

When Harry Lisney Won the Day

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This article first appeared in the December 2009 issue of The VOice (the Valuation Office's in house quarterly publication and has been adapted for The Property Valuer). It provides a colourful account of Harry Lisney's personal crusade against proposed Public Service pay cuts and his ultimate victory.



Harry Lisney was born on 25th November 1878 in Penge, England and died 18th July 1946.

Besides being the founder of the eminent property firm on St. Stephens Green, which bears his name, Harry Lisney (1878-1946) is best remembered in the folk memory of the Valuation Office for two things, the first is the “promise” made to him by General Michael Collins that when “the war is over” he would be made Commissioner of Valuation in the new State. Whether this commitment was anecdotal or not, we shall never know, as the sad turning of history at Béal Na Bláth put paid to that. Secondly, he is remembered as the Civil Servant, who in those dim and distant days, threw down the gauntlet to the Government over pay cuts and won the day.

At any time, mounting a challenge to the establishment is a brave thing to do and is usually an undertaking not lightly embarked upon, especially when the thoughts of legal fees and costs are looming large in the background and serving as a deterrent, all of which makes for a passive acceptance of the status quo as the easiest option. However, Mr. Lisney took his courage in his hands, when he challenged the Government in 1933 after it imposed several pay “cuts” just as the current

Government did in 2009. Harry Lisney was a senior District Valuer, whose memory is now called to mind in the current climate of retrenchment in the Public Service. He served in the Valuation Office for approximately 31 years from 9th June 1902 to his resignation in November, 1933. He was also an accountant and for many years after departing the VO, held a prominent position in the business life of the city. He was Chairman of the Institute of Chartered Surveyors and was the holder of the Institute's Special Rating Diploma, which was a rare distinction in his day.

The trigger for his action was the decision by the Government to impose salary reductions on civil servants without statutory authority in April 1933 and which were made in contravention of the Civil Servants (Transferred Officers) Compensation Act of 1929. This Act provided that a transferred officer was entitled to remain in the service of the Government on terms similar to those on which he held office on the date of transfer from the administration of the United Kingdom to that of the Irish Free State. The proposed legislation giving effect to the “cuts” was

contained in the Public Services (Temporary Economies) Bill, 1933 which, when enacted later in the year, had the effect of reducing public service pay, starting at 2% and going up incrementally on each £100 to 22.5% for high earners. It was notable that in 1933, the lowest paid, i.e. those not earning £300 per annum did not endure any cut, unlike the position obtaining in 2009 where a 5% reduction has been imposed on the same group.

Such was Mr. Lisney's exasperation at the Government's treatment of civil servants like himself, that on the announcement of the cuts in April, he applied to the then Commissioner, Joseph Gregg, for permission – under article 10 of the Anglo Irish Treaty – to retire from his position as District Valuer. The ground for his application was the worsening of his conditions of service due to the arbitrary decision of the Government, later endorsed by the Public Service (Temporary Economies) Act, 1933. Contemporary reports tell us that Commissioner Gregg was aghast at this proposal as he regarded Mr. Lisney as one of his most trusted lieutenants and was later to testify in his favour.

The subsequent test case was brought before the Free State Civil Service Compensation Board and while the legal arguments were laden with complexities, the case relied essentially on an application directed to the Minister for Finance, calling on him to carry out his statutory duties as provided in section 14 of the Civil Servants (Transferred Officers) Compensation Act of 1929, and pay the staff what they would have got under the British Administration. The case was long drawn out, but eventually the Compensation Board decided in Mr. Lisney's favour - a decision that was momentous since it gave reassurance to thousands of officers in all Departments whose faith in the security of their tenure had been gravely shaken and undermined by the "cuts" legislation.

The outcome of the case was that justice had been done to a large number of "transferred" civil servants who had their original salary scales renewed. If the decision of the Compensation Board had gone against them, they faced an uncertain future in the fledgling State and many were beginning to regret that they hadn't taken up their other options available in 1922, i.e. stay in the British Service and serve in London or Belfast or go into retirement. As Article 10 of the Treaty entitled

a transferred officer to retire and have 10 years added to his service for the purpose of calculating his pension rights, in the event of his position under the Free State being worsened, Mr. Lisney left the Valuation Office immediately and was followed by a large number across the civil service, who felt that the 10 year bonus was an opportunity not to be missed. The result was rather unpleasant for the exchequer in so far as the consequential payouts in pension and lump sums nullified the advantages gained by the Government through the "cuts".

Perhaps, the arbitrary fashion in which the cuts were implemented in the Spring of 1933, without the necessary back-up legislation, then in the course of preparation, proved that maybe the major party of that Government was only "slightly constitutional" after all, a claim made by one of their own luminaries, Mr. Lemass at a later stage, albeit referring to his party's entry to the Dáil under protest in 1927. As for Mr. Lisney, he went on to found his firm on St. Stephen's Green which he built up to be a leading player in the property field before his death in 1946 aged 68.

So, after three quarters of a century, let us remember a man who had the courage of his convictions and who

undertook his crusade in the knowledge that he was being unjustly treated and in the end he was proven right. His successful firm is a fitting legacy to a remarkable valuer whose contribution will not be forgotten in both the public and private sectors of the profession.

Lisney's present Managing Director and President of the Society of Chartered Surveyors, Peter Stapleton, together with the Irish Auctioneers and Valuers Institute President, Kersten Mehl will, upon a recent landmark decision by their respective organisation members, lead the merger of both the SCS and IAVI to form the Society of Chartered Surveyors Ireland (SCSI), a single professional body to represent members of both organisations. ♦

TIMES PAST

Mr. Harry Lisney

Mr Harry Lisney, of Cremorne, Shankill, whose daughter Emily was married recently to Mr William Skillen, of Belfast, was very much in the news about five years ago, when he became the central figure in an important "test case" against the Government.

Mr Lisney at the time was a civil servant. In common with others, his income was subjected to several "cuts" under the "economies policy" of the Government in 1933. Such was his exasperation at this treatment that in April of that year Mr Lisney applied for permission (under Article 10 of the Treaty) to retire, with compensation, from the position of District Valuer. The ground of the application was the worsening of his conditions of service due to the operation of the Public Services (Temporary Economies) Act, 1933.

The case was long-drawn-out, but eventually the Compensation Board declared in favour of Mr Lisney. It was a momentous day in the life of the Irish Civil Service, for this victory reassured thousands of officers whose faith in the security of their tenure had been gravely shaken by the "cuts" legislation.

Mr Lisney was for 32 years a District Valuer in the Valuation Office. He was the only man in Ireland, civil servant or professional, to obtain the Special Rating Diploma of the Chartered Surveyors' Institution.

On his retirement he set up as a valuer and surveyor, and subsequently purchased the business of a well-known Dublin firm of auctioneers and house agents.

Since setting up on his own account, Mr Lisney has devoted a considerable amount of his spare time to writing for professional journals and to lecturing to various accountancy and statistical associations on different aspects of valuations.

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Footnote

If any firms, or their founder/s, have an interesting historical background we would be pleased to publish an article.