

**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**



ORDER FOR DISCOVERY

UPON ESTABLISHMENT by instrument dated the 20th 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 1st day of January 1983 to the 20th day of June 2024; and

WHEREAS the Tribunal, having regard to the Terms of Reference appended hereto at Schedule Two, on the 28th 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 28th day of November 2025 swore an Affidavit of Discovery; and

WHEREAS the Tribunal, having regard to its Terms of Reference, made a further Order for Discovery on the 13th day of February 2026, in respect of the Chief of Staff of the Defence Forces pertaining to the documents specified at category (1) of that Order and in respect of which the Chief of Staff, on the 12th day of March 2026, swore an Affidavit of Discovery; and

WHEREAS the Tribunal, having considered the documents discovered pursuant to that further Order and in the light of the affirmative information set out in subsequent correspondence sent on behalf of the Chief of Staff, considers that the Chief of Staff of the Defence Forces has, within his power, possession or procurement, further documents and materials that are relevant to the matters into which it is inquiring pursuant to the Terms of Reference; and

WHEREAS the Tribunal considers that it is both necessary and proportionate to make an Order for the discovery and production of the aforesaid further documents and materials which are specified in Categories (1) to (5) hereunder; and

WHEREAS the Tribunal further considers that in respect of the documents and materials falling within 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; and

WHEREAS the Tribunal has received a submission from the Chief of Staff of the Defence Forces on the 18th day of May 2026 in respect of its published Intended Order for Discovery and Protocol attached thereto, and such submission, having been considered by the Tribunal;

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:

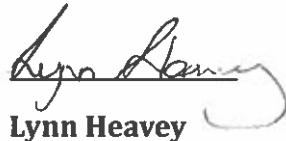
- (1) The annual performance appraisal reports for 1990, 1991 and 1992 in respect of the Second Lieutenant who was Platoon Commander of the 34th Platoon in the Army Apprentice School from September 1989 until June 1991 subject to the redaction of information falling outside of the Terms of Reference;
- (2) All documents relating to or concerning the decision taken in 1991 to remove the then Second Lieutenant who was Platoon Commander of the 34th Platoon in the Army Apprentice School;
- (3) All documents relating to or arising from any admonition proceedings that followed 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 Defence Forces Number 9249, being the Officer in Charge of Technical Training School at the Naval Depot to the Officer Commanding of the Naval Base and Dockyard, in respect of the Army Apprentice School during the period 1991 to 1993 and such documents to include the aforesaid Report(s); and
- (5) All documents, including photographs, relating to complaint(s) made by a member(s) of the 34th Platoon in respect of their proposed or intended discharge from the Defence Forces during the period 1989 to 1992 and which concerned a complaint of 'Abuse' or made reference to 'Abuse' as defined in the Terms of Reference, including the documents and photographs referenced in File TIC118B at pages 0014 and 0015 of the Defence Forces discovery.

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



Lynn Heavey

Tribunal Registrar

Date of Perfection:

22nd May 2026

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 th 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 identifiers)	Anonymised with no marker.
Dates (other than date of birth)	Included
Ranks (to include Apprentice)	Included
Gender	Included

NOTES

1. 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.
2. 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.
3. 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.
4. 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/>