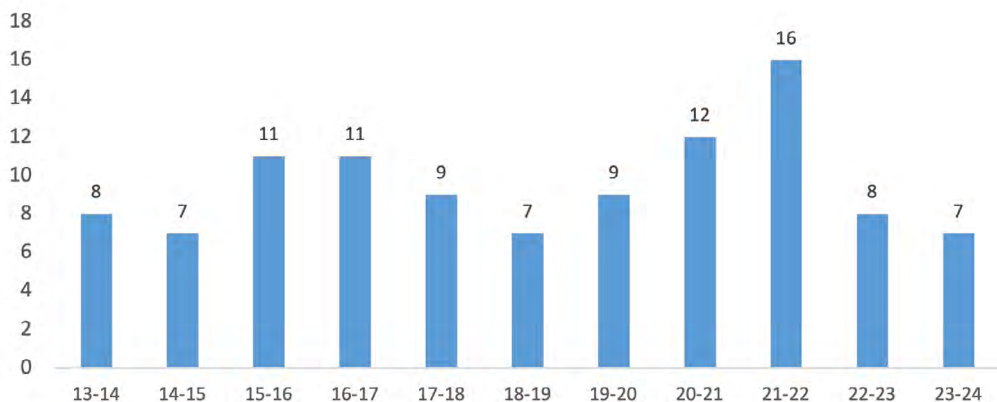
There has been an observable and steady increase, in recent years and in similar cases, in the number of instances where families have accepted DSIR’s offer to request Defence Counsel Services arrange legal support.

**Graph 9:** Cause of death (for ongoing, incomplete inquiries, a preliminary provisional finding about cause of death is shown)



There was one less suicide reported in 2023–24 than in the previous reporting period. Graph 10 shows the number of suspected suicides since 2013–14.

**Graph 10:** Suicide by financial year (in the case of ongoing, incomplete inquiries, this graph shows a preliminary provisional finding)

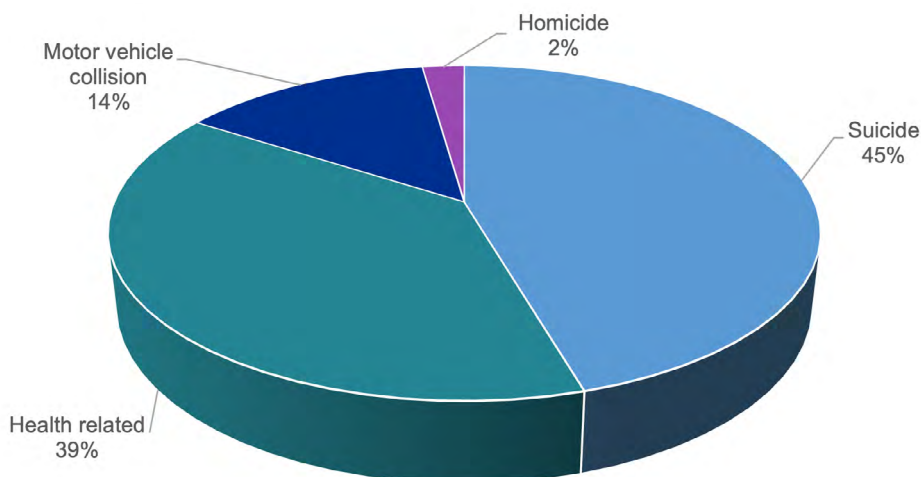


### ***Service death inquiries***

DSIR completed 44 inquiries during the 2023–24 financial year.

- 20 suicides (45 per cent)
- 17 health related (39 per cent)
- 6 motor vehicle collision (off duty) (14 per cent)
- 1 homicide (family violence related) (2 per cent)

**Graph 11:** Completed service death inquiries during the financial year

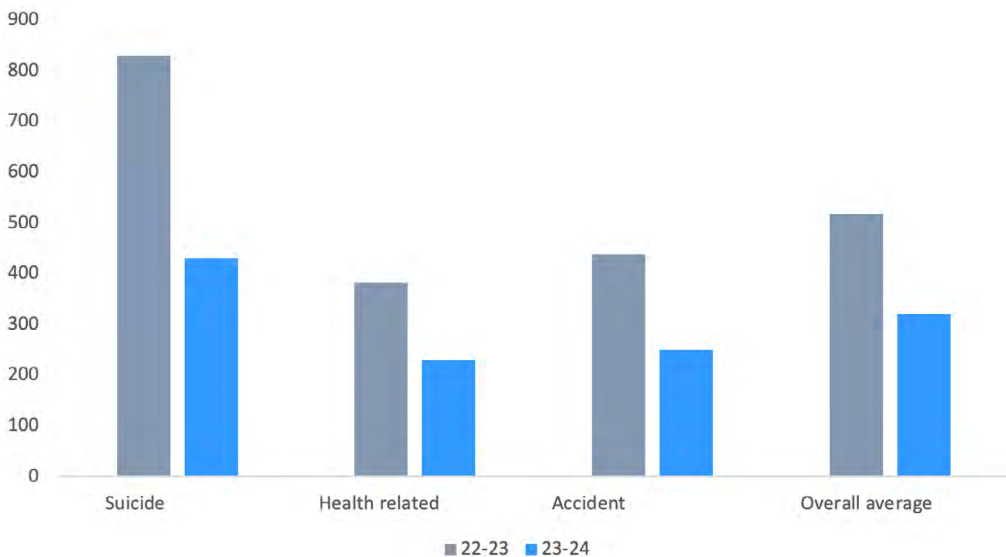


## Performance

The Directorate's performance improved significantly following the appointment of a new Director. Out of the 44 ADF deaths notified to IGADF during the reporting period, 33 of the associated reviews or inquiries were completed in the second half of the reporting period.

The average time to complete a suicide inquiry in this reporting period was 431 days. This is a significant reduction compared to the previous reporting period, for which the average was 830 days. The average time to complete a suicide inquiry in 2021–22 was 658 days. The reduction in the current reporting period can be partially attributed to a number of enhancements to Directorate processes. Additionally, because responding to the Royal Commission into Defence and Veteran Suicide's demands for information to support their important work resulted in the diversion of IGADF resources, some of the improvement in timeliness has also been attributable to declining demands for information from the Royal Commission.

**Graph 12:** Average number of days to complete a DSIR inquiry by financial year



## **DIRECTORATE OF MILITARY REDRESS AND REVIEW**

The IGADF Directorate of Military Redress and Review (DMRR) manages and oversees the Redress of Grievance (ROG) complaint process as specified in the Defence Regulation 2016, Part 7.

A member of the ADF may make a complaint if they consider:

- a decision, act or omission in relation to their service is adverse or detrimental to them, and
- the adverse or detrimental effect is capable of being redressed by a person within the Department of Defence.

A complaint by a member may be made about most aspects of service in the Defence Force. Grievances include career matters (such as appointment and enlistment, or ceasing service); conditions of service and entitlements (including salary and allowances); handling of complaints of unacceptable behaviour; and medical (classification, process and treatment).

Complaints should be dealt with at the lowest appropriate level, and Defence policy or processes for dealing with a specific type of complaint, for example unacceptable behavior as defined in Defence policy, should ordinarily be used in the first instance, unless there are specific reasons not to. A member then retains the right to submit a ROG complaint about the outcome of that other complaint process.

The Directorate has a liaison officer for each Service who is responsible for providing procedural information to members and commanders dealing with complaints. A number of APS staff, ADF personnel and external contractors are authorised by the Inspector-General to consider the substance of complaints on his behalf. The consideration of complaints is coordinated and quality-controlled through the Director and Deputy Director for persons authorised to make decisions on behalf of the Inspector-General.

The IGADF's role in handling complaints is separate to that of the chain of command. The Directorate uses the flexibility of the legislation to address each complaint in a manner most appropriate for that specific complaint. When consideration of a complaint by the member's immediate chain of command is not desirable, it may be appropriate that someone higher in the member's chain of command, or a different person removed from the member's command, consider the complaint. The IGADF may also decide to consider the complaint from the outset.

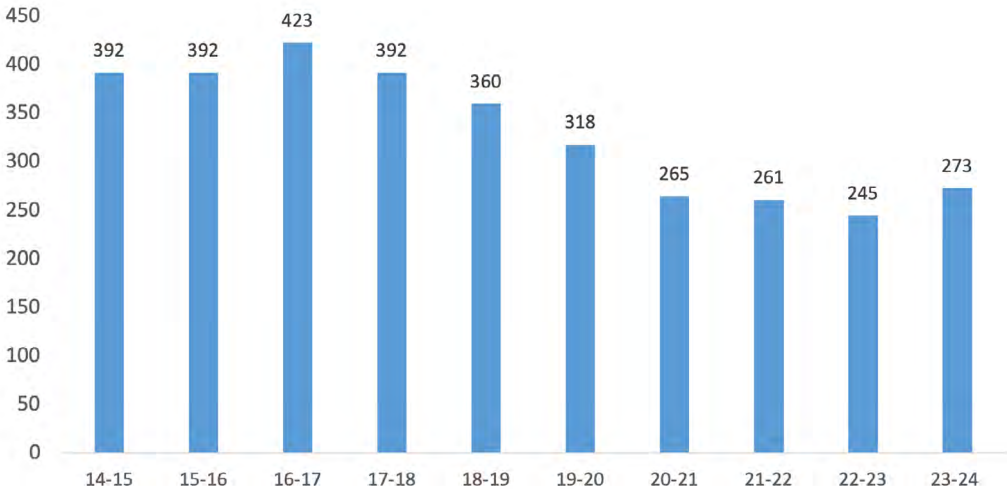
The Directorate continues to deliver presentations to personnel in ADF roles that handle members' grievances. These include Commanding Officers, Legal Officers, and unit personnel who are responsible for personnel operations and management.

The Directorate also continues to apply trauma-informed principles and take a person-centric approach when dealing with complaints. This includes increasing engagement with members at all stages of complaint consideration. If a member views the outcome of their complaint is incorrect, or is dissatisfied with the complaint process, they are encouraged to raise their concerns directly with the Office of the IGADF. They may also raise those concerns directly with the Defence Force Ombudsman.

**Redress of grievance complaints open**

On 1 July 2023, 88 complaints were open and being considered under the Defence Regulation 2016. ADF members submitted 273 new complaints during the 2023–24 reporting period. This represents an increase of 11 per cent over the 245 complaints submitted in 2022–23.

**Graph 13: ROGs submitted since 2014–15**



Complaint submission was not evenly distributed across the year:

- 149 complaints were submitted between 1 July and 31 December 2023, and
- 124 complaints were submitted between 1 January and 30 June 2024.

### **Comparison with Financial Year 2022–23.**

In comparison with the previous reporting period, the number of complaints submitted by members from each service is:

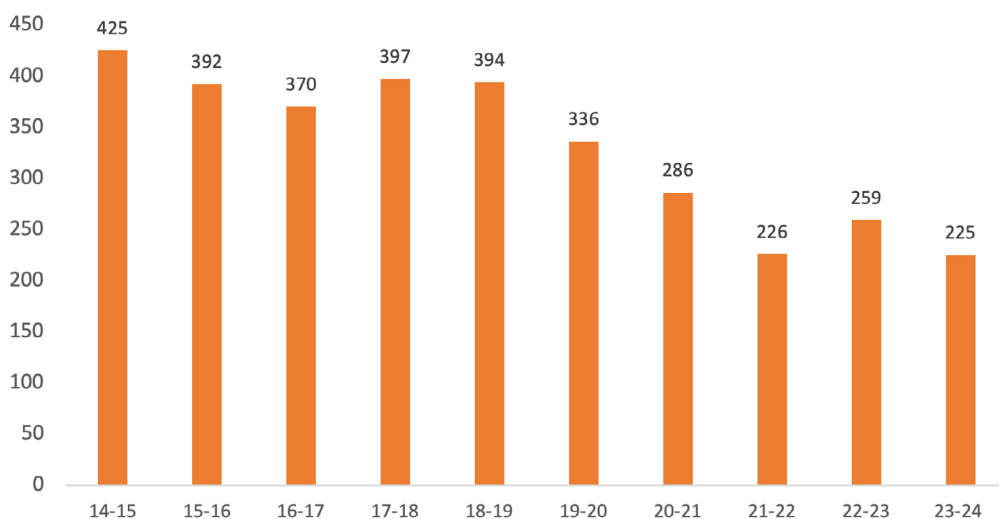
- Navy personnel submitted 69 complaints, an increase of 5 per cent from 66
- Army personnel submitted 129 complaints, an increase of 12 per cent from 115
- Air Force personnel submitted 75 complaints, an increase of 17 per cent from 64

### **Redress of grievance complaints closed**

During the 2023–24 reporting period, 225 complaints (Navy 54, Army 112 and Air Force 59) were closed. This is down from the previous year due to diversion of resources to support the Royal Commission into Defence and Veteran Suicide’s important work as well as key staff changes mid-way through the reporting period. By the end of the reporting period the closure rate had increased again to meet the rate of complaints received.

Graph 14 shows the number of ROGs finalised each financial year since 2014–15.

**Graph 14:** ROGs finalised by IGADF since 2014–15



The main categories of the complaints closed related to:

- Career – 41 per cent
- Entitlements – 32 per cent
- Termination of a member's service in the ADF – 14 per cent
- Unacceptable Behaviour, Financial, Security, Medical and Privacy complaints – 13 per cent

Decisions relating to the 225 complaints finalised in the reporting period:

- 79 were unsubstantiated – 35 per cent
- 61 were withdrawn – 27 per cent
- 52 were partially or fully substantiated – 23 per cent
- 25 matters were excluded from the complaint process (due to jurisdiction or out of time) – 11 per cent
- 8 were found administratively outside ROG process – 4 per cent

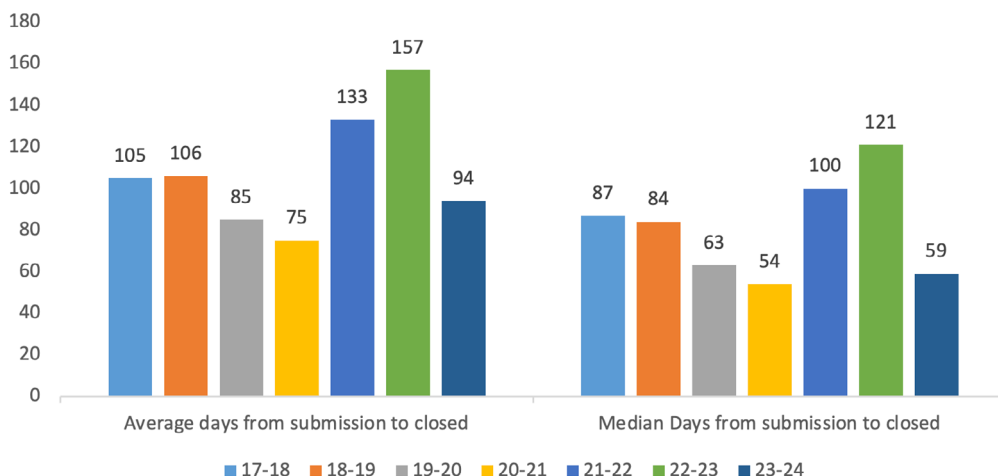
#### ***Time taken for referral of complaints to the IGADF***

There is a regulatory requirement for Commanding Officers to refer a complaint to the IGADF within 14 days after the Commanding Officer receives the complaint. In the 2023–24 reporting period, 79 per cent of the complaints were referred to the IGADF within 14 days of the complaint being received.

#### ***Time taken to resolve grievances***

In the 2023–24 reporting period, the average time taken from the submission of a complaint to its closure was 94 days, this is a decrease from 157 days in the 2022–23 reporting period, with a median time of 59 days (decreased from 121 days).

**Graph 15:** Time taken to resolve grievances since 2017–18



A breakdown of the time taken to finalise ROG complaints in 2023–24 is below.

- 62 per cent of complaints were closed within 90 days (compared with 37 per cent in the previous period)
- 0 per cent of complaints were closed between 91 and 100 days (compared with 5 per cent in the previous period)
- 3 per cent of complaints were closed between 101 and 120 days (compared with 7 per cent in the previous period)
- 35 per cent of complaints were closed over 120 days (compared with 51 per cent in the previous period)

## LEGAL DIRECTORATE

In the reporting period, the Directorate of Legal Review was renamed to the Legal Directorate to better align with its role as the IGADF's in-house counsel team. The Legal Directorate provides a legal and legal policy advisory function within the OIGADF to assist the Inspector-General and his senior staff to fulfil IGADF's statutory functions and responsibilities.

### ***Support to the Royal Commission into Defence and Veteran Suicide***

During the reporting period the Legal Directorate continued to manage whole-of-office information requirements in support of the work of the Royal Commission.

In 2023–24, IGADF responded to 9 Notices to Give information and 26 Notices to Produce documents issued by the Royal Commission.

The Royal Commission invited comment from affected agencies on potential propositions that might inform findings and recommendations in its Final Report. The IGADF responded to over 70 potential propositions across four tranches of proposition notices directed to IGADF. The IGADF also contributed to the Commonwealth response to many other potential propositions directed to or implicating multiple agencies. As noted elsewhere, these requirements amounted to tens of thousands of pages of documents that had to be prepared for disclosure. OIGADF produced its responses through the solicitors for the Commonwealth, the Australian Government Solicitor (AGS), and the Commonwealth's lead agency, the Attorney-General's Department.

### ***Litigation***

The Legal Directorate also manages IGADF's interests in litigation in conjunction with AGS. In the 2023–24 reporting period this has included appropriate protection of IGADF inquiry-related information in the context of the prosecution of Mr David McBride in the ACT Supreme Court, and the appeal brought by Mr Ben Roberts-Smith against the Federal Court judgment on his allegations of defamation (*Roberts-Smith v Fairfax Media Publications Pty Limited (No 41)* [2023] FCA 555). (The appeal judgment is yet to be delivered by the Full Court of the Federal Court.)

## **INFORMATION TRACKING SYSTEMS**

During the reporting period IGADF continued to sponsor two (now legacy) information tracking systems, both of which have provided essential data relating to the condition and effectiveness of the military justice system. These systems are the ADF Administrative Inquiries Tracking System (ADFAITS) and the Defence One – Conduct Reporting and Tracking System (CRTS).

ADFAITS is a repository for the recording and tracking of administrative inquiries conducted by Defence pursuant to Regulation 73 of the Defence (Inquiry) Regulation 2018. Defence recorded 31 Inquiry Officer Inquiries (17 Navy, 5 Army and 9 Air Force) during the 2023–24 reporting period.

CRTS provides an oversight function that contributes towards effective career management and the maintenance of discipline in ADF members. CRTS tracks and reports on ADF disciplinary offences, administrative sanctions, civil convictions and protection orders.

During this reporting period, a staggered implementation commenced of the new Defence Enterprise Resource Planning Case Management Solution (DECMS). IGADF will continue to sponsor and support these two legacy systems until DECMS implementation is complete.

### ***Enterprise Resource Planning Project***

The Enterprise Resource Planning (ERP) project is a significant Defence transformation program that will standardise, simplify and align processes across the enterprise, modernising the way Defence conducts its business.

As noted in previous IGADF annual reports, the IGADF has for many years advocated for an enterprise-wide case management system. A solution that can effectively achieve a longitudinal management approach for incidents, complaints and cases should provide a single source of truth for Defence and should allow for more accurate tracking and reporting of incidents as well as trend data analysis.

Defence ERP Case Management Solution (DECMS) launched on 27 May 2024 replacing ADFAITS and CRTS as well as other Defence databases. IGADF is a key stakeholder and end user of the new enterprise-wide case management system.

## **OUTREACH**

### ***Commonwealth Government Inspectors-General Meeting***

On 9 July 2023 the IGADF hosted the annual meeting of Commonwealth Government Inspectors-General. Commonwealth Inspectors-General with similar functions and responsibilities come together to share new or improved oversight practices and procedures. The aim of these valuable meetings is to enhance governance and provide participants insights into alternative approaches to common challenges. It offers Commonwealth Inspectors-General an opportunity to discuss key issues and share information about initiatives.

### ***Military justice meetings, seminars and forums***

During the reporting period, the Inspector-General and OIGADF staff had a number of opportunities to present on IGADF's roles and functions to different audiences. These included:

- Annual Government Law Conference
- Procedural Fairness training for Defence SLG
- 13th National Public Sector Fraud and Corruption Congress
- Specialist Accreditation Public Law Advisory Committee meetings
- Presentation to Advanced Military Administrative Law Course
- Presentation to Department of Veterans Affairs Legal and Audit Division
- Presentation to the QLD Coroners and Counsel Assisting
- Military Justice Legal Forum
- Joint Military Police Governance Board
- Presentation to the Royal United Service Institute NSW
- Defence Joint Legal Workshop

### ***IGADF Outreach Program***

The IGADF successfully continued its outreach program throughout this reporting period. These sessions were held across capital cities as well as many regional parts of Australia. This program has proven, over this and previous reporting periods, to be a valuable mechanism for promoting awareness of the roles and functions of the IGADF. These activities are also an excellent opportunity for the IGADF to engage with similar agencies to explore matters of common interest.

Outreach activities consisted of both community and Defence engagement sessions. IGADF staff participated seven ADF transition seminars in this reporting period. These activities enabled ADF members and their families to become aware of IGADF's role and functions as an independent, statutory office.

Public awareness and interest in the work of the Office of the IGADF is rapidly increasing. Ongoing collaboration with the Defence community and external organisations has strengthened those relationships and proven to be a beneficial way to provide information and transparency around how IGADF conducts inquiries and manages complaints.

## **CONCLUSION**

IGADF saw an increase again this reporting period in the demand for the services provided by the Office. The complexity of matters being handled by the Office is growing and submission and caseload numbers were the highest ever received by the Office.

The Office continued to support a number of external processes, including the Royal Commission into Defence and Veteran Suicide and the Office of the Special Investigator. The Office contributed to other legal processes in which IGADF was not directly involved, but where material held by the Office was required.

Challenges in engaging adequate numbers of appropriately trained and qualified staff in the Office contributed to delays in the delivery of the core functions of the IGADF. The establishment of the Directorate of Human Resources during the reporting period has assisted in creating efficiencies, including for effective management of recruitment activities.

The Inspector-General and IGADF team remain committed to overseeing the quality and fairness of Australia's military justice system.