

Kevin OConnell

From: Martin Hughes
Sent: Monday 22 February 2021 10:23
To: Public Accounts Committee
Subject: FW: Request for legal advices relating to the Rehab engagement

Categories: Correspondence for future meetings

R0386 PAC33

From: Tom Malone <Tom.Malone@oireachtas.ie>
Sent: Friday 19 February 2021 18:12
To: Martin Hughes <Martin.Hughes@oireachtas.ie>
Subject: RE: Request for legal advices relating to the Rehab engagement

Martin

Your email in relation to what I understand to be a request by the Committee of Public Accounts for sight of legal advices provided in 2014 refers.

Any advices comprehended by the request would have been provided to a previous Committee of Public Accounts. As such, [Standing Order 153](#) is relevant (and more specifically in the context of the request, paragraphs (4) and (5) of that Standing Order).

You will note that paragraph (5)(a) of that Standing Order provides that "... access to a specified official document, or specified official documents, may be afforded, or disclosure of it or them allowed, whether generally or for a specific purpose, and whether unconditionally or on terms:

- (i) by Resolution of the Dáil; or
- (ii) by the Committee on Parliamentary Privileges and Oversight on behalf of the Dáil".

I should add that as

- any advices comprehended by the request would have been provided to a different client (viz. a previous Committee of Public Accounts),
- discovery of any such advices features in current litigation and
- it is not clear how any such advices would be relevant to matters under consideration by the current Committee,

it might be as well to address these issues in any request the Committee is minded to make to the Committee on Parliamentary Privileges and Oversight.

Regards,

Tom Malone
Principal Officer, Committees Secretariat.

From: Martin Hughes <Martin.Hughes@oireachtas.ie>

Sent: Friday 19 February 2021 17:20

To: Tom Malone <Tom.Malone@oireachtas.ie>

Subject: Request for legal advices relating to the Rehab engagement

Tom,

At yesterday's private meeting of the Committee, the Committee, through Deputy Marc MacSharry, requested that it be provided with the legal advices that were given to the Committee of Public Accounts of the 31st Dáil in advance of Rehab's appearances before that Committee in 2014. I am not entirely clear on this but the Deputy suggested that it is relevant to the changes to Standing Orders that have taken place since the Kerins judgment.

This is the second time this has been requested in Committee.

Regards,

Martin