



Dáil Éireann

TUARASCÁIL

ÓN

gCOISTE UM PRIBHLÉIDÍ PARLAIMINTEACHA AGUS FORMHAOIRSIÚ
MAIDIR LE hAIGHNEACTH A RINNEADH DE BHUN BHUAN-ORDÚ 71

Arna glacadh ag an gCoiste an 14 Bealtaine 2024.

REPORT

OF THE

COMMITTEE ON PARLIAMENTARY PRIVILEGES AND OVERSIGHT
ON SUBMISSION MADE PURSUANT TO STANDING ORDER 71

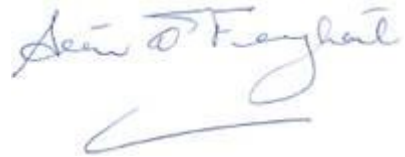
Adopted by the Committee on 14 May 2024.

DÁIL ÉIREANN

Report of the Committee on Parliamentary Privileges and Oversight on submission made pursuant to Standing Order 71

1. At its meeting on 8 May 2024, the Committee on Parliamentary Privileges and Oversight (CPPO) made the following determinations pursuant to Standing Order 71A(7) on utterances made by Deputy Bernard Durkan in Dáil Éireann on 13 July 2023:
 - a. that Deputy Durkan's utterances had an adverse effect on Professor Jim Sheehan (within the meaning of Standing Order 71(1));
 - b. that Deputy Durkan's utterances did not constitute an abuse of privilege.
2. The utterances were made during the course of a topical issue debate on family law cases pursuant to Standing Order 37. On foot of the utterances, Professor Sheehan made a submission dated 21 July 2023 which was considered to be a submission pursuant to Standing Order 71(3) and was referred by the Ceann Comhairle to CPPO for consideration pursuant to Standing Order 71A. In addition, a letter dated 10 November 2023 from Professor Sheehan's legal representatives was subsequently received.
3. Following consideration by CPPO at its meeting on 6 December 2023 of—
 - a. Professor Sheehan's submission,
 - b. the letter from Professor Sheehan's legal representatives insofar as it related to Deputy Durkan's utterances on 13 July 2023,and in accordance with Standing Order 71A(5), CPPO notified Deputy Durkan of Professor Sheehan's submission, in order to afford Deputy Durkan an opportunity to make his own submission to CPPO, which Deputy Durkan did on 19 December 2023. Deputy Durkan further corresponded on 24 April 2024 and 8 May 2024, seeking an opportunity to give an oral presentation to CPPO, but these requests were not agreed to by the Committee.
4. At its meetings on 31 January 2024, 24 April 2024 and 8 May 2024, CPPO considered the matter and, as outlined in paragraph 1, made determinations on the matter on 8 May.
5. In addition to making its determinations, at its meeting on 8 May 2024, CPPO agreed to make the following recommendations pursuant to Standing Order 71A(10):
 - a. that any member who considers that it is in the public interest for them to make an utterance which could, within the meaning of Standing Order 71, adversely affect a person, should give prior private notice in writing to the Ceann Comhairle (or Cathaoirleach of the relevant Committee, as the case may be) of their intention to make such an utterance and the reasons therefor, pursuant to Standing Order 71B; and

- b. if serious charges are to be made against a person outside the House, it should only be done by way of substantive written motion, made on notice.
6. This report is made to Dáil Éireann pursuant to Standing Order 71A(10) and accordingly, will be laid in the Oireachtas Library.



Seán Ó Feargháil TD,
Cathaoirleach
14 May 2024