


s47E(d)



Military Justice System:

- Element 1 – disciplinary investigations, prosecutions, proceedings, and infringements under the *Defence Force Discipline Act 1982*
- Element 2 – adverse administrative action (e.g., censure, formal warning)
- Element 3 – conduct of administrative inquiries (e.g., fact findings, Inquiry Officer Inquiries)
- Element 4 – review and complaint mechanisms available to ADF members

Handling of new submissions to my office:

I treat all submissions and complaints made to my office as personal information.

For this reason, and to preserve integrity of IGADF processes, I do not confirm the submission made to my office.

The IGADF is an agency for the purposes of the *Public Interest Disclosure Act 2013*. I am a prescribed authority under the PID Rules. My office can investigate complaints under the *Public Interest Disclosure Act*.

Timeliness of IGADF inquiries

The conduct and completion of an inquiry depends on a range of factors. Some of them include:

- Complexity of the subject matter being inquired into
- Availability of appropriately qualified inquiry officers
- Number and availability of witnesses
- Using a trauma informed approach to deal with sensitive matters
- Sensitively dealing with families and co-workers and being understanding of the impact the process may have on them
- Other external processes such as ones conducted by police and coroners

Relationship with the National Anti-Corruption Commission

1. What is your relationship with the National Anti-Corruption Commissioner?

Senator, I have to be considered in how I answer any question about the IGADF Afghanistan Inquiry so as not to disclose Inquiry-related information or compromise ongoing proceedings.

The Office of the IGADF maintains an arm-length relationship with the Office of the Special Investigator. From time-to-time the Office of the Special Investigator asks authorised individuals in my office questions about the Afghanistan Inquiry and its work. When necessary, my office consults with Major General Brereton to make sure we answer the OSI's questions accurately and to confirm that our understanding of Inquiry records is correct. We have asked him such questions on 11 occasions since he was appointed as the National Anti-Corruption Commission on 1 July 2023.

Major General Brereton needs to remain an ADF member so that he can continue to access the Defence Protected and Defence Secret Network. This means that he can answer questions about the Inquiry with context without removing any Inquiry-related information from the secure parameters of Defence ICT.

Maintaining an ability to consult Major General Brereton from time-to-time is essential in allowing my office to maintain the integrity of Afghanistan Inquiry-related information.

2. Why did your office seek a CRA extension for Major General Brereton? Do you regret seeking a CRA extension for Major General Brereton?

Maintaining an ability to consult Major General Brereton from time-to-time is essential in allowing my office to maintain the integrity of Afghanistan Inquiry-related information.

Major General Brereton remaining an Army Officer allows him to securely access Afghanistan Inquiry-related information and answer questions from my office with appropriate context.

While my office sought Major General Brereton's extension, it was ultimately approved by Army.

3. Was Major General Brereton under the Chain of Command while conducting the Afghanistan Inquiry?

In his work for my office, Major General Brereton is specifically excluded from being subject to the Chain of Command.

Twenty Year Review

4. Twenty Year Review establishment

2023 marked the 20th birthday of IGADF. I considered this an appropriate time to conduct a review of my office and its functions, resources and effectiveness.

Former Justice the Honourable Duncan Kerr SC conducted the review. Mr Kerr delivered his report to government on 21 March 2024. The recommendations are currently subject to a cabinet submission in conjunction with the RCDVS recommendations.

Senator Jacqui Lambie and Dr Hugh Poate were invited to and participated in the review.

5. Why did you try to hide the Twenty Year Review?

My office did not hide or conceal the Twenty Year Review. The timing for the tabling of the report was a government decision. Mr Kerr delivered his Report to government on 21 March 2024. My office prepared and delivered a proposed implementation plan for government consideration on 3 May 2024.

Following receipt of a notice to produce, my office also gave a copy of the Review's report to the Royal Commission into Defence and Veteran Suicide on 24 April 2024. The Royal Commission

made reference to the Twenty Year Review and its outcomes in its own final Report.

6. Why was the Review required?

The Review was not required; I asked for the Review to mark my office's twentieth year of operation.

The Review is the first comprehensive review of the functions, resources and effectiveness of the office since its establishment in 2003.

7. Who conducted the Review?

Mr Dennis Richardson AC was initially appointed to conduct the review in March 2023, but withdrew due to personal reasons.

In May 2023 Former Federal Attorney-General, Federal Court Justice, and President of the Administrative Appeals Tribunal the Hon Duncan Kerr SC Chev LH was identified to lead the Review.

8. When was Government approval provided for the Review?

I wrote to the Deputy Prime Minister on 24 July 2023 requesting that the Prime Minister agree to the conduct of a review and for Mr Kerr to lead the Review.

The Prime Minister agreed to my request on 8 August 2023.

On 12 September 2023, I received the Prime Minister's agreement.

9. Has the Review now been completed?

The Review commenced on 20 September 2023.

Mr Kerr transmitted the Review's report with findings and 47 recommendations to Government on 21 March 2024.

10. What are the main findings of the Review?

My office should be realigned to become a better fit for both the evolving Defence structure and heightened community expectations.

In twenty years of operation, the Commonwealth Ombudsman has never held any concern about my office's work requiring a recommendation, suggestion or comment to be made.

The Review found that, while a perception about a lack of independence exists, there is nothing to support the validity of the perception that the IGADF lacks actual independence.

The current structure of the Office of the IGADF under the Defence Act 1903 challenges the perception of independence.

11. What are the recommendations from the Review?

Mr Kerr made 47 recommendations in his report.

Some of Mr Kerr's recommendations include legislative reform that aim to enhance the perception of IGADF's independence, and ensure that the IGADF has the necessary resources to carry out its functions.

12. Has the Government made a decision?

Government have undertaken to implement the recommendations of the Royal Commission into Defence and Veteran Suicide with regard to the recommendations of the Twenty-Year Review of the Office of the IGADF.

13. If pressed: What similarities are there between the Review and the Royal Commission into Defence and Veteran Suicide?

The findings and recommendations from both reviews are largely consistent.

However, one inconsistency is whether or not the IGADF can have served in the ADF. Both I and my predecessor served in the ADF but gave up all forms of military service upon appointment as IGADF.

14. If pressed: How was the report made public?

Following receipt of a notice to produce, my office gave a copy of the Review's report to the Royal Commission into Defence and Veteran Suicide on 24 April 2024.

Without consulting the IGADF, the Royal Commission published the Review's report on 17 September 2024.

Government tabled the Review's report in the Senate on 18 September 2024.

I subsequently published the Review's report on my office's website after tabling.

15. How much did the IGADF Twenty Year Review cost?

I will need to take that question on notice.

If pressed:

The total cost of the review is around \$541 000

- This includes all travel and advertising costs

The advertising cost for the review was \$72,871.59.

The review advertisement was printed in 20 different newspapers, predominately on 01 November and 15 November 2023, and with one outlet (the Australian) on 30 October 2023.

The same information was also available on the IGADF website from 3 October 2023.

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IGADF's independence

17. Your office is not independent

I acknowledge that there are some who perceive that my office is not independent from Defence. However, these perceptions are not supported by fact.

Both the Royal Commission and the IGADF Twenty Year Review found that I have never failed to act impartially or fairly.

The Commonwealth Ombudsman has said my office's work has never met the threshold for concern by his office.


Complaints to my office only continue to increase from across the ranks and services, which is a mark of continuing confidence and trust in my office and its work.

Royal Commission into Defence and Veteran Suicide

18. What does the Royal Commission say about the Office of the IGADF?

Both the Royal Commission and the IGADF Twenty Year Review thoroughly examined the work of my office. Both found that I have never failed to act impartially or fairly.

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20. Any request for comment on the Royal Commission recommendations / why are there so many recommendations about IGADF? / what are you doing to implement the recommendations?

The recommendations of the Royal Commission related to my office are being implemented with regard to the recommendations of the Twenty-Year Review into the Office of the IGADF.

We are currently forward planning to increase our audit capacity for the next statutory reporting period in line with the Royal Commission's recommendations. We are also conducting a workforce review.

Some of the Royal Commission's recommendations about my office are things we have already done for a number of years. For example, for the last four years, Defence Counsel Services have offered families a lawyer to represent the interests of their deceased loved one in IGADF death inquiries.

Other recommendations require legislative changes.

21. IGADF support to the Royal Commission

My office recognises the importance of the Royal Commission and provided significant support to its work.

My office responded to a significant number of notices **(60)** seeking information or production of documents **(NTG: 18 / NTP: 42)**.

The material requested ranged from individual reports about the death of ADF and former ADF members to information about how my office operates.

My office also responded to a number of 'potential propositions' from the Royal Commission as part of their procedural fairness process.

The IGADF responded to at least 70 individual propositions across 4 tranches of proposition notices directed specifically to IGADF.

The IGADF also contributed to the Commonwealth response to many other propositions across 8 tranches of proposition notices directed to or implicating multiple agencies, including IGADF.

22. Royal Commission Evidence into Notification Delays

I have publically accepted responsibility for this and apologised to families involved.

I discovered in July 2023 that not all families had been notified when the final version of the Inquiry was signed.

Families are involved in Inquiries to the extent that they wish, from commencement of the process. I write to them at the commencement of an inquiry, and they are consulted and debriefed on the final draft version of the report.

If there are substantial changes made after this point, I make them myself and have contacted the families involved.

The lapse that has been identified is in the final step of the process. It is an important step, but one out of many in the inquiry process.

When the lapse was identified, I accepted responsibility and took immediate action to remediate the issue. An audit was conducted to determine the exact number of letters missed, I issued the directive I referred to at the Royal Commission, I have advised all families of loved ones who died by suicide of the final inquiry outcomes, and am in the process of checking all others to ensure there were no additional lapses.

It was identified that the contributing factors to this lapse included a turbulent time within the Directorate, serious (and terminal) illness amongst staff and their immediate family, changes within senior staff, and COVID contributing to difficulties in facilitating thorough face to face staff training and handovers.

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Amendment to IGADF Regulation in 2018

25. Why was the IGADF Regulation changed in 2018?

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The amendment was not made in response to the appointment of MAJGEN Brereton to conduct the IGADF Afghanistan Inquiry.

Afghanistan Inquiry / Command accountability / medals

I have to be careful in my answer due to my own section 21 directions. Questions related to the prosecution of war crimes would be best directed to the OSI.

26. Did you appoint Paul Brereton to undertake the Afghanistan Inquiry?

Yes.

27. Why did you appoint Paul Brereton to undertake the Afghanistan Inquiry?

I appointed former Justice Brereton to undertake the Afghanistan Inquiry because he had both substantial knowledge of land warfare, which he had as a former Infantry Officer, and forensic abilities as a lawyer and judge. This unique combination of skills was necessary for the Inquiry. He was assisted by an eminent military ethicist.

28. Question about the NACC / if Paul Brereton let his buddies off in the Robodebt case, who's to say he didn't exonerate Command of responsibility for war crimes?

Senator, those are two entirely separate issues. It is not correct to say that Paul Brereton exonerated senior leadership. It is a matter of public record that he found senior leaders were morally responsible for what happened in Afghanistan.

An eminent and international military ethicist reviewed the Inquiry evidence and concurred with Paul Brereton's findings. *Reference is Page 552 Paragraph 58.* His review is publically available as an Annex to the Inquiry Report.

I stand by the Afghanistan Inquiry report and its findings.

Any questions about the National Anti-Corruption Commission and the NACC Inspector ought to be directed to the Attorney-General's Department.

29. Examination of cultural issues/command accountability

It is a matter of public record that my office examines parts of Defence culture. This examination may occur through the military justice audit program or during the conduct of an inquiry.


Following the completion of the IGADF Afghanistan Inquiry, my office conducted an inquiry which examined issues of command accountability.

I have delivered that inquiry to the Chief of the Defence Force.

30. What does the IGADF Inquiry into Aspects of Culture have to say about Honours and Awards?

The Inquiry did not examine individuals, rather broader cultural considerations.

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**32. Does the Afghanistan Inquiry recommend reviewing any Honours and Awards?**

The short answer is yes.

It is a matter of public record that the Inquiry made recommendations about two classes of decorations: the Meritorious Unit Citation awarded to SOTG (Taskforce 66), and the Distinguished Service decorations awarded to those in command positions.

The recommendations were made on evidence presented to the Inquiry.

33. Leahy Law

My evidence will not have changed since I last provided comment at estimates in May 2023.

If pressed:

Defence was initially notified by the United States Embassy on 12 March 2021 that it may be subject to Leahy Law due to the findings of the Afghanistan Inquiry report.

On a number of occasions between March 2021 and April 2022, the CDF informed the then-Minister for Defence of the US notification and Defence's response.

Defence provided assurances to the United States that Defence was implementing the recommendations resulting from the Afghanistan Inquiry and the matter was closed by the United States on 17 March 2022.

34. Can administrative action be taken as a result of the Afghanistan Inquiry?

The short answer is yes.

The Afghanistan Inquiry was conducted legally and independently under statutory authority.

It is a matter of public record that the Inquiry has recommended consideration be given to administrative action where there is credible information of misconduct.

35. Was the Afghanistan Inquiry really independent?


The short answer is yes.

If pressed:

The Afghanistan Inquiry was conducted independently and according to law by MAJGEN Paul Brereton, who was assisted by eminent international jurists and Professor David Whethem.

MAJGEN Brereton was able to arrive at an independent view when conducting the Inquiry.

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Discussions with the Australian National Audit Office

37. Defence Inquiry Regulations audit

The acting Auditor-General announced an ANAO audit into the administration of investigations in Defence and that my office is included in the scope of their audit. We are assisting and cooperating with the ANAO as their audit progresses. Any questions regarding the audit ought be put to the ANAO.

38. OIGADF interactions with the Australian National Audit Office

Decisions about the ANAO audit program are a matter for the Auditor-General's independent consideration.

On 19 September 2023, the ANAO contacted IGADF to discuss the scoping of a potential audit, in response to Senator Lambie's request.

I and the Assistant Secretary-OIGADF spoke to the ANAO on 19 September 2023. The essential details of the conversation were reduced to talking points produced by the ANAO.

On 11 December 2023, IGADF released the ANAO-produced talking points to Senator Lambie in response to an FOI application.

On 25 September 2024, ANAO staff contacted IGADF staff to organise a meeting to again discuss the scoping of a potential audit.

On 27 September 2024, myself, the Deputy Inspector-General and the Assistant Secretary-OIGADF again met with the ANAO.

IGADF MRH90 Inquiry

39. Will you publish the MRH-90 Inquiry Report?

Senator, the transcripts of each of the Inquiry's public hearings are available on the IGADF website. My intention is to be as public and open as possible.

40. Any request for comment on Inquiry evidence (including TopOwl)

Senator, as the Inquiry is ongoing, I cannot comment on any evidence.

41. Support to next-of-kin and other participants in IGADF processes

My office makes the following support available to next-of-kin, their support people, any dependents, and any required carer for their dependents as they participate in IGADF inquiries:

- Accommodation for duration of the hearing within walking distance of the venue
- Travel (for example flights or reimbursement for travel by their own means)
- Meals and incidentals (where meals are not provided at the hearing)
- Reimbursements for any taxis and Ubers

Any witness, family member, support person or other participant who has lost income or has insufficient leave from work to cover their time at IGADF hearings, can apply to the IGADF to seek reimbursement for lost wages.

42. Why is the MRH-90 Inquiry public while others, like the s47E(d), 47F are private?

Senator, both the MRH-90 Taipan crash and s47E(d), 47F are tragic events.

My Regulation allows me to conduct inquiries in public or in private.

In the media reporting immediately following the MRH-90 crash, it became clear to me there was significant public interest not only in the deaths of the four aviators but in the airframe and training of personnel. For that reason, I decided to conduct the Inquiry in public.

43. MRH-90 Inquiry overview

My office is one of several conducting an inquiry into this matter. My office has appointed an inquiry team and the team continues to liaise with families of the deceased.

The Inquiry team has completed all public hearing blocks.

The Inquiry team is currently drafting the report, there will then be procedural fairness processes and time for the families to provide comment on the report.

I am not going to anticipate the final outcome of the report, nor a date that the report will be released.

44. Why is the MRH-90 Inquiry taking so long?

The IGADF MRH-90 Inquiry, like all IGADF inquiries, is undertaken in a trauma-informed way. It is a complex inquiry and involves working with and alongside other agencies.

The scope of the IGADF Inquiry is larger than that of the DFSB report or Comcare report, and as such will take longer to complete.

As you are aware Senator evidence-gathering is only 1 part of the Inquiry process.

45. Burial of MRH-90 Airframes

It would be inappropriate to comment on evidentiary issues relating to a current inquiry.

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IGADF Inquiry into the Weaponisation of the Military Justice System

47. What progress have you made on the Royal Commission recommendation to inquire into the weaponisation of the military justice system?

On 16 August 2024, my office commenced an own-initiative inquiry into the weaponisation of the military justice system.

The Inquiry will examine allegations and perceptions that the military justice system has been, or has the potential to be, 'weaponised', such that it may cause harm.

The Inquiry was open for public submissions from 17 March 2025 to 22 June 2025 inclusive. I allowed late submissions from individuals who had indicated their desire to make a submission but would be unable to meet that deadline. Current and former ADF members, their families and other interested members of the public were encouraged to make submissions. The Inquiry was advertised on the IGADF website as well as via the Service Newspapers, DEFGRAM, national newspapers and media release.

The Inquiry also consulted with senior Defence leaders – this consultation is ongoing.

The Inquiry received a total of 355 submissions.

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OIGADF staffing matters

48. Why has OIGADF expanded so much?

Although our headcount has increased, many of my staff are part-time professionals or Reserve ADF members. I use these part-time professionals and Reservists as needed as each person brings a

different skill sets that are needed for different inquires. All IGADF staff together are equivalent to around 110 full time staff.

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50. Freeze on Recruitment

The Office draws on staff from both the ADF as well as the public service to fill its workforce.

My office is exempt from the Defence recruitment reprioritisation scheme.

51. Do you have the right resources for your office?

Yes I believe so.

The Department makes resources available to me when I request them.

The Department has never refused a financial request from my office, and they do their best to provide suitably qualified ADF resources as required.

52. Do you provide appropriate training to your staff?

All staff are required to complete Compassionate Foundations Training to conduct their work in a trauma-informed way.

While Defence has ceased offering the Advanced Inquiry Officer Course, all staff have access to various writing courses, vicarious trauma training, and complaints management training. These courses are made available to staff annually or as required.

My office has engaged an external service provider who can deliver a tailored, accredited package for those without existing qualifications, and RPL in recognition of those who are already very experienced.

If pressed: Not all staff have completed Compassionate Foundations Training

It is a priority to ensure that all staff complete the training in a timely manner. However, the course is made up of 6 modules where staff are encouraged to take breaks in between to be trauma-informed.

If pressed: Not all staff have completed the Advanced Inquiry Officer Course

Not all of the people who work in my office conduct inquiries, so there is no expectation that all of them will have completed the Advanced Inquiry Officer course. Many of the staff who conduct inquiries have other relevant experience and often more advanced inquiry qualifications. For example, there are Assistants IGADF who are judicial officers, former police officers and criminologists.

My office has engaged an external service provider who can deliver a tailored, accredited package for those without existing qualifications, and RPL in recognition of those who are already very experienced.

53. Use of Contractors

The IGADF legislation expressly provides for the use of contractors and consultants when I consider it necessary to assist me.

If pressed for a specific dollar amount spent on contractors, take the question on notice.

54. Following up on recommendations

As I said in my response to your question on notice, I do not have executive authority to enforce implementation of my recommendations. It is a matter for the relevant area of Defence that receives findings and recommendations to decide whether or how to act upon them. My office uses feedback loops to monitor the implementation of recommendations.

Sexual misconduct in Defence

55. The Athena Project / recommendation that those found guilty of sexual misconduct be discharged.

I am aware that the Royal Commission into Defence and Veteran Suicide recommended that the CDF should issue a Directive providing for a presumption that anyone in the ADF who is found to have engaged in certain forms of sexual misconduct will be discharged and that the Government agreed to this recommendation in its public response (Recommendation 21).

Any questions about this are best directed to Defence.

56. Has your office investigated any rape allegations in the past?

My office is an office principally of review.

Sometimes that involves how Defence has handled allegations of sexual misconduct.

In 2021 my office conducted an own initiative inquiry into the implementation of military justice arrangements for dealing with sexual misconduct in the Australian Defence Force.

This Inquiry was conducted by Pru Goward, a former Sex Discrimination Commissioner.

57. The Royal Commission found there was a significant problem with military sexual violence. Do you agree and what are you doing about it?

Senator, sexual misconduct and violence is abhorrent and every effort to reduce military sexual violence is a good thing.

The surveys my office conducts as part of its military justice performance audits show that the majority of ADF members feel confident that a complaint of sexual misconduct would be handled appropriately by their chain of command.

In my experience, the CDF, VCDF and the Service Chiefs have been active in constantly improving practice on this issue.

58. Recommendations from the IGADF Own-Initiative Inquiry into the Implementation of Military Justice Arrangements for Dealing with Sexual Misconduct in the ADF (Goward Inquiry).

As I indicated in the response to a Senate Question on Notice on 20 January 2025, the IGADF has no executive authority to implement recommendations from its inquiries or oversight activities. This question would be best asked of Defence.

Response to PQ24-000096 signed on 20 Jan 2025.

If pressed:

In the years since IGADF delivered the Inquiry report to Defence, I and my representatives have met extensively with a wide range of Defence officials about arrangements for preventing and managing sexual misconduct in the ADF.

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Further questions would be best asked of Defence.

63. FOI Decisions

Senator, as I have said at previous Estimates hearings, my office does not have jurisdiction to review FOI decisions. There are mechanisms for FOI review – any questions about this process are best directed to Defence.

64. OSI Progress / Oliver Schulz case

I will be careful in my response because I do not want to say anything that might interfere with the OSI's investigations or any matters currently subject to court processes.


My office has received a number of requests for disclosure of information. We will continue to support the OSI.

The number and specific efforts of the OSI is a question best asked of them.

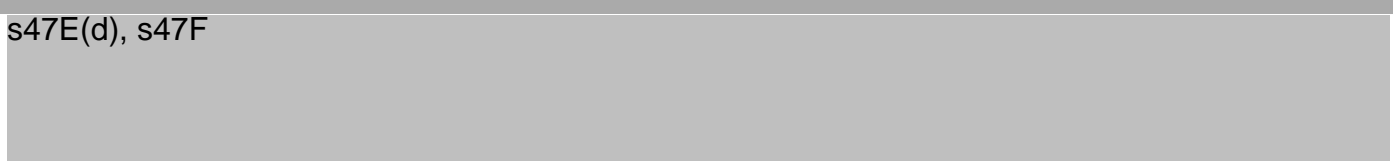
65. OSI / Section 21 Message

I have released a message to make clear what individuals can and cannot discuss with the Special Investigator and staff from the OSI, regarding their experience in the IGADF Afghanistan Inquiry. A copy of this message can be found on the IGADF website.

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OIGADF processes

71. Why are OIGADF case numbers increasing so much?

As I have said publically in the past, increasing case numbers are a sign of trust and confidence in the OIGADF, and that ADF members know their rights. This is a sign of the success of our expanded outreach activities, that are used as opportunities to educate members on their rights and avenues of complaint.

72. Key Performance Indicators

On the subject of time-based KPI's for completion of our work, we have found it is not an effective way to measure our performance; this is because I consider my agency's performance on a quality basis. My expectation of timely completion of work is clear to my staff.

I expect my office to complete its work as thoroughly and quickly as possible, whilst not compromising quality and our independence, fairness and impartiality.

73. How long does it take for you to resolve an inquiry?

The conduct and completion of an inquiry depends on a range of factors. Some of them include:

- Complexity of the subject matter being inquired into
- Availability of appropriately qualified inquiry officers
- Number and availability of witnesses

- Using a trauma informed approach to deal with sensitive matters
- Sensitively dealing with families and co-workers and being understanding of the impact the process may have on them
- Other external processes such as ones conducted by police and coroners

74. Timeliness of IGADF matters

The timeliness of IGADF assessments and inquiries has been affected by our ongoing involvement with a number of external matters, including our support to the important work of the Royal Commission.

The high and increasing OIGADF caseload reflects ongoing confidence in my office.

Trauma-informed practice takes time. For example, people may be unwell and unable to respond to or comment on draft Inquiry Reports. The completion of the Inquiry will then be postponed to allow them to respond or comment meaningfully.

75. Timeliness of responses to information requests

My office strives to respond to any requests for information in a timely way. This includes both Freedom of Information requests and Questions on Notice. We deal with a similar burden of requests as much larger areas.

Indeed my office supplied tens of thousands of pages of documents to the Royal Commission.

76. 1800 number not answered

I am aware of one instance during the reduced activity period where a person experienced difficulty getting through to my office on the 1800 number, so they followed up via email. They were then immediately contacted and their enquiry resolved.

This was due to unplanned staff absence; my front office team have since updated their phone protocols to prevent further recurrence.

77. Independence

Legislation that establishes IGADF makes it clear IGADF is independent in terms of its functions and processes.

IGADF staffing is diverse, comprising APS employees, ADF members and specialist contractors where needed.

Defence is an enormous department whose functions are highly complex. For that reason, it is often necessary for IGADF staff to have Defence experience so that they have relevant knowledge and expertise to inquire into matters affecting the ADF.

78. What support do you provide to inquiry witnesses?

My office provides information about available support resources: legal, welfare and mental health support.

79. What support do you provide to families involved in matters?

My office provides information about the range of welfare and other support resources available.

80. Your office works on what appears to be traumatising subjects. How do you look after the people in your office?

Mental wellbeing of my staff is a principal concern for me.

Staff in my office are aware of the general supports available depending on their employment status (APS / ADF).

My staff are encouraged to access support available to them. Staff in my office undertake a range of training to support them in their roles, including vicarious trauma training and compassionate foundations training.

I have also appointed a dedicated Welfare Officer.

Other general issues

81. Travel upgrades

I have never sought an upgrade. I received one part way through a trip as part of a seating reallocation, and this is the only occasion in which I have received an upgrade. This was not reported initially as I did not seek an upgrade, and I was not aware it was required due to the reason for the upgrade. When I became aware it needed to be reported, I did so immediately.

82. Chairman's Lounge

I was invited to be a member of the Chairman's Lounge and have been since February 2017.

I have registered my Chairman's Lounge membership on the Defence Gifts and Benefits register.

I have never been upgraded for any personal travel.

83. Business Class Travel / travel with airlines

I travel according to the Whole-Of-Government travel policy. My travel entitlements are set by the remuneration tribunal and I travel within these.


My travel is booked by staff within my office and I usually travel on the two major airlines, QANTAS and Virgin.

84. National Anti-Corruption Commission Act

The NACC Act partially commenced in December 2022, and full commencement occurred on 1 July 2023.

The Act recognises the independence of the IGADF and confirms its status as an Integrity Agency.


s47F, s47E(d)



86. When were you reappointed?

I was reappointed for a further five year term as Inspector-General from 01 December 2021.

s47F, s47E(d)



88. If I had a PID could I come to your office?

To answer simply, yes.

You could also approach the Department and use the PID Scheme.

89. Why don't you talk to families of deceased ADF members? You might talk to their wife or husband but no one else – why?

My office is conscious of the impact the death of a loved one has.

While we do deal primarily with a member's next of kin, my office considers the family circumstances of each person and engage appropriately.

Office of the Special Investigator – further detail

90. What meetings has your office had with the OSI?

IGADF representatives attended meetings on the establishment of OSI, structure, processes, ICT and welfare.

When the Government announced that it would establish an Office of the Special Investigator, the IGADF responded to Whole of Government invitations to participate in establishment discussions.

Since the establishment of the OSI in early January 2021, the IGADF personally has met with legal representatives of the OSI to discuss legal issues around IGADF records and how those issues are considered by the OSI.

Members of my staff have attended meetings with the Special Counsel assisting the Special Investigator; and meetings with staff from the Office of the Special Investigator.

91. Have you been asked where OSI should start looking?

No.

92. What can be used by the Office of the Special Investigator to prosecute?

That question is best addressed to the Office of the Special Investigator.

93. What involvement will your office have with the OSI?

My office has provided support and assistance to the Special Counsel assisting the Special Investigator.

94. What have you referred to OSI?

In consultation with CDF, on Friday 21 May 2021 I authorised disclosure of Afghanistan Inquiry-related information to Special Counsel assisting the Special Investigator.

The Office of the Special Investigator has since requested, and I have authorised disclosure of inquiry-related information to assist its investigations.

Further comment is not appropriate at this time.

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97. Media reporting around use of evidence

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Afghanistan Inquiry – further detail

98. How much did the IGADF Afghanistan inquiry cost?

The total cost of the inquiry over five years is: \$7.243m

99. Media reporting of Afghanistan Inquiry information

I am aware of recent media reports about the OSI's activities and information represented as advice to the OSI from their special counsel. The OSI is best placed to answer this question.

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102. What support did the troops get?

Legal, welfare and mental health support resources were made available to inquiry witnesses.

Witnesses were able to have a support person at interviews.

The inquiry also employed witness liaison officers.

s47E(d)



s47E(d)



116. What interactions has your office had with the ICC?

MAJGEN Brereton met with the Deputy Prosecutor, and I wrote to advise the conclusion of the IGADF Afghanistan Inquiry.

s47E(d)



118. Do you agree with the recommendations made in the report?

Yes. It is an IGADF Inquiry and I support the findings and recommendations.

119. Do you think the MUC should be revoked?

It is a matter of public record that MAJGEN Brereton recommended consideration be given to revoke the Meritorious Unit Citation. That is a decision for others.

120. We know it as the Brereton Inquiry – why don't you call it that?

The inquiry was an IGADF inquiry, and MAJGEN Brereton was appointed by me to conduct the inquiry using the powers of my office.

s47E(d)

