

## **Appropriation Account 2022**

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### **Vote 21**

### **Prisons**

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## Introduction

As Accounting Officer for Vote 21, 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 2022 for the salaries and expenses of the Irish Prison Service, and other expenses in connection with prisons, including places of detention and for payment of certain grants.

The expenditure outturn is compared with the sums

- granted by Dáil Éireann under the Appropriation Act 2022, including the amount that could be used as appropriations-in-aid of expenditure for the year and
- provided by capital supply services in 2022 out of unspent 2021 appropriations, under the deferred surrender arrangements established by section 91 of the Finance Act 2004.

A surplus of €2.604 million 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, as set out by the Department of Public Expenditure, National Development Plan Delivery and Reform in circular 22 of 2022, have been applied in the preparation of the account except for the following.

### ***Valuation of land and buildings***

The Minister for Justice owns twelve prisons and places of detention, as well as property at the Irish Prison Service College in Portlaoise, property adjacent to the Headquarters building in Longford, and two sites in Dublin: one small site adjacent to Cloverhill Prison, and lands acquired for prison development at Thornton Hall, Kilsallaghan, County Dublin.

Land is valued at existing use value, or market value (if not in use), in the statement of fixed assets (note 2.1) while prison buildings are valued at average replacement cost per cell. The most recent revaluations took place in 2020 with updated revaluations taking place every five years, while an independent valuation was conducted in 2021 in respect of the lands at Thornton Hall. The availability of that land has been identified to the Land Development Agency as a potential strategic state land asset and other agencies have expressed interest in respect of a possible location for refugee accommodation. The current valuation is based on the existing use and zoning, and takes into account the quality of the agricultural land, location and road frontage and it specifically does not take into account any increased value based on any potential rezoning of the land for an alternative use and so the valuation will be kept under review.

***Depreciation***

Buildings are not depreciated in the years between revaluations, on the basis that ongoing annual maintenance expenditure is sufficient to maintain their condition.

With the exception of land and buildings, all other capital assets are depreciated on a straight line basis over their estimated useful life starting in the month placed in service.

***Consumables***

Supplies for prisoner meals, cleaning, maintenance and workshops are treated as expensed items and are not counted in stocks.

**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 Irish Prison Service.

This responsibility is exercised in the context of the resources available to me and my other obligations as Secretary General. 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.

***Shared services***

The National Shared Services Office provides payroll processing services to the Irish Prison Service.

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

***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.
- Procedures for all key business processes have been documented.
- There are systems in place to safeguard the assets.

***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 Irish Prison Service
- there are systems aimed at ensuring the security of the ICT systems
- there are appropriate capital investment control guidelines and formal project management disciplines.

***Internal audit and Audit Committee***

I confirm that the Department of Justice has an internal audit function with appropriately trained personnel, which operates in accordance with an approved written charter. Its work is informed by an analysis of the financial and management risks to which the Prison Service and the Department are exposed. The annual internal audit plan is approved by the Audit Committee and it takes account of this analysis. The plan aims to cover the key controls on a rolling basis over a reasonable timeframe. A dedicated audit team has been assigned to work on Prison Service audit issues in 2022, and this brings a greater focus to audit work across the Prison Service. The internal audit function is reviewed periodically by the Audit Committee. I am satisfied that there are procedures in place to ensure that the reports of the internal audit function are followed up.

***Procurement***

The Irish Prison Service (IPS) 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 in so far as these are within its control.

The Prison Service reported 20 non-competitive contracts as part of the circular 40/2002 return for 2022, all of which are compliant with the exception of five contracts totalling €277,330 (ex. VAT) due to the contracts being extended beyond their original contract date.

All five supplies have since been procured and valid contracts are now in place. Details of these contracts are included in the annual return in respect of circular 40/2002.

***Risk and control framework***

The Irish Prison Service has implemented a risk management system which identifies and reports key risks and the management actions being taken to address and, to the extent possible, to mitigate those risks.

A risk register is in place for each prison and directorate, and for the Irish Prison Service at a corporate level which identifies the key risks at each level and these are evaluated and graded according to their significance. The corporate risk register is reviewed and updated by the Risk Management Committee (Directors Leadership Team) on a quarterly basis and quarterly reviews also take place at prison/directorate level. The risk register details the controls and actions needed to mitigate risks and responsibility for operation of controls assigned to specific staff.

### ***Ongoing monitoring and review***

Formal procedures have been established for monitoring control processes and control deficiencies are communicated to those responsible for taking corrective action and to management and the Risk Management Committee, when appropriate, in a timely fashion. I confirm that key risks and related controls have been identified and processes have been put in place to monitor the operation of those key controls and that report any identified deficiencies.

### ***Review of effectiveness***

The Irish Prison Service's monitoring and review of the effectiveness of the system of internal financial control is informed by the work of the internal and external auditors and the senior management responsible for the development and maintenance of the internal financial control framework.

### ***Internal financial control issues***

Arising from the recommendations in recent audit reports, the Prison Service is continually reviewing and strengthening financial and other controls in processes in areas such as ICT project management, banking, GDPR compliance and the business continuity/disaster recovery processes. The Prison Service is currently implementing integrated accounting and stock control systems in the prison shops to further strengthen the controls in place, the systems are continuing to be in with regular monitoring by the Finance Directorate. The Prison Service has reduced the number of commercial bank accounts from 25 in 2021 to 20 in 2022. There is an ongoing programme of work to implement enhanced reporting and monitoring of these bank accounts.

### ***Covid-19 pandemic***

The impact of the Covid-19 pandemic has been a central focus since its onset and it has had a wide ranging and significant impact on prison operations, as prisons are a high risk environment for transmission of such viruses. Infection outbreaks have occurred in all prisons, and coinciding with the arrival of the Omicron variant of the disease, and its associated level of transmissibility, two thirds of all confirmed Covid cases amongst the prisoner population were detected in late 2021/early 2022. The prison service has been extremely challenged during the course of the pandemic, in relation to maintaining adequate staffing levels and managing the large increase in testing required (both for PCR and Antigen) in order to minimise the spread of the virus. As a result of these measures, the prison service has been largely successful in minimising the impact of Covid. There continues to be outbreaks of infections in prisons leading to management and staffing challenges, albeit on a greatly reduced basis.

There has been a major impact on cost with an estimated €3 million being incurred in 2022 (€5 million in 2021) as a direct result of the pandemic for items such as

- staff costs (particularly in relation to additional locum/agency healthcare staff)
- medical PPE
- virus detection measures (Covid testing and temperature monitoring devices)
- deep cleaning and infection control
- industrial cleaning
- bedding, laundry and catering contingencies
- ICT for improved prisoner services and remote working for staff.

**Oonagh McPhillips**  
Accounting Officer  
Prisons

30 March 2023

## **Comptroller and Auditor General**

### **Report for presentation to the Houses of the Oireachtas**

#### **Vote 21 Prisons**

#### **Opinion on the appropriation account**

I have audited the appropriation account for Vote 21 Prisons for the year ended 31 December 2022 under section 3 of the Comptroller and Auditor General (Amendment) Act 1993.

In my opinion, the appropriation account

- properly presents the receipts and expenditure of Vote 21 Prisons for the year ended 31 December 2022, and
- has been prepared in the form prescribed by the Minister for Public Expenditure, National Development Plan Delivery and Reform.

#### ***Basis of opinion***

I conducted my audit of the appropriation account in accordance with the International Standards on Auditing (ISAs) as promulgated by the International Organisation of Supreme Audit Institutions. My responsibilities under those standards are described in the appendix to this report. I am independent of the Department of Justice and of the Irish Prison Service and have fulfilled my other ethical responsibilities in accordance with the standards.

I believe that the audit evidence I have obtained is sufficient and appropriate to provide a basis for my opinion.

#### **Report on the statement on internal financial control, and on other matters**

The Accounting Officer has presented a statement on internal financial control together with the appropriation account. My responsibilities to report in relation to the information in the statement, and on certain other matters upon which I report by exception, are described in the appendix to this report.

I have nothing to report in that regard.

**Seamus McCarthy**

Comptroller and Auditor General

22 September 2023

## Appendix to the report

### Responsibilities of the Accounting Officer

The Accounting Officer is responsible for

- the preparation of the appropriation account in accordance with Section 22 of the Exchequer and Audit Departments Act 1866
- ensuring the appropriation account complies with the requirements of the Department of Public Expenditure, National Development Plan Delivery and Reform's *Public Financial Procedures*, and with other directions of the Minister for Public Expenditure, National Development Plan Delivery and Reform
- ensuring the regularity of transactions, and
- implementing such internal control as the Accounting Officer determines is necessary to enable the preparation of the appropriation account free from material misstatement, whether due to fraud or error.

### Responsibilities 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 account and to report thereon to the Houses of the Oireachtas stating whether, in my opinion, the account properly presents the receipts and expenditure related to the vote.

My objective in carrying out the audit is to obtain reasonable assurance about whether the appropriation account is free from material misstatement due to fraud or error. Reasonable assurance is a high level of assurance, but is not a guarantee that an audit conducted in accordance with the ISAs will always detect a material misstatement when it exists. Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of the appropriation account.

As part of an audit in accordance with the ISAs, I exercise professional judgment and maintain professional scepticism throughout the audit. In doing so,

- I identify and assess the risks of material misstatement of the appropriation account whether due to fraud or error; design and perform audit procedures responsive to those risks; and obtain audit evidence that is sufficient and appropriate to provide a basis for my opinion. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control.

- I obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the internal controls.
- I assess whether the accounting provisions of the Department of Public Expenditure, National Development Plan Delivery and Reform's *Public Financial Procedures* have been complied with.

I communicate with the Accounting Officer regarding, among other matters, the planned scope and timing of the audit and significant audit findings, including any significant deficiencies in internal control that I identify during my audit.

I report by exception if, in my opinion,

- I have not received all the information and explanations I required for my audit, or
- the accounting records were not sufficient to permit the appropriation account to be readily and properly audited, or
- the appropriation account is not in agreement with the accounting records.

### Reporting on the statement on internal financial control

My opinion on the appropriation account does not cover the Accounting Officer's statement on internal financial control, and I do not express any form of assurance conclusion thereon.

In connection with my audit of the appropriation account, I am required under the ISAs to read the statement on internal financial control and, in doing so, consider whether the information contained therein is materially inconsistent with the appropriation account or with knowledge obtained during the audit, or if it otherwise appears to be materially misstated. If, based on the work I have performed, I conclude that there is a material misstatement, I am required to report that fact.

### Reporting on other matters

I seek to obtain evidence about the regularity of financial transactions in the course of audit. I am required to report under section 3 of the Comptroller and Auditor General (Amendment) Act 1993 if I identify any material instance where public money has not been applied for the purposes intended or where transactions did not conform to the authorities governing them.

I am also required under the 1993 Act to prepare, in each year, a report on such matters arising from my audits of the appropriation accounts as I consider appropriate. In such cases, the audit reports on the relevant appropriation accounts refer to the relevant chapter(s) in my annual *Report on the Accounts of the Public Services*.



## Vote 21 Prisons

### Appropriation Account 2022

		2022		2021
		Estimate provision	Outturn	Outturn
		€000	€000	€000
<b>Programme expenditure</b>				
A	Administration and provision of safe, secure, humane and rehabilitative custody for people who are sent to prison			
	<i>Original</i>	401,307		
	<i>Deferred surrender</i>	3,601		
	<i>Supplementary</i>	12,799		
		417,707	412,631	392,389
<b>Gross expenditure</b>		<b>417,707</b>	<b>412,631</b>	<b>392,389</b>
	<i>Deduct</i>			
B	<b>Appropriations-in-aid</b>			
	<i>Original</i>	9,581		
	<i>Supplementary</i>	828		
		<b>10,409</b>	<b>11,142</b>	<b>10,568</b>
<b>Net expenditure</b>				
	<i>Original</i>	391,726		
	<i>Deferred surrender</i>	3,601		
	<i>Supplementary</i>	11,971		
		<b>407,298</b>	<b>401,489</b>	<b>381,821</b>

### Surplus

The surplus of the amount provided over the net amount applied is liable for surrender to the Exchequer. Under Section 91 of the Finance Act 2004, all or part of any unspent appropriations for capital supply services may be carried over for spending in the following year. €3.205 million of unspent allocations in respect of the capital elements of subhead A.3. Buildings and equipment was carried forward to 2023.

	2022	2021
	€	€
Surplus	5,809,263	9,031,130
Deferred surrender	(3,205,000)	(3,601,000)
<b>Surplus to be surrendered</b>	<b>2,604,263</b>	<b>5,430,130</b>

**Oonagh McPhillips**

Accounting Officer  
Prisons

30 March 2023

## Notes to the Appropriation Account

### Note 1 Operating Cost Statement 2022

	2022	2021
	€000	€000
Programme cost	103,586	102,286
Pay	289,622	271,455
Non pay	19,423	18,648
<b>Gross expenditure</b>	<b>412,631</b>	<b>392,389</b>
<i>Deduct</i>		
<b>Appropriations-in-aid</b>	<b>11,142</b>	<b>10,568</b>
<b>Net expenditure</b>	<b>401,489</b>	<b>381,821</b>
<b>Changes in capital assets</b>		
Purchases cash	(27,629)	
Depreciation	3,906	
Loss on disposals	6	(25,090)
<b>Changes in net current assets</b>		
Increase in closing accruals	381	
Increase in closing prepayments	(564)	
Decrease in closing accrued income	83	
Decrease in inventories	170	(6,131)
<b>Direct expenditure</b>	<b>377,842</b>	<b>350,600</b>
<b>Expenditure borne elsewhere</b>		
Net allied services expenditure (note 1.1)	79,734	76,191
<b>Net programme cost</b>	<b>457,576</b>	<b>426,791</b>

#### 1.1 Net allied services expenditure

The net allied services expenditure amount is made up of the following amounts in relation to Vote 21 borne elsewhere.

	2022	2021
	€000	€000
Vote 9 Office of the Revenue Commissioners	369	270
Vote 12 Superannuation and Retired Allowances	78,128	74,707
Vote 13 Office of Public Works	145	145
Vote 18 National Shared Services Office	329	324
Vote 24 Justice (Financial Shared Service Centre)	738	719
Vote 43 Office of the Government Chief Information Officer	25	26
	<b>79,734</b>	<b>76,191</b>

## Note 2 Statement of Financial Position as at 31 December 2022

	Note	2022 €000	2021 €000
<b>Capital assets</b>	2.1	1,410,635	1,386,918
<b>Current assets</b>			
Bank and cash	2.2	20,042	17,083
Inventories	2.3	1,749	1,919
Prepayments	2.4	4,358	3,794
Accrued income	2.5	111	194
Other debit balances	2.6	588	1,617
<b>Total current assets</b>		<b>26,848</b>	<b>24,607</b>
<b>Less current liabilities</b>			
Accrued expenses	2.7	3,711	3,330
Other credit balances	2.8	17,365	15,010
Net Exchequer funding	2.9	3,265	3,690
<b>Total current liabilities</b>		<b>24,341</b>	<b>22,030</b>
<b>Net current assets</b>		<b>2,507</b>	<b>2,577</b>
<b>Net assets</b>		<b>1,413,142</b>	<b>1,389,495</b>
<b>Represented by:</b>			
<b>State funding account</b>	2.10	<b>1,413,142</b>	<b>1,389,495</b>

**2.1 Capital assets <sup>a</sup>**

	Land and buildings	Office equipment	Furniture and fittings	Motor vehicles	Capital assets under development	Total
	€000	€000	€000	€000	€000	€000
<b>Gross assets</b>						
Cost or valuation at 1 January 2022	1,321,303	79,417	759	13,326	55,157	1,469,962
Additions	2,560	2,959	—	2,076	20,034	27,629
Brought into use	4,976	—	—	—	(4,976)	—
Disposals	—	(447)	(6)	(1,892)	—	(2,345)
Cost or valuation at 31 December 2022	1,328,839	81,929	753	13,510	70,215	1,495,246
<b>Accumulated depreciation</b>						
Opening balance at 1 January 2022	—	71,381	697	10,966	—	83,044
Depreciation for the year	—	2,622	17	1,267	—	3,906
Depreciation on disposals	—	(443)	(4)	(1,892)	—	(2,339)
Cumulative depreciation at 31 December 2022	—	73,560	710	10,341	—	84,611
<b>Net assets at 31 December 2022</b>	<b>1,328,839</b>	<b>8,369</b>	<b>43</b>	<b>3,169</b>	<b>70,215</b>	<b>1,410,635</b>
Net assets at 31 December 2021	1,321,303	8,036	62	2,360	55,157	1,386,918

Note <sup>a</sup> The Irish Prison Service commenced applying a threshold of €10,000 for the capitalisation of its capital assets for asset additions from 1 January 2021.

## 2.2 Bank and cash

at 31 December	<b>2022</b>	<b>2021</b>
	<b>€000</b>	<b>€000</b>
PMG balances and cash	19,880	16,839
Commercial bank account balances	162	244
	<b>20,042</b>	<b>17,083</b>

### Non-Vote bank accounts

The Irish Prison Service holds 20 commercial bank accounts. Moneys in these accounts are managed by the Irish Prison Service separately to voted funds and relate to prison shops, a Prisoner Assist Fund and two accounts for prisoners' personal cash. With the exception of gratuity payments to individual prisoners, which originate from the Vote, no moneys due to or paid from the Vote are transmitted through these bank accounts. The amount held at the end of 2022 is €3,949,155 and is not included in the account (2021: €3,478,046). See also note 6.6.

## 2.3 Inventories

at 31 December	<b>2022</b>	<b>2021</b>
	<b>€000</b>	<b>€000</b>
Uniforms and clothing	1,692	1,863
Miscellaneous	57	56
	<b>1,749</b>	<b>1,919</b>

## 2.4 Prepayments

at 31 December	<b>2022</b>	<b>2021</b>
	<b>€000</b>	<b>€000</b>
Department administration (mainly ICT - system maintenance and support including licencing)	2,770	2,713
A.3 Buildings and equipment (includes ICT system maintenance and support and building rental costs)	582	174
A.4 Prisoner services (mainly resettlement services costs)	304	281
A.5 Operational services (mainly communication services provided by Tetra and other security services)	596	576
A.6 Educational services	106	50
	<b>4,358</b>	<b>3,794</b>

**2.5 Accrued income**

at 31 December	<b>2022</b>	<b>2021</b>
	<b>€000</b>	<b>€000</b>
Payroll related receipts	96	155
Work training receipts	15	5
Compensation and legal	—	34
	<b>111</b>	<b>194</b>

**2.6 Other debit balances**

at 31 December	<b>2022</b>	<b>2021</b>
	<b>€000</b>	<b>€000</b>
Prison imprest accounts	392	278
Other debit suspense items	196	392
Payroll suspense account (Paypath)	—	947
	<b>588</b>	<b>1,617</b>

**2.7 Accrued expenses**

at 31 December	<b>2022</b>	<b>2021</b>
	<b>€000</b>	<b>€000</b>
Prisoner services	1,781	1,555
Buildings and equipment	521	882
Office equipment and external IT services	506	288
Training and development and incidental expenses	435	163
Travel and subsistence	175	139
Postal and telecommunications services	21	118
Operational services	182	103
Educational services	67	82
Compensation	23	—
	<b>3,711</b>	<b>3,330</b>

## 2.8 Other credit balances

at 31 December	2022	2021
	€000	€000
<b>Amounts due to the State</b>		
Income tax	9,012	7,030
Pay related social insurance	4,425	3,698
Professional services withholding tax	105	134
Value added tax	1,331	1,539
Registered contractors tax	17	—
Tax deducted from pension contribution refunds	5	1
	<u>14,895</u>	<u>12,402</u>
 Vote related bank account balances	 162	 244
Payroll deductions held in suspense	935	933
Other credit suspense items	<u>1,373</u>	<u>1,431</u>
	<u><b>17,365</b></u>	<u><b>15,010</b></u>

## 2.9 Net Exchequer funding

at 31 December	2022	2021
	€000	€000
Surplus to be surrendered	2,604	5,430
Deferred surrender	3,205	3,601
Exchequer grant undrawn	<u>(2,544)</u>	<u>(5,341)</u>
<b>Net Exchequer funding</b>	<u><b>3,265</b></u>	<u><b>3,690</b></u>
 <b>Represented by:</b>		
<b>Debtors</b>		
Bank and cash	20,042	17,083
Debit balances: suspense	<u>588</u>	<u>1,617</u>
	<u>20,630</u>	<u>18,700</u>
 <b>Creditors</b>		
Due to the State	(14,895)	(12,402)
Vote related bank account balances	(162)	(244)
Credit balances: suspense	<u>(2,308)</u>	<u>(2,364)</u>
	<u>(17,365)</u>	<u>(15,010)</u>
	<u><b>3,265</b></u>	<u><b>3,690</b></u>

## 2.10 State funding account

	Note	2022	2021
		€000	€000
Balance at 1 January		1,389,495	1,401,064
Disbursements from the Vote			
Estimate provision	Account	407,298	
Deferred surrender	Account	(3,205)	
Surplus to be surrendered	Account	(2,604)	
Net vote		401,489	381,821
Expenditure (cash) borne elsewhere	1.1	79,734	76,191
Asset revaluation (non cash)	2.1	—	(42,790)
Net programme cost	1	(457,576)	(426,791)
<b>Balance at 31 December</b>		<b>1,413,142</b>	<b>1,389,495</b>

## 2.11 Commitments

a) Global commitments	2022	2021
at 31 December	€000	€000
Capital projects	3,529	14,985
<b>Total of legally enforceable commitments</b>	<b>3,529</b>	<b>14,985</b>

### b) Major capital projects

	Cumulative expenditure to 31 December 2021	Expenditure in 2022	Project commitments in subsequent years	Expected total spend lifetime of project 2022	Expected total spend lifetime of project 2021 <sup>a</sup>
	€000	€000	€000	€000	€000
Limerick Prison <sup>a</sup>	54,254	11,599	2,247	68,100	68,100
	<b>54,254</b>	<b>11,599</b>	<b>2,247</b>	<b>68,100</b>	<b>68,100</b>

Note <sup>a</sup> The redevelopment of Limerick Prison includes an extension to a current wing of the prison, a new female facility and a number of other related works. It also provides a new Probation Service premises which is funded, to the value of €3.4 million, by the Office of Public Works.



## **2.12 Matured liabilities**

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There were no matured liabilities un-discharged at year end 2022 or in the previous year.

## **2.13 Contingent liabilities**

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The Irish Prison Service is involved in a number of pending legal proceedings which may generate liabilities, depending on the outcome of the litigation. The contingent liabilities include compensation claims relating to in-cell sanitation which are being dealt with by the State Claims Agency on behalf of the Irish Prisons Service. Any actual amount or timing of potential liabilities is uncertain. See also note 6.2 Compensation and legal costs.

### Note 3 Vote Expenditure

#### Analysis of administration expenditure

Administration expenditure set out below is included in Programme A expenditure, to provide complete programme costings.

		<b>2022</b>		<b>2021</b>
		<b>Estimate provision</b>	<b>Outturn</b>	<b>Outturn</b>
		<b>€000</b>	<b>€000</b>	<b>€000</b>
i	Salaries, wages and allowances			
	<i>Original</i>	278,253		
	<i>Supplementary</i>	11,770		
			290,023	289,622
ii	Travel and subsistence			271,455
	<i>Original</i>	2,316		
	<i>Supplementary</i>	139		
			2,455	2,272
iii	Training and development and incidental expenses			1,645
	<i>Original</i>	4,280		
	<i>Supplementary</i>	505		
			4,785	4,084
iv	Postal and telecommunications services			4,020
	<i>Original</i>	1,800		
	<i>Supplementary</i>	(169)		
			1,631	1,600
v	Office equipment and external IT services			1,670
	<i>Original</i>	9,230		
	<i>Supplementary</i>	560		
			9,790	11,467
vi	Consultancy services and value for money and policy reviews			11,313
	<i>Original</i>	100		
	<i>Supplementary</i>	(100)		
			<b>308,684</b>	<b>309,045</b>
				<b>290,103</b>

#### Significant variations

The following outlines the reasons for significant variations (+/- 25% and €100,000).

#### vi Consultancy services and value for money and policy reviews

*Estimate provision €100,000; outturn €nil*

The saving of €100,000 compared with the original allocation arose as there was no requirement for consultancy services in the year.

**Programme A Administration and provision of safe, secure, humane and rehabilitative custody for people who are sent to prison**

		<b>2022</b>		<b>2021</b>
		<b>Estimate provision</b>	<b>Outturn</b>	<b>Outturn</b>
		<b>€000</b>	<b>€000</b>	<b>€000</b>
A.1	Administration – pay			
	<i>Original</i>	278,253		
	<i>Supplementary</i>	11,770		
			290,023	289,622
A.2	Administration – non pay			271,455
	<i>Original</i>	17,726		
	<i>Supplementary</i>	935		
			18,661	19,423
A.3	Buildings and equipment			18,648
	<i>Original</i>	55,738		
	<i>Deferred surrender</i>	3,601		
	<i>Supplementary</i>	(2,634)		
			56,705	52,293
A.4	Prisoner services			54,419
	<i>Original</i>	31,976		
	<i>Supplementary</i>	2,218		
			34,194	34,838
A.5	Operational services			32,801
	<i>Original</i>	5,250		
	<i>Supplementary</i>	1,535		
			6,785	6,623
A.6	Educational services		1,265	4,726
A.7	Compensation			914
	<i>Original</i>	10,873		
	<i>Supplementary</i>	(1,025)		
			9,848	8,129
A.8	Social disadvantage measures (Dormant accounts funded)		226	9,152
			270	274
		<b>417,707</b>	<b>412,631</b>	<b>392,389</b>

**Significant variations**

The following outlines the reasons for significant variations in programme expenditures (+/- 5% and €100,000). Overall, the expenditure in relation to Programme A was €7.723 million higher than originally provided (including the deferred capital provision). This included an overspend of €13.066 million in relation to administrative expenditure.

**A.3 Buildings and equipment**

*Estimate provision €59.339 million; outturn €52.293 million*

The saving of €7.046 million compared with the original allocation of €59.339 million arose mainly due to the slowdown of construction works in the early part of 2022 following the impact of the omicron variant of the Covid virus. Supply chain disruptions were also experienced due to difficulties associated with access to construction labour, the continuing impact of Brexit and the war in Ukraine. An amount of €3.205 million of this capital underspend was carried over to 2023 under the deferred capital provisions.

**A.4 Prisoner services**

*Estimate provision €31.976 million; outturn €34.838 million*

The excess of €2.862 million compared with the original allocation of €31.976 million was primarily due to increased prisoner numbers as well as inflationary increases in relation to prisoner catering and medical costs.

**A.5 Operational services**

*Estimate provision €5.25 million; outturn €6.623 million*

The excess of €1.373 million compared with the original allocation of €5.25 million was due to the acceleration of the vehicle replacement programme and inflationary increases in relation to security costs.

**A.6 Educational services**

*Estimate provision €1.265 million; outturn €1.433 million*

The excess of €168,000 mainly arose due to increased prisoner numbers and increased costs for the provision of educational materials and services.

**A.7 Compensation**

*Estimate provision €10.873 million; outturn €8.129 million*

The saving of €2.744 million compared with the original allocation of €10.873 million arose due to a less than expected throughput of claims in relation to in-cell sanitation cases and other compensation claims. This is a demand led cost item managed by the State Claims Agency and the expenditure varies depending on the final quantum, number and timing of awards.

## Note 4 Receipts

### 4.1 Appropriations-in-aid

		<b>2022</b>		<b>2021</b>
		<b>Estimated</b>	<b>Realised</b>	<b>Realised</b>
		<b>€000</b>	<b>€000</b>	<b>€000</b>
1	Miscellaneous			
	<i>Original</i>	305		
	<i>Supplementary</i>	<u>124</u>		
		429	351	443
2	Dormant account receipts	226	270	274
3	Receipts from additional superannuation contributions on public service remuneration			
	<i>Original</i>	9,050		
	<i>Supplementary</i>	<u>704</u>		
		9,754	10,521	9,851
<b>Total</b>		<b><u>10,409</u></b>	<b><u>11,142</u></b>	<b><u>10,568</u></b>

### Significant variations

The following outlines the reasons for significant variations in appropriations-in-aid (+/- 5% and €100,000). Overall, the appropriations-in-aid were €1.561 million higher than the original estimate provision of €9.581 million. This is mainly due to the following:

#### 3 Receipts from additional superannuation contributions on public service remuneration

*Estimate €9.05 million; realised €10.521 million*

The excess of €1.471 million in income compared with the original allocation of €9.05 million was directly related to increased salary costs as a result of the extension of the Building Momentum public service pay deal.

## Note 5 Staffing and Remuneration

### 5.1 Employee numbers

Full time equivalents	2022	2021
Number of staff at year end	<u>3,493</u>	<u>3,476</u>

### 5.2 Pay

	2022	2021
	€000	€000
Pay	176,439	167,717
Higher, special or additional duties allowances	415	407
Other allowances	42,417	39,989
Extra attendance and overtime	45,455	40,591
Employer's PRSI	24,896	22,751
<b>Total pay</b>	<b><u>289,622</u></b>	<b><u>271,455</u></b>

### 5.3 Allowances and overtime payments

	Number of recipients	Recipients of €10,000 or more	Highest individual payment	
			2022	2021
			€	€
Higher, special or additional duties allowances	82	4	13,870	25,408
Extra attendance and overtime	3,142	2,271	77,138	54,048
Shift and roster allowances	2,973	1,621	30,061	20,237
Miscellaneous	3,203	65	13,560	13,266
Extra remuneration in more than one category	3,183	2,969	96,253	72,660

### 5.4 Irish Prison Service staffing by pay band

The number of Irish Prison Service employees whose total employee benefits (including basic pay, allowances, overtime; excluding employer PRSI, employer pension costs) for the financial year fell between €20,000 and €59,999 and within each band of €10,000 from €60,000 upwards are as follows.

Pay band (€)		Number of employees	
From	To	2022	2021
20,000	59,999	845	989
60,000	69,999	411	413
70,000	79,999	486	661
80,000	89,999	864	941
90,000	99,999	578	346
100,000	109,999	217	85
110,000	119,999	51	26
120,000	129,999	24	10
130,000	139,999	9	3
140,000	149,999	4	1
150,000	159,999	2	—
160,000	169,999	—	—
170,000	179,999	—	—
180,000	189,999	1	1
190,000	199,999	1	—

### 5.5 Other remuneration arrangements

A total of €123,257 was paid to 27 retired civil servants in receipt of civil service pensions who were employed on various duties. Payments ranged from €341 to €33,131. A total of €22,186 was paid to five retired members of An Garda Síochána, who were employed by the Irish Prison Service on specific duties during 2022.

Appropriate procedures were in place with regard to payments to retired staff in accordance with section 52 of the Public Service Pensions (Single Scheme and Other Provisions) Act 2012.

**5.6 Payroll overpayments**

at 31 December	<b>Number of recipients</b>	<b>2022</b>	<b>2021</b>
		€	€
Overpayments	247	538,571	543,047
Recovery plans in place	131	230,163	272,808

There were no individuals with overpayment recovery plans who transferred to other departments in 2022. The details listed above include a number of preserved pension cases. A number of additional recovery repayment plans have been put in place in the year to date.

**5.7 Remuneration and benefits of Accounting Officer**

The Accounting Officer for Vote 21 Prisons is also the Accounting Officer for Vote 24 Justice. Her remuneration and benefits are disclosed in the appropriation account for Vote 24.



## Note 6 Miscellaneous

### 6.1 Prison population

The estimated daily average number of prisoners in 2022 was 4,120 (2021: 3,794).

### 6.2 Compensation and legal costs

#### Payments/costs paid by the Irish Prison Service in the year

	Claims by				Total 2022	Total 2021
	employees	prisoners, arising out of injuries and other actions involving prisoners	members of the public			
	civil claims - injuries while on duty and other issues	Criminal Injuries Compensation Tribunal – prison staff injuries				
Number of cases	95	95	337	24	551	1,382
	€000	€000	€000	€000	€000	€000
Irish Prison Service's own legal costs	200	—	558	24	782	1,011
Payments by/on behalf of the Irish Prison Service						
Compensation	1,065	1,729	1,326	342	4,462	5,992
Legal costs	328	—	1,327	11	1,666	2,009
Other costs	76	—	197	14	287	131
<b>2022 total</b>	<b>1,669</b>	<b>1,729</b>	<b>3,408</b>	<b>391</b>	<b>7,197</b>	<b>9,143</b>
2021 total	1,438	1,505	6,033	167	9,143	

**Note** At 31 December 2022, the State Claims Agency recorded 1,056 active claims as outstanding (2021: 1,465). Legal costs incurred by the Prison Service in relation to 23 non-compensation cases amounted to €909,969 (2021: €142,813).

The outstanding claims recorded by the State Claims Agency include 600 cases relating to in-cell sanitation. Arising from a related Supreme Court judgement, the State Claims Agency has put in place a scheme to address these claims. The costs of any compensation from this scheme are paid from the Prisons Vote. The amount of €3.408 million paid in compensation and legal costs from the table above, in respect of claims by prisoners includes €1.201 million (2021: €3.735 million) in compensation and €430,805 (2021: €555,000) in legal costs for finalised in-cell sanitation cases. The total costs relating to cell sanitation cases amounted to €11.213 million at the end of 2022 (2021: €9.581 million). It is estimated by the State Claims Agency that the final cost of in-cell sanitation cases is likely to be in the region of €15 million to €20 million.

At 31 December 2022, the Irish Prison Service has no (2021: nil) outstanding legal costs due to the State Claims Agency.

### Cumulative costs of cases completed in 2022

	Claims by			Total
	prison staff	prisoners	members of the public	
Number of cases	45	501	8	554
	€000	€000	€000	€000
Irish Prison Service's own legal costs	210	3,213	6	3,429
Payments by/on behalf of the Irish Prison Service				
Compensation	1,496	1,164	85	2,745
Legal costs	453	1,918	—	2,371
Other costs	95	298	6	399
<b>Total</b>	<b>2,254</b>	<b>6,593</b>	<b>97</b>	<b>8,944</b>

### 6.3 Prisoner funeral expenses

Ex-gratia payments totalling €21,721 (2021: €8,915) were made towards the funeral expenses of four prisoners who died in prison.

### 6.4 Cash losses

A number of cash losses totalling €453 (2021: €4,841) were identified across five prisons during 2022.

### 6.5 Prompt payment of account interest

The amount of prompt payment interest incurred by the Irish Prison Service in 2022 was €3,839 (2021: €10,013).

### 6.6 Other financial operations within the Irish Prison Service

Separate to the expenditure reflected in the appropriation account, a number of other financial operations arise within the Irish Prison Service in order to carry out its functions. The operations in question relate to two bank accounts for prisoner cash, prison shops (including a central prison shop bank account), and a Prisoner Assist Programme Fund. The details are as follows:

- **Main prisoners' personal funds account** - A bank account is maintained centrally specifically for prisoners' personal funds and is managed by the Finance and Estates Directorate. As prisoners leave prison, they receive the balance of their personal funds from this account. The balance in the account at 31 December 2022 was €1,693,517 (2021: €1,430,914). This represents the accumulated prisoner balances at year end but also includes the total prison shop sales for December (typically over €600,000 approx.) that will be transferred, shortly after month end, to the appropriate prison shop bank accounts to facilitate payment to suppliers for December purchases.

- **Prisoner Funds account** - Since 2020, a further bank account is in use for prisoners' personal funds. This account is also managed by the Finance and Estates Directorate. This account allows prisoners' families to transfer funds by EFT or An Post card to their family member in prison. This was necessary arising from the Covid pandemic and also removes some risk associated with cash handling. Similar to the process in place with the prisons, the funds received into this bank account are transferred on a weekly basis into the main prisoners' personal funds account. The balance in the account at 31 December 2022 was €207,930 (2021: €157,841).
- **Prison shops** - Each prison has an internal shop ('tuck shop') where prisoners can purchase items such as confectionary and toiletry products. The items are paid for from individual prisoner funds. All purchasing for the shop is funded from sales to prisoners and since February 2021, any 'net surplus' generated is transferred to a centrally managed prison shop bank account. During 2022, three locally managed prison shop bank accounts were closed. The total bank account balances for the remaining eight prisons shops at 31 December 2022 was €442,779 (2021: €425,954). The value of stock on hand was €402,868 (2021: €351,366).
- **Central Prison Shop Bank account** — From February 2021, a central prison shop bank account is in use, managed by the Finance and Estates Directorate. The funds in this account are generated from the surplus from all prison shops and will fund prisoner hardship through a centrally managed allocation process. The balance in the account at 31 December 2022 was €1,145,139 (2021: €424,022).
- **Prisoner Assist Programme Fund (PAPF)** - The balances remaining in the PAPF bank accounts in each prison are being used to fund prisoner hardship and related projects and, as the balances are cleared, the PAPF bank accounts will be closed. Two locally managed PAPF bank accounts were closed during 2022. The total of the balances in the remaining nine bank accounts at 31 December 2022 was €459,790 (2021: €1,039,315).
- **Voluntary mess committees (VMCs)** - are currently operating in eight prisons to coordinate the administration of the operation of canteen facilities for prison staff provided through prisoner training kitchens. VMCs operate as separate and independent entities from the Irish Prison Service. An independent review of the operation of the VMCs concluded in April 2022 and on foot of the review report's recommendations, an assignment aimed at developing an optimal model for the provision of staff meals was commissioned. This is currently ongoing.

## 6.7 Deferred surrender

Deferred surrender comprises savings in 2022 of €3.205 million in capital expenditure in the following subhead that was carried over to 2023.

	€000
<b>Description of subhead:</b>	
A.3 Buildings and equipment	3,205
	<b>3,205</b>