



STATUTORY INSTRUMENTS.

S.I. No. 481 of 2013

GARDA SÍOCHÁNA ACT 2005 (SECTION 42) (SPECIAL INQUIRIES
RELATING TO GARDA SÍOCHÁNA) ORDER 2013

GARDA SÍOCHÁNA ACT 2005 (SECTION 42) (SPECIAL INQUIRIES
RELATING TO GARDA SÍOCHÁNA) ORDER 2013

WHEREAS I, ALAN SHATTER, Minister for Justice and Equality, consider the matters specified in Article 2 of the following Order to be of public concern;

AND WHEREAS I am of the opinion that the person specified in the said Article 2 has appropriate experience, qualifications, training or expertise for the purposes of section 42 (inserted by section 42 of the Criminal Justice Act 2007 (No. 29 of 2007)) of the Garda Síochána Act 2005 (No. 20 of 2005) to conduct an inquiry into the said matters of public concern;

NOW I, ALAN SHATTER, Minister for Justice and Equality, in exercise of the powers conferred on me by section 42 (inserted by section 42 of the Criminal Justice Act 2007 (No. 29 of 2007)) of the Garda Síochána Act 2005 (No. 20 of 2005) (adapted by the Justice and Law Reform (Alteration of Name of Department and Title of Minister) Order 2011 (S.I. No. 138 of 2011)), hereby order as follows:

1. This Order may be cited as the Garda Síochána Act 2005 (Section 42) (Special Inquiries relating to Garda Síochána) Order 2013.

2. Ms Emily Logan, particulars of whose address were deposited at the offices of the Department of Justice and Equality, 94 St. Stephen's Green, Dublin 2 on 6 December 2013 is hereby appointed—

(a) to inquire, subject to the terms of reference specified in the Schedule, into the following specific matters of public concern:

(i) the exercise by one or more members of the Garda Síochána of powers under section 12 (amended by section 7 of the Child Care (Amendment) Act 2011 (No. 19 of 2011)) of the Child Care Act 1991 (No. 17 of 1991) in respect of—

(I) a child in Tallaght, Dublin 24 on 21 October 2013, and

(II) a child in Athlone, County Westmeath on 22 October 2013,

which exercise was the subject of a report dated 6 November 2013 submitted to the Minister by the Garda Commissioner on that date,

and

(b) to make a report to the Minister on the conclusion of the inquiry.

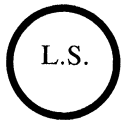
*Notice of the making of this Statutory Instrument was published in
"Iris Oifigiúil" of 13th December, 2013.*

SCHEDULE

The following are specified as the terms of reference to the inquiry:

The inquiry shall have regard to all relevant matters including:

- a. The information available to An Garda Síochána at the relevant times;
- b. The nature of any consultation or coordination with the Health Service Executive before or after the exercise of the powers under section 12 (amended by section 7 of the Child Care (Amendment) Act 2011 (No. 19 of 2011)) of the Child Care Act 1991 (No. 17 of 1991) in each case;
- c. The systems and policies for the sharing of information between An Garda Síochána and other relevant organisations involved in the events that are the subject of this inquiry;
- d. The systems and policies for ensuring the maintenance of appropriate confidentiality in relation to the utilisation of section 12 (amended by section 7 of the Child Care (Amendment) Act 2011 (No. 19 of 2011)) of the Child Care Act 1991 (No. 17 of 1991);
- e. All relevant child protection considerations.



GIVEN under my Official Seal,
9 December 2013.

ALAN SHATTER,
Minister for Justice and Equality.

BAILE ÁTHA CLIATH
ARNA FHOILSIÚ AG OIFIG AN tSOLÁTHAIR
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