



Inquiries Act 2005

2005 CHAPTER 12

Inquiry reports

24 Submission of reports

- (1) The chairman of an inquiry must deliver a report to the Minister setting out—
 - (a) the facts determined by the inquiry panel;
 - (b) the recommendations of the panel (where the terms of reference required it to make recommendations).

The report may also contain anything else that the panel considers to be relevant to the terms of reference (including any recommendations the panel sees fit to make despite not being required to do so by the terms of reference).

- (2) In relation to an inquiry that is brought to an end under section 14(1)(b), the duty imposed by subsection (1) to deliver a report is to be read as a power to do so.
- (3) Before making a report under subsection (1) the chairman may deliver to the Minister a report under this subsection (an “interim report”) containing anything that a report under subsection (1) may contain.
- (4) A report of an inquiry must be signed by each member of the inquiry panel.
- (5) If the inquiry panel is unable to produce a unanimous report, the report must reasonably reflect the points of disagreement.
- (6) In subsections (4) and (5) “report” includes an interim report.

25 Publication of reports

- (1) It is the duty of the Minister, or the chairman if subsection (2) applies, to arrange for reports of an inquiry to be published.
- (2) This subsection applies if—
 - (a) the Minister notifies the chairman before the setting-up date that the chairman is to have responsibility for arranging publication, or

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- (b) at any time after that date the chairman, on being invited to do so by the Minister, accepts responsibility for arranging publication.
- (3) Subject to subsection (4), a report of an inquiry must be published in full.
- (4) The person whose duty it is to arrange for a report to be published may withhold material in the report from publication to such extent—
 - (a) as is required by any statutory provision, enforceable Community obligation or rule of law, or
 - (b) as the person considers to be necessary in the public interest, having regard in particular to the matters mentioned in subsection (5).
- (5) Those matters are—
 - (a) the extent to which withholding material might inhibit the allaying of public concern;
 - (b) any risk of harm or damage that could be avoided or reduced by withholding any material;
 - (c) any conditions as to confidentiality subject to which a person acquired information that he has given to the inquiry.
- (6) In subsection (5)(b) “harm or damage” includes in particular—
 - (a) death or injury;
 - (b) damage to national security or international relations;
 - (c) damage to the economic interests of the United Kingdom or of any part of the United Kingdom;
 - (d) damage caused by disclosure of commercially sensitive information.
- (7) Subsection (4)(b) does not affect any obligation of the Minister, or any other public authority or Scottish public authority, that may arise under the Freedom of Information Act 2000 (c. 36) or the Freedom of Information (Scotland) Act 2002 (asp 13).
- (8) In this section “report” includes an interim report.

26 Laying of reports before Parliament or Assembly

Whatever is required to be published under section 25 must be laid by the Minister, either at the time of publication or as soon afterwards as is reasonably practicable, before the relevant Parliament or Assembly.

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