



**An Roinn Dlí agus Cirt**  
**Department of Justice**



## **Department of Justice**

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### **Office of the State Pathologist**

## **Performance Delivery Agreement 2023**

## **1. Background and context**

### **1.1 Objectives of this Agreement**

The purpose of this Agreement is to define, in the context of the resource inputs provided, the targets by which the performance of the Office of the State Pathologist (OSP) will be measured in 2023. The ongoing supports that the Department of Justice will provide to the OSP in this regard, and the mechanisms for monitoring and appraising performance, form part of the overall governance arrangements between the two parties and as such are set out in the separate but complementary multiannual Oversight Agreement.

### **1.2 Inputs**

#### *1.2.1 Financial Inputs*

The OSP's budget allocation for 2023 is as follows:

Pay	€	1.314m
Non-Pay	€	0.239m
<b>Total</b>	<b>€</b>	<b>1.553m</b>

#### *1.2.2 Staffing Resources*

The following table sets out the OSP's whole-time equivalent staffing levels as at 1<sup>st</sup> January 2023:

Chief State Pathologist	1
State Pathologist	2
Deputy State Pathologist	2
*Locum Assistant State Pathologist	0.3
Higher Executive Officer	0.6
Executive Officer	1
Clerical Officer	2.8
Senior Scientist	1
<b>Total</b>	<b>10.7</b>

*\* Funded from non-pay budget*

## **2. Performance Targets**

The following are the principal targets that will be referenced in 2023 to assess the OSP's efficiency and productivity in using the resources allocated to it.

### **2.1 Quantitative targets**

<b>Output area or initiative</b>	<b>Metric</b>	<b>2023 Target</b>	<b>2022 Target</b>	<b>2022 Outturn</b>	<b>2021 Target</b>	<b>2021 Outturn</b>
Post mortem examinations (PMEs)	Percentage of PMEs performed within 1 day of notification from Coroner	<b>80%</b>	80%	71%	80%	80%

Output area or initiative	Metric	2023 Target	2022 Target	2022 Outturn	2021 Target	2021 Outturn
performed in suspicious or unusual deaths	Percentage of case reports peer reviewed	100%	100%	100%	100%	100%
	Percentage of final reports issued to Coroners within 120 days of PME taking place	60%	65%	51%	60%	60%
	Percentage of homicides reviewed at intervals of 6-8 weeks	100%	100%	100%	100%	100%

\* Timeframes for finalising PME reports are not fully within OSP's control owing to dependencies on the receipt of ancillary investigation reports (toxicology etc) from external providers.

## 2.2 Other targets

Output area or initiative	Target
Teaching and elective attachments	Three completed projects by end 2023 <ol style="list-style-type: none"> <li>1. Restraint related deaths review (Q2)</li> <li>2. Rib injuries from stab wounds to the trunk (Q2)</li> <li>3. LUCAS/CPR related injuries (Q4)</li> </ol>
Business improvement projects	Two completed projects by Q3 <ol style="list-style-type: none"> <li>1. Turnaround times for reports</li> <li>2. Turnaround times for toxicology</li> </ol>
Academic/research publications	Two publications in peer review journals by Q4
EQA results histology lab	Adequate scores achieved (accreditation standard) by Q4
Use of data from LIMS to engage with National Quality Improvement Programme, Histopathology, RCPI	Compile Q4 2022 data for NQIP by end Q2
Introduce paperless reporting to coroners via secure email addresses on a nationwide basis.	By end Q2

## 2.3 Main risks to achievement of targets

The main potential risks to achievement of the targets set out in this Agreement, and the corresponding mitigation measures in place, are as follows:

Key Risk/ Risk Factor	Impact	Key Controls/ Mitigations
Mortuary or mortuary staff not available to perform post mortem examinations in state cases	<p>Direct impact on our ability to meet our target of 80% of PME being performed in 24 hours.</p> <p>Pressure on other mortuaries to support the forensic service</p> <p>Pressure on Gardaí when suspect in custody</p>	<ul style="list-style-type: none"> <li>• Liaise with local coroners and coroners operations service to ensure back up plans in place where mortuaries and/or staff are unavailable.</li> </ul>
Post mortem radiology services unavailable	<p>Direct impact on our ability to meet our target of 80% of PMEs being performed in 24 hours.</p> <p>Pressure on Gardaí when suspect in custody</p>	<ul style="list-style-type: none"> <li>• OSP to engage with DOJ to explore the prospect of a formal agreement with HSE on the provision of PM radiology around the country.</li> </ul>
Incomplete data entries on LIMS system	<p>Incomplete data submitted to the NQIP programme for Q4 2022</p>	<ul style="list-style-type: none"> <li>• Coaching/training/feedback as necessary to help ensure completeness of LIMS records.</li> <li>• Three monthly review of data entry to ensure it is complete and to fill in any gaps.</li> </ul>
Risk of COVID-19 resurgence	<p>Any resurgence may impact speed of delivery of ancillary investigation results in cases, which may in turn affect turn-around times</p> <p>Remote working of staff (if required) may impact peer review, typing and turnaround times</p>	<ul style="list-style-type: none"> <li>• All office and pathology staff provided with remote working capability including Dictaphone typing software</li> <li>• Appropriate, confidential remote methods for peer review and case review meetings</li> <li>• Regular contact with all employees</li> <li>• Use of equipped facilities in no swab priority cases.</li> </ul>
Delays receiving toxicology, neuropathology and other results	<p>Will impede the finalisation of PME reports</p>	<ul style="list-style-type: none"> <li>• Dedicated office staff member follows up with relevant laboratories</li> <li>• Audit of toxicology transport and receipt following autopsy to be circulated to Criminal Governance, An Garda Síochána and State Laboratory.</li> </ul>
Human error leading to errors in reports or reports going missing	<p>Reputational damage, report not meeting legal requirements, legal challenge etc.</p>	<ul style="list-style-type: none"> <li>• Peer review of all case reports</li> <li>• Transition to paperless provision of PME reports to coroners on secure email addresses (healthmail).</li> </ul>

Surge in demand for OSP services	Would impact on all aspects of OSP's work (timelines in respect of PME's, reports, admin work etc.)	<ul style="list-style-type: none"> <li>• Engagement with Mass Fatality Expert Group as part of the National Major Emergency Management framework, to consolidate draft preparations for any mass fatality event</li> <li>• Draft national plan is in place and was used as a basis for the Covid-19 mortality response as well as for other smaller events in the past.</li> </ul>
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**2.4 Amendment of targets**

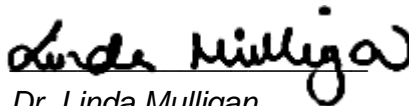
In exceptional circumstances, it may become necessary to amend one or more targets over the course of this Agreement. Where either party believes this may be necessary, they shall consult with the other party with a view to agreeing any appropriate changes as soon as practicable.

**3. Duration and signatories to the Agreement**

Carole Sullivan, Acting Assistant Secretary, Department of Justice, and Dr. Linda Mulligan, Chief State Pathologist, affirm that this Agreement shall be in effect from the date hereunder until 31st December 2023.



*Carole Sullivan  
Assistant Secretary (Acting)  
Department of Justice*



*Dr. Linda Mulligan  
Chief State Pathologist  
Office of the State Pathologist*

**Date: 25<sup>th</sup> January 2023**