

Theme 2: Misconduct, Complaints and Military Justice

Update on Defence's implementation of the **Australian Government Response** to the Final Report of the Royal Commission into Defence and Veteran Suicide

Factsheet Themes

Defence has produced six theme-based factsheets outlining the key milestones and reforms delivered as part of the Government's response to the Royal Commission into Defence and Veteran Suicide:

1. Serving the Nation
2. **Misconduct, Complaints and Military Justice**
3. Governance and Accountability
4. Health Care for Serving and Ex-Serving Members
5. Transition and Support for Ex-Serving Members
6. Matters of Importance to the Whole Defence and Veteran Ecosystem

Defence Priority Reforms

The Department of Defence is implementing the Australian Government's response to the Royal Commission into Defence and Veteran Suicide, related to the theme of **Misconduct, Complaints and Military Justice**. This factsheet highlights key reform on recommendations for which Defence has primary or shared responsibility.

The recommendations align with five priority areas defined by the Royal Commission — referred to as the 'lines of effort' — supported by enabling actions to reduce suicide and suicidality among serving and ex-serving Australian Defence Force (ADF) members.

These lines of effort are to:

- prevent harm
- intervene early
- improve communication, coordination and collaboration
- build capability and capacity
- strengthen oversight and accountability.

Support Information

Visit www.defence.gov.au/adf-members-families/crisis-support/helplines for information on support available internal and external to Defence.

Key impacts

- Mandatory involuntary separation for acts of sexual violence and mandatory discharge for related convictions reinforces Defence's **zero tolerance** for sexual violence.
- Justice processes strengthened to prioritise victim-survivors, with clearer workplace protections during investigations, the inclusion of victim impact statements in sentencing, and national reporting of service convictions to enhance **accountability**.
- Improving **transparency** through enterprise-wide case management, real-time visibility for leaders via the People Dashboard, a centralised complaints unit offering anonymous options, and expanded Alternative Dispute Resolution (ADR) services.
- Improved wellbeing and safety outcomes through mandatory **mental health** considerations in separation decisions, comprehensive Work Health and Safety (WHS) risk audits, and participation in Comcare's psychosocial inspection program to prevent harm and support members.
- Defence leaders have been provided with updated authorities, guidance, and training better equipping them to prevent harm and respond quickly and consistently, ensuring member **safety** and confidence in leadership actions.



1) Support & Safety for Victims of Sexual Violence

Recommendations 15-20

- Defence is developing a comprehensive sexual violence prevention strategy in partnership with the Australian Human Rights Commission (AHRC) and Our Watch. The strategy will align with the *National Plan to End Violence against Women and Children 2022–2032* and other relevant national policies to ensure best practice.
- On 7 October 2025, the Chief of the Defence Force (CDF) announced that Defence has adopted the term “sexual violence” to align with the terminology used in the *National Plan to End Violence against Women and Children 2023–2028*.
- Defence has strengthened its response to sexual violence by updating policy and manuals to provide clear definitions of sexual violence and related offences. Supported by updated training, communication, and improved data collection, these changes ensure members receive consistent, informed support and that Defence can better prevent and address unacceptable behaviour.
- Sentencing processes prioritise victim-survivors by incorporating their impact statements and applying strengthened aggravating-factor measures, acknowledging the seriousness of sexual violence offences.
- Mandatory incident management training equips leaders to respond to sexual violence incidents in ways that prioritise victim safety and wellbeing. This includes:
 - Independent evaluation of existing sexual violence incident management training.
 - Implementation of improvements based on evaluation findings.
 - Making training compulsory for all commanders and managers.
 - While the current focus is on ADF leaders, future consideration may be given to extending this requirement to APS managers.
- Workplace protections activate during investigations to safeguard those affected, including suspension and separation directives that maintain safe environments and reduce the risk of further harm.
- Career safeguards protect victims with posting, human resources, and housing measures designed to keep them safely separated from perpetrators and support wellbeing



2) Early Intervention & Support

Recommendations 26 & 27

- In January 2026, Defence established the centralised Complaint, Resolution and Support Services unit which provides members with safe, confidential support outside the chain of command, including anonymous pathways for raising concerns and accessing help without fear of reprisal.
- The Defence Enterprise Case Management System (DECMS) operates across the entire organisation, giving leaders near real-time visibility of unacceptable behaviour trends through the People Dashboard and supporting safer, more responsive environments for members.



3) Stronger Justice & Oversight for Sexual Violence

Recommendations 21-24

- The *Defence Regulation 2016* was amended on 11 December 2025 through the *Defence Amendment (RCDVS Implementation) Regulations 2025*. These changes, effective from 13 December 2025, strengthen Defence's ability to take consistent and decisive action against individuals who commit acts of sexual violence.
- Mandatory involuntary separation applies for any act of sexual violence, ensuring clear and consistent consequences that prioritise the safety and wellbeing of those affected.
- Mandatory discharge for sexual and related offence convictions ensures the permanent removal of offenders from the organisation, protecting victims and creating a safer environment for all members.
- From December 2025, serious service convictions are reported to the National Police Reference System, strengthening national visibility and helping safeguard the broader community from further harm.
- To increase transparency, strengthen accountability, and build confidence in Defence's commitment to supporting victims and improving its response, annual, anonymised, sexual violence outcome data is publically published in the [Defence Annual Report](#).



4) Improving Transparency in Military Justice

Recommendations 28, 29 & 31-37

- A notice proposing early termination of service must be issued when the Chief of the Defence Force (or delegate) is satisfied that an ADF member has engaged in sexual violence, including conduct that constitutes sexual or related offences.
- Members are treated with care, respect, and understanding throughout the military justice process, supported by trauma-informed inquiry training and dedicated Inquiry Officer Managers to enhance the quality and consistency of administrative inquiries.
- Mental health considerations are embedded in involuntary separation decisions, with refined processes ensuring consistent application and greater sensitivity to members' wellbeing.
- Merits review pathways are fully embedded in policy and regulation, providing members with transparent, consistent, and accessible avenues to have decisions reviewed fairly.
- On 28 November 2025, the Secretary and Chief of the Defence Force (CDF) issued a Joint Directive confirming implementation of the Military Justice Charter, which sets clear minimum standards integrated across assurance and support materials to guide fair, consistent, and member-centred practice across the organisation.
- Clarification has been provided that a redress of grievance is considered a merits review process.
- Defence is developing a pilot program to provide additional support outside the chain of command for members involved in military justice processes, aiming to reduce help-seeking barriers and improve wellbeing outcomes.