

## **Mobuoy Community Inquiry:**

### **Terms of Reference**

The Inquiry will:

- Examine the **environmental, public health/safety and governance** impacts of the Mobuoy illegal waste dump through research and publicly submitted evidence and testimony.
- Provide a **public, independent and expert-led process** for assessing state and private sector accountability.
- Produce **findings and recommendations** modelled on a statutory inquiry format to address harm done.
- **Empower affected communities** by providing an accessible and credible platform for truth and accountability.
- Generate evidence and public pressure to secure an eventual **statutory public inquiry**.
- Support practical **prevention measures** and recommendations to reduce the risk of similar failures occurring again.
- Centre **community-identified environmental and restoration priorities**.

### **Scope**

The Inquiry will consider:

1. The adequacy of the response of the Department for Agriculture, Environment and Rural Affairs (DAERA), the Northern Ireland Environment Agency (NIEA) and the relevant planning authorities to the illegal waste dump at Mobuoy, including but not limited to action taken when the site was first reported, protection of nearby waterways and in particular the River Faughan, remediation strategies and enforcement action;
2. The adequacy of the relevant environmental, planning and waste management legislation and policy in supporting DAERA, NIEA and the planning authorities to tackle waste crime and the consequences of the Mobuoy site;
3. The environmental impact of illegal waste dumping at Mobuoy, including but not limited to the contamination of water, land and air, the threats to the River Faughan, the potential impact on ecosystems and the time for which the site will remain a threat to the local environment;
4. The current and future public health impacts of pollution and environmental damage caused by the site and the ongoing potential risks to both local residents and beyond;
5. The socio-economic impacts of the illegal waste dump, including but not limited to the effect of the site on the local community and their local amenities, the effect on local property owners, and the potential costs to the public purse;
6. Acknowledge, identify and address environmental and safety concerns related to the potential building of the new A6 road at the site;

7. The protection of the River Faughan and whether additional protections and/or rights are required, including Rights of Nature; and
8. Options for the future usage of the site.

**The Inquiry's report will set out the panel's recommendations for:**

1. Necessary legal and/or policy reforms
2. Support for the communities affected by the various environmental, health and socio-economic impacts of the illegal waste dump
3. Preventing similar incidents in future
4. Future use of the site

## **Mobuoy Inquiry Procedures**

### ***How the Inquiry will work***

#### **Principles**

The Inquiry will operate under the following principles:

- **Independence:** Free from state or corporate influence.
- **Transparency:** Open processes, public reporting and accessible information.
- **Fairness:** Equal opportunity for participation, respect for all voices.
- **Credibility:** Led by qualified, impartial experts.
- **Accessibility:** Processes and evidence channels designed to be inclusive of affected communities.

#### **How the Panel will be appointed**

The panel deliberating on Mobuoy will be selected by the steering committee. This selection will be informed by evidence, research and emerging plans over the initial consultation and evidence gathering processes. They will have practical and/or academic experience in the fields of environmental justice, regulation, governance, human rights and other related fields.

#### **Role of the Panel**

- Be supported by a **secretariat team (PILS)** to ensure procedural fairness, witness coordination and panel clerking.
- Hear from **witnesses** and review written evidence.
- Produce a **final report** (Autumn 2026) including findings, rulings and recommendations.

## How the Panel will gather evidence

The Panel will gather evidence in three ways:

1. **Research:** it will conduct its own research into the circumstances of the illegal waste dump at Mobuoy
2. **Written evidence:** it will review evidence received through an open call for submission
3. **Oral evidence:** it will hear testimonies and statements from a range of witnesses invited to speak to the panel at a set of public hearings.

## Submission of written evidence

Members of the public are invited to write to the Inquiry to tell the Panel how the illegal waste dump at Mobuoy has affected them, how it has affected their community, their homes, their families or otherwise. This is an opportunity for people living in the vicinity of this illegal waste dump to give their account directly.

Researchers are also invited to submit any evidence relating to the effects and impact of the illegal waste dump. If you are submitting work which is based on your own professional expertise, for example if you are providing a report on water sampling or contamination levels, please ensure that your submission includes a summary of your relevant qualifications and the methodology you have adopted.

An **inbox** for written and other forms of **evidence submission** has been set up:

[mobuoyinquiry@caj.org.uk](mailto:mobuoyinquiry@caj.org.uk).

Submitted evidence and testimony will be processed and prioritised by the CAJ and PILS, in coordination with partners, panellists and in line with the Terms of Reference.

If the Panel wishes to hear more detail, those making written submissions may be asked to speak at the Inquiry hearings.

## The Hearings

The Community Hearing will be held over **two days in 2026**, modelled on a statutory inquiry format.

The Community Hearing will be **open to the public and media**, reflecting the principles of **transparency and accountability**. Recording of proceedings will be permitted for the public record and for the production of the final report, subject to the Chair's discretion to restrict coverage in cases where testimony involves sensitive or personal material.

## Governance and Roles

Partner	Role / Responsibility
CAJ	Project coordination and oversight; drafting of ToR, policy framing and final report; lead liaison with panel and legal frameworks.

Partner	Role / Responsibility
The Gathering	Community mobilisation and outreach; coordination of public engagement and evidence collection; logistical organisation of events.
PILS	Paralegal and procedural support; clerking for the Panel; witness scheduling and guidance; management of written evidence and submissions.
EJNI / FOE	Expert advisory input; identification of panellists; thematic research and analysis support.
Community Representatives	Participation through testimony, evidence submission and public engagement activities.

### Safeguarding and Confidentiality

All participants and witnesses will be treated in accordance with **safeguarding, confidentiality and data protection principles**. Sensitive information will be handled with discretion and identifying details may be redacted where necessary to protect privacy and personal safety. All evidence will be processed in line with **GDPR** and good **ethical practice** for handling testimony.

### Legal Protections and Responsible Conduct

The Mobuoy Community Inquiry will operate on the principles of fairness, respect and accountability in the handling of all information. All testimony and submissions must be made **in good faith** and, where possible, supported by verifiable evidence.

The Community Inquiry, its organisers and partners will take reasonable steps to ensure that all statements or allegations presented are framed responsibly, avoiding defamatory or unfounded claims against individuals or organisations.

Panellists, witnesses and contributors are reminded that the Inquiry **does not have statutory powers** and operates within the bounds of existing law, including defamation, whistleblowing and data-protection policies and legislation. Where potentially sensitive or contested evidence is raised, the panel reserves the right to request further verification, anonymise testimony or redact material to prevent harm.

### Equality and Inclusion

The Community Inquiry will ensure **equitable participation and representation** across community backgrounds. Every effort will be made to ensure **accessibility** in both venue and format, including accommodations for language, disability and digital participation. The process will reflect the duties and spirit of **Section 75** of the Northern Ireland Act 1998.

### Review and Amendment

This Terms of Reference may be reviewed and amended by consensus among the partner organisations as planning progresses. Amendments must preserve the independence, transparency and fairness of the process.