

Minister for Justice, Helen McEntee T.D.
Select Committee on Justice
Supplementary Estimate 2020 & Further Revised Estimate

Good Afternoon Chair, Committee Members. Thank you for making the time available to consider the Supplementary Estimates for the Garda Síochána, Prisons and Courts Votes and the Further Revised Estimate for the Justice Vote. I am joined by officials from my Department Seamus Clifford, Principal Officer and Martina Colville, Assistant Secretary.

A net supplementary estimate requirement of €44.325 million arises in respect of the Garda Síochána vote this year.

This comprises a gross expenditure requirement of €63.9 million, which is offset by a projected surplus in appropriations-in-aid receipts of €19.575 million giving a net additional requirement of €44.325 million for the Garda Vote.

There are two main components giving rise to this requirement - the impact of Garda Covid expenditure €33.325 million and the adjustment to take account of the Government's July Economic Stimulus Package which totalled €11 million for the Garda vote

The Gardaí have maintained a front-line, high visibility, presence since the outset of the pandemic and on behalf of the Government, I want to thank the Commissioner, his senior team, and all the members and staff of An Garda Síochána for their exemplary service to communities throughout the length and breadth of the country in response to the pandemic.

An Garda Síochána have conducted a range of operations and activities to keep people safe in support of public health measures to reduce the spread of COVID-19. This has included a large number of static and rolling checkpoints, high visibility community engagement patrols, visits to retail premises, and ongoing support for the most vulnerable and isolated in our society.

I am glad to say that a further phase of Operation Faoiseamh is in place, which prioritises people who are vulnerable to, and victims of, domestic abuse.

An Garda Síochána proactively makes contact with previous victims to provide reassurance, support and to offer the assistance of local and specialised resources. They have worked proactively to intervene with previous offenders. There is also a renewed focus across the criminal justice system with the courts prioritising the hearing of applications for court orders and the prosecution of breaches. Notwithstanding these significant preventative efforts, there has been a marked increase in the incidence of domestic abuse and the entire system continues to work with the voluntary sector to try to keep people safe.

The impact of the pandemic in terms of additional costs to the Garda Vote is projected to be in the region of €53.1 million by the end of the year. While there are certain offsetting costs available such as in relation to the scaled down activities and redeployment of resources from the Garda College and surplus receipts from pension

contributions, the extent of the additional costs is such that a supplementary estimate is required.

The additional costs directly related to Covid comprise approximately €25.2 million in payroll costs, which mainly relate to the implementation of an emergency Covid roster since last April. This has been extended to the end of the year taking account of some revisions following the first months of operation. In addition, the early attestation of trainee Gardaí to respond to the Covid crisis also increased payroll costs beyond what was originally budgeted for 2020.

Expenditure on PPE has become a significant cost factor for all front-line services in the State and our Gardaí are no different. The additional cost in 2020 is estimated to be in the region of €16 million with most of this expenditure having been incurred already.

The community focus of policing has been central to success of the Garda's response to Covid and this has been supported with additional investment of €6.1 million in the Transport Fleet, bringing the total expenditure in the Garda Fleet to €15.1 million in 2020. The original budget of €9 million is providing 296 patrol vehicles but significantly the additional spend of €6.1 million is supporting the purchase of a further 228 vehicles mainly for community policing.

Other additional costs directly related to Covid refer to the temporary hire of vehicles €2 million and ICT Telecommunications and other overheads such as additional cleaning and sanitation €3.8 million.

The additional element of the supplementary estimate relates to the provision of an amount of €11 million in the Government's July Economic Stimulus Package in respect of a range of projects in the Garda Vote including the building and refurbishment of:

- stations to support the establishment of the Business Services hubs in the new Operating model of AGS
- Custody management facilities in stations, (prisoner processing areas and custody CCTV)
- Immigration facilities at Sea Ports and Airports
- Public Office facilities for meeting members of the community, including universal access
- Garda HQ to meet the requirements of new Units being established
- Garda stations to support the establishment of Protective Service Units in a number of Divisions
- Provision of Special Victim Interview Suites

Turning to the Prisons vote there is a requirement for a net supplementary estimate of €14 million in the current year.

This is largely accounted for by three main areas of expenditure - additional expenditure arising from Covid which is expected to be in the region of €6 million by year end; the Government's Stimulus Package of €8 million and additional requirements in relation to compensation payments of circa €4.6 million. The additional requirement is reduced in part by underspends in other areas of the vote

including building capital due to Covid-related delays in relation to the redevelopment of Limerick Prison. A proportion of this underspend will be carried forward to 2021 under the capital carryover provisions.

The main impact of Covid related expenditure is reflected in the cost of PPE/medical/deep cleaning and in ICT in relation to remote working including the provision of services such as video linking facilities for prisoner families.

The Irish Prisons Service management and staff and indeed the prisoners themselves are to be commended for the manner in which the challenge of Covid-19 has been managed in the high-risk closed environment of our prisons. A very significant amount of work has been carried out by the Irish Prison Service to address the challenge of Covid-19. The measures taken have been informed and guided by the advice received from NPHET and consistent with the prison specific guidance for the management of Covid-19 issued by the World Health Organisation (WHO) in March 2020 and human rights guidance by the Council of Europe.

I acknowledge that similar to other areas of Irish society that this has been a difficult and worrying time for prison staff, offenders and their families. Huge efforts have been made to limit and curtail the spread of the virus in the prisons, including close cooperation with the health services on outbreak control and the establishment of a robust contact-tracing model, which has been acknowledged by the WHO as best practice for prisons worldwide.

I was pleased to support this work with additional capital funding of €8 million for the Prisons Vote as part of the Government's July Stimulus Package. The Irish Prison Service has continuous demands for minor/mid-scale refurbishments - security related works in addition to nationwide carbon related led lighting replacement (internal/external) and fire alarm upgrading/ replacement.

There are also issues with leaking roofs in some locations because of severe weather events as well as window replacement /laundry/equipment upgrade requirements.

A net supplementary estimate of €23 million is required in 2020 in respect of the Courts vote.

There are two components to this - a significant shortfall of €18 million in Court fee income due to the impact of Covid 19 on the business of the Courts and €5 million in respect of the Government's July Stimulus Package.

The Courts Service expect that the shortfall in Court fee income will be in the region of €18 million directly due to the impact of COVID 19. This shortfall amounts to 43% of total fee income. In the region of €9 million is accounted for in the reduction in special exemption order applications from the licensing trade and hospitality sector. There is also a €1 million reduction from the waiver of liquor licence fees as part of the Government's Support Package to publicans.

To date the Courts Service has also lost the equivalent of 3 months' fee income of circa €8 million due to the impact of Covid-19.

The July Stimulus Package provided for additional capital funding of €5 million for the Courts Vote in 2020, a significant proportion of which is being utilised to cover the additional costs of leasing, fit out and basic ICT installation to ensure that criminal jury trials can be held while observing social distancing and national Covid guidelines at a number of new locations in Dublin and nationwide.

A number of other projects were also included in the Stimulus Package in relation to urgent refurbishment works and various sustainable energy initiatives in courthouses throughout the country.

The Courts Service has been working with members of the Judiciary and other partners across the Justice sector to continue to provide court hearings in as safe a manner as possible during this public health emergency. It is important to acknowledge the leadership of the Courts Service and the judiciary across all the courts to ensure continuity of service during this period and the ongoing work by all concerned to ensure the safety of court users, jury members, practitioners, staff and Judges, and the public.

I am particularly pleased to note the steps taken to use video link and other technologies to the greatest extent possible. These developments are welcome progress in the modernisation of services. I have provided substantial additional funding in Budget 2021 for the Courts Modernisation Programme and I look forward to the positive outcome of this investment for the service in the future.

The Further Revised Estimate (FRE) for my Department's Vote is required to reflect the transfer out and in of certain functions involving the new Department of Children, Equality, Disability, Integration and Youth.

The functions transferring from my Department mainly relate to Equality, Disability, Migrant Integration, International Protection Accommodation Services and the Irish Refugee Protection Programme, whereas the functions transferring in relate to a small number of projects in the area of Youth Justice.

The net budgetary impact on the Justice vote from the original REV voted on by the Dáil in July is a reduction of €114 million - an adjustment of €115.5 million in respect of functions transferring out less a figure of €1.5 million in respect of the functions transferring in.

As part of the FRE process, I am taking the opportunity to increase the allocation for the cash limited subhead B.11 which provides for the Criminal Injuries Compensation Tribunal which is being increased by €4 million through relocation of funding from elsewhere in the vote. This will facilitate additional payments of compensation to victims of crime before the end of this year.

An increased net allocation of €4 million is also being provided as part of the FRE to offset a potential shortfall in Immigration and Visa income mainly due to the impact of Covid travel restrictions.

In conclusion, I recommend the supplementary estimates and the Further Revised Estimate to the Committee and I am happy to address any questions you may have.