EXTERNAL OVERSIGHT BODY OF THE DEFENCE FORCES

The First Report of the

Statutory External Oversight Body of the Defence Forces

to the Tánaiste and

Minister for Defence, Mr. Simon Harris, T.D.

July 2025

Foreword

As Chair of the External Oversight Body of the Defence Forces *("the Body/EOB")* I am pleased to submit the Body's first Six Monthly Report, since its establishment, to the Tánaiste and Minister for Defence, Mr Simon Harris, TD, for his consideration.

This report covers the period from 01 December 2024 to 30 June 2025. The period covered by this Report has been extended by 1 month in order to include the activity of the Body from its establishment date (01 December 2024) as a Statutory Body.

The role of the Body, as provided for in Section 322 of the Defence Act 1954 *("the Act")* as inserted by Section 21 of the Defence (Amendment) Act 2024, over this reporting phase has been to oversee and monitor the human resource management of the Defence Forces by the Defence Forces. Furthermore, upon establishment of the Body, in December 2024, the Tánaiste and Minister for Defence specified that the Body would continue "*to oversee the implementation and operationalisation of necessary change by the Defence Forces on foot of the matters identified in the IRG Report*".

In the reporting period, the Body has focussed on matters, which are recognised as key levers in the transformation of culture within the Defence Forces. In this regard the Body has taken account of the overall views and recommendations contained in the Report of the Commission on the Defence Forces (2022), relating to human resource matters as set out in Chapter Eight of that report: *"People as the Defence Forces key strategic resource"*. The Body has decided that in its monitoring and oversight of HR practices within the Defence Forces by the Defence Forces, the principles and recommendations set out by the Report of the Commission on the Defence Forces (CoDF), should strongly inform its ongoing approach in these matters.

On behalf of the External Oversight Body members I wish to thank all stakeholders for their engagement with the Body to date. I also wish to thank the Executive Team for their support and expertise in the transition to the newly established External Oversight Body.

Ms. Patricia King

Chair of the External Oversight Body of the Defence Forces

Background

The Independent Review Group *(the "IRG")* was established in January 2022, to examine issues relating to allegations of discrimination, bullying, harassment, sexual harassment and any form of sexual misconduct in the Defence Forces. It recommended in its Report *(the "Report"),* published on the 28 March 2023, the establishment of an External Oversight Body in recommendation 4.3.1.

Accepting the recommendations of the IRG, the Government established the Body, initially on a non-statutory basis, in April 2023, to oversee the implementation of relevant recommendations of the IRG Report, to increase transparency and accountability in the Defence Forces and to bring about necessary changes to the workplace culture and behaviour in the Defence Forces.

The Terms of Reference (ToR) for the Body were published on 12 July 2023 and can be found on the Body's website (www.eobdf.gov.ie). The non-statutory Body submitted three reports to the Minister for Defence.

The Statutory Body

While the Body continued to meet on a non-statutory basis, legislation was brought forward in 2024, by the Minister for Defence to place the Body on a statutory basis. The Defence (Amendment) Act 2024, provides for the establishment of a statutory Body to be known as Comhlacht Formhaoirsithe Seachtrach Óglaigh na hÉireann (the External Oversight Body) and to provide for its functions. The Act was signed into law by the President on 17 July 2024. In accordance with the provisions of the Act, the Minister for Defence signed the commencement and establishment day orders bringing the statutory Body into operation on 01 December 2024.

Section 322 of the Act outlines the high-level functions of the Body and the Body are determined to deliver their Mission *"to effectively oversee and monitor the management of HR of the Defence Forces by the Defence Forces and support the implementation of a successful transformation of culture in the Defence Forces."*

In the Tánaiste/Minister for Defence's direction to the first chair of the Body dated 11 November 2024, he indicated that he wished to ensure continuity with the important work

conducted by the Body, which it progressed whilst operating on a non-statutory basis in line with its ToR.

In that regard, and under section 322(1)(b) of the Act, the Minister for Defence wrote to the Chair requesting that the Body continue to review and report to him on items (1) - (8) and (m) of that ToR.

The Body's Membership

Section 323 of the Act makes provision for the membership of the Body. The Act provides that the Body shall consist of no fewer than 7 members and no greater than 9 members including

a) a chairperson;
b) no fewer than 5 and no greater than 7 ordinary members and
c) the Secretary General of this Department with a) and b) to be appointed by the Minister.

In accordance with the Act, the Minister for Defence designated the first chair and first ordinary members of the Body who stood appointed on 01 December 2024:

- Ms. Patricia King (Chair) (appointed for four years)
- Mr. Jim Breslin (appointed for four years)
- Ms. Sam des Forges (appointed for four years)
- Mr. Liam Doherty (appointed for three years)
- Ms. Josephine Feehily (appointed for three years)
- Mr. Pat O' Doherty (appointed for three years)
- Ms. Julie Sinnamon (appointed for four years)

The Secretary General of the Department of Defence, Ms. Jacqui Mc Crum, is an ex officio member as provided for in the Act.

In June 2025, the Body engaged Colonel Simon Farebrother as a Subject Matter Expert to the Body. Colonel Farebrother will provide relevant military expertise to the Body in particular his experience of leading cultural transformation in the UK armed forces. He will attend meetings as required by the Body going forward.

Executive to the Body

To support the Body and in accordance with the Act, the Minister for Defence *"shall assign to the External Oversight Body such and so many staff as he or she considers appropriate for the discharge by the External Oversight Body of its functions"*. These staff comprise the Executive to the Body who are assigned such functions and duties as delegated by the Body to support the work of the Body.

This First Report

This First Report of the Statutory Body covers the period from the establishment of the Statutory Body on 01 December, 2024 to 30 June, 2025 (the reporting period). This Report covers:

A. The activities of the EOB in the period concerned;
B. Key issues raised in the monitoring and oversight of the HR Management of the Defence Forces by the Defence Forces in the reporting period; and
C. Concluding remarks.

A. ACTIVITIES OF THE BODY IN THE REPORTING PERIOD

Meetings

Between its establishment as a Statutory Body on 01 December 2024 and 30 June 2025 (the reporting period), the Body met on eight occasions. These meetings were held in person and included two engagements with the former Chief of Staff of the Defence Forces and one engagement with the current Chief of Staff along with members of their respective senior management teams including the Defence Forces Head of Strategic Human Resources, the Head of Transformation and the Senior Diversity, Equity, Inclusion and Gender Advisor (GENAD). In addition, the Body met with the following stakeholders:

- Members of the Leadership Team of the *Representative Association of Commissioned Officers* (RACO).
- Members of the Leadership Team of the *Permanent Defence Force Other Ranks Representative Association* (PDFORRA).
- Dr. Stephanie O'Keefe, Chief Executive of Cuan, the Domestic, Sexual and Gender-Based Violence Agency.
- Senior Management of the Department of Defence including Ms. Clare Tiernan, Assistant Secretary of the Department of Defence.
- Ms. Eimear Fisher, Chair of the Department of Defence's Audit Committee.
- Representatives of EY Consultancy.
- Representatives of Deloitte.

B. KEY ISSUES RAISED IN THE MONITORING AND OVERSIGHT OF THE DEFENCE FORCES IN THE REPORTING PERIOD

Since its establishment the EOB, in line with its remit as set out in the legislation, has focussed on the overall views and recommendations contained in the Report of the Commission on the Defence Forces (2022), relating to human resource matters as set out in Chapter Eight of that report: *"People as the Defence Forces key strategic resource"*. The External Oversight Body has decided that in its monitoring and oversight of HR practices within the Defence Forces by the Defence Forces the principles and recommendations set out by the CoDF strongly inform its ongoing approach.

The Body can report that over the past six months it has had regular engagements with the former and current Chief of Staff and the Head of Strategic HR aimed at overseeing and monitoring the Defence Forces implementation progress. The Body has also met with relevant Senior Leadership Team members of the Department of Defence. Furthermore, the Body has consulted with the Representative Associations. In this reporting period, the Body has focussed on matters, which are recognised as key levers in the transformation of culture within the Defence Forces. These issues are set out below:

1. Promotions System

Initially, the Body has concentrated on the career development and progression processes currently in place in the organisation. The CoDF, in its report found that the current promotions system requires significant overhaul and should be redesigned to provide an open, genuinely merit based, transparent and competitive system.

The EOB can report that in relation to the overhaul of the promotions system, the Defence Forces have informed the Body that it is currently finalising a suite of measures which they believe will reflect the changes advocated by the CoDF. The Department of Defence have informed the Body that upon receipt of these finalised proposed measures, it is their intention, in line with normal procedures, to engage with the Defence Forces Leadership Team. Furthermore, both parties are committed to full consultation with the Representative Associations.

The EOB has advised the Defence Forces that the reform of current selection and eligibility criteria must ensure the elimination of gender and service-based barriers. The Body felt it

worth noting that the adoption of competency-centric criteria provides the opportunity to place greater emphasis on the current and past performance of the individual in their assigned role(s) and also considering their future potential while reducing the risks arising from specified experience-based eligibility. When established, it is vital, that such criteria and competencies should be easily accessible to prospective candidates at all times and specifically should be notified to all potential candidates prior to any promotion competition or course.

The Body has noted that, in the interests of achieving transparency and openness in the current promotions system within the Defence Forces, the recommendations outlined in the report of the CoDF specifying that all promotion competitions should be conducted by external bodies such as the Public Appointments Service (PAS) and the Top -Level Appointments Committee (TLAC) should be implemented. Such a development would serve to enhance Defence Force members trust levels in the operation of a new promotions and selection system and its outcomes.

Additionally, the EOB has advised that the recommendations of CoDF relating to the introduction of 'Command and Staff' and 'Staff Only' career streams for more senior management ranks should be seriously considered. The EOB takes the view that the introduction of such reforms would assist in eradicating existing or perceived barriers to career progression within the organisation. It is acknowledged that while these changes may be more reasonably expected to be addressed in the context of the development of the Chief of Defence (CHoD) the EOB is of the view that they should be progressed in parallel with the development of the CHoD.

2. Performance Appraisal System

The Body has advised the Defence Forces that when contemplating reform of the current performance appraisal system, including transitioning from the current file review system to a streamlined individual performance appraisal, it is essential that an integral feature of the revised system would be the mandatory training of all personnel involved in carrying out the appraisals. The Body further draws the attention of the Defence Forces to the CoDF report recommendation whereby the practice of performance management should include all personnel having a personal continuous professional development plan and at least one annual

meeting with their commander to review their performance and competencies with a view to identifying learning and development needs and career and educational objectives.

The Body would wish to see better progress in the development of the performance appraisal system as it is generally accepted that a key enabler to delivering effective performance management is the availability of dedicated and trained staff in the subject throughout the organisation. This is a significant cultural shift for the Defence Forces and will require investment in training and development at all levels of command. The Body has also reminded the Defence Forces that constant movement of supervisory staff together with staff shortages can result in a decrease in effective performance appraisal. It is accepted that rotation of supervisory personnel is in itself developmental but that it should be carried out in a planned manner so as to optimise to both operational and organisational needs, and the opportunity for personal development.

3. Career Progression Map

The CoDF recommended that a comprehensive exercise be carried out by the Defence Forces outlining current career pathways of career progression. The Defence Forces have informed the Body that considerable work is currently underway on this subject but no timeline as of yet has been established for its completion. The Body acknowledges the work of the Defence Forces on this and strongly encourages its prioritisation. This will assist in the determination of the causes of attrition rates of particular roles in the organisation and also aid the process of identifying possible remedies.

4. Recruitment and Retention

Recruitment and retention of members within the Defence Forces are profound challenges facing the organisation. The Body has discussed these subjects with the Chief of Staff and the Head of Strategic HR on a number of occasions. The Body recently requested a presentation from the Defence Forces outlining their approach to developing a Future Integrated Workforce Plan (WFP). The Body considers the development of such a plan as critical to the Defence

Forces ensuring they have the right people, with the right skills in the right place at the right time to meet the current and future requirements of the Defence Forces.

The Body intends to place particular focus on Defence Forces recruitment and retention issues over the coming months in the context of an integrated workforce plan. The EOB have encouraged the Defence Forces to actively engage with the Public Appointments Service with a view to availing of their services to undertake general service recruitment. It should be noted that the Department of Defence have advised the Body of other positive developments, on this subject, mainly related to remuneration and conditions of employment, which are outside the remit of the Body.

5. Complaints and Reform of the Defence Forces Complaints Processes

Over the seven-month period covered by this Report, the Body has been in receipt of the comprehensive quarterly *"External Cases before the Civil Authorities and Internal Investigations within the Defence Forces"* report prepared by the Defence Forces regarding all live internal complaints of unacceptable behaviour and those forwarded and being dealt with externally both received and in process. The Body has engaged with the Chief of Staff on these serious matters, who has conveyed to the Body his recognition of the existence of fundamental problems within the Defence Forces relating to 'Unacceptable Behaviours'.

The Body has reiterated to the Defence Forces their grave concern at the continuous occurrences of such egregious incidences and their handling by the Defence Forces. Furthermore, in the reporting period, the Body offered advice to the Tánaiste and Minister for Defence on bringing forward provisions to give the Chief of Staff the power to suspend and dismiss Defence Forces members in certain circumstances, provisions now included in the Defence (Amendment) Bill 2025, which are currently being considered by the Houses of the Oireachtas.

The recently appointed Chief of Staff has emphasised to the Body his commitment to the exercise of a demonstrable 'Zero Tolerance' approach in all such circumstances. Moreover, the Chief of Staff has confirmed to the Body his support for the establishment of the current independent 'Interim Grievance Manager (IGM)' on a statutory basis.

The Body noted that Mr. Kevin Duffy had been appointed as the Interim Grievance Manager. The Body will monitor closely to see how the Interim system operates and is availed of by DF members. The Body fully supports this position and has repeated its request for the creation of a *'safe space'* to be provided to members in all work locations in the organisation.

The Body also welcomes on going progress being made on reform of the Redress of Wrongs Process by the Defence Forces. It also welcomes the introduction of a complaints process for civilians whose work involves engagement with the Defence Forces.

6. Need for Central Data Unit (CDU)

The Body noted the Tánaiste's announcement on 21 January 2025, welcoming the implementation of the Working Time Directive across the Defence Forces with immediate effect and noted that it was now for the Defence Forces to put into operation.

The CoDF identified the requirement for a centralised data analysis office, advocating *"investment in a new modern centralised HR ICT system that creates a complete single career record of all personnel, potentially aligned with systems used elsewhere in the public service, providing a single and reliable repository of all personnel data* (CoDF Report P.96). In addition, the High-Level Action Plan for the Report of the CoDF recommended the creation of the role of a Digital Transformation Officer, who will be integral to this process (HLAP P.8). The Strategic Framework on the Transformation of the Defence Forces, published in Sep 23, also identified *"enhancements to Defence Forces data and reporting systems"* and tasked *"the Defence Forces to carry out an assessment of the existing sources of data available and the steps required to establish a better resourced and stand-alone data unit".*

From the Body's discussions during the reporting period on centralising HR data matters, the Body is of the view that there is a critical need for the Defence Forces to prioritise plans to establish a Central Data Unit and build data capacity and reporting systems. Comprehensive HR systems and data capability are a prerequisite to the strategic and operational management of any large people-based organisation.

7. Culture Change within the Defence Forces

Upon establishment of the Body, in December 2024, the Tánaiste and Minister for Defence specified that the Body would continue "*to oversee the implementation and operationalisation of necessary change by the Defence Forces on foot of the matters identified in the IRG Report".* In this regard the Body has engaged closely with the Head of Strategic HR and external partners on this subject, in particular on the development of a comprehensive survey of Defence Force Members which is in line with Section 4.7.1. of the IRG Report. The Body is advised by the Defence Forces that this survey *'Value Our People'* is now concluding and will be the subject of extensive communications across the Defence Forces in addition to future discussions with the Body.

8. Defence Forces Civilianisation Project

The Defence Forces and representatives of the Department of Defence have recently briefed the Body on the details of the Defence Civilianisation project and a number of options being considered by the Defence Forces and the Department of Defence. The views of the Body have been sought by the Tánaiste and Minister for Defence on the options outlined. The Body is considering the options and expects to report to the Tánaiste and Minister shortly.

9. Meetings with Representative Associations

The Body met with Senior representatives from RACO and PDFORRA during the course of this reporting period. Both organisations outlined to the Body the issues of key pertinence for their membership which they are seeking to progress with the Defence Forces. The Body while advising on its 'confined' role as outlined in legislation, reiterated to both representative bodies and Defence Forces Leadership the critical importance of ongoing consultation with representative groups as a key element of the journey to culture change within the Defence Forces.

Other Updates Relating to the Body

10. Governance

During this reporting period, significant focus has been on the development of a Draft Statement of Strategy for the Body as required by Section 332 of the Act. After conducting a public consultation on the contents of the draft strategy, the Body will submit the final Statement of Strategy 2025 – 2027, to the Tánaiste and Minister for Defence and thereafter the strategy will be published on the Body's website.

The EOB complies with all the principles of the Code of Practice for the Governance of State Bodies and, as would be normal in a new Body, it is in the process of putting in place the necessary procedures to evidence compliance with each of the provisions.

11. Transparency

In the reporting period, the Body published minutes of meetings 1 to 4 of the Statutory Body on the Body's website (www.eobfdf.gov.ie).

The Governance Framework and the Code of Conduct for the Body has also been published on the website.

The Body has met the statutory obligation to submit the Body's 2024 accounts to the Comptroller and Auditor General for audit by 01 April 2024. Once the Comptroller and Auditor's report on the accounts is received, these accounts will be presented to the Tánaiste and Minister to be laid before each House of the Oireachtas.

C. CONCLUDING REMARKS

The Body recently met with and welcomed Lt Gen Rossa Mulcahy, the new Chief of Staff, and wished him well in his appointment. The Body look forward to engagement with him, his senior management team and the whole Defence Forces organisation in its transformation journey. The Body and the Chief of Staff discussed the importance of their working together in an open and direct way underpinned by trust and respect, and of the Department of Defence and Defence Forces working together.

The Body continues, through oversight and monitoring, to support zero tolerance of unacceptable behaviours in the Defence Forces.

The Body has emphasised to the newly appointed Chief of Staff their expectation of vigour and vision being applied to the transformation of the culture in the Defence Forces which would in turn deliver greater operational effectiveness. The Body has outlined, in some detail, to the Chief of Staff that it wishes to see a faster pace of change in the improvement of Defence Forces HR practices and culture transformation.

In summary the Body has achieved the following in the reporting period:

- The Body has been established on a statutory basis;
- A Military Subject Matter Expert has been added to support the Body;
- The Body has provided feedback on the following which are now established;
    - Interim Grievance Manager appointed;
    - Civilian Complaints Process established;
    - Provisions to suspend and dismiss Defence Forces members in certain circumstances, now included in the Defence (Amendment) Bill 2025;
- Draft proposals on the Promotions System have been explored with Head of Strategic HR.

While recognising the progress being made to date on transformation within the Defence Forces relating to the issues outlined above and in implementing the recommendations contained within Chapter 8 of the Commission on the Defence Forces and within the Report of the Independent Review Group, the Body wishes to see more progress being made with more ambitious timeframes for implementing all of the recommendations.

Although the process of transforming the culture in a multifaceted organisation is both complex and challenging, effective oversight by the Body, along with the support of all stakeholders, will contribute to the achievement of meaningful changes in the organisation which will bring about long-term beneficial impact within the Defence Forces.

Next Six-Monthly Report

The next six-Monthly report to the Tánaiste and Minister for Defence will cover the period from 01 July, 2025 to 31 December, 2025 and will be submitted to the Tánaiste and Minister for Defence by the end of January 2026.