

OFFICIAL



Australian Government

Inspector-General of the Australian Defence Force

DIRECTORATE OF INQUIRIES AND INVESTIGATIONS

ASSISTANT IGADF HANDBOOK

OFFICIAL

Sponsor	Director Inquiries and Investigations (DII)
Approver	Deputy Director Coordination (DD COORD)
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REVISION HISTORY

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The DII Handbook is guidance only, designed to assist with conducting business in the Office of the IGADF. It is a living document that will be updated regularly to adapt to our changing business needs. The DII Handbook is not a policy document and you should refer to the relevant Defence Policy or seek guidance from the relevant Deputy Director.

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Purpose

1. This Handbook is a core resource for all personnel employed within the Directorate of Inquiries and Investigations (DII) and the Office of the Inspector-General of the Australian Defence Force (IGADF), including permanent personnel (ADF and APS), ADF Reserves, and contracted staff. All personnel are expected to familiarise themselves with the contents of this Handbook on commencement, and to refer to it throughout their tenure within the Directorate. Recommendations for amendments or additions are to be submitted to the Deputy Director Coordination (DD COORD).
2. This Handbook provides guidance on DII's triage, assessment, inquiry and investigation processes (including military policing matters), writing standards and supporting information to assist personnel in the conduct of their duties. It also sets expectations for internal quality assurance arrangements, including mandatory editorial and legal review processes, to ensure accuracy, consistency, legal robustness and procedural fairness across all DII products.
3. All DII activities are to be supported by exemplary records management practices. Personnel must create, maintain and manage records in accordance with the *Archives Act 1983*, the Defence Records Management Policy Framework, and associated Defence information management instructions. This includes ensuring accurate record keeping, secure storage, appropriate classification and clear version control for all documents, drafts, and final products. Effective records management is essential to accountability, auditability, transparency and the protection of the integrity of DII inquiries and investigations.
4. This Handbook does not constitute Defence policy. Personnel must continue to refer to, and comply with, all relevant Defence legislation, policies, and manuals, including but not limited to the Administrative Inquiries Manual, the Complaints and Alternative Resolution Manual (CARM), and the Good Administrative Decision-Making Manual (GADMMAN), which provide authoritative policy and procedural guidance.

The military justice system

4. Australian Defence Force (ADF) operational capability relies on a military justice system that achieves an appropriate balance between the need to enforce and maintain a high level of order and discipline, while maintaining and protecting the individual rights of ADF members.
5. The military justice system comprises four main elements:
 - disciplinary investigations, prosecutions and proceedings under the *Defence Force Discipline Act 1982* (including Disciplinary Infringements, commanding officer summary proceedings and superior summary authority proceedings);

- adverse administrative action, including administrative sanctions (for example censures and formal warnings) and involuntary separations from the ADF;
 - the conduct of administrative inquiries (including fact finding and Inquiry Officer Inquiries); and
 - the complaints mechanism for ADF members.
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Directorate of Inquiries and Investigations

6. The Directorate of Inquiries and Investigations (DII) supports the IGADF's responsibilities through the review of complaint submissions and referrals, which are assessed in the context of the application of the military justice system. In some cases, an assessment leads to an inquiry.

7. The DII is managed by the Director of Inquiries and Investigations who reports to the Deputy Inspector-General of the ADF (DIGADF). The majority of DII's workforce capability comprises of Reserve case officers who conduct assessments and inquiries. There is a small core of full-time staff who provide the capability to manage assessment and inquiry related processes, standards and resources, provide support to case officers, and coordinate any reporting and aftercare requirements.

8. The DII also receives submissions and referrals relating to policing misconduct (i.e inappropriate execution of military policing duties or powers). The Professional Standards team within DII is responsible for addressing allegations of serious or deliberate policing misconduct by Military Police Members. Professional Standards will conduct an assessment on the known facts to determine if the matter should: proceed to investigation under the *Defence Force Discipline Act 1982* (DFDA), proceed to Inquiry, or be referred back to the unit for action.

9. The Professional Standards team within DII is resourced with Australian Defence Force investigators, all of whom must hold the training and qualifications required by AGIS to conduct investigations. The Professional Standards team also employs Reserve and Australian Public Service inquiry officers.

10. Any personnel commencing work within DII without the requisite qualification must provide DII with a rectification plan to obtain the required qualification in a timely manner. The Strategic HR Directorate maintains a qualification (or equivalency) database for all IGADF personnel.

11. All staff within and working for DII are appointed by the IGADF as an Assistant IGADF, which allows them to undertake duties as directed by, and on behalf of, the IGADF, to support their functions as outlined in the [Defence Act 1903](#) and the [Inspector-General of](#)

[the Australian Defence Force Regulation 2016](#) (IGADF Regulation 2016). A Certificate of Appointment signed by the IGADF is issued to new personnel as part of the inwards clearance process.

IGADF Instrument of Authorisation

12. IGADF has issued an Instrument of Authorisation to delegate certain decision making powers to the Deputy IGADF, Directors and Deputy Directors. Some key powers relevant to personnel working within DII include decisions to:

- a. conduct assessments
- b. conduct DFDA investigations, including referral to ODMP or the unit as appropriate
- c. refer matters to another authority to deal with
- d. issue a direction under s21 or s28M of the IGADF Regulation 2016 not to disclose information
- e. issue a direction under s22 of the IGADF Regulation 2016 requiring an ADF member to provide information
- f. issue a direction under s23 of the IGADF Regulation 2016 (where enlivened) requiring any person to provide information
- g. make recommendations pursuant to s25 of the IGADF Regulation 2016
- h. make decisions to release inquiry information pursuant to s27 (5)(a)(iv)(v) and (vi).

Conflicts of Interest

13. All Defence personnel made available to the Inspector-General of the Australian Defence Force (IGADF) to assist in the performance of their statutory functions submit an annual declaration of interests. The declarations are updated as required throughout each statutory reporting period, to enable any actual or perceived conflicts of interest to be managed. Case-specific conflict of interest checks are also completed and placed on the record when assigning assessments or inquiries to Assistant IGADF case officers.

Training, qualifications and mentoring

14. New DII Assistant IGADF case officers are provided an induction to familiarise them with DII requirements, resources, processes, Objective folder structures, templates, points of contact, etc. They continue to have support from the Coordination team and relevant Deputy Director throughout their casework.

15. All AIGADF staff and case officers are also to complete online Compassionate Foundations, Trauma-informed Practices and Introduction to Administrative Inquiries courses, which are available online on the DPE.

16. **Qualifications.** All personnel employed as Assistant IGADFs, whether involved in case management, Triages, Assessments or Inquiries, are to hold the required level of training and qualifications for their role. The required level of qualifications are detailed in a database managed by the Strategic HR Directorate.

17. In particular, any personnel conducting or assisting with inquiries must hold an appropriate qualification, which commonly consists of either: completion of the ADF Advanced Inquiry Officers Course (AIOC), completion of a Certificate IV in Government Investigations (which the Office of the IGADF offers yearly), or a legal qualification—which is deemed by the IGADF to be considered qualified.

18. **Mentoring.** New case officers may also be assigned a mentor who has more experience with DII casework. Mentor responsibilities may include the following:

- Provide a safe, non-judgemental sounding board where mentees can talk through complexity, uncertainty and decision making without fear of criticism.
- Offer guidance on structuring assessments or inquiries, including clarifying scope, identifying key issues/findings and maintaining procedural fairness.
- Support critical thinking by helping mentees step through multiple perspectives, risks and impacts (including individual, organisational, and reputational considerations).
- Reinforce legislative, policy and procedural requirements, while modelling how to apply them proportionately and consistently in practice.
- Assist with prioritisation and workload management to reduce overwhelm and support steady progress on complex matters.
- Provide constructive, strengths based feedback that builds confidence, capability and professional judgement over time.
- Model trauma informed and ethical practice, including appropriate language, boundaries and sensitivity to the experiences of affected parties.
- Help recognise when a matter exceeds a member's current experience level and support appropriate escalation or reassignment where necessary.
- Encourage reflective practice, learning from challenges and viewing complexity as part of professional growth rather than personal failure.

- Promote wellbeing by checking in regularly, normalising stress in complex cases and encouraging the use of support mechanisms when needed.

Content warnings

19. Given the nature of IGADF work, from time to time we deal with material that is potentially disturbing or upsetting. For example, there are a number of historical inquiries related the deaths of ADF personnel in combat or accidents that contain photographic imagery. Some reports contain strong language, imagery or graphic descriptions of injuries or alleged sexual or child offences. Accordingly, any report or Objective file/folder that contains potentially disturbing content requires appropriate warning on the cover or file extension; for example:

- a. INQ XX/26 Smith – Content warning: Contains graphic imagery of deceased persons
- b. SUB XX/26 Smith - Content warning: Contains potentially offensive language
- c. INQ XX/26 Smith - Content warning: Contains potentially confronting descriptions of alleged offences
- d. INQ XX/26 Smith - Content warning: Contains information potentially disturbing to Aboriginal or Torres Strait Islander people
- e. SUB XX/26 Smith – Content warning: Contains references to sexual violence
- f. SUBXX/26 Smith – Content warning: Contains reference to Child Exploitation

Subject matter expert (SME) support to assessments and inquiries

20. DII occasionally undertakes assessments or inquiries that require an independent subject matter expert (SME) to provide advice or answer specific questions. An example is the conduct of clinical reviews of health information. In this instance, medical support will normally be sourced from outside of Joint Health Command (JHC) to avoid any perceptions of bias arising when complaints are made against JHC units, individuals or outcomes.

21. Case officers who identify the need for SME support to assessments or inquiries are to discuss their specific requirements with DII or the relevant Deputy Director. If the SME support is agreed, DD COORD will make arrangements to secure the required support.

22. Where concerns are identified with the conduct of Military Police members, or a Military Police investigation, AIGADF are to consult with the DII Military Police Professional Standards team for guidance.

Submission referrals to other external agencies

23. Throughout DII assessments, inquiries and investigations, we may decide to refer matters to other external agencies for their review and consideration. These referrals

ensure the matters are managed by the correct authorities with the delegated responsibility and appropriate authorities to investigate or inquire into the matter.

24. Examples of possible referrals are:

- a. Service related matters – Service Headquarters
- b. Alleged service offences – JMPF
- c. Alleged fraud and monetary related offences – DIPDB
- d. Alleged personal security concerns (potentially impacting security clearance) when adverse findings have been made – AGSVA

25. Referral approval is delegated to the Deputy IGADF.

Timeliness and Consideration

26. All inquiries and investigations are to be conducted strictly in accordance with applicable legislation, Defence policy, directives, and procedural guidelines. In undertaking these functions, personnel are to remain actively mindful that such processes involve real people and that being subject to an inquiry or investigation can place significant stress on an individual, regardless of their role, and may have potential impacts on their mental health and wellbeing. Accordingly, while procedural rigor and fairness must never be compromised, the Directorate is to maintain a disciplined and proactive approach to timeliness, including the establishment and adherence to realistic schedules. Reports, findings, and outcomes are to be delivered without unnecessary delay in order to minimise avoidable stress and uncertainty for affected persons, and to uphold confidence in the integrity and professionalism of the Directorate's processes.

Standard Operating Procedures

27. The Standard Operating Procedures (SOP) for assessments, inquiries and Professional Standards processes are located at Annexes A-F. These SOPs will be periodically updated as required.

Trauma-Informed Approach

28. Being person-centred and trauma-informed is one of the guiding principles the IGADF expects from all AIGADF's to consider and apply when taking action to address alleged issues and matters submitted for assessment, inquiry or investigation. Being person-centred and trauma-informed is important for:

- a. Protecting the safety and dignity of people affected by alleged issues and matters
- b. Increasing confidence and willingness to report issues and matters

- c. Supporting the healing of people affected by IGADF processes
 - d. Preventing further harm of people affected by IGADF processes.
29. Being trauma-informed means being respectful of every person:
- a. Understanding trauma and its impacts
 - b. Promoting safety
 - c. Supporting choice and control for the person affected
 - d. Fostering safe and trusting relationships where disclosures of trauma are possible and are responded to appropriately
 - e. Understanding that recovery is possible for everyone.
30. In the context of conducting and finalising assessments and inquiries, adopting a trauma-informed approach means:
- a. managing expectations and boundaries with complainants and other participants, whether with regard to case completion timeframes, mutual respect, or the roles and functions of the IGADF;
 - b. writing in a manner that is non-judgemental about the concerns raised and the findings made;
 - c. considering how and when to approach inquiry witnesses and respondents for information or an interview; including engagement with the command chain of serving members as a courtesy, and to obtain insight into any welfare and support considerations prior to contacting the witness or respondent;
 - d. considering how and when to deliver correspondence such as procedural fairness notices or outcome letters, such as giving the recipient an opportunity to first confirm how and when they are prepared to receive it; or confirming with chains of command or other support mechanisms that support is available.

Risk management

31. **Identifying risk factors.** Throughout all stages of a case, any Assistant IGADFs who identify actual or potential risk factors when dealing with assessment or inquiry participants are to ensure these risk factors are communicated to DII team members, and potentially with the member's chain of command if applicable. At minimum, a note is to be placed on the Objective case file. Examples include complainants who become very emotional when asked to discuss their complaint; individuals who display agitation or aggression; or sensitive situations where it would be prudent to have another Assistant IGADF witness present, in the room or dialled into a virtual meeting as a witness.

32. Welfare is a unit responsibility, but AIGADF need to enable the unit to understand and quantify risk. Flagging any risks allows for implementation of mitigation strategies, such as ensuring affected people are offered the opportunity to have their own support person present, or engaging with the parent unit or DVA to confirm that appropriate support is available should the member require it, prior to our engagement or issuing of correspondence.

33. **Conducting interviews in a safe space.** Serving members and current Defence civilians may be comfortable being interviewed in meeting rooms on a Defence base or establishment; however, this is not always the case. We also interview many ex-serving members, so Assistant IGADFs may request bookings at civilian venues, such as meeting rooms within hotels, libraries or council offices, within their travel request. These neutral spaces allow interviewers an opportunity to arrive early to inspect and set up the room, ensuring access to amenities such as drinking water and bathrooms, prior to the interviewee's arrival.

34. **Restrictions on home interviews.** Assistant IGADFs working for DII are not authorised to agree to conducting interviews in private residences or properties. Home environments remove the ability to effectively assess and manage risk, and are not neutral, controlled settings. They may involve elements such as pets, children, other individuals not anticipated to be present, domestic distractions, chemicals or weapons. Additionally, a private residence is not a public space where an interviewer can easily withdraw should the safety requirements dictate that to be appropriate. If an interviewee will only agree to be interviewed in their home, this matter must be referred to DII. Any approval to proceed will require Deputy IGADF endorsement, and the presence of a second Assistant IGADF.

Military Police Professional Standards

35. The Professional Standards cell are underpinned by [*CDF Directive 25/2019 Military Police Professional Standards Framework: A military police code of conduct and management of military police professional standard matters.*](#)

36. Incidents and allegations involving Military Police members are to be notified to the Office of the IGADF by the commander or manager with carriage of the incident. The obligation to notify does not remove a commander or manager's responsibility to comply with any other reporting or management requirements as detailed within relevant Defence Policy.

37. Units will commence incident management action as detailed within relevant Defence Policy, which may be inclusive of a Fact Find, to determine the circumstances of the incident. When available facts are obtained a determination, surrounding the potential severity of the incident is to be made. The categorisation of complaints is not a rigid or inflexible process; commanders may seek guidance from the Office of the IGADF at any time.

38. All complaints of serious or deliberate policing misconduct are referred to the Office of the IGADF, who will conduct an assessment to determine if the matter should proceed to investigation, inquiry, or referred back to the unit for action.
39. Professional Standards processes for triage, assessments and inquiries are conducted in-line with all other DII processes detailed within this handbook. Investigations conducted under the DFDA and are informed by the Military Police Manual.
40. Where a complaint relates to aspects of discipline or behaviour not related to the conduct of military policing duties or powers, these complaints may be managed by the chain of command. The Office of the IGADF is to be advised of the complaint, the outcomes of Command management, and may conduct of a fit and proper person assessment at the conclusion of unit action.
41. The professional standards team within the DII is resourced with three Australian Defence Force investigators to enable the conduct of investigations into serious service offences.

Accredited Qualifications for Personnel Conducting Investigations and Internal IGADF Review

42. To align with the AGIS guidelines in relation to qualifications for personnel conducting investigations, a vocational and educational training (VET) qualification must be obtained, unless another qualification or internal training is determined as equivalent.
43. The Strategic HR Directorate within the Office of the IGADF maintains a database of all AIGADF's qualifications and/or equivalency to conduct particular types of investigations and internal reviews.
44. The Australian national recognised VET accredited qualifications to conduct investigations are:
- a. Certificate IV in Government Investigations (foundational)
 - b. Diploma of Government Investigations (supervisory)
 - c. Advanced Diploma of Government Investigations (extension supervisory).
45. Equivalency relation to a VET qualification for investigations can be alternative qualifications, training and/or experience that is recognised and approved by the IGADF. These equivalent qualifications are to be stored within the IGADF Strategic HR qualifications database.

Investigation Quality Assurance and Audit Requirements under AGIS

46. Professional Standards must have an investigations Quality Assurance Policy in place that includes:

- a. Conducting quality assurance activities (type and frequency) for all DFDA investigations managed by Professional Standards
 - b. Linking quality assurance activities to an Office of IGADF's annual enterprise risk assurance program.
47. The Office of the IGADF should conduct one formal external quality assurance activity every two years for Professional Standards investigations. These activities are to report quality assurance decisions and activities via the IGADF Annual Report.
48. A quality assurance activity for investigations must be done by an approved external agency or contractor. Due to a perceived conflict of interest, normal Technical Standards Inspection (TSI) quality assurance activities conducted by the Joint Military Police Unit cannot be conducted on IGADF investigations.
49. Reviews assist investigators by presenting opportunities to apply critical thinking to the progress of an investigation, confirm the direction, reflect on the outcome of an investigation, guide future activities, and integrate lessons learned.
50. A review can take place during an investigation or post investigations.
51. Quality reviews and audits are a continuous cycle of singular and combinations of the following:
- a. Informal – self review – investigator/s performing investigations (first line of defence)
 - b. Informal – peer review – investigator not connected to the investigation (first line of defence)
 - c. Informal – supervisory – oversees the investigation (first line of defence)
 - d. Formal – internal audit – IGADF independent reviewers/auditors – editorial and legal reviews (second line of defence)
 - e. Formal – external audit – external agency or contractors reviewing (third line of defence).
52. Auditing provides quantified results in relation to a theme or topic against a set measure. A TSI based audit by an external authority of the IGADF PS investigations will be based off the set measures to ensure compliance. This audit is to occur no less than once every two years.

Fit and Proper Person Assessment

53. All allegations relating to a Military Police member's behaviour are reviewed to ascertain if a suitability assessment is required. Where a member is found to have breached

the MP Code of Conduct, Professional Standards will assess them to determine whether they are a fit and proper to remain a Military Police member. As an administrative process, the burden of proof for a fit and proper person's assessment is 'the balance of probabilities'.

54. This assessment occurs irrespective of whether the behaviour is assessed as minor or serious in nature and will review the member's conduct throughout their service history. The IGADF may consult with Provost Marshall ADF (PM-ADF) as the ADF's senior policing and technical authority during this process.

55. Where an assessment determines that a member is unfit to remain a Military Police member, a Notice of Proposed Separations – Involuntary under Defence Regulation 2016 is to be issued by the member's Commanding Officer or an appropriately authorised delegate.

56. Where a member has been found unfit to remain a Military Police member and the parent Service does not transfer or separate the member, the PM-ADF retains the authority to refuse that member's posting to, or retention in, any Military Police position, irrespective of the parent Service's administrative action outcome. Military Police must meet the highest professional standards, retaining a member who has been assessed as unfit in any MP role presents material legal, administrative, and organisational risks.

Triages and Assessments

57. Submissions can be received from individuals or through referral from another IGADF Directorate, the Department of Defence, or other government agency. Most submissions undergo a 'Triage' process conducted by the DII Assessment team to confirm the complaint details and to determine an appropriate course of action. The SOP for the Triage process is at Annex A.

Submission Triage

58. The Triage process is designed to occur relatively quickly and will usually be done in the following order:

- a. Register and create a new file for the submission, and send an acknowledgement to the complainant if not anonymous. Where a potential sensitivity or conflict of interest may exist, such as an Assistant IGADF staff member or case officer being named within the complaint, the case file should be created in the Limited Access area to restrict access.
- b. Confirm Details:
 - i. Verify the submitter's identity (if not anonymous)
 - ii. Obtain any initial evidence offered by the complainant

- iii. Review the submission for clarity, relevance, and completeness
- iv. Confirm personnel or units involved, and dates and locations of incidents.
- c. Preliminary checks:
 - i. Use PMKeyS or other Defence systems to confirm member status and related details.
 - ii. Review any prior submissions or actions related to the member or matter.
- d. Undertake a risk-based initial assessment:
 - i. Is there a Service nexus?
 - ii. Is this in the IGADF jurisdiction as a military justice issue?
 - iii. Does the matter involve allegations of service or criminal offence?
 - iv. Was the complaint brought to the Command's attention? If not, why not?
 - v. Was the complaint previously investigated? If so, the outcome?
 - vi. Could the matter be resolved via a Redress of Grievance (ROG)?
 - vii. Do we need more information to form a triage recommendation?
- e. Make a recommendation on a course of action, from one of the following options:
 - i. No further action
 - ii. Refer to Group or Service best placed to undertake initial investigation/action¹
 - iii. Refer to an appropriate Investigative Authority
 - iv. Commence assessment
 - v. Commence IGADF inquiry
 - vi. Conduct DFDA Investigation (Military Police matters only)
 - vii. Undertake fit and proper persons assessment (Military Police matters only).

¹ Referral to an internal or external agency is completed through the DII with approval from the DIGADF.

CONDUCT OF AN ASSESSMENT

59. Where the Triage process has confirmed a military justice nexus exists, and determined that further analysis of evidence is required to make a recommendation to the IGADF on an appropriate course of action, the matter is progressed to an Assessment. The purpose of an Assessment by an Assistant IGADF case officer is to:

- a. clarify the issues raised in the submission. This includes engagement with the complainant to clarify information and their desired outcome;
- b. evaluate whether the matters raised fall within IGADF's jurisdiction;
- c. gather all reasonably available records and assess, through a desktop review, the adequacy of previous actions by the chain of command in response to the issues raised in the submission;
- d. confirm whether all Defence avenues to resolve the matter have been exhausted. Unless a complainant expresses a loss of faith in the entire chain of command, generally the IGADF should be a last resort after the relevant Group or Service has had an opportunity to resolve the matter. Where the Group or Service has not yet had that opportunity, the IGADF can refer the submission to the relevant chain of command. (The IGADF prefers to obtain the complainant's concurrence with this course of action; however, this is not strictly necessary in accordance with policy.) When DII refers a complaint to a Group or Service headquarters, we advise the complainant that they can return to the IGADF if they are dissatisfied with the handling of their complaint by the Group or Service; and
- e. produce an Assessment Report which makes recommendations to the IGADF (or delegate) on what further actions, if any, should be taken to resolve the matter.

60. **Sourcing documents.** Prior to allocating the matter to an Assistant IGADF case officer, DII staff will source documents that may be required from the complainant and the relevant Groups and Services. DII staff may also source IGADF Directorate of Military Justice Performance Review (DMJPR) Audit reports on relevant units, and generate ADO Service records for all personnel involved in the matter. Collecting this information will enable the case officer to proceed more quickly in completing the assessment.

61. Once a matter has been assigned to a case officer, they are responsible for drafting any further RFIs, and are to follow the guidance provided in the RFI guidance at Annex F. DII staff are available to assist if required.

62. During an Assessment, the IGADF does not exercise statutory information gathering powers available to inquiries conducted under the *IGADF Regulation 2016*. However, Part VIIIB of the Defence Act 1903 and Chapter 8 of the CARM does place an obligation on all Defence personal and contractors to provide *any necessary assistance* to the Office of the IGADF in the conduct of its statutory function, in direct support of CDF and their

stewardship of the ADF. If a matter within the IGADF's jurisdiction requires evidence which can only be obtained by compulsion, the IGADF or their delegates can direct an inquiry to occur.

63. Generally, a request for information (RFI) to the Groups and Services needs to contain enough information about the complaint to be actionable (e.g. names and PMKeyS numbers, unit, timeframe of incident or fact finding, etc.). RFIs need to achieve a balance of being specific enough to indicate what information we require to avoid unnecessarily broad search efforts, but also not be too specific as this may inadvertently result in the actioning area filtering out records which may be relevant or provide further context.

64. Where evidence is also available on the Defence Secret Network (DSN), an Assistant IGADF staff member or case officer with DSN access will need to receive and file the information on the IGADF's DSN Objective file structure. The classification of each piece of evidence on the DSN needs to be taken into account when including and referencing the information in the assessment or inquiry report, and may result in a requirement for the assessment or inquiry report to be raised on the DSN or other appropriately classified system.

65. Further guidance on RFIs and current points of contact within the Groups and Services is provided in Annex F.

66. **Tasking of Assistant IGADF case officers.** When a case is ready for assignment, the relevant Deputy Director will contact an available Assistant IGADF to complete an initial conflict of interest check on the submission. Once confirmation is received that no conflict of interest is identified, the response is filed in Objective for the record, and the case is then formally assigned. If a conflict of interest is identified, the process is repeated with another available Assistant IGADF.

67. Some complaint matters may warrant consideration of specific Assistant Officer case officer experience, skills or qualifications. Cases which include evidence on DSN will constrain options for case officers, as DSN terminals are only available in some Defence establishments, and most case officers do not have current DSN accounts or ready access to terminals.

68. **Conducting the Assessment.** Each submission will require a tailored approach by the case officer. However, the following points are considered the main components of an Assessment.

- a. **Initial Contact.** When contact details are available, it is important for the case officer to make initial contact with the complainant to introduce themselves and become the primary point of contact for the Assessment. Initial contact can be by phone call, followed up with an email; however, some people will not answer phone calls from unfamiliar numbers, so a text message or email may be required first. If necessary, case officers can clarify to the complainant that the matter is

under Assessment (not an inquiry), to make a recommendation to the IGADF whether any aspects of the submission requires further inquiry by the IGADF. The complainant can be informed they will be contacted to discuss and clarify aspects of their complaint at a later date.

- b. **The complaint.** The case officer is required to conduct a thorough analysis of the complaint to examine what the concerns are, who was involved, where and when it occurred, and what the desired outcomes are. When the complainant's contact details are available, case officers will normally consult them following review of all available information to afford them an opportunity to clarify matters and provide further evidence. Assessments do not normally involve engaging any witnesses, and definitely not any potential respondents, as this should only be done under the powers of an inquiry, if an inquiry is deemed necessary at the conclusion of the assessment process.
- c. **The evidence.** While some evidence may already be collected during the Triage stage or by DII staff prior to case assignment, the case officer may need to gather further supporting documents that relate to the complaint. This may include policy documents from the relevant time period, previous investigation reports, or other documents from the complainant, Groups or Services. All evidence and other case correspondence is to be saved into the Objective case file. Any verbal discussions with the complainant are to be file-noted on Objective.
- d. **Assessment report.** An Assessment report is to be produced using the current template. The report should provide a detailed breakdown of each aspect of the complaint, assessing whether the available evidence does or does not substantiate the complaint, and a recommended outcome. One Assessment report can make a number of recommendations where there are several aspects to a complaint. For complex matters, the case officer may seek guidance from DII or the relevant Deputy Director prior to finalising the Assessment report. If required, a legal review can also be conducted. Once the draft Assessment report is completed, it is to be submitted to the respective team inbox for peer review, and for further staffing to DII and the executives.

Ideally, draft Assessment reports should be completed within 28 days once tasked to a case officer. However, further requests for information from the complainant or the Groups and Services may be required, which can delay completion of the draft report.

- e. **Language, detail and structure.** Use of clear and simple language, sufficient detail, and good structuring of the information within the Assessment report, are critical to enable the reader to easily understand the subject matter and why particular conclusions and recommendations were made. Depending on the complexity of a complaint, Assessment reports should normally be 5-20 pages long. Case officers are to familiarise themselves with the current IGADF Formatting Guide available on Objective.

- f. **Scoping Inquiry.** Where the Assessment is unable to obtain sufficient information to advise the IGADF as to whether to inquire or not, it may be necessary to conduct a scoping inquiry. This allows the IGADF to issue a simple set of Directions, to enliven Section 22 of the IGADF Regulation 2016, to allow the compulsion of evidence from ADF personnel, and to enliven protections for complainants and witnesses under the *Defence Act 1903* and the IGADF Regulation 2016. Case officers can discuss this option with DII or the respective Deputy Director if they believe this option should be considered.

ASSESSMENT OUTCOMES

69. The Assistant IGADF conducting the Assessment provides a report which makes recommendations. Most reports undergo peer review, followed by reviews by the DII, Deputy IGADF (DIGADF), the IGADF (if required), or their delegate, who may:

- endorse the Assistant IGADF's recommendations;
- provide guidance on alternative outcomes; or
- direct the Assistant IGADF to gather or provide further information.

70. A finalised Assessment report will include the DIGADF or IGADF decision on the appropriate course(s) of action, which may include one or more of the following options:

- a. **Resolution action.** This is appropriate where the Assessment has found evidence of errors in Defence's management of a matter, and it is appropriate to provide that evidence to the responsible Group or Service for appropriate action. The IGADF or their delegate will write to the appropriate authority to provide the evidence and recommend action to resolve the complaint (e.g. recommending a decision be set aside).
- b. **Inquiry.** This is appropriate where unresolved military justice issues are identified; however, further examination and evidence gathering by the IGADF is required to finalise findings and recommendations. The Assessment report will outline the specific matters to be inquired into, which informs the inquiry Directions.

It is common for a **hybrid approach** to be taken, where the IGADF decides to inquire into part of a submission, while referring other parts to another authority for action, or determine that some aspects do not require further action.

- c. **Refer to more appropriate authority.** This is appropriate where further action is required; however, the matter does not warrant IGADF action in the first instance. For example, a complaint of unacceptable behaviour that has not previously been reported to the Defence chain of command for appropriate incident management or low-level resolution.

- d. **No further action – outside IGADF jurisdiction.** Where appropriate, such a decision includes referring the individual to the organisation that has responsibility to consider the matter. Examples include: Defence People Group, Defence Integrity Division, Joint Health Command, Joint Military Police, civilian police, Defence Ombudsman, Defence Privacy Office, etc. This includes matters which do not have a military justice nexus, for example where a civilian is complaining about a Defence civilian or civilian management team, and there does not appear to be any contributory actions by ADF members or military justice processes.
- e. **No further action required.** This is appropriate where the matter has already been comprehensively, lawfully and fairly addressed by Defence or other agencies, and there is nothing further that can/should be done. Detailed reasons are provided to the complainant.
- f. **No action at this time.** This may be appropriate when individuals are complaining about a Defence process that has not yet concluded, (for example, they are currently under a DFDA investigation, or are subject to an administrative or disciplinary process that has not yet finished, and there is no suggestion of bad faith). The IGADF does not interfere with Defence disciplinary or administrative processes. When this course of action is adopted, the complainant is advised that they may return to the IGADF if they remain dissatisfied with Defence's handling of the matter once it has concluded.
- g. **Other action.** Some complaints are not amenable to inquiry. These are generally complex cases which have been through various levels of previous review. Often these matters involve historical allegations of unacceptable behaviour, or allegations in relation to the possible commission of offences by persons no longer serving in the ADF. The complainant may also be in poor health. The Office of the IGADF liaises with other agencies or areas within Defence that may be able to assist the individual, such as the Commonwealth/Defence Force Ombudsman Department of Veterans' Affairs (DVA), or the Defence Response Unit (DRU).
- h. **Fit and proper persons assessment (Military Police only).** Where sufficient information is available, the Military Police Professional Standards team may make a recommendation on the suitability of a Military Police member during an assessment. Refer to Annex D & E for further information.

Notification and Transition

71. **Transition to inquiry.** If the IGADF or their delegate determines to inquire further into the complaint, then the case transitions from being an assessment to an inquiry, retaining the same case reference number, (eg. 'SUB xx/26 Smith' becomes 'INQ xx/26 Smith'). If required, a handover is conducted between the relevant Deputy Directors within DII once the complainant and any relevant Groups or Services have been notified that the matter is proceeding to an inquiry.

72. **Outcome correspondence.** Where contact details of the complainant are available, an outcome letter signed by the DII, DIGADF or IGADF will be provided to them. An outcome or referral letter is also generated to any relevant authorities, e.g. Service or joint headquarters, Defence People Group, or Joint Military Police Unit.

73. Outcome correspondence to complainants must be delivered in a trauma-informed manner, and is often facilitated by the case officer since they have already formed a relationship with the recipient, and can be available to answer any initial questions. Where complainants are still in Defence, DII staff may engage the parent unit to confirm the recipient is at work and has support in place (should they need it), before sending the outcome letter.

IGADF Inquiries

Legislative Instruments

74. Several key legislative and regulatory instruments underpin IGADF inquiries. Together, these instruments ensure that the Inquiries team operates within a clear legal and procedural framework, balancing operational effectiveness with adherence to legal obligations, fairness, and accountability. This legislative foundation is critical for maintaining the credibility of inquiry outcomes and for providing assurance to senior Defence leadership that inquiries are conducted lawfully, efficiently, and independently:

- a. ***Defence Act 1903.*** Provides the statutory basis for the command, control, and discipline framework of the Australian Defence Force (ADF). It establishes the legal authority for inquiries to investigate matters affecting service members, enforce compliance with Defence policies, and uphold standards of conduct within the ADF.
- b. ***Chief of the Defence Force (CDF) Directions.*** These Directions are binding instructions that govern the conduct of inquiries within Defence. They set expectations for impartiality, independence, and integrity, and provide guidance on operational procedures, reporting lines, and accountability mechanisms for inquiry officers. Compliance ensures that all inquiries are conducted in a manner consistent with Defence-wide priorities and standards.
- c. ***Inspector-General of the ADF Regulations 2016 (IGADF Regulations).*** These regulations outline the powers, functions, and procedures available to the IGADF and appointed Assistant IGADFs. They establish formal processes for evidence collection, reporting, and procedural fairness, ensuring that inquiries adhere to the principles of natural justice. The regulations also provide a framework for oversight, accountability, and consistency across all inquiry activity, safeguarding both the rights of participants and the integrity of Defence operations.

Types of Inquiries

75. There are two types of inquiry conducted by DII:
- a. **Assistant IGADF – judicial officer.** Inquiries conducted under Division 4A of the IGADF Regulation 2016 by a judicial officer.
 - b. **Assistant IGADF – non-judicial officer.** This is the main type of inquiry that DII conducts.

IGADF INQUIRY PROCESS

Initiation

76. Inquiries are initiated through one of five primary pathways:
- a. **IGADF Assessment outcome.** This is the primary pathway when unresolved military justice issues require further examination. If the IGADF decides to proceed with an inquiry, the Triage report or Assessment report will outline the key issues to be investigated and inform development of the inquiry Directions.
 - b. **Referral.** The IGADF may receive a submission from another Defence authority (CDF, Service or Group representative, PID, etc.), a parliamentarian, or an external review authority such as the Commonwealth Ombudsman, with a request that the IGADF consider inquiring into a matter. The IGADF will determine whether to conduct an inquiry, and the scope of the inquiry.
 - c. **Directed task.** The IGADF can be directed by MINDEF or CDF to conduct an inquiry. Note this is required to empower Section 23 compulsion of any ‘person’, including Defence civilians, or officials from other agencies, to be interviewed or provide documents, should they not do so voluntarily.
 - d. **Internal Transfer.** A complex case may be referred from one of the other Directorates within the Office of the IGADF, typically from DMRR when a redress of grievance submission is too complex for a desktop review or is out of date. While these normally go through the DII Triage process, the IGADF or their delegate may also determine the matter should proceed directly to an inquiry.
 - e. **Own Initiative.** The IGADF may determine to undertake an inquiry into a particular matter.

Inquiry Process

77. The DII and relevant Deputy Directors oversee and coordinate inquiry related tasks, processes, and products. Detailed inquiry SOPs are available at Annex B, and for Professional Standards inquiries, Annex E.

78. Broadly, the conduct of inquiries includes the following stages:
- a. **Case allocation.** Assistant IGADFs are identified based on availability, and relevant experience with regard to the complexity and subject matter to be inquired into. A 'Statement of Impartiality and Independence' conflict of interest check is completed by the Assistant IGADF and placed on Objective. Inquiry Directions which detail the scope and requirements of the inquiry are issued to the Assistant IGADF, by the IGADF or their delegate, which marks the commencement of the inquiry, and enlivens the Assistant IGADF's powers and protections under the *Defence Act 1903* and the *IGADF Regulation 2016*.
 - b. **Information-gathering powers.** When required, Assistant IGADFs can exercise compulsion powers by giving written notices under Section 22 or Section 23 (when the inquiry has been directed by CDF or MINDEF) of the *IGADF Regulation 2016*. Such notices can compel the provision of information, 'any such document or thing', or to appear before the IGADF or an Assistant IGADF to answer questions. Issue of compulsion notices are often not required when coordinating witness interviews, as most Defence personnel will voluntarily participate to assist the IGADF.
 - c. **Draft inquiry report.** Once inquiry evidence has been collected and analysed, the case officer is to produce an inquiry report to detail findings and recommendations using the current template, and with regard to the current IGADF Formatting Guide available on Objective. The DII, the relevant Deputy Director, or DII's Senior Legal Advisor can be consulted on complex matters identified during an inquiry. Once the initial draft inquiry report is completed, it is submitted to the relevant group inbox and Deputy Director to initiate review processes. All draft inquiry reports undergo peer review, editorial checks and legal review for quality assurance, prior to further staffing to the DII and the IGADF.
 - d. **Procedural Fairness (PF).** Draft inquiry reports containing potentially adverse findings about individuals or organisations require written procedural fairness. Procedural fairness notices are raised by the inquiry officer after a legal review of the draft inquiry report has been completed. The notices are reviewed and issued by DII or the Deputy IGADF (for star rank recipients). The standard response timeframe is 28 days for individuals or 14 days for organisations, although this may be extended depending on the volume and complexity of the notice. Any response to a procedural fairness notice is carefully considered and incorporated into the draft inquiry report as appropriate. If required, a further legal review is conducted on the updated draft inquiry report.
 - e. **Case updates.** Regular progress updates are to be provided by Assistant IGADFs to DII via the relevant group inbox, in line with the provided template. Monthly updates are also to be provided to the complainant, when their contact details are available. Other inquiry participants or associated units, (i.e. witnesses,

respondents or command chains), are not normally provided with regular updates, but will receive a response when an update is requested. If a matter was referred to the IGADF by the Directorate of Public Interest Disclosures (DPID), ADFHQ or other Defence organisation, periodic updates may be requested by the referring point of contact.

- f. **Draft report reading.** Once the IGADF has reviewed and accepted a draft inquiry report, the complainant may be offered an opportunity to participate in a draft report reading with the inquiry officer. This is discretionary and dependent on the circumstances of each inquiry. When a draft reading is offered, the complainant will be given a reasonable timeframe (normally 14-28 days) to provide any feedback on the draft inquiry report before it is signed by the IGADF. Any feedback from the complainant will be carefully considered and incorporated into the draft inquiry report as appropriate. If required, a further legal review may be conducted before the report is finalised for the IGADF's final review and signature.

The purpose of the draft reading is to provide the complainant an opportunity to identify any significant errors of fact, (e.g. names, dates, locations), rather than to contest the IGADF findings which have been formed on available evidence.

- g. **Inquiry outcome notifications.** Once the inquiry report has been signed, outcome letters to the complainant, any procedural fairness respondents, and relevant Service and Group headquarters are drafted for signing by the DII, the Deputy IGADF or the IGADF as appropriate. Other inquiry participants, such as interviewed witnesses who did not receive a procedural fairness notice, will receive an email notification that the inquiry has been closed. Transmission of all notifications marks the closure of the inquiry. Any subsequent enquiries in relation to the inquiry are managed as 'aftercare' matters.
- h. **Aftercare.** Post-inquiry 'aftercare' engagement with complainants or respondents commonly includes a request to view an un-redacted copy of the finalised inquiry report. When approved by the IGADF or their delegate, this will be facilitated as a supervised reading of a printed copy by an available Assistant IGADF (normally someone not involved in the inquiry), with the copy destroyed after the reading is concluded. Instructions on the conduct of supervised readings is available on Objective.
- i. **Follow-up with groups and services on recommendations.** Outcome letters to Groups or Services may contain specific recommendations from the assessment or inquiry. When this occurs, the recommendations will be tracked by DII staff, and a follow-up will be generated after six months (or as appropriate) if the Group or Service has not yet advise the outcome on the recommendations referred.

79. The above summary provides a high-level overview of the IGADF inquiry process. The SOP on Inquiries at Annex B, and for Professional Standards, Annex E, are to be read by DII staff and inquiry officers in conjunction with the DII Handbook.

Other Inquiry Considerations

80. **Advice to complainants, respondents and witnesses to an Inquiry.** On occasion, the Assistant IGADF or DII staff will be approached by those affected by an ongoing IGADF inquiry, seeking advice as to potential outcomes and impacts on them. Caution needs to be exercised when discussing matters with people involved in the inquiry. Informing such persons that certain findings or recommendations may or may not be made, or what the findings may imply—even in broad terms, in advance of the IGADF’s consideration of the inquiry, may prejudice the inquiry outcomes.

81. Further, providing advice or an opinion about the potential impacts on individuals as a consequence of the draft inquiry findings or recommendations is not open to us in the IGADF. By providing such advice, we will pre-empt not only the IGADF’s consideration of the findings and recommendations, but also Defence officials’ subsequent decisions or actions, should any findings or recommendations be referred to relevant Defence authorities once the Inquiry is finalised by the IGADF.

Key message: if there is any doubt as to what can be conveyed to a participant or affected party of an inquiry, seek advice from the DII on how best to respond.

82. **Involvement of civilians.** Within the Defence environment, it is common for work groups to comprise a mix of military members from SERCAT 3-7, APS employees and contracted civilians. In such settings, civilian personnel may be involved in the management or application of military justice processes, particularly where they supervise military subordinates. Civilian staff may also be witnesses or observers to military justice matters, or conversely, may be subject to management actions by military supervisors. Accordingly, the inclusion of civilian personnel in an inquiry may be necessary, depending on the circumstances. Where powers of compulsion in relation to civilian personnel is potentially required for an inquiry, this should be discussed with the relevant Deputy Director as early as possible, as a CDF decision to conduct a Section 23 inquiry may be required.

83. **APS Code of Conduct.** The APS has their own values statement and a Code of Conduct system with which employees are required to comply. The Office of the IGADF is not responsible for assessing if the conduct of an APS employee complies, or does not comply, with the APS Code of Conduct. An inquiry report may have findings regarding actions that occurred, but not make a finding about whether this action was a breach of the Code of Conduct. If there is a suspected breach of the Code of Conduct, then the inquiry may make a recommendation for DPG to appoint a Code of Conduct delegate to investigate the matter.

84. **Complainants seeking compensation.** It is not unusual during the course of an assessment or inquiry, for a complainant to ask if the outcome will lead to compensation.

IGADF reports and Assistant IGADFs should never comment, recommend or provide an opinion about whether compensation should or should not be considered. IGADF reports should focus on findings based on available evidence, and what the complainant does with the resultant outcome letter containing those findings is up to them. If an individual is seeking compensation, they should seek legal advice and submit their application to Defence Legal. DII can provide Defence Legal with a copy of the relevant assessment or inquiry report, if requested.

Annexes (NOT FOR PUBLIC RELEASE – AVAILABLE AT OBJECTIVE LINKS):

- A. SOP for DII Assessments (BN TBC)
- B. SOP for DII Inquiries (BN TBC)
- C. SOP for DII Coordination (BN TBC)
- D. SOP for Professional Standards Investigations (BN TBC)
- E. SOP for Professional Standards Inquiries (BN TBC)
- F. Guidance for AIGADFs - Requests for Information ([BN98287527](#)), and Appendices to Annex E ([BN97258779](#))