

# Senate Inquiry Submission

## Defence Amendment (Sexual Assault Prevention, Intervention and Response Commission) Bill 2025

Submission aligned to Defence context

Date: 14 January 2026

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### Introduction

Women Veterans Network Australia (WVNA) is a national, member-led charity representing women who have served, or are currently serving, in the Australian Defence Force. WVNA was established to address the systemic invisibility of women veterans and to ensure their lived experience informs policy, legislative reform, and service design across the Defence and veterans' support systems.

WVNA works directly with women veterans who have experienced sexual assault, sexual harassment, and other forms of gender-based harm during military service. Central to our work is the facilitation of safe, trusted peer connection, recognised as a critical protective factor for recovery, wellbeing, and survival. For many women, connection with others who share lived experience is the first point of disclosure, validation, and re-engagement with formal support systems. In numerous cases, this connection has been lifesaving.

Through our national network of local chapters, WVNA provides trauma-informed, community-based support and amplifies the voices of women veterans to government and oversight bodies. We welcome the opportunity to contribute to this Senate Inquiry into the capable of delivering lasting cultural and systemic change within Defence.

As a non-partisan, volunteer-governed organisation, WVNA is committed to ensuring the unique experiences and needs of Australia's women veterans are recognised and addressed at every level of government and society.

While the Bill represents a positive step toward improving prevention, response, and accountability, several provisions require clarification or amendment to ensure the legislation delivers consistent, survivor centred outcomes across all service categories, locations, and circumstances.

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## 1. Application and Scope

### Page 4, lines 14–17 – Application of Part

The Bill applies regardless of “where” and “when” for members of the Permanent Forces. However, paragraph (b) relating to members of the Reserves does not include an equivalent reference to “when”. This omission creates ambiguity regarding temporal coverage for Reservists, particularly during periods of transition between service and civilian life, and risks inconsistent access to protections and supports.

*Recommendation:* Amend the provision to ensure Reservists are afforded the same temporal protections as Permanent Force members.

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## **2. Access to Services and Entitlements**

### **Page 5, lines 6–8 – Subsection (2)**

The Bill limits victim-survivors who access this Part only by virtue of paragraph (1)(f) to advocacy and support services. It is unclear what this limitation excludes, including whether access to compensation pathways, justice mechanisms, reporting options, or other remedies is denied.

*Recommendation:* Clarify the scope of services and explicitly state what entitlements are included or excluded to prevent unintended denial of justice or redress.

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## **3. Definitions and Legislative Clarity**

### **Page 5, line 26 – Defence premises**

The Bill references section 71A for the definition of “defence premises”, however this section is not clearly identifiable within the Bill.

*Recommendation:* Clearly reference the relevant legislation or include the definition within the Bill.

### **Page 6, lines 5–9 – Intimate image**

The term “private act” requires further clarification to ensure contemporary forms of abuse, including image-based abuse, are fully captured.

### **Page 7, lines 8–10 – Sexual harassment**

It is unclear whether this definition aligns with civil and workplace definitions under Commonwealth anti-discrimination legislation.

### **Page 7, lines 11–32 – Sexual acts and misconduct**

There is concern that limitations within these definitions may leave victim-survivors vulnerable, particularly where abuse occurs within relationships. The Bill does not clearly articulate where family violence and coercive control are addressed, despite their recognised link to sexual harm.

*Recommendation:* Align definitions with contemporary civil law standards and explicitly recognise family violence and coercive control.

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## 4. Awareness Training Program

### **Page 13, line 3 – Delivery of training**

The Bill does not specify who will deliver awareness training or what qualifications will be required. In a Defence context, inconsistent delivery risks dilution of key messages.

*Recommendation:* Mandate delivery by appropriately qualified personnel with expertise in sexual violence, trauma-informed practice, and Defence culture, whether uniformed specialists or accredited civilian providers.

### **Page 13, lines 9–12 – Risky situations**

The framing risks placing responsibility on victim-survivors rather than perpetrators.

### **Page 13, line 12(c) – Bystander intervention**

This appears inconsistent with current ADF training doctrine and requires alignment.

### **Page 13, line 13(d) – Drug and alcohol education**

Embedding consent and respect training solely within drug and alcohol programs risks minimising their importance.

*Recommendation:* Strengthen stand-alone training on respect, consent, and accountability, and require members to formally acknowledge understanding and compliance.

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## 5. Leave, Welfare, and Victim Support

### **Page 17, line 31 – Suspension with pay**

While the Bill provides for suspension with pay or leave without pay for alleged perpetrators, it does not address special leave with pay for victim-survivors.

*Recommendation:* Include explicit provisions for flexible and paid leave options for victim-survivors.

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## 6. Reporting Pathways

The distinction between restricted and non-restricted reporting is insufficiently clear, making it difficult for members to understand consequences and options.

*Recommendation:* Provide clear, Defence-specific guidance within the legislation or associated instruments.

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## 7. Medical Care and Information Sharing

### Page 18 – Off-base medical care

The Bill does not adequately explain how information will be shared between medical providers, Defence, and authorities while protecting victim confidentiality.

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## 8. Victim Contact and Case Management

### Page 20, lines 28–34 – Designated victim contact

There is concern that this role may default to a billet without appropriate training, particularly in deployed or remote environments such as ships or field locations.

*Recommendation:* Establish minimum qualifications, training, and support mechanisms for designated victim contacts, including surge or remote support options.

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## 9. Veterans' Affairs and Ministerial Responsibility

### Page 39, lines 5–10 – Department of Veterans' Affairs

The Bill lacks clarity regarding DVA's scope of responsibility and accountability, and creates ambiguity regarding ministerial oversight.

*Recommendation:* Clearly define DVA's role and specify the responsible Minister.

### Page 39, line 11 – Sexual Assault Response Coordinators (SARC)

The Bill does not specify appointment processes, qualifications, numbers, or whether SARCs will be civilian or uniformed.

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## 10. Jurisdiction, Justice, and Oversight

### Pages 41–42 – ADF convictions

The Bill does not clearly state when matters are referred to civilian authorities, risking continued reliance on the Defence Force Discipline Act (DFDA) for serious sexual offences.

*Recommendation:* Strengthen referral thresholds to civilian law enforcement for serious offences.

### Page 43, clause 114 – Commissioner eligibility

The requirement that the Commissioner must have left the ADF more than 25 years prior is unexplained.

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## **11. Leadership Accountability**

Cultural and systemic reform will not be achieved without leadership accountability.

*Recommendation:* Link performance against legislative KPIs to Commander appraisal, promotion, and career progression.

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## **Conclusion**

The Bill represents an important reform opportunity. Addressing the issues outlined above will strengthen survivor confidence, ensure Defence-wide consistency, and improve accountability while remaining operationally realistic within the ADF context.