



**Comhshaol, Pobal agus Rialtas Áitiúil**  
Environment, Community and Local Government

**Oifig an Aire**  
Office of the Minister

2 July 2012

Mr. John McGuinness, T.D.,  
Chairman,  
Public Accounts Committee,  
Dáil Eireann,  
Leinster House,  
Dublin 2.

Dear Chairman,

I refer to the consideration by the Public Accounts Committee of the Comptroller and Auditor General's Special Report on the Dublin Docklands Development Authority (DDDA). I appreciate the Committee's wish to examine all of the issues outlined in the report and I wish to assure you that my Department will provide every possible support and co-operation for the Committee's work.


My Department has received correspondence from the DDDA's Accounting Officer in relation to the impact of the Committee's consideration of the Special Report for the Authority's ongoing defence of legal action taken by Donatex Limited and Bernard McNamara. I understand that the DDDA Chairman has written directly to the Committee outlining the Authority's serious concerns in this matter, having regard to the scale of the claim for damages against the Authority.

My Department has considered the correspondence from the DDDA, and consulted with the Office of the Attorney General. In light of that consideration and consultation, I am satisfied that the risks highlighted by the Authority are both immediate and substantial and I am concerned to avoid a situation whereby public evidence before the Committee might be used in a manner that would be prejudicial to the Authority's defence of the case, and damaging to the financial interests of the Authority and the State more generally. I therefore request the Committee, in accordance with Standing Order 163(7)(a) of Dáil Eireann, to



refrain from enquiring further in public session into matters connected with the Special Report, or publishing related confidential information, until such time as the legal proceedings concerned have been concluded. In that regard, it should be noted that on a number of occasions recently, when matters relating to the case have required to be considered by the Court, the Judge has repeatedly emphasised his desire to have the case move forward expeditiously.

Yours sincerely,



Phil Hogan, T.D.  
Minister for the Environment,  
Community and Local Government