

IGADF/BN128159903

INSPECTOR-GENERAL OF THE AUSTRALIAN DEFENCE FORCE

**IGADF AFGHANISTAN INQUIRY – SUMMARY OF FACT FINDING REPORT CONCERNING A
REFERRAL RECEIVED ON 5 AUGUST 2025**

Executive summary

On 5 August 2025, the Inspector-General of the Australian Defence Force (IGADF) received a referral from a Commonwealth agency alleging misuse of coercive powers during the IGADF Afghanistan Inquiry and consequent psychological harm to witnesses. On 1 April 2026, the IGADF directed a trauma-informed fact-finding to determine whether there was substance to those allegations.

The fact-finding has concluded. After extensive review of available evidence, including audio recordings of Inquiry interviews, correspondence, submissions, public commentary, podcasts, media reports and related materials, no evidence was identified to substantiate claims that witnesses were mistreated, bullied, intimidated, abused or deliberately harmed during the Afghanistan Inquiry.

The review examined 92 interview recordings involving 57 witnesses, together with five written records of interview conversations, public statements by critics of the Inquiry, evidence provided to other inquiries and commissions, and material relied upon by complainants. Particular attention was given to allegations that witnesses were shouted at, denied breaks, exposed to disturbing imagery without justification, deprived of legal assistance, subjected to excessive questioning, pressured into changing their evidence, denied welfare support, questioned improperly, or treated unfairly.

While many witnesses experienced significant stress, and some may have suffered adverse psychological effects, the evidence demonstrates that the Inquiry team generally conducted interviews professionally, courteously and in accordance with its statutory responsibilities. Witnesses were commonly reminded of welfare support options, permitted legal representation, allowed support persons, and informed of their rights and obligations.

The fact-finding concludes that allegations of systemic mistreatment, abuse of coercive powers, improper bias, intimidation, deliberate psychological harm and procedural unfairness are unsupported by the available evidence.

Background

The complaint originated from emails submitted to a Commonwealth agency in May and July 2025. The allegations were based on assertions made by a complainant who had not personally been interviewed by the Afghanistan Inquiry.

The principal allegations were that the Inquiry:

- used coercive interview techniques intended to psychologically ‘break’ witnesses

- conducted interviews in an abusive, aggressive or bullying manner
- shouted at witnesses and lawyers
- made derogatory remarks to witnesses and legal representatives
- displayed graphic and traumatic images to distress witnesses
- denied reasonable requests for breaks
- continued questioning when witnesses were distressed
- subjected witnesses to excessive or repeated interviews
- used lengthy interviews to induce evidence
- timed interviews to exploit personal vulnerabilities
- questioned witnesses about matters they could not know
- denied meaningful access to lawyers
- failed to provide welfare support
- improperly used legal powers, including derivative immunity
- failed to provide notice of allegations
- pursued predetermined conclusions
- used leading questions to obtain preferred evidence
- put false allegations to witnesses
- failed to put allegations to affected persons before making findings
- manipulated interview environments, including room temperature
- disregarded the mental health of interviewees.

The agency subsequently referred the matter to IGADF.

Scope and methodology

The IGADF Afghanistan Inquiry conducted more than 510 interviews involving 423 individuals. Given the scale of the Inquiry, the fact-finding initially focused on interviews involving individuals who had received procedural fairness notices, as these witnesses were among the most likely to have concerns about their treatment. The fact-finding expanded

that number by random sampling and by identifying persons named in some of the interviews as being likely to have been of significant interest to the Inquiry.

The review included:

- 92 audio recordings involving 57 witnesses
- five written records of interview conversations
- publicly available podcasts
- a television documentary
- Royal Commission into Defence and Veteran Suicide ('Royal Commission') submissions and evidence
- media articles and commentary
- correspondence involving legal representatives
- material provided to other IGADF inquiries
- submissions relied upon by complainants.

Public criticisms of the Inquiry were assessed against primary evidence wherever possible.

Sources of criticism examined

The fact-finding reviewed criticism arising from:

- legal representatives of witnesses
- podcast interviews
- social media posts
- Royal Commission evidence and submissions
- Federal Court proceedings
- published books and public commentary
- submissions to other IGADF reviews and inquiries
- media articles and television commentary
- parliamentary statements
- a documentary concerning Special Forces operations and the Afghanistan Inquiry.

The review found that many criticisms were anecdotal, unspecific, based on hearsay, or unsupported by primary evidence.

Complaints by legal representatives

A substantial volume of correspondence between the Inquiry and lawyers representing witnesses was reviewed.

The correspondence primarily concerned procedural fairness issues and legal argument. While some exchanges were robust, there was no evidence of improper conduct by the Inquiry team.

Public claims suggested lawyers had complained extensively about witness mistreatment. However:

- no evidence was found that lawyers formally complained about bullying, yelling or abusive treatment during interviews
- lawyers were present where requested and were able to seek adjournments and make submissions
- allegations that legal representatives were shouted at or told to 'shut up' were unsupported by any recorded evidence
- no reviewed interview recording substantiated allegations of misconduct towards witnesses or lawyers.

The review therefore found no evidence that legal representatives had raised substantiated concerns about mistreatment during interviews.

Podcasts, social media and public commentary

Several former military personnel publicly criticised the Inquiry, including through podcasts and social media.

Some claimed witnesses had been screamed at, bullied, aggressively treated or subjected to coercive interviews. Others alleged that witnesses had been exposed to traumatic imagery, pressured to change evidence, treated like criminals or denied adequate support.

The fact-finding compared those claims with available recordings and records.

Across all reviewed interviews:

- no shouting, screaming or yelling by Inquiry personnel was identified
- questioning was often rigorous and direct but remained measured
- no pattern of bullying, intimidation or humiliation was identified

- witnesses were generally treated courteously.

The evidence did not support public claims that witnesses were routinely mistreated.

Royal Commission into Defence and Veteran Suicide evidence and submissions

The review examined Royal Commission material that criticised the Inquiry or described its impact on Special Forces personnel.

Several contributors described the Inquiry as stressful, emotionally difficult and psychologically harmful. Some medical evidence identified the Inquiry as a significant source of distress for members or former members.

The fact-finding accepts that participation in the Inquiry was often stressful and, for some individuals, psychologically significant.

However, the Royal Commission material generally did not identify specific examples of misconduct during interviews. Rather, it reflected the emotional burden associated with allegations of war crimes, associated publicity, uncertainty and reputational consequences.

The evidence did not demonstrate that distress arose from improper conduct by the Inquiry team.

Media reporting

Numerous media reports repeated allegations that witnesses had been harassed, denied legal representation, subjected to excessive pressure or treated unfairly.

Where interview recordings could be compared with reported claims, significant inconsistencies were identified.

The review found that some public descriptions of events materially overstated or inaccurately characterised what occurred during interviews.

Although many witnesses clearly regarded their experiences as difficult, the recordings did not support claims of systemic harassment, intimidation or abuse.

Analysis of allegations

Shouting, screaming, yelling and swearing

This was one of the most common allegations.

The review examined 92 recordings involving 57 witnesses.

Across those recordings:

- no member of the Inquiry team was heard shouting, screaming or yelling

- questioning was generally calm and controlled
- witnesses were treated courteously even when their credibility was challenged
- no evidence of verbal abuse was identified
- swearing occurred occasionally but came from witnesses rather than Inquiry personnel.

The evidence therefore does not support allegations that the Inquiry team engaged in shouting, screaming, yelling or swearing.

Aggressive, bullying or belligerent questioning

Several critics alleged that witnesses were aggressively questioned, bullied or harassed.

The review found that questioning was often robust, particularly where witnesses were being challenged about inconsistencies or serious allegations.

However:

- witnesses were not demeaned or ridiculed
- questions were directed to obtaining evidence
- challenges to credibility were typical of serious investigative proceedings
- questioning remained within acceptable professional bounds.

No evidence supported allegations of bullying or belligerent conduct.

Derogatory remarks

Claims were made that witnesses and legal representatives were subjected to insulting or derogatory remarks.

No examples were identified in any of the reviewed recordings.

Questioning was sometimes forceful but remained professional and focused on evidence rather than personal criticism.

The allegation was not substantiated.

Leading questions and predetermined evidence

It was alleged that Inquiry personnel used leading questions or factual assertions to coerce evidence supporting predetermined conclusions.

The Inquiry was an investigative process rather than an adversarial proceeding. Questioners were entitled to put propositions to witnesses and test competing accounts.

The review found no evidence that leading questions were used improperly or that witnesses were pressured to adopt false versions of events.

The allegation that questioning was directed towards securing predetermined evidence was not substantiated.

False allegations and misleading propositions

Some critics alleged that Inquiry personnel put knowingly false or negligent allegations to witnesses to secure admissions.

The review found no evidence supporting this allegation.

Difficult questions were often based on other witness accounts, documentary evidence, photographs or operational material.

The available evidence indicates questioning was directed towards resolving factual disputes rather than manufacturing evidence.

Graphic images and videos

Some witnesses and commentators alleged that disturbing images and videos were shown to traumatised interviewees or 'break' them psychologically.

The review confirmed that photographs of deceased individuals and operational video footage were sometimes used.

The material was used for legitimate investigative purposes including:

- identifying individuals
- testing witness accounts
- examining alleged war crimes
- investigating allegations concerning 'throwdown' items including weapons
- understanding operational events.

The review found no evidence that graphic material was shown to deliberately shock, distress or psychologically damage witnesses.

One administrative mistake involving imagery from an unrelated event was identified, but there was no evidence of improper intent.

Images of deceased comrades and unrelated casualties

Some critics alleged that witnesses were shown images of dead comrades or unrelated casualties without justification.

The review found occasions where video footage included personnel later killed in action and where imagery involving casualties was shown.

In each case reviewed, a legitimate investigative purpose existed.

No evidence supported claims that such material was displayed solely for emotional effect.

Requests for breaks

A recurring allegation was that witnesses were denied breaks, including when distressed.

Witnesses were routinely informed that breaks could be requested.

The review identified only two occasions where breaks were not granted immediately.

One delay was approximately three minutes. The other was approximately 27 minutes during critical questioning about a serious alleged unlawful killing.

The fact-finding concluded that although opinions may differ on those decisions, they did not amount to unreasonable conduct or misconduct.

No evidence was identified of systemic refusal of breaks.

Continuing questioning when witnesses were distressed

Critics alleged that questioning continued while witnesses were crying, distressed or struggling emotionally.

The review found some witnesses became emotional during questioning about traumatic or serious events.

The evidence nevertheless demonstrated that questioning remained controlled, witnesses received opportunities for breaks, and support arrangements were available.

There was no evidence that distress was deliberately exploited.

Length and frequency of interviews

It was alleged that interviews were excessively long and that repeated interviews were used to pressure witnesses.

The Inquiry examined serious allegations across many years and operational contexts. New information regularly emerged.

The review found that:

- lengthy interviews reflected the complexity of the issues
- multiple interviews often occurred because new evidence arose
- questioning remained focused and purposeful
- interviews were not unnecessarily prolonged.

No evidence suggested interview duration or repetition was used as a coercive tactic.

Timing of interviews

It was alleged that interviews were deliberately timed to maximise shock or exploit vulnerabilities, including around discharge from service or mental health treatment.

Specific examples raised by critics were examined.

The evidence did not establish any deliberate strategy to exploit vulnerable individuals.

In instances where scheduling concerns arose, the Inquiry balanced witness circumstances with investigative requirements.

The review found no evidence of malicious or improper timing of interviews.

Questioning witnesses about matters outside their knowledge

Critics alleged witnesses were questioned about matters they could not know or events they had not witnessed.

The review found that some questioning explored rumours, relationships, command matters, operational practices or wider contextual issues.

Such questioning was relevant to the Inquiry's broad terms of reference.

No evidence indicated that witnesses were unfairly criticised for not knowing matters genuinely outside their knowledge.

Interrogations versus interviews

Some commentators described the Inquiry's processes as 'interrogations'.

The Inquiry had statutory authority to require attendance and compel answers.

Many attendances involved sustained questioning concerning historical facts.

The review concluded that questioning of this nature was entirely consistent with the Inquiry's investigative mandate and did not constitute misconduct.

Derivative immunity and legal powers

It was alleged that Inquiry personnel improperly used derivative immunity provisions to induce evidence.

Witnesses were routinely informed that their evidence, and information derived from it, could not be used against them except in limited statutory circumstances.

Questioners occasionally reminded witnesses of these protections during interviews.

The review found this was legally accurate and appropriate.

No evidence supported allegations of improper inducement or misleading conduct.

Notice of allegations and advance disclosure

Some critics argued that witnesses should have been informed in advance of allegations or evidence that might be discussed.

The review found that withholding such information was consistent with investigative practice and reduced opportunities for evidence tailoring.

The Inquiry was conducted privately and sought to preserve the integrity of witness evidence.

The approach was found to be appropriate.

Failure to put allegations to witnesses

It was alleged that adverse findings were made without allegations being put to affected individuals.

The review found extensive evidence that allegations were routinely and thoroughly put to relevant witnesses during interviews.

Witnesses who faced possible adverse findings were subsequently provided procedural fairness through formal notification processes.

The allegation was unsupported.

Room temperature and interview conditions

A complaint was made that air conditioning was manipulated to make interview rooms uncomfortably cold.

The review found no evidence supporting this claim.

Interview recordings demonstrated that Inquiry personnel themselves commented on inconsistent room temperatures and acknowledged associated discomfort.

The evidence indicates that temperature issues reflected building conditions rather than deliberate conduct.

Lawyers and legal representation

Several allegations concerned legal representation.

The evidence demonstrates that:

- witnesses were informed of their right to legal representation
- legal representatives attended numerous interviews
- lawyers could seek adjournments and make submissions
- witnesses could consult lawyers during breaks
- no lawyer was prevented from fulfilling their proper role.

The review found no evidence that access to lawyers was improperly restricted.

Support persons

Support persons were commonly permitted to attend.

The review found:

- requests for support persons were accommodated
- support persons could request breaks
- support persons were appropriately restricted from participating directly in questioning
- no evidence supported claims of systematic mistreatment of support persons.

Welfare and mental health support

Critics alleged that the Inquiry failed to consider witness welfare or mental health.

The Inquiry established a witness welfare program that included:

- witness liaison arrangements
- counselling and welfare referrals
- support information
- welfare liaison personnel

- outreach to witnesses following interviews where appropriate.

Some witnesses attended with treating psychologists or other health professionals.

The fact-finding concluded that reasonable welfare arrangements were established and maintained.

Psychological harm

Many witnesses were current or former Special Forces personnel. Some were already living with PTSD or other mental health conditions.

The review accepts that participation in the Inquiry caused stress and, in some circumstances, may have aggravated existing psychological conditions.

However:

- the matters under examination involved allegations of war crimes and unlawful killings
- some questioning was necessarily difficult and confronting
- significant distress was foreseeable given the subject matter
- the distress identified was not shown to have arisen from unreasonable or abusive conduct by Inquiry personnel.

The evidence did not support allegations of deliberate psychological harm.

Bias and predetermined conclusions

Critics alleged that the Inquiry sought to confirm predetermined allegations and ignored contrary evidence.

The review found no evidence supporting this claim.

The recordings demonstrated that:

- witnesses were challenged when accounts were inconsistent
- competing explanations were explored
- rumours were both confirmed and disproved
- the Inquiry tested evidence rather than accepting allegations uncritically.

The evidence indicates that the Inquiry sought to establish facts rather than pursue predetermined outcomes.

Understanding of operational context

Some critics asserted that Inquiry personnel lacked understanding of Afghanistan operations.

The review found that although the Inquiry team initially gathered background information from experienced personnel, later questioning demonstrated a detailed understanding of operational procedures, reporting systems and battlefield practices.

The allegation was not substantiated.

'I don't remember' responses

It was alleged that witnesses were told that saying 'I don't remember' would be treated as evidence of dishonesty.

The review found no instance of such statements being made.

Witnesses were occasionally challenged where claimed memory failures appeared implausible in context, but this was fundamentally different from treating all memory lapses as dishonesty.

The allegation was unsupported.

Irrelevant questions

Some critics alleged that witnesses were asked irrelevant questions, including about deceased colleagues.

The review found that questioning frequently sought broader contextual understanding relating to relationships, command structures, rumours, operational culture and significant events.

No evidence suggested irrelevant questioning was used to cause distress.

General observations

The Afghanistan Inquiry examined allegations of exceptional seriousness, including allegations of war crimes and unlawful killings. The subject matter was inherently confronting and emotionally difficult.

Many witnesses had undertaken repeated deployments and experienced traumatic operational environments. For some individuals, participation in the Inquiry was distressing regardless of how the interviews were conducted.

The fact-finding accepts that the Inquiry may have exacerbated existing mental health issues for some witnesses and may have been psychologically significant for others.

However, the evidence consistently demonstrated that Inquiry personnel conducted interviews professionally, impartially and with appropriate regard for witness welfare.

Although isolated procedural imperfections were identified, no conduct amounting to abuse, bullying, intimidation, coercion, bias or deliberate psychological harm was established.

Some general observations

Many of the soldiers who served in Afghanistan in the Special Forces put their lives at risk on a daily basis. Many went to Afghanistan on multiple rotations. They were highly trained professionals who made a major contribution in a long counter-insurgency war. Their operations were not publicised. Generally speaking, they had excellent reasons to be very proud of their service – reasons that the general public knew little about. It was therefore very disturbing for a great many of those men when allegations of war crimes surfaced and were publicised in the media, and when steps were taken to revoke the Special Operations Task Group Meritorious Unit Citation, and when the conflict concluded in the way that it did. It is not surprising, in the circumstances, that many of those men considered the establishment and conduct of the Afghanistan Inquiry to be fundamentally unfair to them and their units.

However many of the criticisms of the Inquiry, as we have seen, were baseless, ill-informed or exaggerated. No doubt a lot of witnesses had mental health problems that were exacerbated by their interviews. It is plausible that others developed mental health problems that were triggered by interviews. But the subject matter of the Inquiry was uniquely serious, and it was therefore necessary for interviews to proceed. The questioning was always polite, even when it was extremely stern. It was never harsher than permissible questioning sometimes gets in serious criminal trials, though it came close to the limit on a very small number of occasions.

After evaluating the criticisms of the Inquiry, we are firmly of the view that Major General Brereton and the other Assistant IGADFs did an excellent job. They were extremely well prepared, thorough, efficient, fair, impartial and polite.

It is unfortunate that photos from the wrong engagement were shown to one witness. It is unfortunate that Major General Brereton told another witness that he could have a break when he had answered his question, but then got an answer and continued asking questions. However, we have not encountered anything that a witness could justifiably complain about.

Conclusion

IGADF directed us to undertake a fact finding concerning complaints about the conduct of the Afghanistan Inquiry. There were a number of complaints. They came from civilians and military personnel. They were made in public forums, in writing and orally, through various media. They were concerned with the treatment of current and former Special Forces

members during their Inquiry interviews. Therefore, we decided to review the best available evidence, that is, the actual audio recordings of the interviews.

Very few of the complaints identified the individual soldiers concerned. Therefore, we initially focussed on the interviews of those soldiers who were given notices by the Inquiry that findings adverse to them were in contemplation. That was a group of 30 individuals. We expanded that number by random sampling and by identifying persons named in some of the interviews as being likely to have been of significant interest to the Inquiry. In total, we listened to 92 audio recordings of the Inquiry interviews of witnesses.

We are comfortably satisfied there is no evidence that supports any of the claims of mistreatment of witnesses by the Inquiry. We are of the opinion that the Inquiry team led by Major General Brereton acted fairly, impartially, competently and professionally in their dealings with all the witnesses that we have reviewed.

Findings

FINDING 1: The Inquiry team did not engage in shouting, screaming, yelling or swearing.

FINDING 2: The allegation that the Inquiry team made derogatory remarks to witnesses and counsel is unsubstantiated.

FINDING 3: It was not improper for the Inquiry team to ask leading questions.

FINDING 4: The Inquiry team did not intentionally display disturbing images or videos unnecessarily or for any improper purpose.

FINDING 5: The allegations that the Inquiry team refused or unreasonably delayed breaks in proceedings are unsubstantiated.

FINDING 6: The length, number and timing of attendances by witnesses before the Inquiry were all reasonable.

FINDING 7: It was reasonable for the Inquiry team to conduct questioning in the nature of interrogations as to past events.

FINDING 8: The Inquiry team did not engage in improper conduct in relation to the derivative immunity provision that applied to the evidence of witnesses.

FINDING 9: The Inquiry team acted appropriately in not giving witnesses advance notice of allegations or proposed questioning.

FINDING 10: The Inquiry team did not arrange for air conditioning to be turned down in order cause discomfort to witnesses.

FINDING 11: The Inquiry team did not attempt to 'break' witnesses or improperly attempt to get witnesses to change their evidence.

FINDING 12: The Inquiry team gained a very thorough understanding of the practices and procedures of the Australian forces in Afghanistan.

FINDING 13: The Inquiry team did not tell witnesses that 'I don't remember' would be considered an indication of 'lying or hiding something'.

FINDING 14: The Inquiry team did not ask witnesses irrelevant questions about colleagues or friends who had died in action.

FINDING 15: The allegation that the Inquiry team improperly failed to put allegations to witnesses is wholly unsubstantiated.

FINDING 16: The Inquiry team, though not legally obliged to do so, made reasonable arrangements to facilitate the provision of lawyers and support persons for witnesses.

FINDING 17: The Inquiry team treated lawyers and support persons fairly, reasonably and courteously.

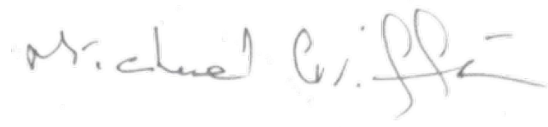
FINDING 18: Questioning during the Inquiry no doubt had significant adverse psychological effects on many witnesses. Such consequences were not deliberate, but they were foreseen, and were not the result of unreasonable questioning.

FINDING 19: The Inquiry team took reasonable steps to facilitate mental health support and welfare support for witnesses.

FINDING 20: The Inquiry team were impartial at all times and did not try to get witnesses to give evidence to support pre-determined conclusions.



The Honourable Alan Blow AO KC



Michael Griffin AM

13 July 2026