

From: [REDACTED]
Sent: Wednesday 21 September 2022 14:24
To: PER Minister (PER) <minister@per.gov.ie>; Niamh Collins (PER) <Niamh.Collins@per.gov.ie>
Subject: Re: PER-MMO-00989-2022

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Dear Minister,

Thanks you for the reply below.

Because the register of interests referred to is not open to inspection by the citizen/taxpayer, transparency is not on offer to the citizen when it come to the upper echelons of the Irish Civil Service.

How can I, as a mere citizen, establish, as a fact, whether or not, say, the Sec. Gen. of Dept. of Housing is a landlord? How can the relevant Minister establish that as a fact?

Given that an important function of the Secs. Gen. is to 'provide advice to Ministers', it is vital that the citizenry, and the body politic, can see where that advice is coming from and therefore all need to see the interests of those offering said advice.

Equally, 'The function of the Management Board is to advise the Secretary General on the overall management of the Department.' It is at odds with transparency that the individuals that make up this body are not subject to proper scrutiny in terms of their interests.

How can I, as a mere citizen, confirm, as a fact, whether or not, say, those advising the Sec. Gen. of Dept of Agriculture own farms or have financial stakes in agri-businesses? How can the relevant Minister establish that as a fact?

The lack of transparency in the SCS is an abuse of privilege not afforded to others. By definition this makes them an elite.

At best, one could call the existing system of registration of interests of Senior Civil Servants as 'light touch' regulation. And we know from history how that worked out in other areas.

In fact, what we have is a Faith Based System. The Irish people are expected to believe that the High Priests of the Civil Service are above question, transparency, accountability and scrutiny.

As we have seen from history, where powerful institutions in Ireland are administered by an elite priesthood, above question and scrutiny, the consequences can be most unfortunate, to say the least.

It would appear that there is no place in Irish SCS for Caesar's Wife.

I suggest, that in a 21st Century Democratic Republic, a priestly elite working for the State is unacceptable.

I ask, therefore, that such rules and regulations as apply to the Representatives of the People apply equally, in ALL terms, to the so called Permanent Government.

Kind regards,

Eoin Holmes,

On 9 Sep 2022, at 12:18, Minister McGraths Office <per-mmo-correspondence@cloud.gov.ie> wrote:

Our ref@ PER-MMO-00989-2022

Mr Eoin Holmes

Dear Mr. Holmes

The Minister for Public Expenditure and Reform, Mr Michael McGrath TD, has asked me to respond to your correspondence of August 24 regarding the declarations of interests made by senior civil servants under the Ethics Acts.

Secretaries General submit their annual declaration of interests to the Secretary General of the Department of Public Expenditure and Reform for review. The responsibility under section 11 of the Standards in Public Office Act, 2001 to review the annual statement of interests of a designated employee lies with the person to whom the statement is sent, i.e. the relevant authority for the position. For Secretaries General in this instance, the relevant authority is the Secretary General of the Department of Public Expenditure and Reform.

For the Secretary General of the Department of Public Expenditure and Reform, the relevant authority is the Secretary General of the Department of the Taoiseach as determined by the Minister for Public Expenditure and Reform. As such, the Secretary General of the Department of Public Expenditure and Reform cannot review their own statement of interests.

In respect of local authorities, the Local Government (Planning and Development) Act, 1976 placed declaration of interests obligations on members of planning authorities and certain employees of local authorities who had planning functions. Section 32(7) of the 1976 Act provides that a register of interests be compiled from the declarations and that this be available at the planning authority's offices for public inspection during office hours. The Local Government Act, 2001 expanded the 1976 Act declarations regimes from certain planning officials to certain local authority officials across all functions.

The disclosure obligations of senior public officials in the civil service and local government seek to strike a fair balance between the public's right to know and the individual's right to privacy. As the work of local authorities exercises a significant impact on the public's material interests, particularly in areas such as planning, the Local Government Act, 2001 instituted a specific ethics framework for local government members and officials. This framework contributes to strengthening public trust through transparency in the declaration of interests.

I hope the information is useful to you and it informs your contributions to the review.

Yours sincerely

Niamh Collins

Private Secretary to the Minister for Public Expenditure and Reform

A Member of the Minister for Public Expenditure and Reform staff. The Minister is a Designated Public Official under the Regulation of Lobbying Act, 2015 (details available on www.lobbying.ie)

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Tá an fhaisnéis atá sa ríomhphost seo (agus in aon cheangaltáin) faoi rún agus is don fhaighteoir/do na faighteoirí beartaithe é agus é/iad sin amháin. Mura tusa an faighteoir beartaithe, níor cheart duit an teachtaireacht seo ná aon chuid di a úsáid, a nochtadh, a chóipeáil, a dháileadh ná a choinneáil. Sa chás gur trí earráid a fuair tú an ríomhphost seo, tabhair fógra dom láithreach faoi sin agus scríos gach cóip den ríomhphost seo ó do ríomhchóra(i)s. Tabhair faoi deara go bhféadfaidh an ríomhphost seo agus aon fhreagra air bheith faoi réir iarraidh ar a eisiúint de bhun an Achta um Shaoráil Faisnéise