



Australian Government
Department of Defence

Afghanistan Inquiry Reform Plan

Delivering the Defence Response to the IGADF
Afghanistan Inquiry

Version 1.0
30 July 2021



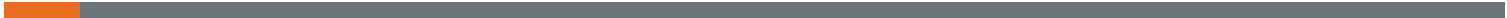


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Foreword



The Inspector-General of the Australian Defence Force Afghanistan Inquiry (the Afghanistan Inquiry) found credible information of the most serious and disturbing breaches of ethical, legal, professional and moral responsibilities by members of the Australian Defence Force on operations in Afghanistan during the period 2005 to 2016.

Misconduct as serious as that identified and alleged by the Afghanistan Inquiry cannot occur unless there have been serious and systemic organisational and cultural failings. These failings created an environment which allowed Defence's proud and respected reputation, earned by our professional and ethical personnel over decades, to be damaged by the actions of a few.



We accept responsibility for these failings in systems, culture and accountability and are committed both to addressing the failures and wrongdoing of the past and undertaking deep and enduring reform across the organisation.

As 'One Defence', we will meet our ethical, legal, professional and command responsibilities, restore our legitimacy and moral authority and rebuild the trust and confidence of those we serve and those with whom we work. Together, we will learn from this chapter of our history and be able to demonstrate how we have changed; what we have done to prevent any recurrence; and how we have improved our military capability.

Defence will deliver its response to the Afghanistan Inquiry through the Afghanistan Inquiry Reform Program outlined in this plan (the Afghanistan Inquiry Reform Plan).

The reform will be conducted in five 'streams': organisational arrangements and command accountability; culture; workforce; information; and partnerships. These streams will address the root causes of our past failures and wrongdoing. While some of these root causes have been identified by the Afghanistan Inquiry and through other work undertaken, there is still significant work to make sure that we understand these and are not just addressing the symptoms.

We will be working very closely with leaders across Defence to address these challenges. We will be, every day, a more capable force, because we have learnt from our failings and are ethically and professionally stronger.

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Angus Campbell AO DSC
Chief of the Defence Force

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Greg Moriarty
Secretary

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Commander's Intent



Purpose. The purpose of the Afghanistan Inquiry Reform Plan (the Reform Plan) is: to **set out** the Defence strategy for responding to the Afghanistan Inquiry and to establish the Afghanistan Inquiry Reform Program (the Reform Program) to coordinate and drive our efforts; to **address** the profound command, leadership and behavioural failures detailed in the Afghanistan Inquiry; and to **implement**, across the breadth of our institution, the leadership, training, education and other reforms necessary to ensure that Australian military personnel always act in accordance with the law, Defence values, and the expectations of our profession and of the Australian people.

Method. The Reform Program will deliver on the following two objectives, leveraging existing reform and implementing Afghanistan Inquiry-related initiatives, as well as addressing specific inquiry recommendations:

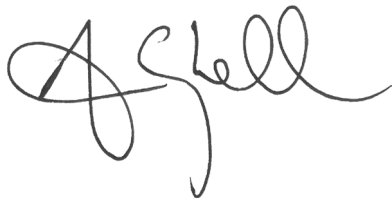
- **Objective 1 (address the past).** Consider and take appropriate action to address organisational, collective and individual responsibility for past failures and wrongdoing.
- **Objective 2 (prevent recurrence).** Build the best possible organisation for the future, comprehensively understanding and addressing the root causes of the failures and wrongdoing; and developing the systems, culture and accountability that will prevent, and promptly detect and respond to, departures from required standards.

In delivering against these objectives, the Reform Program contains initiatives to:

- Ensure that Australia and Defence meet legal, professional, ethical and moral obligations.
- Restore the moral authority, trust, confidence and respect essential to achieving the Defence mission, *to defend Australia and its national interests in order to advance Australia's security and prosperity.*
- Strengthen military capability and the options available to government in deploying a military response.
- Reinforce understanding of our obligations as members of the profession of arms in the responsible exercise of lethal force.
- Build on valued partnerships and Defence's total workforce – Australian Defence Force (ADF), Australian Public Service (APS) and contractors.

The Reform Plan provides an overview of work already under way, the way in which future work will be delivered and the timeframes for the delivery of this work. It also describes our program management arrangements, including governance, oversight, monitoring, reporting and assurance. Responsible senior officers have been appointed for each element of reform. They must lead the various aspects described in this plan, re-prioritise where required, and provide continuous and transparent feedback on their progress. Together with the Secretary, I will hold them each personally accountable.

End State. The Australian Defence Force is uniquely responsible for the employment of lethal force in defence of our nation. Through the initiatives in this plan, we reinforce our capacity to meet the standards necessary for and inherent to our profession of arms and hold people to account for past failures and wrongdoings. We do so to restore the trust, confidence and respect essential to mission success, future capability, effective partnerships, the safety of our people and the nation to which we are responsible. While in the future our forces may operate in environments widely different to those in Afghanistan, they must have absorbed the learnings and changes in command, leadership and behaviour arising from the Afghanistan Inquiry. The people of the Australian Defence Force must be in no doubt as to what is expected – the highest professional, ethical, legal, and command accountability standards.

A handwritten signature in black ink, appearing to read 'A. Campbell', with a stylized, cursive script.

Angus Campbell AO DSC
Chief of the Defence Force

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Plan on a Page

Defence Response to the IGADF Afghanistan Inquiry

Afghanistan Inquiry Findings

The Afghanistan Inquiry made 191 findings and 143 recommendations. It concluded there was credible information of: unlawful conduct; a sub-culture of elitism; and deviance from acceptable standards which was normalised over time and into which more junior personnel were inculcated.

Defence Response

Defence has accepted all Afghanistan Inquiry findings and is addressing all recommendations.

Conduct as serious as that identified by the Afghanistan Inquiry cannot occur unless there have been serious and systemic organisational and cultural failings.

Defence accepts responsibility for these failings and is committed to deep, sustained and enduring reform across the organisation.

The Defence response to the Afghanistan Inquiry will be delivered through the Afghanistan Inquiry Reform Program

The Reform Program will drive the delivery of its outcomes through leveraging existing reform activity and implementing Afghanistan Inquiry-related initiatives, as well as addressing specific inquiry recommendations.

Vision	One Defence, living Defence values, wherever we are, whatever we do
Objectives	<ol style="list-style-type: none"> Address the past – Consider and take appropriate action to address organisational, collective and individual responsibility for past failures and wrongdoing. Prevent recurrence – Build the best possible organisation for the future, comprehensively understanding and addressing the root causes of the failures and wrongdoing; and developing the systems, culture and accountability that will prevent, and promptly detect and respond to, departures from required standards.

Welfare and Support. Comprehensive legal and welfare support is available.

The Afghanistan Inquiry Reform Program Objectives will be met through Four Work Packages

Objective 1: Address the past			Objective 2: Prevent recurrence
Work Package 1 Address Afghanistan Inquiry recommendations regarding individuals	Work Package 2 Consider / undertake additional workforce management action	Work Package 3 Address Afghanistan Inquiry recommendations regarding compensation	Work Package 4 Transformational Reform
Defence responsibilities to be 90% complete by end-2021	Initial determinations made by end-2021	Approach to be settled by end-2021	Reform Streams stand up in second half of 2021. Delivery through to 2025
Focused on addressing specific allegations of wrongdoings against individuals. This will address Defence's responsibilities in relation to 103 of the 143 recommendations.	Will review the findings, along with any other relevant evidence, to determine whether additional action is warranted.	Develop a whole-of-government response to the 15 recommendations relating to compensation.	Identify, design and implement the transformational reform necessary to address what went wrong and prevent (or promptly detect and respond to) any future issues. Includes 25 of 143 recommendations.

Governance and Oversight

The Afghanistan Inquiry Implementation Oversight Panel provides independent oversight, reporting directly to the Minister for Defence.

Defence Committee is the final internal decision making body. A Program Board will be established to support management of the Reform Program and Stream Leads will be allocated to sponsor, drive and manage the work.

The Chief of the Defence Force is the Senior Responsible Officer. Group Heads and Service Chiefs are accountable for the delivery and embedding of reform.

The Defence response to the Inquiry will be transparent, subject to security, legal and privacy requirements. A quarterly Reform Overview will provide updates on progress.

Work Package 4 will be delivered through Five Reform Streams

Organisational Arrangements and Command Accountability	Culture	Workforce	Partnerships	Information
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Reform Streams will:

- Identify, understand and address root causes
- Determine the impact of reform to date and identify next steps
- Align with and leverage reform underway
- Develop coordinate and drive comprehensive programs of work
- Includes 25 Inquiry recommendations

Reform work will move through four stages:



Program Management: comprehensive guidance and support to ensure effective program design and delivery, governance, monitoring, reporting and assurance, with clear roles and responsibilities across all elements of the Program.

Introduction

Defence accepts the findings and is addressing the recommendations made by the Inspector-General of the Australian Defence Force (IGADF) Afghanistan Inquiry (the Afghanistan Inquiry), and is committed to deep and enduring reform across the organisation.

Vision

One Defence, living
Defence values, wherever
we are, whatever we do

The purpose of the Afghanistan Inquiry Reform Plan (the Reform Plan) is to: set out the Defence strategy for responding to the Afghanistan Inquiry; and to establish the Afghanistan Inquiry Reform Program (the Reform Program) to coordinate and drive this work.

The Reform Program will deliver on the following two objectives, leveraging existing reform and implementing Afghanistan Inquiry-related initiatives, as well as addressing specific inquiry recommendations:

- **Objective 1 (address the past)** – *Consider and take appropriate action to address organisational, collective and individual responsibility for past failures and wrongdoing.*
- **Objective 2 (prevent recurrence)** – *Build the best possible organisation for the future, comprehensively understanding and addressing the root causes of the failures and wrongdoing; and developing the systems, culture and accountability that will prevent, and promptly detect and respond to, departures from required standards.*

Objective 1 will involve: addressing inquiry recommendations regarding organisations and individuals; considering and, if relevant, undertaking additional workforce management action; and developing a whole-of-government response to the inquiry recommendations relating to compensation.

Objective 2 will be achieved through the establishment of five Reform Streams: Organisational Arrangements and Command Accountability; Culture; Workforce; Partnerships and Information. The initial focus of the Reform Streams will be on identifying and understanding root causes. There are three bodies of work initiated by CDF to assist with this effort:

- A consideration of organisational learnings from the Afghanistan experience.
- An independent consideration of accountability for tactical level individual and command performance, behaviour and attitude, broadly described as 'culture'.
- An independent study of Australian Special Forces, with particular regard to their operations in Afghanistan, by Professor Tom Frame AM, Director of the Public Leadership Research Group at the University of New South Wales – Canberra.

Defence is acutely aware of the impact that work under the Reform Program might have on individuals and comprehensive arrangements have been put in place for welfare support and legal assistance.

Background

The Afghanistan Inquiry was an independent inquiry conducted by Major General Justice Paul Brereton, as Assistant IGADF, over the four-and-a-half-year period from mid-2016 to the end of 2020. It was commissioned by Defence in response to rumours and allegations relating to possible breaches of the Law of Armed Conflict by members of the Special Operations Task Group in Afghanistan over the period 2005 to 2016.

On 6 November 2020, the Chief of the Defence Force (CDF) received the Afghanistan Inquiry report from the IGADF. On 19 November 2020, the CDF made a public statement and released a public version of the report.

In total, the Afghanistan Inquiry made 191 findings and 143 recommendations. Defence has accepted all findings and is addressing all recommendations.

The Afghanistan Inquiry concluded there was credible information of unlawful conduct; the most disturbing of which was the identification of 23 incidents involving 25 Australian Special Forces personnel - predominantly from the Special Air Service Regiment – relating to the alleged unlawful killing of 39 individuals and the cruel treatment of two individuals.

The Afghanistan Inquiry also concluded there was credible information of a sub-culture of elitism and deviation from acceptable standards which was normalised over time and into which more junior personnel were inculcated.

Serious and systemic organisational and cultural failures, coupled with failures in command accountability, contributed to Defence's failure to prevent, detect and respond to the misconduct identified and alleged by the Afghanistan Inquiry. These failings further contributed to an environment which allowed Defence's good reputation and standing, earned by many professional and ethical personnel over decades, to be profoundly damaged by the actions of a number of individuals who are accused of serious unlawful conduct.

Defence has high expectations of its people and trains them to make complex decisions in the most ambiguous circumstances and difficult environments. Often lives are at stake when these decisions are being made. Importantly, however, the Afghanistan Inquiry found no evidence that any of the alleged conduct occurred in 'the heat of battle' or was attributable to 'the fog of war', or that those alleged to have been involved were in any way unclear, confused or mistaken. Every person interviewed throughout the Afghanistan Inquiry indicated that they understood the Law of Armed Conflict and the Rules of Engagement under which they operated.

Defence Response

Context

Defence is a national endeavour, requiring whole-of-Government and whole-of-nation efforts to anticipate, prepare for and respond to national security challenges.

Defence's broader priorities set the context for the response to the Afghanistan Inquiry. The integration and alignment of the Reform Plan to existing Defence strategic reform efforts is key to delivering an effective response and building the best possible Defence organisation for the future.

The 2015 First Principles Review: Creating One Defence commenced Defence's transformation into an adaptive strategy-led organisation, including tighter alignment of strategic and force structure analysis, policy development, acquisition, research and development, and industry policy. Over the last five years, Defence has made substantial changes and improvements to structures, governance arrangements, accountabilities, processes and systems across the enterprise.

Moving forward, the new strategic policy framework, laid out in the 2020 Defence Strategic Update and 2020 Force Structure Plan, will inform planning processes across Defence to ensure the ongoing alignment of strategy, capability and resources occurs on an annual basis. The workforce outcomes of the 2020 Force Structure Plan will be addressed in a new Strategic Workforce Plan, which will set the requirements for ensuring Defence has a capable professional force into the future.

Defence's mission is "to defend Australia and its national interests in order to advance Australia's security and prosperity".

'One Defence' describes a unified and adaptive organisation that is driven by its strategy, clearly led by its centre, and empowers its people through a strong sense of shared purpose and a culture that exemplifies the Defence Values.



2020 Defence Strategic Update

Recognises Australia's current and emerging strategic environment and challenges, and provides a new strategic policy framework that signals Australia's ability – and willingness – to deploy military power to shape our strategic environment, deter actions against our interests and, when required, respond with credible military force.



2020 Force Structure Plan

Building on the 2016 Defence White Paper, and implementing the 2020 Defence Strategic Update, the 2020 Force Structure Plan details the Government's intentions for new and adjusted Australian Defence Force capability investments.

Just as Defence's capability and strategy functions are continuously assessed and adjusted so that they remain fit-for-purpose, the entire Defence enterprise must continue to evolve and adapt to meet Australia's changing strategic circumstances. Defence's transformation strategy provides the framework to guide and align the reform required to address the Afghanistan Inquiry. This will help to avoid duplication of effort and provide the opportunity to identify and leverage existing reform.

Work to embed the Defence Values and Behaviours which were released on 1 October 2020 as a unified set for all of Defence is being prioritised.

Defence Values

Service

The selflessness of character to place the security and interests of our nation and its people ahead of my own.

Courage

The strength of character to say and do the right thing, always, especially in the face of adversity.

Respect

The humanity of character to value others and treat them with dignity.

Integrity

The consistency of character to align my thoughts, words and actions to do what is right.

Excellence

The willingness of character to strive each day to be the best I can be, both professionally and personally.

Defence Behaviours

To live the Defence Values I will:

Act with purpose for Defence and the nation.

Be adaptable, innovative and agile.

Collaborate and be team-focused.

Be accountable and trustworthy.

Reflect, learn and improve.

Be inclusive and value others.

Support provided to individuals impacted by the Afghanistan Inquiry

The conduct of the Afghanistan Inquiry and the release of the report has, and will continue to have, an impact on individuals. Those impacted include current and former serving members, their families, and potentially the interests of deceased members. Those impacted may have been directly contacted during the inquiry or vicariously impacted by close knowledge of and relationships with those involved.

The Department of Defence, in conjunction with the Department of Veterans' Affairs, is committed to ensuring current and former serving ADF members and their families have access to the right support at the right time, with a focus on supporting those who are vulnerable or at risk. Details of where to access support are available at <https://afghanistainquiry.defence.gov.au/welfare-support>.

Access to appropriate legal assistance is important to ensuring the welfare and fair treatment of people affected by the Afghanistan Inquiry. Current and former serving ADF members who may be affected by the inquiry or related criminal investigations can apply for the Commonwealth Legal Financial Assistance Scheme (CLFAS), outlined in Appendix E to the Legal Services Directions. The provision of financial assistance under the scheme is considered on a case-by-case basis by an independent delegate within Defence. These decisions are made in accordance with the Commonwealth's framework for the expenditure of public funds. Details of how to request legal assistance are at <https://afghanistainquiry.defence.gov.au/legal-assistance>.

Reform to date and underway

The matters which are the subject of the Afghanistan Inquiry date back to 2005. Since this time, Defence has undergone considerable change. Much of this change has been as a result of reform programs and business as usual continuous improvement activity, however, considerable work has also been done to specifically address the concerns that prompted the inquiry.

Defence has conducted a review of past and ongoing reform and improvement activity across the Department and specifically within Army, including Special Operations Command, to identify the work that has occurred and understand the extent to which it has addressed the matters raised by the Afghanistan Inquiry. This provides a baseline of where Defence is today and the work that still needs to be done to fully address the inquiry's findings and recommendations.

Table 1 outlines key Defence-wide reform - and reform of note in specific parts of the organisation - that is either underway or has already delivered, which address principal themes from the Afghanistan Inquiry:

Table 1: Reform either underway or that has already been delivered

Afghanistan Inquiry Key Themes	Defence Reform Initiatives
'One Defence', Leadership and Accountability	<ul style="list-style-type: none"> • 2015 First Principles Review: Creating One Defence • Defence Transformation Strategy 2020 • ADDP 00.6 ADF Leadership, Edition 3, 2021
Culture, Values and Behaviour	<ul style="list-style-type: none"> • Pathway to Change: Evolving Defence Culture (2012-2017; and 2017-2022); and the current Pathway to Change review • Navy's 'Next Generation Navy'; Army's 'Good Soldiering'; and Air Force's 'Our Air Force, Our Culture' (previously 'New Horizon') • Fit to fight – fit for life program • Unified Defence Values and Behaviours
Information Management	<ul style="list-style-type: none"> • Enterprise Resource Planning (ERP) • Enterprise Information Management (EIM) Program • ICT 2216 – Case Management System

In addition, Army, in particular Special Operations Command, has undertaken significant reform to address concerns as they were becoming evident. Table 2 provides an overview of some of these reform initiatives.

Table 2: Reform undertaken in Army, in particular Special Operations Command

Afghanistan Inquiry Key Themes	Army, in particular Special Operations Command Reform Initiatives
Structure, governance and command considerations	<ul style="list-style-type: none"> • Structural changes to the command framework, including better integration of Special Operations Command into Army, and the establishment of the Special Forces Group to improve workforce management. • An in-depth review of special operations capability and resources, leading to enhanced governance and management functions. • Ongoing capability modernisation is undertaken and assured through the Special Operations Program in accordance with the One Defence Capability System. • Ongoing Special Operations Command workforce renewal which will see Special Forces personnel move both outside of and within the Command.
Culture, leadership and ethics	<ul style="list-style-type: none"> • The release of Good Soldiering, Army's cultural optimisation initiative. • Partnering with the University of NSW, Australian Graduate School of Management and King's College London University to deliver professional military education on ethical leadership.

Afghanistan Inquiry Key Themes	Army, in particular Special Operations Command Reform Initiatives
<p>Workforce considerations – welfare, training and professional development</p>	<ul style="list-style-type: none"> • Establishment of the Defence Special Operations Training and Education Centre as the principal training organisation to generate high performance special operations teams and educate personnel in line with Good Soldiering. • Development of the ‘Special Operations – Live Better’ initiative which focuses on cognitive, social, spiritual and physical performance. • Establishing a Human Performance Optimisation Strategy to apply evidence-based knowledge, skills and technology to enhance the physical, psychological and social components of performance. This is done as part of a continuum throughout an individual’s career and beyond their military service. • Maintaining strong partnerships with allied international special forces communities and other Australian institutions for professional development.

Reform Program approach

The Reform Program will be driven by its overarching vision “One Defence, living Defence values, wherever we are, whatever we do” and two supporting objectives:

- **Objective 1: Address the past** – Consider and take appropriate action to address organisational, collective and individual responsibility for past failures and wrongdoing.
- **Objective 2: Prevent recurrence** – Build the best possible organisation for the future, comprehensively understanding and addressing the root causes of the failures and wrongdoing; and developing the systems, culture and accountability that will prevent, and promptly detect and respond to, departures from required standards.

The Reform Program objectives will be met through four work packages, as shown in Figure 1.

Figure 1: Work Packages

The Afghanistan Inquiry Reform Program Objectives will be met through Four Work Packages			
Objective 1: Address the past			Objective 2: Prevent recurrence
Work Package 1 Address Afghanistan Inquiry recommendations regarding individuals	Work Package 2 Consider / undertake additional workforce management action	Work Package 3 Address Afghanistan Inquiry recommendations regarding compensation	Work Package 4 Transformational Reform
Defence responsibilities to be 90% complete by end-2021	Initial determinations made by end-2021	Approach to be settled by end-2021	Reform Streams stand up in second half of 2021. Delivery through to 2025
Focused on addressing specific allegations of wrongdoings against individuals. This will address Defence's responsibilities in relation to 103 of the 143 recommendations.	Will review the findings, along with any other relevant evidence, to determine whether additional action is warranted.	Develop a whole-of-government response to the 15 recommendations relating to compensation.	Identify, design and implement the transformational reform necessary to address what went wrong and prevent (or promptly detect and respond to) any future issues. Includes 25 of 143 recommendations.

Addressing allegations of wrongdoing

All allegations of wrongdoing will be addressed. This is being done through Work Packages 1 and 2.

Addressing allegations of wrongdoing is essential to ensure:

- legal, ethical and moral obligations are met;
- future unlawful conduct is deterred;
- the standards set for Defence personnel are maintained;
- protection is given to the vulnerable who put their trust in Defence; and
- some measure of justice is provided to the families of all those who died and to the individuals who were injured.

Where sufficient evidence of wrongdoing exists, there are four courses of action that may be taken: criminal, disciplinary; administrative; and other workforce management action (including the revocation of honours and awards). Table 3 provides an overview of the four courses of action that may be available. Each of these courses of action serve different purposes and their application will depend on the circumstances and the evidence.

Addressing allegations of criminal wrongdoing through the Australian legal system is important. It will ensure that Australian law and legal standards apply to ADF personnel (and ex-ADF personnel) who are investigated and prosecuted. These include the presumption of innocence, the right to a fair trial, and the evidentiary burden of 'beyond a reasonable doubt'.

Table 3: Overview of the four courses of action available where sufficient evidence of wrongdoing exists

Action Type	Purpose
Criminal	<p>The Australian criminal justice system, independent of Defence, will determine whether and what criminal action should be taken.</p> <p>On 4 January 2021, the Australian Government stood up the Office of the Special Investigator (OSI) to investigate - with the Australian Federal Police - allegations of criminal conduct by ADF personnel in Afghanistan between 2005 and 2016 and, if there is sufficient evidence, refer those matters to the Commonwealth Director of Public Prosecutions (CDPP).</p> <p>The CDPP will make all determinations in relation to criminal prosecution and immunity from prosecution. Importantly, the OSI and CDPP are not limited to the matters the subject of the Afghanistan Inquiry and are not bound by the inquiry's findings or recommendations. If the OSI decides to investigate a matter, there are up to three phases through which it may pass before a final outcome is known, namely: investigation, prosecution and appeal.</p>
Disciplinary	<p>The <i>Defence Force Discipline Act 1982</i> (the DFDA) makes provision for disciplinary action in relation to 'defence members'. Its application in a given circumstance will depend on whether jurisdiction exists and sufficiency of evidence.</p>
Administrative (including termination of service)	<p>The <i>Defence Regulation 2016</i> and the <i>Military Personnel Policy Manual 2017</i> set out the authorities, decision makers, processes and timelines for initiating and managing administrative action.</p>
Other workforce management including honours and awards	<p>Workforce management action encompasses all courses of action open to management to develop individuals, reward or recognise good performance and address poor performance or wrongdoing. Examples of 'other' workforce management action include: training, learning through appropriate appointments and roles, performance feedback, performance counselling and revocation of honours and awards.</p>

Criminal and disciplinary action have the same evidentiary standards (beyond a reasonable doubt). The evidentiary standard for administrative action and other workforce management action is lower (on the balance of probabilities). The principles of administrative law and natural justice apply to both administrative and other workforce management action.

A decision must be made between criminal and disciplinary action, but neither of these exclude administrative and/or other workforce management action, which may be taken before, in parallel or afterwards.

For matters not under consideration by OSI, Defence and/or IGADF may need to undertake further investigations or inquiries to inform decisions about the most appropriate course of action.

In the event of a risk to OSI and/or CDPP action, Defence administrative and other workforce management action will be deferred until the risk has been removed or satisfactorily mitigated.

Work Package 1 – Address Afghanistan Inquiry recommendations regarding individuals

The focus of Work Package 1 is on addressing the Afghanistan Inquiry recommendations regarding individuals. These fall into six broad categories:

- referral for consideration of criminal action and/or immunity from prosecution;
- conduct further assessment;
- consideration of disciplinary and/or administrative action;
- consideration of other workforce management action;
- review of honours and awards; and
- no further action.

In total, Work Package 1 includes 103 of the 143 Afghanistan Inquiry recommendations. Implementation of these recommendations is well advanced. 90% are scheduled for completion by the end of 2021. Annex A provides details of these 103 recommendations and the action being taken to address them.

In the event of a risk to OSI and/or CDPP action, Defence administrative and other workforce management action will be deferred until the risk has been removed or satisfactorily mitigated.

Of note, Defence implementation will not always equate to finalisation of a matter. For example, referral to the OSI will close out the Defence responsibility with respect to a number of recommendations, however, the final outcome of many of these referrals may not be known for a number of years. Defence will track all matters through to final outcome.

Work Package 2 – Consider / undertake additional workforce management action

The focus of Work Package 2 is considering and, where warranted, undertaking additional workforce management action.

The fact that the Afghanistan Inquiry has made recommendations in relation to criminal, disciplinary, administrative, and other workforce management action does not preclude Defence from taking other, or additional, action.

The Afghanistan Inquiry findings, in conjunction with any other relevant evidence, are being considered to determine whether any additional workforce management action is warranted. This will include consideration by the CDF of whether there were failures in command accountability and, if so, what action is appropriate.

This work is being undertaken in accordance with existing processes, and with regard to any OSI/CDPP actions. Further workforce management action may be taken if additional information becomes available.

Work Package 3 – Address Afghanistan Inquiry recommendations regarding compensation

Work Package 3 will develop a whole of government response to address the 15 recommendations made by the Afghanistan Inquiry in relation to compensation. Further information on the approach to be taken will be available by end-2021. As part of developing and agreeing the approach, an implementation timeline will be established.

Work Package 4 – Transformational reform

Work Package 4 will establish five Reform Streams, broadly aligned with Afghanistan Inquiry themes. An overview of the Reform Streams and their initial focus areas is provided in Table 4, and a full explanation of each Reform Stream and the work already underway is in Annexes B – F.

Further analysis of the Afghanistan Inquiry themes, initial focus areas and underlying root causes is being conducted as part of the work to establish the Reform Streams. This analysis work will involve stakeholders from across the Department, and beyond, to refine the initial programs of work for each Reform Stream.

Table 4: Focus areas for each Reform Stream

Reform Stream	Focus Areas
Organisational Arrangements and Command Accountability (Includes 13 Afghanistan Inquiry recommendations)	Organisational Arrangements <ul style="list-style-type: none"> • Capability development • Deployment of capability • Selection, ongoing evaluation and communication of operational strategy • Reform of specific organisational arrangements Command Accountability <ul style="list-style-type: none"> • Alignment with work to evolve the Defence Accountability Framework • Modernising doctrine and training • Clarity of command accountability throughout the command chain
Culture	<ul style="list-style-type: none"> • Continuous improvement culture • Integrating, aligning and diversifying subcultures • Addressing the risk of ‘cultural shift’
Workforce (Includes 11 Afghanistan Inquiry recommendations)	<ul style="list-style-type: none"> • Recruitment, selection, development and career management • Effectively managing performance (including high performance and underperformance) and physical and psychological fitness • Developing integrated, contemporary, whole-of-career, outcome-focussed learning
Partnerships	<ul style="list-style-type: none"> • Ensuring that Defence has a strategic approach to establishing, managing and sustaining key partnerships • Restoring Defence’s reputation and relationships with its partners (and those who should be its partners)
Information (Includes one Afghanistan Inquiry recommendation)	<ul style="list-style-type: none"> • Improving data and information management • Becoming more data informed • Building the capacity to identify indicators and warnings

As the Reform Streams stand up, they will conduct deeper analysis into the matters allocated to make sure the root causes are fully explored, understood and addressed to ensure initiatives for change are targeted effectively and do not just address the symptoms. This analysis, together with lessons learned as implementation of initiatives gets underway, will enable the impact of reform to be fully understood; the requirement for additional work identified; detailed programs of work developed and evolved; and priority areas of activity established.

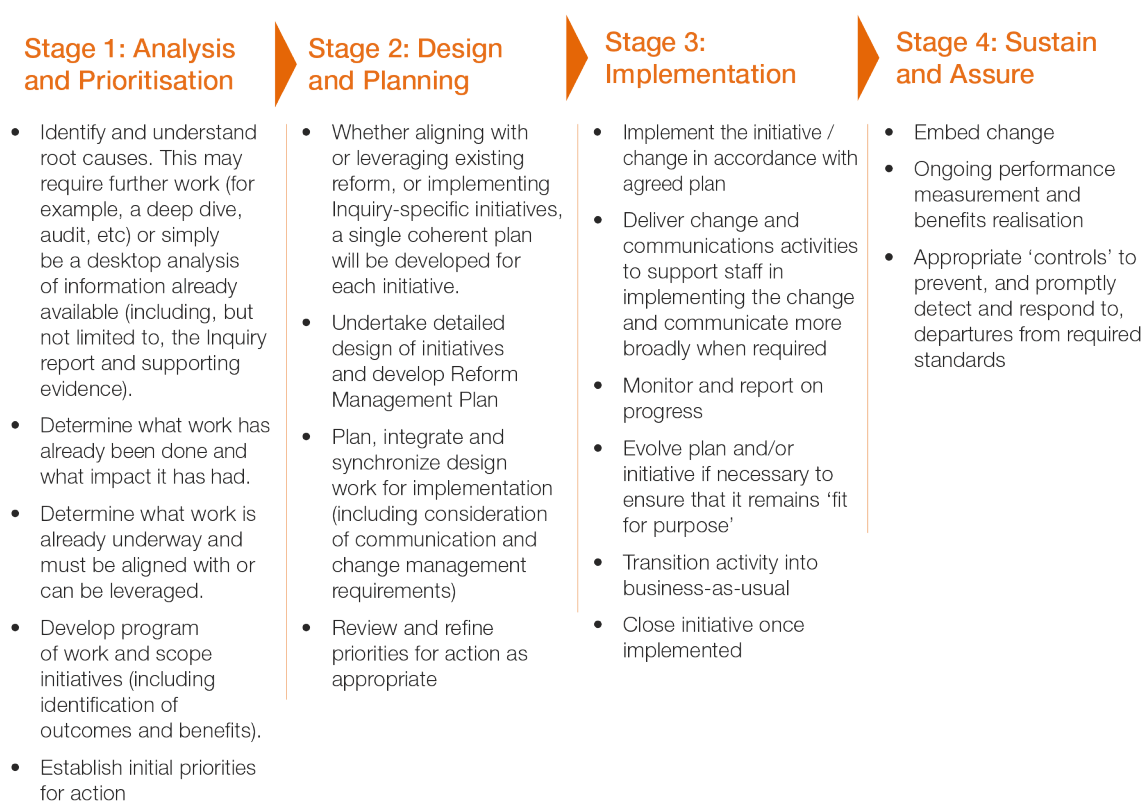
Examples of the type of additional work that may be necessary to inform reform work include reviews, deep dives and audits. The Organisational Arrangements and Command Accountability Stream is already undertaking this type of work.

The Reform Streams will enable reform work to be integrated and sequenced, both across the whole Reform Program and within the individual Reform Streams, leveraging opportunities and managing risks to achieve sustainable, impactful change.

The Reform Streams will also provide the vehicle and program management support for: monitoring the delivery of work; reporting on progress, risks and opportunities; and ensuring that learnings are applied to future work.

All reform work will move through four stages as shown in Figure 2:

Figure 2: Four stages for identification and delivery of reform work



The five Reform Streams will be established from mid-2021. They will start delivering reform by the end of 2021; this will continue through until the end of 2025.

Program management

Program design

The Reform Program will apply the *Managing Successful Programs* methodology¹ in program design and the development of governance, oversight, roles and responsibilities, monitoring, reporting and assurance.

The Reform Plan is supported by the Afghanistan Inquiry Reform Overview (the Reform Overview) which will provide further information about the work being undertaken. It will be updated quarterly to reflect progress.

The Reform Plan and the Reform Overview are underpinned by a comprehensive suite of program management documents which provide detailed guidance on program design, governance, oversight, roles and responsibilities, monitoring, reporting and assurance. These documents will be finalised by mid-2021 but will remain 'live' and continue to evolve to ensure that they remain fit-for-purpose and reflect and address changing circumstances.

A critical piece of the approach to program management is establishing a performance measurement and benefits realisation framework that will enable Defence to measure the impact and effectiveness of reform, including that already implemented and that which will be delivered into the future. For Special Operations Command, this will build on the reviews conducted in 2018 and 2020 by David Irvine, which found that, while more work was required, significant progress had been made.

Another critical piece of the approach to program management is reviewing and strengthening 'controls' (or mechanisms) to make sure that, going forward, Defence is able to prevent, and promptly detect and respond to, any departures from required standards.

Program governance

The Government, through the Minister for Defence, will oversee the Defence response to the Afghanistan Inquiry. They will be informed by advice from the Afghanistan Inquiry Implementation Oversight Panel (the Oversight Panel). The former Minister for Defence authorised Terms of Reference for the Oversight Panel on 12 November 2020. The Panel will provide the Minister for Defence with independent oversight and assurance of Defence's response to the Afghanistan Inquiry. The Panel is reporting quarterly to the Minister for Defence and working collaboratively with Defence.

Defence's peak decision-making body – the Defence Committee – is the final internal authority overseeing Afghanistan Inquiry-related reform and implementation.

A Program Board will be established to support the delivery of the Reform Program and Stream Leads will be allocated to sponsor, drive and manage the work.

The Chief of the Defence Force is the Senior Responsible Officer, responsible for the overall delivery of the Reform Program. Group Heads and Service Chiefs are accountable for the delivery and embedding of reform.

The Defence response to the Afghanistan Inquiry will be transparent, subject to security, legal and privacy requirements.

¹ *Managing Success Programs* is a program management methodology maintained by AXELOS. The MSP methodology has been used within the Department of Defence previously (<https://www.axelos.com/best-practice-solutions/msp>).

Program Management Office

The Reform Program will be managed by a strategic Program Management Office (sPMO) in the Afghanistan Inquiry Response Task Force. This sPMO will work closely with program governance elements and will be responsible for whole-of-program monitoring, reporting, risk management and benefits realisation. It will apply enterprise analysis to ensure integration and alignment of activity across the Reform Streams and broader reform in the Department; and ensure that cross-stream opportunities and risk identification are actively managed.

Further information

Further information on the IGADF is available at: <https://www.defence.gov.au/mjs/igadf.asp>

Further information on the Afghanistan Inquiry, including responses to frequently asked questions, can be found at: <https://afghanistandinquiry.defence.gov.au/faqs>

Legal assistance and welfare support are available for those impacted by the Afghanistan Inquiry or action flowing from it.

Further information on legal assistance can be found at:
<https://afghanistandinquiry.defence.gov.au/legal-assistance>

Further information on welfare support can be found at:
<https://afghanistandinquiry.defence.gov.au/welfare-support>

Annexes

Annex A: Work Package 1 – Address Afghanistan Inquiry recommendations regarding individuals

Work Package 1 - Address Afghanistan Inquiry recommendations regarding individuals contains 103 inquiry recommendations. The details of these recommendations, and the action being taken to address them, are outlined in Table 5.

Table 5: Details of recommendations regarding individuals and the action being taken

Afghanistan Inquiry Recommendation Theme	Number of Recommendations	Breakdown of Recommendations	Action
Referral for consideration of criminal action/immunity from prosecution	48	40 inquiry recommendations relate to referral for criminal investigation. Eight inquiry recommendations relate to immunity from prosecution.	On 24 May 2021 the Afghanistan Inquiry report was provided to the OSI Special Counsel by IGADF. This completes Defence's responsibilities for these 48 recommendations. Defence will track all matters through to final outcome.
Further assessment	8	One inquiry recommendation relates to the establishment of an Afghanistan Inquiry Legacy Cell. One inquiry recommendation relates to the conduct of a previous inquiry. Six inquiry recommendations relate to specific incidents.	Defence will work with IGADF in accordance with normal legislative processes to address these recommendations.
Consideration of disciplinary/administrative action	5	All five inquiry recommendations relate to consideration of disciplinary and/or administrative action.	Defence will address these recommendations in accordance with existing workforce management processes. This is scheduled for completion mid-2021.
Consideration of other workforce management action	2	Both inquiry recommendations relate to consideration of other workforce management action.	Defence will address these recommendations in accordance with existing workforce management processes. This is scheduled for completion end-2021.

Afghanistan Inquiry Recommendation Theme	Number of Recommendations	Breakdown of Recommendations	Action
Review of honours and awards	7	One inquiry recommendation relates to revoking the award of the Meritorious Unit Citation to Special Operations Task Group (SOTG) (Task Force 66). Six inquiry recommendations relate to consideration of individual honours and awards.	The Minister for Defence has announced that SOTG (Task Force 66) will retain the Meritorious Unit Citation. Defence will address the remaining six recommendations in accordance with existing processes for the review of honours and awards. This is scheduled for completion end-2021.
No further action	33	All 33 inquiry recommendations relate to no further action.	OSI will independently determine whether the matters the subject of these recommendations should be investigated. Defence will separately review these recommendations and make an assessment as to whether workforce management action is required in accordance with existing processes. This is scheduled for completion end-2021.
TOTAL	103		

In the event of a risk to OSI and/or CDPP action, Defence administrative and other workforce management action will be deferred until the risk has been removed or satisfactorily mitigated.

The timelines specified are for initial determinations. In the event of workforce management action being taken, prescribed timelines will be followed (or, in the absence of these, action will be progressed as expeditiously as possible and appropriate). Of note, the making of initial determinations does not preclude additional, or different, workforce management decisions and actions if further information becomes available.

Annex B: Reform Stream 1 - Organisational Arrangements and Command Accountability

Organisational Arrangements

Organisational arrangements are the structures, systems and directions/guidance (doctrine, policy, processes, etc) that exist to direct, govern, guide and enable the way an organisation works to help it achieve its mission. These arrangements also communicate cultural expectations about what is considered right and important.

The work on Organisational Arrangements will focus on:

- **Capability development.** The 2020 Defence Strategic Update highlights the acceleration of change and the increasing complexity of our strategic environment. The 2020 Force Structure Plan identifies the capability adjustments required to meet these challenges and the need for constant vigilance in ensuring that Defence continues to adapt and respond. Through this lens, a Special Forces capability is as vital today as it has been in the past. Analysis of the approaches taken by other countries to their Special Forces capabilities has not provided Australia with a better model for its circumstances. Work will focus on assessing the impact of the Special Forces reform undertaken to date and determining what further work is required. Areas of particular focus will include: organisational integration, cultural alignment, and operational guidance and practice.
- **Deployment of capability.** Australia is reviewing its policies in relation to: the deployment of Special Forces; and the command and control arrangements for deployed forces. The following are being taken into consideration: the need to provide a range of options to government to meet desired outcomes; the specific capabilities required for the roles intended; and the importance of regularly revisiting decisions as circumstances evolve. In addition, Defence will review its doctrine in relation to the deployment of specific capabilities, with a view to better understanding and managing risk.
- **Strategy.** Defence will review its approach to the selection, ongoing evaluation and communication of operational strategy, making sure that benefits and risks are understood and appropriately managed. The selection of one strategy over another will shape not only the nature of the operations but collective and individual behaviours. The ongoing evaluation of strategy is vital to ensuring that it remains 'fit for purpose'.
- **Reform of specific organisational arrangements.** Defence is also reviewing its legal and reporting structures, doctrine and policy to ensure they are 'fit for purpose'.

Work currently underway

(includes action to address 13 Afghanistan Inquiry recommendations)

- A CDF-initiated consideration of organisational learnings from the Afghanistan experience.
- In response to **four Afghanistan Inquiry recommendations**, Australia's approaches to command of deployed forces and use of Special Forces are being reviewed and updated.
- In response to **an Afghanistan Inquiry recommendation**, Defence is reviewing the appropriate command structure for SASR troops. In addition, Defence has disestablished 2 Squadron, Special Air Services Regiment.
- In response to **three Afghanistan Inquiry recommendations**, Defence is reviewing and improving legal, investigative and reporting mechanisms for serious operational incidents and allegations.
- Defence is strengthening technical oversight for the delivery of legal services on operations. This will take into consideration the **Afghanistan Inquiry recommendation** in relation to duty statements for deployed legal officers.
- In response to **four Afghanistan Inquiry recommendations**, Defence is updating direction on: weapons reviews, deployed capabilities, use of military working dogs and integrity of reporting. In addition, Defence is updating its direction on: lawful weapons, 'dry' deployments, and operational terminology.

Command Accountability

Clear accountabilities - supported by appropriate authorities, direction, guidance and resourcing - empower leadership, effective delegation and appropriate risk management. When accountabilities are clear, individuals understand their responsibilities and the boundaries within which they must operate. It also gives others a basis upon which they can challenge decisions.

Through the Command Accountability elements of this Reform Stream, the Reform Program will focus on:

- Ensuring alignment between the work to evolve the Defence Accountability Framework and the work being done under the Reform Program to evolve the ADF approach to command accountability.
- Modernising doctrine and training to address increasingly complex and ambiguous operational environments.
- Ensuring there are clear command structures and clarity of command accountability throughout the command chain.

Work currently underway

- As outlined in Work Package 2, CDF administrative consideration of command accountability of individual commanders. In order to avoid risk to OSI and/or CDPP action, action in relation to command accountability will be initiated after the risk has been removed or satisfactorily mitigated.
- An independent consideration of Special Operations Task Group professional standards, behaviour and attitude, broadly described as 'culture'.
- Development of ADF doctrine on leadership and separately, on military ethics.
- Workforce Reform Stream initiatives to reform end-to-end training for all Defence personnel - including on ethics, leadership, command, culture and character - will strengthen command accountability.

Annex C: Reform Stream 2 - Culture

Culture is best understood as a complex system defined by what the organisation would like to occur (aspiration) and what actually occurs (practice).

While culture may feel intangible, it is critical to building capability, driving innovation and continuous improvement, building capability and changing behaviours.

The 'optimal' culture is a 'force multiplier', delivering an effect which is greater than the sum of an organisation's physical capabilities. It builds the necessary external trust, confidence and cooperation, and it attracts and retains the required people.

The 'optimal' culture is achieved by narrowing the gap between aspiration and practice - often referred to as 'walking the talk'. The smaller the gap, the clearer people will be on what is expected, and the more likely they will be to call out unacceptable behaviour.

The Reform Program will build on, leverage and inform *Pathway to Change 2017 – 2022*, the work underway for Defence's cultural blueprint post 2022, and each of the Service's culture programs: *Next Generation Navy*, *Good Soldiering* and *Our Air Force, Our Culture*.

The Culture Reform Stream will focus on:

- **Continuous improvement culture.** The Afghanistan Inquiry findings reinforce the importance of a continuous improvement culture underpinned by accountability, curiosity, appropriate risk management, and an environment which encourages contestability of decision making and welcomes feedback. This requires a different perspective on failure and other sub-optimal outcomes, namely, organisational interests being best served through discovery, reporting and correction.
- **Integrating, aligning and diversifying subcultures.** The Afghanistan Inquiry highlighted lack of integration, alignment and diversity of thought in subcultures. Specifically, it identified: a culture of elitism and a sense of being personally 'special', as opposed to a contributor to a special capability, that led to the view that the standard rules did not apply; and a misguided sense of loyalty that resulted in secrecy and fear of repercussions in speaking out about misconduct.
- **Addressing the risk of 'cultural shift'.** The Afghanistan Inquiry identified a gradual 'cultural shift' over time. The risks of 'cultural shift' need to be understood and managed, including through appropriate controls to prevent, detect and respond to unacceptable behaviour. This will include building cultural resilience to external (and internal) challenges, and identifying potential indicators and warnings and using these to help identify potential areas of concern.

Work currently underway

- Professor Tom Frame AM, Director of the Public Leadership Research Group at the University of New South Wales - Canberra, has been commissioned to undertake an independent study of Australian Special Forces. The aim of the study is to provide a publicly accessible understanding of Australia's Special Forces, including consideration of the ethical standards and command environment of Special Operations Command and its people on operations from 1999 until the present day, with a focus on service in Afghanistan.
- Australian Defence Force and Australian Public Service annual performance reporting processes are being updated to embed Defence Values and Behaviours and to recognise and reward those who display these.

Annex D: Reform Stream 3 - Workforce

An increased operational tempo, rapid technological advancement within our region and increasing commitments to international engagement are placing considerable pressure on the workforce.

The 2020 Force Structure Plan recognises people are Defence's most important asset. Whether it's developing, acquiring or sustaining capability, Defence cannot deliver on its mission if it does not first provide a safe, healthy and rewarding work environment in which people can thrive and develop.

To ensure Defence is well placed to deliver current and future capability requirements, it must continue to build an integrated and highly skilled workforce. This will require Defence to reshape and reskill its workforce to transition to new platforms, build capacity in emerging capabilities, and strengthen existing capabilities and enabling functions.

The Reform Program will leverage and inform existing work relating to strategic workforce planning, learning and workforce management. The Workforce Reform Stream will focus on:

- Recruiting, selecting, developing, posting, deploying and retaining the cultural attributes, leadership abilities and professional/technical skills required, and equipping leaders for the environments in which they will operate and lead the people they will command.
- Effectively managing performance (including high performance and underperformance) and physical and psychological fitness. This will include reviewing the adequacy of psychological assessment and support. It will also include an assessment of whether Defence's organisational arrangements (such as doctrine, policy, and processes) incentivise unintended behaviour.
- Developing integrated, contemporary, whole-of-career, outcome-focussed learning, using the 70 (on the job experience): 20 (exposure to other people and opportunities):10 (formal education and training) learning model. Importantly, the Afghanistan Inquiry found that every person interviewed understood the Law of Armed Conflict and the Rules of Engagement under which they operated. Accordingly, complementing the work being undertaken in the Cultural Reform Stream, more will be done to embed critical thinking and ethical decision making. Similarly, additional actions will be taken to prepare people for the environment in which they will require this learning, including preparing them to challenge the actions and decisions of others.

Work currently underway

(includes work to address 11 Afghanistan Inquiry recommendations)

- In response to **eight Afghanistan Inquiry recommendations**, Defence is reforming end-to-end training for all Defence personnel on ethics, leadership, command, culture, character and Law of Armed Conflict.
- In response to **two Afghanistan Inquiry recommendations**, force preparation training in relation to Law of Armed Conflict will be updated and 'personal experiences' will be leveraged.
- In response to **an Afghanistan Inquiry recommendation**, a review is being conducted in relation to the policy on respite and waivers.
- A review is also being conducted into the adequacy of, and reform opportunities for, initial and ongoing psychological assessment and support provided to Special Forces from selection onwards, including responsiveness to operation-specific requirements and in the immediate aftermath of an engagement. This will inform similar work across the broader ADF.

Annex E: Reform Stream 4 - Partnerships

Australia can best protect its interests in its region and globally by working with others. Effective, collaborative, productive and respectful partnerships are critical to the work of Defence. Partnerships are essential to ensuring a strong, sovereign industrial base and the maintenance of a secure, resilient Australia.

Work undertaken on Defence operations and activities shape the strategic environment, support a rules-based global order and enhance Defence partnerships. This was defined in the 2016 Defence White Paper as “a shared commitment by all countries to conduct their activities in accordance with agreed rules which evolve over time, such as international law and regional security arrangements”.

One of the issues underlying the Afghanistan Inquiry findings relates to the partnerships and relationships that Australia had with a range of stakeholders and whether these were well managed, valued, and leveraged to full effect. Specifically, the Afghanistan Inquiry brought into question why Defence did not ‘hear’ its partners, or those who should have been its partners, when they tried to alert Defence to allegations of wrongdoing.

The Partnerships Reform Stream is focused on ensuring that Defence has a strategic approach to establishing, managing and sustaining key partnerships, with a view to restoring Defence’s reputation and managing engagement going forward, including in response to the Afghanistan Inquiry, so that these relationships:

- are collaborative;
- help Defence to understand and apply best practice;
- help Defence to understand actions and their impact; and
- build trust and respect so Defence listens to and acts on feedback provided by its partners.

The Partnership Reform Stream will work on strengthening relationships with:

- International organisations;
- Coalition partners, host nations, national organisations and local populations;
- Australian federal, state and territory agencies and other organisations; and
- Media.

Work currently underway

- Defence is engaging with a number of partners to address the concerns arising out of the Afghanistan Inquiry.

Annex F: Reform Stream 5 - Information

Organisations have a strategic and operational advantage when they are able to access and use relevant and high-quality information and data in a timely fashion to support decision-making and performance measurement.

The Reform Program will leverage and inform existing work related to trusted information and becoming a more data informed organisation. The focus of the Information Reform Stream is improving the quality of decision making and performance measurement through:

- Improving data and information management (the collection, securing, storing, analysis, application and sharing of data and information) both between the enterprise and operational environments and within a particular operational/deployed environment. This requires: integrated, fit for purpose systems; standardised processes; and people who understand information management, are adequately trained and apply appropriate discipline.
- Building a single source of truth, or integrated sources of truth, that provide easy and timely access to relevant and high quality data and information and facilitate analysis of it.
- Building the capacity to identify indicators and warnings, be they an absence of information, a delay in information, or incorrect, altered or otherwise anomalous information.

Work currently underway

(includes action to address one Afghanistan Inquiry recommendation)

- In response to one Afghanistan Inquiry recommendation, Defence is developing a joint approach to the wearing and use of cameras on operations.
- Army is using digital technology to enhance the record of action for Special Forces patrol operations.
- Defence is actively linking data sources and analysing the resulting aggregated data to identify trends, opportunities and potential concerns.

