

**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 AND SEANAD 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 into Issues 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 One, 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, a further category of documents and materials 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 and in the interests of justice to make an Order for discovery and production of the aforementioned category of documents and materials, the details of which are set out in Category (1) hereunder, in that the said documents and materials are relevant to the Tribunal's Terms of Reference and, in particular, to paragraphs (i), (ii) and (iii) thereof, and will enable the Tribunal to establish the procedures and/or instructions that ought to have been adhered to by Assistant Provost Marshals and their personnel when investigating a Complaint of Abuse made to the Military Police. Accordingly, the Tribunal is satisfied that the documents and materials set out in Category (1) below are relevant to its investigation and that their discovery and production are necessary to enable it to carry out its functions and to report on the matters of urgent public importance that are set out in the Terms of Reference; and

**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 four days 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:

**Category (1)**

*All Provost Marshal Directives applicable to Assistant Provost Marshals and their personnel when investigating a complaint of abuse, as defined in the Terms of Reference, that were in force at any time during the period from 1 January 1983 to 20 June 2024.*

Signed \_\_\_\_\_

**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**

### **TERMS OF REFERENCE**

The Tribunal's Terms of Reference are available at the following link:

<https://www.toidf.ie/terms-of-reference/>