



Appropriation Account 2013

Vote 5

Office of the Director of Public Prosecutions

Introduction

As Accounting Officer for Vote 5, I am required each year to prepare the appropriation account for the Vote, and to submit the account to the Comptroller and Auditor General for audit.

In accordance with this requirement, I have prepared the attached account of the amount expended in the year ended 31 December 2013 for the salaries and expenses of the Office of the Director of Public Prosecutions.

The expenditure outturn is compared with the sums granted by Dáil Éireann under the Appropriation Act 2013, including the amount that could be used as appropriations-in-aid of expenditure for the year.

A surplus of €1.27 million is liable for surrender to the Exchequer.

The Statement of Accounting Policies and Principles and notes 1 to 5 form part of the account.

Statement of Accounting Policies and Principles

The standard accounting policies and principles for the production of appropriation accounts have been applied in the preparation of the account.

Statement on Internal Financial Control

Responsibility for System of Internal Financial Control

As Accounting Officer, I acknowledge my responsibility for ensuring that an effective system of internal financial control is maintained and operated by the Office.

This responsibility is exercised in the context of the resources available to me and my other obligations as Head of Office. Also, any system of internal financial control can provide only reasonable and not absolute assurance that assets are safeguarded, transactions authorised and properly recorded, and that material errors or irregularities are either prevented or would be detected in a timely manner. Maintaining the system of internal financial controls is a continuous process and the system and its effectiveness are kept under ongoing review.

Financial Control Environment

I confirm that a control environment containing the following elements is in place:

- financial responsibilities have been assigned at management level with corresponding accountability
- reporting arrangements have been established at all levels where responsibility for financial management has been assigned
- formal procedures have been established for reporting significant control failures and ensuring appropriate corrective action
- there is an Audit Committee to advise me in discharging my responsibilities for the internal financial control system.

Administrative Controls and Management Reporting

I confirm that a framework of administrative procedures and regular management reporting is in place including segregation of duties and a system of delegation and accountability and, in particular, that

- there is an appropriate budgeting system with an annual budget which is kept under review by senior management
- there are regular reviews by senior management of periodic and annual financial reports which indicate financial performance against forecasts
- a risk management system operates within the Office
- there are systems aimed at ensuring the security of the ICT systems
- there are appropriate capital investment control guidelines and formal project management disciplines
- the Office ensures that there is an appropriate focus on good practice in purchasing and that procedures are in place to ensure compliance with all relevant guidelines.

Internal Audit and Audit Committee

I confirm that the Office has an internal audit function with appropriately trained personnel, which operates in accordance with a written charter which I have approved. Its work is informed by analysis of the financial risks to which the Office is exposed and its annual internal audit plans, approved by me, are based on this analysis. These plans aim to cover the key controls on a rolling basis over a reasonable period. The internal audit function is reviewed periodically by me and the Audit Committee. I have put procedures in place to ensure that the reports of the internal audit function are followed up.

Barry Donoghue
Accounting Officer
Office of the Director of Public Prosecutions

31 March 2014

Comptroller and Auditor General Report for presentation to the Houses of the Oireachtas

Vote 5 Office of the Director of Public Prosecutions

I have audited the appropriation account for Vote 5 Office of the Director of Public Prosecutions for the year ended 31 December 2013 under section 3 of the Comptroller and Auditor General (Amendment) Act 1993. The account has been prepared in the form prescribed by the Minister for Public Expenditure and Reform, and in accordance with standard accounting policies and principles for appropriation accounts.

Responsibility of the Accounting Officer

In accordance with Section 22 of the Exchequer and Audit Departments Act 1866, the Accounting Officer is required to prepare the appropriation account. By law, the account must be submitted to me by 31 March following the end of the year of account.

The Accounting Officer is also responsible for the safeguarding of public funds and property under his control, for the efficiency and economy of administration by his Office and for the regularity and propriety of all transactions in the appropriation account.

Responsibility of the Comptroller and Auditor General

I am required under Section 3 of the Comptroller and Auditor General (Amendment) Act 1993 to audit the appropriation accounts of all Votes and to perform such tests as I consider appropriate for the purpose of the audit.

Upon completion of the audit of an appropriation account, I am obliged to provide a certificate stating whether, in my opinion, the account properly presents the receipts and expenditure related to the Vote. I am also required to refer to any material case in which

- a department or office has failed to apply expenditure recorded in the account for the purposes for which the appropriations made by the Oireachtas were intended, or
- transactions recorded in the account do not conform with the authority under which they purport to have been carried out.

Under Section 3 (10) of the Comptroller and Auditor General (Amendment) Act 1993, I am required to prepare each year, a report on any matters that arise from the audits of the appropriation accounts or examinations of accounting controls.

Scope of audit

An audit includes examination, on a test basis, of evidence relevant to the amounts and regularity of financial transactions included in the account and an assessment of whether the accounting provisions of the Department of Public Expenditure and Reform's *Public Financial Procedures* have been complied with.

The audit involves obtaining sufficient evidence to give reasonable assurance that the appropriation account is free from material misstatement, whether caused by fraud or other irregularity or error. I also seek to obtain evidence about the regularity of financial transactions in the course of the audit. In forming the audit opinion, the overall adequacy of the presentation of the information in the appropriation account is evaluated.

Opinion on the appropriation account

In my opinion, the appropriation account properly presents the receipts and expenditure of Vote 5 Office of the Director of Public Prosecutions for the year ended 31 December 2013.

I have obtained all the information and explanations I considered necessary for the purposes of my audit. In my opinion, proper books of account have been kept by the Office of the Director of Public Prosecutions. The appropriation account is in agreement with the books of account.

Seamus McCarthy
Comptroller and Auditor General

31 July 2014

Vote 5 Office of the Director of Public Prosecutions Appropriation Account 2013

		2013		2012
		Estimate provision	Outturn	Outturn
		€000	€000	€000
Programme expenditure				
A	Provision of prosecution service	38,389	37,145	39,890
Gross expenditure		38,389	37,145	39,890
<i>Deduct</i>				
B	Appropriations-in-aid	975	996	1,043
Net expenditure		37,414	36,149	38,847

Surplus for surrender

The surplus of the amount provided over the net amount applied is liable for surrender to the Exchequer.

	2013	2012
	€	€
Surplus to be surrendered	1,265,198	706,295

Analysis of administration expenditure

		2013		2012
		Estimate provision	Outturn	Outturn
		€000	€000	€000
i	Salaries, wages and allowances	12,831	13,025	13,321
ii	Travel and subsistence	109	95	97
iii	Training and development and incidental expenses	1,096	868	965
iv	Postal and telecommunications services	270	182	287
v	Office equipment and external IT services	841	470	607
vi	Office premises expenses	716	543	747
vii	Consultancy services and value for money and policy reviews	37	33	34
		15,900	15,216	16,058

Notes to the Appropriation Account

1 Operating Cost Statement 2013

	2013	2012
	€000	€000
Programme cost	21,929	23,832
Pay	13,025	13,321
Non pay	2,191	2,737
Gross expenditure	37,145	39,890
<i>Deduct</i>		
Appropriations-in-aid	996	1,043
Net expenditure	36,149	38,847
Changes in capital assets		
Purchases cash	(119)	
Depreciation	258	
Loss on disposals	50	
	189	439
Changes in net current assets		
Decrease in closing accruals	(212)	
Decrease in stock	8	
	(204)	(451)
Direct expenditure	36,134	38,835
Expenditure borne elsewhere		
Net allied services expenditure (note 1.1)	3,272	3,197
Notional rents	240	238
Net programme cost	39,646	42,270

1.1 Net Allied Services Expenditure

The net allied services expenditure amount is made up of the following amounts in relation to Vote 5 borne elsewhere.

		2013	2012
		€000	€000
Vote 7 Finance	e	61	60
Vote 12 Superannuation and Retired Allowances	e	1,076	1,121
Vote 13 Office of Public Works	e	1,949	1,829
Vote 20 Garda Síochána	e	186	187
		<u>3,272</u>	<u>3,197</u>

"e" indicates that the number is an estimate value or an apportioned cost.

2 Balance Sheet as at 31 December 2013

	Note	2013 €000	2012 €000
Capital assets	2.2	492	681
Current assets			
Bank and cash		635	338
Stocks	2.3	62	70
Prepayments		131	149
Other debit balances		292	443
Net Exchequer funding due	2.5	3	69
Total current assets		1,123	1,069
Less current liabilities			
Accrued expenses		2,360	2,590
Other credit balances	2.4	930	850
Total current liabilities		3,290	3,440
Net current assets		(2,167)	(2,371)
Net assets		(1,675)	(1,690)
Represented by:			
State funding account	2.1	(1,675)	(1,690)

2.1 State Funding Account	Note	2013 €000	2012 €000
Balance at 1 January		(1,690)	(1,702)
Disbursements from the Vote			
Estimate provision	Account	37,414	
Surplus to be surrendered	Account	(1,265)	
Net vote		36,149	38,847
Expenditure (cash) borne elsewhere	1	3,272	3,197
Non cash expenditure – notional rent	1	240	238
Net programme cost	1	(39,646)	(42,270)
Balance at 31 December		(1,675)	(1,690)

2.2 Capital Assets

	Office equipment €000	Furniture and fittings €000	Total €000
Gross assets			
Cost or valuation at 1 January 2013	3,655	889	4,544
Additions	119	—	119
Disposals	(291)	(133)	(424)
Cost or valuation at 31 December 2013	3,483	756	4,239
Accumulated depreciation			
Opening balance at 1 January 2013	3,350	513	3,863
Depreciation for the year	185	73	258
Depreciation on disposals	(289)	(85)	(374)
Cumulative depreciation at 31 December 2013	3,246	501	3,747
Net assets at 31 December 2013	237	255	492
Net assets at 31 December 2012	305	376	681

2.3 Stocks

	2013 €000	2012 €000
at 31 December		
Stationery	38	43
IT consumables	24	27
	62	70

2.4 Other Credit Balances

	2013 €000	2012 €000
at 31 December		
Amounts due to the State		
Income Tax	443	455
Pay Related Social Insurance	118	120
Professional Services Withholding Tax	263	236
Value Added Tax	22	38
	846	849
Payroll deductions held in suspense	84	—
Other credit suspense items	—	1
	930	850

2.5 Net Exchequer Funding Due	2013	2012
at 31 December	€000	€000
Surplus to be surrendered	1,265	706
Exchequer grant undrawn	(1,268)	(775)
Net Exchequer funding due	<u>(3)</u>	<u>(69)</u>

Represented by:**Debtors**

Bank and cash	635	338
Debit balances: suspense	292	443
	<u>927</u>	<u>781</u>

Creditors

Due to State	(846)	(849)
Credit balances: suspense	(84)	(1)
	<u>(930)</u>	<u>(850)</u>

	<u>(3)</u>	<u>(69)</u>
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2.6 Commitments

The Office had commitments in respect of legal fees at the year end, but the value of these commitments is difficult to estimate accurately, due to the inherent uncertainties and status of outstanding cases. The Office had no other legally enforceable commitments at 31 December 2013 (2012 : nil).

3 Programme Expenditure by Subhead

		2013		2012
		Estimate provision	Outturn	Outturn
		€000	€000	€000
A	Provision of a Prosecution Service			
A.1	Administration - pay	12,831	13,025	13,321
A.2	Administration - non pay	3,069	2,191	2,737
A.3	Fees to counsel	12,500	13,016	12,277
A.4	General law expenses	3,334	2,413	5,118
A.5	Local state solicitor service	6,655	6,500	6,437
		<u>38,389</u>	<u>37,145</u>	<u>39,890</u>

Significant variations

Overall, programme expenditure was €1.24 million lower than provided. This was mainly due to;

Description	Less/(more) than provided €000	Explanation
Administration - non pay	877	Savings arose because budgeted allocations on a number of subheads associated with occupying new accommodation were not required as expected costs were not as high as anticipated and certain works were not finalised in the year.
General law expenses	921	A lower number of cases were paid out and individual settlement figures were lower than anticipated.

4 Receipts

4.1 Appropriations-in-aid	2013		2012
	Estimated	Realised	Realised
	€000	€000	€000
1. Miscellaneous	80	126	156
2. Receipts from pension-related deductions on public service remuneration	895	870	887
Total	975	996	1,043

Explanation of significant variations

An explanation is provided below in the case of each heading where the outturn varied from the amount estimated by more than €100,000, and by more than 5%. However, no outturn of the Vote met these criteria in 2013.

4.2 Extra receipts payable to the Exchequer

A total of €56,382 was lodged to the Exchequer arising from forfeitures ordered by the courts.

5 Employee Numbers and Pay

	2013	2012
Number of staff at year end (full time equivalents)	185	191
	2013	2012
	€000	€000
Pay	11,952	12,172
Higher, special or additional duties allowance	176	193
Overtime	2	38
Employer's PRSI	895	918
Total Pay	13,025	13,321

5.1 Allowances and Overtime Payments

	Number of recipients	Recipients of €10,000 or more	Maximum individual payment 2013 €	Maximum individual payment 2012 €
Higher, special or additional duties	59	6	52,357	51,846
Overtime and extra attendance	7	—	579	3,571

Certain individuals received extra remuneration in more than one category.

5.2 Other Remuneration Arrangements

This account includes expenditure of €235,124 in respect of two officers who were serving outside the Office for all or part of 2013 and whose salaries were paid from Subhead A.1.