



Appropriation Account 2014

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 2014 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 2014, including the amount that could be used as appropriations-in-aid of expenditure for the year.

A surplus of €135,853 is liable for surrender to the Exchequer.

The Statement of Accounting Policies and Principles and notes 1 to 6 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.

I have fulfilled my responsibilities in relation to the requirements of the Service Management Agreement between this Office and the National Shared Service Office for the provision of Payroll, Pension and Travel and Subsistence payments.

I rely on a letter of assurance from the Accounting Officer of the Vote for Shared Services that the appropriate controls are exercised in the provision of shared services to this Office.

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. The Office complied with the 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 2015

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 2014 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 her 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 2014.

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

2 July 2015

Vote 5 Office of the Director of Public Prosecutions

Appropriation Account 2014

		2014		2013
		Estimate provision	Outturn	Outturn
		€000	€000	€000
Programme expenditure				
A	Provision of prosecution service	37,813	37,675	37,145
	Gross expenditure	37,813	37,675	37,145
<i>Deduct</i>				
B	Appropriations-in-aid	975	973	996
	Net expenditure	36,838	36,702	36,149

Surplus for surrender

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

	2014	2013
	€	€
Surplus to be surrendered	135,853	1,265,198

Analysis of administration expenditure

		2014		2013
		Estimate provision	Outturn	Outturn
		€000	€000	€000
i	Salaries, wages and allowances	13,007	12,648	13,025
ii	Travel and subsistence	109	103	95
iii	Training and development and incidental expenses	991	1,188	868
iv	Postal and telecommunications services	270	201	182
v	Office equipment and external IT services	831	469	470
vi	Office premises expenses	1,292	597	543
vii	Consultancy services and value for money and policy reviews	37	20	33
		16,537	15,226	15,216

Notes to the Appropriation Account

1 Operating Cost Statement 2014

	2014	2013
	€000	€000
Programme cost	22,449	21,929
Pay	12,648	13,025
Non pay	2,578	2,191
Gross expenditure	37,675	37,145
<i>Deduct</i>		
Appropriations-in-aid	973	996
Net expenditure	36,702	36,149
Changes in capital assets		
Purchases cash	(142)	
Depreciation	166	
Loss on disposals	27	
	51	189
Changes in net current assets		
Increase in closing accruals	165	
Decrease in stock	1	
	166	(204)
Direct expenditure	36,919	36,134
Expenditure borne elsewhere		
Net allied services expenditure (note 1.1)	2,897	3,272
Notional rents	457	240
Net programme cost	40,273	39,646

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.

	2014	2013
	€000	€000
Vote 7 Finance	44	61
Vote 12 Superannuation and Retired Allowances	1,106	1,076
Vote 13 Office of Public Works	1,545	1,949
Vote 18 Shared Services	10	—
Vote 20 Garda Síochána	192	186
	2,897	3,272

2 Balance Sheet as at 31 December 2014

	Note	2014 €000	2013 €000
Capital assets	2.2	441	492
Current assets			
Bank and cash		608	635
Stocks	2.3	61	62
Prepayments		157	131
Other debit balances		370	292
Total current assets		1,196	1,120
Less current liabilities			
Net liability to the Exchequer	2.5	93	(3)
Accrued expenses		2,551	2,360
Other credit balances	2.4	885	930
Total current liabilities		3,529	3,287
Net current liabilities		(2,333)	(2,167)
Net assets		(1,892)	(1,675)
Represented by:			
State funding account	2.1	(1,892)	(1,675)

2.1 State Funding Account	Note	2014 €000	2013 €000
Balance at 1 January		(1,675)	(1,690)
Disbursements from the Vote			
Estimate provision	Account	36,838	
Surplus to be surrendered	Account	(136)	
Net vote		36,702	36,149
Expenditure (cash) borne elsewhere	1	2,897	3,272
Non cash expenditure – notional rent	1	457	240
Net programme cost	1	(40,273)	(39,646)
Balance at 31 December		(1,892)	(1,675)

2.2 Capital Assets

	Office equipment €000	Furniture and fittings €000	Total €000
Gross assets			
Cost or valuation at 1 January 2014	3,483	756	4,239
Additions	142	—	142
Disposals	(167)	(53)	(220)
Cost or valuation at 31 December 2014	3,458	703	4,161
Accumulated depreciation			
Opening balance at 1 January 2014	3,246	501	3,747
Depreciation for the year	108	58	166
Depreciation on disposals	(155)	(38)	(193)
Cumulative depreciation at 31 December 2014	3,199	521	3,720
Net assets at 31 December 2014	259	182	441
Net assets at 31 December 2013	237	255	492

2.3 Stocks

	2014 €000	2013 €000
at 31 December		
Stationery	40	38
IT consumables	21	24
	61	62

2.4 Other Credit Balances

	2014 €000	2013 €000
at 31 December		
Amounts due to the State		
Income Tax	433	443
Pay Related Social Insurance	119	118
Professional Services Withholding Tax	232	263
Value Added Tax	14	22
	798	846
Payroll deductions held in suspense	82	84
Other credit suspense items	5	—
	885	930

2.5 Net Liability to the Exchequer	2014	2013
at 31 December	€000	€000
Surplus to be surrendered	136	1,265
Exchequer grant undrawn	(43)	(1,268)
Net liability to the Exchequer	<u>93</u>	<u>(3)</u>

Represented by:**Debtors**

Bank and cash	608	635
Debit balances: suspense	<u>370</u>	<u>292</u>
	978	927

Creditors

Due to State	(798)	(846)
Credit balances: suspense	<u>(87)</u>	<u>(84)</u>
	(885)	(930)
	<u>93</u>	<u>(3)</u>

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 2014 (2013 : nil).

3 Programme Expenditure by Subhead

		2014		2013
		Estimate provision	Outturn	Outturn
		€000	€000	€000
A	Provision of a Prosecution Service			
A.1	Administration - pay	13,007	12,648	13,025
A.2	Administration - non pay	3,530	2,578	2,191
A.3	Fees to counsel	12,500	13,399	13,016
A.4	General law expenses	2,121	2,648	2,413
A.5	Local state solicitor service	6,655	6,402	6,500
		37,813	37,675	37,145

Significant variations

Overall, the expenditure in relation to Programme A was €138,000 lower than provided. Significant variations were as follows:

Description	Less/(more) than provided €000	Explanation
Administration - non pay	952	Savings arose mainly because capital works which were due to be carried out in 2014 did not proceed.
Fees to counsel	(899)	The excess on this subhead is principally due to the cost of a single complex financial trial.
General law expenses	(527)	The excess on this subhead is due to an increase in the number of more expensive settlements.

4 Receipts

4.1 Appropriations-in-aid		2014		2013
		Estimated	Realised	Realised
		€000	€000	€000
1.	Miscellaneous	80	151	126
2.	Receipts from pension-related deductions on public service remuneration	895	822	870
Total		975	973	996

4.2 Extra receipts payable to the Exchequer

A total of €13,812 was lodged to the Exchequer arising from forfeitures ordered by the courts.

5 Employee Numbers and Pay

	2014	2013
Number of staff at year end (full time equivalents)	181	185
	2014	2013
	€000	€000
Pay	11,593	11,952
Higher, special or additional duties allowance	170	176
Overtime	3	2
Employer's PRSI	882	895
Total Pay	12,648	13,025

5.1 Allowances and Overtime Payments

	Number of recipients	Recipients of €10,000 or more	Maximum individual payment 2014 €	Maximum individual payment 2013 €
Higher, special or additional duties	59	4	30,915	52,357
Overtime and extra attendance	8	—	910	579

Certain individuals received extra remuneration in more than one category.

5.2 Other Remuneration Arrangements

This account includes expenditure of €206,330 in respect of three officers who were serving outside the Office for all or part of 2014 and whose salaries were paid from Subhead A.1.

6 Miscellaneous

6.1 Legal Costs	2014	2013
	€000	€000

Legal costs paid during the year are categorised as follows:

Fees to counsel	13,399	13,016
General law expenses	2,648	2,413
State Solicitor Service	6,402	6,500
External legal services	61	—
Compensation paid	130	—
	<hr/> 22,640	<hr/> 21,929