



STATUTORY INSTRUMENTS.

S.I. No. 199 of 2017



GARDA SÍOCHÁNA ACT 2005 (SECTION 42) (SPECIAL INQUIRY
RELATING TO THE GARDA SÍOCHÁNA) (NO.4) ORDER 2017

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GARDA SÍOCHÁNA ACT 2005 (SECTION 42) (SPECIAL INQUIRY
RELATING TO THE GARDA SÍOCHÁNA) (NO.4) ORDER 2017

WHEREAS I, FRANCES FITZGERALD, Minister for Justice and Equality, consider the matter specified in Article 2 of the following Order to be of public concern;

AND WHEREAS I have, in accordance with subsections (1) and (3A) of section 42 (amended by section 35 of the Garda Síochána (Policing Authority and Miscellaneous Provisions) Act 2015 (No. 49 of 2015)) of the Garda Síochána Act 2005 (No. 20 of 2005), consulted with the Policing Authority in relation to that matter;

AND WHEREAS I am of the opinion that the person specified in the said Article 2 has appropriate experience, qualifications, training and expertise for the purposes of the said section 42 to conduct an inquiry into the said matter of public concern:

NOW, I, FRANCES FITZGERALD, Minister for Justice and Equality, in exercise of the powers conferred on me by section 42 (amended by section 35 of the Garda Síochána (Policing Authority and Miscellaneous Provisions) Act 2015 (No. 49 of 2015)) 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)), and having consulted the Policing Authority, hereby order as follows:

1. (1) This Order may be cited as the Garda Síochána Act 2005 (Section 42)(Special Inquiry relating to the Garda Síochána) (No. 4) Order 2017.

(2) This Order shall come into operation on 15 May 2017.

2. Judge Patrick Clyne, retired judge of the District Court, is hereby appointed to—

(a) inquire into a matter of public concern, namely the adequacy of the Garda Síochána investigations and disciplinary inquiries that took place between 1984 and 1986 following the death of Mr. Patrick Nugent in County Clare on 11 February 1984, and

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

3. The terms of reference of the inquiry are specified in the Schedule.

*Notice of the making of this Statutory Instrument was published in
“Iris Oifigiúil” of 19th May, 2017.*

SCHEDULE

Terms of Reference

The inquiry should have regard to the objectives set out in Article 2(a).



GIVEN under my Official Seal,
15 May 2017.

FRANCES FITZGERALD,
Minister for Justice and Equality.

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