

**Public Service Agreement 2010 - 2014 (Croke Park Agreement)
CIVIL SERVICE AND NON-COMMERCIAL STATE AGENCY SECTOR**

PROGRESS REPORT & REVISIONS: October 2012

**Office of the Attorney General
Office of the Chief State Solicitor
Law Reform Commission**

Public Service Agreement 2010 - 2014 (Croke Park Agreement)
CIVIL SERVICE AND NON-COMMERCIAL STATE AGENCY SECTOR

PROGRESS REPORT & REVISIONS: October 2012

	Page
Departmental	
I. Office of the Attorney General	5
- <i>Better Human Resources Management</i>	6
- <i>Better Business Process</i>	14
- <i>Delivery for the Citizen</i>	28
II. Office of the Chief State Solicitor	39
- <i>Better Human Resources Management</i>	40
- <i>Better Business Process</i>	44
State Agency	
III. Law Reform Commission	55
- <i>Better Human Resources Management</i>	56
- <i>Better Business Process</i>	59
- <i>Delivery for the Citizen</i>	66

Progress Report and Revisions on PSA Action Plan for:

**Office of the Attorney General
Office of the Chief State Solicitor
Law Reform Commission**

Main Progress Achieved in the 18 Month Period 1 April 2011 to 30 September 2012

Public Service Agreement 2010 – 2014

OFFICE OF THE ATTORNEY GENERAL

1. Better human resource management: *To include, for example, actions around the reduction of staff numbers; the redeployment of staff to areas of greatest need; the restructuring/reconfiguration of service delivery; changes to work practices; revisions in attendance arrangements; absence management; performance management etc.*

Terms of the Agreement 2010 – 2014	Action	Target Date as per Current Action Plan	Current Position
Paragraphs 1.1, 1.3, 1.4, 1.5 and 4.1	To meet the targets set for the Office under the Employment Control Framework (ECF)	To schedule set by the Department of Public Expenditure & Reform (D/PER)	<p>The Department Public Expenditure & Reform (D/PER) set a target for the reduction of AGO staff to 129 by the end of 2014. This represents a 9% reduction in overall numbers compared to 2008. The Office has already met this target through reductions in Administration staff numbers. In an Office the size of the AGO a 9% reduction in staff numbers has not been easy to absorb without an impact on core services.</p> <p>From the start of 2010 to the end of 2014 it is estimated that the reduction in such staff will save a total of €3.03 million in direct staff costs. Other initiatives including the incentivised career break scheme and the public sector pay cut should result in a further €3.44 million in savings during the same period.</p> <p>Arising from an increase in the demand for legislation and legal services the Office approached the Department of Public Expenditure and Reform for additional legal professional staffing.</p> <p>By the end of 2012 the Office is expecting to complete the recruitment of 16 further staff. While this will cause us to (temporarily) exceed our ECF target eight of these are for</p>

Terms of the Agreement 2010 – 2014	Action	Target Date as per Current Action Plan	Current Position
			secondment (see below) and will be moving to other Departments where they will be counted in the host Department's ECF. D/PER are aware of and have agreed to this temporary increase in staff numbers.
All Paragraphs	Continuing to improve productivity wherever possible	Ongoing	<p>From within its existing resources the Office has met the increased demands of its clients for advice and legislation.</p> <p>In the past four years and particularly since September 2008 there has been a large increase in complex and urgent work arriving in this Office arising particularly out of the banking/Euro sovereign debt and the EU/IMF Programme. Notwithstanding the cuts in resources, the work continues to be carried out successfully even in pressurised circumstances. This is being achieved by the dedication and flexibility of staff such as working significant additional hours including at weekends.</p> <p>By way of example, an enormous volume of legislation has been prepared to meet the commitments to the External Partners such as the major reforms of the law relating to personal insolvency, stabilisation of banks, special resolution regimes for banks, credit unions, credit reporting, supervision and enforcement powers of the Central Bank, enhanced enforcement of competition law, changes to GP contracts and major changes in the law relating to legal services..</p>
Paragraphs 1.1,	Reduction in costs where possible	Ongoing	The Office has taken steps to reduce its expenditure across

Terms of the Agreement 2010 – 2014	Action	Target Date as per Current Action Plan	Current Position
1.2, 1.3, 1.4 and 1.11			<p>the board. During the past five years the Office's annual expenditure has reduced substantially. At the end of this year net expenditure is expected to be 29% lower than 2008. Net expenditure over the period:</p> <p>2008 €18.1 million 2009 €15.6 million (13.8 % reduction on previous year) 2010 €13.5 million (13.4 % reduction on previous year) 2011 €13.4 million (0.43% reduction on previous year) 2012 €12.8 million (4.5% estimated reduction on previous year)</p>
Paragraphs 1.1, 1.2, 1.3, 1.4 and 1.11	Control of Legal Fees	Ongoing	<p>In relation to counsels' fees, pursuant to procedures and scrutiny processes between the AGO and the CSSO, there has been a reduction in expenditure out of the CSSO Vote of 42.5% in 2011 and 53.4% (estimated) in 2012 when compared to 2008 payments.</p> <p>The Offices will keep the issue of fees under active management in order to ensure maximum value for money for such expenditure.</p>
Paragraphs 1.1, 1.3, 1.4, 1.5, 1.9, 1.10, 1.11, 4.1, 4.3 and 4.4	Comprehensive Review of Expenditure	Submission to D/PER by end of June 2011. Completed.	<p>In April 2011 the Office carried out a Comprehensive Review of Expenditure in order to identify savings that could be achieved. The review was based on an examination of our previous years spending patterns, the core material used in estimating expenditure for the 2012-2014 period and expenditure to that point. Consequently, in its report to D/PER the Office was able to identify</p>

Terms of the Agreement 2010 – 2014	Action	Target Date as per Current Action Plan	Current Position
			significant savings in its own vote but also several options which, if pursued, would result in savings elsewhere in the public service. This Review has also lead to a further Action on the Office's PSA Action Plan: Assisting and advising Client Departments on proposals to reduce litigation costs (See below).
Paragraphs 1.4, 1.7, 1.9, 1.10, 1.11, 4.3, 4.4 and 4.15	Further roll out of Secondment Programme	All Secondments to be in place by end of Q2 2013	The Office in conjunction with client Departments, is extending its Secondment Programme which places AGO legal staff within Departments. The Programme provides direct legal advice and guidance to the client " <i>in house</i> " and is successfully in place in 11 Departments. Currently, the Office is completing recruitment and beginning a formal training process from which approximately eight candidates will be selected and sent on secondment by early 2013.
Paragraphs 1.4 and 4.10	Control of Sick Leave	In place and ongoing Bi-annual reviews to be completed by middle of January and July with a report to MAC by the following month.	The Office undertakes bi-annual audits of its sick leave as part of its strategy to address issues raised in the C & AG's Report on Sickness Absence in the Civil Service. Recommendations agreed by MAC and implemented in the Office include; <ul style="list-style-type: none"> - Regular reminders issuing to all staff regarding sick leave procedures - Reminder to issue to all staff regarding need to submit social welfare forms - Back to work interviews take place with any staff member who is absent for more than three days - A warning letter which issues to staff who have

Terms of the Agreement 2010 – 2014	Action	Target Date as per Current Action Plan	Current Position
			<p>amassed 12 or more days absence over three or more absences in a 12 month period (irrespective as to whether the absences are covered by medical certificate). This will ensure both staff and managers are aware of any growing level of sick leave</p> <ul style="list-style-type: none"> - Increment form revisions to draw managers' attention to need to factor sick leave into evaluation when determining if an increment is to be paid - Sick leave totals are now emailed to managers in advance of interim and annual PMDS review meetings. This enables sick leave to be featured if necessary at PMDS meetings - Officers are referred to the CMO at the earliest opportunity, but no later than after four weeks continuous sick leave, when issues with their sick leave arise. - HR Unit now undertakes a bi-annual sick leave audit and reports the findings to MAC. <p>The HR Manager carries out a comprehensive review of staff sick leave every six months and reports on his findings to MAC. Most recently the report for the first half of 2012 was discussed at the MAC meeting in July and the next report in respect of the second six months of 2012 will be presented at early in 2013. Thus MAC is kept informed of the overall sick leave situation on a very regular basis.</p> <p>The number of days lost through sick leave has reduced considerably. In 2008, due to sick leave, the Office lost</p>

Terms of the Agreement 2010 – 2014	Action	Target Date as per Current Action Plan	Current Position
			<p>6.98% of its total working days, for 2011 the amount lost was 5.18% and for the first six months of 2012 the number was 3.13%. In total this represents a drop in sick leave since 2008 of just over 50%.</p> <p>At present further measures to deal with sick leave are being negotiated centrally and these too will be implemented as directed by D/PER.</p>
Paragraphs 1.1, 1.2, 1.4, 1.5, 1.7, 1.10, 1.11, 4.1, 4.3, 4.4 and 4.5	Continued flexibility to accommodate staff losses	This will be ongoing throughout the term of the Agreement.	<p>The Office recognises the need to reduce the cost of the public sector. As of the end of September 2012 compared to the beginning of 2008 it has reduced Administrative staff by 14 members representing a reduction of almost 20%. The Office continues to reorganise and adapt in order to minimise the impact that such losses have on the core legal work of the Office i.e. provision of advice and production of legislation. However, administrative staff are integral to the work of the Office by undertaking key tasks such as file maintenance, the case and record management tasks so essential to risk and knowledge management, legal secretarial services and research as well as the full range of corporate support services. In the absence of sufficient administrative personnel legal staff have to spend time dealing with administrative matters at the expense of their legal work. It is acknowledged that there is a limit to the extent that further reductions in administrative support can be absorbed without having an impact on the ability of the Office to carry out core legal work.</p>

Terms of the Agreement 2010 – 2014	Action	Target Date as per Current Action Plan	Current Position
			<p>There is regular consultation with staff in order to find flexible and pragmatic solutions to address shortages and ensure that levels and quality of service are maintained.</p> <p>In August 2011 an AGO administrative staff member was transferred permanently to the LRC to fill an existing vacancy. By agreement with staff representatives the AGO position will not be filled. Additionally, an EO from the AGO was assigned to the LRC for several weeks in order to cover for a staff member on sick leave and to deal with a backlog that had arisen.</p>
All Paragraphs	Implement all changes agreed centrally for the creation of a more efficient Public Service	As agreed centrally	<p>The Office is supporting the objectives of the Public Service Agreement and the National Recovery Plan 2011 to 2014 to develop an effective and cost-efficient Public Service. All initiatives agreed centrally are implemented on schedule as required by D/PER.</p> <p>Specific developments to date include staff number reductions, sick leave changes, readjustment of annual leave, PMDS developments, use of new technology, co-operation with the move to the HR Shared Service, revised PMDS forms etc.</p> <p>This Office has been scheduled to migrate to the shared HR service between March and September 2013.</p>
Paragraphs 1.4, 1.13 and 4.12	Performance Management and Development System	In place and ongoing	The Office has been able to report 100% PMDS compliance for both 2010 and 2011 and is on target to

Terms of the Agreement 2010 – 2014	Action	Target Date as per Current Action Plan	Current Position
			<p>report full compliance for 2012 too. The Office has implemented the changes required for 2012 and will continue to implement any enhancements to the system as agreed centrally.</p> <p>A PMDS implementation Group, representative of different areas of work and staff in the Office, was established to examine and make recommendations on a number of practical issues arising in the AGO from</p> <ul style="list-style-type: none"> • the revised PMDS form which was rolled out civil service wide, • compliance with PMDS in respect of new entrants, and • staff on extended leave. <p>The Group reported and presented its recommendations to MAC in Q2 2012.</p> <p>The Office is currently arranging additional training for managers on addressing the issue of underperformance.</p>

2. Better Business Processes: *To include, for example actions to increase efficiency and productivity; rationalise core structures, business processes, accommodation requirements etc; establish shared service approaches, establish cross-functional teams/ new work structures, optimise the potential of new technology to streamline operations and generate efficiencies etc.*

Terms of the Agreement 2010 – 2014	Action	Target Date as per Current Action Plan	Current Position
Paragraphs 1.4, 1.9, 1.10, 1.11, 1.12, 1.13, 4.1, 4.4, 4.11, 4.12, 4.14 and 4.15	<p>Develop protocols and Service Level Agreements with Departments/Offices to agree the most efficient methods of interacting with the Office</p> <p>Build on existing guidelines for seeking advice and the Cabinet Handbook in respect of legislative drafting.</p>	<p>Initial advisory services template on a pilot basis to two key Departments by end of Q3 2013.</p> <p>Initial drafting services template to be completed by end of Q3 2013.</p>	<p>This measure will improve the efficiency of both the Office and the client Departments. Time is often lost due to Departments submitting ill-prepared or incompletely thought out requests for legal advice or drafting. This programme has a large education and awareness dimension which should lead to more complete instructions and requests being submitted. This would enable AGO specialists to concentrate on the advice or drafting required and reduce the time and effort involved in assisting the Department reframe or rethink their request.</p> <p>A draft template Service Level Agreement has been devised for the provision of Advisory Counsel services and will be rolled out on a pilot basis with two key Departments by the end of Q3. The results of that pilot will inform the further, future roll out of similar agreements with other client departments.</p> <p>The need to prioritise resources to meet the increasing demands for legal drafting services has meant that although progress has been made on the legal drafting services aspect of this project it is not yet ready to move to the pilot stage. Preliminary work has commenced on a draft document setting out text which will form the basis of</p>

Terms of the Agreement 2010 – 2014	Action	Target Date as per Current Action Plan	Current Position
			agreements in respect of requests for legal drafting.
Paragraphs 1.4, 1.9, 1.10, 1.11, 1.12, 1.13, 4.1, 4.4, 4.11, 4.12, 4.13, 4.14 and 4.15	Assisting Client Departments create a database of previous AGO advices	A formal letter has now issued to the 4 relevant divisions setting out the basic systems and technical requirements, Subject to hearing back from these clients, it is expected that the project can be put into operation in the near future.	<p>The Office's Knowledge Management Strategy recommends that the Office assist :-</p> <ul style="list-style-type: none"> (a) seconded legal advisers who wish to collate previous advices of the Office to their Department (b) Departments in building up databases of AGO advices by providing advices electronically when requested. <p>The provision of this service to Departments will involve significant resources but these will be found from within existing capacity. A member of MAC was selected to first develop and then to co-ordinate the work</p> <p>This project is initially being rolled out to four important high-volume clients of the Office. Three divisions of the Department of Finance and a division of the Department of Jobs, Enterprise and Innovation have agreed in principle to participate.</p> <p>There is agreement in principle from those Divisions that there would be mutual co-operation whereby:-</p> <ul style="list-style-type: none"> (i) AGO would send out advices electronically <p>and</p> <ul style="list-style-type: none"> (ii) the Department would set up and maintain a database which could be searched in respect of advices.

Terms of the Agreement 2010 – 2014	Action	Target Date as per Current Action Plan	Current Position
			An in-house committee has been set up to co-ordinate the project. The Office already transmits advice electronically to the Criminal Law Division of the Department of Justice and Equality in order to allow that Department to store and search the advices.
Paragraphs 1.4 and 1.10	Implementation of new quality assurance procedures in respect of Advisory Counsels' input into draft legislation.	New procedures have been drawn up and implemented in respect of Advisory Counsel.	The Office revised its existing quality assurance procedures pertaining to Advisory Counsel to ensure that they meet current demands for effective legislation. At present the Office is also reviewing its case and records management system, ACME, to support the changes.
Paragraphs 1.4, 1.9, 1.10 and 1.12	Review of non-core activities	Report to MAC by end of Q3 2012. Completed.	<p>Although scheduled for completion by end of Q3 2012 the Office completed the process earlier, by the end of Q1 following a request from D/PER.</p> <p>The Review was undertaken and final report submitted to D/PER in March 2012. The principal finding was that there is little work discharged in the Office that is not core work. In conjunction with the CSSO, the Office already engages in a significant amount of outsourcing and what remains within the Offices is critical work that cannot pragmatically be undertaken elsewhere.</p>
Paragraphs 1.4, 1.9, 1.11 and 1.12	Alternative method of producing headnotes and abstracts of judgements for the Office's legal staff.	Report to MAC by end of Q4 2012.	At present the Office's Library and KH Unit produces summaries of the outcome of significant legal cases. This is a time-consuming and demanding task. Alternative, cost

Terms of the Agreement 2010 – 2014	Action	Target Date as per Current Action Plan	Current Position
			efficient and reliable sources for this material are being investigated with a view to freeing up internal resources for higher value work. A report to MAC will be made to MAC by the end of 2012.
Paragraphs 1.1, 1.4, 1.7, 1.11, 1.12, 4.1, 4.3, 4.4, 4.14 and 4.17	Closer Administrative links with the Law Reform Commission.	Ongoing	<p>A member of AGO staff was transferred to the Law Reform Commission to take over duties as its Head of Administration in August 2011. The duties of the position include responsibility for Finance, IT, HR and other corporate services. The role has enabled even closer co-operation between the two organisations providing LRC with access to high level support for administrative matters and for reassuring the AGO that appropriate levels of corporate governance are in place.</p> <p>The Office continues to provide advice and support in relation to many administrative functions in the Commission especially HR and Finance. For several months earlier this year an Executive Officer from the AGO Finance Unit was assigned to work in the Commission for one half day every week. Backlogs in the processing and payment of invoices in the LRC were eliminated. The AGO IT Manager has advised on the drafting of a Request for Tender (RFT) for third party IT services for the Commission and the HR manager has been giving advice in relation to a wide range of HR matters and more specifically in relation to a particular case.</p>
Paragraphs 1.4,	Putting in place the new Know-How	It is anticipated	The Knowledge Management Strategy 2010-2013 contains

Terms of the Agreement 2010 – 2014	Action	Target Date as per Current Action Plan	Current Position
1.10, 1.11, 1.12, 1.13, 4.1 and 4.13	<p>application, ARK.</p> <p>Implementing the Knowledge Management Strategy 2010-2013.</p>	<p>the ARK system will be rolled out to staff in both Offices by the end of Q4 2012.</p> <p>The Knowledge Management Strategy Implementation Group have finalised their first project to prepare a protocol for the profiling of documents on ARK.</p>	<p>recommendations approved by MAC which are being progressed by different committees and business groups within the Office. A number of the recommendations or directions of MAC are already in place. An Implementation Group was set up in the AGO to oversee and drive the implementation of the Strategy to ensure the 2013 deadline is met. The Group is actively engaged with committees/business units in the Office to ensure progress is being achieved and there is a cohesive approach in addressing the Strategy.</p> <p>The Group reports every quarter to MAC on progress achieved in implementation of the entire Knowledge Management Strategy 2010 -2013.</p>
Paragraphs 1.4, 1.9, 1.10, 1.11, 1.12, 4.1 and 4.13	e-Legislation: Development of an Authoring Tool for legislation work		<p>The OPC completed a process of testing an authoring tool (Legislation Work Bench (LWB)) to support the process of authoring and managing legislation text (Bills, Government amendments and Statutory Instruments) with a view to reducing re-keying, proof reading and general tracking and administrative overheads in the preparation of legislation. When implemented, the authoring tool will integrate with the proposed LWB implementation in the Houses of the Oireachtas service (HOS) and will</p>

Terms of the Agreement 2010 – 2014	Action	Target Date as per Current Action Plan	Current Position
			<p>ultimately provide savings for both Offices.</p> <p>Following the completion of the testing phase and receipt of the Houses of the Oireachtas Framework agreement contract for Legislation services in late September 2011, the OPC agreed a programme of work with the vendor to implement the LWB in the OPC. The first phase of this work was completed by the end of December 2011 and further phases of training were held in March and June 2012.</p> <p>Development work on the automation of the electronic communication of Bills between both Offices was commissioned and completed in 2012.</p> <p>The original date for the go-live of the LWB was April 18 2012. However the Houses of the Oireachtas Services (HOS) decided that it would be prudent to have an additional phase of testing prior to implementing the system.</p> <p>In September 2012, the OPC and the HOS agreed that the LWB will be incrementally implemented commencing during the Autumn session. Initially 4 Bills have been identified for processing through the LWB.</p>
Paragraphs 1.4, 1.10, 1.11, 1.12, 4.1, 4.13 and	Development of a new IT Strategy	Work to be completed by end of Q4 2012.	Over the past number of years the Office used the resources available to put in place a comprehensive and efficient IT infrastructure. The Office recognises that

Terms of the Agreement 2010 – 2014	Action	Target Date as per Current Action Plan	Current Position
4.15			<p>notwithstanding the potential to achieve savings and efficiencies, the development and maintenance of ICT facilities can involve significant cost. In the context of severely reduced funds and staffing there is a critical need to ensure that all necessary development to enhance, upgrade or introduce new facilities takes place in a coherent and strategic manner taking into account the scarce resources available to implement such measures.</p> <p>A new IT strategy has been formulated in order to plan all such developments and expenditure. Following its adoption by MAC the new Strategy was approved by the AGO Partnership Committee and it is currently being reviewed by the CSSO with a view to finalising it by the end of 2012.</p>
Paragraphs 1.4, 1.10, 1.11, 4.1, 4.13 and 4.15	Integration of the Financial Management System with the Case and Records Management System (ACME)	Full roll out by end of Q4 2012.	<p>Counsels' fees are a very significant cost to the State. It is imperative that the Office is able to manage the process to ensure both value for money and an effective financial process to support it. While currently the Office operates a comprehensive and detailed paper-based system, it is labour intensive and not as efficient as it might be for producing real time information for management purposes.</p> <p>Critical to managing the cost is an ability to monitor and recognise the financial commitment on an accruals basis when the activity takes place rather than just at the point an invoice or fee note is received and subsequently paid.</p>

Terms of the Agreement 2010 – 2014	Action	Target Date as per Current Action Plan	Current Position
			<p>Both the ACME and FMS systems are efficient and effective in the tasks for which they were designed. However, linking the financial system with the ACME system will ensure that the financial commitments raised by advisory/CSSO legal staff when engaging legal counsel will be automatically captured. This will enable management to be aware with greater accuracy the extent of potential liability for future legal costs and fees as well as ensuring that ultimately when the formal invoice or fee note arrives the payment process will be both accurate and efficient. The visibility and completeness of this information will have significant added value for management decision making.</p> <p>The ACME/FMS integration project is now live in all litigation Sections: Commercial & Constitutional, Judicial Review, Asylum, Justice & Crime, Legal Services, Costs Accounting, General Litigation and Garda Litigation and will be rolled out to the Advisory and State Property Divisions by Year end.</p>
Paragraphs 1.4, 4.1 and 4.14	Enhanced system to evaluate training courses funded by the Office	<p>Initial system now in place.</p> <p>Review of enhanced system to take place at end of Q1 2013</p>	<p>Reliable and comprehensive evaluation of training is essential to ensure value for money and also to ensure that training events of the highest standards are identified and in particular taking account of the fact that much of the training sourced and availed of will not be generic in nature but rather legal and targeted to our particular requirements as a specialised Civil Service Office.</p>

Terms of the Agreement 2010 – 2014	Action	Target Date as per Current Action Plan	Current Position
			<p>The Office has reviewed and revised its training evaluation processes and these changes have been agreed with MAC. The existing evaluation form has been revised. Staff are not allowed to avail of subsequent training opportunities unless their evaluation of the previous event is up to date.</p> <p>An overall T&D Strategy for the AGO has been approved by MAC. Its implementation is currently underway.</p> <p>Following introduction of new procedures and revised Evaluation Forms initial feedback in regard to training events has risen from practically nil to well over 90%.</p> <p>The process of introducing a more substantive level of evaluation of training events (drawing on inter alia the responses in the Evaluation Forms) has now commenced.</p> <p>A subgroup of the T&D Committee has been set up and an outline plan has been developed. Advisory Counsel, Parliamentary Counsel, the Library and Know-how Unit and the Training & Development Unit are represented on this subgroup. Training events that are attended by AGO staff and events that advertised throughout the year will be examined in greater depth with a view particularly to highlighting events of high quality and value of money.</p> <p>The effectiveness of this more substantive level of evaluation of training events will be reviewed at the end of the first quarter of 2013.</p>

Terms of the Agreement 2010 – 2014	Action	Target Date as per Current Action Plan	Current Position
Paragraphs 1.4, 1.10, 1.12, 4.1 and 4.14	Development of a quality control and compliance regime for work practices within the Office.	Design of the regime to begin in January 2011 with a view to being in place by June 2011	<p>By putting in place a system to review compliance with work practices the Office will be able to reassure itself both that work practices are being adhered to and that the practices remain relevant and efficient.</p> <p>A member of MAC has been assigned to head the project and preparatory work is underway on internal consultation with the relevant stakeholders.</p>
Paragraphs 4.1 and 4.14	The Office will, again, benchmark itself against similar organisations in other jurisdictions.	To be planned and carried out during 2012 with report to MAC by end of Q1 2013	<p>The Office does not have any direct comparators within the State. It was hoped that by comparing its output and staffing numbers with similar Government organisations in other jurisdictions the Office would be better able to evaluate its own effectiveness. A member of MAC was assigned to oversee the project.</p> <p>Although the Office found it difficult to identify any organisation outside the State that undertakes a similar range of duties. Material in respect of quality control used in other legal settings has been gathered and is being reviewed. A report on that review should be before MAC by end of Q4 2012.</p>
Paragraphs 1.1, 1.3, 1.4, 1.8, 1.9, 1.10, 1.11, 1.12, 1.13, 4.1, 4.3, 4.4 and 4.15	Implementation of Public Service Reform Plan	Timescales as set out in the plan	The Government's Plan for Public Service Reform sets out many objectives and the Office is heavily involved in the implementation measures. Many of the measures will or are affecting the Office in the organisational sense e.g. reduction in public sector numbers, reduction in costs,

Terms of the Agreement 2010 – 2014	Action	Target Date as per Current Action Plan	Current Position
			<p>move to shared services etc while many others will require the Office's professional input to effect, for instance the rationalisation of State Agencies.</p> <p>The Croke Park Agreement is seen as a significant vehicle to effect and measure the reform initiatives. For this Office a comprehensive action plan has been drawn up to implement the Agreement. The Plan was originally formulated by MAC in September 2010 and has been updated regularly since. The Office has met every reporting target set by D/PER and the Public Service Agreement Implementation Body. Senior staff members within the Office have been allocated responsibility for progressing each of the significant actions and every two months each reports on progress made to MAC.</p>
Paragraphs 1.4, 1.8, 1.9, 1.10, 1.11, 1.12, 4.1, 4.3, 4.4 and 4.13	Review and Reform of AGO	MAC to review Client Service results for its Advisory and administrative functions by end of Q4 2012 and its OPC function by the end of Q1 2013. Organisation to be evaluated and Action Plan	<p>The Office is to carry out a review of its organisation and operation taking into account findings from its client surveys and the Organisational Review. MAC will then evaluate how it is meeting its clients' needs and consider what changes were necessary as a result of other Public Service Reform initiatives.</p> <p>The evaluation will lead to the creation of an Action Plan to be implemented over a 12 to 18 month period. However, the Office was notified in late 2011 that the Organisation Review Programme (see below) has been suspended for 18 months. Consequently the Office will not have the benefit of such input to its review. The client surveys for the</p>

Terms of the Agreement 2010 – 2014	Action	Target Date as per Current Action Plan	Current Position
		to be drawn up and agreed by end of Q2 2013.	<p>Advisory and administrative functions are currently underway and their completion by Q4 2012 will feed into this review process. The OPC survey has yet to commence but it too will be used as part of the review process.</p> <p>Linked to <i>Client and Customer Survey</i> (below)</p>
Paragraphs 4.1, 4.4 and 4.14	<p>Organisational Review The Office will undertake a review under the Organisational Review Programme (ORP).</p>	Postponed by D/PER until mid 2013	<p>The ORP was a significant aspect of the Transforming Public Services agenda. The Office was to be reviewed to assess it in terms of effectiveness in developing strategy, delivering services to clients and evaluating the delivery of legal services with a view to enhancing services in terms of quality and delivery.</p> <p>In 2011 responsibility for the Reviews transferred to D/PER but late in 2011 the Office was informed that the programme was being suspended for 18 months and that a new schedule for reviews would be considered after that point.</p>
Paragraphs 1.4, 1.8, 1.9, 1.10, 1.11, 1.12, 4.1, 4.3 and 4.11	Senior Public Service	Ongoing in conjunction with D/PER	<p>As part of its reform initiatives D/PER has created a Senior Public Service to enhance the management capacity of the Public Service.</p> <p>The Office submitted its observations on the proposals particularly from the perspective of a specialised professional Office and is supporting the initiative.</p>
Paragraphs 1.10,	Use of Financial Management System	In place and	The Office in conjunction with the CSSO has enhanced its

Terms of the Agreement 2010 – 2014	Action	Target Date as per Current Action Plan	Current Position
4.1, 4.2, 4.13, 4.15 and 4.16	Enhancing the functionality of the system	ongoing	<p>financial management system to enable production of financial reports particularly to support the planned move to the accrual basis of accounting (detailing financial commitments entered into by the Office(s)).</p> <p>Following a review of its anticipated needs, the Office was considering an update of its current Financial Management System (Agresso). However, D/PER then announced a plan to centralise all civil service financial systems as a measure to reduce costs, ensure consistency and reduce staffing. The Offices contacted D/PER seeking clarification of timescales of such a move as these would have a significant impact on our consideration. D/PER recommended that the Offices submit a formal business case if we reach a decision to upgrade and they will then give a view based on the circumstances existing at that time. However, following that response they circulated a questionnaire to all Departments/Offices essentially enquiring about all other organisations' position on the matter. The AGO and CSSO are considering their position and hope to make a decision shortly.</p>
Paragraphs 1.10, 4.1, 4.4 and 4.14	Management Reporting for Advisory Legal Files	In place and ongoing	<p>Firstly, a written report is produced by each Advisory Counsel group of significant files, following their weekly team meeting, which is then discussed at the weekly meeting of Advisory Counsel Grade I chaired by the Director General. These reports are then forwarded to the Attorney General for her consideration and comments. Secondly, every 8 weeks Advisory Counsel submit a report</p>

Terms of the Agreement 2010 – 2014	Action	Target Date as per Current Action Plan	Current Position
			<p>to management indicating any request for advice which is outstanding for a period of 8 weeks or more. Thirdly, litigation files of particular significance are reported to Government three times per year under an alert of sensitive litigation files or periodically under the Early Warning Notice System.</p> <p>The ACME system also includes functionality to alert fileholders to outstanding files. Crystalfile reporting provides key information on outstanding files.</p>
Paragraphs 1.4, 1.9 1.10, 1.11 and 1.12	Shared Services	Assignment of Senior Official to co-ordinate shared services projects by end of Q1 2012. Further targets in conjunction with central initiatives.	<p>A Senior Official has been assigned with responsibility for the introduction of shared services into this Office. Shared services are planned for payroll, HR, Finance and IT. The Office is co-operating with D/PER's Shared Services working groups as required. This Office has been scheduled to migrate to the shared HR service between March and September 2013.</p> <p>The Office already operates a shared services approach with the CSSO in the areas of IT and finance.</p>

3. Delivering for the Citizen: *To include, for example, actions to enhance service delivery to the public, including changes to the technology used, more online services, service integration, efforts to reduce information burdens on citizens through better data management/sharing of data, including around identity etc*

Terms of the Agreement 2010 – 2014	Action	Target Date as per Current Action Plan	Current Position
Impact on all aspects of the PSA	Implementation of the National Recovery Plan 2011 – 2014	On an ongoing basis as required by clients	The plan is the Government's blueprint for the State's return to sustainable growth. It sets out the measures and reforms necessary to meet this objective and the Office's efficient provision of legal advice and legislation is facilitating the processes involved. For instance the Office has put in place a system to ensure that any requests relating to job or business creation measures are identified and prioritised. (See below).
Impact on all aspects of the PSA	Implementation of the IMF/EU Memorandum of Understanding on Specific Economic Policy Conditionality (MoU)	On an ongoing basis as required by clients	<p>Implementation of the MoU and the changes agreed subsequently is a core objective for the State in the current crisis. Timely and accurate legal services assist the State in meeting the targets specified in the memorandum and reduce the risk of default.</p> <p>There has been comprehensive engagement of the Office relating to the MoU. The targets set for the publication of legislation in the Programme have consumed huge amounts of AGO/OPC resources and all deadlines have been met.</p>
Paragraphs 1.4, 1.11, 1.12, 4.3 and 4.4	Facilitating client Departments in providing aid to the development of industry.	On an ongoing basis and in consultation with client	The change which is being accommodated from within existing resources facilitates the prompt provision of high quality advices and legal services. The AGO MAC adopted new procedures whereby staff formally identify any files

Terms of the Agreement 2010 – 2014	Action	Target Date as per Current Action Plan	Current Position
		Departments	<p>with implications for encouraging business or job creation. The template for providing reports on progress on these particular files to the senior managers (Assistant Secretary level) has been adjusted so that attention is directed to these issues. They are monitored at the weekly meeting between the senior managers and the Director General.</p> <p>Significant legislation relating to jobs or business include the Credit Guarantee Act 2012, the Microenterprise Loan Fund Act 2012, the Protection of Employees (Temporary Agency Work) Act 2012, the Personal Insolvency Bill 2012 and the Betting (Amendment) Bill 2012.</p>
Paragraphs 1.4, 1.11, 1.12, 4.3 and 4.4	Allocation of Resources for Urgent Legal Issues	On an ongoing basis.	<p>The changes which are being accommodated from within existing resources facilitate the prompt provision of high quality advices and legislation. There is an enhanced AGO capacity to respond to issues as they arise and greater expertise available in a complex and multidisciplinary context in cooperation with outside lawyers and with full participation by all stakeholders leading to a better quality of service to the Attorney General, the Government and the citizen.</p> <p>Recent examples of the use of this approach include the negotiation and referendum for the Stability and Growth Treaty; advice on the ESM and loan documentation; the major reforms in the personal insolvency regime; the defence of the Pringle case; the court applications and challenges thereto arising under the Credit Institutions</p>

Terms of the Agreement 2010 – 2014	Action	Target Date as per Current Action Plan	Current Position
			<p>Stabilisation Act 2012 which broke new legal ground and saved the exchequer significant amount (€4.5 Billion) across the banking system.</p> <p>The drafting of the Personal Insolvency Bill, which proposes the most radical reform of bankruptcy and personal insolvency law since the foundation of the State, has had to address the complex legal and policy issues arising in a practical and imaginative manner.</p> <p>Prioritisation of Bills by Government and continuous review of those priorities is essential in terms of enabling the Office to manage its advisory and drafting resources. The targets set for the publication of legislation in the Programme have consumed huge amounts of AGO/OPC resources but these targets have been met successfully.</p> <p>To date, the Office has been able to allocate the resources required to discharge urgent legal issues.</p>
Paragraphs 1.4, 1.11, 1.12, 4.1, 4.3 and 4.4	Pace of Communication	On an ongoing basis AGO communication methods and the management of information will be	The enhancement of AGO communication methods and the successful management of enormous volumes of information enables increased accessibility and responsiveness in dealing with the particular challenges of larger projects such as accommodating large number stakeholders, the intense volume of transactions and the urgency of the work itself.

Terms of the Agreement 2010 – 2014	Action	Target Date as per Current Action Plan	Current Position
		enhanced to ensure the timely and effective delivery of the highest quality legal advice.	The Office facilitate the use of high speed, multi-user communications methods for discussion of ideas and the issue of formal advices There will be a major AGO effort to align existing systems for the management of information such as ACME and the options are being examined in context of the ACME Review currently underway.
Paragraphs 1.1, 1.4, 1.9, 1.10, 1.11, 4.1, 4.2, 4.4, 4.13, 4.15. Also paragraphs 2, 10 and 11 of the appendix to the Agreements: service Delivery Options	The Office will continue to work closely with the National Procurement Service (NPS).	Ongoing	<p>The Office in conjunction with the Commercial Contract Section of the CSSO has drawn up a suite of standardised Tender and Contract Documentation for the use of Contracting Authorities across the State including central Government, local authorities, Health and Education sector and various agencies for the procurement of goods and services. The documentation is being used to guide these organisations through the relevant process and assist them in avoiding problems which can lead to delays in awarding contracts, inefficiencies and financial exposure.</p> <p>The Government has decided to restructure the manner in which procurement services are to be provided and this Office will continue to provide advice and assistance as required.</p>
Paragraphs 1.4, 1.11, 1.12, 4.3 and 4.4	Client and customer Survey	Surveys and review to be completed by end of Q4 2012.	One of QCS Guiding Principles states that Public Service organisations: “will ensure meaningful evaluation of service delivery”. The Office is committed to rigorously evaluating performance against the service standards set out in the Office’s Client and Customer Charter. The

Terms of the Agreement 2010 – 2014	Action	Target Date as per Current Action Plan	Current Position
			<p>undertaking of follow-up surveys of clients and customers will enable the Office to evaluate performance against the results of the previous surveys with a view to improving service delivery to clients and customers. The surveys will consider service delivery in terms of:</p> <ul style="list-style-type: none"> • Effectiveness in communicating proactively with clients, customers and Government Departments; • Responsiveness and timeliness in service delivery performance; • Accuracy, quality and consistency of work outputs, advice provided and legislation drafted; • General service delivery and professionalism of legal and Administrative staff; • Client, customer and Departmental contributions to service delivery; • Improvements achieved over intervening periods. <p>It is envisaged that the survey of clients and customers of the Advisory and Administration sides will be completed in November 2012 to be followed by the survey of clients of the OPC and both surveys should be completed by end of Q1 2013.</p> <p>Linked to action <i>Review and Reform of the AGO</i> (above)</p>
Paragraphs 1.4, 1.9, 1.10, 1.11, 1.12, 1.13 4.1, 4.4,	Evaluate the need for delivering further courses in conjunction with CSTDC to educate civil servants in relevant and		The Office sees the benefit of educating relevant civil service staff in a range of legal matters. A greater awareness of the fundamental provisions of key legislation,

Terms of the Agreement 2010 – 2014	Action	Target Date as per Current Action Plan	Current Position
4.11, 4.12, 4.14 and 4.15	important legal matters such as EU Law, including drafting of Statutory Instruments and preparation of legislation.		<p>such as EU Law, will in the first instance, assist Departmental officials in considering and preparing policies. It will also help officials to recognise potential problems much earlier.</p> <p>In conjunction with CMOD (now Civil Service Training and Development Centre (CSTDC)) the Office developed and delivered courses in Administrative Law for civil servants. However, the recent announcement of the scaling down of CSTDC means that the courses are unlikely to run in the near future.</p> <p>We are awaiting further information from CSTDC on how they envisage courses like the Administrative law for civil servants will be provided under the recently announced training framework agreements</p> <p>The Office feels that it has a role in continuing to educate Departments in areas such as the Legislative Process/Cabinet Handbook, Administrative Law, Drafting/Statutory Instruments etc. and at present is considering how best to achieve this objective without it impacting on the discharge of our core legal work.</p>
All Paragraphs	Take all measures necessary to facilitate our clients in achieving the objectives of the Public Service Agreement	To deadlines as set by the Implementation Body.	The Office appreciates the benefits of achieving a more efficient and effective public sector. It also recognises that the process involved is not easy. However, it has consistently been developing and adapting its work practices and organisation to ensure it operates efficiently

Terms of the Agreement 2010 – 2014	Action	Target Date as per Current Action Plan	Current Position
			and meets the needs of its clients. The Office facilitates its clients in the measures they take in order to implement the Agreement. Implementation of the PSA may require formulation of legal measures requiring advice, drafting or litigation and the Office will continue to provide a high quality service to assist the process. The Office has, to date, met all such requests for legal services.
Paragraphs 1.4, 1.9, 1.10, 1.12 and 4.1	Assisting and advising Client Departments on proposals to reduce litigation costs	In association with Client Departments	<p>The Office reaffirms the need to seek ways to reduce the cost to the State of litigation. In particular, mechanisms such as continuing advice in respect of avoiding litigation and early resolution will be prime objectives. For instance, at the Office's instigation protocols are now in place with the Departments of Health and Education to ensure that in the same legal action multiple legal teams are not allowed to represent multiple State Bodies. This is a development of the process already in place where the Office co-operates with other State agencies such as the DPPO or Revenue Commissioners in defending litigation and agreeing joint legal teams to represent the State's interests. We will work with Client Departments to identify and consider similar efficiencies and cost saving proposals.</p> <p>Particular measures being pursued with clients at present include: timely production of EU implementation legislation in order to avoid EU fines, drawing to the attention of relevant Departments situations where legal disputes between State Agencies are being pursued and supporting efforts to seek alternative non litigation</p>

Terms of the Agreement 2010 – 2014	Action	Target Date as per Current Action Plan	Current Position
			<p>resolutions such as mediation and arbitration wherever practical.</p> <p>The Office in the course of its Comprehensive Review of Expenditure (see above) made several suggestions to reduce legal costs being incurred by the State. Examples include: a reform of the taxation of costs system, establishment of a centralised State legal cost unit, removal of the requirement for endorsement of European Arrest Warrants by the High Court in order to avoid engaging Counsel, a simpler administrative rather than Court based system for restoring companies struck off the Companies Register and changes to procedures in respect of Garda compensation cases.</p> <p>Advice given as to the establishment of a Unit within the State Claims Agency to process Tribunal Bills of Costs.</p> <p>A meeting was held with the Office of the Director of Public Prosecutions and the Chief State Solicitor's Office in relation to habeas corpus and judicial review proceedings to see whether we could identify ways in which to limit the costs of these proceedings. A number of suggestions were made which are being followed up. It is planned that similar meetings covering a range of legal areas will be held with stakeholders in the coming months.</p>
Paragraphs 1.4, 1.9, 1.10, 1.11,	Electronic Irish Statute Book - Upgrading Project	Ongoing	All updates in relation to advanced searching, direct links from Acts to the Legislation Directory and customisation

Terms of the Agreement 2010 – 2014	Action	Target Date as per Current Action Plan	Current Position
1.12, 4.1 and 4.13	- Access for mobile devices		<p>of the eISB to optimise access to the content of the eISB for users of mobile devices, including implementation of “Apps” for iPhone/iPad and Android users, were completed in 2011.</p> <p>The eISB has also published a Legislation Directory for statutory instruments with legislative changes effected between January 2000 and July 2012. A full Legislation Directory for Acts is also available for the period 1922 to July 2012 and is updated on a regular basis.</p> <p>The eISB is updated in a timely manner with Acts and statutory instruments. Since section 7 of the Official Languages Act 2003 was amended by the Civil Law (Miscellaneous Provisions) Act 2011 to permit electronic publication of Acts of the Oireachtas in one official language only, prior to their printing and publication in both official languages, Acts of the Oireachtas have been made available on the eISB within a short period of enactment and receipt from the Houses of the Oireachtas Service.</p> <p>The project to enhance the connectivity of the eISB with the EU Council N-Lex project (EU web portal to provide access to member states national law through a standard search interface) was completed in 2012.</p> <p>The eISB is reviewed on an ongoing basis to ensure access to electronic legislation and related resources and is</p>

Terms of the Agreement 2010 – 2014	Action	Target Date as per Current Action Plan	Current Position
			maintained and improved where possible subject to financial constraints. All scheduled updates have been completed within 2011 and 2012.
Paragraphs 1.4, 1.9, 1.10, 1.11, 1.12, 4.1, 4.2, 4.3, 4.13 and 4.15	Statute Law Revision Project - To identify and repeal spent and obsolete Pre-Independence Statutes	On an ongoing basis dictated by availability of resources.	<p>Considerable work has been undertaken on the Statute Law Revision Project culminating in the enactment of the Statute Law Revision Act 2007 and subsequently, the Statute Law Revision Act 2009 in December 2009 resulting in the repeal of spent and obsolete Pre-independence Statutes.</p> <p>However, as a result of the current fiscal constraints, a review of the project had to be undertaken in 2010 due to reduced funding. In 2011, agreement was reached with parties who indicated an interest in re-commencing the project. Work to complete the pre-independence phase of the Project on a greatly reduced cost basis continued by utilising the FÁS Work Placement Programme and JobBridge National Internship Scheme.</p> <p>The Statute Law Revision Bill 2012, was the last Bill in this phase* of the Project examining all pre-1922 Acts of Parliament. Its enactment in July 2012 means that all pre-independence Acts have been examined and only those with continuing relevance have been retained (subject to subsequent repeal) on the Irish Statute Book.</p> <p>The Statute Law Revision Programme as a whole will simplify the Statute Book and is intended to reduce legal</p>

Terms of the Agreement 2010 – 2014	Action	Target Date as per Current Action Plan	Current Position
			<p>and business transaction costs. Furthermore it will greatly facilitate future legislative measures and benefit the Law Reform Commission in its task of preparing the Legislation Directory.</p> <p>Responsibility for the Statute Law Revision Project has now been transferred to the Department of Public Expenditure and Reform and consequently will not feature in future progress reports.</p> <p>*During Phase 1 of the Statute Law Revision Project (2005 to 2012), 3 Acts were enacted (in 2007, 2009 and 2012). The project examined or reviewed 56,980 pre-independence statutes. Of those 9,560 were already repealed and 40,581 contained nothing of relevance to Ireland. Of the remaining 9,857 statutes, 7,559 were expressly repealed and 2,298 were retained.</p>

Public Service Agreement 2010 – 2014

OFFICE OF THE CHIEF STATE SOLICITOR

Public Service Agreement 2010-2014 (Croke Park Agreement)

Revised Action Plan for Chief State Solicitors Office - October 2012

1. Better human resource management

To include, for example, actions around the reduction of staff numbers; the redeployment of staff to areas of greatest need; the restructuring/reconfiguration of service delivery; changes to work practices; revisions in attendance arrangements; absence management; performance management etc.

Terms of the Public Service Agreement 2010 – 2014	Action/commitment	Target Date as per Current Action Plan	Current Position
1.1 1.5 1.10 4.1 4.3	<p>Numbers Control and Employment Control Framework.</p> <p>The Office will work constructively with the D/ PER to identify ways and means of resourcing the current high levels of demand for legal service by Departments, especially in relation to staff numbers and salaries. A constructive approach to resource problems will avoid a situation where the Office will be unable to provide all the services demanded of it.</p> <p>The Office will require flexible arrangements</p>	<p>In place and ongoing.</p> <p>In place and</p>	<p>The Office has already achieved the staff reduction target set for 2012 and is working towards the new ECF targets for the years 2013 and 2014. The Office understands that revised ECF figures will issue from the D/PER.</p>

Terms of the Public Service Agreement 2010 – 2014	Action/commitment	Target Date as per Current Action Plan	Current Position
	from the D/ PER to achieve the work outputs required of it in response to Departmental business demands. This will be particularly so in rapidly growing service areas such as judicial review, constitutional litigation, procurement, European Arrest Warrants & extradition and in certain property areas.	ongoing.	
1.13	<p>Development of Staff:</p> <p>The Office will remain committed to the training and development of all staff in line with PMDS requirements and the training plans of the Office. The Office will utilise schemes such as Refund of Fees, Law Clerk Training, Trainee Solicitor Scheme, Provision of CPD, etc., to focus on the appropriate development of staff competences and in areas of greatest benefit to the Office and to the Civil Service.</p> <p>The Office is committed to providing all legal training required so that staff have the required expertise to carry out their duties. In particular the Office will organise:</p> <ul style="list-style-type: none"> • In-house specific legal training which can be provided at a cost significantly lower than availing of external training companies • Focused training based on requirements identified through the PMDS system 	<p>In place and ongoing.</p> <p>In place and ongoing.</p>	<p>There are currently two officers availing of the Trainee Solicitor scheme.</p> <p>There is one officer currently receiving training under the Trainee Law Clerk programme. It is anticipated that two more staff members will commence the scheme during 2013.</p> <p>The Office along with the AGO is currently implementing a Knowledge Management/Know How application to assist legal staff in their research. The system will be live by the end of the year and full training will be provided.</p> <p>CPD Training is provided for all solicitors mainly through in-house training.</p> <p>Training requirements identified through PMDS are met where possible.</p> <p>The Office continues to offer all required training in the</p>

Terms of the Public Service Agreement 2010 – 2014	Action/commitment	Target Date as per Current Action Plan	Current Position
	<ul style="list-style-type: none"> • Training on the legal research tools available to the office • Training on the IT systems in use in the Office 		offices IT systems through a combination of in-house training and the use of specialist training companies.
1.4 and 4.10	<p>Control of Sick Leave</p> <p>A review of staff sick leave taken during 2011 in comparison with previous years was undertaken. MAC has considered the findings.</p> <p>The office will attempt to comply with the target of a 10% reduction in sick leave and remains committed to providing a medical screening and lifestyle counselling programme for staff.</p> <p>MAC will review sick leave on a quarterly basis in 2012</p>	<p>In place and ongoing</p> <p>Ongoing</p>	Following a report to MAC earlier in the year, the Office has developed a new attendance management policy in accordance with the D/PER circulars. Training will be provided to all staff managers with a view to better managing issues such as sick leave.
	Review/Elimination of Allowances		

Terms of the Public Service Agreement 2010 – 2014	Action/commitment	Target Date as per Current Action Plan	Current Position
	The D/PER has indicated one allowance currently being paid should be reviewed with a view to elimination.	End 2012	The Office has taken the matter up with the Officer concerned and with D/PER. It is hoped to bring the matter to a conclusion before the end of the year.
1.7 1.14 4.3	<p>Secondments to Departments:</p> <p>The Office has engaged on a secondment programme whereby it will make legal staff available to Departments to assist with the provision of legal services or to work on a specific long term project.</p>	In place and ongoing.	The Office will shortly have arrangements in place in up to three Departments. The Office commits itself to working with Departments in this manner in the future and on the basis of flexibility of arrangements for numbers and payroll control.
1.13 4.11	<p>Competitive Promotions:</p> <p>Competitive promotions apply for the majority of promotional posts arising within the Office and (where the ‘Common Pool’ applies for legal posts between the CSSO and the Solicitors’ Branch of the DPP’s Office) for cross opportunity promotions between the CSSO and the DPPO, (SB). Competitive promotions apply for all administrative grades from SO upwards.</p> <p>Under an agreement with CPSU 25% of Staff Officer posts are filled on seniority subject to suitability basis. Management is anxious to discontinue this arrangement and will enter into discussions with the staff interests to achieve this end. The current issues in this case will be reviewed with D/PER</p>	<p>In place and ongoing.</p> <p>Dec. 2012</p>	While discussions with the CPSU have taken place no agreement has been reached yet

Terms of the Public Service Agreement 2010 – 2014	Action/commitment	Target Date as per Current Action Plan	Current Position
	All promotion decisions are supported by competency frameworks and by the application of PMDS rules.		

2. Better Business Processes

To include, for example actions to increase efficiency and productivity; rationalise core structures, business processes, accommodation requirements etc; establish shared service approaches, establish cross-functional teams/ new work structures, optimise the potential of new technology to streamline operations and generate efficiencies etc.

Terms of the Public Service Agreement 2010 - 2014	Action/commitment	Target Date as per Current Action Plan	Current Position
1.4 1.11 4.1	<p>Control of Expenditure on Professional Fees:</p> <p>To continue the work of the Professional Fees Control Group and, in particular continue to review payment guidelines for all fees to ensure consistency of approach across the Office in the interest of economy.</p> <p>Expenditure will be reported to MAC on a quarterly basis.</p>	<p>In place and ongoing.</p> <p>Every quarter.</p>	<p>The Professional Fees Control Group continues to meet every week.</p> <p>There has been a 42% drop in legal fees paid out by the Office when comparing 2008 with 2011 (the last full year). In 2011 alone there was a 17% reduction in fees paid compared to 2010 which proves the continuing close management of fees. Figures so far for 2012 would indicate a further reduction of up to 10%. These reductions have not been achieved as a result of fewer legal cases as the average cost per case too has dropped by a similar percentage. The Office will continue to monitor, evaluate and reduce as necessary all fee notes received from counsel to ensure the State gets the best possible value for its spend.</p>
1.10 4.1	<p>Management and Recovery of Costs</p> <p>The control and management of costs payable</p>	2011 PMDS	Cost Reduction and Cost Recovery have been included

Terms of the Public Service Agreement 2010 - 2014	Action/commitment	Target Date as per Current Action Plan	Current Position
	<p>by the State and the recovery of costs awarded to the State have now been assigned to an Assistant Chief State Solicitor so as to ensure high level attention. Organisational units within the Office engaged in costs related duties now report, through their Section Head, to this Assistant Chief State Solicitor. This Assistant Chief State Solicitor will have responsibility for reporting on costs objectives at MAC and will have the related risk management control responsibilities.</p> <p>Bi-monthly report to MAC on costs recovered and due for recovery.</p>	<p>cycle and continued for 2012 – 2014</p> <p>Ongoing</p>	<p>as competencies for the 2012 PMDS cycle.</p> <p>Competitions are currently underway to appoint a Legal Costs Control Officer who will have responsibility for managing costs awarded against the State and to appoint an officer to manage recovery of costs awarded to the State.</p>
1.10	<p>Use of Best Counsel:</p> <p>To continue to work with the Attorney General's Office to identify and utilise emerging talented counsel and to ensure such a spread of work as to obtain the speediest and more economical service having regard to statutory duties.</p>	In place and ongoing.	<p>The Office along with the Office of the Attorney General has put arrangements in place to increase the number of Junior and Senior Counsel briefed by the State pursuant to Section 7 of the Prosecution of Offences Act, 1974. These arrangements are designed to ensure a more equitable distribution of State work to Counsel and to avoid situations where a small number of Counsel earn very large sums from the State. The arrangements are being monitored on a monthly basis by the Attorney General and the Chief State Solicitor.</p>

Terms of the Public Service Agreement 2010 - 2014	Action/commitment	Target Date as per Current Action Plan	Current Position
1.14	Departmental Legal Units: The Office will develop a closer working relationship with the legal service units within Departments and will support and contribute to the work of these units.	In place and ongoing.	Regular meetings are held with key clients.
1.10	Energy and Environmental Savings. The Office will continue to commit to Government policies of achieving lower carbon emissions and to achieve higher levels of energy cost savings. To this end the Office Partnership Committee maintains a Green Committee to work on issues of recycling and energy use reduction.	In place and ongoing.	Using 2007 as a benchmark the Office has reduced its expenditure on energy by 19.7%.
1.14 4.14	Improvements in Litigation Methods. Continued collaboration with client Departments and offices on high profile and high volume cases to ensure most efficient practices are followed so that cases are settled at the earliest opportunity so as not to expose the State to greater financial or reputational risk Liaise with clients to ensure that cases are	Ongoing Ongoing	Clients are kept involved, particularly in high profile and sensitive cases with a view to early settlement where possible and tight management of the case to ensure it is managed most efficiently. Regular meetings are held with key clients.

Terms of the Public Service Agreement 2010 - 2014	Action/commitment	Target Date as per Current Action Plan	Current Position
	<p>dealt with as efficiently as possible taking into account the impact of litigation on the Exchequer.</p> <p>The Office will maintain a relationship with the Department of PER enabling resource strategies of defending all public service defendants (where appropriate) and where a combined approach to defending these cases would be tactical and would save expense. This is a continuance of a policy already in place as communicated by the Attorney General. This proposed approach to these cases will also require flexibility in staffing and cost by the other agencies being defended.</p> <p>Initiate greater collaboration with key clients to ensure the Judicial Review defence process is made more efficient.</p> <p>Internal litigation procedures are constantly under review to ensure the disposal of dormant litigation matters where possible.</p>	<p>The Office is continuing to work with Dept. of PER on these issues as they arise.</p> <p>In place and ongoing.</p> <p>Ongoing</p>	<p>The Office will continue to work with D/PER on these issues as they arise.</p> <p>Regular meetings are held with key clients.</p>
1.7	<p>Handling of Large Cases:</p> <p>The resources required by the Office to</p>	Ongoing	There has been no need for any special arrangements in

Terms of the Public Service Agreement 2010 - 2014	Action/commitment	Target Date as per Current Action Plan	Current Position
	handle large cases of major importance to Government will be kept under review with the Dept. of PER.		the recent past. However the Office continues to liaise with Dept. of PER on its workloads and resources.
4.16	<p>Increased Use of EFT.</p> <p>An increased use of electronic funds transfer will reduce staffing demands in the Accounts Section and free staff for other administrative duties. The Office will endeavour to increase its use of EFT for payment of counsel to 90% by the end of 2012. The Paymaster General will cease the use of payable orders for all Government Departments in mid 2013. The CSSO will be in a position to pay all suppliers by EFT</p> <p>The Office will also review the possibility of issuing remittance advice by electronic means.</p> <p>The Office will review the use of cheques in property transactions. This area is covered by Law Society rules and this may lead to a difficulty with the withdrawal of a cheque drawdown facility.</p>	<p>Mid 2013</p> <p>Dec 2012</p> <p>Dec 2012</p>	<p>The Office is working towards this deadline and expects to meet the target.</p> <p>This is being considered as part of an upgrade to the Financial Management System but is also dependent on the initiative to share Financial Services.</p> <p>An Assistant Chief State Solicitor has been assigned task of reviewing situation with a view to reporting by end 2012</p>
1.14	Transfer of Attorney General's Scheme.		

Terms of the Public Service Agreement 2010 - 2014	Action/commitment	Target Date as per Current Action Plan	Current Position
	The Office is anxious to complete the transfer of responsibility for the Attorney General Scheme to the Department of Justice and Equality as soon as possible in order to achieve greater efficiency in the process. The Department has agreed in principle to the transfer. However, discussions with the Department have not yet concluded so no agreement has been reached. The Office will continue to pursue this matter with the Department and D/PER through the 2013 estimates process.	Dec 2012	The Office is in consultation with the Department of Justice and Equality and the Department of Public Expenditure and Reform regarding arrangements for the transfer. The Office considers that the main issue regarding funding has been resolved and the transfer should proceed through the 2013 Estimates cycle.
Appendix – service delivery options	<p>Outsourcing of Work.</p> <p>Outsource legal work in exceptional circumstances where the Office does not have the required specialist expertise or capacity to deal with the work to the required professional standard. The Office will continue to exercise a control function where work is outsourced by it.</p>	As required	This issue has not arisen recently. The Office will continue to work with D/PER on these issues as they arise.
1.10	<p>Provision of Service in Low Value Areas.</p> <p>Review the provision of some low value services by analysing the effort involved and the suitability for outsourcing on a self financing basis.</p>	Ongoing	It is felt that at this stage the volumes of non-core work are so low that they would not have any significant effect of Office resources while outsourcing on a self financing basis may increase the cost to business or the

Terms of the Public Service Agreement 2010 - 2014	Action/commitment	Target Date as per Current Action Plan	Current Position
			citizen. The matter will be reviewed again if volumes of low value work increase.
1.9 4.14	<p>Procurement Advice Service</p> <p>The CSSO will work to enhance and further develop relationships between the Department of Public Expenditure and Reform, the NPS and State bodies vested with a role in public procurement to ensure that a standardised, professional and legally compliant approach is applied to public procurement processes so as to assist the State in complying with its obligations at EU law.</p> <p>The Office is constantly working with the NPS and D/PER to ensure that sufficient skilled legal resources are available in this area.</p>	<p>In place and ongoing.</p> <p>Ongoing.</p>	The Office has an internal team dedicated to the NPS.
1.25 1.27	<p>Staff Consultation on Further Savings Opportunities:</p> <p>The Office has agreed at Partnership to seek further recommendations and suggestions from staff as to additional opportunities for</p>	Ongoing	This will be on the Partnership agenda for all future meetings.

Terms of the Public Service Agreement 2010 - 2014	Action/commitment	Target Date as per Current Action Plan	Current Position
	savings, improved performance and greater efficiency.		
All	<p>Productivity related proposals</p> <p>By the end of 2012 the Office will have an authorised staff complement of 229. This is down from a high of 249 in 2008. The Office is keeping workloads across all areas under review, with a view to rationalising the structure and reporting arrangements within legal Divisions and Sections.</p>	Ongoing	The structure and reporting arrangements are reviewed regularly. It is considered that these currently meet the requirements of the Office.
1.1, 1.4 1.11	<p>FAS Work Placement Programme</p> <p>The Office has taken in one entrant under this programme and is continuing to look at the possibility of taking in 3 work placements over a period of 18 months and needs to agree with the staff side a set of learning objectives which will render the experience meaningful and beneficial to the placement candidates.</p>	Dec 2013	One intern has been taken in under the Work Placement Scheme. A second placement has fallen through as all suitable applicants found other opportunities. The office will continue to make every attempt to fulfil its commitments under this scheme.
	Shared Services		

Terms of the Public Service Agreement 2010 - 2014	Action/commitment	Target Date as per Current Action Plan	Current Position
1.4 1.9 1.10 1.11 1.12	<p>Participate in central initiatives to achieve Shared Services within defined timeframes.</p> <ul style="list-style-type: none"> Assign Senior Official to co-ordinate requirements Already using services of Dept. of Finance for payroll Complete transition to HR Shared Services 	<p>Jan 2012</p> <p>Mid 2014</p>	<p>A Senior Official to coordinate requirements has been assigned.</p> <p>The office has cooperated with all requests for input to central Shared Services Projects and is awaiting developments.</p>
1.4, 1.10, 1.11, 4.1, 4.13 and 4.15	<p>Integration of the Financial Management System with the Case and Records Management System (ACME)</p> <p>System rolled across all litigation sections</p>	<p>End 2012.</p>	<p>Counsels' fees are a very significant cost to the State. It is imperative that the Office is able to manage the process to ensure both value for money and an effective financial process to support it. While currently the Office operates a comprehensive and detailed paper-based system, it is labour intensive and not as efficient as it might be for producing real time information for management purposes.</p> <p>Critical to managing the cost is an ability to monitor and recognise the financial commitment on an accruals basis when the activity takes place rather than just at the point an invoice or fee note is received and subsequently paid.</p> <p>Both the ACME and FMS systems are efficient and</p>

Terms of the Public Service Agreement 2010 - 2014	Action/commitment	Target Date as per Current Action Plan	Current Position
			<p>effective in the tasks for which they were designed. However, linking the financial system with the ACME system will ensure that the financial commitments raised by advisory/CSSO legal staff when engaging legal counsel will be automatically captured. This will enable management to be aware with greater accuracy the extent of potential liability for future legal costs and fees as well as ensuring that ultimately when the formal invoice or fee note arrives the payment process will be both accurate and efficient. The visibility and completeness of this information will have significant added value for management decision making.</p> <p>The pilot phase has now ended. Feedback from the users was reviewed and this information used to facilitate the commencement of the live roll out of the system throughout the Office. The system is being rolled out across the Office on a phased basis as training is provided</p>

Public Service Agreement 2010 – 2014

Law Reform Commission

PUBLIC SERVICE AGREEMENT 2010-2014 (CROKE PARK AGREEMENT)

- PROGRESS ON DEPARTMENTAL /AGENCY ACTION PLAN

For submission 26 October 2012

1. Better human resource management: Actions to include under this heading include reductions in numbers, reconfiguration of service delivery, revisions in attendance arrangements, better attendance, and absence management etc.

Terms of the Agreement 2010 – 2014 (refer to all relevant paragraphs)	Action	Target Date as per Current Action Plan	Current Position
Law Reform			
1.1, 1.3, 1.4, 1.5 and 4.11	Reduction in researcher numbers from ten to six with reduced rates of pay	In Place	Cost savings of approximately €127,536 per annum.
Restatement			
1.1, 1.3, 1.4, 1.5 and 4.11	Reduction in researcher numbers from three to one with reduced rates of pay	In Place	Cost savings of approximately €63,768 per annum.
Legislation Directory			
1.1, 1.3, 1.4, 1.5 and 4.11	Reduction in researcher numbers from two to one with reduced rates of pay	In Place	Cost savings of approximately €31,884 per annum.
Administration			
4.10	Sick Leave/Attendance	Ongoing in 2012	The Commission continues to monitor attendance and sick leave proactively, which includes quarterly reports to the Management Committee.
1.12, 4.13	Administration	Ongoing in 2012	The Commission will endeavour to maintain current levels of activities, bearing in mind the substantial reduction of 40% in overall financial resources and the reduction in staff numbers

Terms of the Agreement 2010 – 2014 (refer to all relevant paragraphs)	Action	Target Date as per Current Action Plan	Current Position
			from Q4 2009 to present. This has and will continue to entail restructuring of work practices, procedures, and new PMDS role profiles to reflect the new responsibilities that staff members have taken on. Where feasible, the Commission will enhance current levels of activity, such as the hyper-linking enhancement connected with the Classified List of Legislation in Ireland and the development of a Classified List/Legislation Directory of Statutory Instruments in Force. <i>Update Oct 2012:</i> The Commission has not replaced a clerical officer who retired in February 2012. The Commission has reorganised its Administration which now operates with reduced numbers so as to ensure cover for all essential functions.
1.1, 1.3, 1.4, 1.5, 1.6 and 4.3	Redeployment of civil service staff	In place	Four civil servants were redeployed in 2010.
1.1, 1.4, 4.7	Shorter working year	In place	The Commission continues to maximise the benefit of the Shorter Working Year scheme with one member of staff being released during August 2011(the quietest period).
1.4	Training Evaluation	Ongoing in 2012	All training is evaluated to ensure value for money and that quality training is being provided. Where possible free training is availed of in the Civil Service Training and Development Centre.
1.1, 1.3, 1.4, 1.5 and 4.11	Commission Internship programme	In place and ongoing	The Commission has a number of volunteer interns who are placed in work experience (under an experienced mentor) on various legal projects. This has assisted in maintaining a high level of output in spite of considerable reductions in resources. <i>Update Oct 2012:</i> The Commission intends to engage the services of two unpaid interns before the end of 2012 to work

Terms of the Agreement 2010 – 2014 (refer to all relevant paragraphs)	Action	Target Date as per Current Action Plan	Current Position
1.1, 1.3, 1.4, 1.5 and 4.11	Shared services: New	Q1 2012 Q2 2012 Q2 2012	on the Access to Legislation Project. Begin implementation of shared payroll service with D/PER salaries section. Complete transfer of payroll to shared service. <i>Update Oct 2012:</i> This is in place since 1 April 2012 Seek transfer of administration of pension payments for the Commission to the Paymaster General on an agency basis <i>Update Oct 2012:</i> This is in place since 1 July 2012.

2. Better business processes: Actions under this heading would include efficiency measures and improvements to the processes by which your Dept/Body delivers its services to the public, including changes to the technology used, better data management including around identity and so on.

Terms of the Agreement 2010 – 2014 (refer to all relevant paragraphs)	Action	Target Date as per Current Action Plan	Current Position
Law Reform			
1.4	<p>Consultation Paper containing a Classified List of over 2,000 Acts in Ireland was published in December 2010. Report, with complete Classified List of Legislation, to be published by end Q3 2011.</p> <p>First New element since Action Plan: Commission intends additional enhancement of Classified List in 2011: see Comment Box.</p> <p>Second New Element since Action Plan: ongoing updating</p>	<p>Project on Classified List of Legislation to be completed by end 2011.</p> <p>By end 2011</p> <p>New. In place and ongoing</p>	<p>The Classified List in the Consultation Paper contains a complete List of all Extant Post-1922 Acts in Ireland, and over 100 pre-1922 Acts, classified under 36 Major Subject-Matter headings. This facilitates access to legislation for all users, whether individuals, businesses or State bodies. It proved of particular use to Departments in preparing Transfer of Functions Orders after the General Election 2011. It also complements and builds on the Commission's work on Statute Law Restatement and the Legislation Directory (see below) and is consistent with Better Regulation and Smart Regulation principles.</p> <p>First New element since Action Plan: in 2011 the Commission developed a rolling plan of enhancements to the Classified List, in particular by providing hyperlinks (a) from the Classified List to the full text of Acts and relevant entries in the Legislation Directory (on the electronic Irish Statute Book), (b) to Restatements of Acts where available and (c) to full text of over 400 pre-1922 Acts.</p> <p>Second New Element since Action Plan: the Commission has updated the Classified List from 2011 onwards; and ensures it is</p>

Terms of the Agreement 2010 – 2014 (refer to all relevant paragraphs)	Action	Target Date as per Current Action Plan	Current Position
		January to March 2012	datefix utility and XML publication enhancement. Refinement to XML authoring system specified and implemented under terms of support contract (improvements to PDF outputs).
1.4	Tighter methodology for preparation of restatements: Development of written procedures, expansion of reference manual, more detailed training and supervision based on above materials.	October to December 2010 In place in June 2011 with ongoing maintenance March to September 2012	Greater productivity and quality of work. This is now possible with bedding down of the authoring system and experience of first restatements. The Manual continues to be updated as new issues arise and are resolved. Rationalisation of versions of restatements is completed. The new datefix utility (above) permits better management of new versions in future. New techniques in revising legislation adopted to support future facility for point in time versions.
1.4	Repurposing of Legislation Directory data to produce running restatements/ revised Acts.	New: From January 2012-	The Commission has decided to produce running restatements/ revisions of primary legislation enacted after 1 January 2006. It will use the data already collected by the Legislation Directory team to produce these. This will prevent the piling up of amendments to legislation which has traditionally led to lack of transparency and accessibility. This could form the basis of a comprehensive eLegislation model for the State. These changes will also contribute to the reduction of legal costs for those accessing the law.

Terms of the Agreement 2010 – 2014 (refer to all relevant paragraphs)	Action	Target Date as per Current Action Plan	Current Position
Legislation Directory			
1.4	In place	Use of XML authoring system	Electronic data produced for the Legislation Directory in best-practice format and compatible with other eLegislation projects in the State to allow full integration and maximum efficiency.
Unification of Restatement and Legislation Directory projects with added responsibility for maintenance of Classified List of Legislation			
1.4	Merger of Restatement and Legislation Directory and Classified List into unified Access to Legislation project	March to September 2012	The Law Reform Commission has approved the merger of the two projects together with maintenance of the Classified List of Legislation and reorganisation of work in order to ensure the most efficient and comprehensive production of the project with reduced staffing. An Assistant Project Manager at AP level will be appointed to replace a project manager at PO level who left in September 2012. Management and staffing of the merged Project has been restructured to take account of the new arrangements. Volunteer interns will be engaged to contribute to the work.
Administration			
1.4, 1.10 1.12, 4.13, 4.16	Implementation of SAGE Accounts system	Ongoing in 2011	<p>SAGE accounts have been fully deployed in the Commission with effect from 1 January 2012. The old system of keeping accounts using Microsoft Excel was discontinued from that date.</p> <p>SAGE software was also upgraded in Q3 of 2011 allowing the Commission to administer payroll through SAGE software leading to pending the transfer of the payroll to D/PER <i>Update Oct 2012</i>: Transfer of payroll took place on 1 April 2011 allowing the Commission to discontinue support arrangements</p>

Terms of the Agreement 2010 – 2014 (refer to all relevant paragraphs)	Action	Target Date as per Current Action Plan	Current Position
			for its own payroll software, resulting in an annual saving of €1,200 in 2012 and future years.
1.10, 4.1, 4.13	FMS	Ongoing in 2012	<p>The enhanced use of SAGE includes the production of monthly financial statements. These monthly reports help the Commission to continue to operate efficiently.</p> <p>Where feasible all creditors are now paid by way of Electronic Fund Transfer.</p> <p><i>Update Oct 2012:</i> The Commission introduced a comprehensive requisitioning and purchase order system, fully integrated with SAGE Accounts which should improve the quality of information available to management and for audit purposes. This new system went live on 1 October 2012 for all purchases.</p>
1.4, 1.12 4.13	IT Enhancements:	2011	<p>In the third quarter of 2011 the Commission further upgraded the monitoring of its IT system. The server infrastructure was upgraded in Q4 of 2011, and the Commission moved from a system of tape back-up (with tapes being collected for storage offsite to an online backup system resulting in a small long-term cost saving as well as a more robust and secure backup facility.</p> <p><i>Update Oct 2012:</i> A new IT support SLA is in place since 1 October 2012, resulting in an annual saving of more than €14,000 on an ongoing basis.</p>
	Flexi-clock	End of Q4 2011	<p>The flexi-clock software (which was 12 years old) was upgraded in Q4 2011 at a cost of €1,000. This has delivered considerable time-saving and other efficiencies in Human Resources.</p>

Terms of the Agreement 2010 – 2014 (refer to all relevant paragraphs)	Action	Target Date as per Current Action Plan	Current Position
	Broadband service	End of first quarter 2012.	Tenders have been received for replacement of the current broadband service and will be awarded shortly. This is expected to result in an improved service at a reduced cost. <i>Update Oct 2012:</i> The Commission upgraded its broadband service from 2MB/s to 20MB/s with effect from 15 October 2012. The new improved service will be delivered with no additional cost.
4	Energy Saving	September 2010 onwards	Measures taken to reduce energy consumption in accordance with advice of Energy Consultant supplied by Sustainable Energy Ireland. <i>Reminders sent to staff regarding conservation of energy.</i> Recycling measures in place. Reminders on energy conservation periodically sent to staff.
4	Reduction in paper publications and replacement with electronic versions of documents	In place and ongoing	Electronic copies of Commission publications are now available free of charge to download from the website and pdf copies are emailed to interested parties including members of the Oireachtas. Paper copies are still available but at a cost. This has reduced the printing costs to a minimum resulting in a saving of approximately €37,000 in 2011 when compared to 2009.
1.4,4	Active management of costs and negotiation with all suppliers	Continuing and ongoing	Non-pay costs in 2011 were €1.033M compared to €1.779M in 2009. Non-pay budget for 2012 is €897,000, a reduction of €822,000 or 46% since 2009.

Terms of the Agreement 2010 – 2014 (refer to all relevant paragraphs)	Action	Target Date as per Current Action Plan	Current Position
1.4,4	Contracts	Ongoing in 2011	The Commission continues to seek the best possible value for money when either renewing or entering into contracts for services. <i>Update Oct 2012:</i> New contracts include the IT Support SLA (cost reduction at least €14,000), new broadband services (greatly enhanced service at no extra cost)
1.4,4	Premises	Ongoing in 2012	The Commission is actively engaged in reducing the cost of the premises by engaging with the landlord to secure reductions in the rent and service charges, and to ensure that no non-essential services in relation to the premises are in place. Examples include a reduction in the frequency with which windows are cleaned, reduction in the number of allocated car park spaces, loss of receptionist on the front desk on entering the building. This resulted in a saving in 2011 of approximately €20,000 with savings of a further €20,000 expected to be realised in 2012. <i>Update Oct 2012:</i> The Commission has invited the OPW to inspect the premises with a view to making the best possible use of the available accommodation. A further reduction in service charge for 2013 has been agreed, with savings expected to be in the order of €11,000 for 2013 when compared to 2012.

3. Delivering for the citizen: Actions under this heading would include efficiency measures and improvements to the processes by which your Dept/Body delivers its services to the public, including changes to the technology used, better data management including around identity and so on.

Terms of the Agreement 2010 – 2014 (refer to all relevant paragraphs)	Action	Target Date as per Current Action Plan	Current Position
Law Reform			
1.4	<p>The following Law Reform Projects in <i>Third Programme of Law Reform 2008-2014</i>, as specified in the Action Plan, were completed. Projects 1 to 3 are connected to the Financial Support Agreement between the State and the ECB/IMF, and the Government <i>Legislation Programme Summer Session 2011</i>.</p> <p>1. <i>Report on Personal Debt Management and Debt Enforcement</i>. Report, with draft Bill, published December 2010.</p>	Law Reform Projects to be completed or progressed by end 2011	<p>The following text indicates the benefits of the current Commission law reform projects.</p> <p>1. <i>Report on Personal Debt Management and Debt Enforcement</i>. This Report, and draft <i>Personal Insolvency Bill</i> of 77 sections and Heads of Bill on Bankruptcy of 13 Heads, proposes a statutory non-judicial debt settlement system for personal debt, and related reform of the law on personal insolvency and bankruptcy, leading to greater efficiencies in this area. Legislation based on this work is mandated in the Financial Support Agreement between the State and the</p>

<p>Terms of the Agreement 2010 – 2014 (refer to all relevant paragraphs)</p>	<p>Action</p>	<p>Target Date as per Current Action Plan</p>	<p>Current Position</p>
	<p>2. <i>Report on Alternative Dispute Resolution</i>. Report, with draft Bill, published November 2010.</p> <p>3. <i>Report on Consolidation and Reform of the Courts Acts</i>. Report, with draft Bill, published November 2010.</p>		<p>ECB/IMF. Arising from this, the Government published the Scheme of Personal Insolvency Bill 2012 (includes non-judicial debt settlement system for personal debt, and reform of law on bankruptcy, drawing on Commission's proposals).</p> <p>2. <i>Project on Alternative Dispute Resolution</i>. This Report, and draft <i>Mediation and Conciliation Bill</i> of 38 sections, proposes a general statutory framework to allow civil and commercial disputes to be resolved by mediation and conciliation. It would facilitate cost savings for both public and private sector bodies who would wish to use, in suitable cases, the proposed statutory framework. Legislation based on this work is mandated in the Financial Support Agreement between the State and the ECB/IMF. Arising from this, the Government published Heads of Mediation Bill 2012 (drawing on Commission's proposals).</p> <p>3. <i>Report on Consolidation and Reform of the Courts Acts</i>. This Report (a collaboration between the Law Reform Commission, the Courts Service and the Department of Justice and Equality), and the draft <i>Courts (Consolidation and Reform) Bill</i> of 359 sections, proposes to repeal over 200 Acts concerning the role and function of the courts and to replace them with a single, modern, Courts Act. The relevant provisions of the draft Bill concerning legal costs is related to the Financial Support Agreement between the State and the ECB/IMF and was used as background material to develop the legislation on reform of taxation of legal costs. The draft</p>

<p>Terms of the Agreement 2010 – 2014 (refer to all relevant paragraphs)</p>	<p>Action</p>	<p>Target Date as per Current Action Plan</p>	<p>Current Position</p>
	<p>4. <i>Report on Children and the Law: Medical Treatment.</i> Report, with draft Bill, published May 2011.</p> <p>5. <i>Report on Defences in the Criminal Law.</i> Report published; elements on defence of the dwelling contained in <i>Defence of the Dwelling Bill 2010.</i></p>		<p>Courts Bill would facilitate ongoing and planned proposals to ensure the efficient administration of justice in the courts. The reform elements include: (a) simplifying and reducing the number of forms required in civil cases, (b) requiring parties to minimise costs and use ADR where suitable (a direct link with the ADR project, above) and (c) involving judges in active judicial case management of case-flows through the courts. The Government Legislation Programme Summer Session 2012 (Section C): Courts (Consolidation and Reform) Bill “to provide for implementation of recommendations of the Law Reform Commission” expected to be published in 2013.</p> <p>4. <i>Report on Children and the Law: Medical Treatment.</i> This Report and draft <i>Health (Children and Consent to Medical Treatment) Bill</i> would clarify for those under 18, their parents/guardians and health care practitioners the capacity of persons under 18 years of age to consent to medical treatment, and provide a “good faith” defence to health care practitioners concerning possible civil liability. This would limit potential liability of the State, since most clinical negligence claims are covered by the State’s Clinical Indemnity Scheme.</p> <p>5. <i>Project on Defences in the Criminal Law.</i> This would result in the enactment for the first time of legislation concerning the main defences in criminal law, notably self-defence (including defence of the dwelling), and other defences such as provocation and duress. It would also assist</p>

Terms of the Agreement 2010 – 2014 (refer to all relevant paragraphs)	Action	Target Date as per Current Action Plan	Current Position
	<p>6. <i>Report on Advance Care Directives</i>. Report published; draft Bill could be incorporated into proposed <i>Mental Capacity Bill</i> (Department of Justice and Equality).</p> <p>7. <i>Project on the Law of Sexual Offences</i>. Consultation Paper to be published in 2011.</p>		<p>the wider project of enacting a Criminal Code Bill. The Criminal Law (Defence of the Dwelling) Act 2011 implemented in part this Report (defence of the dwelling).</p> <p>6. <i>Report on Advance Care Directives</i>. This would provide for the ability of adults to give directions as to their future medical treatment in the event that they lose mental capacity in the future (e.g. from car crash or Alzheimer's disease) and would allow the State to implement a 2009 Council of Europe Recommendation on this matter. It would also complement planned general legislation on mental capacity proposed by Department of Justice and Equality in the Government <i>Legislation Programme Summer Session 2012</i>.</p> <p>7. <i>Project on the Law of Sexual Offences</i>. This would propose reform of specific aspects of the existing legislation on sexual offences, including the aspect of consent. It would complement a proposed project planned by the Department of Justice and Equality on consolidation of all the legislation on sexual offences, and would ensure that there is no overlap between these two proposed projects. Consultation Paper published in 2011; and discussed at Commission Annual Conference 2011.</p>
1.1, 1.4	Complete remaining Projects in <i>Third Programme of Law Reform 2008-2014</i> . Publish 7-9	In place and ongoing throughout the term of the Agreement	Taking account of the 40% reduction in the Commission's grant-in-aid for 2010 and resulting ongoing cost savings (including salary savings: see below), the Commission intends

Terms of the Agreement 2010 – 2014 (refer to all relevant paragraphs)	Action	Target Date as per Current Action Plan	Current Position
	Consultation Papers/Reports in 2011. Publish 7-8 Consultation Papers/Reports in 2012. Complete Mid-term Review of <i>Third Programme of Law Reform 2008-2014</i> by mid-2011.		<p>to maintain the high quality of its outputs (see 2008 <i>Report of the Value for Money Review of the Law Reform Commission</i>), notably by building on its existing project management procedures. This will ensure that the Commission provides additional value for money by maintaining the existing quality of outputs, and at reduced cost. Among the projects to be completed in the <i>Third Programme of Law Reform 2008-2014</i> will be: (a) Reform of Jury Selection Procedures (this would enhance the efficiency of the jury selection procedure, including by further developing existing ICT processes, and would also expand the jury selection pool to include EU citizens); (b) Civil Law Aspects of the Law of Missing Persons (this would take account of a 2009 Council of Europe Recommendation on this matter, and of reform of this area in Northern Ireland in 2009, thus taking account of the State's international obligations and endeavouring to ensure that there is no avoidable conflict between and relevant law in this State and in Northern Ireland).</p> <p>The Commission met projected targets by: (a) publishing 3 Reports and 4 Consultation Papers in 2011; (b) making significant progress during 2011 on remaining projects in Third Programme of Law Reform; and (c) completing Mid-Term Review of Third Programme of Law Reform.</p> <p><i>Update Oct 2012:</i> Reports on both these projects to be published in 2012</p>
1.1, 1.4	Development of <i>Fourth Programme of Law Reform</i> . Appoint project team in 2013 to prepare for consultation on	To be completed in 2013 and 2014	As occurred during 2006 and 2007 in the preparation of the <i>Third Programme of Law Reform 2008-2014</i> , the Commission will begin public consultation on the development of a <i>Fourth Programme of Law Reform</i> during 2012-2013. The

Terms of the Agreement 2010 – 2014 (refer to all relevant paragraphs)	Action	Target Date as per Current Action Plan	Current Position
	<i>Fourth Programme of Law Reform. 2014: complete consultation process, including public consultation, and prepare Draft Programme of Law Reform for approval by Government (in accordance with the Law Reform Commission Act 1975).</i>	New. Commission to decide by end 2011.	<p>Commission will also ensure relevant liaison and consultation with the Attorney General, Government Departments and the Oireachtas. This will be done in accordance with relevant <i>Better Regulation</i> guidelines on consultation by public bodies, to ensure best practice outcomes from the consultation process.</p> <p><i>In light of the Mid-Term Review of the Third Programme of Law Reform (see above), in March 2012 the Commission began, with a view to the development of a Fourth Programme of Law Reform, preparatory analysis of: current and future priorities for law reform in the State; and law reform programmes and related developments (including accessibility of legislation) in other jurisdictions.</i></p> <p><i>Update Oct 2012:</i> Preparation of the Fourth Programme has commenced and submissions sought from a wide range of people. The Law Reform Commission's Annual Conference 2012 to be held on 11 December will form part of public consultation on the new Programme which is intended to be agreed by Q1 2013.</p>
Restatement			
1.4	Completion of First Programme of Restatement.	In place	Extended first programme of restatement completed with delivery of Road Traffic Acts 1961 to 2011 and Roads Acts 1993 and 2007 to Office of the AG for certification in June 2011, and publication as pre-certified restatements on LRC website. Assistance continues from unpaid volunteer interns.

Terms of the Agreement 2010 – 2014 <i>(refer to all relevant paragraphs)</i>	Action	Target Date as per Current Action Plan	Current Position
		June 2011	Pre-certified restatements made available in January 2011 on Commission website and publicised in Irish Times, Law Society Gazette and elsewhere.
		October to December 2011	Restatements technically capable of publication on eISB when certified, in both XML and PDF formats. Enhancement to XML and PDF publication to permit publication with and without annotations put in place.
1.4	Development of second programme of restatement based on submissions and advice of volunteer User Group.	July to December 2010	<p>The Commission adopted a Second Programme of Restatement which will benefit large communities of users, including those in the public sector. The work of restatement may be preparatory to formal consolidation, codification and reform, and in this way can assist in making legislation more relevant and accessible.</p> <p>The Second Programme of Restatement is published on the Commission's website, with hyperlinks to restated Acts as they become available.</p>
1.4	Undertaking a Second Programme of restatements	January 2011-December 2012	The Second Programme will provide updated legislation with amendments integrated and annotated, thereby saving time

Terms of the Agreement 2010 – 2014 <i>(refer to all relevant paragraphs)</i>	Action	Target Date as per Current Action Plan	Current Position
	<p>2011-2012, subject to external factors and resources.</p> <p>The Second Programme includes legislation in the areas of :</p> <ol style="list-style-type: none"> 1. Employment 2. Irish Nationality and Citizenship 3. Children 4. Family 5. Mental Health 6. Criminal Law (Bail and Offences Against the State) 7. European Union 8. Planning and Development 9. Aquaculture 10. Environmental Protection 		<p>for all users of this legislation including users in the public service and making legislation more accessible.</p> <p>Restatements are a major step towards online accessibility of legislation and will be a major efficiency for all users. When linked with the list of classified Acts, also prepared by the Commission, on the eISB, they will enable lay users to identify applicable law with confidence for the first time.</p> <p>Annotations include commencement information, non-textual amendments, exercise of powers to make regulations, previous affecting provisions and editorial notes. Hypertext links to legislation referred to in restatements may be possible to be added on publication by the manager of the eISB website.</p> <p>The cost of ascertaining the current state of the law is a burden on and cost to all users including the public service, legal professionals and their clients, and members of the public. Having restatements available will lead to efficiencies and cost savings. It will improve the transparency of the law as outlined by the “Better Regulation” objectives and the OECD report Better Regulation in Europe – Ireland, Nov 2010, pp 83, 98.</p> <p>Restatements also contribute to the preparation of consolidations and reform of legislation by providing an up-to-date statement of the law as a starting point (recently seen in</p>

Terms of the Agreement 2010 – 2014 <i>(refer to all relevant paragraphs)</i>	Action	Target Date as per Current Action Plan	Current Position
	Agency 11. Foreshore 12. Dumping at Sea 13. Waste Management (if time) 14. Water (if time) 15. Electoral (if time) 16. Registration of Title Act 1964 (added later) 17. Central Bank Act 1942 (added later)		the use of the Central Bank Act 1942 restatement for the preparation of new legislation).
1.4	Development of Second Programme of Restatement based on submissions and advice of volunteer User Group.	July to December 2010 October 2011 January 2012	The Second Programme of Restatement is published on the Commission's website, with hyperlinks to restated Acts as they become available. The Registration of Title Act 1964 and the Central Bank Act 1942 were added to the Second Programme as a result of submissions received.
1.4	Undertaking a Second Programme of restatements 2011-2012, subject to external factors and resources.	January 2011-December 2012	Pre-certified restatements from the Second Programme are published on the Commission's website, including Employment, Child and Family legislation.

Terms of the Agreement 2010 – 2014 (refer to all relevant paragraphs)	Action	Target Date as per Current Action Plan	Current Position
		<p>January to March 2012</p> <p>March to September 2012</p>	<p><i>Work ongoing on Child, Family, European Union and Planning legislation. Over 100 restatements published on Commission website.</i></p> <p>Child, Family, European Union, Planning and Registration of Title legislation completed and either published or awaiting review by Government Departments. Equality, Data Protection and Freedom of Information Acts updated.</p> <p>Work ongoing on Foreshore, Dumping at Sea, Central Bank, and updates to existing restated/revised Acts</p> <p>It has been agreed in principle with the AGO that Revised Acts (rather than certified Restatements) will be published on the eISB website thus maximising availability of legislative material in one place for the public. The Law Reform Commission has decided to integrate Restatements/Revisions into a single Access to Legislation project together with the Legislation Directory and the Classified List. In the restructured project Acts already restated/revised will be maintained up to date where possible to maximise their usefulness and all Acts from 2006 onwards will be revised. In light of the reorganisation of the merged projects and inclusion of post 2006 Acts the timing of completion of the Second Programme has been rescheduled.</p>
1.4	Adoption of a Maintenance Programme to maintain all Acts (other than Finance and SW)	First publication by end 2012.	Revisions of amended Acts of 2006 and 2007 in advanced stages of preparation for publication on the Commission website, with link agreed from eISB.

<p>Terms of the Agreement 2010 – 2014 <i>(refer to all relevant paragraphs)</i></p>	<p>Action</p>	<p>Target Date as per Current Action Plan</p>	<p>Current Position</p>
	<p>from 2006 up to date in the form of revised Acts</p> <p>This programme was adopted by the Commission to capitalise on the work being undertaken for the Legislation Directory and to prevent large backlogs of amendments accumulating going forward from 2006 (when the Commission took responsibility for the Legislation Directory).</p>		<p>Revisions of later Acts being reviewed by Government Departments.</p>
<p>1.4</p>	<p>Publication of restated/revised Acts and accessibility from eISB</p>	<p>March to September 2012</p>	<p>Over 120 restated/revised Acts are posted on the Commission's website and are listed alphabetically and as classified. They are added to as new revisions are approved by Government Departments. Preparations are advanced for the posting of revised versions of all amended Acts from 2006 onwards (other than Finance and Social Welfare).</p> <p>The eISB management committee in the OAG is preparing a link from the eISB to this resource on the Commission's website which is expected to greatly expand their user base. The Commission is working towards publication of revised Acts on the eISB to allow this third element of the Access to Legislation project to be available on that website and thus maximise the accessibility of legislation to the public.</p>

Terms of the Agreement 2010 – 2014 (refer to all relevant paragraphs)	Action	Target Date as per Current Action Plan	Current Position
Legislation Directory			
1.4	Upgrading of Legislation Directory of the Acts to include pre-independence legislative effects (amendments, non-textual amendments and other ways legislation has been affected). Approximately 1,000 pre-1922 statutes remain on the statute book, many of which were amended pre-1922. A considerable amount of information is already in place and further information will be added on a monthly basis subject to external factors.	June 2010 -December 2012 Ongoing January to March 2012	<p>This is remedying a long-identified deficiency in the Legislation Directory. It will reduce the burden on Government Departments, legal professionals and the general public as they will no longer need to do or pay for individual research to ascertain the state of the law. This will lead to efficiencies and ultimately cost-savings. It will improve the transparency of the law in line with the “Better Regulation” objectives.</p> <p>This work is in addition to the project transferred to the Commission. It has been completed with a staff reduction of 50% and with the assistance of volunteer interns and without extra costs to the exchequer.</p> <p><i>This work is now completed.</i></p>
1.4	<p>Identification of statutory instruments which are in force in the jurisdiction.</p> <p>Over 28,000 statutory instruments were made since 1922 and many of them are obsolete, revoked or spent. In order to avoid tracking changes to those which are no longer in force, all obsolete SIs are being identified and eliminated from</p>	June 2010-June 2013	<p>First step in remedying long-identified deficiencies with the transparency of secondary legislation as identified in the recent OECD report on Ireland.</p> <p>The long-term aim of this project is to work together with Government Departments and other regulatory bodies to remove obsolete statutory instruments from the Irish Statute Book.</p> <p>This project will reduce the burden on Government Departments, legal professionals and the general public as they will no longer need to do or pay for individual research to</p>

<p>Terms of the Agreement 2010 – 2014 (refer to all relevant paragraphs)</p>	<p>Action</p>	<p>Target Date as per Current Action Plan</p>	<p>Current Position</p>
	<p>the working list. This work may also identify SIs which are no longer relevant but have not been revoked.</p> <p>This work is underway. It is estimated that it will take at least one year to compile the initial list. Delivery timescales on this aspect of the project are dependent of the availability of unpaid interns.</p> <p>The long-term aims for this project will take some years to achieve and will depend on cooperation between all stakeholders and the availability of resources.</p>	<p>March to September 2012</p>	<p>ascertain the state of the law. This will lead to efficiencies and ultimately cost-savings. It will improve the transparency of the law in line with the “Better Regulation” objectives.</p> <p>This work is in addition to the project transferred to the Commission. It is being done with a staff reduction of 50% and with the assistance of volunteer interns and without extra costs to the exchequer.</p> <p>A second check of this list is ongoing and it is hoped to publish this list as part of a Consultation Paper on eLegislation towards the end of 2012.</p> <p><i>Oct 2012 update.</i> An initial Draft Classified List of In-Force Post-1922 SIs has been completed and four Department-specific lists have been sent to Government Departments for review. The remaining lists will be sent to the appropriate Government Departments by the end of 2012.</p> <p>With input from each Department it is intended to produce a validated List of SIs in force and classified in accordance with the existing Classified List of Acts, and identified with the appropriate Government Department. This can be the basis for further action:</p> <ul style="list-style-type: none"> - removal of obsolete secondary legislation, - replacement of heavily amended secondary legislation, - efficient extension of the Legislation Directory of SIs back from 2000 incorporating all SIs still in force.

Terms of the Agreement 2010 – 2014 <i>(refer to all relevant paragraphs)</i>	Action	Target Date as per Current Action Plan	Current Position
1.4	<p>Upgrading of Legislation Directory to include statutory instruments using existing authoring tool.</p> <p>At present amendments to statutory instruments are not tracked, and there is no equivalent of the Legislation Directory for Acts where any changes can be checked. Ascertaining whether and to what extent a piece of secondary legislation has been amended involves systematic searches of the existing body of legislation. Searching can be done electronically using the Irish Statute Book online, but requires skill and know-how which is generally not available to lay users.</p> <p>A database for the years 2006-2010 has been produced and is awaiting upload to the eISB.</p> <p>Further developments will</p>	<p>In place and ongoing</p> <p>January to March 2012</p>	<p>This is the second step in remedying long-identified deficiencies with the transparency of secondary legislation as identified in the recent OECD report on Ireland.</p> <p>It will reduce the burden on Government Departments, legal professionals and the general public as they will no longer need to do or pay for individual research to ascertain the state of the law. This will lead to efficiencies and ultimately cost-savings.</p> <p>The authoring tool which was commissioned to allow the compilation of the Legislation Directory for Acts has been expanded, without additional costs to the exchequer, to allow the compilation of a Legislation Directory of Statutory Instruments by an appropriately-resourced body.</p> <p>The Commission is committed to producing a pilot Legislation Directory of statutory instruments covering the period 2006-2010 but does currently not have the capacity to look at the years pre-2006.</p> <p>This work is in addition to the project transferred to the Commission. It has been completed with a staff reduction of 50% and with the assistance of volunteer interns and without extra costs to the exchequer.</p> <p><i>The Commission has now uploaded material for 1 January</i></p>

Terms of the Agreement 2010 – 2014 (refer to all relevant paragraphs)	Action	Target Date as per Current Action Plan	Current Position
	depend on resourcing.	March to September 2012	<p>2002-present. It is hoped to complete the years 2001 and 2000 in 2012.</p> <p>Oct 2012 update. The Legislation Directory for SIs now extends from 2000 to date. Further work to extend the Directory back into the 1990s would require additional funding or staff resources, which is not currently available. The Legislation Directory will form part of the new merged Access to Legislation project.</p>
1.4	Work to ensure efficient interaction between the Legislation Directory and other aspects of the eISB. In particular, cooperate with the eISB upgrade to allow the linking of Acts directly to the eISB.	<p>Ongoing</p> <p>New – Commenced</p> <p>January to March 2012</p> <p>September to March 2012</p>	<p>Greater benefits for users of the eISB. More transparency as to the current status of legislation. Greater use of the legislation directory resource.</p> <p>The linking of Acts is in place.</p> <p>We are now exploring whether similar integration between S.I.s and the new S.I. database is possible.</p> <p>This is ongoing as part of a general redesign of the Legislation Directory on the eISB.</p> <p>Working with the Office of the AG (who manage the eISB), the Commission continues to promote a number of changes to the eISB to support accessibility of legislation.</p>

Terms of the Agreement 2010 – 2014 <i>(refer to all relevant paragraphs)</i>	Action	Target Date as per Current Action Plan	Current Position
1.4	Preparation of in force pre-1922 legislation for online publication on eISB	March to September 2012	The Commission has largely completed the capture, XML markup and preparation for publication of virtually all pre-1922 Acts retained in force by the Statute Law Revision Act 2007 and has supplied part to the OAG for publication on the eISB. The remainder is expected to be ready by end October 2012.
Administration			
1.12,4.13	Improve Website Accessibility	Q1 2011 and ongoing	<p>In Q1 2011 accessibility of the Commission's website was improved by adding a number of general enhancements. The Commission recognises that its website is used frequently to access Reports and Consultation Papers and will ensure that it remains up-to-date and, where feasible, will continue to add new features, such as the hyper-linking enhancement connected with the Classified List of Legislation in Ireland and Classified List/Legislation Directory of Statutory Instruments in Force.</p> <p>The website has now been enhanced by addition of a facility improving the legibility of text to persons with a visual impairment.</p>