

ANNUAL REPORT 2002



Office of the Attorney General



Incorporating the Final Progress Report on Implementation of
STATEMENT OF STRATEGY 1999-2002

First Progress Report on Implementation of
CLIENT SERVICE GUIDE 2002- 2004

Office of the Attorney General

Government Buildings
Upper Merrion Street
Dublin 2
Telephone 01 631 4000
Fax 01 676 1806
Email info@ag.irlgov.ie

The Office of the Attorney General incorporates the Office of the Parliamentary Counsel to the Government (OPC), the Statute Law Revision Unit (SLRU) and the Chief State Solicitor's Office (CSSO).

Office of the Parliamentary Counsel to the Government

Government Buildings
Upper Merrion Street
Dublin 2
Telephone 01 631 4000
Fax 01 676 1287
Email info@ag.irlgov.ie

Statute Law Revision Unit

Government Buildings
Upper Merrion Street
Dublin 2
Telephone 01 631 4000
Fax 01 676 1287
Email info@ag.irlgov.ie

Chief State Solicitor's Office

Osmond House
Little Ship Street
Dublin 8
Telephone 01 417 6100
Fax 01 417 6299
Email registry@csso.irlgov.ie

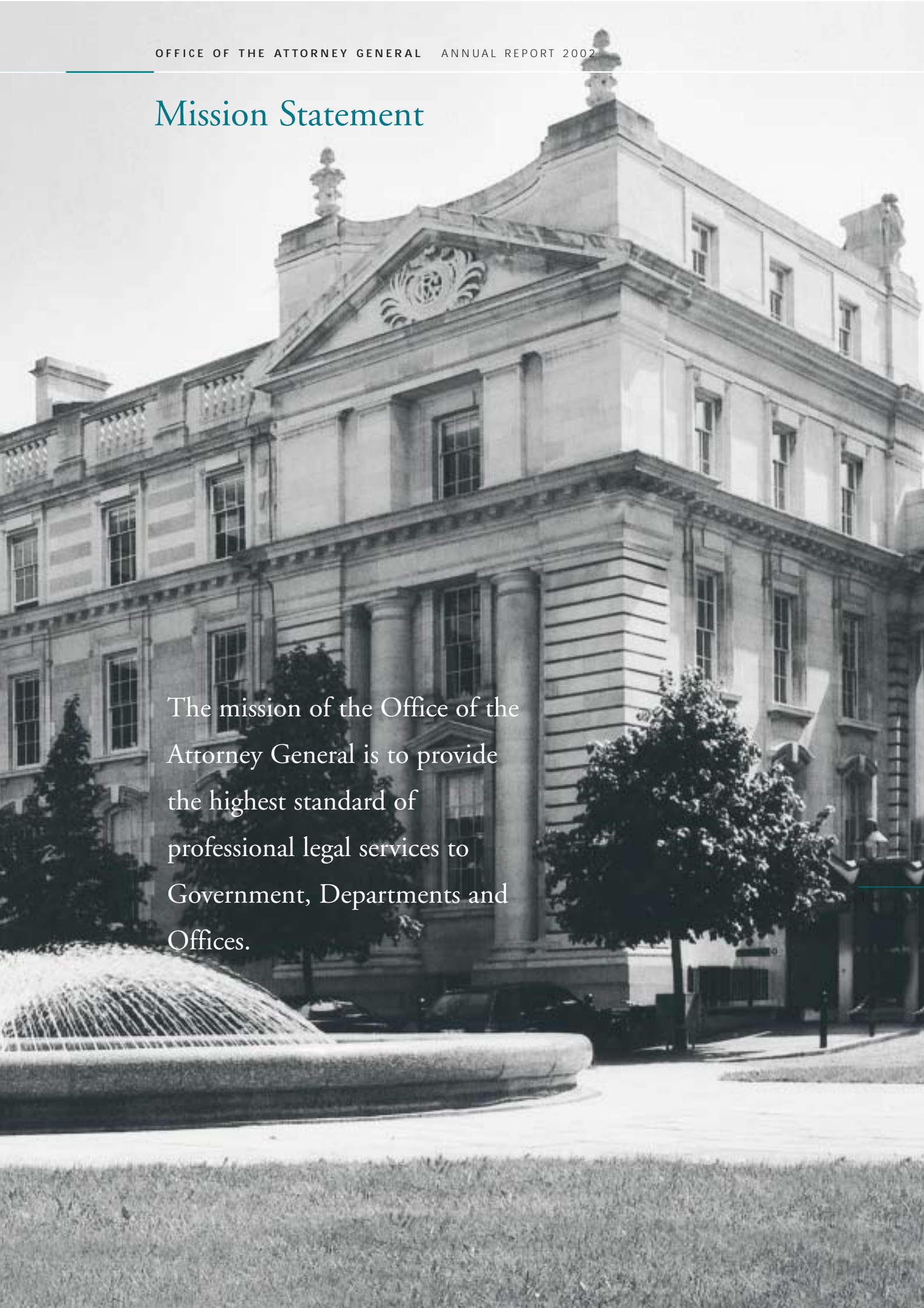
The Army Heaing Loss Section of the Chief State Solicitor's Office is located at:

Chief State Solicitor's Office

(Army Heaing Loss Section)
5-9 South Fredereick Street
Dublin 2
Telephone 01 417 6100
Fax 01 478 5985

Mission Statement

The mission of the Office of the Attorney General is to provide the highest standard of professional legal services to Government, Departments and Offices.



Contents

chapter		page
	Foreword by the Attorney General	04
	Introduction by the Director General	05
01	The Mission Statement and Key Objectives To pursue Mission as set out in the Statement of Strategy 1999 - 2002	08
02	Main Developments in 2002	09
03	Progress achieved in reaching Key Objective 1: To maintain and develop the provision of specialist legal services in all areas of law of major importance to Government, Departments and Offices.	18
04	Progress achieved in reaching Key Objective 2: To have an office management and organisation which ensure efficient delivery of legal services to Government, Departments and Offices and which ensure an effective and productive working relationship which takes into account the public service change programme.	25
05	Progress achieved in reaching Key Objective 3: To develop a human resource management strategy linked to the overall objectives of the Office.	35
06	Progress achieved in reaching Key Objective 4: To ensure that staff have access to the necessary information through the ongoing development of appropriate library services, information and knowledge management systems and continuing education.	50
07	Progress achieved in reaching Key Objective 5: To contribute to effective public service by encouraging and assisting in the co-ordination of the legal services of the State.	57
ANNEXES		
A.	Public Bills Published in 2002	62
B.	Public Bills Enacted in 2002	64
C.	Estimate Provision and Expenditure Outturn for 2002 AGO and CSSO incl. Reports on Payment Practices	66
D.	Freedom of Information Statistics 2002	74
E.	Office representation on Committees	77
F.	Organisation Chart	80

Foreword by the Attorney General



I welcome publication of this Annual Report for the Office of the Attorney General for the year 2002. It incorporates the Final Progress Report on the implementation of the Office's *Statement of Strategy 1999-2002* and the First Progress Report on the Office's *Client Service Guide 2002 – 2004*. It builds upon the *Annual Report for 2001* which was published in December, 2002 and which reported on developments in the Office up to the end of July, 2002.

This is the second Annual Report which I have had the pleasure to introduce. Together with the *Statement of Strategy 2003-2005* and Office Action Plans arising from *Sustaining Progress* there is now a full set of documents which informs the public in an unprecedented way about the work of the Office, what the Office has achieved and what it hopes to achieve in the next few years.

As will be noted from the Report, 2002 was again a busy one for the Office with advisory and drafting services having to be deployed at short notice in respect of many diverse legal issues.

I wish to offer my thanks to all the staff in the Office, including the Chief State Solicitor's Office, for once again devoting their energies so efficiently and effectively in the provision of legal services to the State.

Rory Brady SC | Attorney General

Introduction by the Director General



Attorney General,

This Annual Report for the Office of the Attorney General for 2002 builds on an *Annual Report for 2001* and which reported on developments up to the end of July, 2002. This Report represents the Final Progress Report on the Office's *Statement of Strategy 1999 – 2002* and the First Progress Report on the implementation of the *Office's Client Service Guide 2002 – 2004*.

Progress made has been considerable and most satisfactory. Both the Merrion Street Office and the Chief State Solicitor's Office have

become increasingly specialised in their activities and are thus in an even better position to respond to the needs of their clients which are the Government, Departments and Offices whom they serve.

I would like to acknowledge and congratulate the continuing excellence of the work of the staff of the Offices as a whole and their commitment to continued development and improvement.

In June, 2003, the Office published a new *Statement of Strategy, 2003 – 2005*. The mission of the Office is to provide the highest standard of professional legal service to Government, Departments and Offices. All our efforts are directed to this end, whether in the actual provision of legal services or in the administration of the Offices. The Offices continually examine developing and changing needs of their clients with a view to adjusting the delivery of legal services to meet them. Dedication to client needs will be the guiding principle of the Office throughout the period of the current Statement of Strategy and the Merrion Street Office and the Chief State

Introduction

by the Director General

Solicitor's Office are currently engaged in the preparation of Client Charters which will be published in the Autumn.

As further evidence of this change and commitment to development, in August, 2003, the Offices published their Action Plans arising from *Sustaining Progress* which set out the priorities of the Offices over the next two years and the specific actions to achieve those priorities. Progress Reports on these Action Plans show significant and stretching developments in the Offices which have been devised and implemented by the staff of the Offices.

Finola Flanagan | Director General



01 Mission Statement and Key Objectives to pursue Mission

The mission of the Office of the Attorney General is to provide the highest standard of professional legal services to Government, Departments and Offices.

The Office will pursue its mission through the following five key objectives which are set out in the Statement of Strategy:

- > To maintain and develop the provision of specialist legal services in all areas of law of major importance to Government, Departments and Offices.
- > To have an office management and organisation which ensure efficient delivery of legal services to Government, Departments and Offices and which ensure an effective and productive working relationship which take into account the public service change programme.
- > To develop a human resource management strategy linked to the overall objectives of the Office.
- > To ensure that staff have access to the necessary information through the ongoing development of appropriate library services, information and knowledge management systems and continuing education.
- > To contribute to effective public service by encouraging and assisting in the co-ordination of the legal services of the State.

02 Main Developments in 2002

Organisational Developments

The main focus of the Joint Management Advisory Committee of both Offices (Main MAC) and the separate local Management Advisory Committees continued to be on policy and work issues in addition to issues arising from the Strategic Management Initiative and organisational issues.

The Office's first Client Service Guide, which was published in June, 2002, set out the Office's commitment to providing a professional service to the highest standard, taking into account the needs of clients.

The Office made significant progress in the implementation of its Information Technology Strategy, which incorporates projects that address its major business processes. Progress achieved is outlined in Chapter 4 of this Report.

A new Statement of Strategy for the period 2003 – 2005 was presented to the Attorney General in December, 2002 and the printed version in both the Irish and English languages was published in July, 2003.

Reorganisation within the Office

In 2002, the Office continued with its reorganisation to meet the changing needs of clients, Departments and Offices.

The Office experienced a continued growth in its workload, much of which needed to be furnished urgently. The Office responded to this increased demand by continuing to focus on specialisation of Advisory Counsel and Parliamentary Counsel in the Merrion Street Office, thus ensuring that work was re-prioritised as required and Departmental requests were responded to in good time.

The establishment of the State Claims Agency and the delegation to the Agency of the management of the majority of personal injury and property damage claims against the State should diminish some of the significant volume of litigation handled by Advisory Counsel and the Chief State Solicitor's Office.

The implementation of a major re-organisation of the divisional and sectional organisation of the Chief State Solicitor's Office in early 2002 reflected the changing work demands of client Departments and Offices. This created a more

02 Main Developments in 2002

efficient organisational structure upon which to provide solicitor services more clearly focused on the needs of clients.

In March, 2002, an Audit Committee was established for both the Merrion Street and Chief State Solicitor's Offices. This Committee is chaired by an external independent person who is a former President of the Institute of Chartered Accountants. The Committee commenced its work by adopting a formal charter and assisted in developing the role and the work programmes of the internal auditor during the year. The membership of the Committee was expanded in November, 2002, with the appointment of two further external independent members – one a non-public servant. It is envisaged that the Committee will continue to provide guidance and support for the development of Risk Management systems within the Offices over the coming years.

A new Change Management Unit to facilitate the Merrion Street Office and the Chief State Solicitor's Office was established in June, 2002, to assist the Management Advisory Committee and Heads of Administration in both Offices

in implementing the programme of change arising from initiatives such as the Strategic Management Initiative (SMI), Delivering Better Government (DBG), the Performance Management and Development System (PMDS), Quality Customer Service (QCS), the Management Information Framework (MIF), promotion of the Irish language etc. within the Offices.

In the Chief State Solicitor's Office an appointment was made in July, 2002, to a new post of Human Resources Officer and also a dedicated Training Officer was appointed in August, 2002.

New Staff

By the end of 2002 the authorised staff complement in the Merrion Street Office had increased to 127 and to 237 in the Chief State Solicitor's Office. During the year new legal advisory and drafting, administrative and clerical staff were recruited in the Merrion Street Office and legal, administrative and clerical staff in the Chief State Solicitor's Office.

02 Main Developments in 2002

Partnership Committee

During 2002, the Partnership Committees in the Merrion Street Office and the Chief State Solicitor's Office were centrally involved in the continued development of the change culture in the Offices as initiated by *Partnership 2000*. Both Committees, which have Office-wide representation dealt with core Office-related issues and matters relating to the implementation of the Strategic Management Initiative. Some of the main issues addressed by the Partnership Committee in the Merrion Street Office included the Performance Management and Development System, Quality Customer Service, implementation of the IT Plan, the progression of the Management Information Framework, accommodation, security and the new *Statement of Strategy 2003 - 2005* while a Sub-Committee was also set up to look at communications generally within the Office. The Partnership Committee in the Chief State Solicitor's Office also addressed the above issues and Sub-Committees looked at changes to work practices, e-working, flexible working, e-mail protocol and accommodation.

Performance Management and Development System (PMDS)

The first, second and third stages (agreement of Role Profile Form, Interim Review and final Evaluation/Assessment) respectively of the first annual cycle of the PMDS were completed in the Merrion Street Office by end of July, 2002. The Partnership Committee agreed the Office's core competencies for inclusion in new Role Profile Forms for the second annual cycle of PMDS which commenced in January, 2003. The core competencies agreed were

- (i) Technical Skills/Knowledge,
- (ii) Client Service and
- (iii) Communications.

In November, 2001, a Performance Management Project Group was appointed by the Management Advisory Committee (MAC) to support the Chief State Solicitor in introducing the PMDS. Professional assistance was provided by SHR Consulting. One of the key tasks of the Group was to advise on a set of core competencies that would support the key objectives of the

02 Main Developments in 2002

Strategy Statement. Competencies selected for 2002 were:-

- (i) Managing People.
- (ii) Customer Service.
- (iii) Technical Capabilities.
- (iv) Teamwork.

The first implementation phase in the Chief State Solicitor's Office took place in December, 2001/January, 2002. Role Profile Forms were completed by 173 members of staff. Two days staff training for the second phase – the ongoing management stage – was provided by the Irish Management Institute in February, March and April, 2002. A final one-day training session was run towards the end of the year to cater for the review stage. The development of the system in the Office was done in consultation with staff interests throughout.

Meeting of EU Attorneys General and Chief Justices in May, 2002

The Merrion Street Office completed a major undertaking in 2002 with the preparation for

and hosting of the biannual meeting in Dublin of the Attorneys General and Chief Justices of the Member States of the European Union. The meeting was held over a two-day period in Farmleigh at the end of May, 2002.

Work of the Office in 2002

The year in question was a particularly busy one for the Office as a whole providing legal advice to Government, Departments and Offices, drafting legislation, providing litigation services and conveyancing and other transactional services to the State. As indicated in the Director General's Foreword, this Annual Report for the Office for 2002 builds on the Annual Report for 2001 which was published in December, 2002 and which reported in some detail on developments up to the end of July, 2002. Set out below is a brief summary of some of the main work developments of the Office in 2002.

02 Main Developments in 2002

Work of Advisory Counsel in 2002

The following matters involved a significant investment of time and resources on the part of Advisory Counsel in the Merrion Street Office and also the legal staff in the CSSO during 2002.

Nuclear Law

- (a) The State instituted two international arbitrations arising out of the commissioning of the **MOX plant at Sellafield**. The State's case in relation to environmental information under the Oslo and Paris Convention for the Protection of the Marine Environment in the North East Atlantic (OSPAR Convention) was heard at the Permanent Court of Arbitration in the Hague between the 21st and 25th October, 2002. The State's argument mainly related to the redacting of economic reports in the context of economic justification for the commissioning of the MOX plant. The work on the State's second case under the United Nations

Convention on the Law of the Sea (UNCLOS) proceeded. This case relates mainly to environmental assessment, co-operation and pollution issues.

- (b) the EU's consideration of ratification of the protocol to the Paris Convention on Third Party liability in the field of Nuclear Energy.
- (c) the proposed Environmental Liability Directive.
- (d) the draft nuclear safety package proposed by the European Commission.

Anglo-Irish

Among the matters on which the Office advised were:-

- (a) issues to do with policing and justice in Northern Ireland.
- (b) issues arising out of the suspension of the institutions in Northern Ireland.
- (c) issues arising out of the operation of the North/South institutions.

02 Main Developments in 2002

Stage in the European Court of Justice

An Advisory Counsel from the Merrion Street Office spent 3 months in the European Court of Justice in Luxembourg from November, 2002, to mid-March, 2003. The purpose of the *stage* was to increase the State's understanding of how the Court works with a view to improving domestic procedures in respect of litigation before that Court.

ECHR Training

The Office organised lectures on European Court of Human Rights (ECHR) for its own staff and relevant staff in other Departments and Offices.

Work of Parliamentary Counsel in 2002

In 2002 the Office of the Parliamentary Counsel to the Government (OPC) was again involved in drafting a significant amount of primary legislation. Thirty nine Government Bills were published, including one Bill to amend the Constitution. (See Annex A).

A Parliamentary Counsel Training Plan was

created and implemented to ensure that new drafters entering the Office would receive consistent and extensive training to enable them to continue the high standard of legal drafting work provided by the OPC to the Government.

In all, 33 Public Bills were enacted in 2002 (see Annex B) and a total of 698 files relating to statutory instruments were opened.

Consultations took place with the Law Reform Commission regarding the Interpretation Bill 2000 particularly in the context of its report on Statutory Drafting and Interpretation: Plain Language and the Law (December 2000, LRC 61-2000). Aspects of that Report are reflected in the Committee Stage amendments moved to that Bill.

A Drafting Manual is now available electronically on a database to all legal staff within the Merrion Street Office. The manual deals with the structure of legislation, including standard components of Acts and layout, and the use of language within legislation. Work by the OPC on the Statutory Instruments: Drafting Checklist and

02 Main Developments in 2002

Guidelines was finalised. It consists of checklists for the composition of draft Statutory Instruments and guidelines on drafting and the correct style to be used both in the OPC and by Government Departments. The Drafting Checklist and Guidelines has been circulated to all Government Departments and associated offices. Both the Drafting Manual and the Drafting Checklist and Guidelines are on-going projects and will be reviewed on a periodic basis.

WORK OF CHIEF STATE SOLICITOR'S OFFICE IN 2002

Commercial and Constitutional Section

The cases dealt with in this Section invariably went to a full plenary hearing (often lengthy) in the High, Circuit or sometimes the District Court, or involved an appeal in the Supreme Court. Issues of law arising in these cases included areas such as commercial, contract, employment, insurance, environmental, planning, electoral, public health, social welfare, administrative, constitutional and European Union law. In the year 2002 the Section received 1,120 new cases (863 of which relate to taxi drivers seeking damages for the alleged unlawful regulatory regime for licensing of taxis between 1978 and 2000).

Judicial Review Section

Judicial Review provides the means by which judicial control of administrative action is exercised and is the process by which the High Court exercises jurisdiction over the proceedings and decisions of inferior courts, tribunals and other bodies who carry out

02 Main Developments in 2002

quasi-judicial functions or who are charged with the performance of public acts and duties. This Section also deals with habeas corpus, cases stated, adoption cases, transfer of sentenced persons, letters of request from foreign tribunals and service of documents under EU Council Regulation No. 1348/2000 and the 1965 Hague Convention on the service abroad of judicial and extra judicial documents in civil and commercial matters. In the year 2002 the section received 139 judicial reviews, 43 habeas corpus cases, 8 adoption cases, 5 transfer of sentenced persons cases, 4 cases stated, 4 letters of request from foreign tribunals and 261 documents for service under EU Council Regulation No. 1348/2000 and the Hague Convention on the service abroad of judicial and extra judicial documents in civil and commercial matters.

Conveyancing and Property Division

In 2002 there was a large increase in the work of the Conveyancing & Property Division as compared with previous years.

The work of the Division covered a wide

variety of property transactions ranging from the sale of property surplus to the requirements of the state, the purchase of heritage properties and bogs for conservation purposes together with sites for schools and Garda Stations, leases in respect of office accommodation for Government Departments, letting foreshore and sites at Fishery Harbour Centres. Other work included the waivers of the property of dissolved companies under the State Property Act 1954, escheated estates, grants under the Sports Capital Programme (Lottery) and the Arts, Culture, Capital Enhancement Support Scheme (ACCESS).

The Division operated with three teams providing a dedicated service to designated Departments.

Tribunals of Inquiry

During 2002 the Office provided separate Solicitor representation to the Garda Commissioner and to the Minister for Justice, Equality and Law Reform at the Tribunal of Inquiry into complaints concerning some Gardai of the Donegal Division (The Morris

02 Main Developments in 2002

Tribunal) and also provided Solicitor representation to the Minister for Communications, Marine and Natural Resources at the Tribunal of Inquiry into payments to Messrs Charles Haughey and Michael Lowry (The Moriarty Tribunal).

Arklow Bank Wind Farm

In 2002 Arthur Cox, Solicitors, were engaged by the Office as external legal advisors in the preparation of the Foreshore Lease to enable construction of a wind farm on the Arklow Bank, which project when fully developed will comprise the world's largest offshore wind farm. The legal services for this project were managed by the CSSO.

Project Management

In view of the several different projects being undertaken within the Office, training on project management was made available to relevant staff from both the Merrion Street Office and the Chief State Solicitor's Office in October, 2002.

Freedom of Information

Statistics on requests to the Merrion Street Office and the Chief State Solicitor's Office under the Freedom of Information Act are set out in Annex D. In the Merrion Street Office, twenty two requests were received, the lowest number since 1998, three were granted and two part granted. In the Chief State Solicitor's Office, six requests were received, three less than in 2001 and one request was granted.

03 Progress achieved in reaching Key Objective 1

To maintain and develop the provision of specialist legal services in all areas of law of major importance to Government, Departments and Offices, the Office will:

- > continue to identify the areas of law, including new and developing areas, in relation to which the Office is required to provide specialist legal services so as to furnish a comprehensive professional legal service to Government, Departments and Offices and to enable the Attorney General perform the functions specifically conferred by the Constitution and legislation. In particular, the Office will:
 - continue to develop and improve the system of specialist divisions/groups;
 - in relation to the drafting function, implement the programme of the Statute Law Revision Unit; and
 - continue to keep abreast of legal and organisational developments in other law offices in Ireland and abroad;
- > provide organisational structures, including systems for the distribution of work within the Office, within which lawyers will have the necessary opportunity to develop and practice particular areas of law taking due account of the preferences of the lawyers to specialise in particular areas of law;
- > maintain and develop the expertise of each lawyer in the core areas of constitutional and administrative law;
- > complete the implementation of the recommendations contained in the report on the redesign of the drafting process concerning the re-organisation of the Parliamentary Draftsman's Office;
- > complete and bring into use the drafting manual for the Parliamentary Draftsman's Office;
- > continue participation by members of the Office in the activities of law societies and organisations and professional bodies.

03 Progress achieved in reaching

Key Objective 1

PROGRESS ACHIEVED:

Advisory side of Merrion Street Office

The continued development of and focus on specialisation of Advisory Counsel is fundamental to the achievement of the Office's key objectives. Following a review in 2001 of the specialisation of Advisory Counsel in the Merrion Street Office and the recruitment of additional staff, the Office established five specialist Groups in December, 2001, from the original three Groups. This increased specialisation enabled the Advisory Counsel, who must have a specialised knowledge of constitutional, European, human rights and administrative law, in addition to their specialist area of law, to efficiently handle the increased work of the Office during 2002, in a more team-orientated manner.

During 2002, there was an increase in the volume of work received in the Office across all areas of law. In particular, developments relating to the Irish language, Referenda in the Justice area, Nuclear Law, Anglo-Irish, Human Rights, Family law and Social issues, International issues, Medico-Legal issues, EU

matters, Tribunals, Ethics law, Electoral law, Company law, Criminal Law, health issues, Appropriation and Public Expenditure, Charities, Coinage and the Euro, Garda Compensation, Relator Actions and Planning and Development continued to be major areas of demand.

A number of informal groups continued to operate within the Office which demonstrated its organisational capability and flexibility in meeting the needs of clients. Groups such as the monthly Legal Issues Meeting (where legal issues of general concern are raised), the regular group meetings by the different legal advice groups, the "Co-ordinators" meetings twice a week, attended by Advisory Counsel Grade I, the Deputy Director General and the Director General, relating to legal and related developments within the Office, the weekly meeting of Advisory Counsel with responsibility for asylum to discuss asylum issues and meetings of the group looking at the reorganisation of specialisms in the Office.

03 Progress achieved in reaching Key Objective 1

Legal Attaché to the EU

The continued assignment in 2002 of an Advisory Counsel as Legal Counsellor on secondment to the Permanent Representation of Ireland in Brussels remains a central and intrinsic element of the effective functioning of the Permanent Representation and of the Office. The role continues to facilitate the early involvement of the Office in all important EU negotiations including Treaty reform, the Inter-Governmental Conference and the Convention on the Charter of Fundamental Rights.

Office of the Parliamentary Counsel to the Government (OPC)

In common with Advisory Counsel, the continued development of and focus on specialisation of Parliamentary Counsel is important to the achievement of the Office's key objectives. The reorganisation of the Office into three groups, each headed by a Parliamentary Counsel Grade I and each of which has responsibility for the legislative needs of five Government Departments has improved the efficiency and effectiveness of the

provision of a quality legislative drafting service. This reorganisation has facilitated the development of good working relations between client Departments and Offices and Parliamentary Counsel who may be engaged either intensively or for lengthy periods of time, or both, on the item of drafting of political or policy importance to that Department or Office. In late 2001, the Office sought nominations from each client Department and Office of a co-ordinator to liaise with on legislative priorities. Thus, a review mechanism is now in place to identify areas of drafting that could benefit from periodic review.

During 2002, a number of informal groups continued to operate within the OPC which demonstrated the Office's organisational capability and flexibility in meeting the legislative drafting needs of clients. The Chief Parliamentary Counsel held weekly meetings with the heads of the three groups to discuss drafting and related developments. Other groups regularly met such as the monthly meetings of Parliamentary Counsel (where

03 Progress achieved in reaching Key Objective 1

drafting issues of general concern were raised) and the regular group meetings by the different drafting groups.

Two new Parliamentary Counsel, Grade III, joined the Office in early 2002.

Work on the Drafting Manual which deals with the structure of legislation, including standard components of Acts and layout and the use of language in litigation was completed in 2002 and made available on a database to all legal staff within the Merrion Street Office.

Also, a Checklist and Guidelines for the Preparation of Statutory Instruments was completed in 2002. It consists of checklists for the composition of a draft instrument and guidelines on drafting and the correct style to be used.

Statute Law Revision Unit (SLRU)

The Statute Law Revision Unit, established in 1999 to draw up and implement a programme of statute law revision and consolidation, essential for the creation and maintenance of an accessible Statute Book which in turn is

central to the effective operation of the legal system, made much progress in 2002 in the implementation of its work programme.

The Statute Law (Restatement) Act 2002 was enacted in December, 2002. The Unit prepared a Guide to the Restatement Process and drew up a programme of seminars to explain the Restatement policy. The first of these seminars was held in the Law Society in November, 2002.

The SLRU continued its work on the Chronological Tables 1922 to 2001 and made these available for the CD-ROM and the web page of the Office in December, 2002.

The SLRU was involved in three major drafting projects in 2002: the Capital Acquisitions Tax (Consolidation) Bill 2002, the Water Services Bill 2002 and the Archaeological, Architectural and Historical Heritage Bill 2002.

The Director of the SLRU served on the High Level Group appointed to oversee the implementation of the OECD Report, *Regulatory Reform in Ireland*, and made submissions on behalf of the Office of the

03 Progress achieved in reaching Key Objective 1

Attorney General to the discussion document published by the Taoiseach in 2002 entitled *Towards Better Regulation*.

During 2002, the Director of the SLRU continued to serve on an OECD Working Party on Regulatory Reform and was one of the peer reviewers of the OECD Report on *Regulatory Reform in Poland*.

The SLRU also served on the Council of the European Communities Working Party on legal data bases that met twice in 2002.

Chief State Solicitor's Office

In early 2002 the structures of the Chief State Solicitor's Office were re-organised in the wake of a number of developments including:

- > the transfer of the solicitor functions in criminal prosecutions to the Office of Chief Prosecution Solicitor located within the Office of the Director of Public Prosecutions
- > the establishment of the State Claims Agency,

- > The redistribution of the civil litigation case load to provide for a more equitable distribution of case load and functional specialisation,
- > The introduction of new legal services such as in the areas of asylum and immigration law and commercial contracts,
- > The opportunity to create more specialist sections and teams with improved alignment to client needs,
- > The availability of increased resources to the Office, especially in terms of staff numbers and the new opportunities for improved staff structure,
- > The rationalisation of the clerical support arrangements (including the forthcoming establishment of a Documentation Centre),
- > The ongoing implementation of the modernisation programme (SMI) and with strong emphasis on the role of mission, Statement of Strategy, business planning, Partnership and PMDS.

During the year the provision of solicitor services was outsourced in two infrastructural

03 Progress achieved in reaching Key Objective 1

cases of major national importance. In both cases the process of selection of the legal firms was managed by the Office which maintained a close involvement in the provision of the service including the negotiation of fee arrangements and in the establishment of methodology for the interview and engagement process.

A new Legal Services Section was established during the year with responsibility for the legal enforcement and collection of legal costs in actions where State parties have been successful.

Participation with Law Societies, Organisations, Professional Bodies

The Office continues to encourage participation in the activities, organisations and professional bodies and familiarisation with legal and organisational developments in other law offices in Ireland and abroad. The Foundation Academy of European Law Trier, to which the Office paid Ireland's patronage fee of €50,000 in 2000, is a continuing education and discussion centre for lawyers

throughout Europe and legal staff from the Office attended on a regular basis events from the Academy's conference programme. Also, legal staff regularly attended briefings and seminars held in the Institute of European Affairs. The Institute provides an independent forum for the development of Irish strategic policy responses to the process of European integration, through research, publications, expert working groups, briefings and seminars.

Both parts of the Office pay the subscription of members of each Office to either the Corporate and Public Services Solicitors' Association or the Law Society. The Chief State Solicitor's Office is also represented on the Corporate and Public Sector Committee of the Law Society.

Legal and Organisational developments in other Law Offices in Ireland and abroad

Legal staff of both parts of the Office have continued to attend educational conferences, seminars and meetings on legal subjects, both in Ireland and abroad. In the context of the

03 Progress achieved in reaching Key Objective 1

implementation of the Office's Information Technology Plan, staff in both Offices visited some of the major practices in Dublin to inspect their IT applications.

In addition, senior legal staff and the Office as a whole have benefited from secondments of staff to the Bosnia/Herzegovina, the European Patents Office, the Court of Justice in Luxembourg and the Permanent Representation in Brussels.

04 Progress achieved in reaching Key Objective 2

To have an office management and organisation which ensure efficient delivery of legal services to Government, Departments and Offices and which ensure an effective and productive working relationship which take into account the public service change programme, the Office will:

- > ensure that time is allotted so as to allow for both the efficient discharge of day-to-day business and for the work required to plan, develop, monitor and review key objectives;
- > approach development at all levels within the Office on the basis of partnership, good communication and shared interest;
- > continue to develop its management structures;
- > improve internal and external communication systems;
- > examine how the further use of information technology can support achievement of our key objectives and in particular will:
 - develop and implement a new IT Plan for the Office which takes into account the different business arrangements in the Offices, having regard to the need for information exchanges between them.
 - develop financial management information systems.
 - ensure greater co-ordination of IT between Merrion Street Office and Chief State Solicitor's Office;
- > continue the programme of document and record management;
- > continue to develop the Office's work management systems;
- > develop a comprehensive Office procedures manual;
- > develop and enhance all corporate services within the Office;
- > put internal audit procedures in place;
- > develop effective performance indicators;
- > seek feedback from Government, Departments and Offices including through client surveys.

04 Progress achieved in reaching Key Objective 2

PROGRESS ACHIEVED

Management Expertise

The Office continues to develop its management expertise through the increased focus of the Management Advisory Committee (Main MAC) and the Management Advisory Committees in both Offices on policy, work and general management issues in addition to issues arising from the Strategic Management Initiative and organisational issues.

The management expertise has been actively expanded in the Office by a number of specific activities including the development of an Office strategy by senior management (under the guidance of an external consultant and attendance at management training in the case of the Chief State Solicitor's Office and devising of a programme for management training.)

Administration in the Merrion Street Office

The streamlining of the administration side of the Merrion Street Office with the establishment of separate Units such as the Human Resources Unit, Finance Unit, Services Unit and Information Technology Unit has enhanced the Office's capability to deal more efficiently with the day-to-day demands of a modern law Office. In addition, the establishment of a new Change Management Unit in June, 2002, to serve the needs of both the Merrion Street Office and the Chief State Solicitor's Office has ensured that there is a more structured approach to the implementation of the programme of change arising from the SMI and other change initiatives.

Administration in the CSSO

The change process within this Division continued during 2002. Significant items included the following:

- > Enhancement of the Human Resources function with the appointment of a new Human Resources Manager in July.

04 Progress achieved in reaching Key Objective 2

- > Commencement of the Performance Management and Development System (PMDS).
- > Re-organisation and development of support functions following the transfer of responsibility for criminal prosecutions to the Office of the Chief Prosecution Solicitor.
- > Development of the training function following the appointment of a Training Officer in August.

Partnership

The Office continues to recognise the importance and effectiveness of partnership structures as a means to engaging management, unions and staff at all levels not only in progressing initiatives arising from the SMI but also as a means of involving staff in the ongoing business of the Office.

As outlined in Chapter 2, the Partnership Committees in the Merrion Street Office and the Chief State Solicitor's Office addressed many core Office-related matters and matters

relating to the implementation of the programme of change arising from the Strategic Management Initiative. Also, a number of issue-focused Sub-Committees in both Offices were formed to look at communications, training and development, and, in the case of the CSSO, social, changes to work practices, e-working, flexible working, e-mail protocol and accommodation.

The Office was one of nine Departments /Offices chosen by the Centre for Management and Organisation Development (CMOD) in the Department of Finance, to carry out a Review of the Progress of Partnership in the Civil Service. The Partnership Committee in the Merrion Street Office took part in a half day Review which was held in the Office. Other staff members participated in this Review by attending workshops outside the Office. All staff in the Merrion Street Office participated in a survey carried out by consultants on SMI and the progress made thus far in the Office. The Partnership Committees played an integral part in the formulation of the Office's Progress Report to the Civil Service Quality Assurance Group in

04 Progress achieved in reaching Key Objective 2

June, 2002, its first *Client Service Guide 2002 – 2004* which was published in June, 2002, and its new *Statement of Strategy 2003 – 2005* which was presented to the Attorney General in December, 2002.

Communications

The Office continues to recognise that good communications between all staff and, in particular, effective communication between management and the staff is essential for a harmonious and productive working environment and for the Office to run effectively.

Communications within the Merrion Street Office was a key area for discussion with the setting up of a sub-committee of the Partnership Committee to examine and make recommendations on internal communications within the Office. Moreover the Partnership Committee retained communications as an office core competency for the second annual cycle of the performance management and development system. This resulted in the Office and its staff focusing on

communication, both for the Office internally and externally and for individual development. The minutes and agenda of Management Advisory Committee meetings continued to be made available to all staff within the Office via a database, along with the minutes of the other in-house committees. It remains the policy to have staff from different parts of the Office involved in committees and working groups where appropriate. Generally, as the Office is a relatively small one any member of the Office speaks to another as the need arises without the need for formal arrangements.

On the Administrative side the staff of individual Units meet frequently and there are cross-Unit meetings as appropriate. The Director General meets the Head of Administration and Human Resources Manager on a weekly basis and there are meetings as appropriate between the Head of Administration and the Human Resources Manager with the Chief Parliamentary Counsel, the Director of the Statute Law Revision Unit and the Deputy Director General. Periodic meetings also take place between the Heads of Administration in both

04 Progress achieved in reaching Key Objective 2

Offices and the Head of Administration of the Office of the Director of Public Prosecutions. Regular contact is also maintained with key officials from other Government Departments/Offices on issues of common interest.

In the Chief State Solicitor's Office the development of communications structures has improved through Partnership. Arrangements have been put in train to meet representatives of client Departments on a regular basis. Within the Office a Communications Group under the auspices of Partnership recommended a range of communication methods and these were implemented and are continually monitored by the Group. The measures taken include regular section meetings, meetings with the Chief State Solicitor and the issue of reports on discussions at MAC etc.

Records Management

The Registry in the Merrion Street Office handles all the incoming post to the Office. It is responsible for file management and

archiving, including identification of records for transfer to the National Archives. In 2002 the Office availed of the assistance of a consultative archivist.

During 2002 the Office as a whole developed a file and records management policy, in the context of the implementation of the Information Technology Plan. This policy, which considers how documents, records and correspondence are to be maintained on either a virtual file or the corresponding physical file and how they are to be managed and what information is required to deliver reports to enhance the management of the Office, will improve organisational efficiency and rationalise file maintenance. The development of this policy will assist in the implementation of an appropriate electronic case and records management system which it is envisaged will be in place by the end of 2004.

The Merrion Street Office continues to use in-house developed, separate but integrated, Administration Filing and Correspondence Tracking systems. These systems record and track all non-legal matters in the Office. At

04 Progress achieved in reaching Key Objective 2

present they are separate from the Legal Registry. The IT Unit has also developed a number of bespoke systems for use within specific Units of the Office. These systems will be replaced in 2004 by a new case and records management system which is being implemented in the context of the Office's IT Plan.

Preliminary planning work has been done in the Chief State Solicitor's Office towards the provision of full, up-to-date and current records in advance of the implementation of a new case and records management system. A new Documentation Centre was established in late 2002 to provide better quality support services in the areas of document copying, binding and presentation, internal and external mail and fax delivery, provision of office supplies and stationery, file registration and storage and archival filing.

National Archive Obligations

During 2002 the Merrion Street Office continued to bring up-to-date its obligations under the National Archives Act 1986. In December, 2002, a significant number of records were transferred to the National Archives. The Office commenced training its Registry staff to examine records for transfer.

The CSSO engaged a consultant to review its records so as to ensure that it meets its obligations under the National Archives Act 1986 and this review was conducted in conjunction with the examination of a File and Records Management policy.

Information Technology

The IT Plan which was delivered in July, 2001, by PricewaterhouseCoopers recommended approximately thirty projects which are aimed at delivering a robust IT infrastructure and a suite of business applications which will support the Office as a whole in the achievement of its objectives into the coming years.

04 Progress achieved in reaching Key Objective 2

Infrastructure Projects

A number of substantial infrastructure projects were completed during 2002 which provide the Office with a solid IT foundation on which to build the required business systems and applications. These include the construction of a new state-of-the-art IT suite in the Merrion Street Office, standardisation of the Office's IT operating systems and desktop productivity applications, the rollout of a minimum desktop PC specification based on the Pentium IV processor and the introduction of high availability servers. A new high speed local area network was also put in place. Some older items of other infrastructure were also upgraded to current technologies. Other initiatives undertaken and completed include the technical aspects of a new dedicated training room.

Business Applications

The IT Plan recommended that seven business application projects be undertaken to deliver systems which will support core areas of the Office's functions and management

information needs. These include a new case and records management system, a system to support the e-enablement of the legislative process (e-Legislation), knowledge management, financial management and human resources management. The appropriate elements of these systems will further be drawn together to deliver the Management Information Framework which will provide management of the Office with the information required in order to more effectively and efficiently manage the demands on and resources at the disposal of the Office into the coming years.

Much progress has been made on some of these projects. Project Teams have been established to carry out the projects dealing with the new case and records management system, the e-Legislation system and the development of a knowledge management strategy for the Office.

04 Progress achieved in reaching Key Objective 2

Management Information Framework

In July, 2002, Deloitte and Touche consultants delivered a Phase 1 Report on the requirements of a new financial management system to support the Management Information Framework (MIF), which is being implemented throughout the civil service. Phase 2 of the project involving the determination of the technical specifications for a financial management system commenced during 2002.

In late 2002, a project board was established under the chairmanship of the Chief State Solicitor to examine both Offices' financial and non-financial requirements in support of the MIF initiative. This project board will develop a MIF strategy for both Offices including the development of appropriate and effective performance indicators. Also, representatives from both the Merrion Street Office and the Chief State Solicitor's Office attend meetings of various central committees overseeing the implementation of the MIF.

By December 2002 a total of €37,000 had been spent on the project, with total costs to

completion in 2004 estimated at approximately €1.3m.

Audit Committee and Internal Audit

The Merrion Street Office and the Chief State Solicitor's Office jointly appointed an Internal Auditor in July, 2001, to examine, evaluate and report on the adequacy of the Offices' internal control systems. In March, 2002, the Office established an Audit Committee. This Committee is chaired by an external independent person who is a former President of the Institute of Chartered Accountants. Since November, 2002, the Committee's membership includes two other external members, one is a senior civil servant from another Department and the other is a former Audit Partner in a leading firm of chartered accountants as well as a senior legal representative from each Office.

The Committee commenced its work by adopting a formal charter. It will continue to develop the role and the work programmes of the internal auditor and will provide guidance and support to the development of Risk

04 Progress achieved in reaching Key Objective 2

Management systems within the Offices over the next three years. Working with the Internal Auditor the Committee will seek to provide independent evaluation of the internal controls in the Offices so as to ensure the economic and efficient use of resources, compliance with established policies, procedures, laws and regulations, safeguard the Office's assets and interests from losses of all kinds, including those arising from fraud, irregularity or corruption and ensure the integrity and reliability of information and data retained within the Offices. The Charter of the Audit Committee and the work and functions of the internal auditor also cover the Law Reform Commission.

During 2002 the Internal Auditor completed the following Reports

- > Requisition and issuing of cheques in the Merrion Street Office and the CSSO
 - > Tax Clearance Certificates and Withholding Tax Procedures in the Merrion Street Office, the CSSO and the Law Reform Commission
 - > The Asset Register in the Merrion Street Office, the CSSO and the Law Reform Commission
 - > Payroll in the Merrion Street Office and the CSSO.
- > Franking Machine in the Merrion Street Office
 - > Mobile Phone use in the Merrion Street Office, the CSSO and the Law Reform Commission
 - > Requisition and issuing of cheques in the Cost Accounts Section in the CSSO

Business Planning Process

Business plans which were prepared in 2000 to address the key objectives and strategies set out in the *Statement of Strategy 1999 - 2002* expired at end March, 2003. The process of preparing new business plans for each Unit in the Office, based on the Offices' new *Statement of Strategy 2003 – 2005*, commenced in December, 2002. This process involved input from all staff in each Business Unit.

04 Progress achieved in reaching Key Objective 2

Client Service Guide

The Office published its first Client Service Guide in June, 2002. The Guide aims to embed the culture of Quality Customer Service (QCS) within the Office. It sets out specific measures for enhancing the standard of services and for securing valuable feedback from clients as to the range, type and quality of the service provided.

During the latter half of 2002 the main focus of the Office was in establishing a systematic and organised approach to the review of the services provided by the Office. Continual and regular interim meetings and reviews were established pursuant to the key performance indicators of the business plans of each legal group in both Offices and pursuant to the Office's sectoral performance indicators.

The Office's Management Advisory Committee actively examined client feedback received through meetings with clients with a view to consulting with staff representatives to gauge performance in accordance with key performance indicators set out in the business plans.

Office Manuals

Work to finalise separate Office Manuals for the Merrion Street Office and the CSSO continued during 2002.

05 Progress achieved in reaching Key Objective 3

To develop a human resource management strategy linked to the overall objectives of the Office, the Office will:

- > take all necessary steps to recruit appropriately qualified staff and minimise vacancies;
- > seek to put in place career structures which will attract and retain suitably qualified staff;
- > develop a performance management process with objective measures of performance that is reliable, consistent and relevant, designed to enhance development of all staff and which will include:
 - reviewing and appraising on an ongoing basis organisational, team and individual performance;
 - having an open and transparent system of promotion;
 - building feedback mechanisms to enable the Office to monitor progress in the achievement of objectives.
- defining the skills and competencies needed by members of the Office for their work;
- providing on a planned basis, all necessary training (including training for management responsibilities) and the necessary resources for training in order to develop those skills and competencies;

Recruitment in the Merrion Street Office

At the end of 2002 the Office had 127 sanctioned posts and a complement of 122.5 staff. Of these staff 108.5 were permanent positions, 14 on contract basis and a total of 9.5 positions were vacant, 4.5 permanent and 5 contract positions.

During 2002 there were four internal competitions held in the Office. In January, 2002, interviews were held for Acting Assistant Parliamentary Counsel Grade II. In May, 2002, there was a competition to fill the contract position of Know-how Officer and this position was filled in July, 2002. In June, 2002, the position of Private Secretary to the Attorney General was filled following the

05 Progress achieved in reaching Key Objective 3

promotion of the previous holder and in December, 2002, interviews were held to fill the position of Staff Officer in the Services Unit.

On the advisory counsel side of the Office there were thirty sanctioned posts. Two new advisory counsel joined the Office in 2002 following the resignation of one advisory counsel to work abroad and one to fill an existing vacancy.

On the parliamentary counsel side of the Office there were twenty-one sanctioned posts of which three remained vacant at the end of 2002. There were four consultant drafters working with the Office on a contract basis in early 2002 but one had commitments abroad subsequently.

On the administration side of the Office there were 63 sanctioned posts of which 1.5 were vacant. One was for the position of Computer Programmer in the IT Unit and the other was for a Clerical Officer Typist both of which were subsequently filled.

There were fifteen other positions in the Office. With the exception of the Attorney

General's personal staff, a telephonist and a contract typist, these positions related to legal researchers and Know-how Officer on contract. In addition, there are three Services Officers provided by the Department of Finance for which the Office of the Attorney General makes monetary provision to that Department on an annual basis.

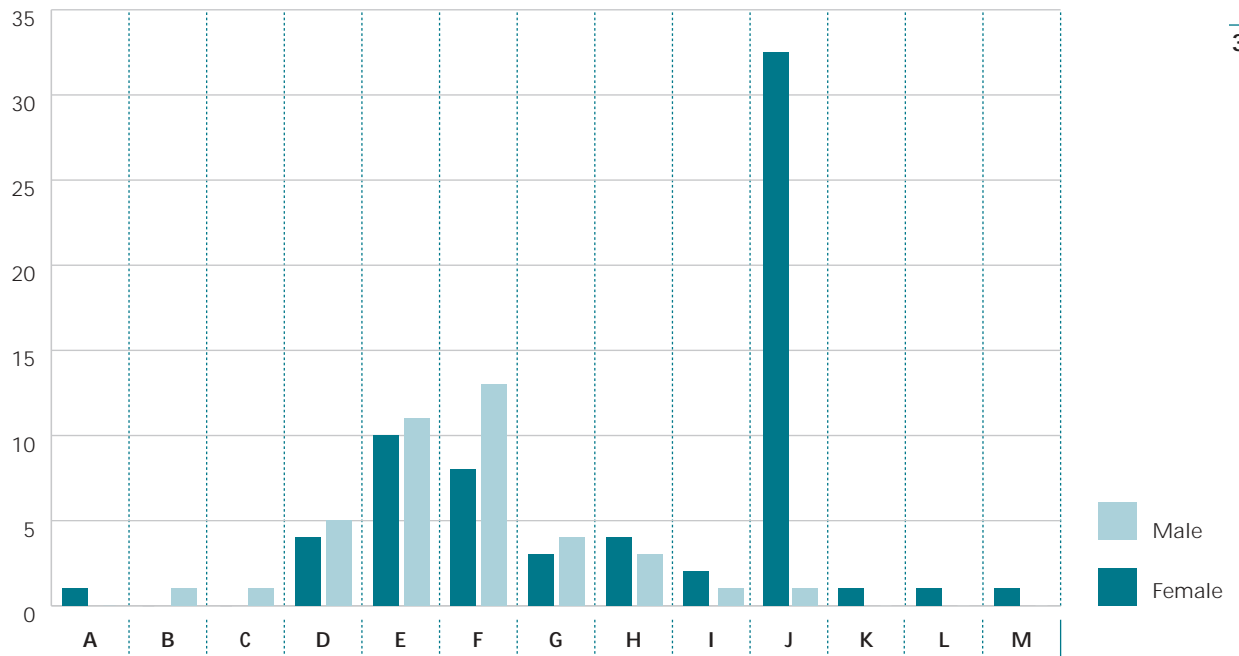
In relation to persons with disabilities, the Office alerted the Civil Service Commission to the availability of suitable facilities in the Office and its willingness to employ people with disabilities. However, the level has dropped from 2.5 per cent to 1 per cent, due to a member of staff leaving the Office in late 2001. This trend has since been reversed. Wheelchair facilities were installed in the Office building in 1998 and in subsequent refurbishments the facilities were enhanced. Of 54 staff at or above the level of Assistant Principal, 43 per cent were female and 57 per cent were male.

05 Progress achieved in reaching Key Objective 3

ALL STAFF: MERRION STREET OFFICE

GRADES: GENDER MAKE-UP AT END OF DECEMBER 2002

GRADE		FEMALE		MALE	
		No.	(%)	No.	(%)
A	Director General	1	(100)	0	(0)
B	Chief Parliamentary Counsel	0	(0)	1	(100)
C	Deputy Director General	0	(0)	1	(100)
D	Assistant Secretary Level	4	(44)	5	(56)
E	Principal Officer Level	10	(48)	11	(52)
F	Assistant Principal Level	8	(38)	13	(62)
G	Higher Executive Officer Level	3	(43)	4	(57)
H	Executive Officer Level	4	(57)	3	(43)
I	Staff Officer Level	2	(67)	1	(33)
J	Clerical Officer Level	32.5	(97)	1	(3)
TECHNICAL GRADES					
K	Law Librarian	1	(100)	0	(0)
L	Research Librarian	1	(100)	0	(0)
M	Systems Librarian	1	(100)	0	(0)

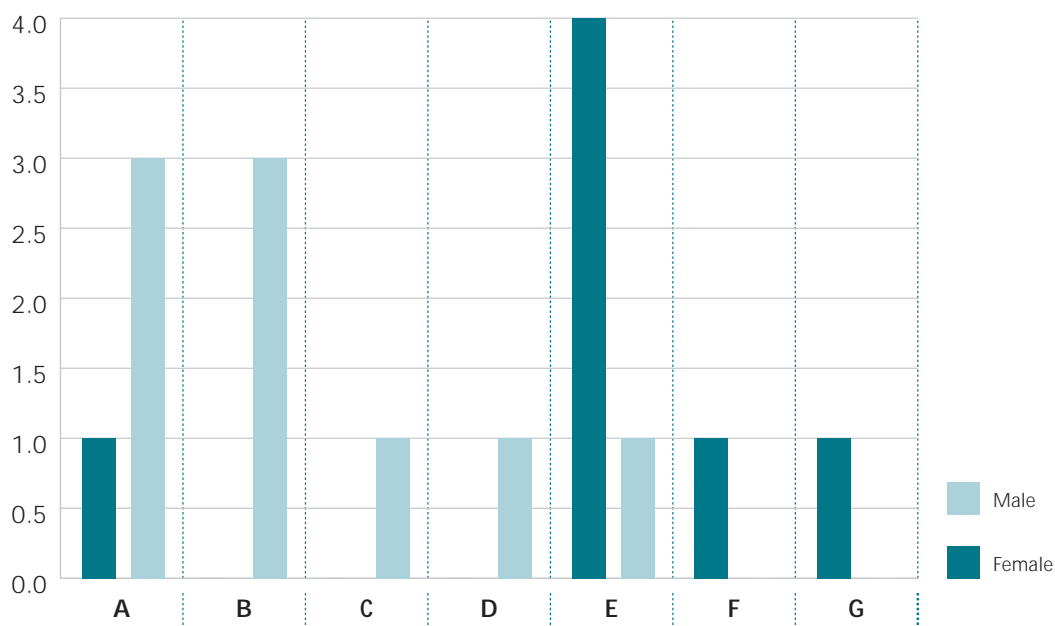


05 Progress achieved in reaching Key Objective 3

In relation to recruitment, the following are the details of the composition by gender and grade of new entrants during 2002.

NEW ENTRANTS: GENDER MAKE-UP 2002

GRADE	FEMALE		MALE	
	No.	(%)	No.	(%)
A Assistant Principal Level	1	(25)	3	(75)
B Higher Executive Officer Level	0	(0)	3	(100)
C Executive Officer Level	0	(0)	1	(100)
D Staff Officer Level	0	(0)	1	(100)
E Clerical Officer Level	4	(80)	1	(20)
TECHNICAL GRADES				
F Research Librarian	1	(100)	0	(0)
G Systems Librarian	1	(100)	0	(0)
TOTAL	7	(44)	9	(56)



05 Progress achieved in reaching Key Objective 3

Recruitment in the Chief State Solicitor's Office

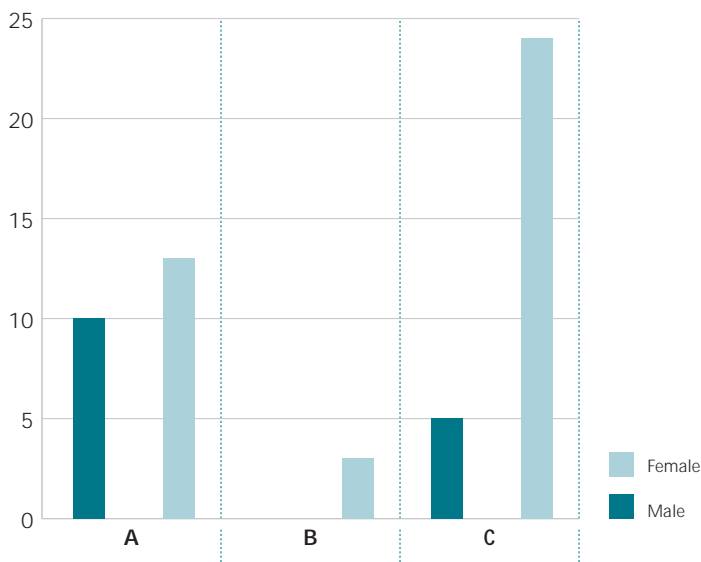
At the commencement of 2002 there were 190 staff in the Office. At that stage the staff transferred to the Office of the Chief Prosecution Solicitor were still accommodated in Osmond House so recruitment of the additional staff resources approved by the

Department of Finance in May, 2001, could not proceed because of a shortage of accommodation. That difficulty was sorted out early in the year and by the end of December, 2002, staff numbers had increased to 213 with 24 vacancies remaining.

Recruitment during 2002 benefited from the general improvements in career structures and

RECRUITMENT FOR 2002

	NUMBERS RECRUITED		FEMALE		MALE	
	2002	(2001)	2002	(2001)	2002	(2001)
A Solicitors	23	(30)	10	(10)	13	(20)
B Legal Executives	3	(10)	0	(6)	3	(4)
c Clerical / Admin.	29	(27)	5	(7)	24	(20)
TOTAL	55	(67)	15	(23)	40	(44)



Note: The figures for 2001 reflect the recruitment of additional staff numbers approved in advance of the establishment of the Office of the Chief Prosecution Solicitor. Some of those recruited transferred to that Office on its formal establishment in December, 2001.

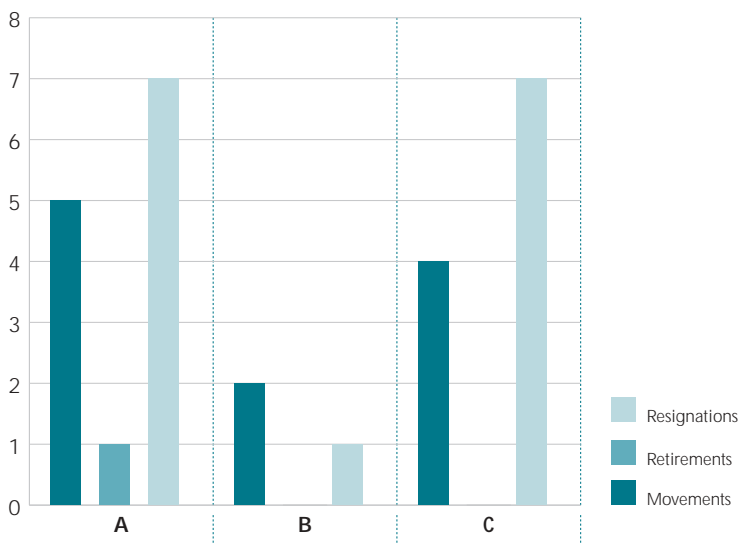
05 Progress achieved in reaching Key Objective 3

pay scales introduced for professional and technical staff in 2001. While the number of professional vacancies throughout the year was not particularly high the level of vacancies in legal technical grades remained high due to a difficulty in getting suitable applicants. Limitations on available office accommodation imposed some restrictions also.

DEPARTURES 2002

STAFF GROUP	MOVEMENTS WITHIN PUBLIC SERVICE		RETIREMENTS		RESIGNATIONS	
	2002	(2001)	2002	(2001)	2002	(2001)
A Solicitors	5	(3)	1	(0)	7	(5)
B Legal Technical	2	(1)	0	(0)	1	(3)
c Clerical / Admin.	4	(6)	0	(1)	7	(6)
TOTAL	11	(10)	1	(1)	15	(14)

40



Note: The figures for 2001 do not include staff working in the Criminal Sections that transferred to the Office of the Chief Prosecution Solicitor.

05 Progress achieved in reaching Key Objective 3

Human Resources Unit in the Chief State Solicitor's Office

The Human Resources Officer appointed in July following a civil service-wide competition run by the Civil Service Commission now heads up the section. As well as having responsibility for the traditional personnel functions the section also has responsibility for the development of progressive human resource strategy and practices in the Office. Following a review of current practices and procedures, discussion papers were prepared on probation, increments, flexible working hours for professional and technical staff. Training of HR staff on best current practice has been given priority.

In 2002 the section was involved in the transfer of staff to the Office of the Chief Prosecution Division in the DPP. Following recent Civil Service Commission competitions the section has participated in the placement of professional, technical staff and support staff.

Partnership Committee in Chief State Solicitor's Office

There was another successful year for Partnership. Meetings were held usually once a month. A strong sub-group structure existed as part of the process. Review of partnership was undertaken in December, 2002 and the issues to be addressed for 2003 were identified. Following on from this a reorganisation of the sub groupings is underway.

Training and Development in the Merrion Street Office

A more formalised and professional approach to Training and Development continued to be developed in the Office in 2002.

To support this, there is now in place:

- > An Electronic Training Records System
- > Formal Induction procedures for new staff
- > A Training & Development Committee (Sub-Group of Partnership Committee)
- > Formal Training Plan for all new Parliamentary Counsel

05 Progress achieved in reaching Key Objective 3

- > Evaluation procedures for all training and development activities carried out
- > A dedicated Training Room
- > European Convention of Human Rights (ECHR) Working Group.

As outlined in Chapter 2, the Performance Management and Development System (PMDS) continues to be embedded in the Office. All staff attended their final day of training in Spring, 2002.

When identifying the training and development needs of staff every effort is made to link back to the objectives of the Office. Training needs are identified both from the training and development section of role-profile forms and individual requests to the Training Officer.

The Training & Development Committee meets fortnightly and is a subgroup of the Partnership Committee. Its role is to guide and assist the Training and Development Officer in identifying and addressing the training and development needs of all staff in the Office. Work of the Committee to date includes recommendations to Partnership on

Induction procedures, fees refund for ECDL training, legal training for administrative staff and the organisation of EU law courses.

The Training and Development function supports the commitment to the delivery of excellent client service and endeavours to assist the Office with the implementation of the Client Service Guide. Staff are encouraged to develop proficiency in the Irish Language and are kept informed of all Civil Service Irish language training initiatives available.

Induction documentation and the Office Induction Day now include a section on Client Service and the provision of targeted client service training is now included in the overall training programme for the Office.

Many general events which support training and development were held during the year. A guided tour of the Bills Office was organised for Parliamentary Counsel staff and tours of the Houses of the Oireachtas were organised for all staff. Both were well attended by staff.

New personal computers were also installed in the Office during the year and as a result Word 97 was upgraded to Word XP. To assist with

05 Progress achieved in reaching Key Objective 3

this changeover, Word XP conversion seminars were organised for all staff in the Office.

The completion of a training room in the latter part of 2002 increased the options available for staff training. The room is used for in-house training seminars, information sessions and presentations. It is equipped with eight personal computers to allow for PC based training. It is anticipated that this facility will keep costs to a minimum as well as provide greater flexibility for training.

Co-operation between both Offices

It is recognised that there will be some overlap in the training needs of staff in both the Merrion Street Office and the CSSO. With the appointment of Training and Development Officers in each Office there has been opportunity to develop closer links both in terms of sharing of information and the organisation of various training events. In 2002, a Project Management course was organised jointly between the Merrion Street Office and the CSSO, with staff from each Office in attendance.

Another initiative on which both Offices are working together is in the area of Human Rights. In response to a demand for further education on Human Rights an ECHR working group was established in 2002. Group membership consists of staff both in the Merrion Street Office and the CSSO. Meetings are held regularly and a programme of lectures on Human Rights issues is now in place. Invitation to attend these lectures has also been extended to relevant staff in various other Departments/Offices throughout the Civil Service.

05 Progress achieved in reaching Key Objective 3

Expenditure

Total expenditure on Training and Development in 2002 was approximately €289,000 compared to €201,000 in 2001.

The figures include estimated Travel and Subsistence costs incurred for attendance at these courses.

Training Costs

	€
Seminar, Conference and Training Courses fees	169,886
Refund of Fees	6,895
Cost of consultants and external trainers	58,353
IT Training	27,813
Trainer(s) salaries and overheads	24,814
Cost of Administration relating to A3 Subhead	NIL
Cost of Courses attended by Trainers	1,535
TOTAL	289,297

Staff Attendance at Seminars/Conferences

Number of Conferences	49	Number of Staff who attended	60
-----------------------	----	------------------------------	----

Refunds of fees given 2002

ECDL	3
Third Level Study	2

05 Progress achieved in reaching Key Objective 3

Formal Training Activities

TRAINING	NO. OF COURSES	NO. OF STAFF
PMDS	3	88
General Computer Courses	30	80
Induction Course	2	21
Business Writing & Minute Taking	4	25
Project Management	1	12
Health & Safety	3	18
IT Technical Courses	4	5
IT Systems Analysis Course	2	2
Information Management	5	5
Learning & Training Skills	4	19
Language Training	9	9
EU Law Course	2	10
Long Courses of Study paid in advance	9	9

Training and Development in the Chief State Solicitor's Office

The Statement of Strategy placed considerable emphasis on all aspects of staff training and development. It became evident that a more structured approach in these areas was required and this led to the Office appointing its first Training & Development Officer in August, 2002. Immediately, a comprehensive Training Needs Analysis was undertaken to identify the

more specific training needs and to establish the knowledge, skills and attributes that staff would require to provide clients with a quality service. Preparation of a yearly Training Plan and a Training & Development information brochure commenced as did the assembly of an information data base on courses and other supports.

It is also envisaged that a Training & Development Committee will be established,

05 Progress achieved in reaching Key Objective 3

with representatives from all areas of the Office, to provide advice and assistance to the Training & Development Officer including the drawing up of an Office policy on training and development. It is anticipated that this new emphasis on training and development will result in needs being better defined, enabling them to be addressed in a more co-ordinated, coherent manner with appropriate and relevant reference to the work of this Office and also the careers of our staff.

Training statistics are set out in the table beneath. Activity during the year centred on the training required to implement the Performance Management and Development System (PMDS). The Irish Management Institute was engaged to provide the necessary training that involved completing 3 modules over 5 days.

Apart from the 3 days training in PMDS during 2002, a wide variety of training was provided in areas such as Induction of new employees, management Training on Bullying & Harassment issues, Information Technology training and attendances at Conferences and

Seminars relevant to the Offices' business activities.

Expenditure and Budget

The total expenditure on Training and Development in 2002 was €220,000 compared to €235,000 in 2001.

05 Progress achieved in reaching Key Objective 3

Training Statistics:

	CLERICAL/ ADMINISTRATIVE STAFF	TECHNICAL STAFF	PROFESSIONAL STAFF	TOTAL
Microsoft Word *	28	10	36	74
Microsoft Excel *	1			1
Microsoft PowerPoint *		1	9	10
Microsoft Windows Server	3			3
Typing Training	14	2	2	18
Web Design *	4	3	3	10
CMOD	1		4	5
Human Resource Management *	2			2
Bullying & Harassment *	4	1	3	8
Training For Trainers *	2			2
Library Training *	8		1	9
CLE Seminars			11	11
Trinity College Law Courses			5	5
Interviewing Skills				
PMDS	87	31	92	210
Induction				
I.P.A	1		1	2
Conferences			10	10
Interview Skills Training	13	4	37	54

* Training Carried out August to December 2002

05 Progress achieved in reaching Key Objective 3

Apprentice Scheme

As part of the union/management agreement in 2001 an apprentice scheme was introduced. The scheme is designed to provide the incentive and means for members of the technical staff to obtain apprenticeships and attend the Law Society of Ireland Professional and Advanced Courses. The scheme involves an initial refund of fees under the normal civil service scheme in respect of courses in preparation for the entrance examinations for the Law Society professional and advanced courses. Applicants go through a selection process before being awarded apprenticeships. Once accepted Law Society fees will be refunded and salary will be paid during full-time study periods. A binding obligation to remain with the CSSO for five years applies. One staff member completed the Law Society courses during the year and was put on the Roll of Solicitors early in 2003.

Trainee Law Clerk Scheme

The scheme is designed to provide opportunities for members of the Office's clerical/administrative staff in the grades of Clerical Officer, Staff Officer and Executive Officer to obtain formal qualifications in legal subjects and to obtain practical training in the work of a law clerk/legal executive. A draft scheme was agreed with the union in December and applications to participate were invited early in 2003. To be accepted on the training, staff must have undergone legal studies in the DIT or equivalent body. Those who successfully complete the training will be eligible to compete for Legal Executive posts in the Office of the Chief State Solicitor and the Office of the Chief Prosecution Solicitor as advertised from time to time by the Civil Service Commission or to apply to compete for contract posts in these offices where vacancies exist and are sought to be filled.

05 Progress achieved in reaching Key Objective 3

New Human Resource Management

Strategy Plans

Both the Merrion Street Office and the CSSO commenced drafting of Strategy Plans for consideration by the separate Office MACs and Partnership Committees.

Continuing Education

Staff in the Merrion Street Office and the CSSO are offered every opportunity for further education. A refund of fees is available for relevant education courses attended and the Office is increasing its catalogue of self-training material such as video and computer-based software. Further legal training is also encouraged for newer members of staff and during the year ten legal staff attended EU Law courses held in both the Academy of European Law in Trier and Kings College, London.

06 Progress achieved in reaching Key Objective 4

To ensure that staff have access to the necessary information through the ongoing development of appropriate library services, information and knowledge management systems and continuing education, the Office will:

- > continue to develop integrated library, know-how and information services throughout the Office including:
 - providing a high-quality, pro-active law library and information service with an emphasis on making information available at the desktops;
 - developing the Office Intranet site into a key information resource;
 - exploiting the Office's know-how;
 - circulating current awareness bulletins;
 - providing the appropriate information technology to support the library, know-how and information services and the dissemination of information generally throughout the Office.
- > continue to promote and develop a culture within the Office as a whole of sharing knowledge and experience, including through:
 - having regular meetings to discuss legal issues of general interest;
 - regular communication and teamwork within specialist groups and divisions;
 - development of the know-how database;
 - current awareness bulletins;
 - in-house seminars.
- > provide training and support to ensure that all staff are able to make full use of the Office's information systems;
- > ensure that staff have the opportunity to avail of continuing legal and other relevant training and education;
- > develop information technology systems that support these aims.

06 Progress achieved in reaching Key Objective 4

PROGRESS ACHIEVED

Merrion Street Library and Know-How Unit & Chief State Solicitor's Office Library

Introduction

The AGO Library & Know-how Unit and the CSSO Library continued to provide high quality law library facilities, research and information services during 2002.

The primary clients of the AGO Library & Know-how Unit were the Attorney General, Advisory Counsel, Office of the Parliamentary Counsel to the Government, Statute Law Revision Unit and administrative staff. The secondary clients included departmental legal advisers and other civil servants. The AGO Library & Know-how Unit is staffed by an Information Manager, Systems Librarian, Research Librarian, Know-how Officer, two Legal Researchers and a Library Assistant.

The primary clients of the CSSO Library were the Chief State Solicitor, solicitors, legal technical and administrative staff of the Chief

State Solicitor's Office who are located in Osmond House, Harcourt Street (Criminal Asset Bureau) and South Fredrick Street (Army Deafness Section). Library services were also provided to solicitors assigned to the various Tribunals of Inquiry. The secondary clients included local state solicitors, government agencies and other civil servants. The CSSO Library is staffed by a Law Librarian, Assistant Librarian and a Library Assistant.

The AGO/CSSO libraries provided their users with the following services in 2002:

- Web cat, an online library catalogue
- legal know-how database (AGO only)
- information/legal research services
- training on legal information databases
- current awareness services
- access to a wide range of legal materials in-house
- access to external libraries and information services
- loans and inter-library loans service
- document delivery service.

06 Progress achieved in reaching Key Objective 4

KEY DEVELOPMENTS AND NEW INITIATIVES IN 2002

Recruitment of staff

A key development in both libraries during 2002 was the recruitment of additional professionally qualified, experienced librarians. In addition, the AGO library recruited a law graduate with legal know-how experience to the contract position of Know-how Officer.

The recruitment of an Assistant Librarian in the CSSO and a Systems Librarian and Research Librarian in the AGO facilitated the development of the multi-library management system, commencement of a major retrospective cataloguing project and enhanced the delivery of information/legal research and training services to staff.

These developments enabled the CSSO Law Librarian and the AGO Information Manager to lead the knowledge management project.

Professional development of library staff

The new staff members were provided with structured induction and training by other library staff and are now effective members of their respective teams. All library staff availed of training opportunities relevant to their areas of work. AGO library staff attended in-house Legal Issues meetings, which raised their awareness of the current legal work being undertaken by the Office. In addition, the CSSO Assistant Librarian commenced a Diploma in Legal Studies at the Dublin Institute of Technology and the CSSO Library Assistant attended a foundation course in Civil Law Litigation also run by the Law School in DIT.

Preparation of a knowledge management strategy

The AGO Information Manager and the CSSO Law Librarian together with a team of legal, administrative and IT staff worked on developing a knowledge management strategy for the Office. An external consultant with

06 Progress achieved in reaching Key Objective 4

legal knowledge management experience was recruited during 2002 to undertake an information audit and prepare a knowledge management strategy. This project was being undertaken in the context of the Office's IT plan and builds on a report submitted by the library managers to the IT Steering Committee in March, 2002. The latter report included an overview of knowledge management software solutions, an overview of current best practice with regard to knowledge management in Irish/UK law firms, an overview of appropriate consultancy services in Ireland and recommendations for a strategic approach to knowledge management. The knowledge management strategy will identify IT and non-IT solutions for supporting effective knowledge sharing across the Office. This strategy and any resulting technology will be implemented over the next three years.

The AGO know-how database is one of a number of knowledge management initiatives within the Office. This is a highly valuable database, which aims to make important internal advices, memoranda, opinions and other relevant internal legal materials easily

accessible to all staff. The Know-how Officer met with legal staff shortly after joining the Office to ensure that the further development of the know-how database would meet their requirements. Over 500 new documents were selected by the Know-how Officer for inclusion on the database during July-December, 2002. The Know-how Officer is a key member of the Knowledge Management Project Team. The Knowledge Management Strategy will guide the future development of this resource.

European Convention on Human Rights (ECHR)

Both libraries supported the Office-wide ECHR training initiative by, for example, undertaking in-depth ECHR related research, providing a new fortnightly current awareness bulletin, identifying and acquiring relevant information resources and providing a guide to these resources. A range of electronic ECHR information resources were selected and made available in a structured format on the intranet and bulletin board. In anticipation of a likely

06 Progress achieved in reaching Key Objective 4

increase in the number of ECHR-related research queries, one of the AGO Legal Researchers presented other AGO and CSSO library staff with an information session on ECHR law.

Unicorn Collection Management System

The key application in both libraries is the Unicorn Collection Management System. This system is also shared with the Law Reform Commission Library. The Systems Librarian in the AGO provides systems administration support for this multi-library system. Unicorn enables library staff and users in both Offices and the Law Reform Commission to search the collections of all three libraries simultaneously. Unicorn also facilitates the shared cataloguing of legal materials by library staff thereby reducing duplication of work and increasing efficiency. The libraries recently upgraded to the latest version of the Unicorn software. The Systems Librarian and SIRSI (suppliers of Unicorn) provided Unicorn training for new and existing library staff on the new software.

The recruitment of a Systems Librarian (AGO) and Assistant Librarian (CSSO) facilitated the development of the shared library management system. It will now be possible to further develop Unicorn to ensure that it meets library staff and user requirements.

The Systems Librarian assisted with the implementation of the Unicorn Library Management System in the Office of the Director of Public Prosecutions Library by providing that Office with over 5,000 catalogue records which can be imported into their new Unicorn catalogue. Cataloguing these items in the Office of the Director of Public Prosecutions Library would have been a lengthy and costly process and would have duplicated work already undertaken in the AGO/CSSO libraries.

SERVICES PROVIDED DURING 2002

Research services

The legal information and research service is provided primarily by the Research Librarian and Legal Researchers in the AGO and by the

06 Progress achieved in reaching Key Objective 4

Assistant Librarian in the CSSO. Research is provided on Irish, EU and international law topics. Legal information/research queries are received on a daily basis and frequently the research is required and delivered within a short timeframe. All library staff respond to these urgent legal research queries.

In addition to responding to urgent research requests, the AGO Legal Researchers have a long-term programme of legal research topics on which they prepare in-depth research papers. These research papers are available to all AGO staff via the know-how database.

There has been a continued emphasis on the desktop delivery of legal research tools. Both libraries continued to expand their collections of electronic legal resources. The multi-library catalogue, legal CD-ROMs and a range of other legal research tools are available on the desktops of legal staff. In the AGO, library staff are responsible for the management and development of the legal information content on the office intranet which is available on every desktop.

All library staff use the wide range of hard-

copy and electronic legal materials that are available in-house to undertake research and respond to information queries. In addition library staff have access to a wide range of external libraries and information services in Ireland and the UK including Trinity College Dublin and the Institute of Advanced Legal Studies, London.

Current awareness services

Both libraries produced guides to electronic resources, journals/law reports, ECHR information resources etc. Both libraries also provided a range of current awareness services to keep legal staff informed about new library information resources and developments in Irish, EU and international law. The libraries employed a variety of methods to deliver these services including e-mail, hardcopy bulletins and via the intranet and bulletin board.

Training services

The AGO Research Librarian prepared and implemented a formal library training

06 Progress achieved in reaching Key Objective 4

programme for the period October – December, 2002. This programme included training on specific internal/external legal databases as well as more general information skills training. Training sessions were presented by the Systems Librarian, Research Librarian, Legal Researchers and the Know-how Officer. Training sessions included ECHR information on the intranet, know-how database and web search engines. These training sessions were evaluated and the feedback was very positive.

A helpdesk facility for databases and one-to-one information skills/database training was provided as required by the CSSO Law Librarian. The CSSO Library also provided library tours and induction talks to new staff.

07 Progress achieved in reaching Key Objective 5

To contribute to effective public service by encouraging and assisting in the co-ordination of the legal services of the State, the Office will in addition to those matters referred to in Key Objectives 1-4:

- > support the Law Reform Commission in its key role in reviewing, examining and formulating proposals for law reform;
- > support consultation and the development of effective relationships with other law offices and legal advisers;
- > continue to contribute to the work of interdepartmental groups and other working groups and expert groups;
- > continue to attend and contribute to the maximum extent to the Government Legislation Committee;
- > explore the feasibility of the development of civil service-wide IT links to facilitate drafting of legislation;
- > continue to provide indexes to the statutes and statutory instruments;
- > continue to publish the statutes and statutory instruments on CD ROM and the Internet;
- > continue to contribute to civil service, IPA and EU Commission training programmes;
- > through the Legal Counsellor, continue to provide advice to the Permanent Representation in Brussels.

PROGRESS ACHIEVED

Law Reform Commission

The Law Reform Commission recently published its Annual Report for 2002 which showed its advancement of the Second Work Programme published in 2001. During 2002 the Commission launched four Reports and two Consultation Papers. The Attorney General in 2002 requested the Commission to undertake a study to examine the possible benefits of a revenue court and fiscal prosecutor.

07 Progress achieved in reaching Key Objective 5

Development of Effective Relationships with Other Law Offices

The Merrion Street Office and the Chief State Solicitor's Office continue to support consultation and the development of effective working relations with other law offices and legal advisers. In the development of the Corrib Gas Field Resource, specialist legal expertise from a private firm of solicitors was retained to assist the Office in advising the relevant Department and drafting relevant documentation. Separately, in a large commercial case with international dimensions, another private firm of solicitors was instructed and retained. The CSSO held regular meetings with lawyers from both the Office and the firm and officials from the relevant Department in attendance. In another case involving extra-territorial litigation relating to breaches of State copyright a firm of UK solicitors was instructed and retained. Also, the CSSO instructed specialist counsel from overseas in Ireland's objection to a planning application in another jurisdiction.

Cross-Departmental Projects

The Merrion Street Office and the Chief State Solicitor's Office continued to be closely involved in cross-departmental projects and initiatives on a wide range of topics.

Government Legislation Committee

During 2002, the OPC continued its participation in the Government Legislation Committee, a co-ordinating committee chaired by the Government Chief Whip, the purpose of which is to prioritise legislative proposals and to facilitate the implementation of the Government's Legislation Programme by ensuring a continuous, up-to-date and accurate assessment of progress in the preparation of legislation by –

- estimating likely dates for presentation of texts of Bills to Government for approval and for subsequent publication;
- subject to the Cabinet, the assigning of a drafting priority to Bills where the heads of the Bill (i.e. the Departmental instructions for the drafter of the Bill) have been approved by Government;

07 Progress achieved in reaching Key Objective 5

- preparing and agreeing the draft Press Release, for approval by Government, on the Government's Legislation Programme (published 3 times a year before the commencement of each Dáil Session).

The Committee oversees each proposed Government Bill from the time of its inclusion in the Government's legislative programme to the completion of its progress through the Houses of the Oireachtas.

The OPC contributed a new reporting document to the Government Legislation Committee in 2002. This document reports on the drafting of Regulations or Bills which will implement EU Directives and Framework Decisions.

The Statutes and Statutory Instruments on CD ROM and the Internet.

During 2002 the Office completed the project to update the Irish Statute Book on CD and the Internet. The original project completed in 1999 produced a CD and web facility of Acts, SIs and Chronological Tables from 1922-1998 in searchable form. The project completed

during 2002 updated the CD and web with Acts, SIs and Chronological Tables material up to 2001. The new CD is available from the Government Publications Sales Office in Molesworth Street at a cost of €35.

Contributions to Outside Training Programmes

The CSSO hosted a seminar to Prison Governors and Assistant Prison Governors on the preparation of personal injury cases and discovery principles and practices as part of the Irish Prisons Service Training Programme. Also, the CSSO hosted a workshop on Managing Protected Structures under Planning and Development Legislation. This workshop was organised mainly for personnel from the Office of Public Works and the Department of Defence. The Office also co-hosted Conveyancing Law seminars with a number of Government Departments.

A number of drafters continue to participate in training programmes organised by CMOD on the Legislative Process. These programmes are generally attended by officials in Government

07 Progress achieved in reaching Key Objective 5

Departments who are in the course of preparing draft schemes of Bills for submission to Government. They provide an opportunity to explain the role of the Government Legislation Committee and to indicate requirements in relation to instructions furnished by Departments requesting the OPC to draft Government Bills.

e-Government

As part of its commitment to the e-Government initiative, the OPC as well as the IT Unit has been in discussions with a number of interested parties (Houses of the Oireachtas, Department of the Taoiseach, CMOD, and the BASIS and OASIS project groups) with particular reference to the legislative process and engaged consultants during 2002 to draw up a requirements report in respect of e-Legislation. It is hoped to implement a system, in consultation with these bodies and in conjunction with the e-Parliament agenda of the Houses of the Oireachtas, which will support the processing and management of legislation text and attendant indexes through

the legislation life cycle. This would cover the processes from initial drafting of legislation, through Parliamentary debate and consideration as to its availability to the public in searchable electronic form on the internet and on CD-ROM.

In addition, the OPC is represented on the Content Management Stakeholders Group established in November, 2001, by CMOD. The purpose of this group is to provide an input to the CMOD development team examining the requirements of a Content Management System across the public service taking account of e-Cabinet and e-Parliament systems and the Public Services Broker architecture.

Annexes



A Annex A

Public Bills Published in 2002

- | | | | |
|----|---|----|--|
| 1 | Civil Defence Bill 2002 | 14 | Education for Persons with Disabilities Bill 2002 |
| 2 | Ombudsman (Defence Forces) Bill 2002 | 15 | Houses of the Oireachtas Commission Bill 2002 |
| 3 | Digital Hub Development Agency Bill 2002 [Seanad] | 16 | Criminal Justice (Public Order) Bill 2002 |
| 4 | Finance Bill 2002 | 17 | Arts Bill 2002 |
| 5 | Ombudsman for Children Bill 2002 [Seanad] | 18 | Central Bank and Financial Services Authority of Ireland Bill 2002 |
| 6 | Social Welfare (Miscellaneous Provisions) Bill 2002 | 19 | Official Languages (Equality) Bill 2002
Bille na dTeangacha Oifigiúla
(Comhionannas) 2002 [Seanad] |
| 7 | Immigration Bill 2002 [Seanad] | 20 | Hepatitis C Compensation Tribunal (Amendment) Bill 2002 |
| 8 | Data Protection (Amendment) Bill 2002 [Seanad] | 21 | National Economic and Social Development Office Bill 2002 |
| 9 | Communications Regulation Bill 2002 [Seanad] | 22 | Electoral (Amendment) (No. 2) Bill 2002 |
| 10 | Money Advice and Budgeting Service Bill 2002 | 23 | Minister for the Environment and Local Government (Performance of Certain Functions) Bill 2002 (Seanad) |
| 11 | Electoral (Amendment) Bill 2002 | 24 | Twenty-sixth Amendment of the Constitution Bill 2002 |
| 12 | Tribunals of Inquiry (Evidence) (Amendment) Bill 2002 | 25 | Unclaimed Life Assurance Policies Bill 2002 |
| 13 | Medical Practitioners (Amendment) Bill 2002 | | |

A **Annex A****Public Bills Published in 2002**

- | | |
|--|---|
| 26 National Development Finance Agency
Bill 2002 | 38 Industrial Development (Science
Foundation Ireland) Bill 2002 [Seanad] |
| 27 Fisheries (Amendment) Bill 2002 | 39 Opticians (Amendment) Bill 2002 |
| 28 European Communities (Amendment)
Bill 2002 | |
| 29 British-Irish Agreement (Amendment) Bill
2002 | |
| 30 Capital Acquisitions Tax Consolidation
Bill 2002 | |
| 31 National Tourism Development Authority
Bill 2002 | |
| 32 Planning and Development (Amendment)
Bill 2002 [Seanad] | |
| 33 Social Welfare Bill 2002 | |
| 34 Appropriations Bill 2002 | |
| 35 Criminal Law (Insanity) Bill 2002 | |
| 36 Domestic Violence (Amendment) Bill
2002 [Seanad] | |
| 37 Criminal Justice (Terrorist Offences) Bill
2002 | |

B Annex B

Public Bills Enacted in 2002

Twenty-Sixth Amendment of the Constitution Act, 2002

1. State Authorities (Public Private Partnership Arrangements) Act 2002
2. Sustainable Energy Act 2002
3. Radiological Protection (Amendment) Act 2002
4. Electoral (Amendment) Act 2002
5. Finance Act 2002
6. Public Health (Tobacco) Act 2002
7. Tribunals of Inquiry (Evidence) (Amendment) Act 2002
8. Social Welfare (Miscellaneous Provisions) Act 2002
9. Housing (Miscellaneous Provisions) Act 2002
10. Gas (Interim) (Regulation) Act 2002
11. Arramara Teoranta (Acquisition of Shares) Act 2002
12. Road Traffic Act 2002
13. Residential Institutions Redress Act 2002
14. Competition Act 2002
15. Courts and Court Officers Act 2002
16. Civil Defence Act 2002
17. Medical Practitioners (Amendment) Act 2002
18. Pensions (Amendment) Act 2002
19. Solicitors (Amendment) Act 2002
20. Communications Regulation Act 2002
21. Hepatitis C Compensation Tribunal (Amendment) Act 2002
22. Ombudsman for Children Act 2002
23. Electoral Amendment (No. 2) Act 2002
24. Minister for the Environment and Local Government (Performance of Certain Functions) Act 2002
25. European Union (Scrutiny) Act 2002
26. British-Irish Agreement (Amendment) Act 2002
27. European Communities (Amendment) Act 2002
28. Appropriation Act 2002
29. National Development Finance Agency Act 2002

B *Annex B*

Public Bills Enacted in 2002

- 30.** Domestic Violence (Amendment) Act
2002
- 31.** Social Welfare Act 2002
- 32.** Planning and Development (Amendment)
Act 2002
- 33.** Statute Law (Restatement) Act 2002

C Annex C

Estimate provision and expenditure outturn for 2002 Office of the Attorney General

	2001 Outturn	2002 Estimate	2002 Outturn
Administration	€000	€000	€000
A1 Salaries, Wages & Allowances	5,282	6,207	5,890
A2 Travel & Subsistence	201	252	258
A3 Incidental Expenses	698	873	583
A4 Postal & Telecommunications Services	107	136	139
A5 Office Machinery & Office Supplies	442	1,338	853
A6 Office Premises Expenses	263	349	202
A7 Consultancy Services	414	1,237	683
Subtotal	7,407	10,392	8,608
Other Services			
B Contributions to International Organs.	21	19	23
C Law Reform Commission (Grant-in- Aid)	1,279	1,348	1,348
D General Law Expenses	91	156	38
Gross Total	8,798	11,915	10,017
Deduct			
E Appropriations in Aid	24	13	1
Net Total	8,774	11,902	10,016

C Annex C

Expenditure provision and expenditure outturn for 2002 Chief State Solicitor's Office

	2001 Outturn	2002 Estimate	2002 Outturn
Administration	€000	€000	€000
A1 Salaries, Wages & Allowances	12,075	12,951	11,360
A2 Travel & Subsistence	142	207	152
A3 Incidental Expenses	769	910	794
A4 Postal & Telecommunications Services	367	450	483
A5 Office Machinery & Office Supplies	467	2,014	985
A6 Office Premises Expenses	102	307	162
A7 Consultancy Services	145	295	157
Subtotal	14,067	17,134	14,093
Other Services			
B Fees to Counsel	7,975	7,707	10,375
C General Law Expenses	3,077	4,506	4,776
Gross Total	25,119	29,347	29,244
Deduct			
D Appropriations in Aid	236	189	480
Net Total	24,883	29,158	28,764

C Annex C

Statement of Compliance with the Prompt Payment of Accounts Act 1997 and with the European Communities (Late Payment in Commercial Transactions) Regulations 2002

Most payments made on behalf of this Office are made by our paying agent, the Department of Finance Accounts Branch, which complies with the terms of the Prompt Payment of Accounts Act 1997 and with the European Communities (Late Payment in Commercial Transactions) Regulations 2002. It should be noted that the Act does not apply to payments in respect of legal fees.

Guidelines put in place to ensure compliance with the Act were circulated to all staff in January, 1998 and staff were also notified of the European Communities (Late Payment in Commercial Transactions) Regulations 2002 when it came into operation on 7 August, 2002. The aim of these guidelines is to facilitate prompt clearance of invoices and prevent interest penalties arising. Furthermore, financial procedures in place in the Office are regularly monitored and were revised earlier this year including procedures to ensure compliance with the Act.

The key procedures which are in place are as follows:-

- > Unless otherwise agreed by written contract, the prompt payment deadline of 30 days applies to all payments.
- > All invoices are date stamped on receipt. This date is the date from which the prescribed payment period is calculated.
- > Staff are asked to ensure that invoices are addressed to a named person when placing orders for goods and services thus avoiding delays in tracing the person who placed the order for certification purposes.
- > Staff have been advised that all invoices should be certified for payment and forwarded to the Finance Unit immediately on receipt. Arrangements should be made to ensure that invoices are not delayed due to staff being on leave etc.
- > If an invoice needs to be corrected or is in dispute, the procedures specified in the Act are followed. These procedures are applied by the Finance Unit and a written record of the procedures applied is recorded.

C Annex C

- > The staff in the Finance Unit monitor the payment due date and endeavour to ensure that payment is made by our paying agent, the Department of Finance, Accounts Branch within the prescribed period. In the event of payment being made outside of the prescribed time interest is calculated by Accounts Branch in accordance with the Act and with the Regulations.
- > Our accounts package prompts the staff in the Finance Unit of due payment date and date payment should be received back from our paying agent, the Department of Finance, Accounts Branch.

The Office's Annual Report of Payment Practices for 2002 is attached.

Office of the Attorney General

27 August, 2003

C Annex C

Report on Payment Practices for 2002

Office of the Attorney General, Merrion Street

General

1. Most payments made on behalf of this Office are made by our paying agent, the Department of Finance Accounts Branch, which complies with the terms of the Prompt Payments of Accounts Act 1997 and with the European Communities (Late Payment in Commercial Transactions) Regulations 2002. It should be noted that the Act does not apply to payments in respect of legal fees.

Late Payments

2. Payments totalling €3.98 million in 2002 were made from the Office of the Attorney General's Vote in respect of payments to which the Act applies. There were no late payments made during 2002.

Statement of compliance with the Prompt Payment of Account Act 1997 and with the European Communities (Late Payment in Commercial Transactions) Regulations 2002

Guidelines put in place to ensure compliance with the Act were circulated to all staff in January, 1998 and staff were also notified of the European Communities (Late Payment in Commercial Transactions) Regulations 2002 which came into operation on 7 August, 2002. The aim of these guidelines is to facilitate prompt clearance of invoices and prevent interest penalties arising. Furthermore, financial procedures in place in the Office are regularly monitored and were revised in 2003 including procedures to ensure compliance with the Act.

C Annex C

Chief State Solicitor's Office

Prompt Payment of Accounts Act 1997 and S.I. 388 of 2002 - Payment Practices and Statistics

The CSSO has computerised systems in place that are designed to monitor and control compliance with the terms of the Act.

Generally, payments fall due on expiry of the statutory 30 days (for the period prior to August 7th 2002, the statutory period of 45 days applied). Where shorter periods are

specified on invoices, this requirement is complied with. In the small proportion of cases where payments are not made within the statutory period, the appropriate interest payments are made.

Two categories of suppliers of services to the CSSO do not come within the scope of the Act:

- > Counsels' fees are excluded on the basis of legal advice.
- > Payments to solicitors engaged by people involved in litigation against the State where costs are awarded to the plaintiff are covered by the Courts Act 1981 which has its own interest payment provisions.

Statistics - Period January to December 2002

Total value of all payments	€5,215,944
Total value of all late payments (Under €320 inclusive)	€1,025,023
Value of late payments in excess of €320	€806,344
Value of late payments as % of total payments	19.65%
Number of late payments in excess of €320	436
Amount of interest paid	€9,006
Amount of interest as a % of total payments	0.173 %
Broad indication of length of delays (Invoices in excess of €320)	36 days

C Annex C

Finance and Accounts

Expenditure

Expenditure for the year is set out in the foregoing table. One particular feature was a lower than expected outturn on payroll arising from the number of vacancies that existed throughout the year. The expenditure on office machinery and supplies, a subhead that includes expenditure on IT, was over €1m under budget because progress on a number of major projects was slower than anticipated. A substantial excess occurred in the Counsels' Fees subhead with expenditure of €10.4m and an estimates provision of €7.7m. One factor in the excess was the introduction in late 2001 of a new payment system for Counsel. The system was designed to end a payment process that left many fees unpaid for years and to introduce a system whereby Counsel are paid each quarter on invoices submitted in the previous quarter. A total clearout of costs due was undertaken as part of the changeover. This latter item added to expenditure levels within the year.

Accounts

A significant development was the introduction of an entirely new system for the payment of Counsels' fees. This involved a transition from a system where payment was only made at the end of a case, very often meaning that the work involved had been completed some considerable time before actual payment was made. The new system adopts an invoice based approach with a single payment being made to Counsel each quarter in respect of all invoices submitted in the previous quarter. Consultation with the Bar Council was undertaken during the planning stage for this change.

C Annex C

Finance and Accounts

Some statistics and activity levels are set out in the following table:

Accounts Payable	
Payable Orders issued	8,215
Number of payees	1,509
Number of invoices (inclusive of Fees to Counsel and General Law Expenses)	18,899
Number of cases in which payment was made (Fees to Counsel and General Law Expenses):	6,683
Number of cases in which payment was made (Counsel):	3,819
Number of cases in which payment was made (General Law Expenses):	4,375
Number of payees in receipt of General Law Expenses:	469
Number of invoices for General Law Expenses:	11,092
Number of payees in receipt of Counsel fees:	447
Number of invoices for Counsel fees:	5,276

D Annex D

Office of the Attorney General, Merrion Street FOI Statistics – Requests received 1998 - 2002

Office of the Attorney General	Applications Received	Personal	Non-Personal	Mixed	Requests Granted	Requests Part Granted
1998	22	6	16	0	4	1
1999	27	7	20	0	2	4
2000	25	3	22	0	4	3
2001	23	4	19	0	3	2
2002	22	4	18	0	3	2
Total	119	24	95	0	16	12

Office of the Attorney General	Requests Refused	Requests refused under section 46 (1) (b) figure included in total requests refused	Requests Transferred	Requests Withdrawn or handled outside FOI	Live Cases	Internal Reviews Received	Appeals to Info Comm.	Fees No.	Charged Amount
1998	16	9	1	0	0	6	2	0	Nil
74 1999	20	17	0	1	0	6	0	0	Nil
2000	17	14	0	1	0	4	0	0	Nil
2001	15	12	0	0	3	2	2	0	Nil
2002	20	20	0	0	0	0	0	0	Nil
Total	88	72	1	2	0	18	4	0	Nil

D Annex D

Office of the Attorney General, Merrion Street
Yearly Statistics

Office of the Attorney General	Applications Received	Journalists	Businesss	Oireachtas	Staff	Others
01/01/02 to 31/12/02	22	6	2	0	0	14
Total	22	6	2	0	0	14

Office of the Attorney General	Applications Received	Journalists	Businesss	Oireachtas	Staff	Others
21/04/98 to 31/12/02	119	31	28	2	2	56
Total	119	31	28	2	2	56

D Annex D

Chief State Solicitor's Office

FOI Statistics – Requests received 1998 – 2002

CSSO	Applications Received	Personal	Non-Personal	Mixed	Requests Granted	Requests Part Granted
1998	17	14	3	0	11	0
1999	9	3	6	0	4	0
2000	23	11	12	0	14	4
2001	9	6	3	0	5	0
2002	6	2	4	0	1	0
Total	64	36	28	0	35	4

CSSO	Requests Refused	Requests refused under section 46 (1) (b) (figure included in total requests refused)	Requests Transferred	Requests Withdrawn or handled outside FOI	Live Cases	Internal Reviews Received	Appeals to Info Comm.	Fees No.	Charged Amount
1998	4	4	2	0	1	1	0	0	Nil
1999	4	4	1	0	1	3	1	0	Nil
2000	5	2	0	0	0	1	1	0	Nil
2001	4	3	0	0	0	1	1	0	Nil
2002	4	3	0	0	1	0	0	0	Nil
Total	21	16	3	0	3	6	3	0	Nil

76

CSSO	Applications Received	Journalists	Business	Oireachtas	Staff	Others
21/04/98 to 31/12/02	109	28	28	2	2	49
Total	109	28	28	2	2	49

E Annex E

Committees and Commissions

Advisory Board National Children's Office	Consumer Advisory Council.
Assistant Secretaries Network	Convention (for the Future of Europe)
British and Irish Association of Law Librarians	Oversight Group
Change Management Network	Council of Europe Committee on Administrative Law
Civil Service Information and Communications Technology Managers Forum	Council of Europe Committee of Experts in Family Law
Civil Service Metadata Group	Court Rules Committees
Civil Service Quality Customer Service Consultative Committee	Cross-Departmental Team on Infrastructure
Civil Service Quality Customer Service Officers Network	EU Working Party on Legal Data Processing
Civil Service Training Officers Network	Expert Group on Proposals arising out of Garda S.M.I. Report
Civil Service Webmaster Forum	Expenditure Reviewers Network
CMOD Content Managers Stakeholders Group	FOI Interdepartmental Working Group
Commission on the Assisted Human Reproduction	FOI Liaison Officers Network
Commission on the Private Rented Residential Sector	FOI Users Network Group
Company Law Review Group	Government Legislation Committee
Consultative Committee on Law Reform	Government Libraries Managers Network
	Government Libraries Section, Library Association of Ireland
	Hague Conference on Private International Law

E Annex E

Committees and Commissions

Implementation Group on Compensation Issues	Irish Unicorn Users Group
Interdepartmental Committee on Hearing Loss Litigation	Justice Committee of the Institute of European Affairs
Interdepartmental Group on EU Justice and Home Affairs	Management Group for Judicial Reviews in Asylum Cases
Interdepartmental Group on the EU Convention	MIF Consultative Committee
Interdepartmental Group on Legislative Issues for the Information Society	MIF Project Management Sub-Group
Interdepartmental Group on Oireachtas Scrutiny of EU legislation	Ministerial Committee on Nuclear Safety
Interdepartmental Group on the Presidency of the EU 2004	Ministers and Secretaries Group on European Matters
Interdepartmental Task Force on the Report of the Commission on the Status of People with Disabilities	National Strategy Review Group on the Common Fisheries Policy
Interdepartmental Group on UN	“No-Fault” Advisory Group (a working group established to recommend a “no-fault” scheme of compensation for babies with birth-related brain damage)
Interdepartmental Working Group on Compensation Issues	OECD Working Party on Regulatory Management
Internal Audit Network	Personal Injuries Assessment Board Implementation Group.
International Maritime Organisation Legal Committee	Personnel Officers Network
	PMDS Network

E Annex E

Committees and Commissions

Post Nally Committee on Issues Relating to DPP	UNCITRAL Working Group on Arbitration
Sea Fisheries Licensing Review Group	UNICITRAL Working Group on Electronic Commerce
Secretaries General and Heads of Offices Group	UNCITRAL Working Group on Insolvency Working Group on Accountability of Secretaries General and Accounting Officers.
Senior Officials Group on EU Affairs	Working Group on Company Law Compliance and Enforcement
Single Regulatory Authority Implementation Advisory Group	Working Group on Jurisdiction of the Courts
State Claims Agency Liaison Committee	Working Group to discuss the implications of the establishment of a Referendum Commission with limited functions
Steering Committee for the Pilot Project to establish an on-line small-claims procedure	Working Group to Review Coroners Services
Steering Group on Systems Review of Department of Agriculture and Food	
Strategic Management Initiative Communications Sub-Group	
Strategic Management Initiative Implementation Groups	
Tax Strategy Group	
Third Pillar Steering Group	
Tribunals and Inquiries	
UNCITRAL (The United Nations Commission on International Trade Law)	

Annex F Organisational Chart

