

Committee of Public Accounts

2012 Annual Report of the C&AG and Appropriations Accounts

Vote 24: Justice and Equality

Chapter 9: State Pathology Building Project

Briefing Material March 2014

Vote 24: Justice and Equality

1. Vote Summary

The Justice and Equality Vote is one of five votes in the Justice Group of Votes. The others are An Garda Síochána, Prisons, Courts and the Property Registration Authority.

The Justice Vote accounts for 16% of gross expenditure in the Justice Vote Group. The Garda Síochána Vote is the largest vote in the Group comprising 63% of overall gross expenditure.

The expenditure breakdown for the Justice Vote in 2012 was comprised of over 36% in pay and pensions related expenditure, 0.7% in capital and the remainder of 63% in non-pay current expenditure.

There were 2,283 fulltime equivalent employees paid from the Vote at the end of December 2013.

2. Changes to the Vote Structure since 2012

Programme Budgeting

The Justice Vote includes over 60 individual subheads including the administrative areas of the Department, Commissions and Special Inquiries, Legal Aid (Civil and Criminal), Immigration and Asylum, Probation Service, Equality Integration and Disability, Charities and a range of other services including offices and agencies such as the Office of Data Protection Commissioner, Criminal Assets Bureau, Forensic Science and State Pathology Laboratories, Garda Ombudsman Commission etc.

The Department of Justice and Equality Vote has been restructured on a programme basis for 2013 and 2014 under the following six headings;

- A- Maintain a Secure Ireland
- B- Work for Safe Communities
- C- Facilitate the Provision and Administration of Justice
- D- Promote Equality and Integration
- E- Represent Ireland's Justice Interests Abroad
- F- Contribute to Economic Recovery

The detailed breakdown of the subheads under each of the programmes is at **Appendix B**.

As the 2012 financial year was reflected in the pre-programme format, the expenditure for 2013 and the estimate for 2014 have been reflected in this format at **Appendix A** also for comparative analysis.

Equality Tribunal - Transfer of Functions

Responsibility for the Equality Tribunal transferred from the Department of Justice and Equality to the Department of Jobs, Enterprise and Innovation with effect from 1 January 2013 under the Equality Tribunal (Transfer of Departmental Administration and Ministerial Functions) Order 2012 (S.I. No. 531 of 2012).

This move reflects the rationalisation of the industrial relations/employee rights institutions - Labour Court, Labour Relations Commission, Employee Appeals Tribunal, National Employment Rights Authority and Equality Tribunal into single agency under the Department of Jobs, Enterprise and Innovation.

Personal Insolvency Service

A specific budget of €7.5 million was set aside in 2013 for the establishment and operation of the new service. The break-down between pay and non-pay was €4.8 million and €2.7 million respectively. Actual expenditure in 2013 was almost €6.1 million.

The new service had a staffing level of 87 at the end of 2013.

Irish Human Rights and Equality Commission

In anticipation of the enactment of the legislation for the new body to replace the Equality Authority and Human Rights Commission, a combined allocation for the two bodies is reflected in the estimates for 2013 and 2014.

Magdalen Fund

A new subhead C.15 , Magdalen Fund was introduced under Programme C- *Facilitate the Provision and Administration of Justice* to facilitate ex-gratia payments to women who worked in the Magdalen Laundries, St. Mary's Training Centre, Stanhope Street, Dublin and House of Mercy Training School, Summerhill, Dublin.

3. Technical Supplementary Estimate 2013

It was necessary to take a technical supplementary estimate for the Justice and Equality vote of €1,000 to offset additional costs arising within Programme C- *Facilitate the Provision and Administration of Justice*.

The areas where an additional requirement arose within this programme related to the Criminal Legal Aid subhead (€3 million), the Legal Aid Board (€1.1 million), Compensation for Criminal Injuries Criminally Inflicted (€7.3 million) and payments to women who were admitted to and worked in the Magdalen Laundries (€4.9 million).

The additional requirements were offset by savings in other subheads within Programme C, including the Commissions and Special Inquiries subhead (€2.5 million) and the utilisation of surplus appropriations-in-aid of approximately €12.5 million.

4. Lease of Accommodation for a Probation Service Project at Wolfe Tone Street, Dublin 1

Update

The Department issued proceedings against the Landlords, Liam and Róisín Carroll on 20 March 2013 seeking rescission of the lease, damages and costs and these proceedings are ongoing. The Department is in consultation with the Chief State Solicitor's Office on the issue.

No further rent has been expended on the Wolfe Tone Street premises.

The Bridge Project, which it was intended to operate from the Wolfe Tone Street premises, has continued to operate from Probation Service offices in Parnell Street. However, this accommodation has to be vacated in April 2014 and the OPW is assisting the Probation Service in sourcing a new premises for the Board of Management.

The Probation Service has utilised Bridge to introduce a range of national, evidence based offending behaviour programmes. A "Choice and Challenge" Group Offending Behaviour Programme has been rolled out nationally to all Probation teams. Implementation of the "Choice and Challenge" Individual Offending Behaviour Programme will commence in April 2014.

"Choice and Challenge" is a cognitive behavioural therapy programme which aims to reduce the risk of reoffending by challenging existing negative beliefs and attitudes, promoting pro-social attitudes and behaviours and enhancing individual problem solving capacity, alongside personal growth and development.

Chapter 9: State Pathology Building Project

Current position in relation to the re-location of the State Pathology Office.

The Department of Justice and Equality and Dublin City Council have agreed that the State Pathology Office (SPO) and the Dublin Coroner's medical facility should be jointly relocated to the former Whitehall Garda Station. The Office of Public Works (OPW), which is the owner of the Whitehall premises, has agreed to make the building available and to undertake the necessary refurbishment work. The costs incurred will be met proportionately by the Department and the City Council.

While the Whitehall project is considerably scaled-down in comparison to what was previously proposed in Marino, there is a significant amount of work and re-fitting to be carried out. In particular specialised anti-contamination facilities are needed. In addition, it is necessary to make arrangements to cater not just for the staff who will transfer but also for visitors. At this stage, plans have been developed to meet the relevant requirements and they are being taken forward by the OPW.

A project oversight team chaired by the Department has been established in respect of the project and it also comprises senior personnel from Dublin City Council and the OPW. The primary task for the team is to take matters forward to a successful conclusion as efficiently and cost effectively as possible. In the course of this process special attention is being given to risk assessment concerns as highlighted in the report of the Comptroller and Auditor General.

Appendix A

		2012 Estimate provision €'000	2012 Outturn €'000	2013 Estimate provision €'000	2013 Provision al Outturn €'000	2014 Estimate provision €'000
Administration						
A.1.	Salaries, wages and allowances	21,017	21,135	20,627	20,469	19,872
A.2.	Travel and subsistence	489	321	472	417	440
A.3.	Training and development and incidental expenses	4,168	3,218	3,934	2,936	3,717
A.4.	Postal and telecommunications services	1,133	944	934	1,046	734
A.5.	Office equipment and external IT services	5,985	5,212	5,344	7,723	5,236
A.6.	Office premises expenses	1,817	1,888	1,715	1,444	1,733
A.7.	Consultancy services and value for money and policy reviews	73	506	67	22	73
A.8.	Research	233	22	117	16	82
A.9.	Financial shared services	11,213	10,264	10,917	9,859	11,779
A.10.	EU Presidency	1,264	983	2,020	1,269	-
Commissions						
B.1.	Commissions and special inquiries	10,499	6,216	6,672	5,584	7,102
B.4.	Irish Human Rights and Equality Commission (grant-in-aid) (Subhead G.1 also refers)	1,425	1,425	4,335	3,911	6,299
Legal Aid						
C.1.	Legal Aid - criminal (no. 12 of 1962)	47,552	50,546	50,552	50,862	47,552
C.2.	Legal Aid Board (grant-in-aid)	32,922	32,922	33,759	33,759	32,574
C.3.	Free legal advice centres	98	98	98	98	98
C.5.	Legal Aid Custody Issues	-	-	3,700	3,366	3,750
Immigration and Asylum						
D.1.	Irish Naturalisation & Immigration Service (INIS)	47,632	43,472	49,456	42,894	47,544
D.2.	Asylum seekers task force - legal aid	-	-	-	-	-
D.3.	Asylum seekers accommodation	63,497	62,330	57,186	55,228	51,936
Other Services						
E.1.	Garda Complaints Board	220	185	195	179	110
E.2.	Office of the Data Protection Commissioner	1,458	1,554	1,727	1,960	1,890
E.3.	Criminal Assets Bureau	7,727	6,409	6,940	6,455	7,037
E.4.	Prisons Inspectorate	413	293	388	369	382
E.5.	Coroners service	405	335	285	135	384
E.6.	Parole Board	341	323	338	320	335
E.7.	Forensic Science Laboratory Current Year Provision Deferred Surrender	9,152 <u>460</u>	9,612	8,681	8,266	8,607
E.8.	State Pathology	3,491	946	3,086	950	2,397

		2012 Estimate provision €'000	2012 Outturn €'000	2013 Estimate provision €'000	2013 Provision al Outturn €'000	2014 Estimate provision €'000
E.9.	Compensation for personal injuries criminally inflicted	4,237	4,233	11,534	11,520	4,233
E.10.	Funding for services to victims of crime	1,162	1,165	1,212	1,211	1,211
E.11.	Crime prevention measures	157	197	197	197	197
E.12.	Central Authorities (child abduction, child protection and maintenance debtors)	166	77	110	89	133
E.13.	Garda Ombudsman Commission	8,731	8,327	8,021	7,971	7,921
E.14.	Private Security Authority	2,343	2,130	2,254	2,074	2,233
E.15.	Office of the Garda Inspectorate	1,241	779	970	862	1,000
E.16.	Irish Film Classification Office	845	766	705	690	700
E.17.	National Property Services Regulatory Authority (NPSRA)	738	710	848	832	1,070
E.18.	Social disadvantage measures (dormant accounts funded)	250	83	250	-	750
E.19.	Mental Health (Criminal Law) Review Board	477	376	397	384	390
E.20.	Cosc - domestic, sexual and gender- based violence	2,091	1,697	2,029	1,333	1,910
E.21.	Insolvency Service Ireland	1	84	7,398	6,055	7,200
	Legal Services Regulatory Authority	-	-	1	-	-
	Magdalen Fund	-	-	4,900	401	23,000
Probation Service						
F.1.	Probation service - salaries, wages and allowances	21,992	21,117	21,418	20,859	20,720
F.2.	Probation service - operating expenses	4,723	4,069	4,025	3,123	3,770
F.3.	Probation service - services to offenders	11,172	10,350	10,572	9,703	10,730
F.4.	Community service order scheme	2,284	2,053	2,104	2,115	2,060
Equality, Integration & Disability						
G.1.	Equality Authority (grant-in-aid) (Subhead B.4 also refers)	2,984	2,941	-	-	-
G.2.	Equality Tribunal	2,225	2,260	-	-	-
G.3.	Grants to national women's organisations	350	350	300	300	300
G.5.	Equality Monitoring/Consultative Committees	430	246	405	99	300
G.6.	Gender mainstreaming and positive action for women	2,000	1,647	1,000	959	1,000
G.7.	Office for the promotion of migrant integration	2,502	2,402	2,334	2,120	2,310
G.8.	European Refugees Fund	1,500	1,314	1,500	1,500	1,500
G.9.	Status of people with disabilities	307	194	307	108	250
G.10.	National Disability Authority	4,550	3,790	4,133	3,450	3,880
G.11.	Disability projects	-	-	-	-	-
Charities						
H.1.	Charities regulation	400	25	300	54	300
H.2.	Charitable donations and bequests office	440	339	360	335	350

H.3.	Payments to the promoters of certain charitable lotteries		6,000	6,000	4,000	4,000	2,000
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	2012 Estimate provision	2012 Outturn	2013 Estimate provision	2013 Provision al Outturn	2014 Estimate provision
	€'000	€'000	€'000	€'000	€'000

Irish Youth Justice Service

I.	Irish Youth Justice Service		<u>17,337</u>	<u>17,164</u>	<u>17,222</u>	<u>17,084</u>	<u>17,395</u>
	Gross Expenditure						
	Current Year	377,859					
	Provision	<u>460</u>	378,319	357,113	383,936	359,160	380,536
	Deferred Surrender						
	Deduct:						
J.	Appropriations-in-aid		<u>46,639</u>	<u>51,974</u>	<u>63,863</u>	<u>63,503</u>	<u>55,940</u>
	Net Expenditure						
	Current Year	331,220					
	Provision	<u>460</u>	331,680	305,139	320,073	295,657	324,596
	Deferred Surrender						

Appendix B- Programme layout for the Justice and Equality Vote

Programme A- Maintain a Secure Ireland

- A.1- Administration- Pay
- A.2- Administration- Non-Pay
- A.3- Irish Naturalisation and Immigration Service
- A.4- Asylum Seeker Accommodation
- A.5- Garda Complaints Board
- A.6- Criminal Assets Bureau
- A.7- Prison Inspectorate
- A.8- Garda Ombudsman Commission
- A.9- Office of The Garda Inspectorate
- A.10- Irish Youth Justice Service

Programme B- Work For Safe Communities

- B.1- Administration- Pay
- B.2- Administration- Non Pay
- B.3- Office of Data Protection Commissioner
- B.4- Funding For Services to Victims Of Crime
- B.5- Crime Prevention Measures
- B.6- Private Security Authority
- B.7- Irish Film Classification Office
- B.8- Mental Health (Criminal Law) Review Board
- B.9- COSC- Domestic, Sexual and Gender Based Violence
- B.10- Probation Service- Salaries, Wages & Allowances
- B.11- Probation Services- Operating Expenses
- B.12- Probation Services- Services to Offenders
- B.13- Community Service Order Scheme

Programme C- Provision And Administration Of Justice

- C.1- Administration -Pay
- C.2- Administration -Non Pay
- C.3- Commissions And Special Inquiries
- C.4- Legal Aid (Criminal)
- C.5- Legal Aid- Custody Issues
- C.6- Legal Aid Board (G-I-A.)
- C.7- Free Legal Advice Centres
- C.8- Corners Service
- C.9- Parole Board
- C.10- Forensic Science Laboratory
- C.11- State Pathology
- C.12- Personal Injuries Compensation
- C.13- Central Authorities
- C.14- Legal Services Regulatory Authority
- C.15- Magdalen Fund

Programme D- Promote Equality & Integration

- D.1- Administration- Pay
- D.2- Administration- Non Pay
- D.3- Irish Human Rights and Equality Commission (G-I-A)

- D.4- Social Disadvantage Measures (Dormant Accounts Funded)
- D.5- Grants To National Women's Organisations
- D.6- Traveller Initiatives
- D.7- Positive Action For Gender Equality
- D.8- Office For The Promotion Of Migrant Integration
- D.9- European Refugees Fund
- D.10- Disability Awareness Initiative
- D.11- National Disability Authority
- D.12- Charities Regulation
- D.13- Charitable Donations And Bequests Office
- D.14- Payments To The Promoters Of Certain Charitable Lotteries

Programme E- Represent Ireland Justice Interest In International Fora

- E.1- Administration- Pay
- E.2- Administration-Non Pay

Programme F- Contribution To Economic Recovery

- F.1- Administration- Pay
- F.2- Administration- Non Pay
- F.3- National Property Services Regulatory Authority
- F.4- Insolvency Service Ireland

G Appropriation In Aid

