



CHIEF OF THE DEFENCE FORCE



BN32034912

Lieutenant General Rick Burr, AO, DSC, MVO

Chief of Army

Army Headquarters

R1-4-B031

PO Box 7902

CANBERRA BC ACT 2610

Dear Lieutenant General Burr

Rick,

COMMAND ACCOUNTABILITY FOR ALLEGATIONS CONCERNING SPECIAL OPERATIONS TASK GROUP (SOTG) ACTIVITIES IN AFGHANISTAN

On 19 November 2020, I spoke publicly about the IGADF Afghanistan Inquiry Report. As you are aware, the report details credible information regarding allegations of serious misconduct by Australian Special Forces personnel in Afghanistan. As I have also said publically, what the Inspector-General found is greatly at odds with the enormous amount of good work that was done by many during operations in Afghanistan.

I committed on that day to working to understand the role of command in the alleged unlawful conduct, the degrees of accountability, and what actions – if any – should be taken in response.

I note that the Inquiry was conducted on an administrative basis, under regulations that give legal authority to the Inspector General of the ADF to conduct such work. In accordance with the directions it was given, the Inquiry's findings represent a conclusion, based on evidence and reasoning, that 'there is *credible information* that a person has committed a certain identified war crime or disciplinary offence. This is not a finding of guilt, nor a finding (to any standard) that the crime has in fact been committed. ... The Inquiry has nonetheless had regard to the gravity and potential consequences of a finding even that there is 'credible information' of a crime, in considering whether or not to make such a finding,' and also provided an opportunity for potentially affected persons to be heard before any finding was made (published Inquiry Report, pages 143). Within this framework, it provides a legal basis on which to consider administrative action, or further investigation for criminal or disciplinary action, against individuals.

I have reviewed the operational chain of command at the time of each incident of alleged unlawful conduct identified by the Inquiry, and considered the scope of responsibility and therefore accountability of commanders in this chain. I have thought about how each commander attempted to exercise oversight of their personnel, including through reviews, quick assessments and inquiries, and how varying individual approaches may reflect each commander's personal level of accountability.

Accountability: Criminal, Command and Professional Standards

Command accountability in the sense I am considering it is different from criminal responsibility as a commander, which is a matter for the consideration of the Office of the Special Investigator. It is also distinct from the individual responsibility of an Officer for maintaining the professional standards of the Australian Army, which I consider to be a matter for you with respect to each

member of the Army impacted by the Inquiry findings. Both must be separate from my consideration. I have not sought information from the Office of the Special Investigator about any individual commander. Nor have I considered or formed any views about the professional standards of any Officer, beyond thinking about the manner in which they exercised their responsibilities in command.

As the senior commander in the ADF, command accountability is my responsibility. The fact that the Inquiry found credible information of numbers of incidents of alleged unlawful conduct associated with the tenure of particular commanders at the troop, squadron, task group and task force level concerns me. I fully accept the Inquiry's finding that these commanders did not suspect that this alleged conduct was occurring, nor encouraged it, nor turned a blind eye to it. I also accept the Inquiry finding that there appears to have been attempts to conceal this alleged unlawful conduct, and the Inquiry's recognition at the operational level of the complexity and constraints upon executing command responsibilities that were both geographically distant and functionally dispersed.

However, *because* these Officers were in command, they are accountable within their scope of responsibility for what happened under their command.

It is through the rigorous exercise of command authority and influence that alleged misconduct of this kind would usually be identifiable. The Inquiry also reflects on an insufficient curiosity of tactical commanders in this regard.

Decision to Suspend Consideration of Command Accountability Action

Notwithstanding my concern, I consider it critically important that incidents identified by the Inquiry are referred to the Office of the Special Investigator for further investigation. And it is imperative that I do not put at risk that Office's work through any internal administrative actions I may consider regarding command accountability during the period under investigation. I have also been requested by the Minister for Defence to suspend any individual action to ensure command accountability until completion of the Office's investigations for this reason.

To make certain of this, I have decided to suspend consideration of potential administrative actions with respect to the military careers of, or honours awarded to, certain individual commanders. My decision to suspend potential administrative action means that these Officers will still be able to continue their careers in the Army, which may include currently-planned or future promotions, posting selections and changes to Service category. However, the fact that the Inquiry found credible information of incidents within their periods of command does form a part of their individual service histories, and may be taken into consideration for career management. That said, I have placed no constraint or restriction upon their careers; individual progression will be determined by a holistic judgement of each Officer's performance and potential.

Management of Former Commanders

To ensure clarity, and avoid adverse inferences being drawn against others, a nominal roll of the seven current and former Officers regarding whom I have suspended consideration of potential administrative action for specific periods in command is in Annex A. You will be aware that the published version of the Inquiry Report identifies findings by year, and that information will be accessible to your career managers. The Report may be relevant in developing recommendations to you regarding particular Officers, as a reflection of a period in their career profile. However, no unredacted Inquiry information is to be provided to career management personnel, and the usual processes to ensure personal privacy and procedural fairness must always apply.

When the work of the Office of the Special Investigator and/or any subsequent proceedings are complete, or if new information otherwise emerges, the Chief of the Defence Force of the day may write to former commanders to progress such consideration, with all due process and natural justice considerations inherent in our military administrative system.

I have also decided that, on balance and given the circumstances of each command, nineteen Officers should not be considered further with regard to command accountability for specific appointments. That is, I do not consider that adverse administrative action is supported by the information available to me from the Inquiry. These Officers are listed in Annex B, and I encourage them to continue to serve, learning from this experience.

Principal in my consideration of their circumstances was that while alleged unlawful incidents occurred during their command tenure, incidents occurred so infrequently as to be in my judgement insufficient to create a potentially detectable pattern of behavior.

Two Officers are listed in Annex C. Their circumstances are uniquely particular to each. And, while numbers of alleged incidents occurred during their command tenure that may have given rise to a potentially detectable pattern of behaviour, I have decided that, on balance, these two Officers should not be considered further with regard to command accountability. My reasons are outlined in the attached correspondence. They are also encouraged to learn from their experience.

I have written to the Officers listed in Annexes A and C and attach the correspondence for your information.

Home Unit Command

I have decided not to take administrative action against the Commanding Officers of the Special Air Service Regiment and 2nd Commando Regiment, or those who served as Special Operations Commander Australia. As the Afghanistan Inquiry Report found, while it was in the home units and subunits that the cultures and attitudes that enabled misconduct was bred, the greater responsibility rests elsewhere. I have based my decision on a number of factors:

- The significant geographical distance between the home unit and deployed personnel.
- The deliberate policy of ADF command of the time not to provide ready access for these Officers to deployed force elements.
- The finding by the Inquiry that alleged misconduct was concealed at the patrol commander level.
- Most compellingly, I am cognisant of the decision of the Government not to revoke the Meritorious Unit Citation. While I am dismayed by reports of unlawful incidents allegedly committed by 25 members of SOTG over 20 rotations and nine years, I am also conscious that more than 3000 other Special Forces personnel were deployed by these Officers from their home unit and served in Afghanistan professionally and with honour.

On the basis of these factors, I do not see pursuing administrative action against these Officers as being consistent with the Government's approach to the Meritorious Unit Citation, nor consistent with recognition of the entirety of these Officers' commands in the circumstances I have identified here. That is, rather than criticising these Officers for the actions of 25 individuals, there is a case to be made to acknowledge them for the more than 3000 soldiers and Officers they prepared and deployed whose performance was commendable.

Management of Professional Standards Incidents

Importantly, my decisions regarding command accountability do not affect action you may now be considering, or may consider in the future if you receive relevant information, regarding any organisational decline and/or individual failure by an Army member, to maintain professional standards. There appear to be particular organisational and behavioural issues of concern in the latter period of SOTG deployment cycles from 2008 to 2012, which would be worthy of your consideration.

Way Forward

I appreciate that the need to allow the Office of the Special Investigator's work to take priority means that there can be no immediate closure of these matters for the Officers concerned, or for the Australian Army. This is regrettable and may be personally challenging for many. Some Officers previously in command of special operations in Afghanistan may seek more immediate closure with respect to their command accountability. Such consideration or action must be of their own initiative.

Lastly, and importantly, I ask for your assistance in ensuring that the support that has been available for all ADF members impacted by the Inquiry remains available as these matters progress.

Yours sincerely

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Angus J Campbell, AO, DSC
General
Chief of the Defence Force

19 July 2021

R1-5-CDF Suite
PO Box 7900
CANBERRA BC ACT 2610

Annexures

- A. Consideration of Administrative Action Suspended
- B. No Further Consideration of Administrative Action for Command Accountability
- C. No Further Consideration of Administrative Action for Command Accountability Due to Individual Circumstances

Attachments

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- 3. Letter from Minister for Defence, The Honourable Peter Dutton MP, of 2 Jun 21

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Note: Consideration of administrative action for command accountability is suspended for members on this roll for the specified command appointment.

Annex C
to
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NO FURTHER CONSIDERATON OF ADMINISTRATIVE ACTION FOR COMMAND ACCOUNTABILITY DUE TO INDIVIDUAL CIRCUMSTANCES						
EID	Rank	Name	Honour for Specified Command Tenure	SERCAT	Appointment	Command Tenure
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**THE HON PETER DUTTON MP
MINISTER FOR DEFENCE**

General Angus J. Campbell, AO, DSC
Chief of the Defence Force
Department of Defence
R1-5-CDF Office
Russel Drive
RUSSELL ACT 2601

Angus,
Dear General Campbell

I write to outline my decision on the handling of command accountability issues stemming from the findings of the Inspector General of the Australian Defence Force (ADF) Afghanistan Inquiry.

The matters raised by the Afghanistan Inquiry are serious, none more so than those relating to allegations of unlawful killings and other crimes committed by a small number of ADF personnel. The Government established the Office of the Special Investigator (OSI) to investigate these allegations and, where appropriate, refer briefs of evidence to the Commonwealth Director of Public Prosecutions.

You have advised me that the OSI is now in receipt of Afghanistan Inquiry findings and related material of interest to it, enabling the OSI to begin its work. As you know, the OSI's investigatory task will be complex and could extend broadly, including to individuals currently not the subject of Inquiry findings. This may include individuals who held command or other positions during the relevant period. The extent to which this may be the case will only be known once the OSI has finalised its investigations.

It is my very strong view that the OSI's investigations must take precedence over other disciplinary actions you are considering. Accordingly, I ask that you suspend administrative action that you might be considering in relation to personnel who held command positions relevant to the scope of the Afghanistan Inquiry.

This suspension is to minimise any risk to OSI investigations and should remain in place only until the OSI has completed its investigations. I note your advice to me that any such suspension would not impact normal personnel operations, including promotions and assignments.

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I want to thank you and members of the ADF and Department of Defence for their professional conduct in addressing the Afghanistan Inquiry findings and their service more broadly. The Government has placed great trust and resourcing in the ADF and the Department to deliver its agenda for a more secure and capable Australia.

I have copied this letter to the Secretary of Defence, Mr Greg Moriarty.

Yours sincerely

s47F



PETER DUTTON

02/06/21



Australian Government
Department of Defence

Submission

For information

PDMS Ref. Number MS21-002357

Date of Clearance: 11 October 2021

To Minister for Defence
For Info Minister for Defence Personnel
Subject Cancellation of Honours and Awards
Timing At your convenience.

Recommendation

That you:

1. **note** the policies and administrative processes for cancelling honours and awards for civilians and Australian Defence Force (ADF) personnel; and noted / not agreed
2. **note** in accordance with your letter of 2 June 2021, I [CDF] will not proceed with cancellation recommendations regarding awards for Afghanistan in the circumstance that medals are volunteered to be returned by ADF personnel. noted / not agreed

Minister for Defence

Signature.....

Date:...../...../2021

Minister's Comments				
Rejected Yes/No	Timely Yes/No	Relevance <input type="checkbox"/> Highly relevant <input type="checkbox"/> Significantly relevant <input type="checkbox"/> Not relevant	Length <input type="checkbox"/> Too long <input type="checkbox"/> Right length <input type="checkbox"/> Too brief	Quality Poor 1.....2.....3.....4.....5 Excellent Comments:

Key Issues

1. Australian honours and awards (generically referred to in this brief as awards) recognise a person's service and achievement. Unfortunately, there may be circumstances that require consideration of a person's right to retain an award, for example, when the person is convicted of a criminal offence or found to have behaved inappropriately. Alternatively, a person may voluntarily return an award.
2. Action to cancel an award is not taken lightly. In keeping with the principles of administrative law and procedural fairness, a person whose award may be affected by cancellation action is afforded an opportunity to put forward a case as to why their award should not be cancelled. All evidence including any submissions made by the member will be passed to a decision maker.
3. The process for cancelling an award is detailed in the specific Medal Instruments and Regulations for each award. The process varies depending on the award, whether the recipient is a civilian or ADF member, and if the award is returned voluntarily or not.
4. I am aware that s47F
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s47F I these officers are not returning their medals in protest but rather have reflected on their service and feel that returning the award is a matter of conscience.
5. I intend to acknowledge the character and sense of service evident in the offers made by these officers. However in accordance with your letter of 2 June 2021, in which you directed me to suspend administrative actions in relation to personnel who held command positions relevant to the scope of the Afghanistan Inquiry, I will not progress with recommendations of cancellation in the circumstance that medals are volunteered to be returned by ADF personnel.

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7. This adheres to the requirement of Government House that Defence must determine that the ADF member is no longer eligible for their award before return/cancellation could be considered.

Background

What is the mechanism for a civilian to return an award voluntarily?

Order of Australia

8. In relation to the Order of Australia, a civilian may make a conscious decision to resign from the Order and may do so in writing under section 25(2)(b) of the Constitution of the Order of Australia. In such cases, a formal notification will be published in the Commonwealth of Australia Gazette. The Constitution does not include provision for individuals to be reinstated if they have chosen to resign from the Order of Australia.
9. The Commonwealth of Australia Gazette has published the names of 30 people who have resigned from the Order of Australia, including eight in 2021. Media reporting states the 2021 resignations were in protest of Margaret Court's appointment to the Order of Australia.

Australian Bravery Decorations and Meritorious Service Awards

10. If a civilian chooses to return a Bravery Decoration or Meritorious Service Award voluntarily, for example for the purpose of registering a personal protest about a particular cause or issue, the Australian Honours and Awards Secretariat at Government House will hold the award in safe custody. The Secretariat does not take action to formally cancel the award so the recipient remains entitled to it, and it will be returned to the recipient if they ask for this to occur.

What is the mechanism for a civilian to return a medal or have it cancelled following conviction?

Order of Australia

11. The Governor-General may terminate an appointment of a person as a member of the Order of Australia (Companion, Officer and Member), or cancel an award to a person of the Medal of the Order of Australia in accordance with the Terminations and Cancellations Ordinance made under the Constitution of the Order of Australia.
12. In summary, the Governor-General may terminate an appointment, or cancel an award if:
 - a recipient is convicted of a crime, offence, or a civil penalty;
 - new information becomes available that the Governor-General is satisfied would not have been desirable to make an award;

- the Governor-General is satisfied that information used to make a decision to award was based was false or misleading; or
 - in the opinion of the Governor-General, the holder of the appointment or award has behaved or acted in a manner that has brought disrepute on the Order.
13. The Terminations and Cancellations Ordinance includes provisions for a recipient to be afforded procedural fairness before a decision is made to cancel an award, including being allowed to lodge an objection in writing. Civilian cancellations may be recommended by the Council of the Order of Australia; or directly by the Governor-General.
14. The Commonwealth of Australia Gazette has published the names of 48 people whose appointment to the Order of Australia has been terminated, or their award of the Medal of the Order of Australia has been cancelled.

Australian Bravery Decorations and Meritorious Service Awards

15. There is no formal guidance available concerning the explicit conditions under which cancellation of an Australian Bravery Decoration or Meritorious Service Award can occur, although there are provisions for cancellations to be made.
16. For example, the Regulations for the Australian Bravery Decorations (instituted in 1975), Australian Police Medal (1986), Australian Antarctic Medal (1987), Australian Fire Service Medals (1988) and Public Service Medal (1989); simply provide that the Governor-General may cancel an award. The Regulations for the Ambulance Service Medal (1999), Emergency Services Medal (1999) and Australian Corrections Medal (2017); provide that the Governor-General may cancel an award on the recommendation of a responsible minister.
17. The Regulations of the most recently instituted Meritorious Service Award, the Australian Intelligence Medal (2020), provide that the Governor-General may cancel an award on the recommendation of the Australian Intelligence Medal Committee.
18. Defence is not aware of any example of an Australian Bravery Decoration being cancelled. The Governor-General though, has had cause to cancel an award of an Australian Antarctic Medal in 2012, an Australian Fire Service Medal in 2017 and an Australian Police Medal in 2018. In each case the recipient was convicted of a crime or offence under a law of the Commonwealth, a State or a Territory.

What is different about the processes for ADF personnel?

19. If an ADF member chooses to return an award to Defence for the purpose of registering a personal protest about some particular cause or issue, Defence would hold the award in safe custody. No action is taken to cancel the award as the recipient remains entitled to it. The member is also entitled to use the associated post nominal even if the award is removed from their service records. The award will be returned to the member if they ask for this to occur.
20. This approach aligns with that in place for civilians. Defence is aware of examples of both civilians and Defence personnel returning their awards in protest, for example due to Department of Veterans' Affairs claims not being accepted. In both examples, the Australian Honours and Awards Secretariat and Defence held the awards securely and later returned them at the request of the recipient.

21. Defence has no record of an ADF member choosing to resign from the Order of Australia.
22. From time to time an ADF member's entitlement to retain an award may come under scrutiny, particularly when the member has been convicted of an offence or has been found to have behaved inappropriately. In these cases a recommendation is subsequently made to cancel the awards.
23. Defence honours and awards are granted by the Governor-General on the recommendation of a Defence Minister (either the Minister for Defence or the Minister for Defence Personnel), accordingly the cancellation must also be recommended by a Defence Minister. In practice this means that the appropriate Service Chief would write to me and in turn, I would brief you on the facts of the case and advise you of my recommendation.
24. Before I brief you, Defence applies principles of administrative law and procedural fairness. Therefore, a person whose entitlement may be affected by cancellation action is afforded an opportunity to put forward a case as to why their award should not be cancelled. All evidence, including any submissions made by the member, is also provided to you.
25. Where it is agreed that cancelling a member's award is the appropriate course of action, you will write to the Governor-General recommending that the award be cancelled. The Governor-General then considers this recommendation. To date, Defence has only progressed cancellations in cases where an ADF member has been convicted of a crime and these recommendations were all supported (further details are provided in paragraph 30).
26. If an award is formally cancelled by the Governor-General, then this decision is officially, and publicly, notified in the Commonwealth of Australia Gazette. The award insignia will be returned to Government House, the medal ribbon bar can no longer be worn on the member's uniform, the member would no longer be entitled to use the post nominal associated with the award and reference to the award will be removed from the member's Defence record and the 'Itsanhonour' database hosted by the Department of the Prime Minister and Cabinet.

Defence Medal Regulations provisions

27. The current Regulations for Defence honours, including Gallantry, Distinguished Service and Conspicuous Service Decorations, all include an unrestricted clause that enables an award to be cancelled and reinstated. The Regulations simply state that 'the Governor-General may cancel an award of the decoration and may reinstate an award so cancelled'.
28. There is no formal guidance concerning the explicit conditions under which cancellation may occur for these awards. However, Government House has advised in a case where an individual has self-determined that they are no longer eligible for an award, the Governor-General would be hesitant to cancel the award without Defence also supporting that the member is no longer eligible.
29. Under the Regulations, Defence can recommend the cancellation of an award in the case where an ADF member is voluntarily seeking to have their award cancelled. To accord with Government House's view, Defence would confirm that it is also satisfied the member is no longer eligible for the award, for example, due to new information being available.

Regulation amendments for cancellation in cases of serious crime

30. Defence has been progressing amendments since early 2020, which retain the general provisions for cancellation but also includes specific provisions under which an award must be cancelled. These amendments are intended to ensure Defence can take lawful action to cancel awards of individuals who commit serious crimes.
31. These provisions enable the mandatory cancellation of awards in the following circumstances:
- If a person is convicted under Australian law for any of the following:
 - Treason and related offences.
 - Mutiny and related offences.
 - Sabotage of Australian and allied assets.
 - Aiding the enemy, including assisting prisoners of war, and related offences.
 - Serious terrorism related offences.
 - Any other offence determined by the Governor-General.
 - An award will also be forfeited if the Governor-General, on the recommendation of the Chief of the Defence Force, determines that either of the following applies:
 - the person convicted of an offence which is considered to be so disgraceful or serious that it would be improper for the person to retain the award; or
 - the person obtained the award by making a false declaration.
32. These mandatory provisions have not yet been included in honours such as the Gallantry, Distinguished Service or Conspicuous Service Decoration.

How many ADF awards have been cancelled in the past 10 years?

33. In the past decade the Governor-General has cancelled two decorations awarded to ADF personnel, and terminated one appointment to the Military Division of the Order of Australia. These are:

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34. These are believed to be the first cancellations of Defence honours since at least 1968, when a former Australian Army soldier's British Empire Medal was cancelled after he was convicted for misusing currency, selling liquor and improperly using a Service vehicle, whilst in Vietnam.

Consultation – internal/external

35. The following people have been consulted on this matter:

- Mr Paul Singer, Official Secretary to the Governor-General;
- Brigadier Dave Kelly, Chief of Staff, Army Headquarters; and
- Ms Melissa Jones, DPG Special Counsel, Defence Legal.

36. Mr Singer has advised that Government House's view is that an award should not be cancelled as a result of an individual voluntarily returning their award and requesting that it be cancelled. Cancellation should only occur if the recommending authority and the Governor-General agree that the individual no longer meets the criteria for an award, or should no longer be entitled to be recognised in the honours and awards system. Ultimately, their view is that the process should be the same as for the return of awards by civilians (apart from the Order of Australia, which the Regulations specifically allow for resignation).

37. Defence notes Government House's view. To accord with this view, the only way Defence could progress a voluntary return would be to make an assessment for cancellation, with procedural fairness, that the ADF member no longer meets the eligibility criteria.

Consultation – Secretary/CDF

38. The Secretary was not consulted on this brief.

Sensitivities

39. The reasoning for considering the nomination or cancellation of an individual award is strictly confidential, incorporates procedural fairness, and public announcements are only made by the Governor-General once all deliberations are concluded.

Financial/systems/legislation/deregulation/media implications

40. Nil.

Authorising Officer	
Cleared by:	s47F
General Angus Campbell AO D Chief of the Defence Force	
Date: 12 October 2021 Ph: 02 6265 2858	

Contact Officer: Lisa Phelps, First Assistant Secretary People Services, Ph: 02 5108 6134.

CC:

Secretary, Assoc Sec, VCDF, CIOPS, CN, CA, CAF, DEPSEC DP, FASMECC

No	PMKeyS	Rank	Surname	Given Names
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NO FURTHER ACTION			
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SEPARATED/TRANSFERRED			
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1	s47F		CPL
2	s47F		SGT
3	s47F		SGT
4	s47F		SGT
5	s47F		SGT
6	s47F		CPL
7	s47F		CPL
8	s47F		SGT
9	s47F		SGT
10	s47F		SGT
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12	s47F		SGT
13	s47F		MAJ
14	s47F		SGT

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DEFENCE COMMITTEE, AUGUST 2021, AFGHANISTAN INQUIRY REFORM PROGRAM – SUPPLEMENTARY PAPER

PURPOSE

1. The purpose of this paper is to provide supplementary update to the Defence Committee (DC) on the Afghanistan Inquiry Reform Program (Reform Program), in relation to individual command accountability.

RECOMMENDATIONS

2. It is recommended that the DC:
 - a. **Note** the correspondence from the Chief of the Defence Force (CDF) to the Chief of Army at **Attachment 1**.
 - b. **Note** that recommendations 1, 58, 59, 67 and 142 will necessarily remain ‘open’ until conclusion of the work of the Office of the Special Investigator.
 - c. **Approve** the closure of recommendation 143.

BACKGROUND

3. The Afghanistan Inquiry Reform Plan (Reform Plan) was approved by MINDEF on 26 May 2021. It sets out the Defence strategy for responding to the Afghanistan Inquiry; and establishes the Reform Program to coordinate and drive this work.

COMMAND ACCOUNTABILITY

4. Recommendations related to individual command accountability, articulated in the Inquiry Report as recommendations in relation to individual Honours and Awards, were assigned to the CDF as the Accountable Officer. After a period of detailed consideration, CDF’s decisions in relation to individual command accountability are contained in the correspondence at **Attachment 1**. A summary of the associated recommendations, summary of actions to date and recommendation for closure are summarised at **Table 1**.

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Table 1: Summary of Command Accountability Related recommendations:

Recommendation ID	Description of initiative / recommendation	Summary of action	DC Action/Noting
Recommendation 1	Recommendation that a particular individual honour, conferred on a named individual who held a command appointment within the SOTG, be reviewed.	The named individual was also subject to a recommendation for referral for criminal investigation. Decision on this recommendation prior to the completion of the activities of the OSI may be considered prejudicial.	DC NOTE that this recommendation will necessarily remain OPEN
Recommendation 58	Recommendation that a particular individual honour, conferred on a named individual who held a command appointment within the SOTG, be reviewed.	The named individual was also subject to a recommendation for referral for criminal investigation. Decision on this recommendation prior to the completion of the activities of the OSI may be considered prejudicial.	DC NOTE that this recommendation will necessarily remain OPEN
Recommendation 59	Recommendation that a particular individual honour, conferred on a named individual who held a command appointment within the SOTG, be reviewed.	The named individual was also subject to a recommendation for referral for criminal investigation. Decision on this recommendation prior to the completion of the activities of the OSI may be considered prejudicial.	DC NOTE that this recommendation will necessarily remain OPEN
Recommendation 67	Recommendation that a particular individual honour, conferred on a named individual who held a command appointment within the SOTG, be reviewed.	The named individual was also subject to a recommendation for referral for criminal investigation. Decision on this recommendation prior to the completion of the activities of the OSI may be considered prejudicial.	DC NOTE that this recommendation will necessarily remain OPEN
Recommendation 142	Recommendation that the individual honours and awards of a category of command appointment holders (SOTG) be reviewed. Note: CDF consideration extended to more SOTG rotations than the inquiry recommendation.	CDF, within the authorities of his appointment, has completed a detailed consideration of individual command accountability. At the summary of decisions to date (Attachment 1), CDF outlines the reasons why he has suspended administrative action related to command accountability applicable to this category of individuals.	DC NOTE that this recommendation will necessarily remain OPEN

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Recommendation ID	Description of initiative / recommendation	Summary of action	DC Action/Noting
Recommendation 143	<p>Recommendation that the individual honours and awards of a category of command appointment holders (SASR) be reviewed.</p> <p>Note: CDF consideration extended to more command appointments than the inquiry recommendation.</p>	CDF, within the authorities of his appointment, has completed a detailed consideration of individual command accountability. At the summary of decisions to date (Attachment 1), CDF outlines the reasons why he has determined not to take administrative action against this category of commanders.	DC CLOSE this recommendation.

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SUMMARY

5. Ensuring the actions of the Department of Defence do not impede the ability of the OSI to conduct thorough and independent criminal investigations must be afforded appropriate priority. The potential welfare impact for the group of commanders for whom the matter of command accountability in relation to the Afghanistan Inquiry remains 'open' is noted. The continuation of welfare support to these individuals will be closely managed by their respective chains of command.

General Angus J Campbell, AO, DSC

Chief of the Defence Force

July 2021

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