



## DEFENCE (INQUIRY) REGULATIONS

### CHIEF OF THE DEFENCE FORCE COMMISSION OF INQUIRY

#### INSTRUMENT OF APPOINTMENT

Pursuant to Regulation 109 of the *Defence (Inquiry) Regulations* 1985, I, Air Chief Marshal Allan Grant Houston, AO, AFC, Chief of the Defence Force, appoint a Commission of Inquiry constituted by Mr Andrew John Kirkham AM, RFD, QC for the purpose of inquiring into the circumstances surrounding the death of 8514280 Private Ashley Arthur Baker (the Commission), in accordance with this instrument and any associated terms of reference issued by me;

And pursuant to Regulation 112 of those Regulations, I appoint Mr Kirkham to be the President;

And pursuant to Regulation 115 of those Regulations:

- (i) I direct the Commission to adopt practices and procedures consistent with those Regulations and which are appropriate and adapted to the expeditious collection of reliable and accurate evidence in the circumstances of the Commission's inquiries;
- (ii) I authorize the President to issue Practice Notes in respect of practices and procedures proposed to be adopted in respect of the Commission's inquiries;
- (iii) I direct the Commission to submit such reports as may be specified in terms of reference; and
- (iv) I direct that Commission records may not be publicly released outside of the Commission's hearings other than in accordance with Regulation 63 of the Regulations;

And pursuant to Regulations 119 of those Regulations, I direct that all oral evidence to be given before the Commission shall be on oath or affirmation; and

And pursuant to Regulation 51 of those Regulations, I appoint 8217084 Colonel Michael Albert Griffin, a legal practitioner, as Counsel Assisting the Commission.

**A.G. HOUSTON, AO, AFC**  
Air Chief Marshal  
Chief of the Defence Force

Appointing Authority

9 November 2007