

Public Inquiries

Ottawa, May 26, 2022

How are Public Inquiries Created?

Public inquiries are created by the government to:

- Investigate issues of public importance
- Make findings of fact
- Make recommendations

How are Public Inquiries Created?

- The government that created the public inquiry determines the mandate
 - This inquiry's mandate is to investigate the commercial and technical circumstances that led to the Stage 1 breakdowns and derailments
- The government also sets the date by which the final report must be delivered

What Do Public Inquiries Do?

- Public inquiries investigate and report on their investigation
 - Answer the questions posed in the terms of reference
 - Make recommendations addressing the issues in the mandate

What Rules Apply to Public Inquiries?

- Public inquiries are governed by statute
 - This inquiry is governed by the *Public Inquiries Act, 2009*
- The Commissioner has the power to make rules for the inquiry
 - Rules of Procedure

Public Inquiries are not Trials

- Civil trials determine disputes between parties
 - The trial judge may order one party to pay the other money, to take certain actions, or to refrain from taking certain actions
- Criminal trials determine whether persons accused of breaking the law are guilty
 - The trial judge may impose a variety of restrictions on persons found guilty, including imprisonment

What Kinds of Information do Public Inquiries Use?

- Documents
- Witnesses
- Public hearings

Who is Involved in the Public Hearings?

- The Commissioner
- Commission Counsel
- Participants
- Witnesses

What Happens at the Public Hearings?

- Witnesses testify about facts relevant to the mandate
- Examined by Commission Counsel
- Cross-examined by Participants' Counsel

What is in the Final Report?

- The Commissioner's findings and recommendations
- Delivered to the government that convened the public inquiry

THANK YOU.
QUESTIONS?