

AUSTRALIAN DEFENCE FORCE CADETS PROTECTION ORDERS

INTRODUCTION

1.1 Where a member of the ADF Cadets (the member) is subject to a Protection Order (PO), compliance with the restrictions imposed by the PO may impede the member's ability to participate in ADF Cadet activities. In these circumstances, the member must notify their chain of command. An administrative decision by the respective Director-General and COMD AAC, or their delegate, may be required regarding the participation of the member in cadet activities.

POLICY STATEMENT

1.2 Where a member is a respondent to a PO, they are to report it to their chain of command when attending their next cadet activity. Depending on the nature of the PO, an immediate decision regarding the member's participation in cadet activities may be required to protect the safety of other members of ADF Cadets and the wider community.

1.3 The definition of Protection Order is provided in the YOUTHPOLMAN Glossary.

1.4 Where a member is named as the aggrieved person in a PO, they must notify their chain of command as soon as possible if the PO is likely to affect their participation in cadet activities.

ROLES AND RESPONSIBILITIES

Responsibilities of ADF Cadets members as Respondents to a PO

1.5 An ADF Cadets member as a respondent to a PO must advise their chain of command prior to attending their next cadet activity. The advice must include:

- a. a copy of the PO
- b. details of the circumstances which prompted the issue of the PO
- c. particulars of the duration and conditions of the PO (if this information is not included in the PO).

1.6 A member must inform their chain of command in writing (if possible) of any updated circumstances and/or changes to the PO as soon as possible, for example if the PO has been amended, or revoked.

1.7 A failure to comply with this policy may constitute a ground for the Director-General and COMD AAC or their delegate(s), to impose administrative actions on the member.

Responsibilities of ADF Cadets members as Aggrieved Person under a PO

1.8 If a member is the aggrieved person under a PO, and the PO is likely to directly or indirectly impact on the aggrieved person's or any other person's participation in other cadet activities, the aggrieved person must notify their chain of command in writing as soon as possible.

Responsibilities of chain of command

1.9 If the chain of command is notified by a respondent or an aggrieved person about a PO, the chain of command must conduct a risk assessment as soon as possible to ensure that the member's participation in cadet activities does not place ADF Cadets members (both cadets and adult members) in a vulnerable situation, or contribute to a contravention of the PO by the respondent.

1.10 Copies of the advice and a copy of the risk assessment must be provided to the relevant Director-General and COMD AAC or their delegate(s) for consideration as the appropriate decision maker.

1.11 If the PO limits or restrains a member's access to, possession or use of a weapon cancels, suspends or refuses the issue of a firearms licence, permit, registration or any similar authorisation orders the confiscation or disposal of a firearm. The relevant chain of command must prevent the member's access to firearms or weapons within ADF or ADF Cadets' control. Responsibilities of respective Directors-General and Commander AAC or their Delegates

1.12 Processes must be implemented to ensure that upon receiving the risk assessment from the chain of command, the Director-General and COMD AAC or their delegate:

- a. considers whether the actions of the member, leading to the issue of the PO, constitutes unacceptable behaviour in accordance with *ADF Cadets Code of Conduct* and commence action where appropriate; and
- b. considers whether the actions leading to the issue of the PO require reporting in accordance with Defence Incident Reporting and Management Manual.

1.13 Directors-General and COMD AAC or their delegates are to remain cognisant that a PO is a serious matter and their responses are critical to enhancing personnel safety and security. They also need to bear in mind that the allegation(s) that are the subject of the PO may not have been tested in a court of law.

1.14 All Defence and Cadet Adults involved must apply procedural fairness and ensure that members who are the subject of a PO, either as the respondent or aggrieved person, have their personal information managed in accordance with the [Privacy Act 1988](#). All information in relation to protection orders should be marked "Sensitive: Personal".

RECORDING OF PROTECTION ORDERS

1.15 ADF Cadets volunteer members who are also ADF members will have any protection orders recorded as per the Military Personnel Policy manual (MILPERSMAN).

Accountable Officer: Chief Joint Capability

Policy Officer: Head Reserve and Youth Division