



OIFIG AN ARD-RUNAÍ, AN RIONN DLÍ AGUS CIRT AGUS COMHIONANNAIS
OFFICE OF THE SECRETARY GENERAL, DEPARTMENT OF JUSTICE AND EQUALITY

Ms. Niamh Maguire,
Committee Secretariat,
Committee of Public Accounts,
Leinster House,
Dublin 2.

31 March, 2014

Dear Ms. Maguire,

I wish to refer to your letter of 24th March, 2014 in relation to my recent appearance at a meeting of the Committee of Public Accounts.

The additional information requested is set out below.

1. State Pathology Building Project

The requested breakdown of the two figures for miscellaneous costs of (i) €81,062 and (ii) €15,795 which appear in Figure 9.1 of Chapter 9 of the C&AG's report is as follows:

(i) €81,062 – 2006 to 2010

Pre-Liquidation Miscellaneous Costs	
Expenditure Type	Amount
Advertising	423.72
Catering	473.89
Electrical Connection	30,738.07
Gas Connection	5,987.13
General Service Contract	6,852.60
Modelling & Design	8,409.50
Security	7,995.00
Stationary	1,185.48
Survey	18,997.00
Total Expenditure	81,062.39

(ii) €15,795- 2011 to date

Post Liquidation Miscellaneous Costs

Expenditure Type	Account
Construction/Refurbishment Contract	10,706.41
General Hire Charge	61.50
Survey	5,027.55
Total Expenditure	15,795.46

2. Charities Regulation and Charitable Lotteries Fund

(i) *Fees which will be payable to the Chairman and board members of the Charities Regulatory Authority*

In the accordance with the fee structure set by the Department of Public Expenditure and Reform, members of the Charities Regulatory Authority will receive fees of €5,985 per annum and an annual fee of €8,978 will be payable to the Chairperson. Travel and subsistence expenses will be payable, where applicable, in respect of attendance at meetings.

(ii) *Charitable Lotteries Fund 2013*

The breakdown of payments from the Fund in 2013 is as follows;

Charity	2013 Distribution (€)
Rehab Group	2,581,293.36
Gael Linn	319,194.87
Asthma Society of Ireland	240,229.03
The Hanly Centre	127,866.16
Irish Cancer Society	124,891.05
Polio Fellowship of Ireland Ltd.	124,891.05
Irish Lung Foundation	72,777.51
Ataxia Ireland	58,300.07
West of Ireland Alzheimer Foundation	66,188.27
Drogheda Community Services Trust	59,551.34
Irish M.E. Trust	50,355.20
ATK Community Centre	48,856.22
Longford Cathedral Circle	30,604.55
ISPCC	29,067.71
Associated Charities Trust	18,523.79
Lyreacrompane Community Development Ltd	13,252.57
Mulranny Day Centre Housing Co. Ltd.	12,505.33
Sliabh-Ardagh Rural Development Ltd.	10,934.26
Cappoquin Community Development Co. Ltd.	10,717.66
TOTAL:	4,000,000.00

The Charitable Lotteries Scheme is confined to private charitable lotteries whose lottery products are in direct competition with comparable National Lottery products. Under the Scheme, eligible charities are assisted in proportion to the volume of their average annual gross lottery turnover in the three most recent years of account, as certified by the organisations auditors.

Applications under the scheme are checked by officials from the Departments Charities Regulation Unit against all the criteria and requirements of the Scheme. The requirements sought from applicants are set out in the detailed instructions and an application form for assistance under the Scheme.

In this context, it should be noted, that the Departments Internal Audit Unit carried out an audit of the administration of the scheme by the Charities Regulation Unit in 2012 and found an adequate system of internal controls in place and that the formula and calculation for the distribution of monies to the recipients was correctly applied in all cases.

(iii) Representations in relation to the scheme

The Rehab Group requested and obtained a meeting with Minister Shatter and representatives of the Department on the future of the Charitable Lotteries Fund, in advance of the decision to phase out the Fund. This meeting took place in November 2011.

In addition, seven representations were received in late 2012/ early 2013, following the communication to recipients in October 2012 of the decision to wind down the operation of the Fund;

- 1 representation from Gerald Nash T.D. on behalf of Drogheda Community Services Trust
- 2 representations from Margaret McCullen, Drogheda Community Services Trust
- 1 representation from Antione Ó Coilean, Gael Linn
- 1 representation from Siobhan Olofsson, Hanly Centre
- 1 representation from Sharon Cosgrave, Asthma Society of Ireland
- 1 representation from Fr. Thomas Healy, Longford Cathedral Circle

3. Criminal Injuries Compensation Tribunal

(i) Names of Former Members and Tribunal Fees Paid 2011 - 2013

In accordance with the provisions of the Scheme, Tribunal members provide their services on a part-time basis and are paid for work done on the following basis:

Annual Chairperson Fee:	€2,062.38
Single Member Decisions, CICT Scheme:	€ 160.84
Appeal Hearing Sittings:	€ 361.39
Meetings of Entire Tribunal (not common):	€ 272.39

The total fees paid to each former member of the Tribunal for each year 2011-2013 are set out in the Table below:

MEMBERS FEES

Member	2011	2012	2013*
Ms Sinead Behan, BL Chair	€5,804.74	€5,348.02	Nil
Mr Conor Bowman, BL	€8,398.38	€8,994.36	€6,984.95
Mr. Eamon Murray, Solicitor	€12,319.37	€11,016.54	€13,323.44
Mr. Michael Gilvarry, BL	€6,521.25	€6,053.51	€5,571.44
Ms Fiona Gallagher, BL	€6,001.90	€8,666.66	€13,299.07
Ms Rosemary Healy-Rae, BL	€6,930.65	€14,343.44	€8,062.78
Mr. Mícheál O'Connell, BL	€3,646.03	€3,373.64	€955.17
Totals	€49,622.62	€57,886.17	€48,196.85

*Some of the fees payable in one year may relate to work carried out in the prior year. There were a relatively large number of cases concluded in the first four months of 2013, prior to the expiration of the term of office of the Tribunal on 30 April 2013.

(ii) Tribunal Awards Made

Details of the total number of accepted awards made, within different value bands, for each of the year 2011-2013 are outlined below. In each case the total amount of monies expended in each year in relation to these awards fell within the sums allocated by the Dáil. In relation to the names of persons who received awards, the Tribunal is not in a position to forward the names of the recipients as this information is regarded as personal and confidential.

ACCEPTED AWARDS 2011 TO 2013

VALUE BAND	No. of Awards 2011	No. of Awards 2012	No. of Awards 2013
€0 – €1,000.00	8	8	18
€1,001 – €5,000.00	31	36	29
€5,001 – €15,000.00	15	22	25
€15,001 – €25,000.00	12	13	3
€25,001 – €50,000.00	39	16	18
€50,001 – €100,000.00	9	4	3
€100,001 – €250,000.00	10	4	5
€250,001 – €500,000.00	3	4	2
€500,001 – €1,000,000.00	1	2	NIL
Over €1,000,000.00	2	2	NIL

(iii) Structure of Tribunal Membership

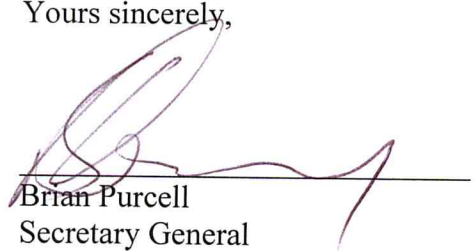
The Scheme is administered by a Tribunal consisting of a Chairperson and six ordinary Members who must be either practicing barristers or practicing solicitors and who are appointed by the Minister for Justice and Equality.

The term of Office of the Tribunal expired on 30th April, 2013. The names of the former Tribunal members are set out at 3(i) above. In accordance with the provisions of Paragraph 17 of the Scheme of Compensation for Personal Injuries Criminally Inflicted, the Minister is in the process of appointing a new Tribunal at present. The Minister has already appointed a new Chairman to the Tribunal, Mr. John Cheatle,

B.L. There are 6 ordinary members to be appointed and the positions are to be advertised in the coming weeks.

Please let me know if you need anything further.

Yours sincerely,



Brian Purcell
Secretary General
Department of Justice and Equality