

## CHAPTER 10

# AUSTRALIAN DEFENCE FORCE CADETS: YOUTH SAFETY

### INTRODUCTION

1.1 The source policy for the Australian Defence Force Cadets (ADFC) specific youth safety policy is the Defence Youth Safety policy suite in Youth Policy Manual (YOUTHPOLMAN) Part 1. The four primary policies specify:

- a. [Defence Youth Safety Commitment Statement](#);
- b. [Defence Youth Safety Governance](#);
- c. [Defence Youth Safety Risk Management](#); and
- d. [Defence Youth Safety Responding and Reporting](#).

1.2 The youth safety commitment policy details the Defence approach and commitment to youth safety, the four contexts in which Defence interacts with youth, the principles that underpin youth safety action, and key roles and responsibilities.

1.3 The youth safety governance policy details the Defence focus on consistent application of youth safety policies, procedures and practices.

1.4 The youth safety risk management and responding and reporting policies provide direction for Defence youth safety risk and incident management.

1.5 The ADFC operates within, and is subject to, the [Defence Youth Safety Framework](#). The ADFC youth safety policy supplements the policy suite in YOUTHPOLMAN Part 1. It details action and provides direction specific to the ADFC context.

### PURPOSE

1.6 The purpose of this policy is to provide specific guidance to ensure ADFC youth safety actions are consistent with the overarching youth safety principles and commitments articulated in [YOUTHPOLMAN Part 1](#).

1.7 This policy details the actions required to:

- a. prioritise and promote youth safety risk management appropriate to the ADF Cadets;
- b. ensure all adults involved in ADFC activity demonstrate their commitment to youth safety through their agreement to undertake their responsibilities in accordance with the organisation's code of conduct;
- c. ensure all adults involved in ADFC activity complete the mandated suitability screening articulated in the Defence Suitability Screening Guide before they commence working unsupervised in the ADFC;
- d. ensure all adults working in the ADFC complete youth safety education and training appropriate to their role;
- e. maximise proactive engagement with parents, guardians and other responsible third parties involved in the protection of young people;
- f. ensure the involvement of cadets in creating and maintaining a youth safe environment;

- g. ensure ADFC members, Defence Approved Helpers (DAH), Defence personnel, cadets, their families and the wider community know what to do if they have concerns about youth safety in the ADFC context and the process for responding and reporting to ADFC youth safety incidents articulated in this chapter and the overarching Defence Youth Safety Framework in Part 1; and
- h. ensure all breaches of the youth safety framework are identified and addressed.

## IMPLEMENTATION

1.8 The ADFC Youth Safety Policy will be implemented through a single set of ADFC processes and procedures applicable to all three cadet organisations. When differences between the individual cadet organisations (AAC, ANC, and AAFC) make a single process or procedure unworkable, the individual cadet organisation process and procedure must be consistent with and reflect the principles, approach and direction articulated in this chapter and the overarching Defence Youth Safety Framework.

## AUSTRALIAN DEFENCE FORCE CADETS CONTEXT

1.9 The ADFC is one of four Defence contexts in which adults interact with young people under the age of 18. Interactions in this context are routinely between cadets under the age of 18 and:

- a. Officers and Instructors of Cadets (OOC/IOC) and Defence Approved Helpers (DAH);
- b. Cadets over the age of 18; and
- c. Defence personnel associated with cadet activities.

## RELATIONSHIPS BETWEEN ADULTS AND PERSONS UNDER THE AGE OF 18

1.10 All cadets under the age of 18 are by legal definition 'children' and because of their age and physical and emotional immaturity are considered vulnerable and prone to be less risk averse than adults. For this reason the law regards those adults who have, or assume, responsibility for their care and supervision as owing them a special duty of care as detailed in [Vice Chief of the Defence Force \(VCDF\) Directive 06/2016—Relationships Between Defence and Cadet Adults, and Cadet and Other Minors.](#)

1.11 Defence considers all Defence personnel as well as all adults associated with ADFC activities (OOC, IOC, DAH, and cadets over the age of 18) to have a responsibility for providing 'special care' to cadets under the age of 18 particularly as it relates to sexual interaction.

1.12 Regardless of individual state or territory legislation that defines age of consent, Defence does not tolerate any sexual interaction between adults and persons under the age of 18 as detailed in [VCDF Directive 06/2016—Relationships Between Defence and Cadet Adults, and Cadet and Other Minors.](#)

1.13 Any adult associated with ADFC activities (Defence personnel, OOC/IOC, DAH and adult cadets) who breaches the prohibition against sexual interaction with cadets and/or other minors will be subject to administrative or disciplinary action. They may also be subject to criminal action, depending on the state or territory jurisdiction.

## **AUSTRALIAN DEFENCE FORCE CADETS CULTURE AND GOVERNANCE**

### **YOUTH SAFETY CULTURE**

1.14 Creating a youth safe organisation means taking all reasonably practicable measures to keep young people under the age of 18 safe from harm, abuse or neglect. Creating a youth safe organisation is also about creating an environment in which:

- a. everyone, adults and young people alike, feels confident to report incidents or events of abuse or harassment;
- b. young people know that persons to whom they report will provide immediate support, comfort and assistance to them; and
- c. cadets and other minors who have been exposed to harm, abuse, or neglect, know that they are entirely without blame for the situation in which they find themselves.

1.15 To create an ADFC youth safe culture requires the ADFC to:

- a. incorporate youth safety in all vision, mission and role statements;
- b. feature youth safety in internal and public program messaging; and
- c. make specific provision for the safety of youth with disabilities as well as youth from indigenous and culturally or linguistically diverse backgrounds.

### **YOUTH SAFETY GOVERNANCE**

1.16 Effective ADFC youth safety governance means youth safety responsibilities are clearly defined for each role undertaken by each member, helper and cadet as they relate to:

- a. individual compliance with ADFC youth safety requirements and direction, particularly compliance with suitability screening requirements before members are accepted and volunteers are approved and registered;
- b. individual compliance with code of conduct behaviour requirements;
- c. management action when behaviour is at odds with the code of conduct;
- d. individual compliance with education and training requirements;
- e. adhering to both legislated and Defence reporting requirements; and
- f. managing breaches of the youth safety framework.

## **AUSTRALIAN DEFENCE FORCE CADETS GENERAL RISK MANAGEMENT**

1.17 Risk is minimised and managed most effectively when organisations use a variety of strategies appropriate to the context, nature and level of risk. The key ADFC youth safety risks are considered to be:

- a. the involvement of unsuitable people (adults and/or youth) in ADFC activities;

- b. the development of inappropriate relationships of trust between adults associated with ADFC activities and cadets under the age of 18; and
- c. the exposure of young people under the age of 18 to alcohol and/or prohibited substances and/or age inappropriate materials of any sort.

## DEFINING AND ADDRESSING YOUTH SAFETY RISK

1.18 The three main elements to be taken into consideration when defining and addressing youth safety risks in the ADFC context are ADFC culture, the ADFC environment and ADFC people practices. To deliver effective ADFC youth safety risk management the ADFC as a program and its members and helpers as individuals must:

- a. pursue a culture of individual and collective responsibility in which:
  - (1) the interests of young people are given the highest priority;
  - (2) young people, family members, and all adults associated with ADFC activities (Defence personnel, OOC/IOC, DAH and adult cadets) are empowered to report suspicions, allegations, and disclosures of harm or abuse or neglect;
  - (3) all adults associated with ADFC activities act in accordance with their legal and moral obligations as persons who have a special duty of care for the young people under their care and supervision;
  - (4) all persons associated with ADFC activities, whether adults or young people, know the standards to which they are held and the consequences of any breaches of the Defence Youth Safety Framework;
- b. develop an environment in which:
  - (1) cadet activities are conducted in a way that is welcoming and supportive;
  - (2) all persons associated with ADFC activities, whether adults or young people, are supported to make informed youth safety decisions;
  - (3) risk management is proactive and reflects a learning environment in which all adults associated with ADFC activities are aware of the complexities and indicators of risks of child abuse and neglect;
- c. pursue ADFC people practices whereby:
  - (1) all adults associated with ADFC activities complete the minimum mandated suitability screening actions before they are accepted or registered and commence working unsupervised with young people under the age of 18;
  - (2) all persons associated with ADFC activities receive youth safety training appropriate to their role and responsibilities; and
  - (3) all persons associated with ADFC activities interact with each other only in accordance with this policy and the ADFC Code of Conduct.

## AUSTRALIAN DEFENCE FORCE CADETS PEOPLE RISK MANAGEMENT

1.19 In addition to general risk management actions, effective youth safety risk management requires the ADFC to pay particular attention to its youth safety people practices. These are based on suitability screening, education and training, the use of codes of conduct, and performance monitoring.

- a. **Suitability Screening**. Finding the right people for adult roles in the ADFC starts with attracting the right applicants, then assessing their suitability. Effective suitability screening requires a process that:
  - (1) identifies factors that may indicate a risk to youth safety, such as a lack of understanding of youth safety requirements or incidences of, and/or unwillingness to declare, any investigation by an employer, law enforcement agency or any integrity body of prior conduct;
  - (2) includes face to face interview, qualification and referee checks, police check and formal working with children/working with vulnerable person checks in accordance with state and territory legislation; and
  - (3) incorporates a probation period (including for cadets who transition to OOC, IOC, or DAH).
  
- b. **Codes of Conduct**. Codes of Conduct are an important element in advancing youth safe behaviours and creating a youth safe environment. The ADFC will adopt a single ADFC Code of Conduct written in user friendly language that makes clear:
  - (1) the expectations of behaviour and boundaries for youth / youth interaction as well as adult / youth interaction;
  - (2) the requirement for compliance as a condition of membership /registration / enrolment;
  - (3) the consequences for breaches of the code of conduct; and
  - (4) the prescribed procedures for handling breaches of the ADFC code of conduct.
  
- c. **Education and Training**. Education and training is an integral part of delivering a youth safe organisation. ADFC training needs to be appropriate to role and responsibilities and include no less than:
  - (1) induction training;
  - (2) annual refresher training;
  - (3) remedial training as part of performance management;
  - (4) transitional training for cadets who remain in the ADFC program after turning 18; and
  - (5) role-specific training, particularly for persons in positions of authority.

## AUSTRALIAN DEFENCE FORCE CADETS YOUTH SAFETY INCIDENT MANAGEMENT

1.20 The principles and generic processes for youth safety incident management are provided in the Defence Youth Safety Responding and Reporting policy in [YOUTHPOLMAN Part 1](#), supplemented by the [Youth Safety Incident Management Guide](#).

## INCIDENT RESPONDING

1.21 Effective youth safety incident management requires all members of the ADFC, DAH and Defence personnel involved in ADFC activities to understand and act on their responsibilities when they become aware of a youth safety incident.

1.22 In addition to ensuring all disclosures and allegations are handled in a sensitive, prompt and confidential manner with all persons acting in the best interests of the young person at all times, immediate responsibilities include:

- a. Removing the young person from the source of the risk, calling 000 or the local police for assistance if the young person is in immediate danger;
- b. Providing immediate support and comfort in accordance with the advice contained in the Defence Youth Safety Incident Management Guide;
- c. Ensuring cadets and other minors who have been exposed to harm, abuse, or neglect, know that they are entirely without blame for the situation in which they find themselves;
- d. Taking all reasonable steps to ensure the young person's safety and protection from further abuse through appropriate notification and referral; and
- e. Reporting in accordance with ADFC procedures and protocols.

1.23 In addition to an effective immediate response, successful ongoing incident management includes additional responsibilities for Commanders and Supervisors to ensure the needs, safety and well-being of all parties involved in an incident are taken into consideration. These include, but are not limited to:

- a. The young person's parent / guardian / specified next of kin;
- b. The person against whom the allegation is made;
- c. Any witnesses to the event; and
- d. External stakeholders.

## INCIDENT REPORTING

1.24 All youth safety incidents are to be reported as soon as practicable in accordance with the requirements of [YOUTHPOLMAN Part 1, Chapter 5 – Defence Youth Safety Responding and Reporting](#).

1.25 If the incident is about actual abuse of, or harm perpetrated on the young person the incident must be reported to the relevant State based Child Protection Statutory Authority.

1.26 If the allegation involves a potential criminal matter it must be reported to the local police as soon as practicable.

