

# Revised Terms of Reference

## Independent Review of Past Defence and Veteran Suicides

8 December 2020

The death by suicide of any Australian Defence Force (ADF) member or veteran is tragic for the family and the wider Australian community. Taking action to help prevent these suicides is a priority for the Australian Government. The latest annual report produced by the Australian Institute of Health and Welfare states there have been 465 certified deaths by suicide by ADF members and veterans who have served since 2001.<sup>1</sup> Ex-serving men and women are particularly at risk, with the rate of suicide being much higher than in the broader Australian population.<sup>2</sup>

The Australian Government is establishing a new independent National Commissioner for Defence and Veteran Suicide Prevention (the National Commissioner) to inquire into deaths by suicide of ADF members and veterans.

As a first priority, the National Commissioner will undertake an Independent Review of Past ADF and Veteran Suicides (the Review). It is important to look back, to learn from the past, and improve our understanding of the factors that have contributed to these deaths by suicide. These insights will help inform recommendations to Government to help prevent further deaths.

So that the Review can commence as quickly as possible, it will initially be overseen by the interim National Commissioner.

As part of the Review the National Commissioner can consider any past death by suicide, or suspected suicide, of an ADF member or veteran.<sup>3</sup> This includes enabling families to share their story, provide insights, and speak to the impact of the loss of their loved ones.

### Objectives of the Review

The objectives of the Review are to<sup>4</sup>:

- a. Identify and understand the risk and protective factors relevant to past deaths by suicide among ADF members and veterans;
- b. Provide affected families the opportunity to share their stories, provide insights, and speak to the impact of the loss of their loved ones;
- c. Make recommendations to Government to inform more tailored and effective strategies for suicide prevention among ADF members and veterans; and
- d. Provide a foundation for the future work of the National Commissioner.

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<sup>1</sup> Number of deaths by suicide amongst ADF members and veterans, who had at least 1 day of service, between 1 January 2001 and 31 December 2018, as outlined in the most recent AIHW report *National suicide monitoring of serving and ex-serving Australian Defence Force personnel: 2020 update*. Causes of death for a small number of records may change due to revisions to cause of death data by the ABS. See the ABS [Causes of death](#), Australia for more details.

<sup>2</sup> The age-adjusted rate of suicide over the period 2001-2018 was 21% higher for ex-serving men than men in the broader Australian population, and 127% (2.27 times) higher among ex-serving women compared to women in the broader Australian population.

<sup>3</sup> Consistent with the National Commissioner legislation before the Parliament, cases where the coronial process has not been finalised may be included subject to avoiding any prejudice to the coronial process or any separate civil or criminal proceedings.

<sup>4</sup> Consistent with the National Commissioner legislation before the Parliament, the Review will not make findings of civil or criminal wrongdoing, or make findings on the cause of death.

## **Conduct of the Review**

In undertaking the Review, the wellbeing of families will be of paramount importance. Families will be invited to participate, on a voluntary basis, to share their views and experiences to inform the Review. Engagement with families will be in accordance with a trauma-informed and restorative approach, and be culturally appropriate. Families will be assisted to access counselling services to support them to participate in the Review. Where appropriate, families providing evidence to, or appearing at, any hearing the National Commissioner may decide to hold to inform the Review, will receive access to legal assistance to support their participation in the process.

The Review will:

- a. Analyse available data and information to identify trends, systemic issues, and common risk and protective factors, including consideration of social and cultural factors;
- b. Consider the possible contribution of pre-service, service, transition, and post-service issues;
- c. Examine available research and data relating to suicidal ideation and incidence of suicide attempts and self-harm among ADF members and veterans; and
- d. Take account of the findings and recommendations of previous relevant reports and inquiries.

The National Commissioner will consult widely with relevant stakeholders and experts, including but not limited to the Prime Minister's National Suicide Prevention Adviser, the Deputy Chief Medical Officer for Mental Health, the Department of Defence, the Inspector-General of the Australian Defence Force, and the Department of Veterans' Affairs (including Open Arms and the Veteran Family Advocate).

The National Commissioner will be supported in their data and information analysis by expert technical assistance from the Australian Commission on Safety and Quality in Health Care (ACSQHC) and the Australian Institute of Health and Welfare (AIHW). This analysis will rely on available data and information in relation to deaths by suicide of ADF members and veterans. Necessary ethics approvals will be obtained in accordance with national principles and standards set by the National Health and Medical Research Council.

## **Powers of the National Commissioner**

Subject to the passage of legislation, in conducting the Review the National Commissioner will be able to exercise Royal Commission-like powers to:

- a. Make broad-ranging inquiries relevant to these terms of reference and hear from any relevant party (including ADF members, veterans, and their families)
- b. Receive submissions
- c. Compel the production of evidence
- d. Summon witnesses
- e. Convene public and private hearings; and
- f. Make findings and recommendations.

The National Commissioner will be independent from Government, and will make any recommendations they consider appropriate, including recommendations about policy, legislative, administrative or structural reforms to support suicide prevention efforts and improve the wellbeing of ADF members and veterans. In conducting the Review, if the National Commissioner identifies any matter that requires referral to an authority for further investigation (for example a criminal matter), such referral will be facilitated.

### **Timeframes and deliverables**

The National Commissioner will provide the following, which will be tabled by the Australian Government in Parliament:

- An Interim Report to Government within 12 months of commencing the Review (by 16 November 2021); and
- A Final Report, with recommendations to Government, within 18 months (by 16 May 2022).

The Australian Government will table a formal response in Parliament to the National Commissioner's Final Report. The National Commissioner will monitor the implementation of recommendations made, as part of the National Commissioner's ongoing role.