



Ms Sarah Cremin

Committee Secretariat

Committee of Public Accounts

Leinster House

Dublin 2 D02 XR20

Your ref: SO822 PAC33

14 April 2022

Dear Ms Cremin,

I refer to your letter dated 6 April 2022 regarding a request from the Public Accounts Committee for an interim update on the status of the investigation into certain workers engaged by RTE.

In my previous response, dated 20 January 2022, to a similar request from the Committee to furnish quarterly updates on the investigation, I set out a range of reasons why it would be inappropriate for the Department to comment on or provide information on an ongoing investigation and offered to, instead, provide an update on the outcome of the investigation upon its conclusion.

I understood from the response of the Committee (ref SO726 PAC 33) that the Committee accepted these points and was content to receive an update once the investigation concluded.

I believe that the considerations set out in my letter of the 20 January are still valid. In particular, I am concerned to ensure that investigations into employment status, which are quasi-judicial in nature and the outcomes of which can have significant implications for the parties involved, should not only be conducted impartially, but also be seen to be conducted free from external pressure or influence.

As previously advised, I expect the investigation into the employment status of certain workers at RTE to extend into 2023 and will provide an update to the Committee on the investigation outcome at that time.

In the meantime, I am reluctant for the reasons already set out to provide a series of interim updates relating to decisions made or appeals received.

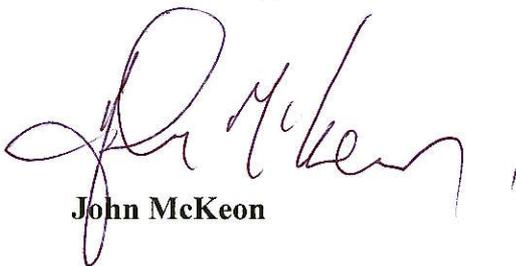
However, I can assure the Committee that the Department is working to complete the investigation to the timeline set out and is receiving cooperation from the parties involved including RTE.

In addition, rather than providing an ongoing series of updates I can also undertake to provide one interim update later this year.

I believe that this approach balances the need to protect the independence and impartiality of the review process with the Committee's interest in monitoring progress.

I trust this clarifies the position for the Committee.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'John McKeon', written in a cursive style.

John McKeon

Secretary General