

AFGHANISTAN INQUIRY IMPLEMENTATION OVERSIGHT PANEL

~~(O:S)~~ REPORT NUMBER 8: QUARTERLY REPORT TO THE MINISTER FOR DEFENCE  
August 2022 – October 2022

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1. Key points

- ~~(O:S)~~ Interviews with SOCOMD external stakeholders showed SOCOMD’s external relationships appear to s45  
[REDACTED]
- s33(a)(ii)  
[REDACTED]
- s33(a)(iii)  
[REDACTED]
- ~~(O:S)~~ The Panel supports CDF’s direction that officers responsible for the reform program maintain a focus on delivery, explore opportunities to deliver early, and avoid delays. s47C  
[REDACTED]
- ~~(O:S)~~ The Panel recommends that the Government should s47C  
[REDACTED]

s47C

- ~~(O.S)~~ The Panel recommends Defence could s47C [REDACTED]  
[REDACTED]
- ~~(O.S)~~ The Panel is concerned about the time taken for doctrine and policy reform to permeate through the training pipeline. The Panel recommends that training development teams be given hard deadlines for updating course content.
- ~~(O.S)~~ The Panel recommends that Defence should s47C [REDACTED]  
[REDACTED]
- ~~(O.S)~~ The Panel recommends the Deputy Prime Minister in consultation with the Attorney-General consider s47C [REDACTED]  
[REDACTED]  
[REDACTED]

## 2. Background

~~(O)~~ Dr Vivienne Thom AM, Mr Robert Cornall AO and Professor Rufus Black were appointed as members of the Afghanistan Inquiry Implementation Oversight Panel in November 2020 shortly before the release of the IGADF Afghanistan Inquiry Report. The Panel provides independent oversight and assurance relating to Defence's response to the Afghanistan Inquiry and reports directly to the Minister for Defence. The Panel is required to report quarterly. This is the eighth report and covers the period 1 August 2022 to 31 October 2022.

~~(O.S)~~ At the Panel's meeting with you on 9 August 2022, you requested that this report include:

- advice on accelerating progress of the Afghanistan Inquiry Reform Program;
- options for an ethical way forward for s47C [REDACTED]; and
- a way forward for s47C [REDACTED]  
[REDACTED]

~~(O)~~ These topics are covered later in this report as well as a summary of the Panel's previous quarterly reports.

## 3. Confidential interviews with SOCOMD external stakeholders

~~(O)~~ Clause 15d of the Oversight Panel's terms of reference require the Panel to report on *'the degree to which governance and cultural reform undertaken in Defence, Army and Special Operations Command since 2015 has already addressed elements of the findings and recommendations of the Inquiry; by way of a holistic review of previous reforms and reports on reform that have already been completed, including advice on the efficacy of actions arising from these recommendation, particularly associated with systemic issues, and any outstanding actions from those reforms'*.

~~(O)~~ The Panel continued to engage with Special Operations Command on its implementation of recommendations from the 2018 and 2020 Irvine Reviews; especially those intended to instil a whole-of-command culture and ethos across the organisation. This included a meeting with Special Operations Commander Australia on 17 August 2022.

~~(O.S)~~ Among the matters discussed were the Panel's perceptions of whether a historic culture of 'exceptionalism' continued to exist at SASR. We advised that it had been apparent to us during a recent visit to Campbell Barracks that the Regiment had a renewed focus on 'humility', as a counter-balancing central value. On 25 August 2022 the Panel wrote to SOCAUST advising that, having considered the matter further, we wished to seek further information on how cultural change across the Command is being experienced by external partners, so that we could provide a balanced and considered view.



~~(O.S)~~ The Panel subsequently conducted 17 confidential interviews with stakeholders including from Australian Defence Headquarters, Headquarters Joint Operations Command, Army Headquarters, Strategy and Intelligence Group, Capability Acquisition and Sustainment Group and s33(a)(ii) [redacted] agencies. Interviewees were selected amongst those who could be described as having regular and routine working-level relationships with SOCOMD at mid-seniority levels; reflecting that, with the passage of time, culture change should ideally have been established through SOCOMD’s chain of command, to that level, by now.

~~(P)~~ A summary of our impressions from the interviews is at Enclosure 1. Overall, the Panel considers that SOCOMD’s external relationships appear to s45 [redacted]

[redacted]

- [redacted]
- [redacted]
- [redacted]
- [redacted]

~~(O.S)~~ There was also general acceptance that, s33(a)(ii) [redacted]

~~(O.S)~~ The Panel notes that although this was the fourth SOCOMD stakeholder feedback process completed since 2016 (with earlier interviews undertaken by Dr Samantha Cromptvoets and by Mr David Irvine AO with people in senior leadership positions in stakeholder agencies); the process continues to provide valuable information.

~~(O.S)~~ The Panel recommends that this type of independent stakeholder review continue to be done on a regular basis.

#### 4. Visit to SOCOMD (East)

~~(P)~~ The Panel conducted a visit to Holsworthy and Randwick Barracks 23-24 October 2022 to receive classified briefings on progress s33(a)(ii) [redacted]; observe elements of the Commando selection course; and discuss progress to implement new ethics doctrine with the Defence Special Operations Training and Education Centre.

s33(a)(ii) [redacted]

s47C [redacted]

s47C  
[REDACTED]  
[REDACTED]

s33(a)(ii)  
[REDACTED]  
[REDACTED]

5. Partnerships: s33(a)(iii)

s33(a)(iii)  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

s33(a)(iii)  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

s33(a)(iii)  
[REDACTED]  
[REDACTED]

6. Timeliness of AIRP delivery

~~(O.S)~~ CDF wrote to all Reform Program Action and Accountable Officers on 19 September 2022 to reinforce that they must maintain a focus on delivery, explore opportunities to deliver early, and avoid delays.

~~(O.S)~~ The Panel met CDF and Chief of Army during this quarter and reinforced our view that, although the Reform Program needs to be delivered in a thorough and considered manner, it also requires a sense of urgency.

~~(O.S)~~ We advised that our view remains that initiatives s47C [REDACTED] should be finalised and implemented as a matter of priority s47C [REDACTED].

~~(O.S)~~ CDF advised us that Defence was considering s47C [REDACTED]. We support this approach to s47C [REDACTED] subject to suitable governance arrangements, including s47C [REDACTED].

7. Compensation

~~(O.S)~~ The Brereton Inquiry report recommended compensation for Afghan families for alleged unlawful deaths and alleged assault. s47C [REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

~~(O.S)~~ After discussions with DFAT and Defence, we recommend that s47C [REDACTED]  
[REDACTED]

s47C  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

~~(O.S)~~ We understand that Defence is currently working towards providing you updated advice on this matter soon.

8. Command accountability

~~(O.S)~~ During the Panel’s meetings with CDF and the Chief of Army, we discussed the urgent need to determine a way forward for command accountability issues arising from the Brereton Report, including the review of individual honours and awards.

~~(O.S)~~ We understand that the pause placed on the review of individual honours and awards has now been lifted.

~~(O.S)~~ We have previously suggested that Defence senior leadership might also consider s47C  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

~~(O.S)~~ Instead, the Panel recommends Defence could s47C  
[REDACTED]  
[REDACTED]

~~(O.S)~~ Defence has published several papers recently dealing with leadership training which strongly emphasise leadership accountability. They are worthwhile as far as they go but they do not deal with enforcement and failures of accountability.

9. Ethics and related training

~~(O.S)~~ During our visits to SASR and DSOTEC we observed that s47C  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

~~(O.S)~~ The Panel disagrees with this approach and suggests s47C  
[REDACTED]  
[REDACTED]

~~(O.S)~~ We are also concerned more generally about the time taken for doctrine and policy reform to permeate through the training pipeline. The Panel recommends a more forward leaning approach to Defence directing that training development teams (including in Navy, Army and Air Force) be given hard deadlines for updating course content in relation to:

- Ethics Doctrine;
- s47C  
[REDACTED]
- Any other Reform Program initiative which should feed into a training course.

~~(C.S)~~ The Panel is aware that Commander Australian Defence College is currently considering s47 [REDACTED] their position as Defence's education and training technical authority. We recommend that s47C [REDACTED].

10. Body worn cameras

~~(C.S)~~ The IGADF Afghanistan Inquiry recommended the use of official helmet cameras by Special Forces as a powerful assurance of the lawful and appropriate use of force on operations.

s47C [REDACTED]

s47C [REDACTED]

s47C [REDACTED]

s47C [REDACTED]

s47C [REDACTED]

11. s47C [REDACTED]

~~(C.S)~~ The Panel wrote to you on 26 September 2022 s47C [REDACTED]

~~(C.S)~~ Enclosure 4 sets out some additional information s47C [REDACTED]

~~(C.S)~~ In summary, the Panel recommends the Deputy Prime Minister in consultation with the Attorney-General consider s47C [REDACTED]

- | [REDACTED]
- | [REDACTED]
- | [REDACTED]
- | [REDACTED]
- | [REDACTED]
- | [REDACTED]

## 12. Engagement with stakeholders

~~(S)~~ The Panel continues to meet with as many current and former Defence personnel, external government agencies and non-government stakeholders as practicable. In August to October 2022 the Panel engaged with:

- The Deputy Prime Minister and the Minister for Defence Personnel (9 August 2022)
- Special Operations Commander Australia (17 August 2022)
- Associate Secretary, Department of Defence (22 August 2022)
- Minister for Defence Personnel (23 August 2022)
- Australian Defence College (2 September 2022)
- International Security Division, Department of Foreign Affairs and Trade (9 September 2022)
- International Cooperation Unit, Attorney-General's Department (12 September 2022)
- Legal Assistance Branch, Attorney-General's Department (12 September 2022)
- Chief of Army (13 September 2022)
- 17 Confidential Interviews with SOCOMD External Stakeholders (23 September to 4 October 2022)
- People Policy and Employment Conditions Branch, Defence Personnel Group (29 September 2022)
- Head People Capability, Defence Personnel Group (30 September 2022)
- Afghanistan and Regional Branch, Department of Foreign Affairs and Trade (30 September 2022)
- Defence Special Operations Training and Education Centre (23-24 October 2022)
- Commander Special Forces Group (24 October 2022)
- 1 Commando Regiment (24 October 2022), and
- Chief of Defence Force (28 October 2022)

Further discussions are being arranged with:

- Joint Health Command in relation to psychological support and assessment, and moral injury.
- Australian Defence College in relation to Ethics Doctrine, Culture and Character Doctrine and Command Accountability Doctrine.
- Head People Capability, Defence Personnel Group in relation to deployment respite policy.
- Special Operations Command in relation to the Command's reform program.
- FAS Integrity, Defence Associate Secretary Group in relation to a Defence Enterprise Ethics Framework, and
- Other stakeholders named in paragraph 27 of the Panel's terms of reference.



## 13. Future reports

~~(S)~~ The Panel will continue to report to the Minister quarterly in accordance with its terms of reference and raise other matters when dictated by circumstances or concerns.

Dr Vivienne Thom AM  
Lead, Afghanistan Inquiry Implementation Oversight Panel  
7 November 2022



Enclosures:

1. ~~(S)~~ Summary of Panel Impressions from Confidential Interviews with SOCOMD External Stakeholders
2. ~~(S)~~ Summary of AIOP Activities from November 2020 to May 2022
3. ~~(S)~~ AIOP Letter to the Deputy Prime Minister dated 26 September 2022; s47C  

4. ~~(S)~~ Further information about Defence members' s47C 





~~(S)~~ Summary of Panel Impressions from Confidential Interviews with SOCOMD External Stakeholders

Overall impressions<sup>1</sup>

s45 [REDACTED]  
[REDACTED]  
[REDACTED]

- [REDACTED]  
[REDACTED]
- [REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

s45 [REDACTED]  
[REDACTED]

- [REDACTED]  
[REDACTED]  
[REDACTED]
- [REDACTED]

s45 [REDACTED]  
[REDACTED]  
[REDACTED]

- [REDACTED]  
[REDACTED]
- [REDACTED]  
[REDACTED]
- [REDACTED]  
[REDACTED]
- [REDACTED]  
[REDACTED]
- [REDACTED]  
[REDACTED]  
[REDACTED]

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s45 [REDACTED]

- s45 [Redacted]  
[Redacted]
- [Redacted]  
[Redacted]

s45 [Redacted]  
[Redacted]  
[Redacted]  
[Redacted]

s45 [Redacted]  
[Redacted]  
[Redacted]  
[Redacted]

Overall, there was also general acceptance that, s33(a)(ii) [Redacted]  
[Redacted]  
[Redacted]  
[Redacted]  
[Redacted]

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Areas of strength

s45 [Redacted]  
[Redacted]  
[Redacted]  
[Redacted]

s45 [Redacted]  
[Redacted]  
[Redacted]

s45 [Redacted]  
[Redacted]  
[Redacted]  
[Redacted]

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Humility

s45 [Redacted]  
[Redacted]  
[Redacted]

[Redacted]  
[Redacted]  
[Redacted]

[Redacted]

[Redacted]

s45 [Redacted]

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Ongoing areas of concern and other observations

s45 [Redacted]  
[Redacted]  
[Redacted]

[Redacted]  
[Redacted]  
[Redacted]  
[Redacted]

[Redacted]  
[Redacted]  
[Redacted]

[Redacted]  
[Redacted]  
[Redacted]

[Redacted]  
[Redacted]  
[Redacted]

[Redacted]  
[Redacted]  
[Redacted]

**Summary of AIIOP Activities from November 2020 to April 2022**

1<sup>st</sup> Quarter Meetings (12 November 2020 to 31 January 2021)

- Minister for Defence, Senator the Hon Linda Reynolds (26 November 2020)
- IGADF (10 December 2020)
- Minister for Defence, Senator the Hon Linda Reynolds (22 December 2020)
- Office of the Special Investigator (20 January 2021)
- Head People Capability and DG SIM - Army (20 January 2021)
- The Defence Secretary and the Chief of the Defence Force (20 January 2021)
- Defence Committee (20 January 2021)
- Special Operations Commander Australia and SO Incident Manager (20 January 2021)
- Defence Chief Counsel (20 January 2021)
- Chief of Army (21 January 2021)
- s47F [REDACTED] (21 January 2021)
- s47F [REDACTED] (21 January 2021)
  
- 1st Quarterly Report to Defence Minister, Senator the Hon Linda Reynolds (1 February 2021)
  
- 1<sup>st</sup> Quarter achievements: Extensive in-briefing and review of IGADF report, stakeholder meetings, settled detailed lines of enquiry, recommended integration of IGADF response and a number of pre-existing SOCOMD reform initiatives, advised that more work on command accountability was required.

2<sup>nd</sup> Quarter Meetings (1 February to 30 April 2021)

- s47F [REDACTED] (8 February 2021)
- s47E(d) [REDACTED] (9 February 2021)
- Special Advisor, Special Forces (9 February 2021)
- Special Advisor, Special Forces staff (9 February 2021)
- Office of the Minister for Defence (2 March 2021)
- Headquarters Joint Operations Command (11 March 2021)
- s47F [REDACTED] (11 March 2021)
- Acting Defence Minister, the Hon Senator Marise Payne (15 March 2021)
- Defence Special Operations Training and Education Centre, Holsworthy (17 March 2021)
- 2nd Commando Regiment Holsworthy (18 March 2021)
- Australian Defence College (16 April 2021)
  
- 2nd Quarterly Report to Defence Minister, the Hon Peter Dutton MP (12 May 2021)
  
- 2nd Quarter achievements: Advice on Afghanistan Inquiry Reform Program (including importance of initiatives on command accountability and psychological fitness to deploy), recommended creation of a legal assistance scheme outside Defence to support persons investigated for or charged with criminal offences, recommended s47C [REDACTED].

3<sup>rd</sup> Quarter Meetings (1 May to 31 July 2021)

- Australian Defence College members (3 May 2021)
- Special Advisor, Special Forces (4 May 2021)
- Special Operations Commander Australia (5 May 2021)
- Defence Chief Counsel and Director General – Military Legal Services (21 May 2021)
- Director Preparedness - Army (21 May 2021)
- Minister for Defence, the Hon Peter Dutton MP (1 June 2021)
- Chief of Army and DG SIM–A (4 June 2021)
- Assistant Secretary Inquiry Implementation (4 June 2021)
- SOCOMD Ethical Leader Course (17 June 2021)
- Chief of Joint Operations (16 July 2021)
- Director General Special Operations and Counter Terrorism (16 July 2021)
- Defence Associate Secretary and Chief Counsel (26 July 2021)
- Project Lead - Key Organisation Lessons from the Afghanistan Campaign (26 July 2021)
- SASR Command Group (26 July 2021)
  
- 3<sup>rd</sup> Quarterly Report to Defence Minister, the Hon Peter Dutton MP (4 August 2021)
  
- 3<sup>rd</sup> Quarter achievements: Final Reform Plan endorsement by Panel. Extensive input to reform of Defence ethics doctrine, education and training. Continued focus on command accountability, psychological fitness to deploy, legal assistance and s47C [REDACTED]. Defence consulted the Panel about s47C [REDACTED].  
[REDACTED]  
[REDACTED]

4<sup>th</sup> Quarter Meetings (1 August to 31 October 2021)

- Defence Special Operations Training and Education Centre (9 August 2021)
- Australian Defence College (12 August 2021)
- Afghanistan Inquiry Response Task Force, Ethics Doctrine stakeholders (20 August 2021)
- Special Operations Commander Australia (27 August 2021)
- Special Operations Command staff (30 August 2021)
- Chief Army (31 August and 14 September 2021)
- Project Lead - Key Organisation Lessons from the Afghanistan Campaign (14 September and 8 October 2021)
- Head People Capability, Defence Personnel Group (24 September 2021)
- Assistant Secretary Afghanistan Inquiry Response Task Force (24 September 2021)
- Joint Health Command and Directorate of Army Health (8 October 2021)
- Defence Chief Counsel (22 October 2021)
- Special Advisor, Special Forces (22 October 2021)
  
- 4<sup>th</sup> Quarterly Report to Defence Minister, the Hon Peter Dutton MP (2 November 2021)
  
- 4<sup>th</sup> Quarter achievements: Final draft of ethics doctrine endorsed. Discussions on legal assistance and s47C [REDACTED] finalised. Key input to reform benefits realisation development. Defence consulted the Panel about the Lessons Learned from Afghanistan Campaign project. The Panel flagged that more work needed to be done on s47C [REDACTED].

5<sup>th</sup> Quarter Meetings (1 November 2021 to 31 January 2022)

- Special Operations Command staff (26 November 2021)
- Chief Joint Operations (26 November 2021)
- Surgeon General of the ADF and Commander Joint Health (9 December 2021)
- Director General Afghanistan Inquiry Response Task Force (9 December 2021)
  
- 5<sup>th</sup> Quarterly Report to Defence Minister, the Hon Peter Dutton MP (15 February 2022)
  
- 5<sup>th</sup> Quarter achievements: the Panel provided final endorsement to reforms led by CJOPS. Panel members flagged their active and ongoing interest in Defence support to the Office of the Special Investigator and reforms led by the Surgeon-General to improve psychological (and other) health and support services to the ADF (and SOCOMD in particular). The Panel also expressed concerns that s33(a)(ii)

[REDACTED]

6<sup>th</sup> Quarter Meetings (1 February to 30 April 2022)

- Head People Capability (4 February 2022)
- Acting Chief Data Integration (4 February 2022)
- First Assistant Secretary People Policy and Culture (18 February 2022)
- AIRTF Leadership Group (18 February 2022)
- Special Operations Command (9 March 2022)
- Director General Force Exploration (11 March 2022)
- Assistant Secretary AIRTF (11 March)
- Director General Special Operations Modernisation (17 March 2022)
- SOCOMD SOJ7 Health staff (17 March 2022)
- CO SASR and visit to Campbell Barracks to engage SO operators (25 March 2022 – Dr Thom only)
- Australian Defence College (1 April 2022)
- Office of Special Investigator (8 April 2022)
- s47F [REDACTED] (13 April 2022)
- Secretary and Associate Secretary (21 April 2022)

- 6<sup>th</sup> Quarterly Report to Defence Minister, the Hon Peter Dutton MP (2 May 2022)

- 6<sup>th</sup> Quarter achievements: Engaged with Special Operations Command s33(a)(ii) [REDACTED]. Final Panel endorsement of Reform Benefits Plan. s47C [REDACTED]. First Panel visit to SASR. First briefing by ADC on development of Command Doctrine.

~~OFFICIAL-Sensitive~~

IGADF Afghanistan Inquiry  
Implementation Oversight Panel  
[oversightsecretariat.igadfa@defence.gov.au](mailto:oversightsecretariat.igadfa@defence.gov.au)

The Hon Richard Marles MP  
Deputy Prime Minister of Australia  
Parliament House  
CANBERRA ACT 2600

Dear Deputy Prime Minister

Since the Afghanistan Inquiry Implementation Oversight Panel met with you on 9 August 2022, we have sought further information from the Attorney-General's Department on s47C [REDACTED]

s47C [REDACTED]

- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]

The Panel recommends that you, in consultation with the Attorney-General, s47C [REDACTED]

Yours sincerely

s22 [REDACTED]

**Dr Vivienne Thom AM (Panel Lead)**  
**Afghanistan Inquiry Implementation Panel**

26 September 2022

Attachments:

1. AIIOP: Update Report on the s47C [REDACTED]

~~OFFICIAL-Sensitive~~

**Previous Panel advice**

s47C [Redacted]  
[Redacted]  
[Redacted]

s47C [Redacted]  
[Redacted]  
[Redacted]

s47C [Redacted]

s47C [Redacted]  
[Redacted]  
[Redacted]

**Further Panel consideration**

s47C [Redacted]  
[Redacted]  
[Redacted]

[Redacted]

[Redacted]  
[Redacted]  
[Redacted]

[Redacted]  
[Redacted]

[Redacted]  
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[Redacted]  
[Redacted]

[Redacted]  
[Redacted]  
[Redacted]  
[Redacted]



## Summary

The Panel recommends the Deputy Prime Minister in consultation with the Attorney-General consider s47C

[Redacted]

- [Redacted]
- [Redacted]
- [Redacted]

Dr Vivienne Thom AM  
Afghanistan Inquiry Implementation Oversight Panel  
26 September 2022

s47C

