



Australian Government

Inspector-General of the Australian Defence Force

IGADF/BN92966169

Inspector-General of the Australian Defence Force Inquiry into Questions of Unlawful Conduct concerning the Special Operations Task Group in Afghanistan

VARIATION OF DIRECTION RESTRICTING DISCLOSURE

On 29 October 2020, as the Assistant Inspector-General of the Australian Defence Force conducting the Inquiry, Major General the Honourable Paul Brereton AM RFD issued a direction restricting disclosure under section 21 of the *Inspector-General of the Australian Defence Force Regulation 2016* (the IGADF Regulation), in the following terms:

I direct that there is to be no public disclosure of the names of, or anything which would tend to identify:

- a. Any person who has given evidence or information to the Inquiry who is referred to in Parts 2 or 3 of [the Inquiry Report];
- b. Any person mentioned in any finding or recommendation contained in the Report.

Subsequent investigations by the Office of the Special Investigator and the Australian Federal Police into criminal conduct in Afghanistan are leading to prosecutions in the criminal courts being conducted by the Commonwealth Director of Public Prosecutions.

It is of critical importance to the fairness of a criminal trial that limited disclosure of information that might breach the above direction be able to occur in that context. Accordingly, I make the following direction under section 21 of the IGADF Regulation which amends the direction of 29 October 2020:

I direct that the direction of 29 October 2020 made by Major General Brereton is varied to permit public disclosure that would otherwise breach that direction where such public disclosure is reasonably made during criminal proceedings before a court of competent jurisdiction.

A handwritten signature in black ink, appearing to read 'J.M. Gaynor', with a long, sweeping horizontal stroke at the end.

JM Gaynor CSC

Inspector-General of the Australian Defence Force

25 November 2024