

Follow up questions – Ireland’s Country Visit

Question: From our previous exchanges, we understood that the statutory review of the Protected Disclosures Act would start in 2026, with a public consultation scheduled in 2026 to gather evidence on whistleblower experience.

When reviewing the draft country chapter, may we ask you to verify that the time schedule we included is updated?

Based on public available information, it seems that the statutory review of the Protected Disclosures Act would start in 2027, but it is unclear to us when the public consultation would be launched: [Protected Disclosures – Thursday, 29 May 2025 – Parliamentary Questions \(34th Dáil\) – Houses of the Oireachtas](#)

Section 2A of the Protected Disclosures Act states that:

“The Minister shall –

- (a) not later than the end of the period of 5 years beginning on the date of the passing of the Protected Disclosures (Amendment) Act 2022 commence a review of the operation of this Act and*
- (b) not more than 12 months after the end of the period referred to in paragraph (a) make a report to each of the Houses of the Oireachtas of the findings made on the review and the conclusions drawn from those findings.”*

This section of the Act ensures that a review is commenced in July 2027 at the latest, however, the Act does not preclude the Minister from commencing a review before the end of the 5-year period.

Minister Chambers confirmed the following during priority questions debated on Thurs 11 December 2025:

“As Minister, I am obligated to commence a statutory review of the Act no later than five years after the date of enactment, which is July 2027. That review must be completed and a report made to the Oireachtas no later than July 2028. I will arrange for the review to commence in advance of 2027 and for a public consultation to take place during 2026.”

[Ceisteanna ar Sonraíodh Uain Dóibh - Priority Questions – Dáil Éireann \(34th Dáil\) – Thursday, 11 Dec 2025 – Houses of the Oireachtas](#)

The above parliamentary question is the latest question relating to the statutory review of the Protected Disclosures Act 2014 (as amended in 2022) and reflects the decision to commence the review in 2026 with a public consultation to take place by the end of 2026.

Question: As regards whistleblowers, in your previous submission of 23 January 2025, you informed us that “ *This information was collated and published by the Minister for Public Expenditure, Infrastructure Public Service Reform and Digitalisation for the first time in January 2025. The second annual report detailing the number of protected disclosures received in 2024 is due to be published in early 2026. While the data for 2024 is yet to be published approximately 1500 internal and external reports were received by public bodies in 2024. 200 of this total were internal reports and approximately 900 reports were deemed to require further follow up*”.

However, in accordance with Article 27(2) of the Whistleblower Directive, Member States need to submit yearly statistics. DG JUST circulated a questionnaire for that purpose.

In that framework, Ireland provided the figures for 2025 (see attached document). As regards the number of disclosures, we were wondering if we could use the figure transmitted by the Department of Public Expenditure, Infrastructure, Public Service Reform and Digitalisation for 2025 (i.e. 1802 reports of breaches falling within the scope of the national legislation transposing the Directive were received by the competent authorities in your country in the 2005). Indeed, those figure are more recent. Could you let us know if you would agree to use that figure?

In relation to the follow-up question from the Commission, please see set out below the most recent figures for protected disclosures received in 2025.

- The total number of reports received in 2025 was 2,038
- Of these 1,802 were external reports and 236 were internal reports
- In total 1,122 reports were assessed as warranting further follow up

Question: Could you share with us an update on the work of the MEG, in particular the total number of incidents reported in 2025 and criminal investigations opened?

9 referrals were received through the Media Engagement Group (MEG) reporting process for 2025.

3 of these referrals warranted further engagement from An Garda Síochána, liaising with the reporting individual, however no criminal complaint was formally made in these incidents. In addition, the services of the local Crime Prevention Officer offering personal security advice was availed of in these 3 incidents.

The Garda National Crime Prevention Unit conducted 3 in person safety briefings in 2025 to media organisations and employees in 2025.

By way of further information that may be of benefit, a MEG referral received in 2023 that resulted in a Garda criminal investigation concluded in June 2025 with the significant conviction of offender Mr Mark McAnaw for the harassment of three female journalists ([Link Here](#)).

Question: During the Country visit, we understood that efforts to initiate a certain digitalisation of asset declarations are being considered within the current framework and without new legislation, decoupling such process from the Ethics framework review. While reference was made to the Digital public services plan – 2030, this later does not make an express reference to such process . We would hence appreciate more information on whether there is any (draft) decision which expressly provides for the digitalisation of asset declarations under the current framework (e.g. , drafts decisions or written proposals on this, implementation measures covering this, a mandate /instruction given to SIPO, ...).

In the absence of broad legislative reform, the current statutory framework (the Ethics in Public Office Act 1995 and the Standards in Public Office Act 2001 – ‘the Ethics Acts’) sets the context for any initiative on digitalisation contemplated. The Ethics Acts are clear on how the form of the annual statements of interests required of the members of the legislature is to be determined: Section 5 of the 1995 Act provides that this must be a statement in writing, in such form as may be determined

by the Clerk (i.e. the most senior administrative official) of each House, after consultation with the Committee on Members Interests of the relevant House and the Standards in Public Office Commission. While the Minister has no direct role here, we would propose, in the first instance, that he or his Department, as appropriate, will write to these actors, drawing attention to Government policy on digitalisation (i.e. the Digital public services plan – 2030) and requesting that concrete steps are taken to advance digitalisation of the process as far as the statutory framework allows, while proposing the support of public service process design expertise that is available within his Department.

Question: You propose that the Minister (or his Department) will write to the relevant actors. As an update to this, you might let us know if this proposal has been submitted to the Minister. If so, do you envisage that he or his department might send the communication to the relevant actors in the short term or is there any indicative timeline? In any case, we would be glad if you could keep us informed as to progress in this regard)

We are still examining the most appropriate way for the Minister to support and encourage digitalisation agenda for asset declarations, including the communication referred to, while taking account also of the autonomy of key actors under the statutory framework. A timeline has not been fixed yet but we will keep you aware of any developments.

2026 Rule of Law Report Country Visit – 11 February 2026

Question: *As indicated in the 2024 Rule of Law Report, the Government also launched a new Open Data Strategy to foster access to data held by public bodies. Could you elaborate further on this and share developments, initiatives or measures that you have taken or plan to take under the Strategy? Are you in particular considering new or more targeted measures to improve access to information for media professionals?*

Response: Ireland's National Open Data Strategy 2023–2027 provides the strategic framework for improving the availability, quality and reuse of public sector information.

Since its adoption, Ireland has advanced several measures to strengthen Open Data governance, enhance technical and advisory supports, and ensure consistent compliance with the EU Open Data Directive. Ireland has continued to perform strongly in the EU Open Data Maturity Assessment, ranking fifth overall in 2025 with a maturity score of 96%, reflecting sustained cross-government commitment to transparency, data quality and evidence-informed policymaking. Practical supports for public bodies have been expanded to promote the publication of high-value datasets.

The national Open Data Portal, data.gov.ie, has continued to grow and now hosts more than 21,000 datasets from 142 public service publishers, supported by ongoing enhancements to its functionality and guidance materials. Open Data also remains embedded within the Government's Better Public Services 2030 reform programme as a key enabler of openness, innovation and improved service delivery. Looking ahead, Ireland will continue to coordinate cross-government implementation of the Strategy, support increased reuse of Open Data and ensure alignment with evolving EU frameworks.

Question: *Are you in particular considering new or more targeted measures to improve access to information for media professionals?*

Response: Ireland is taking targeted measures to enhance media professionals' access to information through new initiatives led by **Coimisiún na Meán (CnaM)**, the State's independent regulator for broadcasting, on-demand audiovisual services and online safety. In operating the recently established Local Democracy Reporting Scheme, the Courts Reporting Scheme and related ancillary measures, CnaM has introduced Ireland's first Journalism Scheme Data Portal to ensure that all journalism content funded through public schemes is freely accessible within seven days of publication. The portal provides an organised, searchable repository of curated links to the original publisher-hosted articles, with clear descriptors to enable filtering by scheme, publisher, region and date, as well as free-text search to support the specific information needs of media professionals. It also transparently flags articles that have been amended post-publication and sets out clear terms and conditions for third-party reuse, including a registration mechanism for those intending to reuse the content. This approach improves timely and equitable access to publicly funded journalism, strengthens accountability for the use of public funds, and provides a practical, archive-ready model that supports media professionals in discovering, verifying and reusing high-quality local and courts reporting.

Question: *Although not focused on anti-corruption, we understand that the Department of Public Expenditure, NDP Delivery and Reform is currently working on the Public Service Data Strategy 2026-2030. Could you further explain if that strategy may also enhance transparency, accountability and ethics? If so, how? What is the timeline for the adoption of that strategy? Will it be applicable to all Ministries?*

Response:

- Ireland's next Public Service Data Strategy is at an advanced stage of development and is due to be published in the first half of 2026
- Better Public Services 2030 is the transformation strategy for civil and public services and provides the framework for the Department's public service reform and digitalisation focus for the years ahead. This includes setting digitalisation and data policy for modernised service delivery and providing key features of the digital public service infrastructure that are relevant to the integrated and digital delivery of public services, driving the adoption of Artificial Intelligence, and ensuring digital inclusion.
- The Public Service Data strategy is being developed by DPER within this Better Public Services context and is applicable to all public and civil service bodies.
- The extensive research, analysis and stakeholder engagement carried out to develop the strategy has identified three key transformation areas to deliver the vision of an integrated, data-driven public service, where high-quality data routinely informs policy, service planning and delivery to achieve better public services outcomes for all. The three areas are:
 - Collecting, Discovering, Linking and Accessing Data
 - Creating Value from Data
 - Maintaining Public Trust

- The Maintaining Public Trust Transformation Area has a set of key objectives and associated commitments. The current draft objectives are:
 - Data will be used to drive delivery for public services
 - Public service bodies will engage with the public on important issues relating to data use
 - Public confidence in how data is safeguarded and used will be built and strengthened
 - Clear safeguards will be maintained and developed to ensure privacy and security of public data
- The specific commitments under each of the objectives are currently being refined and are subject to further stakeholder engagement.
- A set of guiding principles has also been developed which current includes “Responsible Use and GDPR Compliance” and “Transparency and Ethical Data Practices”
- The Data Governance Board was established in 2021 under the Data Sharing and Governance Act 2019. The establishment of the Board marked a significant step forward in the transparency and governance of data across the public service. The Data Governance Board played a crucial role in delivering the Public Service Data Strategy 2019-2023, which placed a strong focus on data governance as a means of strengthening trust in voluntary data sharing. This has greatly enhanced the Public Service’s reputation as a highly trust custodian of public data, as is evidenced by the feedback received from public bodies, peer nations, and the OECD. The new strategy will continue to build on this work.

Question: *On whistleblowers: Could you give us some insights/updates on the cooperation with Transparency International through the “Speak Up” helpline for whistleblowers? Do you face any issues in the implementation of the Protected Disclosures (Amendment) Act 2022, transposing the Whistleblower’s Protection Directive? What are your views on the 2025 survey by Transparency International Ireland (TII) that found that 37.5% of whistleblowers reported retaliation? Did you engage in a dialogue with TII on this? Are you considering adopting any review/measure to better understand/ tackle this issue?*

Ireland continues to maintain a constructive and effective partnership with Transparency International Ireland (TII) in respect of the *Speak Up* Helpline and the Transparency Legal Advice Centre (TLAC). These services form an important part of the national whistleblowing framework, providing confidential information, specialist guidance, and free legal advice to individuals considering whether and how to report wrongdoing.

Since its establishment in 2011, the *Speak Up* Helpline has supported over 3,000 individuals, including 2,150 unique cases between 2016 and 2024, with 232 people referred onward to TLAC for specialist legal advice during that period. Volumes have risen in recent years, reflecting increased awareness and the expanded protections introduced under the *Protected Disclosures (Amendment) Act 2022*.

The Department values the independence and expertise of these services, particularly given the inherent complexity of the Protected Disclosures framework.

The 2022 Act represents a significant and wide-ranging reform, introducing new obligations for employers, expanding the scope of protected workers, and establishing the Office of the Protected Disclosures Commissioner (OPDC). Implementation across the public sector continues to progress effectively. While the system is complex, as acknowledged in reporting by TII and in our own annual reporting, no systemic implementation barriers have been identified.

The Department acknowledges the findings presented in TII's 2025 survey which indicate that 37.5% of respondents who reported wrongdoing experienced some form of retaliation. Any level of retaliation is unacceptable. Although broadly comparable with international experience, including jurisdictions with longer-established regimes, the figure remains a matter of concern.

Further context provided by TII indicates that the number of workers who have reported wrongdoing over the course of their careers may be larger than previously estimated. Based on recent Central Statistics Office (CSO) workforce data and longitudinal Integrity at Work (IAW) survey responses, TII estimates that approximately 280,000 workers in Ireland (around 10% of the workforce) have reported workplace wrongdoing at some point. Of these, around 40% reported negative consequences. While this equates to a significant number of individuals, the Department notes TII's point that only a very small proportion of such cases ever proceed to court, and that many forms of detriment are informal or do not resemble the high-profile cases often seen in the media.

We are aware of research from counterparts in the UK and elsewhere categorising reprisal into dismissal, formal disciplinary action, informal workplace hostility, and deliberate obstruction. While international studies show varying levels and forms of detriment, the overall pattern is consistent: the risk of penalisation increases where concerns are not effectively addressed at the earliest opportunity.

Indeed, TII's own longitudinal helpline data indicates that the proportion of Irish whistleblowers reporting retaliation has declined from 48% (2011–2015) to 34% (2016–2024), which is a positive development, though still too high. Comparable international research, including recent NAVEX global benchmarking, suggests increases in reported retaliation rates across the EU in recent years. Similar trends were observed in the United States after the introduction of federal whistleblower protections in 1989, where stronger protections initially correlated with increased reporting of reprisals.

Of particular relevance is TII's finding that workers are 20% less likely to suffer negative consequences when they have access to independent external legal advice, such as that provided by TLAC. Ireland is one of the few EU Member States meeting the voluntary standard set out in Article 20 of the Directive, by providing both free legal advice and free psychological support to reporting persons. Through the Helpline and TLAC alone, more than €2 million worth of free legal advice has now been provided to workers. This ensures individuals can make informed, lawful disclosures and reduces the likelihood of both retaliation and procedural errors that may otherwise arise.

The Department engages regularly with TII on matters emerging from the Helpline, TLAC, and the Integrity at Work programme. As part of the statutory review of the *Protected Disclosures Act*, to be conducted this year, the Department will launch a public consultation to gather further evidence on

whistleblower experience, including retaliation, workplace culture, and the effectiveness of support mechanisms. These findings will inform future policy measures aimed at reducing incidents of detriment and strengthening protections across all sectors.

Question: *In its 2024 report, the Office of the Protected Disclosures Commissioner (OPDC), described the statutory deadlines for acknowledging and transmitting disclosures (7 and 14 calendar days) as unrealistic, encouraging technical objections rather than meaningful follow-up. Are there discussions/ plans to review these statutory timelines?*

The statutory requirement to acknowledge receipt of a protected disclosure within seven days derives directly from Article 9(1)(b) of *Directive (EU) 2019/1937*. Ireland has transposed this obligation faithfully, and the seven-day timeframe is therefore not a matter over which the State has discretion.

With regard to the subsequent transmission of disclosures, the Department notes the comments made by the Office of the Protected Disclosures Commissioner (OPDC) concerning the practical challenges associated with the current statutory timeline of 14 days. It is important to emphasise that the Directive itself does not prescribe a 14-day deadline. Instead, Article 11(2)(f) provides that competent authorities must:

“transmit in due time the information contained in the report to competent institutions, bodies, offices or agencies of the Union, as appropriate, for further investigation, where provided for under Union or national law.”

Ireland has transposed this requirement as closely as possible to the Directive’s intent, adopting a clear statutory timeline in order to provide certainty for both reporting persons and receiving authorities. This approach ensures swift action and responsiveness, while maintaining full fidelity to the Directive’s requirements.

The Department recognises, however, that the OPDC has characterised the timeframes as operationally challenging and potentially conducive to technical objections rather than substantive engagement. These observations will be carefully considered as part of the upcoming statutory review of the *Protected Disclosures (Amended) Act 2022*, during which the Department will examine whether administrative processes or guidance can be improved to better support compliance.

Any potential amendment to statutory timeframes would require consistency with the Directive, as well as engagement with the European Commission, given that Ireland has already implemented the Directive in a manner designed to closely reflect its wording and objectives.