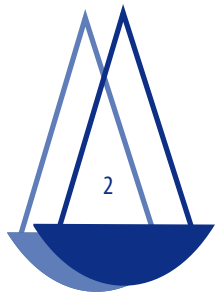


Oifig an  
Office of the  **Stúirthóra Ionchúiseamh Poiblí**  
**Director of Public Prosecutions**

# **STRATEGY STATEMENT 2013-2015**



**Office of the Director of Public Prosecutions**

Infirmity Road  
Dublin 7.

Tel: + 353 1 858 8500  
Fax: + 353 1 858 7406  
Web: [www.dppireland.ie](http://www.dppireland.ie)

**Chief Prosecution Solicitor**

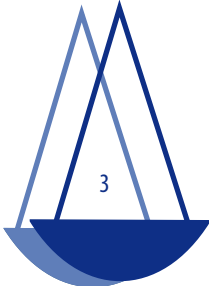
Office of the Director of Public Prosecutions  
90 North King Street  
Smithfield  
Dublin 7.

Tel: +353 1 858 8500  
Fax: +353 1 858 7406  
Web: [www.dppireland.ie](http://www.dppireland.ie)

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# FOREWORD



I am pleased to have the opportunity in this, the first Strategy Statement that I have published since my appointment as Director of Public Prosecutions in November 2011, to outline the strategies my Office will adopt over the course of the next three years to underpin the provision of the State prosecution service.

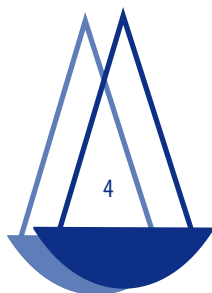
A properly functioning prosecution service is fundamental to the maintenance of law and order in any society. While, in common with all public sector organisations, we are currently operating in very challenging times, it is essential that my Office continues to provide a prosecution service on behalf of the People of Ireland that is independent, fair and effective. The strategies set out in this statement focus on maintaining current levels of service in the context of the changing economic environment and ensuring that the most efficient use is made of the resources available to us.

Over the last number of years the prosecution service has undergone extensive modernisation and reform. We have streamlined services

through changing work practices and have availed of technology to significantly enhance our business processes. We have achieved the lower staffing target set for the Office under the Employment Control Framework and have succeeded in delivering significant savings in the costs of running the Office, legal costs and the costs of engaging lawyers from outside the Office. The next three years will no doubt bring further challenges but I am committed to striving to maintain and build on the efficiencies already gained.

We have for a number of years been working towards accommodating the entire Office in a single headquarters building. I am happy to say that much progress was made on this project during 2012 when our Directing Division and two sections of our Solicitors Division moved into new accommodation in Infirmary Road, adjacent to the Criminal Courts of Justice. One of the main objectives during the lifetime of this Strategy Statement will be to do all that we can to ensure that the rest of the Office joins us. This will not only yield budgetary savings but will facilitate greater integration and enable us to carry out our work in the most efficient manner.

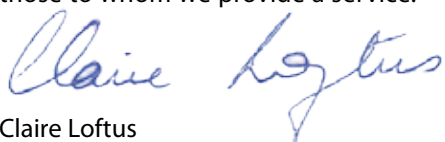
The Office must always be mindful of the changing legal environment in which we operate. A priority focus for myself and my senior management team is to ensure that our professional staff perform on my behalf the functions delegated to them to the highest standards. This requires them to have a thorough understanding of the criminal law and the criminal justice system but also Office policies on a wide range of issues. A key element during the lifetime of this Strategy Statement will be the further development of a knowledge management system which will ensure access to timely and up-to-date legal information. Despite the constraints imposed on our training budget it is essential that we ensure that professional staff have access to continuing professional development



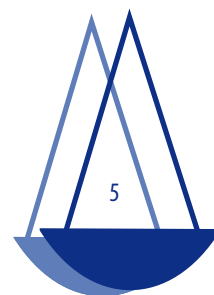
including the provision of in-house customised legal training programmes facilitated at least in part by in-house staff with the relevant expertise.

Another challenge for this Office in the context of the legal environment will be the transposition into Irish law of the EU Directive on the rights of victims. The directive establishes standards on the rights, support and protection of victims of crime. One such right will be the right of victims to receive information in relation to any decision not to take a prosecution. This Office introduced a policy in 2008 whereby we now give reasons on request in relation to decisions not to prosecute in cases involving a fatality. While the number of requests received has been quite low, the implementation of the policy has been resource intensive. We therefore anticipate that the adoption of the EU directive into Irish law will have significant resource implications for this Office. This will be a key factor for consideration as we endeavour to maintain current levels of service over the lifetime of this Strategy Statement.

Our relationships with other agencies involved in the criminal justice system as a whole are very important. We have over the years established strong working relationships with colleagues both within the criminal justice system nationally and at an international level. We will continue to sustain and develop inter-agency co-operation so as to ensure that the criminal justice system operates in a cohesive and effective manner for the benefit of all those to whom we provide a service.



Claire Loftus  
Director of Public Prosecutions  
April 2013



# 1 THE ROLE OF THE DIRECTOR OF PUBLIC PROSECUTIONS

## STATUTORY BACKGROUND

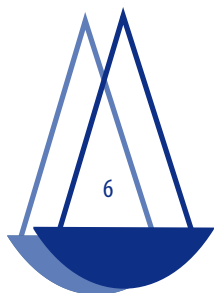
- 1.1 The office of Director of Public Prosecutions (DPP) was established by the Prosecution of Offences Act, 1974, which conferred on the Director “all functions capable of being performed in relation to criminal matters” by the Attorney General immediately before the passing of the Act.
- 1.2 The principal such function is the power to prosecute criminal offences. The power to prosecute indictable offences (the more serious offences which are tried before a jury or in the Special Criminal Court) comes from Article 30 of the Constitution of Ireland. The power to prosecute summary offences comes from the Criminal Justice (Administration) Act, 1924. The Director may prosecute indictable cases, but summary offences may also be prosecuted by relevant Ministers, Departments of State or by individuals acting as “common informers”. Under section 8 of the Garda Síochána Act, 2005 Garda prosecutions must be brought in the name of the Director and subject to her general or specific directions.
- 1.3 The 1974 Act also conferred on the Director the Attorney General’s functions in relation to election and referendum petitions.
- 1.4 A more detailed description of the functions of the Director is set out in the *Guidelines for Prosecutors* which are available on the Office website at [www.dppireland.ie](http://www.dppireland.ie).
- 1.5 The 1974 Act provides that the Director of Public Prosecutions shall be independent in the performance of her functions. This independence is reinforced by the statutory provisions

relating to the appointment and security of tenure of the Director and the statutory prohibition on communications intended to influence the Director’s decisions.

- 1.6 The Director is assisted by legal professionals, both solicitors and barristers, whom she has statutory power to direct to perform any of her functions on her behalf. A total of 192.6 staff are employed in the Office of the Director of Public Prosecutions.

## THE PUBLIC PROSECUTION SYSTEM

- 1.7 The public prosecution system in Ireland is a culmination of the work of a number of individual agencies. No one agency can deliver a prosecution system on its own. The interaction between the agencies is therefore an essential component in the provision of an efficient and effective prosecution system. The main agencies in the process are as follows.
- 1.8 **The Director of Public Prosecutions and her staff:** The Office of the Director of Public Prosecutions has three main divisions:
  - The Directing Division is responsible for the overall direction of serious criminal proceedings. This includes making the decision whether to prosecute and for what offence, for making any decision to withdraw proceedings or to accept pleas to lesser offences, and to bring appeals in relation to points of law or seek reviews of unduly lenient sentences.
  - The Solicitors Division, headed by the Chief Prosecution Solicitor, is responsible for providing the solicitor service in Dublin to the Director. This involves the general



preparation of indictable cases, including the preparation of books of evidence, and the instruction of and attendance on counsel at hearings, the conduct of summary prosecutions and the conduct of all Judicial Review cases on the Director's behalf.

- The Administration Division provides the organisational, infrastructural, administrative and information services required by the Office and also provides support to both the Directing and Solicitors Divisions.

The three Divisions are supported in their work by:

- the Prosecution Policy Unit which develops prosecution policies and advises on legal policy documents referred to the Office for consideration.
- the Library and Research Unit which provides information, know-how and research services for both legal and administration staff.

**1.9** The **Garda Síochána** are responsible for investigating crime. This investigative function is independent of the Director and her Office. They also make the decision whether to prosecute in respect of most minor offences, and conduct those cases in court. When the Garda Síochána prosecute, they do so in the Director's name and are subject to any direction the Director may give in respect of that particular prosecution. In addition, they are subject to general directions issued by the Director from time to time following consultation with the Garda Commissioner.

**1.10** The 32 **local State Solicitors**, (one in each county outside Dublin, except

Galway, Limerick, Kildare, Tipperary and Wicklow, which have two each, and Cork, where there are four) are independent solicitors in private practice who, on a contract basis, provide a solicitor service in their respective areas to the Director.

**1.11** **Independent barristers** are instructed by the Director to carry out advocacy work in cases heard before a jury or in the Special Criminal Court or the appellate court.

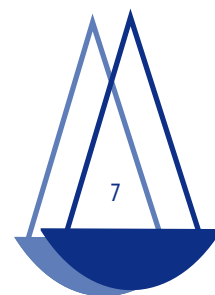
**1.12** In addition there are a number of **specialised investigation agencies** with power to investigate crime in specific sectors. They include the Revenue Commissioners, the Competition Authority, the Office of the Director of Corporate Enforcement, the Health & Safety Authority, the Environmental Protection Agency and the Garda Ombudsman Commission. Their relationship to the Director is similar to that of the Garda Síochána. However, some may bring summary prosecutions in their own name.

## INVESTIGATION AND PROSECUTION

**1.13** The prosecution of an offence involves three principal stages:

- the investigation of a crime;
- the decision to prosecute or not to prosecute; and
- the management of the case after the decision to prosecute is made.

**1.14** The Director has no investigative function. The investigation of criminal offences is, in general, the function of the Garda Síochána. There are also specialised investigating authorities. The Director co-operates regularly



with the investigative agencies during the course of criminal investigations, particularly in furnishing relevant legal and prosecutorial advice, but does not direct them.

## THE DECISION TO PROSECUTE

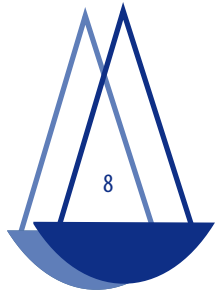
- 1.15** The Director and her staff make the decision whether to prosecute and for what offences in all cases tried on indictment and other serious cases. Summary cases are initiated and prosecuted by the Garda Síochána in the District Court in the Director's name but subject to the Director's directions both general and specific. A decision by the Garda Síochána whether or not to prosecute does not preclude the Director from deciding otherwise, if the matter is brought to her attention.

## THE MANAGEMENT OF THE CASE AFTER THE DECISION TO PROSECUTE

- 1.16** The overall management of serious cases after the decision to prosecute rests with the Director and her professional staff. They also take such decisions as whether to accept a plea of guilty to a less serious charge; whether to appeal a decision; whether to withdraw a prosecution or enter a *nolle prosequi*.
- 1.17** The provision of a solicitor service is the responsibility of the Solicitors Division, under the Chief Prosecution Solicitor, or the local state solicitor. The solicitor is responsible for the general preparation of the case including preparing books of evidence, representing the prosecution at all pre-trial hearings or applications, including the taking of depositions or taking evidence by videolink, other pre-trial matters such as disclosure of documents, and ensuring that the case is ready to

proceed on the date fixed for trial. The solicitor is responsible for instructing and attending any counsel engaged in the case.

- 1.18** Outside the Dublin Metropolitan District summary prosecutions are normally presented in court by a Superintendent or an Inspector of the Garda Síochána. In some cases, the local state solicitor will present the case or, occasionally, counsel may be retained. Within the Dublin Metropolitan District, more straightforward summary prosecutions are presented by members of the Garda Síochána. Solicitors from the Solicitors Division of the Office of the DPP present the more complex cases.





# 2 MISSION STATEMENT

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**2.1** The mission of the Director of Public Prosecutions and her Office is:

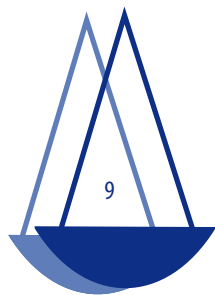
**“To provide on behalf of the People of Ireland a prosecution service that is independent, fair and effective.”**

**2.2 The People:** The Constitution of Ireland provides that crimes and offences are to be prosecuted in the name of the People. It is central to the role of the Director and her Office that prosecutions are brought on behalf of the People

**2.3 Independence** is a core value of the Office. The Prosecution of Offences Act, 1974, established the office of Director of Public Prosecutions as an independent office. The need for the prosecution service both to be and to be seen to be independent was a key reason for its establishment. Subject to the Courts, the Director is independent of all other bodies and institutions, including both the Government and the Garda Síochána, and decisions are taken free from political or other influence.

**2.4 Fairness** is an essential component of a prosecution service in a democratic society. The Director’s Office aims to operate to the highest professional standards and to treat all those with whom it has dealings fairly, equally, and consistently without any wrongful discrimination.

**2.5 Effectiveness:** The Office aims to provide the highest quality service at a reasonable cost. The accounting officer of the Office is accountable to the Oireachtas through the Committee of Public Accounts for its expenditure of public money and for its economy and efficiency in the use of its resources



# 3 ENVIRONMENTAL CONTEXT

## INTRODUCTION

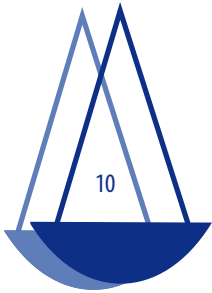
- 3.1** In order for the Office to provide a high quality prosecution service at an economic cost, it is essential that we take account of the changing environment within which we must operate. The changing environment will impact on the way we do business in the next three years. This Strategy Statement provides us with an opportunity to outline key environmental factors, to look at the effect they will have on our service, and to set out the measures we will put in place to ensure the delivery of an effective and efficient prosecution service in light of changed circumstances.
- 3.2** During the lifetime of our last Strategy Statement much work was done in progressing towards a fully integrated prosecution service. The single most significant impediment to achieving this integration has been the fact that since the establishment of the Solicitors Division in 2001 the Office has been split over two locations. In 2011 a commitment was given to accommodate the Office of the DPP in the former Department of Defence Headquarters building on Infirmar Road adjacent to the Criminal Courts Complex. This project progressed substantially during 2012 when the Directing Division of the Office, together with two sections of the Solicitors Division, moved into the new accommodation. It is hoped that the remaining sections of the Solicitors Division, currently accommodated in North King Street, will move to the Infirmar Road Headquarters building during the lifetime of this Strategy Statement. This will greatly enhance the capacity

of the Office to reorganise its work so that it can provide a more efficient and streamlined service.

- 3.3** There have also been major changes in the legal environment and the management and governance environment within which the Office operates. The challenges posed by these changes have required the Office to adopt new ways of working and new procedures and practices. The three year period covered by this Strategy Statement will contain many of the challenges faced in the past. However, it is clear that the difficulties posed by current economic environment will create new and complex challenges which will need to be successfully addressed if the Office is to continue to deliver an effective prosecution service.

## BUDGETARY ENVIRONMENT

- 3.4** In common with all other public service organisations, it seems clear that the changed economic circumstances will present the most significant challenge for this Office in the course of the next three years. Given the central importance of an effective prosecution service for any country it is essential that standards be maintained. The focus therefore in this Strategy Statement will be on how available resources can be most efficiently deployed in order to maintain current levels of service.
- 3.5** The implementation of the various Government initiatives to reduce public sector numbers is likely to give rise to greater difficulties for this Office than for many other public sector organisations who have some discretion over the services which they



deliver. However, the Office of the Director of Public Prosecutions has no discretion over the work which it must perform - nor has it control over the number of criminal investigation files which it receives.

## LEGAL ENVIRONMENT

### 3.6 Volume and complexity of work:

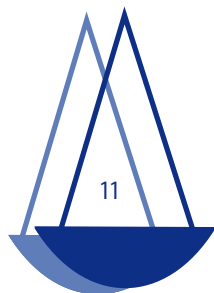
- The Office is now dealing with in excess of 16,000 prosecution files a year. These files are generally in respect of serious and complex matters. More straightforward cases are prosecuted by the Garda Síochána, without reference to this Office, in accordance with the General Directions under section 8 of the Garda Síochána Act 2005 which have over time expanded the scope of offences covered by the delegation. Factors such as changes in legislation and advances in technology have, in recent years, also resulted in an increase in the volume and complexity of the material submitted to this Office for consideration.
- There are a significant number of specialised regulatory agencies involved in the investigation and prosecution of criminal offences. These include the Revenue Commissioners, the Office of the Director of Corporate Enforcement, the Health & Safety Authority, the Competition Authority, local authorities, and the Environmental Protection Agency. Files received from specialised investigating agencies are frequently voluminous and can involve complex legal issues. Examples include workplace fatalities, financial matters, planning

and waste management cases, revenue matters and competition issues. Examination of these files is therefore very resource intensive.

**3.7 State Solicitors:** Responsibility for the State Solicitor Service was transferred from the Attorney General to the Director of Public Prosecutions in May 2007, giving effect to the final recommendation of the Public Prosecution System Study Group. The purpose of the transfer is to provide for a more streamlined prosecution service. The Chief Prosecution Solicitor is responsible for the day-to-day management of the service. Over the lifetime of this Strategy Statement the provision and maintenance of this service will be kept under review with a view to maximising efficiency and ensuring consistency in standards on a national level.

**3.8 Prosecution Policy Unit:** The Prosecution Policy Unit, established in 2008, plays a key role in developing internal policy guidance; working with other agencies in developing protocols relating to submission of material relating to prosecution files; managing responses to international and national criminal justice policy proposals; and co-operating with other agencies, both statutory and non-governmental, in research projects relevant to criminal law issues. The work of the Unit is fundamental to the operation of an effective and efficient prosecution service

**3.9 Asset Seizing:** A dedicated Asset Seizing Unit was established within the Solicitors Division of the Office in 2007. This Unit is tasked with implementing our confiscation of



assets strategy and monitoring and coordinating all applications brought under the Criminal Justice Act 1994. The establishment of this Unit ensures that specialised staff are assigned to this work and can track and report on outcomes. The Office continues to engage with An Garda Síochána, State Solicitors and Revenue to ensure best practice in the area of criminal confiscation and forfeiture of assets.

**3.10 Judicial Reviews:** Applications for judicial review represent a substantial area of work for the Office. Costs awarded against the Director in these cases can be significant. The Office will continue to monitor this area of work and co-operate with other agencies within the criminal justice system in an effort to reduce costs where possible.

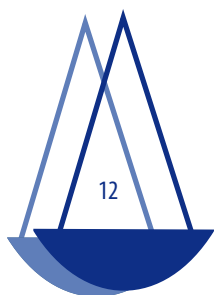
**3.11 EU Directive on Victims:** An EU Directive establishing standards on the rights, support and protection of victims of crime was adopted by the Council of the European Union in late 2012. The directive must be transposed into Irish law by 2015. There are a number of provisions in the directive which will have a direct impact on this Office, including the right of victims to receive information in relation to any decision not to prosecute the suspect. In October 2008 this Office introduced a policy whereby reasons for decisions not to prosecute are provided on request to the families of victims in fatal cases occurring after 22 October 2008. Further expansion of the policy will now be examined in light of the EU Directive on Victims. Consideration must also be given to the resource implications for this Office in implementing the directive into the future.

**3.12 Public Scrutiny:** The increased strength of groups representing victims and public concern about victims and issues relating to crime, have led to a situation where the work of the Office is increasingly carried out in the glare of intense public and media scrutiny.

## MANAGEMENT AND GOVERNANCE ENVIRONMENT

**3.13** The Office recognises that it is essential to ensure it has appropriate management and governance procedures in place if it is effectively to discharge its responsibilities. During the period of this Strategy Statement the Office will rely on the management and governance framework developed over the life of previous Strategy Statements. This framework will enable this Office to build on a range of initiatives already undertaken and to meet the challenges of delivering an effective prosecution service within the limits imposed by the current economic environment.

**3.14** A number of principles underpin the management and governance framework of the Office. Principal amongst these are the civil service initiatives which place a strong emphasis on setting and managing challenging targets at organisation, business unit and individual level. Management of the Office will continue to use business planning and the Performance Management and Development System (PMDS) as key elements of its organisational development programme. The independent Audit Committee of the Office which supervises the internal audit function is another key part of

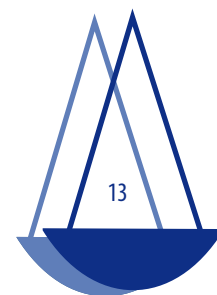


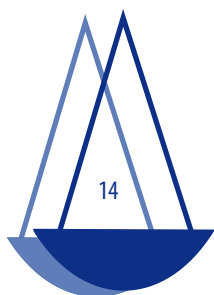
the governance framework. The Audit Committee's Charter mandates the committee to review systematically the control environment and governance procedures in the Office and provide reports and advice to senior management. During the life of this Strategy Statement the Audit Committee will supervise audits across all areas of the work of the Office. It will also keep under review the risk management strategies in place and assess how comprehensively they meet the challenges facing the Office.

- 3.15** The Management Advisory Committee (MAC) of the Office has utilised a range of civil service reform programmes over the years in its goal of improving the efficiency and effectiveness of the service delivered. The most recent programme, the Public Service Agreement 2010 - 2014, ratified in June 2010, commits public servants to an agreed agenda for change so as to achieve greater efficiencies and savings in the current economic climate. The Public Service Reform Plan, launched in November 2011, outlines key commitments and actions for change so as to ensure value for money in delivering public services while at the same time improving productivity and performance. The Plan has five central themes for reform: placing customer service at the core of what we do; maximising new and innovative service-delivery channels; radically reducing our costs to drive better value for money; leading, organising and working in new ways; and a strong focus on implementation and delivery. These are principles which are fundamental to the delivery of a quality prosecution service and which will inform the management

and governance strategies for this Office over the lifetime of this Strategy Statement.

- 3.16** In an environment where pressure on staff numbers will continue, it is envisaged that the Office will face significant challenges over the next three years in delivering on goals and objectives. The Partnership structures built up over the last number of years in the Office will therefore be crucial in providing a forum for consultation and discussion between managers and staff in the challenging times ahead.
- 3.17** While recognising that difficulties arising from reductions in staffing levels will need to be addressed, the Office also recognises the high calibre of the staff currently serving. HR practices implemented over the course of previous Strategy Statements will stand us in good stead over the difficult years covered by this Strategy Statement. The ongoing development of staff through the Civil Service Performance Management and Development System (PMDS) will continue to play a key role in ensuring that staff and managers of the Office have the necessary skills to do their job in an increasingly complex and difficult environment. The introduction of fundamental changes to the PMDS system, agreed in July 2012, will provide a more effective support for managing performance so as to ensure the highest standards of achievement during the lifetime of this Strategy Statement.
- 3.18** Continued training and development of staff will be crucial to the efficient operation of the Office over the course of the next three years. While training budgets will continue to be severely curtailed for the foreseeable future, the Office Training Steering Group is





committed to developing cost effective training solutions that will provide the necessary skills required by staff in order to deliver a high quality prosecution service.

**3.19** Central to any assessment of performance against clear objectives is the availability of accurate and detailed information against which to measure performance at both an individual and also an organisational level. The Case, Document Management and File Tracking system (CDMFT) introduced in 2008/2009 provides a single point of access for staff across all divisions of the Office.

**3.20** The CDMFT system provides detailed management information. The quality and comprehensiveness of this information will be a critical support to the delivery of the objectives set out in this Strategy Statement. The information provided by the CDMFT system will also be a key element in the performance reports which will be published over the life of this Strategy Statement.

**3.21** The implementation of shared services models for the Civil Service will create new challenges for this Office in the coming years. Shared services in areas such as HR, Finance, Payroll, Banking and Pensions will provide significant benefits through a reduction in duplication, streamlining of business processes and reduced transaction times. The shared services initiative, commenced in 2012, will be implemented on a phased basis. This Office is scheduled to move transactional elements of our HR processes to the HR Shared Services Centre (HRSSC) in 2014 and we will be working towards that target during the lifetime of this Strategy Statement.

## RELATIONSHIP WITH OTHER AGENCIES (NATIONAL / INTERNATIONAL)

**3.22** In order to provide services to the highest standards, it is essential for the Office to establish and maintain strong working relationships with many agencies and people. The efficient operation of the Office depends to a significant extent on the way its staff interacts with people and organisations externally involved in its work environment. Considerable progress has been made in establishing comprehensive communications with virtually all these groups. These relationships will be further strengthened and maintained during the period of this Strategy Statement.

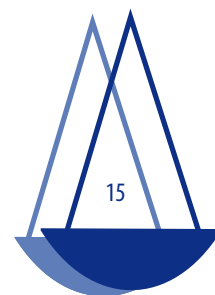
**3.23** The Office does not have a lawyer and client relationship with the Garda Síochána, other investigation agencies, or individual members of the public. Nevertheless it is the policy of the Office that in terms of promptness and standard of response these stakeholders should be treated as a good law office would treat its clients. Consequently staff are encouraged to be client-oriented, taking in general the type of approach which would be regarded as best practice by a law office in dealing with its clients. The elements of the Quality Service Initiative are central to this approach

**3.24** The main external contacts the Office has are with the following:

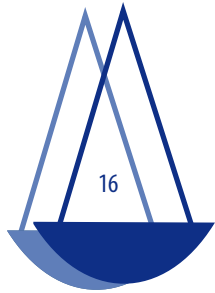
- The Attorney General, who is advisor to the Government on matters of law and legal opinion, including criminal law, and who has a statutory function to consult with the Director from time to time

in relation to matters pertaining to the functions of the Director. The Attorney General also has to consent to certain prosecutions being brought, notably under the Official Secrets Act, 1963.

- The Garda Síochána, who submit investigation files to the Office, act as prosecutors in District Court cases and implement the directions given by this Office in relation to such cases.
- Other agencies, including the Revenue Commissioners, the Competition Authority, Director of Corporate Enforcement, the Health & Safety Authority, Garda Síochána Ombudsman Commission, the Environmental Protection Agency and local authorities.
- Victims of crimes who are provided with certain assurances under the Victims Charter and the Quality Service Charter of the Office of the Director of Public Prosecutions. The EU Directive on Victims, to be transposed into Irish law by 2015, will establish statutory rights for victims of crime.
- The Commission for the Support of Victims; Court Support Groups; and Victim Support Agencies.
- The Forensic Science Laboratory, the State Pathology Service and the Medical Bureau of Road Safety, all of whom provide independent expert evidence in relation to criminal matters.
- The Criminal Assets Bureau, which, acting as a specialised unit of the Garda Síochána, submits investigation files to this Office, and implements the directions given by this Office in relation to such cases.
- Members of the Bar who are instructed to act in criminal prosecutions on behalf of the Office of the DPP.
- The medical profession, psychologists and other witnesses who may be called to give evidence on behalf of the prosecution.
- Criminal defence practitioners and their clients.
- The Courts and the Courts Service.
- The Law Reform Division of the Department of Justice and Equality, which is responsible for reforming the criminal law.
- The Law Reform Commission which is responsible for making recommendations for reform of the criminal law.
- Law Schools of the various universities in relation to our intern and research programmes.
- The European Union, in relation to recommendations in the area of criminal law and procedures.
- EUROJUST which is responsible for coordination among EU prosecutors concerning transnational crime.
- OLAF (Office Européen de Lutte Anti-Fraude) which was established in 1999 as an operationally independent office to protect the financial interests of the European Communities against fraud and corruption.



- GRECO which was set up under the auspices of the Council of Europe to monitor, through a process of mutual evaluation and peer pressure, the observance of the Council's *Guiding Principles in the Fight Against Corruption*.
- OECD (Organisation for Economic Co-operation and Development).
- Prosecution agencies abroad, in particular prosecution agencies from common law jurisdictions.
- International associations of lawyers and prosecutors, including the International Association of Prosecutors, the Heads of Prosecution Agencies Conference, the International Bar Association, and meetings of European prosecutors held under Council of Europe or EU auspices.

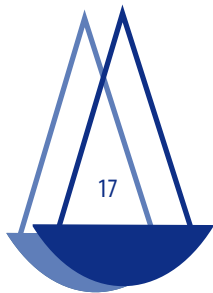




# 4 KEY OBJECTIVES

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- 4.1** In order to achieve its mission the Office has the following five key objectives:
- 1)** Understand the law and context of operation of the Office.
  - 2)** Develop vision and strategy for the future direction of the Office.
  - 3)** Maintain high standard of operating processes and systems to achieve independent, fair and effective prosecutions.
  - 4)** Interact and co-operate with all other participants in the criminal justice system in relation to cross-cutting issues with a view to improving the overall quality of service.
  - 5)** Maintain accurate public expectations of service.



# 5 DELIVERING ON KEY OBJECTIVES

**5.1** This chapter sets out the key objectives; key requirements to meet objectives; specific strategies intended to achieve each of the five key objectives; and performance indicators for each objective. The critical success factors that are essential to the achievement of these key objectives are set out in chapter 6.

## KEY OBJECTIVE 1:

**5.2** Understand the law and context of operation

### Key Requirements to meet objective:

- Professional staff have a thorough understanding of the applicable laws
- All staff have a thorough understanding of their role in the criminal justice system

### Strategies to ensure objectives are met:

- Provide a comprehensive programme of legal training and continuing legal education, outsourced or in-house as appropriate,
- Provide up-to-date legal information to staff via the Prosecution Policy Unit and the Library and Legal Research service of the Office
- Develop knowledge management strategies to ensure that legal knowledge is disseminated in a timely and effective manner and that systems are in place to facilitate effective recording and retrieval of such knowledge
- Provide information regarding our interaction with other agencies in the criminal justice system to all staff

### Performance Indicators:

- Number of hours professional development education delivered
- System for dissemination of information in place and continuously reviewed
- Timeliness and quality of information about legal developments monitored
- Knowledge management strategy operational

## KEY OBJECTIVE 2:

**5.3** Develop vision and strategy for the future direction of the Office

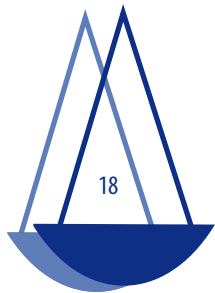
### Key Requirements to meet objective:

Top management must have a clear understanding of:

- Best international practice and emerging trends in public prosecution management
- Government policies on public sector reform
- Irish Criminal Justice sectoral reform issues
- How to approach organisational redesign to ensure the most efficient use of resources while maintaining an effective prosecution service

### Strategies to ensure objectives are met:

- Management Advisory Committee (MAC) to maintain its focus on strategies for future direction of the Office within the criminal justice system as a whole
- Ensure that implications of Government policies on public



sector reform form part of strategic reviews undertaken by MAC

- Review current work practices across the organisation and develop policies that support optimum use of allocated resources
- Develop vision at MAC level for greater co-ordination between the two legal divisions within the Office in the context of the planned single Headquarters building
- Keep the structures for the strategic management of the organisation as a whole and the State Solicitor Service under review
- Utilise the management information available from Office IT systems to provide the information to support the performance indicators for the Office
- Maintain contact with international prosecution organisations and international bodies to keep abreast of developments in public prosecutions

#### Performance Indicators:

- Regular reviews by MAC as to development and currency of strategies outlined in Strategy Statement
- Policies that ensure optimum use of allocated resources in place
- Staff with required skills in place and contingency procedures in place
- Efficiencies and effectiveness gained from greater co-ordination between the two legal divisions within the Office as a result of the planned move to a single Headquarters building

- Structures in place including Business Plans for all Units; HR Strategy; Performance Management and Development System; and Partnership Committee
- Performance reports produced and reviewed on regular basis

#### KEY OBJECTIVE 3:

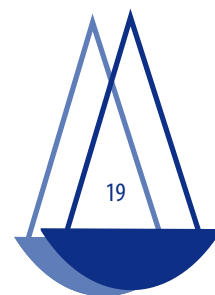
- 5.4** Maintain high standard of operating processes and systems to achieve independent, fair and effective prosecutions

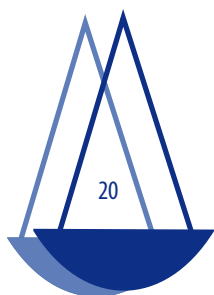
#### Key Requirements to meet objective:

- Policies in place to support the prosecution process
- Decisions and actions taken at appropriate level both within and outside the organisation
- Decision makers in process properly informed
- Effective and comprehensive support services
- Comprehensive management information available

#### Strategies to ensure that objectives are met:

- Strategy for delegation of decision-making function, both within and outside organisation, monitored and reviewed
- Implement systems for the monitoring of consistency of standards
- Ensure Guidelines for Prosecutors and Code of Ethics adhered to





- Establish a system to ensure all communications from stakeholders are dealt with in an appropriate manner
- Have in place a complaints handling system and monitor and review complaints received
- Monitor systems for the selection and evaluation of Counsel to ensure that counsel who are expert in the practice of criminal law are briefed by the Director, bearing in mind her statutory obligation
- Develop IT systems which support the prosecutorial process and provide management information which facilitates the analysis of the effectiveness and timeliness of the prosecution process
- Develop systems to ensure that decision-makers in the Office have the fullest information from other persons involved in the prosecution process
- Proportion of directions carried out
- Timescale within which decisions are implemented
- Completion of evaluation of implementation of policy on the giving of reasons for prosecutorial decisions and recommendations implemented
- Communications dealt with in a timely and appropriate manner
- Complaints handled in accordance with policy guidelines
- Number of appeals lodged and outcome
- Number of cases in which proceeds of crime confiscated and value of proceeds
- Fair and transparent system for selection of counsel operational
- Briefs assigned to counsel in compliance with section 7 of the Prosecution of Offences Act, 1974

#### Performance Indicators:

- Policies in relation to prosecution matters in place
- Operation of comprehensive delegation strategy
- Consistent application of standards and approach
- Timeliness of decisions and conduct of cases
- Compliance levels with Guidelines for Prosecutors and Code of Ethics highlighted by case audits and mechanism for dealing with complaints
- Evaluation of performance of counsel
- Administrative support services reviewed and recommendations implemented
- Percentage of cases where additional information required
- Analysis of case outcomes through Management Information Framework (MIF)
- Volume of outputs related to staff numbers

**KEY OBJECTIVE 4:**

- 5.5** Interact and co-operate with all other participants in the criminal justice system in relation to cross-cutting issues with a view to improving the overall quality of services.

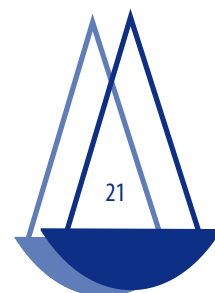
**Key Requirements to meet objective:**

- Agreement on roles of participants
- Exchange of information between all participants in the criminal justice system both national and international
- Satisfactory treatment of victims and witnesses
- Liaison with other participants in the Criminal Justice System regarding implementation of the directive on the rights of victims through future domestic legislation
- Contribute to and participate in national and international groups and organisations

**Strategies to ensure that objectives are met:**

- Ensure all agencies to whom we provide a service are clear as to their respective roles by exchange of information, regular bi-lateral liaison and effective inter-agency agreements
- Maintain permanent top-level liaison links with the Garda Síochána to deal with issues of common interest on an ongoing basis. These issues include:
  - Assisting the Garda Síochána through provision of training in legal matters for the Garda Síochána

- Providing the Garda Síochána with legal advice on requests concerning legal questions which may arise at the investigation stage
- Working with the Garda Síochána to promote systems which will enhance the quality and effectiveness of investigation files
- Promulgate and keep under review general directions to the Garda Commissioner under section 8 of the Garda Síochána Act 2005
- Maintain top-level liaison with other key actors in the criminal justice system through meetings of the Criminal Justice Group
- Contribute to the reform of criminal law and efficiency of the criminal justice system by referring problems which arise in practice to: the Attorney General; the Minister for Justice and Equality; other appropriate Ministers; the Law Reform Commission; the Courts Service; or the two branches of the legal profession, as appropriate
- Develop operational procedures to give effect to commitments in Victims Charter & Quality Service Charter of the Office of the Director of Public Prosecutions
- Continue to liaise with the Garda Síochána and victim representative groups regarding service delivery to victims of crime
- Contribute to discussions regarding the transposition of the EU Directive on Victims into Irish law and ensure that systems are in place so that this





Office can implement the provisions of the legislation pertaining to the prosecution service

- Contribute to the process of international mutual assistance and judicial cooperation through participation in EUROJUST and through cooperation with the Office of the Attorney General, the Garda Síochána and the Department of Justice and Equality
- Organise national and international conferences / seminars for purposes of exchange of information and discussion on issues of mutual concern
- Participate in inter-agency working groups and committees
- Participate in the work of international organisations of lawyers and prosecutors, thereby ensuring the Office keeps abreast of relevant developments in other jurisdictions and continues to operate in accordance with accepted international standards, notably those set out by the United Nations, the Council of Europe and the International Association of Prosecutors

#### Performance Indicators

- Inter-agency protocols in place as required
- Meetings of DPP / Garda Liaison Committee
- Training days provided to the Garda Síochána
- Level of compliance with general directions issued under section 8 of the Garda Síochána Act, 2005

- Percentage of cases where additional information is required
- Number of submissions made on reform of criminal law justice system
- Ongoing liaison with professional witnesses or their representative groups
- Number of meetings and ongoing liaison with victim representative groups
- Contributions to the work of international organisations
- Attendance levels at conferences organised
- Progress of working groups and committees
- Currency of information available on developments in other jurisdictions

#### KEY OBJECTIVE 5:

- 5.6** Maintain accurate public expectations of service

#### Key Requirements to meet objective:

- Public understanding of the work of the Office
- Public confidence in the prosecution process

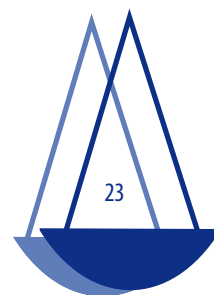
#### Strategies to ensure that objectives are met:

- Make available as much information about the work of the Office of the Director of Public Prosecutions as is possible, in particular through publication of Annual Reports, Guidelines for Prosecutors, information booklets and other Office publications

- Maintain a bi-lingual website that is accessible and contains information relevant to the target audience
- Treat victims and witnesses of crime with sensitivity and understanding in accordance with the undertakings given in the Victims Charter & Quality Service Charter of the Office of the Director of Public Prosecutions
- Have in place a Quality Service Charter setting out standards of service which can be expected from the Office of the Director of Public Prosecutions
- Complaints dealt with in a timely and effective manner
- Promote openness and public awareness of role of Office

#### Performance Indicators:

- Publication of comprehensive Annual Report within 6 months of year end
- Number and extent of distribution of information booklets
- The currency and accessibility of information available on website
- Analysis of usage of website
- Quality Service Charter and Action Plan published
- Complaints handling policy in place and monitored
- Number of public interviews given; presentations made at conferences and seminars; and articles published



# 6 CRITICAL SUCCESS FACTORS

- 6.1** A number of factors are critical to the achievement of the objectives set out in this Strategy Statement. Some of these factors are external to the Office of the Director of Public Prosecutions and outside the control of the Office. Others are internal factors over which the Office has control.

## FACTORS OUTSIDE OF THE CONTROL OF THE OFFICE

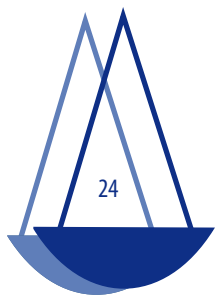
- 6.2** The changing economic climate is possibly the single most significant factor which will affect the delivery of the objectives set out in this Strategy Statement. During the lifetime of this Strategy Statement it is envisaged that resources will come under pressure through retirements, resignations or long term leave entitlements. The moratorium on recruitment and promotions in the public service will mean that these vacancies may not be filled. While every effort will be made to reorganise work practices and use existing resources to maximum benefit, a significant reduction in staff numbers will undoubtedly impact on the level of service which the Office can provide.

- 6.3** Progress was made during 2012 in achieving our ultimate goal of accommodating all divisions of the Office in a single headquarters site. The Directing Division of the Office moved from Merrion Street to the new headquarters building in Infirmar Road in June 2012. In September 2012 two sections of the Solicitors Division - District Court and Circuit Criminal Trials Section - also moved to the new accommodation which is adjacent to the criminal courts complex. The remaining sections of the Solicitors Division, together with sections of the

Administration Division, are located in North King Street. If all divisions of the Office were located in the single headquarters it would allow for greater scope to reorganise work which would result in greater efficiencies and better use of available resources. At time of writing the Office is working with the Office of Public Works and the Department of Public Expenditure and Reform in an effort to secure additional accommodation on the Infirmar Road site so that all sections of the Office can operate from a single headquarters location.

- 6.4** This Office has for some time been considering the expansion of our policy on the giving of reasons for decisions. However, the finalisation of the EU Directive on the rights of Victims in 2012 has overtaken an internal policy decision on this matter. When the required domestic legislation to transpose this directive into Irish law is passed it will establish minimum standards on the rights, support and protection of victims of crime. This will include the right of victims to receive information in relation to any decision not to proceed with or to end an investigation or not to prosecute the alleged offender. This will have significant resource implications for this Office. We will be working closely with other criminal justice agencies during the lifetime of this Strategy Statement to put systems in place so that the provisions of the directives can be implemented when legislation is enacted.

- 6.5** While this Office will endeavour to ensure the most effective use of resources within the criminal justice system by encouraging the coordination of the activities of





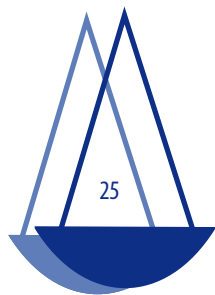
the various agencies and bodies concerned, the success of this will ultimately be dependent upon the level of co-operation of the other agencies.

## **FACTORS WITHIN THE CONTROL OF THE OFFICE**

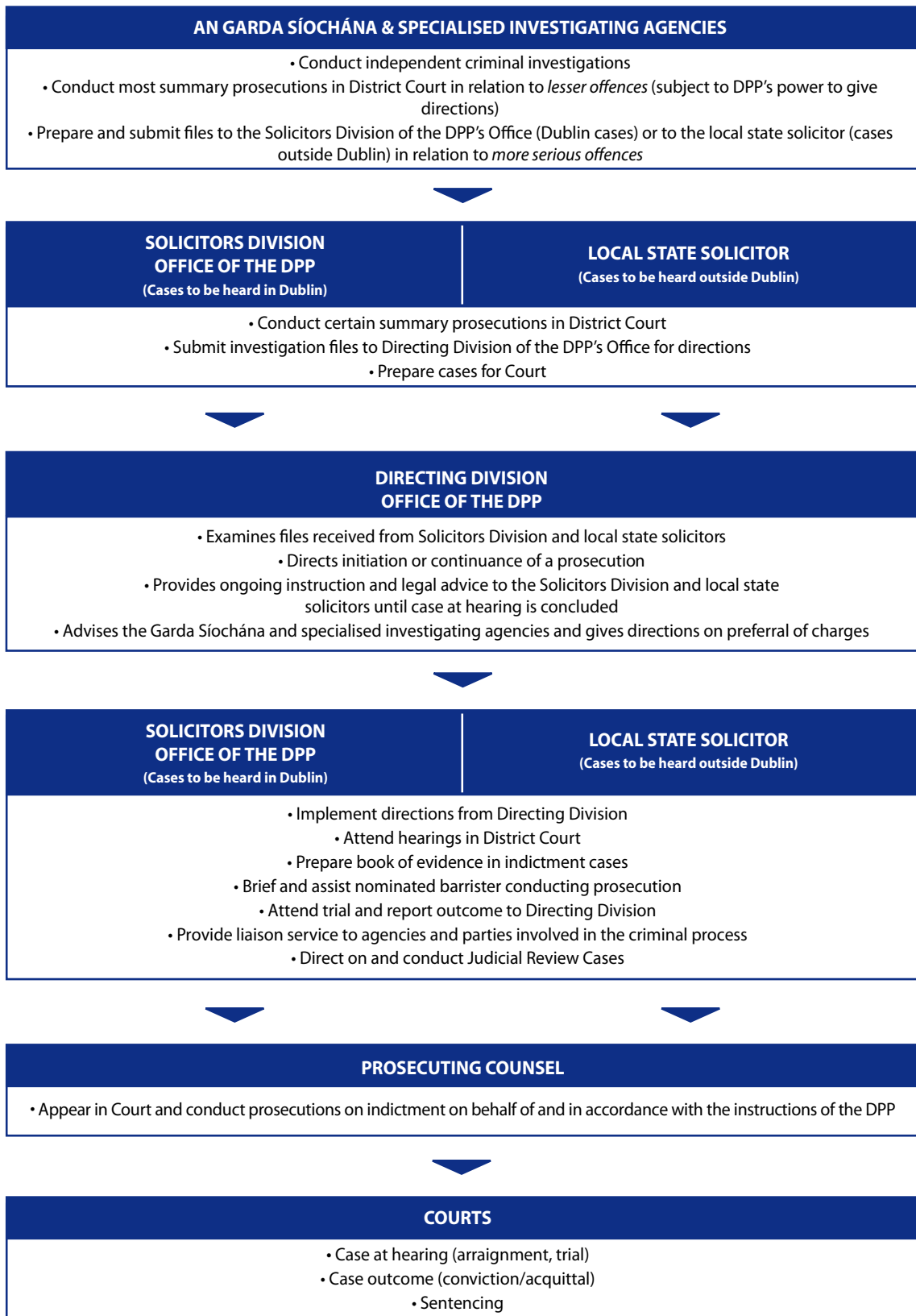
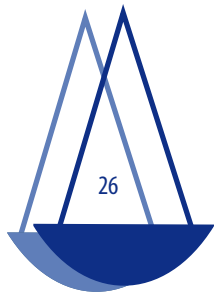
- 6.6** The Office must ensure that allocated resources are used to best effect so that the provision of the prosecution service is not compromised. A review of existing resources in light of the move to a single Headquarters building will be undertaken during the lifetime of this Strategy Statement and initiatives to streamline services will be implemented wherever possible.
- 6.7** Continued updating and management of our Case and Document Management File Tracking system will be undertaken in order to ensure that it supports the management information needs of the Office .
- 6.8** The development of internal prosecution policy over the lifetime of this Strategy Statement will be a key factor in underpinning consistent standards across the organisation.
- 6.9** Necessary specialisation of staff must be planned for in order to meet the continuing demands of increasingly complex and new areas of criminal law.
- 6.10** Human resource management systems must be developed in a cost-effective manner to enhance the skills and competencies of staff at all levels through a training and development programme devised in conjunction with the Performance Management and Development System. Greater emphasis will be placed on developing in-house legal training programmes

through utilisation of the wide legal knowledge base and experience of specialised areas of criminal law which exists in the Office.

- 6.11** The moratorium on promotions will inevitably limit the ability of the Office to provide a structure of career advancement for staff. The Office has however developed an internal mobility policy to ensure that staff have opportunities to gain experience in a variety of different areas within the Office so that they can build on their knowledge and expertise. We will continue to implement the mobility policy during the lifetime of this Strategy Statement.



# 7 OUTLINE OF THE CRIMINAL PROSECUTION PROCESS



# 8 ORGANISATION CHART

