

OFFICIAL
Defence Instruction

ADMINISTRATION AND GOVERNANCE PROVISIONS

Title:	AG4 - Incident reporting and management
Object:	AG4 mandates conduct relating to reporting, recording and managing incidents that impact on effectiveness and capability in Defence.
Accountable officer:	Associate Secretary
Policy owner:	Principal Integrity Officer (First Assistant Secretary Defence Integrity)
Policy contact:	Director Integrity Policy and Industry Engagement
Cancellations:	NIL

AG4.1 Defence personnel who have a reasonable suspicion that an incident has occurred, **must**, as soon as practicable and within 24 hours of commencement of duty, report the incident to their manager or commander.

AG4.2 The following exceptions apply to this mandatory reporting obligation:

- a. the incident is a *notifiable incident* and has already been separately reported to a Defence Investigative Authority
- b. a disclosure of information about an incident is made under the [Public Interest Disclosure Act 2013](#)
- c. disclosures made to Defence chaplains, health professionals, Defence legal officers in the course of obtaining legal advice, and disclosures that do not relate to an imminent threat of self-harm or imminent harm to others, or that trigger a statutory mandatory reporting requirement
- d. an incident that might affect a person's suitability to hold a security clearance, that is reported directly to the Australian Government Security Vetting Agency, or a security incident that has been reported separately via security incident pathways
- e. the incident is a sexual misconduct incident, disclosed as a restricted disclosure to the Sexual Misconduct Prevention and Response Office (1800 SeMPRO)
- f. the victim of an incident of sexual misconduct, physical violence or emotional trauma arising from a criminal act.

AG4.3 In relation to AG4.2f, while not mandatory, the Secretary and the CDF encourage victims to report such incidents. In the event they are not comfortable doing so via an internal Defence mechanism, they are encouraged to do so through the appropriate external authorities.

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- AG4.4 In relation to incidents reported to them, managers and commanders **must**:
- a. as soon as practicable, and within 24 hours of commencement of duty, report all required information through their manager or commander
 - b. report any *notifiable incident* immediately to a *Defence Investigative Authority*, including where the jurisdiction for investigating a *notifiable incident* is not clear, and follow their direction for further reporting through their manager or commander
 - c. manage any incident until all actions are complete or responsibility for managing the incident has passed to an appropriate internal or external investigative authority
 - d. record details of the incident, including the reporting and management of the incident, as close to the time of the incident as practicable, in the authorised case management system
 - e. afford all reasonable assistance to the relevant *Defence Investigative Authority* in the execution of their duties, to prevent any unreasonable impediment or interference, or obstruction of the investigation or inquiry process.
- AG4.5 Defence personnel who have a reasonable suspicion that a *notifiable incident* has occurred, **must** immediately report the incident to a *Defence Investigative Authority*.
- AG4.6 Nothing in this instruction prevents Defence personnel from reporting suspected criminal offences directly to an Australian law enforcement agency.
- AG4.7 For further guidance and reporting avenues, please refer to the [Incident Reporting Hub](#).

For the purpose of AG4:

Defence Investigative Authority means the Joint Military Police Unit (Joint Support Services Division), Investigations and Public Interest Disclosures Branch (Defence Integrity Division), Human Resource Services Branch (People Services & Wellbeing Division) and Security Threat and Assurance Branch (Defence Security Division).

Incident means any non-routine event or occurrence that may have an effect on Defence, in particular capability, operations, personnel, security, safety, reputation, property, premises, environment, legal and ethical obligations, obligations to minors and foreign relations. To avoid doubt, it includes all complaints (including allegations of unacceptable behaviour) made by Defence personnel, a person/s engaged under a contract, people involved in Australian Defence Force cadets and other Defence supported youth programs, and members of the public, where the complaint is about Defence (including complaints about Defence personnel).

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Notifiable Incident means any incident that:

- a. raises a reasonable suspicion that a criminal offence may have been committed under the criminal law of the Commonwealth, States or Territories, or the criminal law of another country
- b. raises a reasonable suspicion that a serious offence has been committed under the Defence Force Discipline Act 1982, not including incidents that are regarded as minor (Schedule 1A offences), which would ordinarily be dealt with by a subordinate summary authority or under the Disciplinary Infringement Scheme
- c. involves allegations of fraud, corrupt practices or behaviour, including suspected serious or systemic corruption that engages Defence's mandatory referral obligations to the National Anti-Corruption Commission, collusive tendering, mismanagement of conflicts of interest or a lack of probity involving Commonwealth resources, including Defence personnel, property or premises
- d. is a suspected security incident whether intentional, negligent or accidental, resulting in a failure to comply with a security requirement outlined in the Defence Security Principles Framework or that may impact on a clearance holder's suitability to hold a security clearance
- e. involves a death, serious injury, illness, disappearance or a dangerous incident of Defence personnel or non-Defence personnel involved in any Defence activity, or at any Defence property or premises (even where there may be no reasonable suspicion of an offence having been committed)
- f. is deemed by a manager or a commander to be serious, sensitive or urgent, not covered by the definitions above. That is, one that may bring Defence into disrepute; attract adverse media or parliamentary attention; or may adversely affect the efficiency of Defence, or impact operational effectiveness or capability
- g. are Prescribed Serious Operational Incidents which includes acts or allegations of breaches of Laws of Armed Conflict, Rules of Engagement, Targeting Directives, Human Rights or International Law, including those involving foreign units partnered with the Australian Defence Force, and allegations or incidents of Australian Defence Force involvement in civilian casualties.