

## Disclosures Tribunal

- The Tánaiste requested Mr Justice Iarfhlaith O'Neill to review two protected disclosures which were made to her by members of An Garda Síochána in late September 2016. Mr Justice O'Neill's Report was received on 7 December 2016
- Although the Report recommended the establishment of a Commission of Investigation under the Commissions of Investigation Act 2004, it was subsequently decided by a Government Decision on 14 February 2017 that a Tribunal of Inquiry should be established.
- The Terms of Reference for the Tribunal of Inquiry were set following a Government meeting on 16 February and the subsequent passing of the necessary Resolutions by both Houses of the Oireachtas later that day. This Tribunal is being chaired by Judge Charleton.
- The costs for the Tribunal mainly comprise legal services, the support team (investigators, clerical staff) as well as other administrative supports (IT, stenography). While the resourcing package for the above costs for the Disclosures Tribunal has been agreed between my Department and the Department of Justice (originally estimated at approximately €3m by the Department of Justice excluding third party costs), Department of Justice is responsible for carrying out regular updates on the cost estimates for the Tribunal including third party costs. It is also a matter for that Department to consider any new legislation to address cost issues on Tribunals.
- Ultimately, most of the expenditure for the Tribunal falls within the vote of the Department of Justice and Equality and it is responsible for ensuring that cost control is prioritised for the Tribunal including third party costs when these are presented for payment.. It is in all our interests that the work of the Tribunal is completed as promptly as possible and timely completion is the best possible mechanism to limit the overall expenditure impact.
- The majority of the work of the Tribunal is expected by the earliest date possible but my understanding is that the first module should be completed within one year. An interim report has also already been completed by Judge Charlton in May of this year which covered the progress made in the work of the Tribunal, the expected duration of proceedings, the number of parties to be represented and any other matters arising. The report noted the hope of the Tribunal to finish its work in a timely fashion. It intends to conclude hearing evidence before the end of the year.

***If asked about rates of payment***

- The approved daily rates of payment for legal fees for senior counsel and junior counsel for the Tribunal are €1,562 and €1,041 (ex VAT) respectively. These are well below the rates which applied in Tribunals such as the Morris and Mahon Tribunals. The approval for these rates took into account the views of the previous Attorney General, the advice from the Department of Justice regarding the complexity of the issues involved as well as the need to commence work quickly with a view to timely completion of the Tribunal.