



AN RIALTÓIR CÓGAISÍOCHTA
THE PHARMACY REGULATOR

Public Consultation Report

**Pharmaceutical Society of Ireland
(Receiving and Recording of Evidence
By Committee of Inquiry) Rules 2017**

Introduction

The Pharmaceutical Society of Ireland (PSI) prepared statutory rules (the Rules) regarding the receiving and recording of evidence by a Committee of Inquiry.

The purpose of the Rules is to allow a Committee of Inquiry to receive evidence by means of live-video link or any other mode of transmission which allows the evidence of a witness to be received clearly and in real time.

The Rules are now finalised and published on the PSI website.

The Public Consultation Process

A public consultation on the draft Rules was held between 18 July and 16 August 2016. The draft Rules were published on the PSI website, along with a link to a questionnaire. The option of sending comments in writing was also provided.

Overview of Submissions to Consultation

Two written responses were received to the public consultation process. The responses raised the following issues:

- (i) A response from the Irish Pharmacy Union (IPU) regarding audio evidence: The response sought reassurance that evidence given “*by any other mode of transmission*” should be both audio and visual, rather than just audio alone.
- (ii) A response regarding procedural matters: The response suggests the Rules should be amended to provide that the Committee of Inquiry may receive evidence given by means of live-video link or other form of transmission if the various parties agree to this, without the need to hear submissions. Where the parties do not agree to evidence being received in this manner, it is proposed that the Rules would provide for a Committee of Inquiry to hear submissions and make a ruling on each submission.

This proposal is suggested in order to address any procedural issues which may arise where the submissions in relation to the appropriateness of receiving evidence by video link or other mode of transmission are considered in advance of and perhaps separate to the Inquiry itself.

Response to Submissions to Consultation

- (i) Audio evidence: The Rules surrounding the manner in which it is intended to deal with the receipt of evidence by means of live video link, or any other mode of transmission, is in line with other healthcare regulators in this jurisdiction. A Committee of Inquiry is obliged to observe fair

procedures in making a decision to receive evidence by means of live video link or any other mode of transmission. Subject to that requirement, any decision in relation to the receipt of such evidence is a matter for a Committee of Inquiry.

- (ii) Procedural matters: The Rules surrounding the manner in which it is intended to deal with the receipt of evidence by means of live video link, or any other mode of transmission, is in line with other healthcare regulators in this jurisdiction. A Committee of Inquiry is obliged to observe fair procedures in making a decision to receive evidence by means of live-video link or any other mode of transmission. Subject to that requirement, any decision in relation to the receipt of such evidence, including any submissions made in relation to procedural aspects of hearing such evidence, is a matter more properly determined by a Committee of Inquiry.

Conclusion

The PSI would like to thank those that participated in the consultation process. The PSI Council considered the issues outlined in consultation process in detail. It was agreed that the views received were noteworthy but they did not directly affect the content of the Council Rules, as published.