



24 July 2009

**COURT ENFORCEABLE UNDERTAKING FOR THE
AUSTRALIAN ARMY**

Comcare has accepted a Court-enforceable undertaking from the Australian Army in relation to an alleged failure to observe its duties under the *Occupational Health and Safety Act 1991* (the Act).

The undertaking follows an investigation by Comcare into an incident which occurred on 30 March 2007 when six Australian Army Cadets failed to return to their camp site. The Australian Army Cadet section (the lost section) was not located during searches and was still unaccounted for by first light on 31 March 2007. Subsequently, on the morning of 31 March 2007, members of the lost section found their way to camp headquarters in the Wombat State Forest.

Enforceable undertakings commit duty holders to a standard higher than minimum compliance with workplace safety legislation. They include activities that deliver a tangible benefit to the health and safety in an organisation or the community generally.

Comcare welcomes the significant steps the Army has already taken in response to the incident.

The enforceable undertaking is a legally enforceable commitment by the Army and has been accepted as an alternative to Comcare pursuing civil proceedings. It requires mandatory improvements in its systems to protect cadet safety.

For example, the enforceable undertaking requires the production of a field activities handbook to assist in the planning and conduct of Australian Army Cadet field activities. A new risk management process is being implemented from 1 May 2009.

Comcare will oversee compliance with the undertaking for its duration, which expires on 1 April 2010.

A copy of the undertaking can be viewed at www.comcare.gov.au

Ends

Media enquiries:

Elizabeth Mail

Ph: 1300 366 979

Email: media@comcare.gov.au