

## **Public Inquiries and Tribunals of Inquiry**

In 2005, the Commission published a Report on [Public Inquiries Including Tribunals of Inquiries](#), (LRC 73-2005), which followed a [Consultation Paper](#) published in 2003. This Report comes against the background of the establishment in Ireland in recent years of numerous inquiries into various matters of public concern, ranging from major disasters involving loss of life to allegations of wrongdoing in the land development and planning process. Most of these have been conducted under the *Tribunals of Inquiry (Evidence) Act 1921*, as amended on 6 separate occasions, which is perceived to produce inquiries that are excessively costly.

The Report noted that the *Commission of Investigation Act 2004* had implemented the thrust of a recommendation in the 2003 Consultation Paper that a low-key form of preliminary inquiry be provided for. The Report therefore concentrated on reform of the tribunals of inquiry legislation. The Report recommended the replacement of the 1921 Act, as amended, by a codified *Tribunals of Inquiry Act*. The Report recommends that tribunals of inquiry should, in general, focus on the wrong or malfunction that occurred in a system rather than on individual wrongdoing.

It also recommends procedural changes concerning the selection of an appropriate form of inquiry, drafting terms of reference, the rights of individuals and organisations to be heard and represented and the awarding of legal costs. It also makes recommendations on the effect of public inquiries on downstream civil and criminal proceedings. The Report contains a draft consolidated *Tribunals of Inquiry Bill* to give effect to these recommendations.