

Chart: Pre-2003 Handling of an ADF Sexual Offence

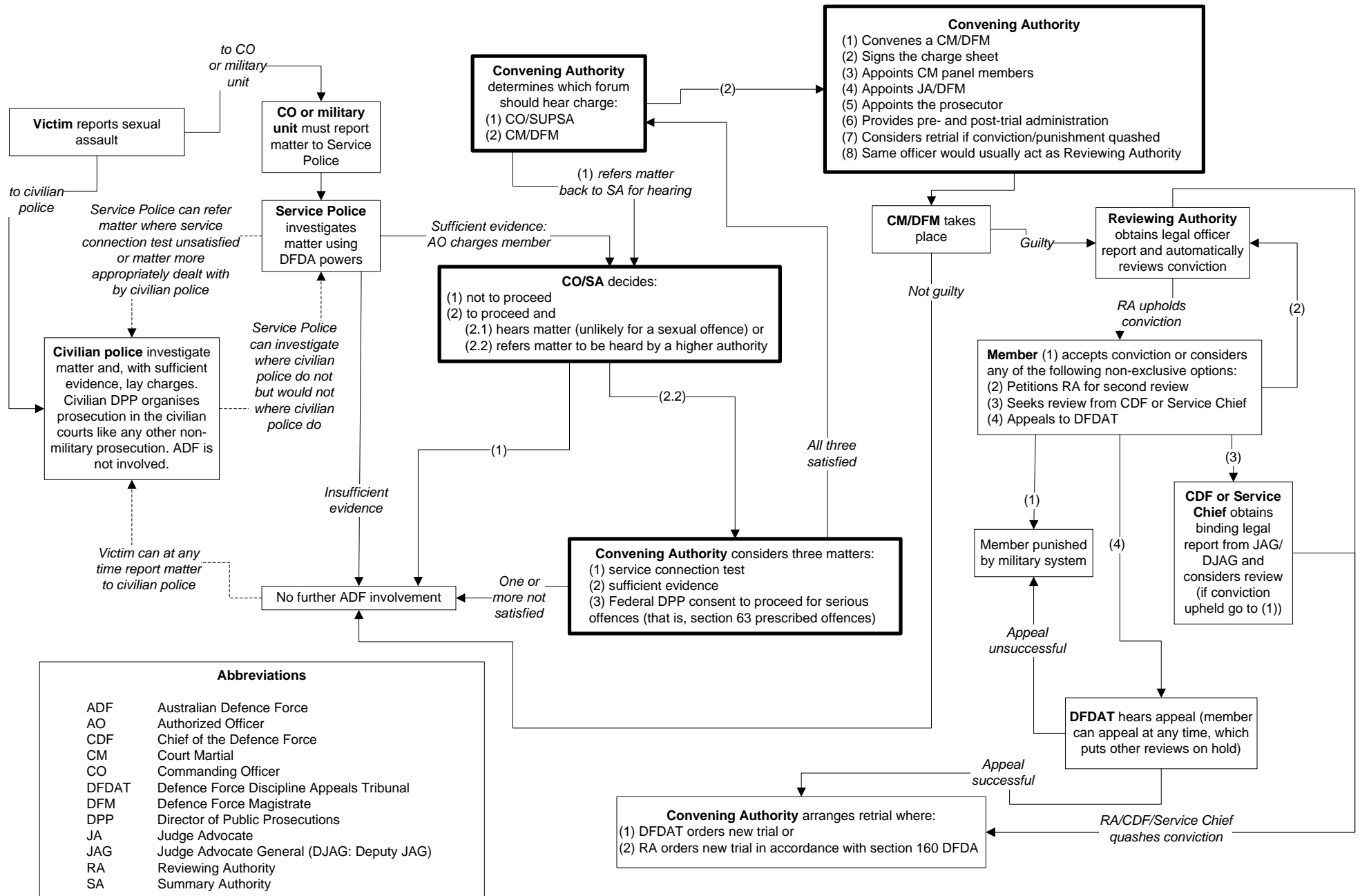


Chart: Post-2003 to 2006 Handling of an ADF Sexual Offence

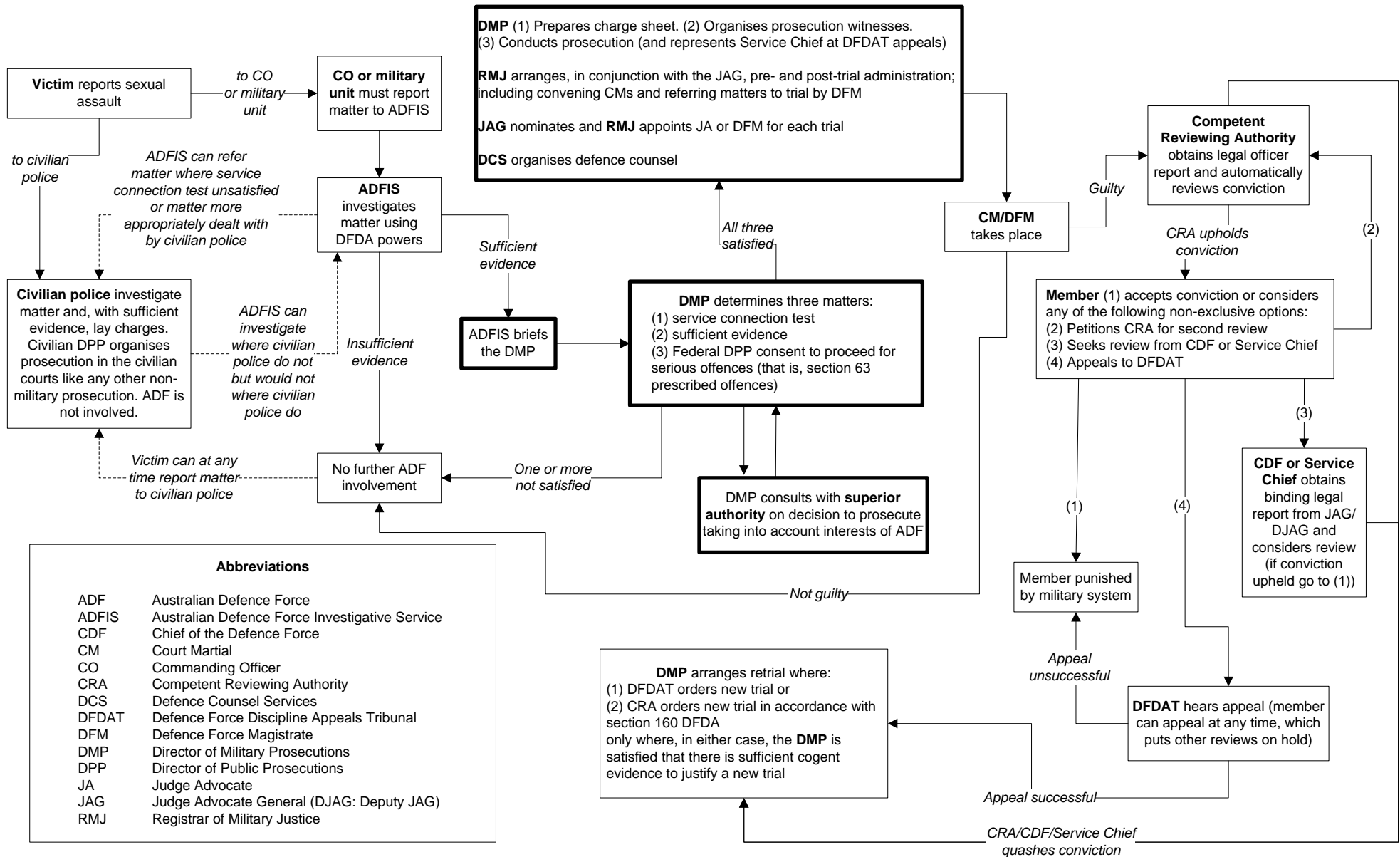
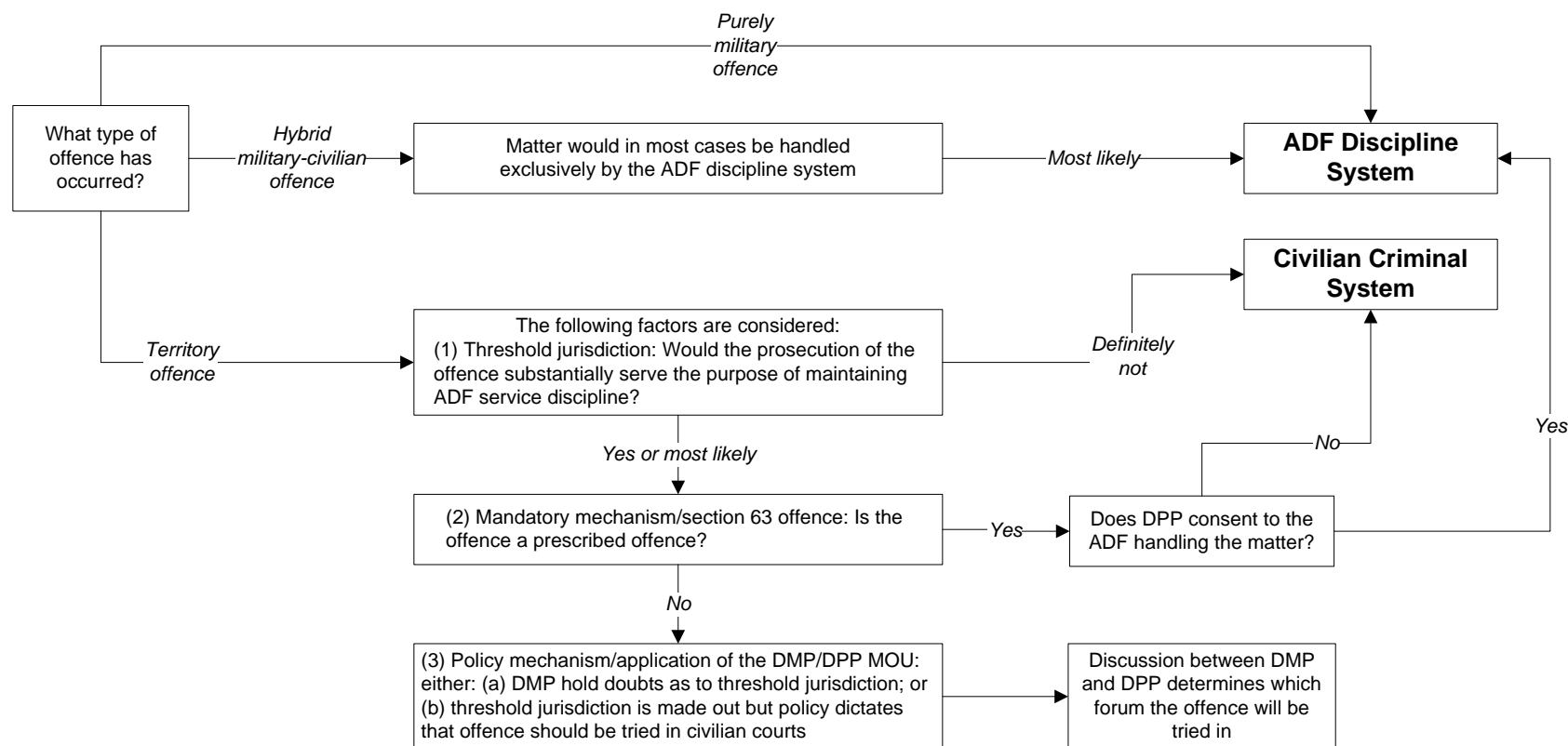


Chart: How it is Determined Whether the ADF or Civilian Authorities will Prosecute a DFDA Offence



There are three broad categories of service offences in the DFDA:

- (a) purely military offences (for example, providing the enemy with material assistance);
- (b) hybrid military-civilian offences (for example, assaulting a superior officer); and
- (c) territory offences as described in section 61 of the DFDA, that is, certain civilian criminal offences that are incorporated into the Act and can be, subject to certain prerequisites and individual service tribunal jurisdictional limitations, prosecuted by the ADF (for example, sexual assault).

Authorised by: Director-General ADF Legal Service, Defence Legal, Department of Defence
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Disclaimer: This paper has been provided to the Response Systems to Adult Sexual Assault Crime Panel to provide a general overview and understanding of the issues in the paper. This paper is not, and does not purport to be, a definitive examination of all relevant issues. More detailed guidance is available from relevant legislation, Department of Defence policies and from Defence Legal, Department of Defence.