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PROHIBITED SUBSTANCE USE IN THE AUSTRALIAN DEFENCE FORCE

ISSUE:

Prohibited substance use in the ADF.

ISSUE OF THE DAY:

- Defence uses the Prohibited Substance Testing Program as a deterrent against the use of illicit substances.
- From 1 October 2017, Defence will introduce a trial of hair and saliva testing in addition to the existing urine tests.

Current Media

03 Oct 2017, Canberra Times (Duntroon staff sacked after drugs testing) reports that two staff at the Royal Military College have been sack after testing positive for steroid use and MDMA. The article notes that there have been no positive drug tests in 2017.

KEY POINTS:

Trial of Hair and Saliva Prohibited Substance Testing

- The ADF will trial hair and saliva testing between 1 October 2017 and 31 July 2018.
- The trial is only being conducted on ADF members in Australia.
- These new types of tests are in addition to the existing urine testing. The use of prohibited substances by Defence Force members is incompatible with an effective and efficient Defence Force as it can undermine health, safety, capability, discipline, morale, security and reputation.
- Since 16 June 2005 Defence has implemented a prohibited substance testing program. The Prohibited Substance Testing Program aims to deter use or involvement with prohibited substances by ADF members.
- Random targeted urinalysis of a minimum of 25 per cent of each Service per year will continue.

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- Action is taken against all members involved with, or testing positive for, prohibited substance use.
- Between 1 July 2016 and 30 June 2017, 20,905 prohibited substance tests were conducted under the Prohibited Substance Testing Program with 126 ADF members testing positive.
- As at 30 June 2017, of the 126 positive tests:
 - 71 members had their service terminated;
 - 9 members have been retained in service; and
 - 46 members have administrative action outcomes still pending.
- In addition to the Prohibited Substance Testing Program, testing can also be conducted by the ADF Investigative Service under the Defence Force Discipline Act 1982.
- The ADF's prohibited substance testing program is aimed at deterring ADF members from using or becoming involved with prohibited substances. The prescription of medication to Defence members by a qualified and authorised medical professional does not constitute prohibited substance use, or involvement with prohibited substances. Prescribed medicine is well outside the scope of the ADF's prohibited substance testing program.
- Any ADF member who tests positive for a prohibited substance will be afforded the opportunity to show cause why they should be retained in the ADF. Mental illnesses may be a consideration in this context.
- All serving members with diagnosed mental health issues are supported by Defence, and those who are no longer serving are supported by the Department of Veterans' Affairs.

Why are some ADF personnel not dismissed?

- Any ADF member who tests positive for a prohibited substance will be afforded the opportunity to show cause why they should be retained in the ADF.
- When a member is retained in the ADF following a positive prohibited substance test result, they are managed under administrative arrangements, which routinely includes frequent prohibited substance testing over an extended period of time.

BACKGROUND TALKING POINTS:

- Defence's management approach to prohibited substances is multifaceted and incorporates health and drug education initiatives supported by appropriate ADF-wide personnel policies. Defence uses a holistic approach that emphasises mutual responsibilities and education and does not merely rely on punitive measures.
- The ADF Prohibited Substance Testing Program is a deterrence program aimed at discouraging the use of prohibited substances by members. Since the commencement of drug testing across the ADF in June 2005 there has been a decrease in the number of positive drug test results. In FY 05/06 the positive test rate was 1.72 per cent whereas between 1 July 2016 and 30 June 2017 the positive test rate was 0.6 per cent. Between the commencement of the testing program on 16 June 2005 and 30 June 2017, 199,424 tests have been conducted on ADF members with 1,388 validated positive test results (0.7 per cent of the total force tested). As of 30 June 2017 out of the 1,388 laboratory-validated positive tests, 1,113 members (80.2 per cent) have been discharged from the ADF, 228 have been retained and 47 members are awaiting decisions on their cases to be finalised.
- The ADF currently uses urine testing which also tests for a wide range of drugs. The methodology allows for an initial identification of potential drug use via a screening test, which is then confirmed through subsequent laboratory testing. False positives are possible at the initial screening test. Urine testing is robust, broad, responsive, difficult to avoid, has a strong basis in scientific research and is cost effective.
- Defence has decided to trial the testing of hair and oral fluids as part of the ADF Prohibited Substance Testing Program to assess if such testing will further deter ADF members from using prohibited substances and enhance the ADFs holistic approach to prohibited substance use by ADF members. The policies and procedures for these new regimens of testing are currently under development.
- All ADF members who test positive for prohibited substances are given the opportunity to respond in writing, including reasons why they should be retained within the ADF. The majority of positive tests result in termination of service. ADF members who have tested positive to a prohibited substance may be offered referral to a civilian rehabilitation service.

FOI DETERMINATION DECISIONS

FOI Request 093/17/18 – Prohibited Substance Testing Program

- On 17 August 2017, ^{47F} submitted a request under the *Freedom of Information Act 1982* seeking access to:
 - ITEM 1 – copies of the Prohibited Substance Testing Program determination decisions Notice of Positive Test Result for all Defence Force members at the Royal Military College Duntroon, and the Australian Defence Force Academy, Canberra between 1 January 2011 to present.

- The decision maker identified one document relevant to the request and approved its release without redaction.

Content of the Document

- The document released under 039/17/18 includes one table. The table contains the statistical breakdown of positive prohibited substance tests at the Royal Military College – Duntroon from 2011 until 19 July 2017. The table provides data on each positive test including date, the category of prohibited substance detected and the outcome of the matter (e.g. discharge).
- It is important to note, the document does not contain names or any other information that could lead to current or former Australian Defence Force member being identified.
- The table shows that since 2011, two Army members at the Royal Military College - Duntroon have tested positive to a prohibited substance.
- In both cases the member was discharged from the Army.
- Defence uses the Prohibited Substance Testing Program as a deterrent against the use of illicit substances. These figures demonstrate the program is working.

FOI Request 334/16/17 – Prohibited Substance Testing Program

- On 30 May 2017, ^{47F} submitted a request under the *Freedom of Information Act 1982* seeking access to:
 - ITEM 1 - copies of the Prohibited Substance Testing Program determination decisions Notice of Positive Test Result of Army members at Lavarack Barracks, Townsville for financial years 2012/13, 2013/14, 2014/15, 2015/16; and
 - ITEM 2 - a breakdown of the statistics for the type of drugs detected for these Notice of Positive Test Results over the same period.
- The decision maker identified one document relevant to the request and approved its release without redaction.

FOI Request 013/17/18 – Prohibited Substance Testing Program

- On 11 July 2017, ^{47F} submitted a further request under the *Freedom of Information Act 1982* seeking access to:
 - ITEM 1 - copies of the Prohibited Substance Testing Program determination decisions Notice of Positive Test Result in table form of Army members at Lavarack Barracks, Townsville for financial year 2016/17; and
 - ITEM 2 - a breakdown of the statistics for the type of drugs detected for these Notice of Positive Test Results over the same period.



- The decision maker identified one document relevant to the request and approved its release without redaction.

Content of the Document

- The document released under 334/16/17 includes four separate tables; one each for financial years 2012/13, 2013/14, 2014/15 and 2015/16. The document released under 013/17/18 includes one table that covers 2016/17. Each of these five tables provide a statistical breakdown of positive prohibited substance tests in Townsville during the relevant period. The tables provide data on each positive test including date, the category of prohibited substance detected and the outcome of the matter (e.g. discharge).
- It is important to note, the document does not contain names or any other information that could lead to current or former Australian Defence Force member being identified.
- The figures in the documents released to the applicant show an overall decline in prohibited substance detection for Army members in Townsville.
- Defence cannot provide a specific reason for the decrease in the number of positive test results occurring in Townsville. Positive test results have declined in the ADF and it is likely that the trend in Townsville simply reflects some of the overall ADF trend.
- A vast majority of positive prohibited substance tests over the five year period led to the member being discharged from the Army.

Defence uses the Prohibited Substance Testing Program as a deterrent against the use of illicit substances. These figures demonstrate the program is working

Recent media:

12 August 2017, Townsville Bulletin ("Army Drug War"), reported that the ADF "has vowed to ramp up its hard-line stance against illegal drugs as data reveals almost 80 Townsville soldiers have been dismissed after failing tests over the past five years".

20 September 2017, Queensland Times ("Defence Force announces hair, saliva added to drug test program") reported that the ADF would be trialing hair and saliva testing for prohibited substances to assess efficacy of such testing in enhancing the deterrent effect of the testing program. The article also noted that regardless of the outcome of the trial the ability for the ADF to conduct hair and saliva testing would continue.

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4 August 2017

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Created: 2014
Updated: 20 September 2017

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PERSONNEL 13: PROHIBITED SUBSTANCES AND ALCOHOL

ISSUE

At least 25 per cent of Defence members are tested annually under the Defence Prohibited Substance Testing Program. A minimum of 10% of Defence members are tested annually under the mandatory alcohol testing program, primarily in defined and promulgated Safety Critical Areas. Testing can be random or targeted.

HEADLINE RESPONSE

- Defence has comprehensive policies aimed at maintaining the health and safety of Australian Defence Force (ADF) members including in relation to the use of prohibited substances and alcohol.
- A Stepped Care Model is utilised by the ADF in managing the use of alcohol by members. This involves health promotion, prevention of misuse of alcohol, early intervention and more intensive treatment options when needed.
- Defence does not condone the use of prohibited substances as it is incompatible with an effective and efficient Defence Force and can undermine health, safety, discipline, morale, security and reputation.

KEY FACTS AND FIGURES

Between 1 July 2017 and 31 December 2017:

- 10,831 prohibited substance tests were conducted on Australian Defence Force members with 61 (0.6%) positive test results.
- 37 members tested positive for Amphetamine type substances.
- no positive synthetic cannabinoid tests were recorded.
- 62 steroid tests were conducted with 12 (19.4%) positive results.
- 38,923 ADF members were breath tested for alcohol.
- 112 members (0.03%) tested about the 0.02 blood alcohol limit.

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Since testing commenced in July 2005 to 31 December 2017:

- 210,348 Prohibited Substance Testing Program tests were conducted.
- 1,461 (0.7%) ADF members tested returned a positive test result.
- 1,120 (78%) of members testing positive test have been discharged.
- 25 (0.2%) of 11,310 members tested positive for synthetic cannabinoids.

Current media

Nil

BACKGROUND

KEY POINTS

ADF Members Prohibited Substance Testing

- Tests are conducted randomly and on a targeted basis, which can result in a member being tested more than once in a Financial Year.
- The retention of members who have a positive prohibited substance test result will depend on the individual circumstances of the case. If a member is retained, they are managed under administrative arrangements, which normally include targeted prohibited substance testing.

Prohibited Substance Testing

- Urine testing remains the routine method for testing as it is robust, detects a broad range of drugs, has a large detection window is cost effective, easy to conduct, legally defensible and acts as a strong deterrent.
- Urine testing is consistent with industry best practice and research by the National Drug and Alcohol Research Centre.
- Members who knowingly and intentionally use or have used prohibited substances and who are seeking health intervention are strongly encouraged to voluntarily self-refer for assessment and treatment.
- Members are encouraged by Command to access support upon receiving a positive test result or during the administrative action process.

Hair and oral fluid testing

- Hair and saliva testing methods will be used in conjunction with urine testing to provide a further deterrent and indicator of prohibited substance use.
- The testing and collection of hair and saliva samples will be conducted under the Department of Immigration and Border Protection (now Department of Home Affairs) whole-of-government contract with Medvet Science Pty Ltd. Defence members will oversee the collection of samples.
- A trial of hair and oral fluid testing is being held from 1 October 2017 to 31 July 2018. As part of the trial, each Service will

conduct 50 hair and 500 oral fluid prohibited substance tests in addition to the minimum 25 per cent conducted by urinalysis.

- The results of the trial will be examined by Defence to ascertain if these methods have an improved deterrence value and whether they add to the detection of prohibited substance use by ADF members, in addition to the existing urinalysis testing method.

Use of amphetamines and methamphetamines

- The Prohibited Substance Testing Program indicates that the use of amphetamine-type substances is the main drug type resulting in a positive test result.
- Between 1 July 2017 and 31 December 2017, 37 of the 61 positive test results (60.7 per cent) were for amphetamine type substances.

Use of Cocaine

- The use of cocaine by ADF members is now the second most common prohibited substance detected under the Prohibited Substance Testing program.
- For the FY 2016/2017 16.7 per cent of all positive prohibited substance tests were for cocaine use. Between 1 July 2017 and 31 December 2017, 27.9 per cent of all the positive test results were for cocaine use.
- This increase in cocaine use within Defence may reflect the increased availability and the popularity of cocaine use within the Australian community as noted in the findings of National Drug Strategy Household Survey 2016.

Use of Synthetic Cannabis

- Over the last 18 months there have been no positive synthetic cannabis tests.

Alcohol management and testing

- Alcohol testing over the last three years has resulted in less than 0.5 per cent positive results. This compares favourably when compared to the broader Australian workforce. According to the Flinders University National Household Survey, 6.6 per cent of Australians attend work under the influence of alcohol and 10.2 per cent admit to consuming alcohol at work.

Defence APS Employees

- Defence APS employees and contractors are not tested under the Prohibited Substance Testing Program, unless they deploy outside Australia as Defence Civilians under the jurisdiction of the *Defence Force Discipline Act 1982*.
- Employees whose work appears to be impacted by prohibited substance or alcohol use can be directed to leave the workplace or attend a medical assessment. They may also be investigated for possible breach of the Code of Conduct and have their security clearance downgraded.

Prohibited Substance Testing History

Financial Year	Tests	Negative	Positive	% Positive	Discharged	Retained	Admin Outstanding	Confirmed Drink or Food Spiking
2005-06	6,917	6,798	119	1.72%	109	10	0	2
2006-07	7,997	7,856	141	1.76%	114	27	0	1
2007-08	8,743	8,611	132	1.51%	105	27	0	9
2008-09	9,825	9,711	114	1.16%	87	27	0	8
2009-10	17,050	16,956	94	0.55%	66	28	0	3
2010-11	20,167	20,092	75	0.37%	58	17	0	2
2011-12	20,341	20,226	115	0.57%	105	10	0	2
2012-13	22,868	22,725	143	0.63%	134	9	0	2
2013-14	22,555	22,453	102	0.45%	87	15	0	0
2014-15	21,857	21,724	133	0.61%	100	33	0	13
2015-16	20,199	20,105	94	0.47%	77	12	1	7
2016-17	20,937	20,799	138	0.66%	74	12	52	0
SUB TOTAL	199,456	198,056	1,400	0.7%	1,116	231	53	49
1July17 31Dec17	10,892	10,831	61	0.6%	4	2	55	2
TOTAL	210,348	208,887	1,461	0.7%	1,120	233	108	51

Alcohol

- ADF policies provide a comprehensive administrative and holistic approach to alcohol management and emphasise the importance of mutual responsibilities, education and health support.
- The ADF utilise a Stepped Care Model to the management of alcohol that includes health promotion, prevention, early and brief intervention and more intensive treatment options for those requiring them.

Alcohol Testing History

Financial Year	Test conducted	Numbers of positive tests	
2015-16	39,615	186	0.47%
2016-17	67,036	271	0.4%
SUB TOTAL ADF	106,651	414	0.39%
1 July 2017 – 31 December 2017	38,923	112	0.3%
TOTAL ADF	145,574	526	0.4%

QUESTIONS ON NOTICE

Nil

FREEDOM OF INFORMATION (FOI)

FOI Request 093/17/18 – Prohibited Substance Testing Program

- On 17 August 2017, ^{47F} [REDACTED] sought access under FOI to documentation relating to:
 - ITEM 1 – copies of the Prohibited Substance Testing Program determination decisions Notice of Positive Test Result for all Defence Force members at the Royal Military College Duntroon, and the Australian Defence Force Academy, Canberra between 1 January 2011 to present.
- The decision maker identified one document relevant to the request and approved its release without redaction.

FOI Request 334/16/17 – Prohibited Substance Testing Program

- On 30 May 2017, ^{47F} [REDACTED] sought access under FOI to documentation relating to:
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FOI Request 013/17/18 – Prohibited Substance Testing Program

- On 11 July 2017, ^{47F} [REDACTED] sought access under FOI to documentation relating to:
 - ITEM 1 - copies of the Prohibited Substance Testing Program determination decisions Notice of Positive Test Result in table form

- of Army members at Lavarack Barracks, Townsville for financial year 2016/17; and
- ITEM 2 - a breakdown of the statistics for the type of drugs detected for these Notice of Positive Test Results over the same period.
- The decision maker identified one document relevant to the request and approved its release without redaction.

RECENT RELEVANT MINISTERIAL COMMENTS

Nil

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[REDACTED]
Division: Defence People Group

Cleared by: Richard Oliver, A/Deputy Secretary Defence People, Ph: 02 6265 7339

Created: 15 February 2018
Updated: 15 February 2018

UNCLASSIFIED



PROHIBITED SUBSTANCE AND ALCOHOL TESTING IN THE AUSTRALIAN DEFENCE FORCE

ISSUE:

Defence does not condone the use of prohibited substances or the misuse of alcohol as it is incompatible with an effective and efficient Defence Force and can undermine health, safety, discipline, morale, security and reputation.

HEADLINE RESPONSE

- Under the Australian Defence Force (ADF) Prohibited Substance Testing Program (PSTP) a minimum of 25 per cent of Defence members are tested annually.
- Under the mandatory alcohol testing program a minimum of 10 per cent of Defence members are tested annually, primarily in defined and promulgated Safety Critical Areas.
- Defence does not tolerate the use of prohibited substances or the misuse of alcohol and has a suite of policies and programs aimed at ensuring an effective and efficient Defence Force and maintaining the health and safety of Defence members.
- Defence members found to be using prohibited substances, or misusing prescribed or over the counter medications or supplements containing prohibited substances, are normally administratively discharged from the ADF.

KEY FACTS AND FIGURES

Between 1 July 2017 and 30 June 2018:

- 22,706 prohibited substance tests were conducted with 133 Defence members testing positive. Of the 133 positive tests:
 - 28 members have been administratively discharged;
 - 18 members have been retained in service;
 - 87 members have administrative action pending;
 - 32 members tested positive for cocaine
 - 29 members tested positive for amphetamines;
 - 20 members tested positive for methamphetamines;
 - 19 members tested positive for cannabis;
 - 69 Defence members were target tested for steroid use with 13 (18.8%) positive test results.

UNCLASSIFIED

- 70,901 alcohol tests were conducted with 214 members (0.3%) testing equal to or above the 0.02 blood alcohol limit.

Between 16 June 2005 (when testing commenced) and 30 June 2018:

- 222,162 PSTP tests were conducted.
 - 1,535 (0.7%) Defence members tested returned a positive test result.
 - 1,162 (75.7%) of the members who tested positive have been administratively discharged.
 - 249 (21%) members have been retained, and 124 have administrative action pending.
 - 13,276 members have been target tested for synthetic cannabinoids. 25 (0.2%) returned a positive test result.
- These results compare favourably when compared against:
 - the National Drug Strategy Household Survey 2016 which reported that 15.6 per cent of Australians over the age of 14 years had used an illicit drug and a further 4.8 per cent of the Australians had misused pharmaceuticals such as codeine based pain-killers and minor tranquillisers, and
 - the 2018 Australian Criminal Intelligence Commission Waste Report which shows that there is an increase in prohibited substance consumption in Australia.

Current media

On 3 July 2018 The Australian (and other media outlets) reported that nine Defence members of the 5th Aviation Regiment based at Townsville were facing disciplinary action following a crackdown on illicit drug use. No comment was provided by Defence as the results of the test were still under investigation.



BACKGROUND

KEY POINTS

- Defence's management approach to prohibited substances is multifaceted and incorporates health and drug education initiatives supported by appropriate ADF-wide personnel policies. Defence uses a holistic approach that emphasises mutual responsibilities and education and does not merely rely on punitive measures.
- The ADF alcohol management strategy and associated policies represent a holistic approach to alcohol management and emphasise the importance of mutual responsibility, education and health support.
- Defence members found to be using prohibited substances, or misusing prescribed or over the counter medications or supplements containing prohibited substances, are normally administratively discharged from the ADF.
- The ADF alcohol management strategy and associated policies represent a holistic approach to alcohol management and emphasize the importance of mutual responsibility, education and health support.
- Alcohol misuse is managed under a health paradigm using a Stepped Care Model of care involving health promotion, early intervention and more intensive treatment options when needed.

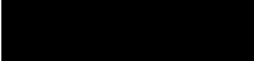
ADF Prohibited Substance Testing Program

- The Prohibited Substance Testing Program (PSTP) aims to deter the use of prohibited substances by Defence members.
- Since 16 June 2005 Defence has conducted a urinalysis based prohibited substance testing program. Urine testing is robust, broad, responsive, difficult to avoid, has a strong basis in scientific research and is cost effective. The methodology allows for an initial identification of potential drug use via a screening test, which is then confirmed through subsequent laboratory testing. Testing is done on random and targeted bases.
- This is a deterrence program aimed at discouraging the use of prohibited substances by members. Since the commencement of drug testing there has been a decrease in the number of positive drug test results. In FY 05/06 the positive test rate was 1.72 per cent whereas in FY 17/18 the positive test rate was 0.47 per cent.

- Defence members who return a positive test result will normally be administratively discharged from the ADF. Where the ADF determines that a member who has a positive prohibited substance test result is to be retained, the member is managed under administrative arrangements which normally include being subject to random targeted prohibited substance testing.
- Over the period 1 October 2017 to 31 July 2018 Defence conducted a trial of hair and oral fluids prohibited substance testing in order to assess if such testing will further deter Defence members from using prohibited substances.
 - As part of the trial, the Services have conducted 186 hair and 1577 oral fluid prohibited substance tests.
 - The trial was only conducted on Defence members serving in Australia.
 - The testing and collection of hair and saliva samples was conducted under the Department of Immigration and Border Protection (now Department of Home Affairs) whole-of-government contract with Medvet Science Pty Ltd. Defence members oversaw the collection of samples.
 - Defence is currently assessing the data gathered during the trial.
- Matters relating to possession and/or distribution of prohibited substances are dealt by the civilian authorities under civil statute or by the Australian Defence Force Investigative Service under the *Defence Force Discipline Act 1982*.

ADF Alcohol Testing

- ADF policies provide a holistic approach to alcohol management and emphasise the importance of mutual responsibilities, education and health support.
- Defence conducts alcohol testing in safety critical areas.
- A positive test result is one that is equal to or greater than 0.02 per cent.
- Alcohol testing over the last three years has resulted in less than 0.4 per cent positive results.
- The ADF Alcohol testing results compare favourably with the broader Australian workforce.



- According to the Flinders University National Household Survey, 6.6 per cent of Australians attend work under the influence of alcohol and 10.2 per cent admit to consuming alcohol at work.

ADDITIONAL TALKING POINTS

- Defence APS employees or contractors are not tested under the Prohibited Substance Testing Program, unless they deploy outside Australia as Defence Civilians under the jurisdiction of the *Defence Force Discipline Act 1982*.
- Defence public sector employees or contractors whose work appears to be impacted by prohibited substance or alcohol use can be directed to leave the workplace or attend a medical assessment. They may also be investigated for possible breach of the Code of Conduct and have their security clearance downgraded.

RELEVANT MEDIA

On 3 July 2018 The Australian (and other media outlets) reported that nine Defence members of the 5th Aviation Regiment based at Townsville were facing disciplinary action following a crackdown on illicit drug use. No comment was provided by Defence as the results of the test were still under investigation.

QUESTIONS ON NOTICE

Nil.

FREEDOM OF INFORMATION (FOI)

- On 11 July 2017 a media outlet sought access under FOI to documentation relating to:
 - copies of the Prohibited Substance Testing Program determination decisions Notice of Positive Test Result in table form of Army members at Lavarack Barracks, Townsville for financial year 2016/17; and
 - a breakdown of the statistics for the type of drugs detected for these Notice of Positive Test Results over the same period.

The decision maker identified one document relevant to the request and approved its release without redaction.

- On 17 August 2017 a media outlet sought access under FOI to documentation relating to the Prohibited Substance Testing Program determination decisions Notice of Positive Test Result for all Defence Force members at the Royal Military College Duntroon, and the Australian Defence Force Academy, Canberra between 1 January 2011 to the present.

The decision maker identified one document relevant to the request and approved its release without redaction.

- On 6 February 2018 a media outlet sought access under FOI to documentation relating to "...information held by the Department of Defence regarding the Prohibited Substance Testing Program in the Royal Australian Navy" and "to any documents that show the distribution of random drug tests across the days of the week over the past three years - that is, how many tests were conducted on a Monday, a Tuesday, and so on."

In response Navy provided a spreadsheet listing the dates that Navy had tested Navy members between 12 January 2015 and 8 January 2018.

RECENT RELEVANT MINISTERIAL COMMENTS

Nil.

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Division: FASPPC

Cleared by: Justine Grieg, DEPSEC DP,
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