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**Date:** 30 April 2014  
**Our Ref:** AE/K167-0003  
**Our Client:** Angela Kerins  
**Re:** Oireachtas Committee of Public Accounts ("Committee") and  
Angela Kerins

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Dear Sir,

We refer to your recent correspondence in this matter resting with your letter dated 17 April 2014.

Our client is not in a position to agree to your request that she return before the Committee at this time. Contrary to what was conveyed by Committee members during and following the Committee hearing convened on 10 April last, her inability to attend on that occasion was not by way of "snub" to the Committee. Our client suffered serious ill-health in the aftermath of her attendance before the Committee on 27 February last requiring two periods of hospitalisation from 2 March 2014 to 11 March 2014 and for one other night. It is very much to be regretted that the Chairman should use the occasion of a privileged hearing on 10 April last to suggest that *"it is absolutely deplorable"* that Ms. Kerins had not attended the Committee hearing, particularly in light of her previous voluntary attendance and the fact that the Committee had been advised that she was unable to attend due to ill-health.

The current position is that while Ms. Kerins is recovering, her doctors have confirmed that she is not well enough to attend as a witness before the Committee at this time.

As you are aware, we have been retained by Ms. Kerins in respect of this matter relatively recently and did not represent her when she attended before the Committee on 27 February last. We have now had an opportunity to review the transcript of the hearing on that date and the transcripts of the subsequent hearings on 13 March and 10 April, 2014. We are quite frankly appalled by the conduct of the Committee and individual members of the Committee both as recorded on the transcripts of the hearings and as apparent from a review of comments of individual Committee members made through their own personal social media accounts and in subsequent interviews given by them and as reported in the media more generally. The Committee and individual members of the Committee appear to have completely lost sight of the fact that our client is a private citizen who appeared before the Committee on a voluntary basis to assist the Committee in relation to expenditure by the HSE, SOLAS and by the Department of Justice and Equality under the Charitable Lotteries Scheme. She is entitled to respect for her rights to privacy and for her reputation in the

manner in which the Committee conducts its business. It is clear, however, that the Committee and its individual members have little regard for our client's personal rights and the requirements of constitutional justice in the discharge of the Committee's functions. It barely needs to be stated that it is wholly inappropriate that Committee members should consider themselves at large to make gratuitous and prejudicial remarks about witnesses appearing before the Committee to the media, but this is what they have done. It demeans the standing and authority of the Committee that members conduct themselves in this manner. We regret to say that we have been obliged to advise our client that the Committee and its individual members have treated her unfairly and have demonstrated that they are not in a position to adjudicate lawfully on any matter pertaining to her.

Quite apart from the manifest lack of fairness in the conduct of the Committee's affairs, we are also seriously troubled as to the absence of any legal basis for the current inquiry or clarity as to its parameters. We consider that the Committee has trespassed in its conduct *vis-à-vis* Ms. Kerins into an area well outside its jurisdiction. The Committee and its members has seen fit to allege misconduct on the part of Ms. Kerins and to conduct an investigation into her role as CEO of the Rehab Group. The Committee has not demonstrated any legal basis or authority for the inquiry as conducted to date or as proposed in the letter of 17 April 2014.

In light of the foregoing, we have advised our client that it is our view that there is no lawful basis by which the Committee can procure her attendance before the Committee. Notwithstanding this advice, this letter should not be construed as a refusal by Ms. Kerins to voluntarily return before the Committee at a future date when she is well enough to do so.

A significant injustice has been visited on Ms. Kerins by the Committee and we are concerned to vindicate her personal right to her good name and bodily integrity. We will inform the Committee on Procedure and Privileges of Dáil Éireann of this correspondence in light of that committee's role in relation to the composition of a committee conducting an inquiry where a perception of bias on the part of members of such committee may arise.

Please ensure that any communication by the Committee of Public Accounts with other relevant committees of the Oireachtas is notified to this firm.

Yours faithfully,

  
Eames Solicitors