

Table of Contents

<i>Preface</i>	v
<i>Acknowledgments</i>	vii
<i>Table of Cases</i>	xxvii
Chapter 1 — Introduction to Public Inquiries in Canada – Ronda Bessner	1
1. Introduction.....	1
2. What is a Public Inquiry? How is it Created?	2
3. History of Public Inquiries in Canada	4
4. Types of Public Inquiries.....	5
(a) Investigative Inquiries	6
(b) Policy Inquiries	7
5. Differences Between Public Inquiries and Criminal/Civil Trials	8
6. Differentiating Public Inquiries from Parliamentary Committees, Government Policy Departments, Think Tanks and Task Forces.....	11
7. The Importance of Public Inquiries in Canada	13
Chapter 2 — The Role of the Commissioner of a Public Inquiry	19
I. The Role of the Commissioner of a Public Inquiry – <i>Ronda Bessner</i> ...	19
1. The Appointment of the Commissioner	19
(a) Why Judges are Appointed as Commissioners of Public Inquiries.....	19
(b) Skills Required of a Commissioner.....	28
2. Discussions with the Government Before Assuming the Role of Commissioner.....	29
3. Lessons Learned from the Somalia Inquiry	31
4. Other Issues to Consider Before Accepting the Position of Commissioner	33
(a) Multiple Commissioners.....	33
(b) Impact on Personal Life	36
5. Decisions to be Made at the Inception of the Inquiry.....	37
(a) Hiring the Commission Team.....	37
(b) Physical Premises of the Inquiry.....	39

(c) Conferring with Former Commissioners of Public Inquiries.....	42
6. Meeting with Individuals and Groups in the Affected Community/Communities.....	42
7. Guiding Principles at Public Inquiries.....	46
8. Relationship Between the Commissioner and the Media	47
9. Conclusion	49
II. Focusing on the Muskrat Falls Inquiry: Steps Taken by Commissioner Richard Leblanc – <i>Susan Lightstone</i>	50
1. Managing Expectations	51
2. Laying the Groundwork.....	52
3. Focusing on the Terms of Reference — Writing the Decision Interpreting Them	52
4. Focusing and Relying on the Media	54
5. Selecting the Right Commission Counsel, Chief Adminstrative Officer and Others — Understanding One's Limitations.....	55
6. Control, Control, Control — and <i>No Grandstanding</i>	56
7. Defining Success	57
Chapter 3 — Serving as Commission Counsel at a Public Inquiry.....	59
I. The Role of Commission Counsel – <i>Ronda Bessner</i>	59
1. The Decision to Become Commission Counsel	59
2. The Inquisitorial Process and the Public Interest	60
3. Impartial “Alter Ego” of the Commissioner	60
4. Time Commitment	62
5. Ensuring there is No Conflict of Interest.....	63
6. Important Work to be Done in Advance of the Hearings.....	63
7. Foundation Documents.....	67
8. Regular Meetings with Parties.....	68
9. Preparing Notices of Alleged Misconduct.....	69
10. Involvement in the Preparation of the Final Report	70
II. Reflections on Serving as Lead Commission Counsel: An Interview with Derry Millar – <i>Susan Lightstone</i>	71
III. The Role of Junior Counsel at a Public Inquiry – <i>Duncan Ault</i>	78

TABLE OF CONTENTS xi

1.	Serving as Junior Commission Counsel at the Elliot Lake Commission of Inquiry.....	79
2.	A Fast Pace	79
3.	Unique and Varied Work.....	80
4.	The Hearings: An Unparalleled Advocacy Experience	82
5.	Learning How to Present Evidence.....	83
6.	Be Prepared to Roll Up Your Sleeves	84
7.	All-Consuming	84
8.	A Singularly Rewarding Experience.....	85
 IV. Perspectives of Junior Commission Counsel at a National Inquiry – <i>Ronke Akinyemi</i>		86
 Chapter 4 — Working Together — The Relationship between the Commissioner and Commission Counsel: An Interview with the Honourable Dennis O'Connor and Paul Cavalluzzo – <i>Susan Lightstone</i>.....		91
 Chapter 5 — Constitutional Constraints on Public Inquiries – <i>Ronda Bessner</i>.....		103
1.	Introduction.....	103
2.	Division of Powers	103
3.	Joint Federal/Provincial/Territorial Commissions of Inquiry	111
 Chapter 6 — Procedural Fairness and Public Inquiries – <i>Justice Freya Kristjanson and Justice Suzan E. Fraser</i>		115
1.	Overview: Procedural Fairness and Public Inquiries.....	116
2.	The Terms of Reference	117
3.	The Governing Statute	121
4.	Principles	122
5.	Rules of Procedure and Practice	125
(a)	The Source of the Power to Make Rules	126
(b)	The Process of Rule-Making	127
(c)	Key Elements of Rules	128
(i)	Investigative Inquiries	128
A.	Evidence Summaries.....	129
B.	Witness Panels	132
C.	Representative Witnesses and Institutional Reports	134

D. Community Healing	135
(ii) Policy Inquiries	136
6. Procedural Fairness: Overview.....	139
7. Procedural Fairness: The Right to a Hearing.....	142
(a) Notice of Alleged Misconduct	142
(b) Disclosure	145
(c) Cross-Examination	147
8. Procedural Fairness: Impartiality and Independence	150
9. Participatory Rights (Standing)	155
(a) Statutory Provisions	156
(b) The Order in Council	157
(c) The Rules and Procedures for Participation	158
(d) Types of Standing	159
(i) Full Standing	160
(ii) Limited and Special Standing	163
(iii) Rights of Participation	163
(iv) Avoidance of Duplication and Coalitions	165
(v) Standing for Different Phases of an Inquiry	167
10. Funding	168
11. Conclusion and Checklist	171
Appendix: Recommended Secondary Sources	173
Chapter 7 — How to Run a Public Inquiry – <i>The Honourable Denise Bellamy</i>	175
1. Introduction	175
2. First Things First	177
3. Phase I: The Initial Stages — Setting Up the Inquiry	180
(a) Meeting with Government Officials	180
(b) Commission Counsel	180
(c) Staff	181
(i) Chief Administrative Officer	181
(ii) Communications Officer	182
(iii) Administrative and Technological Support	182
(iv) Senior Legal Analyst	182
(v) Editor	183
(d) Offices and Hearing Room	183
(e) Website	183

TABLE OF CONTENTS xiii

(f) Rules of Procedure	185
(g) Document Management	186
(i) Electronic Document Management Services.....	186
(ii) Archives	187
(h) Security.....	187
(i) Media	188
(i) Contact and Interviews	188
(ii) Press Releases	189
(iii) Lock-ups.....	189
(iv) Photographs.....	189
(v) Post-Inquiry Media Feedback	189
(j) Reading Other Inquiry Reports.....	190
4. Phase II: The Investigation.....	190
(a) Documents.....	190
(i) Solicitor-Client Privilege.....	191
(ii) Summonsing Personal Documents	192
(b) Witnesses	192
(i) Interviews.....	192
(ii) Witness Statements and Affidavits.....	193
(iii) Witness Photographs.....	194
(c) Investigators.....	194
(d) Experts.....	195
5. Phase III: The Hearings	195
(a) Difference Between a Public Inquiry and a Trial	195
(b) Laying the Groundwork for the Report	195
(c) Standing.....	195
(i) Applications for Standing.....	196
(ii) Categories of Standing	196
(iii) The Role of Legal Counsel for Witnesses or for Parties with Standing	197
(iv) Funding for Legal Counsel.....	197
(d) Conduct of the Hearings	198
(i) Opening Statements.....	198
(ii) Examinations	199
(iii) Notices of Alleged Misconduct.....	200
(iv) Compelling the Attendance of Witnesses	201

(v) Closing Submissions.....	201
(vi) Phases of Inquiries	202
6. Phase IV: Writing the Report.....	204
(a) Preparation	204
(b) During the Hearings Phase.....	206
(c) After the Hearings were Completed.....	206
(d) After the Report was Released	207
7. Lastly: Some Quick Tips For Inquiry Commissioners.....	208
(a) Stress and your Health.....	208
(b) Negotiate Some Basics	208
(c) Retain an Outside Law Firm Early	209
(d) Stick to Inquiry Principles.....	209
(e) From the Start	209
(f) Remain Relevant — And be Flexible	209
(g) Sitting Times.....	210
(h) Electronic Documents	210
(i) Exhibits.....	210
(j) Making Notes	210
(k) Summaries	211
(l) Photographing Witnesses.....	211
(m) Chronology	211
(n) Delays.....	211
(o) Keep in Touch	212
Chapter 8 — The Role of Investigators at a Public Inquiry	213
I. The Role of Investigators at a Public Inquiry: Interviews with Bill Blake and Craig Hannaford – <i>Susan Lightstone</i>	213
1. Introduction.....	213
2. Choosing An Investigator: Skills and Experience.....	215
(a) Organizational Skills	215
(b) Interviewing Skills.....	215
(c) Drafting and Notetaking Skills.....	215
(d) Searching Skills	216
(e) Managerial or Supervisory Experience.....	216
(f) A Good Network	216
(g) Sensitivity and Empathy.....	217

TABLE OF CONTENTS xv

(h) Computer Skills	217
(i) Avoid Conflicts of Interest	217
3. Preparing to Investigate.....	218
(a) Build the Team of Investigators	218
(b) Develop Relationships with Commission Counsel and Other Members of the Inquiry Team.....	218
(c) Begin the Information-Gathering Process	219
(d) Keep an Eye on the Documents Coming into the Inquiry.....	219
(e) Establish a Process for Dealing with Criminal Investigators.....	219
4. The Interviewing Process.....	220
(a) Identifying Who is to be Interviewed.....	220
(b) Preparing for Interviews.....	220
(c) Arranging the Interviews — “Don’t Play the Heavy”	221
(d) Selecting the Interview Venue.....	221
(e) Notetaking at Interviews	221
(f) The Presence of Lawyers.....	221
(g) Knowing Who’s to be Interviewed Next	221
(h) Never Losing Sight of the Inquiry’s Mandate.....	222
5. The Role of Investigator During the Inquiry	222
II. The Role of Investigators: Experiences from the Mass Casualty Commission – <i>Barbara McLean</i>	223
1. Selecting Investigators	223
(a) Professional Skills and Experience.....	223
(b) Conflict of Interest	224
(c) Personal Attributes.....	224
(d) Recruiting and COVID-19	225
(e) Team Organization — Major Case Management.....	225
2. The Investigation	227
(a) Start with the Mandate	227
(b) Document Review	227
(c) Interdisciplinary Commission Teams	227
(d) Investigative Reports.....	228
(e) Site Visits.....	228
(f) Interviews.....	229

(g) Family Meetings	230
(h) Community Engagement	230
3. Other Duties	231
(a) Spokesperson	231
III. Commission Counsel and the Investigations Team: A Crucial Collaboration – <i>Amanda Byrd</i>	231
Chapter 9 — Rules of Evidence at a Public Inquiry – <i>Ronda Bessner</i>	235
1. Introduction	235
2. Power of the Inquiry to Establish its Process and Rules	235
3. Relevance	237
4. Hearsay Evidence is Admissible in Public Inquiries	240
5. Privileged Communications	241
(a) Distinction Between Class and Case-by-Case Privileges	241
(b) Solicitor-Client Privilege	242
(c) Procedures Relied Upon at Public Inquiries when Privilege is Asserted	244
6. Public Interest Immunity	248
7. Compellability of Witnesses	250
8. Perjury	253
9. Search Powers	255
10. Privilege Against Self-Incrimination	257
(a) Evidence Statutes and the Charter	257
(b) Inquiry Witnesses Charged with Criminal Offences: The Example of the Westray Mine Tragedy	258
11. Conclusion	261
Chapter 10 — The Researcher’s Role	263
I. Research and Policy in a Public Commission of Inquiry – <i>Geneviève Cartier</i>	263
1. Introduction	263
2. An Overview of the CIPCCI	265
(a) General Background	265
(b) Mandate, Structure and Work of the CIPCCI	266
(c) Main Findings	267
(d) The Recommendations of the CIPCCI	269

TABLE OF CONTENTS xvii

3.	A Few Lessons and Many Questions.....	271
(a)	General Observations	271
(i)	Democratic Considerations.....	271
(ii)	Combining Fact-Finding and Policy Formulation ...	271
(iii)	The Role of Research.....	271
(b)	Important Elements of Context	274
(c)	Getting to Work	275
(i)	Constructing the Research Team	275
(ii)	Clarifying the Scope of the Mandate	276
(iii)	Formulating Research Questions	276
(iv)	Providing Answers	277
(v)	Writing	281
4.	Conclusion	282
	Post Script	282
II.	Working on the Public Order Emergency Commission: Introducing the Concept of the Research Council – <i>Geneviève Cartier</i>	283
	Chapter 11 — Public Inquiries, the Media and Communication Issues	289
I.	Getting the Message to the Public – <i>Peter Rehak</i>	289
1.	Introduction.....	289
2.	The Inquiry Web Page	293
3.	The Communications Consultant	296
4.	X and Other Issues.....	299
5.	Video and Webcast	300
6.	Public Meetings.....	303
7.	Advertising.....	305
8.	Media Facilities.....	305
9.	Access to Transcripts	306
10.	Exhibits.....	306
11.	Electronic Recordings in the Hearing Room.....	307
12.	Citizen Journalists	308
13.	Report Release.....	310
14.	The Role of Media.....	311
15.	Public Inquiry's Media Officer: A Checklist of Tasks	311
II.	A Journalist's View – <i>Colin Perkel</i>	312

III.	When and Why Does a Government Choose to Establish a Public Inquiry? – <i>Peter Donolo</i>	322
1.	The Big Policy Questions	323
2.	The Catastrophe Inquiry	325
3.	The Scandal Inquiry.....	327
Chapter 12 — Counselling and Outreach at Public Inquiries.....		335
I.	Experiences with Counselling and Outreach at Two Public Inquiries – <i>Celia Denov</i>	335
1.	Introduction.....	335
2.	Cornwall Public Inquiry	336
3.	Inquiry into Pediatric Forensic Pathology in Ontario (The “Goudge Inquiry”)...	336
4.	Results of Provision of Counselling Services at Cornwall Public Inquiry and Goudge Inquiry.....	337
5.	Role of Coordinator of Counselling Services	337
6.	How was the Referral System Established?.....	338
(a)	Cornwall Public Inquiry	338
(b)	Inquiry into Pediatric Forensic Pathology in Ontario	340
(i)	First Nations and Remote Communities.....	341
(ii)	Evaluation of Counselling Service	342
(iii)	Ongoing Service	342
7.	Conclusion	342
II.	Counselling and Outreach: Public Inquiry into the Safety and Security of Residents in the Long-Term Care Homes System – <i>Al Gayed</i>	343
1.	Introduction.....	343
2.	Structure and Administration of the Counselling Services.....	345
3.	Hearing Directly from Inquiry Clients and Therapists	347
4.	Conclusion	349
Chapter 13 — Managing the Flow of Information at a Public Inquiry		351
I.	Managing the Flow of Information at the Elliot Lake Commission of Inquiry – <i>Nadia Effendi and Ivana Nenadic</i>	351
1.	Introduction.....	351
2.	Where to Start?	352

TABLE OF CONTENTS xix

(a) Establishing the Roadmap and Structure of the Inquiry.....	352
(b) Identifying the Source of Documents: Summons for Production and Information.....	353
(c) Narrowing the Field: Preliminary Investigations	354
3. How to Tackle One Terabyte of Documents?	355
(a) Retain Electronic Document Management and Review Services.....	355
(b) Plan for Unpredicted Delays	356
(c) Transparency: Full Access to Documentary Database	359
4. Getting Ready For the Hearings	359
(a) Establishing Rules to Ensure Efficiency and Effectiveness.....	360
(b) Identifying Witnesses.....	360
(c) Use of Overview Reports: An Effective Tool.....	361
(d) Privilege Claims: Plan a Process	362
(e) Section 17 Notice: Ensuring Fairness and Confidentiality	362
(f) Website: Easy Tool to Maintain Transparency	363
5. The Hearings	363
(a) Technology Ensures Efficiency	364
(b) Entering of Exhibits in Bulk.....	364
(c) Conduct of Hearings: Openness and Transparency	364
6. Post-Hearing Procedures	366
(a) Application by Participant	366
(b) Evidence from Anonymous Source Post-Hearing.....	367
(c) Final Submissions	367
7. The Report: The “Pièce de Résistance”	367
(a) Efficiency and Cost-Effectiveness.....	368
(b) Sometimes, Despite all Efforts, More Time is Needed	369
8. Conclusion	369
Appendix: Document Management Checklist	370
II. Checklist for the Use of Technology Throughout the Inquiry Process – <i>Kearren Bailey</i>	373

Chapter 14 — The Roles and Experiences of Counsel for Parties at Public Inquiries – <i>Susan Lightstone</i>.....	377
1. Sandler and Edwardh: Suggestions for Counsel.....	379
2. Trudell and Epstein: Counsel at the Walkerton Inquiry.....	381
(a) William Trudell Talks About Representing Stan Koebel	381
(b) Justice Michael Epstein Talks About Representing Frank Koebel.....	384
3. Tardif: The Experience of Representing the City of Ottawa in the Public Order Emergency Commission.....	390
Chapter 15 — Giving Voice: “They are <i>public inquiries</i>. . .” – <i>Susan Lightstone</i>	395
1. Introduction.....	395
2. “Inquiry Inspires Hope”	398
3. Voices Heard.....	401
(a) Lata Pada: Being Heard at the Air India Inquiry	402
(b) André Picard: Speaking on Behalf of Others — and Himself — About the Tainted Blood Tragedy	406
(c) Elizabeth Hay: The Story of the Mackenzie Valley Pipeline Inquiry Lives on through Fiction	409
(d) Nicholas Bala: Serving as an Expert Witness at a Public Inquiry	412
Chapter 16 — The Role of the Independent Assessment Officer – <i>Justice Freya Kristjanson</i>.....	415
Chapter 17 — Ethical Concerns for Public Inquiries – <i>Adam Dodek</i>	417
1. Introduction.....	417
2. Preliminary Issues: a Paradox and a Tension.....	419
(a) General Concerns.....	419
(b) Specific Concerns	423
3. Ethical Issues During the Inquiry	426
4. Ethical Issues After the Inquiry.....	428
5. Final Thoughts.....	430
Chapter 18 — Lessons Learned from Experiences at Public Inquiries	431
I. An Interview with Marlys Edwardh – <i>Susan Lightstone</i>	431

TABLE OF CONTENTS xxi

1.	Engage the Public	431
2.	Protect Vulnerable People	432
3.	Understand the Long-Term Consequences of Working on an Inquiry.....	433
4.	Think Broadly About What “Success” of an Inquiry Means	433
5.	Engage Civil Society.....	434
6.	Work at Avoiding Judicial Reviews (Hint: Everybody Stay Flexible).....	434
7.	Get as Many Outstanding Issues Resolved as Early in the Inquiry Process as Possible.....	435
8.	Take Care with Notices of Misconduct	435
9.	Commissioners: Choose Experienced Commission Counsel....	436
II.	Comments from Dr. Beverly Jacobs Concerning the Missing and Murdered Indigenous Women and Girls Inquiry – <i>Susan Lightstone</i>	437
1.	Pre-Inquiry Consultation.....	437
2.	Terms of Reference	438
3.	Commissioners	439
4.	Commission Team.....	439
5.	Communications	440
6.	Recommendations	441
7.	Outcomes	442
	Chapter 19 — Procedural Innovations in One Public Inquiry – <i>Justice Eileen E. Gillese</i>	449
1.	Introduction.....	449
(a)	<i>Amicus Curiae</i> in Legal Proceedings	450
(i)	Introduction.....	450
(b)	The Evolving Role of <i>Amicus Curiae</i> in Legal Proceedings	451
(i)	Criminal Proceedings.....	451
(ii)	Civil Proceedings.....	453
(iii)	Review Board Proceedings	454
(c)	The Appointment of <i>Amicus Curiae</i> in a Public Inquiry.....	455
(i)	The Power to Appoint <i>Amicus</i>	455

(ii) The Circumstances in which <i>Amici</i> Can be Appointed	456
(d) The Appointment of <i>Amicus Curiae</i> in the Long-Term Care Public Inquiry.....	457
(i) The Participation and Funding Hearing	457
(ii) The Public Hearings.....	459
(e) Additional Benefits of Appointing <i>Amici</i> in the Long- Term Care Public Inquiry	460
(f) Conclusion	460
3. The Right of Participation in a Public Inquiry	461
(a) Introduction.....	461
(b) Section 15 of the Ontario <i>Public Inquiries Act, 2009</i>	462
(c) Placing Section 15 in Context.....	462
(i) The Predecessor Provision to Section 15.....	462
(ii) The Use of Standing in Public Inquiries Prior to the Ontario <i>Public Inquiries Act, 2009</i>	463
(d) Participation Considered More Broadly	465
(e) Questions About Section 15	466
(i) Who Makes the Participation Determinations?.....	467
(iii) When are Decisions on Participation to be Made?....	468
(iv) How Should Participation be Decided?.....	469
(f) Benefits of the Participation Approach.....	469
(g) Conclusion	470
Chapter 20 — Preparing the Report for a Public Inquiry	471
I. Writing the Report – <i>Ronda Bessner</i>	471
1. Introduction.....	471
2. Giving Thought to the Report at the Inception of the Inquiry.....	472
3. Who are the Primary Drafters of the Report?.....	473
4. Different Volumes of the Report to be Drafted	475
5. Interim Report	479
6. Drafting and Preparing Sections of the Report During the Inquiry.....	482
7. Ensuring Timely Notices of Alleged Misconduct	483
8. Who is Your Audience?	485
9. Fact-Checking.....	486

TABLE OF CONTENTS xxiii

10.	Translation.....	487
11.	Hiring Editors and Book Designers.....	488
12.	Date to Deliver the Report to the Government	490
13.	Conclusion	493
II.	The Editor's Role in a Commission Report – <i>Dan Liebman</i>	494
1.	Introduction.....	494
2.	Background.....	494
3.	Levels of Editing	496
4.	Components of a Report.....	497
(a)	Cover and Title.....	497
(b)	Preliminary Pages (Prelims).....	497
(c)	Contents	497
(d)	Abbreviations and Acronyms	498
(e)	Glossary and Other Lists.....	498
(f)	Documentation — Footnotes and Endnotes	498
(g)	Figures and Tables	498
(h)	Fact Checking, Quotations and Transcripts.....	499
(i)	Appendices.....	499
(j)	Recommendations	499
(k)	Executive Summary	499
5.	The Editorial Process	500
(a)	A Three-Stage Process.....	500
(i)	Stage 1: Preparing the Style Guide and Editing Chapters for Approval and Translation.....	500
(ii)	Stage 2: Reading of Complete Report, Final Edit and Preparation for Layout.....	501
(iii)	Stage 3: Page Layout and Checking of Proofs	501
(b)	Confidentiality and Security	502
(c)	Administration and File Management	502
(d)	Scheduling and Updating	503
6.	Conclusion	503
III.	Designing a Report for a Public Inquiry – <i>Linda Gustafson</i>	503
1.	Introduction.....	503
2.	Text and Cover Design	504
(a)	Text	504

(b) Cover	505
3. Recommendations and Executive Summary.....	506
4. Specific Design Considerations	506
(a) Trim Size and Page Structure	506
(b) Contents and Subheadings	506
(c) Typefaces (Fonts) and Legibility	507
5. File Management, Software, and Accessibility	508
(a) File Management	508
(b) Software.....	508
(c) Accessibility	508
6. Scheduling.....	509
Appendix A: Summary of Editorial Tasks	509
Appendix B: Contents of a Recent Style Guide	510
Chapter 21 — Closing the Inquiry — An Interview with Suzanne Labbé – Susan Lightstone.....	511
Chapter 22 — Assessing the Effectiveness of a Public Inquiry – Ronda Bessner	517
1. Different Measures to Evaluate the Success of Public Inquiries.....	517
2. Measures to Assess Success During the Life of the Inquiry....	517
3. Measure: Implementation of the Recommendations in the Public Inquiry Report	521
4. Measure: Educating the Public	531
5. Measure: Healing	533
6. Measure: Accountability.....	535
7. Measure: Apology by the Government	536
8. Conclusion	541
Chapter 23 — Examining Options Other Than Public Inquiries	543
I. Options Other Than Public Inquiries: Alternative Processes and Bodies – <i>Ida Bianchi</i>	543
1. Investigations Authorized by Statute	546
2. Independent Reviews.....	551
3. Independent Standing Bodies	555
4. Conclusion	558

TABLE OF CONTENTS xxv

II.	Reflections on Serving as Commissioner and Lead Commission Counsel on Back-To-Back Investigative Bodies: An Interview with the Honourable Frank Marrocco and Kate McGrann – <i>Susan Lightstone</i>	558
1.	What Were the Differences Between the Issues These Two Bodies Were Investigating? What Did Those Differences Mean for the Processes and Procedures — The Tools — The Government Made Available to Each Through Their Terms of Reference?.....	561
Chapter 24 — International Public Inquiries – <i>Ronda Bessner</i>		571
1.	Introduction.....	571
2.	Public Inquiries in the United Kingdom	571
	(a) A Long History of Public Inquiries in the United Kingdom.....	571
	(b) Public Inquiry Legislation	574
	(c) <i>Inquiries Act 2005</i> : Current Public Inquiries	574
	(d) Terms of Reference	576
	(e) Powers and Responsibilities of Public Inquiries	577
	(f) Core Participants at a Public Inquiry	578
	(g) Warning Letters	578
	(h) The Report and Recommendations	579
	(i) Grenfell Tower Public Inquiry.....	580
	(j) The Infected Blood Inquiry	586
	(k) Conclusion	591
3.	Australian Public Inquiries	592
	(a) The History of Australian Public Inquiries and Public Inquiries Legislation.....	592
	(b) The Value of Royal Commissions and the Powers of Commissioners in Australia	595
	(c) The Appointment of Commissioners under the <i>Royal Commissions Act 1902</i>	596
	(d) Protections to Witnesses.....	598
	(e) Recommendations of Royal Commissions	600
	(f) The Australian Royal Commission into Aged Care Quality and Safety	601
	(g) The Royal Commission into Institutional Responses to Child Sexual Abuse	608

xxvi PUBLIC INQUIRIES IN CANADA: LAW AND PRACTICE

(h) The Conduct of the Inquiry	610
(i) Public Hearings.....	610
(ii) Private Sessions.....	611
(iii) Private Hearings.....	611
(iv) Research and Policy	612
(v) Community Engagement	612
(vi) Interim Report	613
(vii) Recommendations.....	613
(i) Conclusion	616
Appendix I — Public Inquiry Documents	617
Appendix II — Checklist for Prospective Commissioners.....	769
Appendix III — Canadian Inquiries Legislation	773
Appendix IV — Canadian Apologies Legislation	859
Appendix V — List of Interviews	873
<i>Index</i>	<i>877</i>