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Mr. Ted McEnery
Clerk to the Committee
Committee of Public Accounts
Leinster House
Dublin 2

And By Email: ted.mcenery@oir.ie; pac@oireachtas.ie

Date: 9 May 2014
Our Ref: AE/K167-0003
Our Client: Angela Kerins
Re: Oireachtas Committee of Public Accounts ("Committee") and Angela Kerins

Dear Sir,

We refer to your letter dated 8 May, 2014.


We note that you have elected to treat our client's position as a refusal to further "*assist the Committee*" when our letter of 30 April 2014 expressly did not constitute such a refusal.

We are surprised that the Committee now proposes to seek compellability powers under the provisions of Part 7 of the Houses of the Oireachtas (Inquiries, Privileges and Procedures) Act, 2013 notwithstanding the contents of our letter of the 30 April 2014 where it was pointed out that the enquiry now in train is clearly ultra vires the powers of the Public Accounts Committee and that the Committee is compromised in its ability to continue to deal with this enquiry by reason of the apparent bias and inappropriate behaviour of individual members of the Committee. Your letter does not address the substance of the complaint made in our letter of the 30 April 2014 at all. The only reasonable inference to be drawn from this is that the Committee is fully aware of its lack of jurisdiction but proposes to press ahead regardless of the fact that it does so unlawfully.

We are concerned also that despite our express request that we be copied with all correspondence with third parties that the Committee is proposing to apply ex parte and without reference to us to the Dail Committee on Procedure and Privileges. This is contrary to the most basic requirements of fair procedures and constitutional justice.

We require your undertaking by return that all documents relied upon in support of any application to the Dail Committee on Procedure and Privileges will be disclosed to us in a timely manner. We wish to consider the basis for your application and to be heard by the Dail Committee on Procedure and Privileges on the lawfulness of any order against our client under Part 7 of the Houses of the Oireachtas (Inquiries, Privileges and Procedures) Act, 2013 before a decision is made on the application.

Yours faithfully

A handwritten signature in cursive script, appearing to read "Eames Solicitors", written in black ink. The signature is fluid and extends to the right.

Eames Solicitors