

Good morning. My name is Jeff Rudd from Drogheda, Co Louth. I am accompanied by Damien Fagan. We would like to thank the committee for the invitation to speak here today and the public that have called for us to be speak.

For the past several years we have conducted an investigation into JobPath. The vast majority of citizens that have sought our help, comes from all levels of job skills and have worked for years, if not decades. You will find many examples of this in the victim statement reports supplied.

The JobPath's System

As it is outlined in our two separate submissions, due to the IMF & EU agreement, any state response to unemployment and long-term unemployment is restricted due to contractual terms, which won't be lifted until the full recovery of the funds and interest of Ireland's bailout program. This currently amounts to 42,000 euro, from every man woman and child.

Purposes.

Government and departments claim – QUOTE: “the purpose of JobPath is an approach to employment activation which caters mainly for the people who are long-term unemployed (over 12 months), to assist them in securing and sustaining full-time paid employment or self-employment.”

However, there is other agendas, which the Department of S.P. won't explain,

These are:

- To honour the IMF and EU agreement.
- To reduce long term unemployed supports cost for the Department of S.P.
- To reduce the costs and staff that is needed to support long term unemployed in receipt of payment from the Department.

One should question which takes highest priority.

JobPath Timeline.

As you can find in both our written submissions, the full setup history of the JobPath programmed is outlined. For example;

- Tuesday the 11th of February 2014. Turas Nua Limited, a joint venture between FRS Recruitment and Working Links, was set up.
- On Tuesday the 28th of October 2014 Seetec Employment and Skills Ireland Designated Activity Company was set up in Ireland.

As this was happening, both Seetec Business Technology Centre Ltd and one part of Turas Nua, Working Links, were under investigation by the English Government Commons Public Accounts Committee for claims that the named companies are committing fraud and for the heavy use of sanctions, as revealed three UK whistleblowers.

Data.

Under previous Irish Water legislation, people's personal data became legal classified as an "asset". In the 2017 JobPath highcourt case, the judge determined that the JobPath companies are not by legislation operating a "public service".

These two points are very important.

A business that is not operating an official "public function" are not equally legal covered under the 2005 or 2010 Amended Social Welfare Acts or accountable to the National Ombudsman. Therefore, the companies have no legal right in demanding people's private details.

When the public try to retain their legal rights over their personal data – their legal "asset" – they are then accused of "not engaging" They are trying to hold onto something they own, their personal data. However, others are demanding it, often with menaces.

Random selection.

People are told they have been randomly selected for JobPath. This is wrong. The 2013 JobPath tender exposes citizens are silently targeted through a PEX state assessment process. The state has put this on record as you will see in the submitted UP 158 page JobPath report. It is at this stage that of the JobPath

programme that the data of a person is transferred to the companies without the consent of the individual the data refers to.

Under GDPR the state has further become a data processor, not just a storage keeper. The importance of this is also not explained to newly enrolled citizens.

The advisor, a private company employee, begins asking questions about the person. The answers are saved to a server (again legal important) that help make up a PPP. Being more uninformed, they are now giving away a legal asset they own.

This is a form of legal possession consent, given away by citizen being deliberately kept in the dark.

Personal Progression Plan or (PPP)

Personal Progression Plan (PPP) is defined in the 2013 JobPath tender document - page 137. It states “This is the plan developed by the Personal Adviser with the client, whose aim is to provide a clear route/plan for the client to enter/re-enter employment.”

In the same document, information that is required to develop a PPP can be found on page 33, section ‘JobPath Services’, 3.2.2”

The Personal Progression Plan (PPP) given by the private companies, is a general power of attorney contract. Clients are not informed of this legal aspect either. A general power of attorney contract is defined by the Department's own publication in "Guide to Safeguarding your Money Now and in the Future, page 8, General power of attorney", which has been provided.

The contractual terms for this general power of attorney PPP are the following

- Failure to comply with the companies “Job Search” conditions and targets may lead to sanctions.
- Full access to all employment records, from past and future employers of that person.
- Failure to providing personal information regarding that person and close immediate family including financial situations, may lead to prosecution.

These contractual terms are not defined or even a requirement of the creation of PPP, in the 2013 JobPath tender document.

Privatisation.

The greatest frustration people have about privatisation of public services for companies seeking personal profit, is that when such privatisation occurs, the affect of this is the needs of the people are overlooked and greater ignored, for the wants of the companies operating such services. There is a number of victims statements supplied that bear this out.

Companies.

The two private companies, Seetec and Turas Nua, were contracted to deliver JobPath based on their existing abilities, experience and contacts. Since the beginning both Seetec and Turas Nua have further subcontracted the JobPath program out to additional companies. Seetec subcontracted to Personal Network and People first and Turas Nua subcontracted to Working Links. All are in current operation today.

Sanctions.

There is a business practice by private companies, that believes that the use of sanctions on the public that uses public services, to be the most effective method of savings. This practice was adopted from a previous UK model, Irish Water model and the incoming Waste Management Act. Please refer to the supplied document PCS document - (SAN0161) 300115 .

In this document it outlines the adopted JobPath protocols, placed not only on the public but on the staff that are to enforce these protocols.

In an additional Request For Tenders (RFT) document provided, instructions are provided on how to get an application of sanctions applied to a person. Translated, this means the word of the companies is taken over the word of citizens that's referred for sanctions. The Oireachtas Research and Library Report 2015 highlights this problem.

Safeguards.

The Department has stated that, in the designing of the JobPath program, safeguards were put in place to prevent malpractices. We each ask what safeguards! There are no safeguards to prevent the companies from forcing unmeetable targets or meetings on the person, to justify referral for sanctions.

The worst part about having no safeguards is that when a referral for sanctions is made, the Department does no investigation into the grounds for that referral. When a meeting is called, it is conducted in a disciplinary procedure manner and not a grievance matter to resolve. In the document “Visual Presentation On Behalf Of The Public” we further expand upon this issue.

Currently the appeals office provides no safeguards against further sanctions being applied. Another safeguard that was meant to be in place, has failed, as you will discover in Damien’s submission.

Problems of Social Welfare Act.

One of the fundamental flaws is a created loophole that allows the Department of S.P. to override the natural flow of justice as defined in our constitution. This is outlined in detail within with documents provided by Damien and myself.

This loophole in the Social Welfare Acts allows the department and companies to operate in a guilty until proven innocent system. The operation of a guilty until proven innocent system is unlawful, unconstitutional and breaks international law and a human rights treaty signed by Ireland. It is the belief of Irish citizens that a person is entitled to a fair hearing. The Social Welfare Act in official interpretation and subsequent action, contracts this.

Money

By signing a PPP, the private companies do profit. €557.70 per signature. €60+ Million Euro just for signatures alone has been paid out. No actual service provided with new clients yet.

Based on the Controller and Auditor General’s report, chapter 12, 2017, between July 2015 to the end of December 2017 the JobPath program costed 83.8 million,

which breaks down to 50.9 million for PPP signatures and 32.9 million in job sustainment fees.

The 50.9 million for registration fees, which since then has substantially increased, is made up of just one type of payment which is received from the signing of the PPP and no services provided. This payment is only meant to be 10 to 15 percent of the overall JobPath cost. The 32.9 million in job sustainment fees is made up of 4 payments for the supports given to keep people in employment for 13, 26, 39 and 52 weeks.

Translated: the Department has spent more money for companies doing nothing in a single payment than 4 separate payments combined, for actual services they are meant to be providing to the people. Therefore, the argument has to be made on behalf of the Irish taxpayer, if it's costing 32.9 million to support a person into sustained employment, why are we spending over 50.9 million on nothing – for signatures alone!

Fraudulent Behavior.

The way the JobPath operation is being carried out, the indication is that substantial fraudulent behavior is occurring on a regular basis, in full knowledge and encouragement of the Department of S.P.

- The programme is meant to be for 30 hours per week of employment. The companies are only required to assist for 30 hours over four weeks. This allows the companies to retain the citizen, still receive taxpayer payments and the citizen can be yet again referred back into the programme. The submitted Victims Statement document provided today exposes a sample variety of victim's statements regarding this.
- The usage of sanctions as a saving method, is being used to repay Ireland's bailout program. When sanctions occur, the money is transferred back into central funding, where the minister of finance has already used central funding to lower Ireland's bailout program costs. It is then fair to ask if the contractual terms of the bailout program are not just terms to agree and honour but also another taxpayer method of repayment on the debt.

- The JobPath companies contracted by the department, have been hiring referred clients for JobPath staff. For this, the companies receive all JobPath payments. As each company is required to burden the cost of their own staffing for the JobPath programme, by doing so allows additional bonus payments, this is a breach of JobPath tender contract.
Translated: they are gaining two separate taxpayer payments for each single staff position. This allows the companies to control the number of payments they double receive for each single staff job. This issue is referred to in the UP JobPath 2019 report.

Criminal offences.

Another issue is that unemployed are sent out a letter stating they are “invited” to attend JobPath - then at the bottom of the letter the real message is ‘turn up or else you will financially suffer!’” Translated, pressganged by state financial threat. Many victims statements provided by myself, bears this out.

At this initial meeting they are instructed to sign the PPP. They are not told at any point that they have the legal right to decline signing a PPP (Personal Progress Plan). A private contract.

There are two main criminal offences committed by the JobPath companies that occurs when a person reserves a legal right not to enter into a private contract.

When a person is forced into a private contract under any form of threat i.e. sanctions, this is a criminal offence by the letter of the law itself. See the Non-Fatal Offences Against the Person Act, 1997 9.(1)(a)(b); "Coercion. When a person is coerced and then sanctioned, is again a criminal offence by the letter of the law itself; Criminal Justice (Theft and Fraud Offences) Act 2001 Section 4(1); "Theft". This was proven to the Court satisfaction in the Damien's highcourt case which I later assisted in.

Representation.

Today we speak for many who don't have a voice, who have been a target of bullying, coercion, intimidation, financial starvation and more, by the Department

of S.P. on the rash say of the companies. Case in point: Gerry Tobin. See supplied UP report.

Additionally, invites are told to apply for jobs – any job. In many cases, it doesn't matter if they are suited for them or not. They are ordered to apply. If they don't, more threats via the private companies are issued.

State services and those they hire are supposed to work with the citizens around their day to day requirements, including family schedules and health conditions. In JobPath reality, the opposite occurs.

Too many times people have been sanctioned or cut off for having the cheek to go to a hospital or drop their kids off at a school first, they subsequently have been unable to make a very poor assigned appointment time.

Conclusion.

As JobPath has continued, hundreds of people – possibly many thousands – have found themselves being abused, shouted at, their kids shouted at, made to feel inadequate, treated as if they were second class citizens to kick about. They have been treated harmfully. Assaults, sexual harassment. Their personal data abused. Illegal deprived of money that has left them hungry, maybe homeless, at the mercy of others and much more.

You will find documented examples of all this in what I supplied in documentation for today. In some cases, people have tried to kill themselves on JobPath property. They have cracked from physical and mental abuse they have gained - in the end so that two companies and their additional fronts can massively private profit.

This is just a simple scratch of a JobPath surface. If you delve deeper, you will find far more shocking issues. This is nothing less than ongoing mass, state sanctioned abuse.

In conclusion, why is speaking up about JobPath important and more investigating should be done?

1. The state is knowingly and unknowingly, openly and covertly, abusing current human rights, law breaking at national or international level, while further undermining the present and future rights of all - employed and unemployed - carers, parents, single individuals and more.

2. Additionally, JobPath exposes inherent flaws in our current departmental systems that allows this to happen. Again, in reality, private businesses are further profiting while a nation of citizens lose in quality of life, rights to self-determination, etc.

We have spoken victims of JobPath from all walks of life. We have heard their genuine pain, seen their distress and financial hardships due to JobPath. Many have had mental breakdowns. Some have ended up spiraling into depression which has resulted in drug taking of both legal and illegal kind. See victim statement on this.

As they have explained their current situation, they have cried, and I have cried with them.

JobPath encroaches upon the rights of every Ireland citizen. We can say without any shadow of doubt, JobPath in vast majority is not of benefit to citizens. It is however, a future inquiry in the making right now and a drain of taxpayers money.

For the last few years as our investigations continues, our families has had the patience of saints while this has gone on but all completely understand why we persist in helping many citizens wronged. It is a duty of every citizen in Ireland, not only to hold elected accountable but also their departments and programs which they oversee. How can we all not do anything less!

Thank you for allowing ourselves to come here today and speak. We look forward to any questions you may have.