

**Public Accounts Committee  
12 November 2015**

**Office of the Attorney General  
Opening Statement**

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Director General**

I am pleased to meet with the Committee today to discuss the 2014 Appropriation Account of the Office of the Attorney General and the 2014 Annual Report of the Comptroller and Auditor General.

As background I will give a brief overview of the Office and its work. Our primary role is support to the Attorney General in discharging her functions as legal adviser to the Government pursuant to Article 30 of the Constitution. To that end, we provide two main services to our clients, legal advice and legislative drafting. The advisory side of the Office is organised into five specialist Groups. This allows the members of the Group to become expert in those areas and provide a high level of expertise to clients. There is constant contact between the Groups and their client Departments including meetings specifically to review the service being provided and discuss future developments. The scope and variety of the legal work is very wide, with new areas of work constantly appearing.

The legislative drafting service is provided through the Office of the Parliamentary Counsel. That Office is organised into four Groups each serving a number of specific Departments and this enables the drafters to build up a high level of familiarity with a Department's work and objectives which then facilitates drafting on complex topics. Like the Advisory side, there are continual meetings with clients to ensure that the service provided meets their needs.

Much of the work of the Office, particularly of the Office of the Parliamentary Counsel, is primarily driven by the Government's legislative programme. Members will be aware of the extensive programme which places heavy demands on the Office, both in the formulation of advice on legislative provisions as well as their actual drafting. Much of the advice has to be provided and the drafting carried out at relatively short notice. In particular, there has been an enormous increase in the number of amendments made to Bills during their passage through the Dáil and Seanad.

The Administration side of the Office is an essential support to its legal work and is organised into a number of business units which cover Human Resources, Finance, Library & Knowledge Management, Information Technology, Change Management, Training and Development, Corporate Services and Registry. Senior management participate in the Office's Management Advisory Committee while all staff are represented on the Office Partnership Committee as well as a number of Partnership sub-committees on specific issues.

The Office constantly re-assesses the need to provide legal services to its wide range of clients and so seeks to ensure that its lawyers are fully trained and resourced. This involves making sure that legal staff are fully expert in their areas of legal work and have at their disposal all resources to do their work to the highest standard required by Government. Law is constantly changing, through case law and new legislation and is constantly re-interpreted. New developments of law emerge continuously develop including through the actions of the European Union and its Courts of Justice as well as the European Court of Human Rights and changes in international law. This means that the lawyers and the administration in the Office must work together to ensure the high levels of legal expertise and high standards of service delivery to our clients. Everything we do is focused on achieving this aim.

Knowledge management and information sharing is a central feature of how we operate. Precedents, procedures and practices are recorded and made available as appropriate to staff. In order to ensure that staff skills, particularly legal skills, are kept up to date and developed the Office promotes training as part of PMDS. The Office is consistently able to indicate one of the Civil Service's highest rates of compliance with the PMDS process - for 2014 the rate was 96%.

We work very closely with the Chief State Solicitor's Office in providing legal services and also share in MAC, IT Systems, Knowledge Management, Audit Committee etc with them to ensure economies and efficiencies and expertise. We also work closely with lawyers in Departments and Offices.

As part of the diversification of the model of delivery of legal services and in recognition of the expanding need for legal input at an early stage in Government Departments, the Office has been running a highly successful secondment programme since 2006 whereby Advisory Counsel from the Office are placed as legal advisers within Government Departments. In 2014 the Office had 23 legal advisors seconded across 15 Government Departments and Offices. Currently, there are 18 across 13 Departments and the Irish Prison Service but following a recruitment process former numbers will be restored with additional placements being planned. The Office also assigns an Advisory Counsel as Legal Counsellor to the Permanent Representation of Ireland to the European Union in Brussels.

The Office of the Attorney General is fully committed to Public Sector Reform. The work of the Office is extremely specialised and demand-led. We do not operate public programmes as do other Government Departments so it is not possible for the Office to make savings or gain efficiencies through eliminating or restructuring such expenditure. Nor is it possible to unilaterally decide to divest ourselves of work that our clients, the Government, Ministers and Departments, require us to carry out. Our contention has always been that maintaining a high level of legal service in the provision of accurate advice and legislation and in the management of litigation results in savings and also the avoidance of significant costs to the State.

That is not to say that within the flexibilities that are available to us we have not been able to achieve significant savings. As part of the Public Sector Reform process the Office since 2010 has prepared, implemented and reported on several action plans to effect change and achieve savings. The Office has consistently reduced its annual administrative costs and by the end of 2014 compared to 2008, our gross budget had been reduced by 22.9% while our net expenditure was 29.5% lower.

For 2014 the Office operated on an administrative gross budget of €15.1 million of which the outturn was €13.9 million. A significant proportion, €10.8 million or close to 71%, of our budget was allocated to salaries. This high proportion reflects the fact that the Office is a legal professional organisation providing legal services to the Government and Departments and does not have expenditure programmes. The next largest allocation is the €2.1 million (14%) budget for the Law Reform Commission which is channelled through our Vote as a Grant-in-aid. The remaining €2.2 million (15%) is allocated to training, IT, premises, telecoms etc.

During 2014 the Office had savings of €1.2 million. The majority, €833k, arose in A1 (Salaries), €279k arose in A2 (viii) (Contract Legal Expertise) and €139k in Subhead C (Law Reform Commission). The savings in salaries arose due to the time required to seek D/PER sanction, run recruitment competitions and fill vacancies. The savings in A2 (viii) arose due to a move to minimal reliance on contract drafting expertise. The savings in the Law Reform Commission were due mainly to staff changes. In all areas of expenditure the Office closely monitors and controls expenditure to ensure appropriate use of funds and maximum value. Each month the Office's Management Advisory Committee is briefed on the Office's financial position including such issues as the formulation of annual budgets and measures required to meet savings or staffing targets imposed by the Department of Finance.

The Office operates a Financial Management System which greatly assists myself and also informs the monthly presentation on financial matters to the members of MAC. There is ongoing development of an interface between the financial management system and the case records management system (ACME) to allow for the development of costing as well as enhanced financial and non-financial management reports.

In conjunction with the Chief State Solicitor's Office the Office has an Audit Committee. The Committee includes three members from the private sector, one of whom acts as Chair. Each year the Committee agrees a programme of audits and the resulting reports and recommendations are presented to the local Management Advisory Committees and made available to the Comptroller and Auditor General. In late 2014, the AGO and CSSO jointly decided to put their internal audit work out to commercial tender. Following that process an external audit partner has been selected and has carried out several audits so far this year.

I will finish by saying that the need to ensure the State gets best value for money in public expenditure is fully appreciated by the Office. In the past five years we have reorganised staff and our work in order to operate within the financial parameters set down by Government

while still maintaining the expected high level of service. Our main challenge will be continuing to adapt in order to ensure we meet the demands of our clients.

That concludes my brief overview of the work of the Office and its organisation and I am ready to answer any questions the members of the Committee may have.

I thank the Committee for its attention.