

Ireland

Member State Contribution

European Commission Annual Rule of Law Report 2025

Commission Questions

I. Justice System

1. Please provide information on measures taken to follow-up on the recommendations received in the 2024 Report regarding the justice system (if applicable)

A. Independence

- 2. Appointment and selection of judges, prosecutors and court presidents (incl. judicial review)*
- 3. Irremovability of judges; including transfers (incl. as part of judicial map reform), dismissal and retirement regime of judges, court presidents and prosecutors (incl. judicial review)*
- 4. Promotion of judges and prosecutors (incl. judicial review)*
- 5. Allocation of cases in courts*
- 6. Independence (including composition and nomination and dismissal of its members), and powers of the body tasked with safeguarding the independence of the judiciary (e.g. Council for the Judiciary)*
- 7. Accountability of judges and prosecutors, including disciplinary regime and bodies and ethical rules, judicial immunity and criminal/civil (where applicable) liability of judges (incl. judicial review)*
- 8. Independence/autonomy of the prosecution service*
- 9. Independence of the Bar (chamber/association of lawyers) and of lawyers*
- 10. Significant developments capable of affecting the perception that the general public has of the independence of the judiciary*

B. Quality of justice

- 11. Accessibility of courts (e.g. court/legal fees, legal aid, language)*
- 12. Resources of the judiciary (human/financial/material), remuneration/bonuses/rewards for judges and prosecutors, including observed changes (significant and targeted increase or decrease over the past year)*
- 13. Training of justice professionals (including judges, prosecutors, lawyers, court staff, clerks/trainees)*
- 14. Digitalisation (e.g. use of digital technology, particularly electronic communication tools, within the justice system and with court users, procedural rules, access to judgments online)*
- 15. Use of assessment tools and standards (e.g. ICT systems for case management, court statistics and their transparency, monitoring, evaluation, surveys among court users or legal professionals)*
- 16. Geographical distribution and number of courts/jurisdictions ("judicial map") and their specialisation, in particular specific courts or chambers within courts to deal with fraud and corruption cases.*

C. Efficiency of the justice system

17. Developments related to efforts to improve the efficiency of the justice system e.g. as regards length of proceedings

D. Other

18. Any other significant developments since January 2024 falling under the type of information outlined in section I.

II. Anti-corruption framework

19. Please provide information on measures taken to follow-up on the recommendations received in the 2024 Report regarding the anti-corruption framework (if applicable)

A. The institutional framework capacity to fight against corruption (prevention and investigation / prosecution)

20. List any changes as regards relevant authorities (e.g. national agencies, bodies) in charge of prevention, detection, investigation and prosecution of corruption and the resources allocated to each of these authorities (the human, financial, legal, and technical resources as relevant), including the cooperation among domestic and with foreign authorities. Indicate any relevant measures taken to effectively and timely cooperate with OLAF and EPPO.

21. Safeguards for the functional independence of the authorities tasked with the prevention and detection of corruption.

22. Information on the implementation of measures foreseen in the strategic anti-corruption framework (if applicable). If available, please provide relevant objectives and indicators.

B. Prevention

23. Measures to enhance integrity in the public sector and their application (including as regards incompatibility rules, revolving doors, codes of conduct, ethics training).

24. Measures to enhance general transparency of public decision-making (including rules on lobbying, asset and interest disclosure rules, gifts policy, transparency of political party financing)

25. Measures to prevent conflicts of interest in the public sector. Please specify the features and scope of their application (e.g. categories of officials concerned, types of checks and corrective measures depending on the category of officials concerned)

26. Measures in place to ensure whistleblower protection and encourage reporting of corruption, including the number of reports received and the follow-up given

27. Specific measures to enhance transparency, integrity and accountability in sectors with high risks of corruption, with a view to monitor and prevent corruption and conflict of interests, and where applicable measures to prevent and address corruption committed by organised crime groups.

Such high-risk sectors could include:

- *public procurement, including construction, transport/infrastructure,*
- *defence,*
- *cohesion,*
- *agriculture,*
- *environment,*
- *healthcare, citizen/residence investor schemes,*
- *large-scale investments of national interest and the spending of EU funds,*
- *urban planning.*

C. Repressive measures

28. The legal framework on the criminalisation and sanctions for corruption and related offences, including foreign bribery.

29. Official data on the number of investigations, prosecutions, final judgments, and the application of sanctions for corruption offences (differentiated by offence if possible) . Please indicate whether the cases: involve legal persons; are related to the implementation of EU or national funds ; involve high level corruption. Please indicate which data is publicly available and how policy-making is informed by the data.

30. Potential obstacles to investigation and prosecution as well as to the effectiveness of criminal sanctions of high-level and complex corruption cases (e.g. political immunity regulation, procedural rules, statute of limitations, cross-border cooperation, pardoning)

31. Information on effectiveness of non-criminal measures and of sanctions (e.g. recovery measures and administrative sanctions) on both public and private offenders.

D. Other

32. Any other significant developments since January 2024 falling under the type of information outlined in section II.

III. Media pluralism and media freedom

33. Please provide information on measures taken to follow-up on the recommendations received in the 2024 Report regarding media pluralism and media freedom (if applicable)

A. Media authorities and bodies

34. Measures taken to ensure the independence, enforcement powers and adequacy of resources (financial, human and technical) of media regulatory authorities and bodies

35. Conditions and procedures for the appointment and dismissal of the head / members of the collegiate body of media regulatory authorities and bodies

36. Existence and functions of media councils or other self-regulatory bodies

B. Safeguards against government or political interference and transparency and concentration of media ownership

37. Measures taken to ensure the fair and transparent allocation of state advertising (including any rules regulating the matter)

38. Safeguards against state / political interference, in particular:

- safeguards to ensure editorial independence of media (private and public)
- specific safeguards for the independence of heads of management and members of the governing boards of public service media (e.g. related to appointment, dismissal), safeguards for their operational independence (e.g. related to reporting obligations and the allocation of resources) and safeguards for plurality of information and opinions
- information on specific legal provisions and procedures applying to media service providers, including as regards granting/renewal/termination of licences, company operation, capital entry requirements, concentration, and corporate governance

39. Transparency of media ownership and public availability of media ownership information, including on direct, indirect and beneficial owners.

C. Framework for journalists' protection, transparency and access to documents

40. Rules and practices guaranteeing journalist's independence and safety, including as regards protection of journalistic sources and communications, referring also, if applicable, to follow-up given to alerts lodged with the Council of Europe's Platform to promote the protection of journalism and safety of journalists.

41. Law enforcement capacity, including during protests and demonstrations, to ensure journalists' safety and to investigate attacks on journalists

42. Access to information and public documents by public at large and journalists (incl. transparency authorities where they exist, procedures, costs/fees, timeframes, administrative/judicial review of decisions, execution of decisions by public authorities, possible obstacles related to the classification of information)

43. Lawsuits (incl. SLAPPs - strategic lawsuits against public participation) and convictions against journalists (incl. defamation cases) and measures taken to safeguard against manifestly unfounded and abusive lawsuits

D. Other

44. Any other significant developments since January 2024 falling under the type of information outlined in section III.

IV. Other institutional issues related to checks and balances

45. Please provide information on measures taken to follow-up on the recommendations received in the 2024 Report regarding the system of checks and balances (if applicable)

A. The process for preparing and enacting laws

46. Framework, policy and use of impact assessments and evidence based policy-making, stakeholders'/public consultations (including consultation of judiciary and other relevant stakeholders on judicial reforms), and transparency and quality of the legislative process both in the preparatory and the parliamentary phase.
47. Rules and use of fast-track procedures and emergency procedures (for example, the percentage of decisions adopted through emergency/urgent procedure compared to the total number of adopted decisions).
48. Rules and application of states of emergency (or analogous regimes), including judicial review and parliamentary oversight.
49. Regime for constitutional review of laws

B. Independent authorities

50. Independence, resources, capacity and powers of national human rights institutions ('NHRIs'), of ombudsman institutions if different from NHRIs, of equality bodies if different from NHRIs and of supreme audit institutions
51. Statistics/reports concerning the follow-up of recommendations by National Human Rights Institutions, ombudsman institutions, equality bodies and supreme audit institutions in the past two years.

C. Accessibility and judicial review of administrative decisions

52. Transparency of administrative decisions and sanctions (incl. their publication and rules on collection of related data)
53. Judicial review of administrative decisions: - short description of the general regime (in particular competent court, scope, suspensive effect, interim measures, and any applicable specific rules or derogations from the general regime of judicial review).
54. Rules and practices related to the application by all courts, including constitutional jurisdictions, of the preliminary ruling procedure (Art. 267 TFEU)
55. Implementation of final judgments by the public administration and State institutions and follow-up given to supranational judgments, including the European Court of Human Rights) court decisions, as well as available remedies in case of non- implementation

D. The enabling framework for civil society

56. Measures regarding the framework for civil society organisations and human rights defenders (e.g. legal framework and its application in practice incl. registration and dissolution rules)
57. Rules and practices having an impact on the effective operation and safety of civil society organisations and human rights defenders. This includes measures to protect them from attacks – verbal, physical or on-line –, intimidation, legal threats incl. SLAPPs, negative narratives or smear campaigns, measures capable of affecting the public perception of civil society organisations, etc. It also includes

measures to monitor threats or attacks and dedicated support services, as well as available remedies.

58. Organisation of financial support for civil society organisations and human rights defenders (e.g. framework to ensure access to funding, and for financial viability, taxation/incentive/donation systems, measures to ensure a fair distribution of funding)

E. Initiatives to foster a rule of law culture

59. Measures to foster a rule of law culture (e.g. debates in national parliaments on the rule of law, public information campaigns on rule of law issues, contributions from civil society, education initiatives, etc.)

F. Other

60. Any other significant developments since January 2024 falling under the type of information outlined in section IV.

I. Justice System

1. Please provide information on measures taken to follow-up on the recommendations received in the 2024 Report regarding the justice system

Recommendation 1. *Take forward the necessary legislative work aimed at reducing litigation costs to ensure effective access to justice, taking into account European standards on disproportionate costs of litigation and their impact on access to courts*

There has been significant progress on the reform of the defamation regime in Ireland. The lack of specific safeguards to counter strategic lawsuits against public participation (SLAPPs), coupled with the lack of mechanisms to reduce the risk of defamation cases, produces a chilling effect on journalists and is a long-standing issue for the media freedom in Ireland.

To address this, the Defamation (Amendment) Bill 2024 was published in August 2024 and completed second stage in the parliamentary legislative process in September 2024. The Programme for Government, January 2025, commits to passing the legislation as a priority. The Bill provides for a suite of important protective safeguards against SLAPPs, and better protection generally for responsible public interest journalism.

A. Independence

2. Appointment and selection of judges, prosecutors and court presidents (incl. judicial review)

Legislative Developments – Newly commenced legislation: The Judicial Appointments Commission Act 2023, which was enacted on 8 December 2023 was fully commenced on 1 January 2025. The Act is available at [Judicial Appointments Commission Act 2023, Schedule \(irishstatutebook.ie\)](https://www.irishstatutebook.ie/eli/2023/act/12/enacted/01-01-2025)

Policy Developments – Implementation of legislation: As of 1 January 2025, the Judicial Appointments Commission Act 2023 is in full operation and the Commission has been established as of that date. The Judicial Appointments Commission Act establishes a new, independent Judicial Appointments Commission to select and recommend persons for all judicial offices in Ireland and in the EU and international courts.

Developments related to the judiciary/independent authorities – important case law by national courts: The decision of the Supreme Court of 8 December 2023 in the Matter of Article 26 of the Constitution and in the Matter of the Judicial Appointments Commission Bill 2022 [2023] IESC 34. The judgment is available at https://www.courts.ie/acc/alfresco/af4b1773-a5c7-4626-9b01-9b8ab9b690e2/2023_IESC_34.pdf/pdf#view=fitH. Article 26 of the Constitution of Ireland provides for the President, following consultation with the Council of State, to test the constitutionality of a Bill by referring it to the Supreme Court for decision.

Staff of the Office of the Director of Public Prosecutions (ODPP) are civil servants and the ODPP is a civil service body. Prosecutors are appointed to our Office through an open competition. The process commences with an application and shortlisting. Those applicants that are selected at shortlisting are invited to attend a competency-based interview by a board made up of specialists with an external board member. Boards also are gender balanced. Successful candidates are placed on a panel in order of merit. As vacancies arise within the Office, candidates are offered the position of Prosecutor. As a civil service body, all competitions are run in compliance with the Code of Practice for Appointments to Positions in the Civil Service and Public Service. The Codes of Practice are published by the CPSA (www.cpsa.ie). If a candidate is dissatisfied following a selection process, they have a right under the Code to request an informal or formal review of a decision made during the process or make a complaint that the selection process followed was unfair.

3. Irremovability of judges; including transfers (incl. as part of judicial map reform), dismissal and retirement regime of judges, court presidents and prosecutors (incl. judicial review)

Article 35.4.1 of the Constitution provides that a judge of the Supreme Court, the Court of Appeal, or the High Court shall not be removed from office except for stated misbehaviour or incapacity, and then only upon resolutions passed by Dáil Éireann and by Seanad Éireann calling for their removal. Legislation provides that judges of the Circuit and District Courts hold office by the same tenure as the judges of the High Court and the Supreme Court and are therefore under the same protections.

Section 47 of the Courts and Court Officers Act, 1995 sets the age of retirement at 70 years in the Superior Courts (Supreme Court, Court of Appeal and High Court). Section 18 of the Courts (Supplemental Provisions) Act, 1961 sets the retirement age for Judges of the Circuit Court at 70 years. Section 4 of the Courts Act, 2019 set the retirement age for Judges of the District Court to 70 years.

New hire Prosecutors are offered a one-year probationary contract. During their first year, their attendance, performance and behaviour is reviewed on a quarterly basis. Prosecutors who successfully complete their probation have their appointment confirmed. Prosecutors that do not complete a satisfactory probation period will not be approved for a permanent position as a Prosecutor for the ODPP and either one of the following will apply:

- Employment will cease for the new employee; or
- The employee will revert to their previous grade should they have been a permanent employee of the Civil Service immediately prior to being promoted to the role of Prosecutor.

These decisions can be appealed by the employee up to and including the grade of Principal Prosecutor.

The Civil Service Code of Standards and Behaviour applies to all Prosecutors. Any Prosecutor in breach of the Code could be dismissed under Circular 19 of 2016 Civil Service Disciplinary Code. Employees have a right to Appeal a decision in accordance with the appeals process, set out in Part 4 of the Code.

All Prosecutors are members of a Civil Service Pension Scheme. The minimum retirement age of a Prosecutor is dependent on their pension scheme. Most Prosecutors must retire at age 70 with an

exception to members of the New Entrant Scheme 2004 where any Prosecutors hired between 2004 - 2012 have no compulsory retirement age.

4. Promotion of judges and prosecutors (incl. judicial review)

Legislative Developments – Newly commenced legislation: The Judicial Appointments Commission Act 2023, which was enacted on 8 December 2023 was fully commenced on 1 January 2025. Under the new Judicial Appointments Commission Act, 2023, all judges, including those applying for promotion will be required to be interviewed by the new Judicial Appointments Commission. Previously, judges expressing an interest in promotion, were not required to attend for interview. The Act is available at [Judicial Appointments Commission Act 2023, Schedule \(irishstatutebook.ie\)](https://www.irishstatutebook.ie/eli/2023/act/12/section/1)

Policy Developments – Implementation of legislation: As of 1 January 2025, the Judicial Appointments Commission Act 2023 is in full operation and the Commission has been established as of that date.

Developments related to the judiciary/independent authorities – important case law by national courts: The decision of the Supreme Court of 8 December 2023 in the Matter of Article 26 of the Constitution and in the Matter of the Judicial Appointments Commission Bill 2022 [2023] IESC 34. The judgment is available at https://www.courts.ie/acc/alfresco/af4b1773-a5c7-4626-9b01-9b8ab9b690e2/2023_IESC_34.pdf/pdf#view=fitH

Senior prosecutor roles are filled through open or internal competition. The process commences with an application and shortlisting. Those applicants that are selected at shortlisting are invited to attend a competency-based interview by a board made up of specialists with an external board member. Boards are also gender balanced. For some senior roles, a second round interview is required. Successful candidates are placed on a panel in order of merit. As vacancies arise within the ODPP, candidates are offered a position.

As a civil service body, all competitions are run in compliance with the Code of Practice for Appointments to Positions in the Civil Service and Public Service. The Codes of Practice are published by the CPSA (www.cpsa.ie). If a candidate is dissatisfied following a selection process, they have a right under the Code to request an informal or formal review of a decision made during the process or make a complaint that the selection process followed was unfair.

In regard to the Deputy Chief Prosecutor and higher roles, open competitions are run by the Public Appointment Service on behalf of the Office in line with the process of the Top Level Appointments Commission (TLAC). TLAC are the body that has oversight of the Civil Service Senior positions, full details on the operations of TLAC can be found at: [gov.ie - Top-Level Appointments Committee \(TLAC\)](http://gov.ie) (www.gov.ie).

The Director of Public Prosecutions is a government appointment also filled through open competition, which is done by TLAC.

5. Allocation of cases in courts

There are no relevant updates since the response provided in 2024. Please also see information under Q16.

6. Independence (including composition and nomination and dismissal of its members), and powers of the body tasked with safeguarding the independence of the judiciary (e.g. Council for the Judiciary)

There are no relevant updates since the response provided in 2023.

7. Accountability of judges and prosecutors, including disciplinary regime and bodies and ethical rules, judicial immunity and criminal/civil (where applicable) liability of judges (incl. judicial review)

The 2023 Annual Report of the Judicial Conduct Committee published in June 2024 is the most recent public data available relating to judicial complaints. In 2023, 216 complaints were received of which one was deemed admissible. The Committee in its Report noted that a majority of complaints were made by litigants, almost all of whom had represented themselves in court proceedings. It was also noted that a majority of complaints were pursued under the mistaken belief that the complaints procedure was a form of appeal against an adverse court decision and that if a complaint was upheld, it would lead to the overturning of the decision with which the complainant disagreed. 132 complaints (67% of the total received) fell into this category and were found inadmissible on that basis. The Committee is currently reviewing its public information relating to the conduct process, including its complaint form. As both judicial and lay membership terms expired in 2024, elections were held amongst the judiciary following which two new judicial members were appointed to the Committee in 2024. There are two vacancies among lay members at 2024 year end.

There are no relevant updates in relation to Prosecutors since the response provided in 2024.

8. Independence/autonomy of the prosecution service

The ODPP 2023 and 2024 submission on this question remains the current position. In understanding the prosecution service in Ireland, and the roles of the ODPP, State Solicitors and An Garda Síochána in terms of prosecuting crime, we would refer to the following document: [Prosecution System in Ireland.](#)

9. Independence of the Bar (chamber/association of lawyers) and of lawyers

In 2024, Legal Partnerships were introduced allowing barristers to go into partnership with other barristers or to form partnerships with solicitors. A new code of practice for barristers was introduced by the LRSA which maintained the duty of barristers to be independent and free from any influence.

10. Significant developments capable of affecting the perception that the general public has of the independence of the judiciary

There are no relevant developments since the response provided in 2024.

B. Quality of justice

11. Accessibility of courts (e.g. court/legal fees, legal aid, language)

Updating of courts.ie, the Courts Service website, began in 2022. In Civil Law, information on the court application procedure relating to Debt claims, including step-by-step guides, was added in December 2023. In 2024, information on Assisted Decision-Making was published, including information guides to assist applicants with completing forms. Work is currently underway on developing easy to understand information on Repossessions and Small Claims procedures. All information pages provide links to support services and details on accessing legal advice.

The commencement of the Assisted Decision-Making (Capacity) Act 2015 in April 2023 saw the introduction of new forms, in a modern and simplified format, again set out in plain language, to assist users in the application process. Work on creating court forms in a similar format, for applications relating to domestic violence, guardianship of infants and divorce, is at an advanced stage.

An online Appointment Booking Service (ABS) was launched in April 2023. This service allows users to book a time slot that suits them to visit a court office for non-urgent matters, and is now available in 32 court offices. 2023 also saw the introduction of cashless payments, giving users the option to make payment by card. Types of cashless payment include fines, family law payments and court fees for civil applications and small claims. This is in line with the key strategic aim of simplifying services as part of the Courts Service Modernisation Programme.

12. Resources of the judiciary (human/financial/material), remuneration/bonuses/rewards for judges and prosecutors, including observed changes (significant and targeted increase or decrease over the past year)

There is currently a total of 195 professional judges across all jurisdictions. All judges in Ireland are full-time appointments. Judges receive an allowance, split over 12 months, the amount of which varies depending on jurisdiction. The current total of non-judge court staff is 1319. This figure includes court registrars, administrative staff, and judicial assistants.

The Courts Service Estate consists of 103 individual buildings each of which houses at least one court jurisdiction and several of which house more than one court jurisdiction. The Courts Service Estates Strategy 2022-2025 aims to ensure that our buildings and facilities properly serve the needs of users and at the same time support the modernisation and digitisation of the organisation, and also includes a Climate Action plan and details of how this plan will be fulfilled. The Estates Strategy is based on the vision of a fit-for-purpose estate that facilitates access to justice for all users and is responsive to our future ways of delivering services.

€38,325 - €96,617 - 2.25% or €1,125, whichever is greater, with effect from 1 January 2024 under [gov.ie - Application of 1 January 2024 pay adjustments](#)

€38,708 - €97,583 – 1% pay increase, with effect from 1 June 2024 under [gov.ie - Circular 08/2024: Application of 1 June 2024 pay adjustments](#)

€39,208 - €98,559 - 1% pay increase, with effect from 1 October 2024 under [gov.ie - Circular 14/2024 Application of 1 October pay adjustments](#)

13. Training of justice professionals (including judges, prosecutors, lawyers, court staff, clerks/trainees)

The Learning and Development Strategic Plan supports Courts Service staff across Ireland building staff capability, capacity and commitment.

In 2021, the Learning and Development Unit launched the next generation of its Strategic Plan. In 2023 an external source to partner with the Courts Service on our Leadership in Action programme was procured. This programme facilitates our Senior Management Team and other senior staff to develop the skills necessary for their roles in leadership.

This year as part of the People and Organisation Strategy Workforce of the Future - Pillar for 2024 we have continued to deliver career support for Clerical Officers, Executive Officers and Judicial Assistants including induction training and in-person development courses. We have also implemented a new Training Request Process which allows for the review of and planning for training requests including internal courses and funding for external training. The Courts Service Training and Development Programme designed a curriculum to train staff across Circuit and District Family Law and Crime. It is planned to introduce this training to staff in the second quarter of 2025.

Please see question 14 under the heading Judicial Council for more information.

In Service Training

Examples of programmes run in 2024 as part of the Annual Learning & Development included but are not limited to:

- A seminar series in relation to interventions and supports for young and vulnerable people engaging with the Criminal Justice System highlighting the necessary special measures required to assist them
- An internal Advocacy Programme
- Collaboration with NGOs to deliver Victims Liaison Workshops and seminars along with other internal/external seminars and courses.
- Ongoing learning comes in the form of weekly/ monthly section briefings. Guidance is given as to unusual cases and new rulings.

Legal Staff regularly attend external courses, seminars and conferences with the Law Society, external providers, the ERA (Academy of European Law), the International Association of Prosecutors and other

domestically and international bodies. The ODPP also hosts an Annual National Prosecutors Conference, which is attended by legal staff from the Office and members of the criminal justice system including but not limited to barristers who act on our behalf, state solicitors, members of the various investigative agencies e.g. Revenue, Competition and Consumer Protection Commission, HSA. The ODPP also has legal staff sitting on cross divisional working groups and committees with members from across the criminal justice sector e.g. Court Users Group, Criminal Justice Strategic subcommittees.

The HR-OD Unit source, design, deliver (some programmes) and evaluate programmes as well as coordinating attendance and monitoring Continuing Professional Development. For example, the HR-OD team designed workshops for new managers on probation and performance management. The HR-OD Unit proposes and/or designs the management programmes that are delivered to the legal staff at management grades and also oversees external leadership programmes available to non-managerial legal staff.

Induction

In relation to the Induction of Prosecutors, there is a bespoke Prosecutors Induction that sits in the overall Induction Programme which is currently under review. We recently conducted a review of our Unit/ Section Induction to identify best practice and synergies. A Revised Induction Programme is being piloted in a number of legal sections. The end goal is that there will be consistency with legal induction delivered across the sections.

There are no relevant developments in relation to **Further Higher Education** since the response provided in 2024.

Professional Development Requirements of lawyers

The following general information in relation to the learning and continuous professional development of solicitors and barristers in Ireland may also be of assistance:

- Solicitors must also carry out 25 hours of Continuous Professional Development (CPD) per year which includes minimum requirements in the categories of “Professional Development and solicitor wellbeing” and “Client care and professional standards”.
- There are no other relevant updates since the response provided in 2024

14. Digitalisation (e.g. use of digital technology, particularly electronic communication tools, within the justice system and with court users, procedural rules, access to judgments online)

Material provided in the 2024 response in relation to “The Courts Service Long-Term Strategic Vision to 2030: Supporting Access to Justice in a modern, digital Ireland” remains relevant.

In 2023, we began the rollout of a Unified Case Management System (UCMS) to replace unconnected and outdated legacy systems. This is part of a multi-year initiative to migrate all case related activity onto a single case management system. Following a successful rollout of UCMS in the High Court in 2023, this year we introduced the system in Circuit Court Family offices and the rollout will continue into

2025. Also, this year we received approval to replace the two case management systems currently in use in crime, with a combined UCMS Crime system over the next two years.

The development of a UCMS paves the way for the introduction of online filing. Significant progress has been made on developing a Courts Portal which will become the public-facing view of UCMS and will allow for online applications and filings, payments of fees and case tracking for legal professionals, lay litigants and others. The Courts Portal was launched in our Cavan Office in November of this year for Family Law cases and will expand in 2025 after testing.

We have significantly increased the number of technology-enabled courtrooms to support remote attendance at hearings, fully remote hearings, digital evidence display and digital audio recordings of proceedings. We now have 165 courtrooms that are technology enabled increased from 132 in the last year where remote attendance at court is now commonplace. We have also launched a new digital jury system, whereby members of the public can respond to jury summons or request excusal, and which provides related user journeys all via an online portal. We have improved our processes in dealing with in-person attendance at public counters by introducing a new online appointment booking system, reducing wait times for litigants and legal professionals. Further process improvements have been made between justice bodies within the sector via automated sharing of electronic data, streamlining the processing of charges brought to court by the police, driver disqualifications outcomes to the transport authority, court attendance data to our prison service, and probation information to our probation service.

Lastly, we have continued to reform our information provision online focusing on plain language and accessible content design. Our online content now covers a wide range of topics in the areas of Family Law, Civil Law, and Probate.

Judicial Council

In 2024, judicial training was delivered across a wide range of topics including the training of judicial trainers and using different formats. Aside from induction training for new judicial nominees, topics covered included seminars on mortgage and repossessions, a series on the law of evidence and workshops on courtroom control and judgment writing. Mentor/mentee training continued, as did courses on coercive control and avoiding re-traumatisation of victims. To facilitate attendance, most sessions were offered online or in hybrid formats.

The Judicial Studies has developed the Judicial Studies Committee Workplan 2023-2026 which sets out a strategic approach to training to ensure sustainable programmes. This plan highlights four key priority areas: developing and delivering training programmes, ensuring adequate resources and supports, establishing policies and procedures, and raising awareness of the importance of judicial education and training. This plan is underpinned by a detailed Annual Action Plan which is a dynamic document that is reviewed and updated as necessary.

An IT company has been contracted to, among other things, assess requirements and identify appropriate ICT solutions for the facilitation and provision of online/hybrid training using both synchronous and asynchronous formats.

Despite the expansion of judicial education and training in recent years, it remains constrained by the availability of judges to develop, deliver, and participate in training having regard to their court commitments. For that reason, judicial training is generally scheduled outside regular court hours, on occasion on Saturdays and during Court recesses.

15. Use of assessment tools and standards (e.g. ICT systems for case management, court statistics and their transparency, monitoring, evaluation, surveys among court users or legal professionals)

The response provided in 2024 remains relevant, with the following updates.

In the Circuit Court, UCMS for Family Law was rolled out in all Circuit Court offices in 2024 and now work is underway to amalgamate all versions of Circuit Court Family Law into one centralised system, improving the case management experience for all users. Once UCMS is rolled out to all Circuit Court offices, we will introduce a self-service portal which will allow the public to track their cases online 24/7.

In 2024 the Courts Service launched the Open Data Portal on courts.ie. This portal is a central hub for the publication and sharing of Courts Service data. A new Data Retention Portal was also launched and data retention tools, which are available to all staff, provide guidance to staff on efficient management of records. This initiative is essential in creating a healthier, safer, and more organised workplace.

A new ICT Digital & Data Strategy, which reflects the Corporate Strategic Plan 2024-2027, will be launched soon on courts.ie.

Link to Courts Service Annual Report 2023

<https://courts.ie/acc/alfresco/2b552955-e0f9-41a2-80e7-c526d24651e2/Courts%20Service%20Annual%20Report%202023.pdf/pdf/1>

Link to Courts Service Corporate Strategic Plan 2024-2027 as published 14/1/2025

https://services.courts.ie/docs/default-source/default-document-library/supreme-court/publications/irish-courts-strategic-plan-2024-27.pdf?sfvrsn=ae1c88fb_1

Link to ICT Digital and Data Strategy 2024-2027

<https://courtsservice.cloud.gov.ie/Shared%20Documents/Media%20and%20Newsletters/ICT%20Digital%20&%20Data%20Strategy%202024-2027.pdf>

16. Geographical distribution and number of courts/jurisdictions (“judicial map”) and their specialisation, in particular specific courts or chambers within courts to deal with fraud and corruption cases.

The response provided in 2024 remains relevant, with the following updates.

In relation to the District Court, in 2024, a new civil action was introduced whereby persons who believe they are victims of stalking and/or harassment can apply to the District Court for Civil Restraining orders.

There are 95 geographic locations where there is a court of at least one jurisdiction located throughout the country. The Family Courts Act 2024 was signed into law by the President in November 2024 but has not yet commenced. This Act provides for the establishment of a Family High Court, Family Circuit Court and Family District Court as divisions of the existing High Court, Circuit Court and District Court and for the reallocation of jurisdiction in family law proceedings between the family courts. The Dublin Family Courts Project will see the development of a Family Courts complex which will be a landmark public building providing a purpose-built court facility where family law cases can be held in a secure and dignified environment. The building will include 19 courtrooms, consultation/mediation rooms and access to support services and will replace existing family facilities at Dolphin House, Phoenix House, and Chancery Street.

C. Efficiency of the justice system

17. Developments related to efforts to improve the efficiency of the justice system e.g. as regards length of proceedings

Average Length of Proceedings from issue to disposal

Source: Courts Service Annual Report 2023

(* Figures unavailable)

CIVIL: IN DAYS - FROM ISSUE TO DISPOSAL					
	High Court		Circuit Court		District Court
	2023	2022	2023	2022	2023
All	796	871	*	*	*
Employment (dismissals)	*	444	*	*	N/A
Divorce	*	537	*	378	N/A
Commercial	*	665	N/A	N/A	N/A
Personal Injury	1,120	1,325	N/A	N/A	N/A
Judicial Review	217	406	N/A	N/A	N/A

Average length of proceedings (first instance courts)

CRIMINAL: CIRCUIT COURT - AVERAGE LENGTH IN DAYS		
	2023	2022
All	622	569

CRIMINAL: CENTRAL CRIMINAL COURT	
AVERAGE LENGTH IN DAYS	

	2023	2022
All	888	738

CRIMINAL: IN DAYS - FROM ISSUE TO DISPOSAL - BY OFFENCE: DISTRICT COURT					
SUMMARY		INDICTABLE DEALT WITH SUMMARILY		RETURN FOR TRIAL	
2023	2022	2023	2022	2023	2022
397	369	441	440	136	117

D. Other

18. Any other significant developments since January 2024 falling under the type of information outlined in section I.

The Court Proceedings (Delays) Act was enacted on 1 May 2024. The Act creates a statutory right to the conclusion of court proceedings within a reasonable time. It provides for a declaration and, where appropriate, compensation in cases where people experience undue delays in the justice system. It provides for the establishment of an independent assessment process, under the aegis of the Department of Justice, to assess claims for breach of the right to the conclusion of proceedings within a reasonable time. Work is underway to implement the scheme which is expected to be operational in 2025.

II. Anti-corruption Framework

19. Please provide information on measures taken to follow-up on the recommendations received in the 2023 Report regarding the anti-corruption framework (if applicable)

Recommendation 2. Further strengthen the existing ethics framework, including the monitoring and enforcement capacity of the Standards in Public Office Commission, and strengthen and digitalise the asset declarations system.

Ethics

The 2020 Programme for Government committed to the reform and consolidation of the Ethics legislation. Acting on this commitment, the Department of Public Expenditure, NDP Delivery and Reform undertook a review of Ireland's legislative framework for ethics in public office, the Report of which was

published in February 2023. The Report recommended *inter alia* that Ireland “*Strengthen the existing ethics framework, including on codes of conduct, asset declarations, revolving doors and lobbying, and in particular as regards the monitoring and enforcement capacity of the Standards in Public Office Commission.*”

Government agreed to the preparation of a legislative scheme for reform and consolidation of the statutory framework informed by the outcome of the review. The Department of Public Expenditure, NDP Delivery and Reform has worked-up a general legislative scheme on this basis, using the lapsed Public Sector Standards Bill 2015 as the point of departure. The aim of the legislative proposal is to provide for a uniform and consolidated values-based normative framework covering *inter alia* the ethical conduct of members of parliament and addressing various situations of conflicts of interest (gifts and other advantages, accessory activities, post-employment situations etc.). Notably, it would see a significant strengthening of the legal obligations on public officials to disclose as a matter of routine actual and potential conflicts of interest and a complementary increase in the monitoring and enforcement capacity of the Standards in Public Office Commission. The legislative proposals for reform would *inter alia* provide a mandate by which digital solutions in respect of the declarations process can be developed and favoured.

During the course of 2024, the Minister for Public Expenditure, NDP Delivery and Reform engaged regularly with officials on this proposal and arbitrated a number of significant policy aspects so that work was at an advanced stage when the legislature was dissolved in advance of the November 2024 General Election.

A. The institutional framework capacity to fight against corruption (prevention and investigation / prosecution)

20. List any changes as regards relevant authorities (e.g. national agencies, bodies) in charge of prevention, detection, investigation and prosecution of corruption and the resources allocated to each of these authorities (the human, financial, legal, and technical resources as relevant), including the cooperation among domestic and with foreign authorities. Indicate any relevant measures taken to effectively and timely cooperate with OLAF and EPPO.

As of 31 October 2024, Garda member numbers were:

- Total – 14,074
- Male: 10,036 (71%)
- Female: 4038 (29%)

As of 31 October 2024, Garda staff numbers were:

- Total - 3,699
- Female: 2,576 (69.6%)

- Male: 1,123 (30.4%)

The response provided in 2024 relating to the Advisory Council against Economic Crime and Corruption remains relevant.

Ireland is fully supportive of OLAF and cooperates as required.

In October 2023, Ireland's Government approved the drafting of the General Scheme of a European Public Prosecutor's Office Bill to allow Ireland to join EPPO. An Inter-Agency Steering Group on Preparations for Ireland's Participation was established in March 2024 to progress the further preparatory work required to enable Ireland's future participation in EPPO.

Resourcing & Structuring

The Special Financial Crime Unit (SFCU) is currently staffed with eight prosecuting solicitors. This includes a Senior Principal Prosecutor (Managing Solicitor of the Unit), three Principal Prosecutors, two Senior Prosecutors and two Prosecutor level solicitors.

In terms of structure within the DPP, a new anti-corruption unit has been established in the Directing Division to deal with Garda (Police) corruption cases. Cases involving a foreign component remain under the remit of the SFCU.

International Co-operation

The SFCU understand that An Garda Síochána have found joint investigation teams (JIT) to be a useful investigation tool. Foreign law enforcement agencies continue to use the Mutual Legal Assistance (MLA) procedures. The staffing of our International Unit has increased in recent years to assist with the increasing complexity and volume of MLA requests.

EPPO and OLAF

This Office is currently participating in an inter-agency steering group in preparation for Ireland's potential participation in the EPPO. Several meetings were held in 2024, and a number of written submissions were made by this Office in relation to any potential operating model. A Government decision is awaited on this issue and the Department of Justice might be able to comment further.

A meeting between ODPP and OLAF took place on 6 February 2024. OLAF discussed some of the challenges encountered around co-operation with Ireland as a non-participating Member State in the EPPO. Discussions centred around what measures might be available to improve co-operation and liaison in these areas.

EUROJUST

The Office has increased our staffing levels at Eurojust in order to maximise efficiencies. There are two senior Irish lawyers at the Eurojust desk in the Hague and in September 2024 a further senior lawyer was appointed as Eurojust Assistant to the National Member. That person will continue to be based in the Office of the DPP.

21. Safeguards for the functional independence of the authorities tasked with the prevention and detection of corruption.

The response provided in 2024 in relation to the functional independence of An Garda Síochána (AGS) remains relevant, with the following updates.

There is an internal Garda Anti-Corruption Unit which is headed by a Detective Chief Superintendent, who reports to the Assistant Commissioner responsible for Governance & Accountability. The Unit includes a team of 23 Garda Members (across ranks up to Superintendent) and five Garda Staff. A new Garda Protected Disclosures Office was established in late 2024, providing a confidential way for those within An Garda Síochána to report wrongdoing within the service.

The response provided in 2024 in relation to prosecutions and the judiciary remains relevant.

Section 2(5) of the Prosecution of Offences Act 1974 provides that the Director of Public Prosecutions shall be independent in the exercise of his/her functions.

Our Guidelines for Prosecutors sets out the following:

- Chapter 3.6 (Code of Ethics) at (a) states that the prosecutor's responsibilities include upholding the rule of law.
- Chapter 3.6 (Code of Ethics) continues at (h) that prosecutors shall 'give due attention to the prosecution of crimes of corruption, abuse of power, violations of human rights and other crimes recognised by international law, in particular offences which may have been committed by public officials.
- Chapter 7.5 sets out that An Garda Síochána cannot charge for corruption or bribery without submitting a file for direction to the ODPP.

Our Strategy Statement 2022-2024 identified independence as a core value of the Office. It sets out what to be independent means. This includes *"acting impartially without fear, favour, bias or prejudice, in line with the Guidelines for Prosecutors and Code of Ethics"* as well as *"remaining unaffected by individual or sectional interests and public or media pressure, having regard only to the public interest."*

22. Information on the implementation of measures foreseen in the strategic anti-corruption framework (if applicable). If available, please provide relevant objectives and indicators.

The Review of Structures and Strategies to Prevent, Investigate and Penalise Economic Crime and Corruption was published in December 2020 and an all-of-government implementation plan to progress the review group recommendations was published in April 2021. A number of actions in the implementation plan have already been completed in full:

- The establishment of the Advisory Council in May 2022 to co-ordinate and lead the delivery of a whole-of-government approach to economic crime and corruption and to serve as a 'centre of

excellence' for research and analysis, awareness-raising, training and other best practice issues. It is chaired by former Director of Public Prosecutions James Hamilton.

- The setting up in June 2021 of a forum of senior representatives to facilitate greater inter-agency co-ordination, collaboration and information sharing.
- Engagement with the Judicial Council in relation to the development of judicial training for complex economic crime/corruption cases.
- The Criminal Procedure Act 2021 which provided for pre-trial hearings to take place, in white-collar crimes and other complex cases making it less likely juries are sent away during trial, and therefore making the court process more efficient.
- The Competition Amendment Act (2022) created a specific offence of bid rigging.
- The Department of Justice has identified relevant bodies to progress the recommendation to introduce legislation to enable the collection, collation and analysis of all public procurement data to detect and deter bid-rigging.
- Custody Regulations have been amended for authorised officers of the Competition and Consumer Protections Commission to attend at Garda interviews.
- Budgetary increases for the Office of the Director of Public Prosecutions.
- A review of the resource capacity of the Standards in Public Office Commission (SIPO) has been completed.
- A review of Ethics in Public Office as set out in the Programme for Government with a view to strengthening the law relating to ethics in public office has been completed.

There has also been significant progress to implement other recommendations of the Review, and these recommendations will be considered as part of the Multi-Annual Strategy to Combat Economic Crime and Corruption which is due to be published in Q1 2025.

The SFCU sits on the Advisory Council against Economic Crime and Corruption. This cross-sectoral group, led by the Department of Justice, was established in 2022, as a result of a recommendation made in the Review of Structures and Strategies to Prevent, Investigate and Penalise Economic Crime and Corruption (the Hamilton Report). The function of this cross-sectoral group (which includes both government and non-government agencies) is to make proposals to Government on strategic and policy responses to corruption. A key action is the development of a multi-annual strategy to combat economic crime and corruption. Work began on this strategy in the latter half of 2024. On 18 December 2024, the Department of Justice received final written proposals from the SFCU for inclusion in this Strategy. It is hoped the draft Strategy will be finalised in January 2025, with an accompanying implementation plan to be developed in 2025 to drive the delivery of the Strategy. This represents the first national anti-corruption strategy.

B. Prevention

23. Measures to enhance integrity in the public sector and their application (including as regards incompatibility rules, revolving doors, codes of conduct, ethics training).

Please see response provided to Question 7 above in relation to the application of the Civil Service Code of Standards and Behaviour to all Prosecutors employed by the Office of the Director of Public Prosecutions, as provided in 2024.

Policy in Ireland for the prevention of corruption and promotion of integrity among elected and appointed senior public officials is set out in a number of pieces of legislation including the Ethics Acts (the [Ethics in Public Office Act 1995](#) and the [Standards in Public Office Act 2001](#)), the [Regulation of Lobbying Act 2015](#) as amended by the Regulation of Lobbying and Oireachtas (Allowances to Members) (Amendment) Act 2023 and the [Criminal Justice \(Corruption Offences\) Act 2018](#) (which provides for the forfeiture of office, position or employment by an Irish official following conviction or indictment for certain corruption offences under this Act).

The Ethics Acts

The response provided in 2024 in relation to the Ethics Acts remains relevant.

Codes of Conduct

The response provided in 2024 in relation to the Codes of Conduct remains relevant.

The principal codes published by SIPO are as follows:

- (i) The [Code of Conduct for Office Holders](#) (as prescribed under the Ethics Acts) includes Ministers of Government, the Attorney General and Ministers of State.
- (ii) [The Civil Service Code of Standards and Behaviour](#) includes Secretaries General and Special Advisers.
- (iii) The [Code of Conduct for TDs](#).
- (iv) The [Code of Conduct for Senators](#).

Advice and Training

The response provided in 2024 in relation to Advice and Training remains relevant.

A general election was held in February 2020 and in November 2020 SIPO staff provided training to new Members of Parliament as part of their induction programme. Training covered relevant aspects of the ethics, political finance and lobbying legislation. In addition, presentation and question/answer sessions were held in early 2021, 2022, 2023 and 2024, via videoconference for interested members and their staff in advance of the January deadline to submit statutory ethics and electoral returns. A general election was held in November 2024 and in January 2025 SIPO staff provided training to both new and existing Members of Parliament. Ongoing training is planned to take place annually hereafter.

Lobbying

The response provided in 2024 in relation to Lobbying remains relevant.

In relation to lobbying, the Regulation of Lobbying and Oireachtas (Allowances to Members) (Amendment) Act 2023 (the 2023 Act) was enacted in June 2023.

The provisions in the 2023 Act that relate to updating and improving the lobbying register commenced on 1st January 2024. In preparation for the commencement, the Standards in Public Office Commission (SIPO) updated the lobbying register and the associated guidance and made lobbyists aware of the upcoming changes.

The remaining provisions which relate to new sanctions, including those relating to contravention of the section 22 post term employment cooling off provisions, commenced on 1st June 2024. To effectively implement these new provisions and ensure the efficient operation of the new sanctions, SIPO conducted awareness raising activities with lobbyists and Designated Public Officials and developed the necessary new processes prior to commencement.

As part of commitments made in the Programme for Government, the lobbying register was extended by Statutory Instrument in September 2024. These changes take effect on January 1st 2025. The scope of the register is extended so that the lobbying of senior officials in bodies such as the Central Bank, the National Transport Authority and the Health Service Executive, which have significant policymaking or development functions, will be reported on the same basis as central and local government.

Institutional framework

The response provided in 2024 in relation to the Institutional Framework remains relevant.

SIPO has supervisory roles under four separate pieces of legislation: the Ethics in Public Office Act 1995, as amended by the Standards in Public Office Act 2001 (Ethics Acts), the Electoral Act 1997 (as amended), the Oireachtas (Ministerial and Parliamentary Offices) (Amendment) Act 2014, and the Regulation of Lobbying Act 2015 as amended by the Regulation of Lobbying and Oireachtas (Allowances to Members) (Amendment) Act 2023.

SIPO's [Annual Report](#) is provided to the Minister for Public Expenditure, NDP Delivery and Reform for tabling in the Oireachtas.

24. Measures to enhance general transparency of public decision-making (including rules on lobbying, asset and interest disclosure rules, gifts policy, transparency of political party financing)

Ethics

Please see response to Question 25 in respect of asset disclosure rules and enforcement and gifts policy.

Lobbying

The Regulation of Lobbying and Oireachtas (Allowances to Members) (Amendment) Act 2023 (the 2023 Act) was enacted in June 2023. All provisions were commenced by June 2024. This Act amends the Regulation of Lobbying Act 2015 (the 2015 Act) in order to build on the existing strong legislative foundation and further strengthen Ireland's lobbying laws, thus ensuring that the regulation of lobbying framework remains up to date and fit for purpose.

The following changes were made to the 2015 Act:

- extended the time period between statutory reviews from three to five years to allow for the impacts of any policy/legislative changes to become clear;
- brought certain business groups, regardless of number of employees, within the scope of the 2015 Act and requires that members of such groups be named on lobbying returns to ensure the groups do not avoid the requirement to register;
- extended the 2015 Act's scope to include non-remunerated office-holders to capture all relevant lobbying activity;
- provided for an exemption for registration for communications made by political parties to their members who are DPOs (Designated Public Officials) only in their capacity as members of the party;
- introduced legislative provisions to improve the operation of the Lobbying Register;
- introduced a new 'relevant contravention' in the 2015 Act covering the taking of any action by a person that has the intended purpose of avoiding the obligations to either register or submit lobbying returns to the Standards in Public Office Commission (SIPO);
- amended the 2015 Act to make failure to comply with the cooling-off provisions of section 22 of the 2015 Act a 'relevant contravention' under the 2015 Act. A system of civil and administrative sanctions, operated by SIPO, has been introduced in this regard. The sanctions include: a caution or reprimand, a monetary penalty of up to €25,000 and a prohibition from lobbying of up to 2 years; and
- clear timelines in the 2015 Act for the processing of section 22 applications made to SIPO by former relevant DPOs have been set out.

25. Measures to prevent conflicts of interest in the public sector. Please specify the features and scope of their application (e.g. categories of officials concerned, types of checks and corrective measures depending on the category of officials concerned)

The response provided in 2024 in relation to Conflicts of Interest: The Ethics Acts remains relevant.

Conflicts of Interest: Lobbying

In relation to lobbying, the Regulation of Lobbying and Oireachtas (Allowances to Members) (Amendment) Act 2023 (the 2023 Act) was enacted in June 2023, and provisions commenced in two phases; the first phase was in January and the final in June 2024. This Act amends the Regulation of Lobbying Act 2015 (the 2015 Act) in order to build on the existing strong legislative foundation and further strengthen Ireland's lobbying laws, thus ensuring that the regulation of lobbying framework remains up to date and fit for purpose. In particular, the 2023 Act makes failure to comply with the post-term employment restrictions set out in section 22 of the 2015 Act a relevant contravention under the 2015 Act and introduces significant civil and administrative sanctions for anyone contravening this

element of the legislation. The post term employment restrictions are set out in the 2015 Act and apply to Ministers, Ministers of State, Special Advisers and Senior Civil Service and Local Authority Public Officials.

26. Measures in place to ensure whistleblower protection and encourage reporting of corruption, including the number of reports received and the follow-up given

The response provided in 2024 in relation to the statutory framework for the protection of whistleblowers, policy developments and developments related to the independent authorities remains relevant.

Reporting

Under the Public Disclosures Act, all public bodies are required to publish annual reports on the number of protected disclosures they have received.

Area of reports	Number of reports received in 2023
Total internal reports received by public bodies	173
Total external reports received by public bodies	989
Total reports internal and external	1162
Number of these reports deemed as requiring further follow up	734
Number of reports referred for further proceedings	161
Number of these reports stated to be breaches of EU Laws	211
Estimated amounts recovered following investigations or proceedings of reports of wrongdoing	€3,700,000
Total number of reports received by the Office of the Protected Disclosures Commissioner	283

Source: Department of Public Expenditure, NDP Delivery and Reform.

Under the requirements of the new Act, public bodies, prescribed persons and the Office of the Protected Disclosures Commissioner must provide a detailed breakdown of the numbers of reports received in the calendar year, the action taken to follow up, what matters were investigated as a result of a report, how many reports were made anonymously and how many legal proceedings were initiated and concluded. This information will be collated and published by the Minister for Public Expenditure, NDP Delivery and Reform, with the first report – concerning reports made in 2023 – to be published in 2025.

27. Specific measures to enhance transparency, integrity and accountability in sectors with high risks of corruption, with a view to monitor and prevent corruption and conflict of interests, and where applicable measures to prevent and address corruption committed by organised crime groups.

Ireland has an extensive range of legislative provisions to protect public standards and prevent and combat corruption. These include the Ethics in Public Office Act 1995, the Standards in Public Office Act 2001, the Freedom of Information Act 2014, the Protected Disclosures Act 2014 and the Criminal Justice (Corruption Offences) Act 2018

As an EU member state, Ireland's anti-corruption regime is driven in many important and significant matters by European policy and by a wide range of initiatives. A number of legislative and other reforms in recent times have been necessitated by Ireland's obligations as an EU Member State. This is particularly evident in the area of anti-money laundering legislation. Other recent legislative developments have been driven by the State's duty of compliance with its obligations under international conventions and instruments as well as existing protocols. The comprehensive set of actions developed under the Government's "White-collar Crime Package" have also been a major driver for some of the legislative developments.

The Criminal Justice (Corruption Offences) Act 2018 repealed and replaced the seven previous Prevention of Corruption Acts 1889 to 2010. The Act provides a single, consolidated, modern piece of legislation which is more comprehensive and more accessible. As well as being a consolidation, the Act responds to recommendations from the Mahon Tribunal, GRECO, the OECD Working Group on Bribery and the UNCAC Implementation Review Mechanism. Some of the key aspects of the Act include the introduction of offences and tougher penalties in areas relating to the giving of gifts; trading in influence; false documentation; and a liability offence for bodies corporate where any individual connected with the company has been found guilty of corruption. Sanctions for conviction on indictment under the 2018 Act, the penalties for most offences are: imprisonment for up to 10 years; an unlimited fine; forfeiture of any bribe; possible forfeiture of office for public servants and elected officials; and possible prohibition on seeking public office for up to ten years.

Possible high-risk sectors:

- **Public procurement, including on public spending re: construction, transport and infrastructure**

There are no substantive developments in this area. However, the Office of the Competition and Consumer Protection Commissioner (CCPC) has made public statements in 2023/4 about its role in addressing competition transparency in procurement.

- **Defence spending**

On an annual basis, Dáil Éireann votes funds for government departments and offices to spend on the provision of public services. At the end of the year, departments and offices prepare an account of their expenditure and receipts, i.e. the Appropriation Account, which is signed by the Accounting Officer, as part of their Accounting Officer Role. These accounts are compiled in accordance with robust internal

financial management procedures and are subject to detailed external scrutiny, in various formats, by, inter alia, the Comptroller and Auditor General and the Public Accounts Committee along with an independent Internal Audit Unit operating in the Department.

The Finance Branch of the Department of Defence assist with the overall management of the financial affairs of the department including advice on the essential need for compliance with overarching public financial procedures. The internal controls in place include a system of financial delegation and accountability, segregation of duties, and a monthly process of examination and reporting of expenditure. In addition, all Defence staff are guided in their conflict of interest decision-making processes by the Civil Service Code of Conduct with Defence Forces personnel receiving further guidance through sectoral Defence Forces Regulations together with a range of internal directives and advisory documents.

The additional existence of an independent Internal Audit Section, trained in accordance with professional auditing standards, further strengthens Defence governance practices through the provision of risk-based and objective assurance, advice and insight. On an annual basis, the Internal Audit Unit undertake a high volume of audits to ensure adherence to management policies / directives and compliance with the appropriate regulations and statutes; to evaluate the effectiveness of the risk management processes in operation; to evaluate the means of safeguarding assets against losses, including those arising from fraud or irregularity, and to incorporate value for money considerations of economy, efficiency and effectiveness in all audit examinations.

In respect of procurement, the Infrastructure Guidelines/Public Spending Code published by the Department of Public Expenditure, NDP Delivery & Reform sets out the obligations applying to each department in spending public money, and in particular at all stages of the expenditure process i.e. where expenditure is under consideration (appraisal), where expenditure is in progress (monitoring and management), and following expenditure (review and evaluation). It applies to both capital and current expenditure and sets out what is required of public service managers at each point of the expenditure lifecycle.

In that regard, Defence procurement policies, procedures and applicable legislation are designed to ensure that the highest standards of integrity, fairness, legality, confidentiality, and disclosure of interest are applied to all procurement related transactions. All relevant procurement regulations including those set out in the Public Procurement Guidelines – Competitive Process are applied to ensure that competition is promoted, value for money secured and openness and transparency assured. IN addition, the procurement of defensive equipment is carried out in accordance with EU Defence and Security Directive 2009/81/EC. This is a specific Directive relating to the award of contracts dealing with defence and security which was transposed into Irish law by way of implementing Regulation S.I. No 62 of 2012.

- **Cohesion funding**

Circular 09/2023 'Management and Control Procedures for the Cohesion Policy Funds encompassed by the European Common Provision Regulation (CPR) Programmes 2021-2027 is the overarching document

that sets out the responsibilities of the various CPR programme authorities and the relevant Departments. It includes the measure requiring written confirmation from Secretaries General of the relevant Departments, that their Department, and Agencies/Bodies under the aegis of their Department, involved in the implementation of Cohesion Policy Funds projects/operations that are co-funded by the EU, have been informed of, and are bound by that Circular, and also informed of and bound by the relevant Regulations and satellite legislation and decisions pertaining to their EU fund.

Each fund also have their own Eligibility Rules with which the funds must be in compliance. EU funding must also be administered in compliance with Circular 13 of 2014 on the Management of and Accountability for Grants from Exchequer Funds, as for ERDF funding is initially made available from the Exchequer, and so must meet with Exchequer requirements, and may also be subject to C&AG examination. In addition, each fund has an Audit Authority which audits EU funds.

With regard to ERDF specifically, both of the ERDF Managing Authorities have an anti-fraud strategy in place, as do each of the Intermediary Bodies in relation to implementation of ERDF schemes. All funds may also be subject to DAC and ECA audits. As noted, no evidence of fraud has been detected in ERDF funding for which DPENDPDR has primary responsibility in recent years.

- **Agriculture spending**

Department of Agriculture, Food and the Marine (DAFM) Risk Office measures to enhance transparency, integrity and accountability in DAFM include the following:

DAFM Fraud Policy

The scope of the DAFM Fraud Policy covers fraud perpetrated against the Department by persons internal or external to the Department and includes:

- The guidance and direction in the policy applies to all staff of DAFM and to all other personnel who are working on behalf of DAFM in carrying out DAFM related functions, either in DAFM buildings or elsewhere.
- As per DAFM Protected Disclosures Policy and Procedures, retired staff and some other categories may also report cases of fraud under this policy.
- Where the Department is responsible for the disbursement of funds to state bodies under the aegis of the Department, these bodies should have their own anti-fraud measures in place which are equivalent to or comply with the general principles contained in this document.
- Service Providers engaged by the Department for the provision of service should have appropriate counter fraud arrangements in place, in relation to functions that could affect the Department, which are equivalent to or comply with the general principles contained in the policy.

As part of the Department's continuation and improvement of Risk Management, the policy aims to provide a framework for promoting the Department's policies and measures to prevent and detect

fraud, and to provide guidelines for staff and others on their responsibilities in relation to fraud, as follows:

- Identifying areas where the risk of fraud exists;
- Detecting fraud which has already occurred;
- Investigating all reports of fraud/suspected fraud in a consistent way
- Taking firm action against the perpetrators; and
- Designing systems to prevent fraud in all its forms

DAFM Fraud Register

The Risk Office in DAFM maintain a register of all reported fraud cases in DAFM. The register includes details of the fraud / potential fraud such as who reported the fraud, the lead division assigned to the case, the loss of monies due to the fraud, if the fraud has been reported to An Garda Síochána. The register is updated regularly to closure of the cases.

DAFM Fraud Policy eLearning Module

In January 2024 the Risk Office rolled out the DAFM Fraud Policy eLearning Module. This training is compulsory for all DAFM staff members and contractors.

DAFM Finance Division measure to enhance transparency, integrity and accountability in DAFM include the following:

Annual Publication of CAP Beneficiaries

In accordance with EU Regulations 1306/2013 and 2116/2021 Member States are required to ensure the annual ex-post publication of all beneficiaries of CAP funding. Commission Implementing Regulation (EU) No 908/2014 and 2022/2118 state that this information shall be published by 31 May each year for the preceding financial year. In accordance with legislation, the information shall remain available on the website for two years from the date of its initial publication.

The publication is available on the DAFM website and is also available on the Open Data Platform in a machine-readable format that satisfies the Open Data Directive.

- **Environment**

Environmental Protection Agency (EPA)

The Environmental Protection Agency (EPA) is an independent statutory body established under the Environmental Protection Agency Act 1992. It carries out its functions independently in accordance with this legislation and subsequent amendments to the Act. The Agency consists of a Director-General and five other Directors. A Deputy Director-General is appointed by the Agency from the Directors and the Director-General and Directors are appointed by Government in accordance the procedures set out in the EPA Act 1992. The EPA licenses, regulates and controls activities for the purposes of environmental

protection. The Director-General, Directors and other members of the EPA are subject to a declaration of interests in relation to property interests, business dealing regarding land, or relevant professional or business dealings.

The EPA has a comprehensive Corporate Governance framework and is subject to external oversight in the execution of its statutory functions. The effectiveness of its structures are subjected to regular external review by internal and external auditors, including the Comptroller and Auditor General (C&AG); external review bodies, such as the Organisation for Economic Co-operation and Development (OECD); and Committees, such as the EPA's Audit and Risk Committee.

[EPA Corporate-Governance-Framework.pdf](#)

Maritime Area Regulatory Authority (MARA)

The MARA is an independent statutory body established under the MAP Act. It carries out its functions independently in accordance with this legislation and subsequent amendments to the Act, reporting to its Board. It must also comply and demonstrate compliance with the Code of Governance for State bodies and other corporate requirement as set out in the Act, including through MARAs Audit and Risk Committee and the Comptroller and Auditor General (C&AG).

- **Healthcare**

The Department of Health notes that the 2024 country chapter for Ireland in the RoL report does not identify healthcare as a high-risk area for corruption in Ireland. It is also worth noting that neither the Department of Health nor the Health Service Executive (HSE) have identified corruption in healthcare as a specific risk.

The Department of Health is a civil service department that acts on behalf of the Minister for Health to aid in the delivery, regulation, and oversight of health services in Ireland. There are 19 state bodies under the aegis of the Department of Health. The Department works with its aegis bodies, together with a wide range of other stakeholders, to deliver health and social care services to the people of Ireland on an equal basis, subject to clinical need.

Under the Code of Practice for the Governance of State Bodies (2016), state bodies are required to confirm to the Minister that they comply with all provisions in the Code. State bodies under the Department of Health are subject to a number of measures which uphold accountability, integrity, and transparency, including but not limited to, the requirement to comply with legal and regulatory obligations, parliamentary questions (PQ) process, ethics returns, and audits by the Office of the Comptroller & Auditor General. Furthermore, State bodies are governed by a Board and a comprehensive oversight process via the Department of Health.

- **Large-scale investments of national interest and the spending of EU funds**

The Department of Public Expenditure, NDP Delivery and Reform is the National Implementing Body for Ireland's National Recovery and Resilience Plan amounting to €1.15 billion, and funded by the EU's

Recovery and Resilience Fund (RRF) Regulation. Article 22 of the RRF Regulation obliges the beneficiaries of funds under the RRF to take all the appropriate measures to protect the financial interests of the Union and ensure that the use of funds in relation to measures supported by the Facility complies with the applicable Union and national law, in particular regarding the prevention, detection and correction of fraud, corruption and conflicts of interests. To ensure this the RRF Regulation requires Member States to provide an effective and efficient internal control system and the recovery of amounts wrongly paid or incorrectly used. It states: “Member States may rely on their regular national budget management systems.”

To further ensure the protection of the funding allocated under Ireland’s NRRP, its operational arrangements have an audit and control milestone, M110, which requires the National Implementing Body to issue instructions to the Accountable Departments with the objective to strengthen the framework to prevent, detect, and correct any serious irregularities, including specifically the risk of corruption. These instructions under M110 were issued to all Accountable Departments, the government bodies responsible for managing projects under the NRRP, in December 2024, and are binding on Accountable Departments by means of a Memorandum of Understanding which must be signed by project leads at an appropriately high level, Principal Officer or above. The M110 instructions include the establishment of an irregularities reporting mechanism for projects under the NRRP to OLAF.

Funding issued under the NRRP must also be administered in compliance with Circular 13 of 2014 on the Management of and Accountability for Grants from Exchequer Funds, as NRRP funding is initially made available from the Exchequer and as a result must meet with Exchequer requirements, and may be subject to C&AG scrutiny. Ireland’s NRRP is also subject to on-going audit by the European Commission, DG ECFIN, and internally by DPENDR’s Independent Audit Body, and may be subject to periodic audit by the European Court of Auditors. No evidence of corruption or other serious irregularities has been detected in Ireland’s NRRP to date.

- **Urban Planning**

The Planning and Development Act 2024 was enacted on 17 October 2024. The Act includes a number of measures to enhance transparency, integrity and accountability in the planning sector with a view to prevent corruption and conflict of interests.

Transparency

The Act provides for the publication of documents throughout the planning process. Section 16 deals with making Development Plan matters available for public inspection. Chapter 3 of Part 12 deals with the keeping of planning records by planning authorities and An Coimisiún Pleanála.

The National Planning Framework and National Planning Statements are subject to Government approval. Development plans and planning applications are subject to public observation and submissions.

Integrity and Accountability

The planning system includes procedures for appeals and judicial reviews were necessary. Part 17 of the Act sets out governance provisions in relation to An Coimisiún Pleanála including a code of conduct in section 501, the approval by the Governing Board of decision-making procedures in section 503 and the review of the performance of An Coimisiún Pleanála by the Governing Board in section 504. Section 519 and 520 deal with the accountability of the CEO of An Coimisiún Pleanála to Oireachtas committees. Section 523 deals with declarations of interest and section 524 outlines offences in relation to such declarations. Section 525 sets out liability for acts and omissions by a planning commissioner, member of the Governing Board or a member of staff of An Coimisiún Pleanála. Part 18 includes governance procedures for the Office of the Planning Regulator including the establishment of an Advisory Board. Part 19 deals with the duty of a planning body to be independent and impartial, codes of conducts and disclosure of beneficial interests for planning authorities. Section 586 also sets a limitation on Ministerial power.

Corruption Prevention

Section 587 and 588 introduce procedures to deal with “spurious” planning submissions, appeals and JRs. Section 587 prohibits requesting payment in consideration of not opposing a development. A person shall not request a payment in request of agreeing not to make a submission or observation on an application, appealing an application or taking a judicial review or to withdraw such submission/observation, appeal or judicial review and to do so would be an offence. The High Court may give a direction to a planning authority or the An Coimisiún Pleanála to disregard a submission or observation and may direct An Coimisiún Pleanála to dismiss an appeal where it is satisfied that it was made for the purpose of receiving payment.

Section 588 provides that a submission or observation on a planning application or an appeal of a planning application must be accompanied by a statutory declaration stating that it is not being done for the purposes of delaying a development, or for receiving a payment. A similar declaration must be made when taking a judicial review. A declaration must also be made when withdrawing a submission/observation, appeal or judicial review. It is an offence to submit a false declaration.

Conflict of Interest Prevention

Section 523 deals with declarations of interest for An Coimisiún Pleanála and section 524 outlines offences in relation to such. Section 561 deals with the prohibition on disclosure of information relating to functions of the Office of the Planning Regulator. Section 571 deals with the duty of a planning body to be independent and impartial. Section 572 and 574 deal with codes of conducts and disclosure of beneficial interests for planning authorities. Section 586 also sets a limitation on Ministerial power.

C. Repressive measures

28. The legal framework on the criminalisation and sanctions for corruption and related offences, including foreign bribery.

Ireland has an extensive range of legislative provisions to protect public standards and prevent and combat corruption. These include the Ethics in Public Office Act 1995, the Standards in Public Office Act 2001, the Freedom of Information Act 2014, the Protected Disclosures Act 2014 and the Criminal Justice (Corruption Offences) Act 2018.

As an EU member state, Ireland's anti-corruption regime is driven in many important and significant matters by European policy and by a wide range of initiatives. A number of legislative and other reforms in recent times have been necessitated by Ireland's obligations as an EU Member State. This is particularly evident in the area of anti-money laundering legislation. Other recent legislative developments have been driven by the State's duty of compliance with its obligations under international conventions and instruments as well as existing protocols. The comprehensive set of actions developed under the Government's 'White-collar crime Package' have also been a major driver for some of the legislative developments.

The Criminal Justice (Corruption Offences) Act 2018 repealed and replaced the seven previous Prevention of Corruption Acts 1889 to 2010. The Act provides a single, consolidated, modern piece of legislation which is more comprehensive and more accessible. As well as being a consolidation, the Act responds to recommendations from the Mahon Tribunal, from GRECO, from the OECD Working Group on Bribery and from the UNCAC Implementation Review Mechanism.

Some of the key aspects of the Act include the introduction of offences and tougher penalties in areas relating to the giving of gifts; trading in influence; false documentation; and a liability offence for bodies corporate where any individual connected with the company has been found guilty of corruption.

Sanctions

For conviction on indictment under the 2018 Act, the penalties for most offences are: imprisonment for up to 10 years; an unlimited fine; forfeiture of any bribe; possible forfeiture of office for public servants and elected officials; and possible prohibition on seeking public office for up to ten years.

29. Official data on the number of investigations, prosecutions, final judgments, and the application of sanctions for corruption offences (differentiated by offence if possible) . Please indicate whether the cases: involve legal persons; are related to the implementation of EU or national funds ; involve high level corruption. Please indicate which data is publicly available and how policy-making is informed by the data.

PULSE (Police Using Leading Systems Efficiently) is the Garda Síochána computer system where they log the details of incidents and enter any updates to the investigation. The PULSE incident number is the number given to an incident, and the victim, so that Gardaí can quickly find the details of a case. PULSE was first introduced in 1999 and is equivalent to the Police National Computer System in the UK.

With respect to the PULSE Incident Type of Bribery & Corruption, the below number of valid incidents are recorded on PULSE.

2019	10
2020	9
2021	9
2022	9
2023	<5
2024	< 5

A search was also conducted for charges under the Criminal Justice (Corruption Offences) Act 2018. The below numbers are relevant -

2019	< 5
2020	< 5
2021	39
2022	14
2023	11
2024	< 5

The Garda National Economic Crime Bureau advises that they have a number of investigations ongoing in the Anti-Bribery and Corruption Unit regarding allegations of corruption, including both domestic and foreign offences. No prosecutions have been initiated as of yet.

The Garda National Bureau of Criminal Investigation (GNBCI) advises that they have the following corruption offences under investigation through 2024 with their associated investigation status set out in the table hereunder.

Case No.	Case Status	Legal Person(s)	Related to EU or National Funds	Involves High Level Corruption	Dara Publicly Available
1	Conviction	Yes	National Funds	Yes	Yes
2	Conviction	Yes	No	No	Yes
3	Conviction	Yes	No	No	Yes
4	Conviction	Yes	No	No	Yes
5	Prosecution	Yes	No	Yes	Yes
6	Prosecution	Yes	No	Yes	Yes
7	Investigation	Yes	No	Yes	No
8	Investigation	Yes	No	No	No

Cases 2024

A. Files sent to ODPP for Direction

There was 1 corruption case directed on in 2024 involving corruption charges.

The Office directed a charge of Section 6(1) of the Criminal Justice (Corruption Offences) Act 2018. This matter proceeded in the District Court. The accused was convicted.

The accused has appealed the matter.

Facts: Bribe to garda re charge of Dangerous Driving.

B. Cases before the courts in 2024

There were three cases involving corruption before the Courts in 2024.

Case 1 - DPP v Eamon O Neill and 4 others (ODPP ref 2021/6539)

Facts: The offences centre around communicating with other members of the Garda Síochána with the intention to pervert the course of justice in relation to specific civilians regarding driving offences such as speeding, holding a mobile phone, not wearing a seat belt etc.

The Office directed that all accused be prosecuted for perverting the course of justice contrary to common law. All five accused are members of the Garda Síochána (the Irish police force).

This case was scheduled for trial in the Circuit Court in 2023. At a pre-trial hearing in October 2023, a judicial decision was made to exclude evidence found at the home of Eamon O' Neill. The ODPP appealed this decision to the Court of Appeal. On 31 July 2024, the Court of Appeal found the judicial decision was in error. Eamon O' Neill has appealed this decision to the Supreme Court. A decision is awaited from the Supreme Court as to whether it will grant leave to hear this matter or not. The timing of any Supreme Court hearing will determine when this trial is heard.

Case 2 – DPP v Joseph Doyle (ODPP ref 2021/15662)

Facts: The accused was a member of the Garda Síochána (the Irish police force). Over a two year period, in his role as PSV (Public Service Vehicle) inspector, he induced bus drivers into thinking a second test was required for their vehicles. He obtained payment for this. He also induced victims into making charitable donations for fictitious causes. It was estimated he received approximately €3585 from these victims.

The Office directed that the accused be prosecuted for Corruption under Section 7 of the Criminal Justice (Corruption Offences Act 2018) and Deception contrary to Section 6 of the Criminal Justice (Theft and Fraud Offences) Act 2001.

Mr Doyle pleaded guilty in 2024. He was sentenced in July 2024 to three and half years in prison with the final six months suspended, for the corruption charges and three years for the deception charges to run concurrently.

Immediate forfeiture of his employment with the police force was also ordered by the Judge under section 17 of the Corruption Offences Act 2018.

Case 3 - David Bourke and Stephen O' Sullivan (ODPP ref 2019/8034)

Facts: David Bourke is a member of the Garda Síochána (the Irish police force). Stephen O' Sullivan is a businessman. On foot of an authorised audio surveillance device placed in David Bourke's car between him and Mr O'Sullivan, a conversation was recorded which detailed that Mr O Sullivan had paid David Bourke the sum of €20,000 in return for police information on the criminal investigation of Mr O' Sullivan, as well as advice in relation to what actions he should take to protect his position.

David Bourke was charged with 2 counts (Section 5, Section 7) of the Criminal Justice (Corruption) Act 2018. Stephen O Sullivan was charged with one count of Section 8 of Criminal Justice (Corruption) Act 2018.

David Bourke brought High Court proceedings for failure by the Circuit Court Judge to order disclosure in relation to material concerning a third party. The High Court dismissed his proceedings. He appealed the High Court decision to the Court of Appeal. On 14 June 2024, the Court of Appeal upheld the decision of the High Court. In late 2024, Mr Bourke sought leave to appeal this matter to the Supreme Court. A decision is awaited from the Supreme Court as to whether it will grant leave to hear this matter or not. The timing of any Supreme Court hearing will determine when this trial is heard.

C. Is data publicly available?

These cases were reported on widely by the media.

D. How is policy making informed by the data?

As set out in Question 22 the SFCU sits on the Advisory Council against Economic Crime and Corruption. The function of the group is to make proposals to Government on strategic and policy responses to corruption. At the moment, there are insufficient corruption cases directed on to generate meaningful data to shape policy.

The importance of accurate data is something that the Advisory Council against Economic Crime and Corruption has prioritised in its first draft Strategy. This is due to be finalised in early 2025. A public consultation (inviting written submissions, as well as a later in-person event) in relation to the Strategy was organised by the Department of Justice in late 2024. A member of the ODPP Serious Financial Crime Unit (SFCU) attended this event.

30. Potential obstacles to investigation and prosecution as well as to the effectiveness of criminal sanctions of high-level and complex corruption cases (e.g. political immunity regulation, procedural rules, statute of limitations, cross-border cooperation, pardoning)

The response provided in 2024 remains relevant.

The Garda National Economic Crime Bureau advises that obstacles to investigations are primarily encountered in the area of capacity and evidence-gathering abroad, in foreign bribery cases. There is no

capacity in Irish criminal law, as in other countries, for mechanisms such as deferred prosecution agreements.

31. Information on effectiveness of non-criminal measures and of sanctions (e.g. recovery measures and administrative sanctions) on both public and private offenders.

The response provided in 2024 remains relevant, with the following updates.

In respect of anti-corruption, the non-criminal measures and sanctions in place in the Civil Service are the various disciplinary code(s) in use. Their purpose is to set out the arrangements for dealing with disciplinary matters in the Civil Service and to ensure that all civil servants are aware that if there is a failure to adhere to the required standards of conduct, work performance and attendance, the disciplinary procedures set out in the relevant code will apply.

The *Civil Service Code and Standards of Behaviour* is a robust document outlining the basic principles and values of Civil Servants, making numerous references to the requirement to upholding the values of honesty, integrity and probity. Failure of a Civil Servant to uphold or comply with the requirements of the *Civil Service Code and Standards of Behaviour* (i.e. engaging in corrupt behaviour) may result in disciplinary action being taken by a line manager, or HR Division, as appropriate to the relevant disciplinary codes.

For clarity there are three disciplinary codes in use in the Civil Service:

Circular 04/2019 which is applicable solely to New Entrant Civil Servants serving in a probationary capacity, a Disciplinary code for State Industrial staff and *Circular 19/2016 - The Civil Service Disciplinary Code*, which is applicable to the vast majority of Civil Servants, including promoted staff currently serving in a probationary capacity.

Circular 19/2016 provides several examples of behaviour that may constitute misconduct or serious misconduct, with a specific example of serious misconduct listed as “Theft, fraud, irregularity, embezzlement, misappropriation of funds, bribery or corruption; data protection breaches, lack of due care for State resources”.

There are 13 sanctions available via *Circular 19/2016*, which are as follows:

Table A: Range of disciplinary actions and decision-maker			
	Sanction	Relevant Manager	Appropriate Authority
1	Level 1 Verbal Warning	•	
2	Level 2 Written Warning	•	
3	Level 3 Final Written Warning	•	
4	Extension of the period of validity of a warning	•	
5	Deferral of an increment	•	
6	Debarment from competitions or promotions for a specified period of time	•	
7	Withdrawal of concessions	•	
8	Reassignment to a different location or different duties	•	
9	Withdrawal of allowances		•
10	Placing the civil servant on a lower rate of remuneration (including the withholding of an increment)		•
11	Reducing the civil servant to a specified lower grade or rank		•
12	Suspending the civil servant without pay		•
13	Dismissal		•

The Planning and Development Act 2024 was enacted on 17 October 2024. Section 587 and 588 introduce procedures to deal with “spurious” planning submissions, appeals and JRs. Section 587 prohibits requesting payment in consideration of not opposing a development. It provides that a person shall not request a payment in request of agreeing not to make a submission or observation on an application, appealing an application or taking a judicial review or to withdraw such submission/observation, appeal or judicial review and to do so would be an offence. The High Court may give a direction to a planning authority or An Coimisiún Pleanála to disregard a submission or observation and may direct An Coimisiún Pleanála to dismiss an appeal where it is satisfied that it was made for the purpose of receiving payment.

Section 588 provides that a submission or observation on a planning application or an appeal of a planning application must be accompanied by a statutory declaration stating that it is not being done for the purposes of delaying a development, or for receiving a payment. A similar declaration must be made when taking a judicial review. A declaration must also be made when withdrawing a submission/observation, appeal or judicial review. It is an offence to submit a false declaration.

D. Other

32. Any other significant developments since January 2024 falling under the type of information outlined in section II.

Ireland has an extensive range of legislative provisions to protect public standards and prevent and combat corruption. These include the Ethics in Public Office Act 1995, the Standards in Public Office Act 2001, the Freedom of Information Act 2014, the Protected Disclosures Act 2014, the Proceeds of Crime Act 1996 -2016, and the Criminal Justice (Corruption Offences) Act 2018.

As an EU member state, Ireland's anti-corruption regime is driven in many important and significant matters by European policy and by a wide range of initiatives. A number of legislative and other reforms in recent times have been necessitated by Ireland's obligations as an EU Member State. This is particularly evident in the area of anti-money laundering legislation. Other recent legislative developments have been driven by the State's duty of compliance with its obligations under international conventions and instruments as well as existing protocols. The comprehensive set of actions developed under the Government's 'White-collar crime Package' have also been a major driver for some of the legislative developments.

The Criminal Justice (Corruption Offences) Act 2018 repealed and replaced the seven previous Prevention of Corruption Acts 1889 to 2010. The Act provides a single, consolidated, modern piece of legislation which is more comprehensive and more accessible. As well as being a consolidation, the Act responds to recommendations from the Mahon Tribunal, from GRECO, from the OECD Working Group on Bribery and from the UNCAC Implementation Review Mechanism.

Some of the key aspects of the Act include the introduction of offences and tougher penalties in areas relating to the giving of gifts; trading in influence; false documentation; and a liability offence for bodies corporate where any individual connected with the company has been found guilty of corruption.

Sanctions

For conviction on indictment under the 2018 Act, the penalties for most offences are: imprisonment for up to 10 years; an unlimited fine; forfeiture of any bribe; possible forfeiture of office for public servants and elected officials; and possible prohibition on seeking public office for up to ten years.

III. Media Freedom and Media Pluralism

33. Please provide information on measures taken to follow-up on the recommendations received in the 2023 Report regarding media pluralism and media freedom (if applicable)

Recommendation 3: *Complete the reform of the Defamation Act to improve the professional environment for journalists taking into account European standards on the protection of journalists*

There has been significant progress on the reform of the defamation regime in Ireland. The lack of specific safeguards to counter strategic lawsuits against public participation (or SLAPPs), coupled with the lack of mechanisms to reduce the risk of defamation cases, produces a chilling effect on journalists and is a long-standing issue for the media freedom in Ireland.

To address this, the Defamation (Amendment) Bill 2024 was published in August 2024 and completed second stage in the parliamentary legislative process in September 2024. The Programme for Government, January 2025, commits to passing the legislation as a priority. The Bill provides for a suite of important protective safeguards against SLAPPs, and better protection generally for responsible public interest journalism

Recommendation 4: *Ensure that rules or mechanisms are in place to provide funding for public service media that is appropriate for the realisation of its public service remit while guaranteeing its independence*

On 8 October 2024, the Government approved and published a General Scheme of a Broadcasting (Amendment) Bill to, inter alia implement Article 5 of EMFA and reform the system under which the independent regulator, Coimisiún na Meán, assesses the funding and performance of the Irish public service media providers (RTÉ and TG4). The revised system will be composed of the following elements:

- a review methodology, which will be subject to a full public consultation and which will set out the methods the regulator will use to assess the performance and funding of the public service media providers;
- a review of the adequacy of public funding, to be carried out every 3 years (instead of the current 5) will be prepared by Coimisiún na Meán in accordance with the review methodology. The review will replace the annual statement of performance commitments, under which RTÉ and TG4 set out their own performance commitments and metrics. Instead, through the reformed review, Coimisiún na Meán, will identify the performance commitments and outputs and associated indicators and metrics of RTÉ and TG4 for a 3-year period on the basis of a submission made by RTÉ and TG4 in accordance with the review methodology. The existing practice of the regulator making a recommendation to the Minister on the public funding level necessary for RTÉ and TG4 to fulfil their public service for the remit for the period under review is being retained. The Government will be required to respond to the recommendation made by the regulator.
- the statements of strategy prepared by RTÉ and TG4 will now be every 3 years (instead of every 5) and will be prepared within six months of the response of the Government to the 3-year review of public funding.
- The existing annual review of performance and public funding will be significantly strengthened with further accountability and transparency provisions and be submitted to the Minister (and subsequently laid before the Oireachtas) by Coimisiún na Meán in two parts throughout the year:
 - the first part, to be submitted by 30 June in each year, will, inter alia, review whether:
 - in the context of 3-yearly review, RTÉ and TG4 met its performance commitments in the previous year and recommend a level of public funding for RTÉ and TG4 for the current and coming financial years; and
 - whether the public funding provided to RTÉ or TG4 in the previous financial year was sufficient to guarantee that the provider had adequate, sustainable and predictable financial resources corresponding to the fulfilment of and the

capacity to develop within their public service remit and to safeguard the editorial independence of the corporation (i.e. whether public funding was sufficient to comply with Article 5(3) of EMFA).

- the second part, to be submitted by 31 October in each year, will review compliance of the funding of RTÉ and TG4 with specific State aid-related rules set out in the Broadcasting Act 2009.

The elements of the new system will be phased in as follows:

- the new annual review process will apply with effect from the year 2025 (with the first annual review concluded in 2026 in respect of 2025). This is to ensure that compliance with EMFA Articles 5(1) to (3) is monitored by an independent regulatory body (in accordance with EMFA Article 5(4)).
- the first three year review period will be 2028 – 2030 as the current (5-year) review of public funding for the assessment of the public service media providers is in respect of years 2023 – 2027.

Further information (and the text of, and explanatory notes related to, the General Scheme) is available here:

<https://www.gov.ie/en/press-release/09023-minister-martin-announces-government-approval-of-the-general-scheme-of-the-broadcasting-amendment-bill/>

A. Media authorities and bodies

34. Measures taken to ensure the independence, enforcement powers and adequacy of resources (financial, human and technical) of media regulatory authorities and bodies

Independence

Section 8 of the Online Safety and Media Regulation (OSMR) Act, as required by Article 30(1) of the revised Audiovisual Media Services Directive (AVMSD), provides that Coimisiún na Meán, formally established under the OSMR Act, is independent in the performance of its functions under the legislation.

On 17 February 2024, the Government designated An Coimisiún as Ireland’s Digital Services Coordinator under the Digital Services Act. The implementing legislation in Ireland provides, at Section 8, that An Coimisiún is independent in the performance of its functions as part of this role.

On 30 November 2023, through secondary legislation, Coimisiún na Meán was designated as a competent authority under the Terrorist Content Online Regulation. Again, under this secondary legislation, An Coimisiún is independent in the exercise of its related functions.

Enforcement Powers

The Acts referred to above provide for a range of investigative and enforcement powers for Coimisiún na Meán, including to audit certain services, require the provision of information and periodic reports, appoint authorised officers to investigate and report in cases of suspected non-compliance and to

impose financial sanction of between 4% and 10% of turnover or up to €20 million, in cases of non-compliance, depending on which legislation is not being complied with.

Under the OSMR Act, An Coimisiún may also, under certain circumstances, seek to hold senior managers within certain designated services criminally liable and can also seek court approval to block access to a service in Ireland.

Adequacy of Resources

In 2023, funding of €10.5 million was provided to Coimisiún na Meán with sanction to bring its staffing from 44 to 164, an additional 120 posts. In 2024, €11.9 million was provided to support the implementation of An Coimisiún's functions and An Coimisiún further increased its staffing level to approximately 200. From 2025, An Coimisiún is funded by way of levy on regulated services across its range of functions, ensuring that resources are sufficient to enable the exercise of its functions.

35. Conditions and procedures for the appointment and dismissal of the head / members of the collegiate body of media regulatory authorities and bodies

No relevant updates.

36. Existence and functions of media councils or other self-regulatory bodies

The Press Council of Ireland (including the Press Ombudsman) was established in 2008 by the press industry as an independent body. The Defamation Act 2009 (Press Council) Order 2010 (S.I. No. 163 of 2010) recognises the Press Council of Ireland as the Press Council for the purposes of the Defamation Act. The Press Council is therefore a non-statutory body but is recognised by statute.

The Council has 13 members. Seven members, including the Chair, are independent members, who are appointed following a public competition. The remaining six members are drawn from the press industry.

The Press Ombudsman is appointed by the Press Council following an open competition.

The principal objectives of the Press Council are to –

- (a) ensure the protection of freedom of expression of the press,
- (b) protect the public interest by ensuring ethical, accurate and truthful reporting by the press,
- (c) maintain certain minimum ethical and professional standards among the press,
- (d) ensure that the privacy and dignity of the individual is protected.

The Press Council has drawn up a Code of Practice which sets out 11 principles which members are required to adhere to, including ethical standards, rules and standards intended to ensure the accuracy of reporting where a person's reputation is likely to be affected and rules and standards intended to ensure that intimidation and harassment of persons does not occur and that the privacy, integrity and dignity of the person is respected.

The Office of Press Ombudsman and Press Council provide a complaints handling and an appeals process which enable members of the public to seek redress (other than damages) if something is published in the State in a newspaper, magazine or a digital edition of a print publication, which breaches the Code of Practice.

These structures seek to ensure that everybody has access to an independent press complaints mechanism that is quick, fair and free, that the freedom of the press is never abused, and that the public interest is served.

Further information in relation to the Press Council/Press Ombudsman is available at:

<https://www.presscouncil.ie/>.

B. Safeguards against government or political interference and transparency and concentration of media ownership

37. Measures taken to ensure the fair and transparent allocation of state advertising (including any rules regulating the matter)

No relevant updates. A legislative proposal is in development to implement the requirements of Article 25 of the European Media Freedom Act.

38. Safeguards against state / political interference, in particular:

- *safeguards to ensure editorial independence of media (private and public)*
- *specific safeguards for the independence of heads of management and members of the governing boards of public service media (e.g. related to appointment, dismissal), safeguards for their operational independence (e.g. related to reporting obligations and the allocation of resources) and safeguards for plurality of information and opinions*
- *information on specific legal provisions and procedures applying to media service providers, including as regards granting/renewal/termination of licences, company operation, capital entry requirements, concentration, and corporate governance*

With regard to safeguards for the independence of public service media, the legislative process for the Broadcasting (Amendment) Bill is underway and the General Scheme, which was approved by Government in October 2024, will reform the legislation underpinning the governance of public service media (RTÉ and TG4) in Ireland.

The General Scheme provides for expanded functions, duties, and accountability of the Directors General (heads of management) of RTÉ and TG4, as well as specific provisions in relation to their appointments and dismissals. These provisions are intended to ensure alignment with Art. 5(2) of the European Media Freedom Act. In particular, in order to further ensure full independence, it is proposed to remove the existing role of Government in consenting to the appointment of a Director General.

In compliance with EMFA, a Director General (as editor-in-chief) shall be appointed by the Board on the basis of an open public competition, based on transparent procedures and selection criteria that comply with the principles of transparency, objectivity, non-discrimination and proportionality, which have been set out and published in advance. The term of office of the Director General is set as not less than 5 years and not exceeding 7 years. The General Scheme also sets out that a Director General may only be removed by a Board when they no longer fulfil the conditions required for the performance of their duties, owing to prescribed circumstances, and sets out the process by which a Director General may be removed.

The General Scheme also further specifies the various functions of the Boards of RTÉ and TG4, a number of which relate to ensuring the independence and impartiality of a public service media provider for example:

- ensuring that appropriate principles and procedures are in place to ensure that gathering and presentation by the public service media provider of news and current affairs is accurate and impartial; and
- safeguarding the independence of the public service media provider from State, political and commercial influences.

Details of the reformed system for the assessment of the performance and adequacy of funding of RTÉ and TG4 by Coimisiún na Meán are set out in response to Q. 33.

39. Transparency of media ownership and public availability of media ownership information, including on direct, indirect and beneficial owners.

No relevant updates. A legislative proposal is in development to implement the requirements of Article 6(2) of the European Media Freedom Act.

C. Framework for journalists' protection, transparency and access to documents

40. Rules and practices guaranteeing journalist's independence and safety, including as regards protection of journalistic sources and communications, referring also, if applicable, to follow-up given to alerts lodged with the Council of Europe's Platform to promote the protection of journalism and safety of journalists.

The Media Engagement Group (MEG) provides a 24/7 reporting mechanism whereby concerns of individual media personnel and/or media organisations can be raised by gatekeepers within media organisations with a centralised point of contact within An Garda Síochána which is supported by two Garda media engagement officers.

The Media Engagement Forum (MEF) meets as a group on a quarterly basis to review the MEG process, emerging trends/issues and items of concerns for media personnel and organisations. The most recent

forum was held on 1st November 2024. This forum included speakers and representatives from the Garda National Cyber Crime Bureau, Garda National Public Order Unit, Coimisiún Na Meán, Dublin City Council and a Local Authority Presiding Officer of a court centre.

In addition to the forum meetings, the Garda National Crime Prevention Unit and the Garda National Cyber Crime Bureau have delivered in-house safety briefings to a variety of media / print organisations and representative groups throughout 2024.

The Garda National Crime Prevention Office also has provided personal safety seminars directly to media organisations following requests via the MEG.

Reports received by the Media Engagement Group – 2024

Online Abuse / Threat /Intimidation	10
Online Bomb Threat	1
Phone Threat	2
Data Protection Issue	1
In-Person Abuse / Threat /Intimidation	5
Information Received	2
Assault Minor	2
Text Message Threat / abuse /Intimidation	1
In-Person Harassment	1
TOTAL	25

41. Law enforcement capacity, including during protests and demonstrations, to ensure journalists' safety and to investigate attacks on journalists

Of the 25 reports referenced in response to Q40, a number of reports have moved to ongoing criminal investigations and a further 3 are awaiting instructions and information from the reporting organisation.

An Garda Síochána is well placed to deal with emerging threats against any individual's safety including those employed as journalists. An Garda Síochána has protocols in place for responding to threats to individuals, and the provision of guidance to persons who have been threatened. These protocols are deemed suitable for the protection of journalists operating in Ireland. Risk and threat evaluation will inform the Garda response which will be accompanied by crime prevention advice, appropriate safety advice and, if necessary, the establishment of protective measures to ensure that the individual's safety is protected. Mitigation plans and investigations will be established where relevant.

42. Access to information and public documents by public at large and journalists (incl. transparency authorities where they exist, procedures, costs/fees, timeframes, administrative/judicial review of decisions, execution of decisions by public authorities, possible obstacles related to the classification of information)

Access to information and public documents is legislated for by the Freedom of Information Act 2014. The Act covers approximately 450 bodies and provides that new public bodies, as they are established, will automatically be subject to the legislation.

The FOI mechanism allows any interested party to make a request for any record they believe to be held by a public body covered by the legislation. There is no obligation to state a reason or interest to justify release, and in general, the motive of the requester or any reasons they choose to give for making the request cannot be a basis for refusal.

Where a valid FOI request is submitted, it must be responded to within four weeks, subject to extension in limited circumstances. Ireland does not operate a system of classification of documents. However, release under FOI is subject to exemptions set out in the legislation, which in the public interest protect the interests of third parties in relation to confidential, personal and commercially sensitive information, as well as providing necessary protections for the work of public bodies.

Where a requester is dissatisfied with the decision they receive, they are entitled to seek a review. The first stage is internal to the body concerned, which involves the consideration of the decision by another official at a higher level and a further formal decision within three weeks. If the requester remains dissatisfied following internal review, they may seek an independent review by the Information Commissioner. In either case, there is no obligation on the requester to make any arguments or provide any reasons that the decision should be changed. In the case of review by the Commissioner, the onus falls entirely on the body to justify its decision to his satisfaction.

The Commissioner is fully independent in the performance of his functions both by law and in practice. Decisions of the Commissioner are binding on the body concerned unless appealed to the High Court. There have been no instances of non-compliance with a decision of the Commissioner in the time that the current legislation has been in operation.

Since 2014 no application fee has applied to any first instance FOI request. Only the process of searching for and retrieving records can be charged for. The legislation sets out a clear and structured process for calculating and applying this fee where required, with secondary legislation specifying the rates that can be charged, including a strict limit of €20 per hour for staff time.

No fee applies to any request for personal information, or any other request where the process of identifying and gathering relevant records takes less than five hours as a general rule of thumb. These two scenarios account for the vast majority of FOI requests in most given years.

In most cases where a requester seeks a clearly defined and discrete set of records, they would not expect to pay any fee in the first instance. In addition, public bodies are obliged under the legislation to assist requesters to re-frame their requests in a more precise way such that they will not attract a fee if one is found to apply in the first instance.

In general, search and retrieval fees will only apply in cases where a particularly resource-intensive request has been submitted, and can usually be reduced or eliminated by submitting a more focused request, or brought before the Information Commissioner free of charge for an independent review if it is felt the approach taken by the public body is unreasonable.

Modest application fees of €30 and €50 apply to the two review stages of an FOI decision for material that is not personal to the requester. This applies in only a limited number of cases. In general, internal reviews tend to be sought in 3-4% of cases annually, while reviews by the Information Commissioner are sought in 1-2% of cases. No application fee applies to reviews regarding personal information relating to the requester, which can be estimated as accounting for about half of review applications.

The FOI legislation makes it mandatory for public bodies to create a “publication scheme” and publish information in relation to their functions and procedures, as well as other designated classes of information relating to procurement, finances, and the outcomes of previous FOI requests.

Aside from ensuring general administrative transparency through enabling access to records and requiring publication in appropriate instances, the legislation additionally creates a specific right to seek a statement of reasons for an administrative decision affecting an individual (see also Question 24 above).

Although there is scope for improvement and modernisation, overall the Freedom of Information (FOI) system is operating well, providing a solid footing from which to move forward. The legislation has been in place since 1997. The latest update in 2014 widened the scope of FOI to take in approximately 450 bodies. Following these reforms, FOI usage expanded dramatically, with the annual number of requests almost doubling from 2014 to a peak of 39,904 requests received by public bodies in 2019. While 2020 saw significantly fewer requests, which may be attributable to the onset of the Covid 19 pandemic, the upward trend has subsequently resumed, although without yet surpassing 2019’s total. 37,437 requests were made to public bodies in 2023, representing a year-on-year increase of 5.5% over 2022.

A further comprehensive review of the legislation is almost complete. Almost 2,400 responses have been received to different elements of the review. The purpose of the review is to strengthen the existing statutory framework and to further enhance the operation of transparency in the public service. The latest update on the review is available [here](#) with the final review report intended to be presented to Government for consideration in 2025.

While the recommendations have not been finalised, the main themes emerging from the review are the need a) for a more coherent approach to information governance and access, b) to supplement formal freedom of information requests, and c) for improvements to the request process.

43. Lawsuits (incl. SLAPPs - strategic lawsuits against public participation) and convictions against journalists (incl. defamation cases) and measures taken to safeguard against manifestly unfounded and abusive lawsuits

Defamation is not a criminal offence in Ireland. Accordingly, there are no criminal proceedings or convictions for defamation. The following information relates to civil defamation actions.

Details of the numbers of defamation cases initiated in the courts in the 4 years 2020 to 2024 (the latest year that statistics are currently available) are set out below.

Defamation - Circuit Court Cases

Year	Incoming	Resolved	
		By Court	Out of Court
2020	161	2	8
2021	121	2	6
2022	282	8	18
2023	292	7	35

Defamation - High Court Cases

Year	Incoming	Resolved	
		By Court	Out of Court
2020	156	16	9
2021	109	4	12
2022	104	17	11
2023	68	28	19

The Defamation (Amendment) Bill published in 2024 includes a suite of specific measures against the bringing of SLAPP defamation cases.

D. Other

44. Any other significant developments since January 2024 falling under the type of information outlined in section III.

The latter end of 2023 saw the introduction of the standalone offence of “stalking” under the Non-Fatal Offences Against the Person Act 1997, with a potential maximum sentence of up to ten years.

Part 5 of the Criminal Justice (Miscellaneous Provisions) Act 2023 introduced a new system of civil orders designed to prevent stalking and protect victims. These orders represent an important first step

in addressing stalking behaviour by allowing for earlier intervention without requiring the level of proof needed to secure a criminal conviction. This new approach extends protections currently available to certain victims under the Domestic Violence Act 2018 to all victims of stalking behaviour, regardless of their relationship with the perpetrator.

Amendments made under the Criminal Justice (Miscellaneous Provisions) Act 2023 also introduced increased terms of imprisonment for certain offences such as assault.

Following a comprehensive review by the Garda Anti-Corruption Unit, Garda Education and Training System modules have been refreshed based on feedback and developments in counter-corruption since they were originally developed. The Garda Anti-Corruption Unit has recently commenced a briefing programme, which will see the Unit visit and deliver briefings to every Division, Section, Bureau and National Unit over the coming years.

The Garda Anti-Corruption Unit engages with the Garda ethics and Cultural Bureau to develop and issue a quarterly evidence-based “Learning the Lessons” newsletter to the Garda organisation, which provides a summary of some criminal or discipline complaints and investigations in respect of Garda personnel (members and Garda staff). The aim of this newsletter is to create awareness across the organisation of the consequences of non-adherence to policy or not upholding the standards of the Code of Ethics. The focus is on improving policing practice and enhancing professional conduct and ethical behaviour by all personnel with each edition focusing on a particular theme. Four editions of this newsletter were published during 2024, addressing the following topics: Professional Boundaries, Neglect of Duty, Management of Property and End of Year Review (including previous topics from 2024 and Gifts and Hospitality, Intoxicated driving, Guidance, Christmas Events and A new year a new act).

The Garda Anti-Corruption Unit continues to work with both internal and external stakeholders towards the implementation of recommendation made by the Garda Inspectorate in its report – “Countering the Threat of Internal Corruption” in An Garda Síochána.

The vision for the Garda Anti-Corruption Unit is that it will, in terms of practices, processes and structure come to be regarded as international best practice in the area of counter corruption. It is envisaged the Garda Anti-Corruption Unit will continue to develop incrementally through the allocation of further resources allowing the expansion of its Integrity Building Activities, introduction of In-Career Vetting, Substance Misuse Testing and enhancement of intelligence and investigative business functions.

IV. Other institutional issues related to checks and balances

45. Please provide information on measures taken to follow-up on the recommendations received in the 2023 Report regarding the system of checks and balances (if applicable)

Recommendation 4. *Further continue efforts to address legal obstacles related to access to funding for civil society organisations, as part of the reform of the Electoral Act.*

The Government asked the recently-established Electoral Commission to conduct a review of the 1997 Electoral Act, which includes a detailed examination of the legal obstacles related to access to funding for civil society organisations.

The Electoral Commission, in its published Research Programme, has indicated that this review is a priority project for 2025 and work is well underway. Civil society groups have made submissions on the funding issue and the review will see further engagement with the organisations to identify potential solutions to the challenge. A report with recommendations is expected to be published in the first half of 2025.

A. The process for preparing and enacting laws

46. Framework, policy and use of impact assessments and evidence based policy-making, stakeholders'/public consultations (including consultation of judiciary and other relevant stakeholders on judicial reforms), and transparency and quality of the legislative process both in the preparatory and the parliamentary phase.

Information to be submitted separately through direct consultation with the European Commission.

47. Rules and use of fast-track procedures and emergency procedures (for example, the percentage of decisions adopted through emergency/urgent procedure compared to the total number of adopted decisions).

Information to be submitted separately through direct consultation with the European Commission.

48. Rules and application of states of emergency (or analogous regimes), including judicial review and parliamentary oversight.

As detailed in previous reports, while limited emergency procedures do technically exist in Ireland under the Constitution, they have not been used in recent years. In recent years, developments in this area were related to the Covid-19 pandemic. Article 26 of the Constitution provides for a process by which the President may, after consultation with the Council of State, refer any Bill passed or deemed to have been passed by both Houses of the Oireachtas (subject to certain exceptions) to the Supreme Court for a determination as to whether that Bill, or any specific provisions contained therein, is repugnant to the Constitution.

See also information in respect of Q53

49. Regime for constitutional review of laws

Article 15 of the Constitution of Ireland states that the Oireachtas will not enact any law which is in any respect repugnant to the Constitution or any provision thereof. It further states that every law enacted by the Oireachtas which is in any respect repugnant to the Constitution or to any provision thereof, shall, but to the extent only of such repugnancy, be invalid. Article 34.3.2 of the Constitution provides that “...the jurisdiction of the High Court shall extend to the question of the validity of any law having regard to the provisions of the constitution...” with a right of appeal to the Court of Appeal and the Supreme Court. As part of the enactment process, all primary legislation must first be signed by the President.

Article 26 of the Constitution provides for a judicial process by which the President may, after consultation with the Council of State, refer any Bill to which the article applies to the Supreme Court for a decision on the question as to whether the Bill, or any specified provision or provisions of the Bill, is or are repugnant to the Constitution or to any provision of the Constitution.

Article 26 applies to any Bill passed or deemed to have been passed by both Houses of the Oireachtas other than certain exceptions described (such as a Money Bill, or a Bill expressed to be a Bill containing a proposal to amend the Constitution).

The Supreme Court, consisting of a minimum of five judges, shall consider every question put to it by the President under Article 26 for a decision, and, having heard arguments by or on behalf of the Attorney General and by counsel assigned by the Court, shall pronounce its decision on such questions in open court as soon as may be, and in any case not later than sixty days after the date of such reference.

B. Independent authorities

50. Independence, resources, capacity and powers of national human rights institutions ('NHRIs'), of ombudsman institutions if different from NHRIs, of equality bodies if different from NHRIs and of supreme audit institutions

Irish Human Rights and Equality Commission (IHREC)

The Irish Human Rights and Equality Commission is the independent monitoring mechanism in Ireland for the United Nations Convention on the Rights of Persons with Disabilities (UNCRPD). In line with Article 33 of the Convention, it is responsible for the independent monitoring of progress in improving laws, policies and essential services to ensure that people with disabilities enjoy the same human rights as everyone else.

The role of IHREC in the independent monitoring of the UNCRPD in Ireland is provided for under the Assisted Decision-Making (Capacity) (Amendment) Act 2022 which came into legal force in April 2023.

The National Disability Authority (NDA) is an independent statutory agency established by the National Disability Act 1999 under the aegis of the Department of Children, Equality, Disability, Integration and Youth. The NDA is mandated to provide advice on disability policy and practice to the Ministers; undertake, commission and collaborate in disability research; advise on standards and guidelines in services to people with disabilities; and to develop standards, education and promote awareness of Universal Design.

The Assisted Decision-Making (Capacity) (Amendment) Act 2022 also provides for the role of the NDA in supporting IHREC to perform its monitoring role over the UNCRPD. The Act provides for the role of the NDA in providing “information and advice to the Irish Human Rights and Equality Commission, including the development and provision of statistical information if required, in order to assist it in carrying out its functions under section 10 (2)(ha) of the Irish Human Rights and Equality Commission Act 2014.”

Ombudsman for the Defence Forces (ODF)

The ODF was established as an independent statutory office, under the Ombudsman (Defence Forces) Act 2004. The ODF has full independence and autonomy in the discharge of his/her statutory functions. The primary role of the ODF is to provide an independent appeals process for members of the Defence Forces who have processed a complaint through the internal Redress of Wrongs process but remain dissatisfied with the outcome, or the manner in which their complaint was handled.

A serving member may also, in line with Section 6 of the Act, submit a complaint directly to the Ombudsman, without having first initiated a complaint under the internal Redress of Wrongs process. Former members of the Defence Forces may also make their complaint directly to the Ombudsman, subject to timelines as set down in the Act. The Ombudsman may also consider complaints made by members of the Defence Forces in relation to penalisation following the making of a protected disclosure. The function of the ODF is to act as an independent assessment of investigation into, complaints made by members and former members of the Defence Forces. Section 114 of the Defence Acts 1954 - 2011 provides that any member of the Defence Forces, who consider themselves to have been wronged in any matter, may make a complaint and have it investigated and, if upheld, to have it redressed. Where the wrong is proven, redress is offered to the complainant. In the event that the complainant is unhappy with the internal military investigations or with the proposed redress, they can have their complaint forwarded to the ODF.

The Defence Forces are required to notify the ODF of every Redress of Wrongs complaint initiated under Section 114 of the Defence Acts 1954-2011. Former members of the Defence Forces may make the complaint directly to the ODF.

The ODF may investigate a complaint made by a complainant in respect of an action or decision, which may have adversely affected the complainant personally.

The ODF is excluded from investigating actions that concern:

- Security or military operations
- Organisation, structure and deployment of the Defence Forces

- Terms and conditions of employment
- Administration of military prisons

In addition, the ODF is excluded from investigating actions if the person making the complaint has lodged legal proceedings in relation to the matter or if the action has been summarily dealt with according to Section 179 of the Defence Acts.

51. Statistics/reports concerning the follow-up of recommendations by National Human Rights Institutions, ombudsman institutions, equality bodies and supreme audit institutions in the past two years.

There are no statistics available regarding this. However, such recommendations are being actively considered as part of an ongoing review of Ireland's Equality legislation. The recently enacted Maternity Protection, Employment Equality and Preservation of Certain Records Act 2024 also included elements, particularly in relation to the regulation of non-disclosure agreements, recommended as part of that review process

Ombudsman for the Defence Forces (ODF)

In 2022, 9 case reports produced by the Ombudsman were signed and completed by the Minister, of which 4 related to a back log of case reports submitted during 2021. In addition, 25 new case reports were received in 2022, of which 5 were signed by the Minister and completed before year-end.

In 2022, the Ombudsman made recommendations in 13 of his reports. The Minister accepted 6 of these recommendations while the remaining 7 are still being considered. 3 of the recommendations have been implemented while the other 3 accepted remain ongoing.

In 2023, 45 reports produced by the Ombudsman of which 18 were signed and completed by the Minister. A further 4 reports from previous years (2022) were signed off on by the Minister in 2023.

In 2023, the Ombudsman made recommendations in 22 of his reports. The Minister accepted 12 of these recommendations while the remaining 10 are still being considered.

C. Accessibility and judicial review of administrative decisions

52. Transparency of administrative decisions and sanctions (incl. their publication and rules on collection of related data)

This question relates to the Administrative Law branch of the legal system - dealing with government decision making bodies (tribunals, local authorities, government agencies). Unlike other Member States, Ireland does not have an administrative law branch of their legal system. It is not possible to report on judicial review decisions on questions of administrative law as a result. Judicial review includes matters that cannot be considered administrative law matters and some cases that might come under the heading of administrative law are not dealt with within the judicial review procedure.

53. Judicial review of administrative decisions: - short description of the general regime (in particular competent court, scope, suspensive effect, interim measures, and any applicable specific rules or derogations from the general regime of judicial review).

Outline of Judicial Review

Judicial Review is a mechanism by which an application can be made to the High Court to challenge the decision-making processes of administrative bodies, tribunals, and lower courts. The High Court possesses an inherent power to supervise the legality, rationality, and procedural fairness of the activities of these bodies. When exercising its powers of judicial review, the High Court is not concerned with the merits but rather with the lawfulness of the decision under review. An unlawful decision will be ultra vires or “outside the jurisdiction” and will be void. Any remedies to be granted by the court are discretionary.

Judicial Review covers a number of different areas, including:

- review of decisions and trial procedures in the District and Circuit Courts
- review of decisions and procedures in tribunals
- decisions on social welfare and support
- decisions concerning special needs children
- professional disciplinary bodies.
- planning applications.

It is important point to note that judicial review is not an appeal; it is a review of the procedures in the decision-making of the relevant body in question.

Remedies

Some of the remedies which are sought via Judicial Review are as follows:

- Certiorari—quashing an order or part of a document
- Mandamus—compelling a body to act
- Prohibition—halting a trial or prosecution
- Declaration
- Injunction
- Damages
- Quo warranto—questioning the validity of an official appointment

It must be noted that a Judicial Review does not operate as a stay on proceedings. It is necessary for legal practitioners to seek an order staying proceedings before the lower court if that is desired.

Judicial Review Procedure

Limitation Periods

Applicants have 3 months to apply for leave to seek judicial review, per the amended Order 84 RSC (Rules of the Superior Courts); “An application for leave to apply for judicial review shall be made within three months from the date when grounds for the application first arose.”

The rule was amended by Statutory Instrument 691/2011, to remove a previous “promptness” requirement, which existed even inside the statutory time limit, and to bring the certiorari time limit into line with that required for other reliefs.

Nonetheless, time may be extended where the court finds there is “good and sufficient reason” for doing so (Order 84, Rule 21(3)), taking into consideration the effect an extension may have on the Respondent or on third parties (Order 84, Rule 21(4)).

Order 84 RSC requires that the court must be satisfied either that the circumstances giving rise to the delay were outside the applicant’s control or that they could not reasonably have been anticipated.

Leave

Leave is sought by way of an *ex-parte* motion in the Non-jury/ Judicial Review list and is governed by Order 84 RSC.

The threshold for leave is very low (“arguable case” - *G v DPP* [1994] 1 IR 374 12 JIC 1401; *T.C. v Director of Public Prosecution* [2016] IECA 400). Finlay C.J. in *G v DPP*, described this as a “light burden” on applicants, intended as a “filter process” only to prevent unmeritorious litigation being taken against public bodies.

In *G v DPP* from paragraph 14 to 17, Finlay C.J set out the following considerations:

“(a) That he has a sufficient interest in the matter to which the application relates to comply with r.20(4).

(b) That the facts averred in the affidavit would be sufficient, if proved, to support a stateable ground for the form of relief sought by way of judicial review.

(c) That on those facts an arguable case in law can be made that the Applicant is entitled to the relief which he seeks.

(d) That the application has been made promptly and in any event within the three months or six months’ time limits provided for in Order 84, r.21(1), or that the Court is satisfied that there is a good reason for extending the time limit. The Court, in my view, in considering this particular aspect of an application for liberty to institute proceedings by way of judicial review should, if possible, on the *ex parte* application satisfy itself as to whether the requirement of promptness and of the time limit have been complied with, and if they have not been complied with, unless it is satisfied that it should extend the time, should refuse the application. If, however, an order refusing the application would not be appropriate unless the facts relied on to prove compliance with Rule 21(1) were subsequently not established the Court should grant liberty to institute the proceedings if all other conditions are complied with, but should leave as a specific issue to the hearing, upon notice to the Respondent the question of compliance with the requirements of promptness and of the time limits.

(e) That the only effective remedy, on the facts established by the Applicant, which the Applicant could obtain would be an order by way of judicial review or, if there be an alternative remedy, that the application by way of judicial review is, on all the facts of the case, a more appropriate method of procedure.”

Statement of Opposition

A respondent who wishes to oppose an application for judicial review is required to file a Statement of Opposition. The respondent may file a replying affidavit contesting the facts set out by the applicant. Once the pleadings have closed, the matter proceeds to a hearing.

Notice Parties

Any person who may be affected by the judicial review proceedings and judgment should be notified or may apply to be heard as a notice party. Examples of notice parties can include The HSE (Health Service Executive), Department of Education etc.

Hearing

If leave for judicial review is granted, the proceedings are served on the relevant public body, and they are given an opportunity to defend the matter.

Cases are decided based on written evidence and generally no oral evidence is submitted. The ordinary outcome of successful Judicial Review proceedings results in the decision being set aside or quashed, and in some circumstances remitted to the original decision-making body or Public Body.

54. Rules and practices related to the application by all courts, including constitutional jurisdictions, of the preliminary ruling procedure (Art. 267 TFEU)

No practice directions or Rules of Court relating to the preliminary ruling procedure are in place in the Irish courts system. Typically, parties in a case may request a judge to make a reference for a preliminary ruling in the parties’ pleadings. Alternatively, a judge may decide, based on his or her hearing of the pleadings, that a reference for a preliminary ruling is warranted and will request submissions from the parties on this subject. Subsequently, the judge will write and publish his or her reference for a preliminary ruling, and then await a response from the CJEU before issuing a judgment on the case.

A decision by a court to refer a question to the CJEU under Art. 267 may not be appealed to a higher court (*Campus Oil Ltd v. Minister for Industry and Energy* [1983] I.R. 82, and more recently, *Data Protection Commissioner v. Facebook Ireland* [2018] IEHC 236).

55. Implementation of final judgments by the public administration and State institutions and follow-up given to supranational judgments, including the European Court of Human Rights) court decisions, as well as available remedies in case of non- implementation

This question seeks information on follow-up by state agencies on court decisions. In response to this, the only information that can be provided by the Courts Service is as follows -

In the Irish legal system, the court is not, in general, involved in the enforcement of a court order. Where there is default in giving effect to a court order by a party against whom a court order is made, enforcement is primarily a matter for the successful party.

D. The enabling framework for civil society

56. Measures regarding the framework for civil society organisations and human rights defenders (e.g. legal framework and its application in practice incl. registration and dissolution rules)

Update on Charities (Amendment) Bill 2023, now the Charities (Amendment) Act 2024

The [Charities \(Amendment\) Act 2024](#), which was enacted on 10th July 2024, contains a provision to add 'the advancement of human rights' as a charitable purpose under Irish law. The commencement of this amendment will provide that such organisations can apply to register under the charitable purpose of 'the advancement of human rights'.

The individual sections of the Charities (Amendment) Act 2024 will be commenced in a timely and efficient manner, taking into account operational and technical considerations.

57. Rules and practices having an impact on the effective operation and safety of civil society organisations and human rights defenders. This includes measures to protect them from attacks – verbal, physical or on-line –, intimidation, legal threats incl. SLAPPs, negative narratives or smear campaigns, measures capable of affecting the public perception of civil society organisations, etc. It also includes measures to monitor threats or attacks and dedicated support services, as well as available remedies.

There is criminal legislation to protect anyone from harassment/intimidation etc. The Harassment Harmful Communications and Related Offences Act 2020 has extended this criminal law to protect citizens from distributing, publishing or sending threatening or grossly offensive communications at Section 4. The criminal law in Ireland is adequate to protect those who are targeted for their role in civil society and or protection of human rights organisations. Any allegations by victims of behaviour which is by hostility or prejudice, based on actual or perceived age, disability, race, colour, nationality, ethnicity, religion, sexual orientation or gender will be considered a hate crime matter.

The Criminal Justice (Hate Offences) Act 2024 commenced on 31st of December 2024. This Act delivers on the programme for Government commitment to introduce hate crime legislation for the first time in Ireland. It creates specific offences based on an aggravated offence model to ensure those who target victims because of their association with particular identity characteristics are identified as perpetrators of hate crime. The Prohibition of Incitement to Hatred Act 1989 remains in force.

Sustainable, Inclusive and Empowered Communities: the five-year strategy to support the community and voluntary sector in Ireland: 2019-2024 sets out a long term vision for our communities in Ireland. The adoption by government of a set of agreed Values and Principles, co-developed with representatives of the Community and Voluntary sector are a key achievement of the five-year Strategy, designed for use by all Government Departments and Agencies as a basis for their collaboration and partnership working with the Community and Voluntary Sector in the pursuit of the best outcomes achievable. They provide the foundation for all consultation, collaboration and partnership working between communities, organisations in the community and voluntary sector and Government Departments, Local and Regional Government and agencies of the State.

A monitoring report on the application of the “Values and Principles for Collaboration and Partnership Working with the Community and Voluntary Sector by Government Departments and Agencies.” was published in November last and is available on gov.ie

Since Ireland’s leadership on the adoption of the [EU Guidelines on Human Rights Defenders](#) in 2004, Ireland has continued to support measures to protect human rights defenders (HRDs) as a central focus of Ireland’s overall human rights work. The importance of supporting and protecting HRDs is reflected in Ireland’s key foreign policy documents, including in “[The Global Island: Ireland’s Foreign Policy Review for a Changing World](#)”, and in “[A Better World – Ireland’s Policy for International Development](#)”.

[The EU Guidelines on Human Rights Defenders](#) outline concrete measures for protecting HRDs at risk, including the provision of emergency aid, and encourage EU diplomats to take a more proactive approach towards HRDs. The European Commission manages a financial instrument in support of HRDs working in the world's most dangerous situations. Additionally, the Department of Foreign Affairs has provided Missions and Embassies with Guidelines on HRDs to provide guidance to staff on how to intervene on behalf of HRDs at risk and ways to provide other means of practical support. An updated version of these guidelines was published in November 2023. This included the addition of a specific section on women Human Rights Defenders (WHRDs), in recognition of the additional risks faced by WHRDs in carrying out their important work.

Furthermore, the protection of HRDs, which includes the fight against Reprisals, is an integral part of Ireland’s multilateral work at the UN Human Rights Council and UN General Assembly. At the 57th session of the Human Rights Council, Ireland led a joint statement with the core group on Reprisals and coordinated the EU position during negotiations on the resolution on HRDs at the 79th session of the UN General Assembly. Since 2013, Ireland has been leading a cross-regional core group at the Human Rights Council (HRC) on a resolution on the creation and maintenance of Civil Society Space. This resolution addressed the issue of civil society space as a human rights concern at the HRC for the first time, and has been presented biennially ever since. The most recent resolution was presented at HRC53 (June/July 2023) and was adopted by consensus.

58. Organisation of financial support for civil society organisations and human rights defenders (e.g. framework to ensure access to funding, and for financial viability, taxation/incentive/donation systems, measures to ensure a fair distribution of funding)

Review of the 1997 Electoral Act

The Government asked the recently-established Electoral Commission to conduct a review of the 1997 Electoral Act, which includes a detailed examination of the legal obstacles related to access to funding for civil society organisations.

The Electoral Commission, in its published Research Programme, has indicated that this review is a priority project for 2025 and work is well underway. Civil society groups have made submissions on the funding issue and the review will see further engagement with the organisations to identify potential solutions to the challenge. A report with recommendations is expected to be published in the first half of 2025.

E. Initiatives to foster a rule of law culture

59. Measures to foster a rule of law culture (e.g. debates in national parliaments on the rule of law, public information campaigns on rule of law issues, contributions from civil society, education initiatives, etc.)

Please see material from Ireland's 2024 response on this question in relation to the importance attached to upholding the Rule of Law as contained and referenced in the Government of Ireland's [Programme for Government](#), the Department of Foreign Affairs' (DFA) [Statement of Strategy 2023-2025](#) and Ireland's continued engagement with the rule of law file at the EU level, including at the General Affairs Council and in this Rule of Law reporting process.

In addition to the above, last year, the Department of Foreign Affairs established the EU Enlargement and European Fundamental Values (EEFV) Fund which supports the implementation of eligible projects and activities in EU Member States, EU candidate countries and through the Council of Europe (CoE). The objective of the EEFV Fund is to both i) support activities which assist candidate countries to prepare for their accession and membership of the EU; and ii) support the promotion and/or protection of European fundamental values, including the rule of law, through the CoE, in EU Member States or EU candidate countries.

In 2024, the Department of Foreign Affairs also organised a visibility project to both commemorate the 75th Anniversary of the CoE and promote the importance of the values of the Council of Europe, including support for the Rule of Law, for Ireland. As part of this project, the Department of Foreign Affairs organised a three-day educational visit to both Dublin and the Council of Europe in Strasbourg, which 32 law students from across the island of Ireland participated in. During the visit, students held meetings with various senior DFA and Council of Europe officials, which focussed on the importance of upholding Rule of Law standards and the work of the CoE. This educational visit presented an excellent

opportunity for Irish students to gain a better understanding of the rule of law as a core value of the CoE, the EU and Ireland.

The Planning and Development Act and Rule of Law

The Planning and Development Act 2024 was enacted on 17 October 2024. The Bill was underpinned by a 15-month review led by the Attorney General, informed by dozens of key stakeholder voices in the planning arena; subject to an extensive three month pre-legislative scrutiny process and has been discussed for over 175 hours in the Dáil and Seanad. The Bill was reviewed and amended to ensure that it robustly aligns with our European and environmental obligations while also protecting public participation, which is a hallmark of our planning system.

It is important to note that Ireland has one of the most open and participative planning systems in Europe with significant opportunity, even for third parties, to engage with the planning process. All the rights contained in the Planning and Development Act 2000 are maintained in the Planning and Development Act 2024 whilst improvements to the planning judicial review processes will improve access to justice and lower costs, which can be prohibitively expensive.

Rule of Law Examples

The Act provides that both the National Planning Framework and National Planning Statements are subject to Government approval. Certain secondary legislation require Oireachtas approval before it can be made.

Development Plans and planning applications are subject to public observation and submissions.

Part 9 of the Act includes updated procedures for Judicial Review and can be as:

- Improvements to processes, which either have the potential to speed up or cut costs on planning judicial review;
- Clarification of language and parameters regarding standing; which both remove ambiguity; improve transparency in the system, whilst protecting rights defined in European law;
- Reduction of costs, both to the State and applicants, through the introduction of a Scale of Fees and the availability of an Environmental Legal Costs Financial Assistance Mechanism, which protects applicants from prohibitively expensive costs.

Higher Education

Fostering a rule of law culture entails, at a minimum, creating and supporting the cultural and social conditions in which the rule of law is respected and promulgated. Where these cultural and societal conditions exist, citizens have the knowledge and skills to identify, prevent and resolve moral, ethical and legal dilemmas. Ireland's higher education and tertiary education sectors are critical components in this regard.

Higher education plays a critical role in driving social mobility and civic engagement, with Higher Education Authority (HEA) reports indicating graduates of higher education tend to have a higher level of trust in public institutions; are more likely to vote; and have a greater responsibility towards social justice. The tertiary system also plays a vital role in our national life. It offers ladders of opportunity to everyone. By supporting the acquisition of knowledge and skills in Ireland's higher education and tertiary education sectors, we contribute to creating an inclusive society for sustainable development and effective, accountable and inclusive institutions at all levels (in line with UN SDG 16).

The following measures are relevant in this regard:

1. The National Access Plan 2022-2028 aims to ensure that the higher education student body, at all levels and across all programmes, reflects the diversity and social mix of Ireland's population. The need to ensure the availability of appropriate accommodation for students works towards the same end and, for the first time, the State has invested in student accommodation. Such inclusive policies and practices provide students with the opportunity to experience the rule of law at first hand. They create enabling environments that support the acquisition among students of behaviours which are important to the rule of law such as an appreciation and respect for diversity, a sense of belonging and a willingness to take action.
2. The reform of the National Skills Council (NSC) is also relevant. The reform essentially consists of (i) advancing a NSC with reconfigured membership, to act as a platform for strategic engagement with industry, enterprise community and other non-governmental stakeholders, to include representatives of civil society and (ii) establishing a High-Level Skills Implementation Group (HLSIG), intended to deliver the whole-of-government and whole-of-tertiary engagement on national skills policy and delivery, as recommended by the OECD. The HLSIG, chaired by the Department of Further and Higher Education, Research, Innovation and Science (DFHERIS), will have a lead role in driving the strategic coordination of skills priorities across the skills system. The work of the reformed National Skills Council and HLSIG will support a skills ecosystem which encourages the development of ethically responsible and engaged citizens, and underpins a cohesive society as well as a successful economy.

Department of Agriculture Food and the Marine (DAFM) Antifraud & Conflict of Interest Working Group

This internal working group was launched in DAFM in September 2023 with the aim to protect and ensure the sound financial management of EU funds, to harmonise the approach across paying divisions when dealing with matters relating to fraud and conflict of interest and to align national and Department policy with EU obligations. The group meets quarterly and also reports at DAFM's Risk Committee meetings.

The working group also has three subgroups, details as follows:

Anti-fraud subgroup

This group examines and discusses fraud and/or potential fraud cases related to EU funding and how best to manage and follow-up on the cases.

Conflict of Interest subgroup

The focus of this group is to develop a best practice guide for managing and mitigating Conflict of Interest for use across the department. The group is also examining how to address non-compliances and non-declarations by individual employees and how sanctions may be implemented.

ARACHNE subgroup

ARACHNE is a data-mining tool used to detect fraud provided by the EC and it is compulsory that all Member States must use this, or a similar data-mining tool by the end of 2027.

The subgroup is tasked with the introduction of ARACHNE in DAFM and is currently receiving training from the EC in this regard.

Human Rights and the Rule of Law are fundamental in meeting the challenges of today's world. Human rights, good governance and the rule of law are preconditions for sustainable economic development and trade. Ireland advocates for measures to uphold and safeguard the rule of law across various international human rights fora, such as the UN Human Rights Council, Universal Periodic Review and the UN General Assembly. Ireland consistently raises issues relating to the rule of law in interactive dialogues at the Human Rights Council and frequently refers to the rule of law in the recommendations it makes to Member States during the Universal Periodic Review process.

Ireland holds membership and continues to engage with the **Team Europe Democracy Initiative**, which aims to deliver concrete and transformational results of democratic progress for partner countries. This was launched by the European Commission and EU Member States on 22 November 2021 and focuses on three areas: accountability and the rule of law, political and civic participation and media and digital.

Through membership of the **Media Freedom Coalition** and the **Freedom Online Coalition**, Ireland regularly joins statements and actions standing up for fundamental freedoms and rules-based, democratic and digitally inclusive environments, both online and offline, to strengthen democracy and human rights worldwide and foster a rule of law culture.

Further, strengthening the rule of law is at the heart of Ireland's development cooperation and underpins our efforts to deliver transformative change. Ireland's long-standing support of Irish Rule of Law International (IRLI) is a strong example in this regard. Over the past twelve months, IRLI has organised successful country visits and training to Ireland from the Chief Justices of Zambia, Tanzania and Malawi, during which the many strong legal and rule of law links between Ireland and Africa were highlighted.

The Department of Foreign Affairs, through its Global Citizenship Education (GCE) Strategy 2021-2025, seeks to build a broader sense of GCE in Ireland, encouraging the public to engage with, learn about and take action on issues such as climate change, hunger, peace, global inequality and injustice, as well as increasing understanding and awareness of how Irish Aid addresses these issues on their behalf. DFA

works throughout Ireland in formal, non-formal and informal education settings working with educational institutions, NGOs, volunteer organisations and other Government Departments and agencies. Human rights and the rule of law are key components of GCE. Whilst none of our partners work solely on initiatives to foster a rule of law culture, many do have aspects of their programme that would relate to such initiatives. These include our strategic partners IDEA, STAND, Ubuntu and 80:20 and annual grants partners such as Akidwa, Afri and Financial Justice Ireland. A mid-term review of the GCE Strategy was completed in 2024.

Throughout 2024, the issue of the rule of law was raised during several debates on proposed legislation in both Houses (Dail and Seanad) of the Irish Parliament (the Oireachtas). The importance of upholding and adhering to the rule of law was referenced during parliamentary debates on the: Criminal Justice (Hate Offences) Act 2024; Criminal Justice (Amendment) Act 2024; Courts, Civil Law, Criminal Law and Superannuation (Miscellaneous Provisions) Act 2024; Court Proceedings (Delays) Act 2023.

Additionally, the importance of the rule of law was noted during motions on Transfer of Passenger Name Record Data; the Offences against the State (Amendment) Act 1998 and Criminal Justice (Amendment) Act 2009 and during pre-legislative scrutiny of the Proceeds of Crime (Amendment) Bill 2024 & Garda Síochána (Recording Devices) (Amendment) Bill 2024.

F. Other

60. Any other significant developments since January 2024 falling under the type of information outlined in section IV.

The Local Government (Mayor of Limerick) and Miscellaneous Provisions Act 2024 was enacted in March 2024. The Act provides for the establishment of the office of Ireland's first directly elected mayor with executive functions in Limerick City and County Council. The first Mayor of Limerick was elected and took up office in June 2024.

A review of local authority Strategic Policy Committees (SPCs) was completed in 2024. (SPCs are composed of local authority elected members and representatives of local sectoral interests, and provide relevant expertise and advice and allow for a range of inputs in the formulation of policy at local level). The purpose of the review was to evaluate the operation of SPCs with a view to enhancing the effectiveness of the operation, role and impact of SPCs; further strengthening and empowering elected members of local authorities in their policy-making role; and, ensuring that communities and all stakeholders have appropriate input, via SPCs, to policy-making processes at local level in an inclusive and facilitative manner. The review made a number of administrative, operational and strategic recommendations which were in turn reflected in revised SPC guidelines issued in June 2024.

The report of the review of may be found here: <https://assets.gov.ie/294950/a66c859c-4f19-4ea0-a7ec-dc39c8b8b0a9.pdf>

The revised SPC guidelines are accessible here: <https://assets.gov.ie/295514/6fbf6f8b-00ab-446c-b5ef-c4dee7e3d6e4.pdf>

National Traveller and Roma Inclusion Strategy II 2024 -2028 (NTRISII)

The National Traveller and Roma Inclusion Strategy (NTRIS II) 2024 - 2028 represents a whole of Government approach to ensuring and facilitating the full inclusion and active participation of the Traveller and Roma communities in Ireland's social, economic, cultural, and political life. Its vision is of a safe, fair, and inclusive Ireland where Travellers and Roma are supported to lead inclusive, healthy, and fulfilling lives.

The new Strategy, along with its first 2-year Action Plan for 2024 – 2026, were approved by the outgoing Government and announced by the then Minister for Children, Equality, Disability, Integration and Youth, Roderic O'Gorman T.D., on 31 July 2024.

Oversight of the new Strategy will be provided by the NTRIS II Steering Committee, which will be chaired by the relevant Minister. A number of subcommittees will focus on specific areas, including education and employment.

NTRIS II sets out implementation structures and monitoring systems to oversee the delivery of its associated Action Plan and to ensure clarity and accountability for the delivery of actions. Each of the Strategy's nine themes are accompanied by strategic outcomes, actions and key performance indicators.

National LGBTIQ+ Inclusion Strategy II 2024 – 2028 (NLIS II)

In October 2024, the Irish Government approved publication of the second National LGBTIQ+ Inclusion Strategy II 2024–2028 (NLIS II), a number of initial first phase actions, together with the development and implementation of further actions, for the period 2024 to 2026 [through Action Plan 2024–2026], in collaboration with Government Departments, consistent with the Strategy.

The National LGBTIQ+ Inclusion Strategy 2024-2028 II builds on Ireland's LGBTI+ National Youth Strategy (2018-2020), the first of its kind worldwide and the National LGBTI+ Inclusion Strategy (2019-2021). The National LGBTIQ+ Inclusion Strategy II (NLIS II) has been developed with reflections and learnings from the implementation of both its predecessor strategies.

The new whole of life-cycle Strategy has been developed following a robust consultation process with LGBTIQ+ people, organisations representing the views of the LGBTIQ+ community and with Government Departments and State Agencies. The National LGBTIQ+ Inclusion Strategy 2024-2028 II is structured according to four key Pillars – Safety, Health and Wellbeing, Participation and Inclusion, and Equality and Non-Discrimination.

The successor National LGBTIQ+ Inclusion Strategy reflects a whole of Government commitment to fostering a safe, fair, and inclusive society for the LGBTIQ+ community; a society in which LGBTIQ+ people can live inclusive, healthy, and fulfilling lives.

National Action Plan Against Racism (NAPAR) 2023-2027

In July 2024, the Minister of State for Community Development, Integration and Charities announced the appointment of Dr Ebon Joseph as Special Rapporteur on Racism and Racial Equality. In her role as Special Rapporteur, Dr Joseph will monitor progress towards the objectives of the National Action Plan

Against Racism (NAPAR). The Special Rapporteur may also consider matters pertaining to racial equality more broadly, and has the authority to request information and data from public bodies to support them in carrying out the role. The Special Rapporteur will make an annual report to the Minister; this report will also be submitted to the relevant Oireachtas Committee.

Also in July 2024, the Minister announced the establishment of the Advisory Committee on Racism and Racial Equality, with membership from a cross section of society. This Committee is tasked with monitoring and helping to progress the implementation of the National Action Plan Against Racism (NAPAR) 2023-2027.