



AN ROINN DLÍ AGUS CIRT AGUS COMHIONANNAIS  
DEPARTMENT OF JUSTICE AND EQUALITY

# Dept of Justice & Equality and its Agencies: Interface re Agency Strategy

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## IPA Governance Forum: Event on Strategy, 21 September 2017

### Who am I?

- Principal Officer – Head of Civil Governance Unit in DJE
- Responsible for governance oversight of several of the Agencies (civil) under the aegis of the Department of Justice & Equality
- Project Manager for the ‘Agency Governance’ Workstream of the Department’s Reform Programme



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- Since 2014, Department of Justice and Equality has been pursuing a Reform Programme.
- Objective is to become *“a more open, outward facing, collaborative Department providing strategic leadership and more effective services”*.
- *Strategy Statement 2016-2019* places a strong focus on Department working closely with its Agencies, providing strategic leadership and strengthening multi-agency approaches.
- The Strategy Statement acknowledges the importance of the role of the 2,000 staff in the Department and the 23,000 employees of the 28 Agencies under the aegis of the Department.



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Excerpt from Strategy Statement:

*“We will continue to work in close partnership with our Agencies/Bodies to advance objectives and develop opportunities for strengthening joint planning, collaboration, and effective implementation. Structures such as the Criminal Justice Strategic Committee and the Civil Agencies Network have been established to promote this.”*

Two Networks of the Agencies have been established and meet regularly

- **Criminal Justice Strategic Committee**
- **Civil Agencies Network**



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Department of Justice and Equality has a diverse agency ecosystem. Note, however, that all Justice Bodies are non-commercial entities.

Agencies with their own Vote and Accounting Officer:

- a. An Garda Síochána
- b. Courts Service
- c. Irish Human Rights and Equality Commission
- d. Irish Prison Service
- e. Policing Authority
- f. Property Registration Authority
- g. Valuation Office

All of these bodies have published *Corporate Governance Frameworks* under the *Corporate Governance Standard for the Civil Service*.



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Remainder are Vote 24 (Justice and Equality) Agencies – Secretary General is the Accounting Officer and therefore is personally accountable to the Public Accounts Committee in respect of the stewardship of public funds by those bodies:

### **Statutory Agencies (established under statute):**

#### **Regulators**

1. Irish Film Classification Office
2. Legal Services Regulatory Authority
3. Office of the Data Protection Commissioner
4. Private Security Authority
5. Property Services Regulatory Authority



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### **Statutory Agencies (established under statute):**

#### **Policing- related Bodies**

6. An Garda Síochána
7. Garda Síochána Inspectorate
8. Garda Síochána Ombudsman Commission
9. Policing Authority



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### **Statutory Agencies (established under statute):**

#### **Service Delivery Bodies**

10. Courts Service
11. International Protection Appeals Tribunal
12. Legal Aid Board
13. Ordnance Survey Ireland
14. Property Registration Authority
15. Valuation Office





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### **Statutory Agencies (established under statute):**

#### **Policy/Advisory Bodies**

16. Irish Human Rights and Equality Commission
17. National Disability Authority

#### **Other Justice System Bodies**

18. Criminal Assets Bureau
19. Mental Health (Criminal Law) Review Board
20. Office of the Inspector of Prisons



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A diverse agency ecosystem

### **Non-Statutory Agencies (not established under statute):**

21. Criminal Injuries Compensation Tribunal
22. Forensic Science Ireland
23. Irish Prison Service
24. Office of the State Pathologist
25. Parole Board
26. Probation Service



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### *Corporate Governance Framework of the Department of Justice & Equality (April 2016)*

- Chapter 5 outlines the Department's approach to Bodies under its aegis.
- Formal governance meetings twice annually between the member of the Management Board with (oversight) responsibility for the Agency and the relevant Head of each Agency.
- Annual Performance Delivery Agreements rolled out to the majority of statutory Agencies under the aegis of the Department ... are signed by relevant member of the Management Board and the CEO of the Agency/Body.
- In case of a (small) number of statutory Agencies which have particularly high levels of independence arising from their constitutional or legislative basis ... introduction of detailed performance targets might encroach on the functions of those bodies. In these cases - Agency Governance Framework documents...



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**Formal Governance Agreements are now in place with 25 Agencies under the aegis of the Department.** [In most cases these documents are now on their third or fourth annual iteration].

- In 2017, some modification to reflect the requirements of the 2016 edition of the *Code of Practice for the Governance of State Bodies*.
- Majority of cases – an Annual **Oversight Agreement** incorporating a.
- **Performance Delivery Agreement**
- More independent Bodies – an Annual **Corporate Governance Assurance Agreement**.



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### **Annual Agency Roundtable Meetings have been held for past three years (at Farmleigh):**

- Minister and Ministers of State.
- Members of Department Management Board (Sec Gen and Asecs).
- CEOs and Chairs of all of the Justice and Equality Agencies.
- Discussion on themes of common interest.

November 2014 – discussions on Toland Report and Justice and Equality Reform Programme.

July 2016 – “Laying the Foundations for Effective Collaboration”.

July 2017 – “Getting Things Done – Focus on Implementation”.



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### Interface between Departmental Strategy and Agency Strategy:

- Slide 3 (above) referenced the Department's Strategy Statement commitment to close partnership with its Agencies. The Strategy Statement was deliberately crafted to be as inclusive as possible of all of the Department's Agencies.

### Preparation of Strategy by Agencies

#### Code of Practice for the Governance of State Bodies

[1.15] The preparation and adoption of a strategic plan is a primary responsibility of the Board of a State body. ...

All State Bodies ... should have a formal process in place for setting strategy.

[1.18] A copy of the draft Strategic Plan ... should be sent to the relevant Minister, and, where appropriate, the Minister for Public Expenditure and Reform and NewERA before the plan is finalised and adopted by the Board. ... Views which the Minister(s) wish to have reflected in the strategic plan ... should be made known to the State body within a maximum period of twelve weeks of submission. ... While final responsibility for the content of the plan rests with the Board in each case, the views of the Ministers and consideration of the public interest should be carefully weighed by the Board.



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### Interface between Departmental Strategy and Agency Strategy (cont.):

- Notwithstanding any of the provisions of the Code of Practice, it should be noted that the provisions of the legislation establishing the Body take precedence.
- The legislation establishing Justice and Equality Sector Bodies, in many cases, provides that *the Body must prepare and submit to the Minister, for approval by the Minister with or without amendment, a strategic plan for the ensuing 3 year period.*
- This provision is taken particularly seriously by the Department and in a small number of cases the Minister has sought amendments to draft Strategic Plans before giving approval.



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### **Performance Delivery Agreements and Agency Strategy**

- Oversight Agreements (incorporating the Annual Performance Delivery Agreement) are in place between DJE and the majority of its Agencies.
- Performance Goals in the PDA are based on the Strategic Objectives of the Agency as set out in its Strategic Plan.
- For each Strategic Objective, the PDA includes Actions, KPIs and Targets for the year.
- Progress on the elements of the PDA is discussed at the twice-yearly governance meetings between the Department and the Agency.





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### General Observations on the Department / Agency Relationship:

- Good relationship between the Head of the responsible Line Division (in the Department) and the Chairman and CEO of the Agency is critical.
- Intention is to have ***“No surprises”***.
- Twice yearly governance meetings and the annual Agency Roundtable meetings have contributed positively to building positive and trusting relationships between the Department and its Agencies.
- Agency Networks and the Annual Agency Roundtable have been important in promoting cross-Agency working in the Justice and Equality sector.



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### **What is 'good' Agency Strategy from the Department's perspective? (*Personal views*)**

- Aligned with Government policy;
- Aimed at fulfilling the statutory mandate of the Agency;
- Aligned with the Department's SoS (to the extent possible);
- Challenging but achievable targets in terms of deliverables;
- With a focus on working collaboratively across the Justice & Equality sector and across Government as a whole.