

**TRIBUNAL OF INQUIRY INTO ISSUES RELATING TO THE COMPLAINTS PROCESSES IN  
THE DEFENCE FORCES AND THE CULTURE SURROUNDING THE MAKING OF  
COMPLAINTS**

**FOLLOWING RESOLUTIONS PASSED BY DÁIL ÉIREANN**

**ESTABLISHED BY INSTRUMENT MADE BY THE TÁNAISTE AND MINISTER FOR  
DEFENCE UNDER THE TRIBUNALS OF INQUIRY (EVIDENCE) ACTS 1921 TO 2011, ON  
20 JUNE 2024**

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**INTENDED ORDER FOR DISCOVERY**

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**UPON ESTABLISHMENT** by instrument dated the 20<sup>th</sup> day of June 2024 (S.I. 304 of 2024) of a Tribunal of Inquiry Relating to the Complaints Processes in the Defence Forces in respect of Complaints of Abuse and Complaints of Hazardous Chemicals and to the Culture Surrounding the Making of Complaints of Abuse (hereinafter '**the Tribunal**') charged with investigating the matters provided for in its Terms of Reference from the 1<sup>st</sup> day of January 1983 to the 20<sup>th</sup> day of June 2024; and

**WHEREAS** the Tribunal, having regard to the Terms of Reference appended hereto at Schedule Two, on the 28<sup>th</sup> day of January 2025, made an Order for Discovery in respect of the Chief of Staff of the Defence Forces pertaining to the documents specified at categories (1) to (12) inclusive of the said Order and in respect of which the Chief of Staff on the 30<sup>th</sup> day of November 2025 filed an Affidavit of Discovery; and

**WHEREAS** the Tribunal considers that the Chief of Staff of the Defence Forces has, within his power, possession or procurement, further categories of documents and materials that are relevant to the matters into which it is inquiring pursuant to the Terms of Reference; and

**WHEREAS** the Tribunal also considers that it is necessary and proportionate to make an Order for discovery and production of the aforesaid further categories of documents and materials as set out hereunder; and

**WHEREAS** the Tribunal further considers that, in respect of the documents and materials falling within the aforesaid further categories of documents that are specified under categories (1) to (5) hereunder, it is necessary and proportionate that the said documents and materials be discovered with anonymisations or pseudonymisation, as appropriate, of the names and other personal identifying information in accordance with the Discovery Protocol appended hereto at Schedule One of this Order;

**THE TRIBUNAL**, pursuant to section 4 of the Tribunals of Inquiry (Evidence) (Amendment) Act 1979,

**HEREBY ORDERS THAT** the Chief of Staff of the Defence Forces does, within a period of one week from the date hereof, make discovery, on oath, of the following documents and materials which are or have been in his power, possession, or procurement:

1. The annual performance appraisal reports of the Platoon Commander in the Army Apprentice School for the years 1990, 1991 and 1992;
2. All documents relating to or arising out of the decision to remove the Platoon Commander from the Army Apprentice School in 1991;
3. All documents relating to or arising out of admonition proceedings arising from the Military Police investigation into Ill Treatment of Inferiors in the Army Apprentice School in 1991;

4. All documents relating to Report(s) sent by the Officer in Charge of Technical Training School at the Naval Depot to the Officer Commanding of the Naval Base and Dockyard during the period 1991 to 1993; and
  
5. All documents relating to Redress of Wrongs complaints made by members of the 34<sup>th</sup> Platoon in respect of their proposed or intended discharge from the Defence Forces during the period 1989 to 1992.

The term 'documents' includes but is not limited to all statements, notes, records of investigations and interviews, reports, responses, determinations, recordings, memoranda and records of written and electronic correspondence and communications of any kind.

**AND THE TRIBUNAL FURTHER ORDERS THAT,** in respect of the documents and materials falling within categories (1) to (5) above, the Deponent shall, in accordance with the Discovery Protocol appended hereto at Schedule One, anonymise or pseudonymise, as appropriate, all names and other information which might lead to the identification of persons.

Signed

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**Lynn Heavey**

**Tribunal Registrar**

Date of Perfection:

To: Ms. Maria Browne  
Chief State Solicitor  
Chief State Solicitor's Office  
Smithfield Hall  
Bow Street  
Dublin 7  
D07 AEF4

## **Schedule One**

### **DISCOVERY PROTOCOL**

Detail	Redaction/Marker
Serving or former members of the Defence Forces, current or former civilian employees to the Defence Forces and current or former civil servants to the Defence Forces	Anonymised but subject to an individual alphabetical and numerical marker (e.g. P1, P2, etc.) in respect of any such person which is applied consistently across the file so that the Tribunal can detect where that person is referenced more than once in the file , and which enables the Chief of Staff of the Defence Forces to identify persons to the Tribunal should that prove necessary.
Locations.	Anonymised with no marker subject to Devoy Barracks not being anonymised or pseudonymised and in respect of any other barracks, or equivalent location, referenced on the file being subject to an individual numerical code consistent with those used in respect of discovery furnished to the Tribunal pursuant to the Order for Discovery as against the Chief of Staff dated the 28 <sup>th</sup> day of January 2025.
All other persons	Anonymised with no marker.
Other identifying data (such as, but not limited to, units, date of birth, personnel number, home address, phone numbers , email addresses, signatures, family	Anonymised with no marker.

identifiers)	
Dates (other than date of birth)	Included
Ranks (to include Apprentice)	Included
Gender	Included

## **NOTES**

Locations equivalent to barracks, for the purposes of this Order, include for example, locations such as the Military School, Casement Aerodrome and Camp Shamrock. Location will be identified in the manner described above, irrespective of whether the file includes references to more specific location(s) or does not specifically state the location. Where the file does state the location, the relevant numerical code will be applied to the location only once in a file, being the first time it is stated in the file.

1. Where the file does not state a relevant barracks or equivalent location but states a more specific location, the Defence Forces will identify the relevant barracks or equivalent location and redact the first reference in the file to the more specific location with a visible marker corresponding to that relevant barracks or equivalent location.
2. Should the Tribunal require the Defence Forces to identify any serving or former member of the Defence Forces and/or any current or former civilian employee to the Defence Forces and/or any current or former civil servant to the Defence Forces identified on the file by marker "P[number]", this will be the subject of an Order for Disclosure.
3. Where the Tribunal provides the Defence Forces with a consent from an individual who is coded with a marker "P[number]", the Defence Forces will confirm the particular "P[number]" code that relates to the individual from whom the consent has been received.

## **Schedule Two**

### **TERMS OF REFERENCE**

The Tribunal's Terms of Reference are available at the following  
link: <https://www.toidf.ie/terms-of-reference/>