



# Making a complaint about abuse in Defence

The Office of the Commonwealth Ombudsman, in its role as the Defence Force Ombudsman (DFO), offers a safe and independent avenue for past or serving Australian Defence Force (Defence) members to make a complaint about abuse experienced during their service.

Some people may not feel comfortable reporting internally through Defence pathways. The DFO aims to provide an impartial, supportive and confidential process, separate from Defence.

## Making a complaint about abuse

The DFO can take appropriate action to respond to complaints of abuse that meet jurisdictional requirements under the *Ombudsman Regulations 2017* (the Regulations).

The DFO can accept both historical and current complaints of abuse. There is no requirement that complaints of abuse be reported to or dealt with by an internal Defence complaints mechanism before approaching the DFO.

The DFO can take further action on complaints when:

- it is a complaint of 'abuse' as defined in the Regulations
- it is reasonably likely to have occurred
- you were, at the time of the alleged abuse, a member of Defence, and
- the alleged abuser was a member of Defence at the time of the alleged abuse.

The DFO is focused on accepting complaints of abuse that occur in connection with, or in the course of, a person's employment in Defence.

The DFO can also inquire into matters relating to complaints of abuse, for example how Defence responds to such complaints.

The Regulations define 'abuse' as including sexual abuse, serious physical abuse and serious bullying or harassment. 'Member of Defence' includes a person who was, at the time the abuse occurred, a member of the Australian Defence Force or another person deployed overseas with the Australian Defence Force (whether as an employee or contractor).

### Contact us:

[ombudsman.gov.au](https://ombudsman.gov.au)  
[defenceforce.ombudsman@ombudsman.gov.au](mailto:defenceforce.ombudsman@ombudsman.gov.au)

GPO Box 442  
Canberra ACT 2601

### The Ombudsman has offices in:

- » Adelaide
- » Brisbane
- » Canberra
- » Melbourne
- » Perth
- » Sydney

As part of the reporting process, we will ask for your consent to provide information about your complaint to Defence, so that Defence can send us any information they have. This will help us in assessing your complaint. You can withdraw your consent at any time, and we won't take any further action on your individual complaint.

We may use de-identified information contained in your complaint or received through anonymous complaints to assist us with addressing systemic issues.

If you have any concerns about providing consent when submitting your complaint, you can discuss these with our team.

If you would like additional support while navigating this process, you can access the support of an advocate. You can find a local E-Service Organisation (ESO) advocate by visiting the [register](#).

### **Who can make a complaint to the Defence Force Ombudsman?**

You can make a complaint if you were, at the time the abuse allegedly occurred:

- a member of the Australian Defence Force, or
- an Australian Public Service employee deployed outside Australia, or
- a Defence contractor engaged to provide services outside Australia, either in connection with an operation of the Defence Force or for the purpose of capacity building or peacekeeping functions by the Defence Force.

You can nominate an authorised representative to act on your behalf throughout the process. This could be, for example, a family member. You will need to complete the 'Permission for another person to act on my behalf form', which can be found in the webform or [reporting form](#).

There are no requirements to have legal representation, however you can be supported by legal representation if you prefer.

### **Outcomes from complaints**

There is a range of actions the DFO can take in response to a complaint of abuse, which may include:

- helping resolve your complaint with Defence, which can include the DFO investigating the complaint of abuse and making suggestions or recommendations to Defence
- facilitating a [Restorative Engagement Conference](#) so you can receive an acknowledgement and apology from Defence
- using a process to address or resolve the complaint, for example through alternative dispute resolution
- making recommendations to Defence about systemic issues, allowing your complaint to contribute to Defence's cultural reform.

We can also assist with a referral to counselling with Open Arms, independent of the complaint process.

## What to expect when you make a complaint

When you lodge a new complaint, a member of our team will be in touch. This will allow you to discuss the outcomes you are seeking and for us to offer information on how the DFO may be able to assist you.

Please note that, for complaints **received** after 30 June 2023, the DFO cannot recommend or facilitate reparation payments in acknowledgement of abuse.

## What guides our processes?

We are guided by:

- Part IIA of the [Ombudsman Act 1976](#) which gives the Ombudsman the function of the DFO, and
- [Ombudsman Regulations 2017](#) which gives the DFO powers to receive and take action in response to complaints of abuse within Defence.

## Need more information?

We recognise that making a complaint is a significant step and takes immense courage. If you would like to speak to a member of the team before submitting a complaint, or at any stage in the process, please email [defenceforce.ombudsman@ombudsman.gov.au](mailto:defenceforce.ombudsman@ombudsman.gov.au) and we will be in touch.

## Support

There are services that can assist Defence members, veterans and families in need of mental health care or other supports. If you would like to access these services, you can contact the agencies listed below.

- Open Arms – Veterans & Families Counselling: **1800 011 046**
- Lifeline: **131 114**
- Beyond Blue: **1300 224 636**
- 24-hour support line – for currently serving Australian Defence Force (ADF) members and their families: **1800 628 036**
- Employee Assistance Program (EAP) – for current and former ADF members, Defence APS employees and their immediate family members: **1300 361 008**

You can find more information at [ombudsman.gov.au](http://ombudsman.gov.au).

Please note: This document is intended as a guide only. For this reason, the information should not be relied on as legal advice or regarded as a substitute for legal advice in individual cases. To the maximum extent permitted by the law, the Commonwealth Ombudsman is not liable to you for any loss or damage suffered as a result of reliance on this document. For the most up-to-date versions of cited Acts, please refer to the [Federal Register of Legislation](#).

**Find the Defence Force Ombudsman online information portal here:**

[www.ombudsman.gov.au/complaints/defence-force-complaints](http://www.ombudsman.gov.au/complaints/defence-force-complaints)