

Vote 13: Office of the Chief State Solicitor

Introduction

As Accounting Officer for Vote 13, 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 2010 for the salaries and expenses of the Office of the Chief State Solicitor.

The expenditure outturn is compared with the sums granted by Dáil Éireann under the Appropriation Act 2010, including the amount that could be used as appropriations-in-aid of expenditure for the year.

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

Along with the Account, I have submitted a statement in the standard format on the system of internal financial control that operates in the Office of the Chief State Solicitor. The following actions have been taken or are planned to enhance internal control.

Staff Training

As the Management Information Framework (MIF) and the Case and Records Management System (ACME) are in place, the requirement for training is regularly reviewed and provided to relevant staff. Staff in the Finance Section and other relevant sections have received refresher training on the financial management system.

Risk Management

The risk management process is overseen by a Risk Management Committee, representative of the Office and the Office of the Attorney General, which reports to the joint Office MAC and the Audit Committee for both Offices. A risk management policy and a corporate risk register covering both Offices are in place. Legal and administrative risk registers for the CSSO are in place and are regularly reviewed.

Information and Communications Technology Security

The Office applies good practice controls to mitigate against key security risks associated with information and communications technology (ICT). The Office in conjunction with the Office of the Attorney General have reviewed the Information Technology elements of the Business Continuity Management plan during 2010. The Office intends to upgrade some systems to enhance existing security arrangements and further provide for Business Continuity Management implementation.

Administrative and Financial Controls

The MAC and the Audit Committee regularly review controls. All internal audit reports are considered by the MAC of both Offices. The Office regularly reviews all financial procedures and a review of financial procedures has been undertaken and a final draft is being prepared for presentation to the Accounting Officer and the Management Advisory Committee.

DAVID J O'HAGAN

Accounting Officer
Office of the Chief State Solicitor
31st March 2011

Certificate of the Comptroller and Auditor General

I have audited the Appropriation Account of Vote 13: Office of the Chief State Solicitor for 2010 under Section 3 of the Comptroller and Auditor General (Amendment) Act, 1993. The Account has been prepared in accordance with the Statement of Accounting Policies and Principles. The duties of the Accounting Officer and of the Comptroller and Auditor General in relation to the Appropriation Accounts, and the basis of the audit opinion, are set out in Part 1 to this volume.

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 Chief State Solicitor. The Appropriation Account is in agreement with the books of account.

In my opinion, the Appropriation Account properly presents the receipts and expenditure of the Vote for the year ended 31 December 2010.

A handwritten signature in black ink, appearing to read 'John Buckley', with a stylized flourish at the end.

JOHN BUCKLEY
Comptroller and Auditor General
22 August 2011

Vote 13 Office of the Chief State Solicitor Appropriation Account 2010

Service	2010 Estimate provision	2010 Outturn	2009 Outturn
	€000	€000	€000
Administration			
A.1. Salaries, wages and allowances	15,000	14,539	15,831
A.2. Travel and subsistence	92	57	51
A.3. Incidental expenses	1,120	947	874
A.4. Postal and telecommunications	450	369	395
A.5. Office machinery and other office supplies and related services	920	738	772
A.6. Office premises expenses	385	359	393
A.7. Consultancy services	29	18	14
A.8. External legal services	439	241	149
A.9. Value for money and policy reviews	14	—	—
Other services			
B. Fees to counsel	14,350	12,372	16,136
C. General law expenses	3,616	3,942	3,584
Gross Expenditure	36,415	33,582	38,199
Deduct			
D. Appropriations-in-aid	1,604	1,958	4,708
Net Expenditure	34,811	31,624	33,491
Surplus to be surrendered		€3,187,222	€2,395,268

Notes to the Appropriation Account

1 Operating Cost Statement 2010

	Note	€000	2010 €000	2009 €000
Expenditure on administration			17,268	18,479
Expenditure on services and programmes			16,314	19,720
Gross expenditure			<u>33,582</u>	<u>38,199</u>
Deduct				
Appropriations-in-aid			1,958	4,708
Net expenditure			<u>31,624</u>	<u>33,491</u>
Changes in capital assets				
Purchases cash		(265)		
Depreciation		420		
Loss on disposals		2	157	172
Changes in net current assets				
Decrease in closing accruals		(879)		
Increase in stock		(36)	(915)	203
Direct expenditure			<u>30,866</u>	<u>33,866</u>
Expenditure borne elsewhere				
Net allied services expenditure	1.1		2,649	2,088
Notional rents			1,239	1,549
Total operating cost			<u>34,754</u>	<u>37,503</u>

1.1 Net Allied Services

The net allied services expenditure amount is made up of the following estimated amounts in relation to Vote 13 borne elsewhere

Vote		2010 €000	2009 €000
7	Superannuation and Retired Allowances	1,865	1,137
10	Office of Public Works	784	951
		<u>2,649</u>	<u>2,088</u>

2 Statement of Assets and Liabilities as at 31 December 2010

	Note	2010 €000	2009 €000
Capital Assets	2.1	971	1,128
Current Assets			
Bank and cash	2.2	2,725	1,739
Stocks	2.3	61	25
Prepayments		96	134
Accrued income		6,159	5,910
Other debit balances	2.4	82	171
Total Current Assets		9,123	7,979
Less Current Liabilities			
Accrued expenses		946	1,614
Other credit balances	2.5	2,775	1,831
Net Liability to the Exchequer	2.6	32	79
Total Current Liabilities		3,753	3,524
Net Current Assets		5,370	4,455
Net Assets		6,341	5,583

2.1 Capital Assets

	Office Equipment €000	Furniture and Fittings €000	Total €000
Gross assets			
Cost or valuation at 1 January 2010	3,717	1,541	5,258
Additions	183	82	265
Disposals	(93)	(64)	(157)
Cost or valuation at 31 December 2010	<u>3,807</u>	<u>1,559</u>	<u>5,366</u>

Accumulated Depreciation

Opening balance at 1 January 2010	3,046	1,084	4,130
Depreciation for the year	343	77	420
Depreciation on disposals	(92)	(63)	(155)
Cumulative depreciation at 31 December 2010	<u>3,297</u>	<u>1,098</u>	<u>4,395</u>

Net Assets at 31 December 2010

<u>510</u>	<u>461</u>	<u>971</u>
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Net Assets at 31 December 2009

<u>671</u>	<u>457</u>	<u>1,128</u>
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2.2 Bank and Cash

	2010 €000	2009 €000
at 31 December		
PMG balances and cash	6,475	2,272
Orders outstanding	(3,750)	(533)
	<u>2,725</u>	<u>1,739</u>

2.3 Stocks

	2010 €000	2009 €000
at 31 December		
Stationery	61	25

2.4 Other Debit Balances

	2010 €000	2009 €000
at 31 December		
Miscellaneous	82	128
Shared accommodation costs	—	43
	<u>82</u>	<u>171</u>

2.5 Other Credit Balances

	2010 €000	2009 €000
at 31 December		
Amounts due to the State		
Income Tax	202	216
Pay Related Social Insurance	128	143
Professional Services Withholding Tax	380	371
Value Added Tax (4th Schedule)	4	4
Pension contributions	51	50
	<u>765</u>	<u>784</u>
Payroll deductions held in suspense	55	63
Other credit suspense items	1,955	984
	<u>2,775</u>	<u>1,831</u>

2.6 Net Liability to the Exchequer at 31 December	2010 €000	2009 €000
Surplus to be surrendered	3,187	2,395
Exchequer grant undrawn	(3,155)	(2,316)
Net liability to the Exchequer	<u>32</u>	<u>79</u>
Represented by:		
Debtors		
Bank and cash	2,725	1,739
Debit balances: suspense	82	171
	<u>2,807</u>	<u>1,910</u>
Creditors		
Due to State	(765)	(784)
Credit balances: suspense	(2,010)	(1,047)
	<u>(2,775)</u>	<u>(1,831)</u>
	<u>32</u>	<u>79</u>
2.7 Commitments		
at 31 December	2010 €000	2009 €000
Total of legally enforceable contracts	<u>976</u>	<u>941</u>

While the Office did have commitments in respect of legal fees at the year end, these are not quantifiable in a significant sense and are subject to inherent uncertainties and unpredictable factors associated generally with legal costs forecasts. They are, however, also subject to controls directed at the administration of costs and the observation of budgetary limits.

2.8 Matured Liabilities

The total amount of matured liabilities undischarged at 31 December 2010 amounted to €22,148.39.

3 Variations in Expenditure

An explanation is provided below in the case of each expenditure subhead where the outturn varied from the amount provided, by more than €100,000, and by more than 5% (25% in the case of administration subheads).

Sub-head	Less/(more) than provided €000	Explanation
A.1.	461	A strategic decision was taken in relation to the filling of some vacancies and the non filling of other vacancies which existed in the Office in 2010. Also some members of staff on secondment to other Departments did not return as anticipated during 2010. The Office also did not re-engage some contract staff and some staff numbers availed of the additional maternity special leave without pay.
A.8.	198	Agreement on reduction in fees along with less activity than anticipated led to lower expenditure in this subhead in 2010.
B.	1,978	Expenditure on this subhead is dependant on the level of activity in the courts and as such is difficult to forecast. There is no indication of an overall reduction in the level of activity in 2010. The Office has implemented the 8% reduction in professional fees in 2009 and 2010 and has managed the Subhead actively to secure greater economy.
C.	(326)	The excess is attributable exclusively to an increase in the level of payments under the AG's Scheme which is administered by the Department of Justice and Law Reform and repaid by the CSSO. Trends in payments under the scheme are under ongoing consideration by the Department and the Office.

4 Receipts

4.1 Appropriations-in-aid	2010	2010	2009
	Estimated	Realised	Realised
	€	€	€
1. Miscellaneous	750,000	1,039,516	3,908,477
2. Receipts from pension-related deduction on public service remuneration	854,000	918,650	799,685
Total	1,604,000	1,958,166	4,708,162

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%.

Heading	Less/(more) than estimated	Explanation
	€000	
1.	(289)	It is not possible to forecast accurately what costs will be awarded to the State and what fees will be actually recovered in any year. The recovery of costs was marginally greater than anticipated during 2009. Towards the end of 2010 new procedures were introduced to facilitate a more active management of the tracking and recovery of costs.

4.2 Extra receipts payable to the Exchequer

A total of €6,526 was lodged to the Exchequer under the State Property Act, 1954.

5 Employee Numbers and Pay

	2010	2009
Number of staff at year end (full time equivalents)	225	230
Pay	13,462	14,656
Higher, special or additional duties allowances	83	102
Other allowances	8	9
Overtime	43	38
Employer's PRSI	943	1,026
Total pay	14,539	15,831

5.1 Allowances and Overtime Payments

	Number of recipients	Recipients of €10,000 or more	Maximum individual payment 2010 €	Maximum individual payment 2009 €
Higher, special or additional duties	33	1	10,925	11,488
Overtime and extra attendance	24	1	10,261	8,408
Other allowances	5	—	3,077	1,913

Note: Certain individuals received extra remuneration in more than one category.