

Department of Justice and Equality

Performance Agreement

Office of the State Pathologist

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2017

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1. Introduction

- 1.1** The Department of Justice and Equality has responsibility *inter alia* for the prevention and detection of crime. The Programme for Government 2011-2016 and Statement of Government Priorities 2014-2016 are the core reference points for strategic direction of crime policy in Ireland and for driving the implementation of an integrated response to crime. This is reflected in the Department's Strategy Statement for 2015-2017.
- 1.2** The aim of our crime policy is to make Ireland a safe and secure place. To do this we work with the key agencies involved one of which is the Office of the State Pathologist.
- 1.3** The Office of the State Pathologist (OSP) provides independent expert advice on matters relating to forensic pathology and performs the post mortem examinations in cases where foul play is suspected. A post mortem report in these cases is provided to the relevant Coroner. The pathologist attends the inquest held into the death as well as at any court proceedings arising out of a Garda investigation.
- 1.4** The workload of the Office of the State Pathologist (OSP) involves not only forensic post mortem examinations, but also the review of skeletonised remains, referred cases and more recently, the provision of an ongoing service to Dublin City Mortuary concerning routine Coroner's cases. A significant proportion of the OSP work also involves out-of-office activities. This includes scene visits, call-outs, inquests and court cases.
- 1.5** The OSP managed 240 cases in 2016. The majority of these -152 were State Cases. Attendance at the scene of death was recorded in 32 of 152 cases (21%). Scenes were most commonly attended in Leinster (22/32)

with equal numbers attended in both Munster (5/32) and Ulster (5/32). No scenes were attended in Connaught in 2016.

- 1.6 The State Pathologists also perform forensic autopsies at a Coroner's request. These cases are not necessarily suspicious deaths but do require their specialist expertise. A proportion of these cases (approx 1/3) can require the Pathologist's attendance at the inquest to give evidence. Recording the number Coroner cases only started in 2015 - 69 cases were undertaken in 2015 and 55 have been performed in 2016.
- 1.7 In 2016 the OSP reviewed 25 skeletonised remains and dealt with 8 referred cases.
- 1.8 In 2016, there were 21 inquest appearances and 17 criminal court appearances in Dublin. There were also 27 inquest appearances outside of Dublin.
- 1.9 The forensic histopathology laboratory accepts, handles and processes tissue samples retrieved from post mortem examinations by the forensic pathologist. In the ten year period from 2005 to 2015, there was a total of 2346 cases. Each case requires histological examination, and occasionally, further special staining to be performed by the scientist.

2. Corporate Governance

- 2.1 The first full time State Pathologist position was established in 1974 under the remit of the Office of the Attorney General. Responsibility for the State Pathologist transferred to the Department of Justice in 1997. The functioning of the office comes under the general civil service rules and legislation. The office is not established by Statute but operates on an administrative basis.
- 2.2 Corporate Governance is concerned with the framework of rules and practices to ensure accountability, fairness and transparency across organisational activities. The OSP will put in place all the necessary frameworks, including those for risk management and internal audit and will ensure that the Public Spending Code is complied with.
- 2.3 The State Pathologist also takes responsibility for the development of operational policies, protocols and guidelines to maximise the utilisation of resources and ensure a systematic audit of such. A Code of Practice for this is currently being examined.

3. Objectives of the Agreement

3.1 The key objectives are:

- To define the organisation's role in the criminal justice sector.

- To define the Department of Justice and Equality's expectations of the organisation.
- To define the inputs, outputs and expected outcome of the organisation's activities.
- To enable the Office of the State Pathologist to carry out its functions.
- To measure the performance of those functions through monitoring agreed targets, output and outcome indicators..

4. Mutual Commitments

4.1 Both parties will:

- Be proactive and timely in communications, co-operation and information sharing on service delivery.
- Support the effective achievement of agreed targets.
- Promote partnership, responsiveness and mutual co-operation in our interactions.
- Provide prompt and timely responses to correspondence, information requests and related matters.
- Keep each other apprised and updated on all key issues.

4.2 The Department of Justice and Equality will provide the following supports to enable the OSP fulfill its mandate.

- Provide dedicated support from within the nominated Division within the Department.
- Liaise with the Department of Public Expenditure and Reform to ensure timely sanction for expenditure and staffing in line with public financial procedures and public service numbers policies.
- Provide a Human Resource Management Service not limited to recruitment involving employee relations, workforce development performance management and liaison with (HR) shared services.
- Liaise with the OSP in relation to Public Service Reform initiatives.
- Liaise with the OSP in relation to agreed policy objectives.

- Provide guidance and direction on Government Accounting and Governance.
- Provide invoice processing and other accounting services through the Department's Financial Shared Services.
- Provide for and resource the annual budget for the OSP which forms part of the Estimates of the Department of Justice and Equality Vote (24).

5. Inputs

5.1 The Office of the State Pathologist is funded from the Justice Vote (24) and has an annual budget in 2017 of €0.949m under subhead B19 (no capital). The overrun from the 2016 budget of €1.399 (which included a capital budget of €0.450m) was €1.076.

5.2 Human Resource inputs

Professional Staff	Number	Administrative Staff	Number
State Pathologist	0.8	EO	0.8***
Deputy Pathologist	2*	CO	2.5
Assistant Pathologist	1**		
Senior Laboratory Analyst	1		
Totals	4.8		3.2

*One Deputy Pathologist is due to retire in July 2017

**Assistant Pathologist covers the Cork and Kerry Region and provides national cover at weekends on a rota basis

***Carrying one EO vacancy from 27 March 2017

5.3 The administrative staff of the OSP provide support and assistance to the Pathologists in the day to day running of the office. The office requires staff cover at all times during office hours.

5.4 The work of the professional staff regularly requires them to be out of the office. The pathologists provide a 24h 365 day on call service on a rota basis.

5.5 The OSP is accommodated in offices located on Griffith Avenue, Whitehall. The City Mortuary is also located in the same building on the ground floor.

6. Service Levels and Measurements 2017

6.2 The Office of the State Pathologist will:

- Conduct an annual audit of the OSP workload.
- Provide the 2017 numbers relating to:
 - State Cases (152 in 2016)

- Coroner Cases (55 in 2016)
 - Referred Cases (8 in 2016)
 - Skeletal Remains (25 in 2016).
- In State Cases provide the number of attendances at the scene of death broken down by Province.
 - Provide the 2017 numbers for attendances at Court
 - Provide the 2017 numbers for attendances at Inquest.

6.3 The Department of Justice and Equality will:

- Ensure that the budget is maintained and/or increased to meet the expenditure necessary to secure the State Pathology service.
- Ensure the Deputy Pathologist post is filled as soon as possible.
- Ensure that a third Deputy post is approved and appointed.
- Monitor the filling of the EO vacancy and ensure a suitable candidate is assigned.
- Seek sanction establish a HEO post to manage the Office.
- Support the promotion of Independent Specialty recognition for Forensic Pathology
- Progress the establishment of the forensic pathologist training programme within the OSP.
- Progress the draft Code of Practice for Forensic Pathology in Ireland.

7. Monitoring Arrangements

- 7.2 The State Pathologist will meet with the Department twice yearly or more frequently if required to provide an update on developments and achievement of targets as set out in this agreement.
- 7.3 The State Pathologist and relevant staff will meet with the Department every quarter to progress the matters relevant to this agreement and the functioning of the State Pathologist's Office.

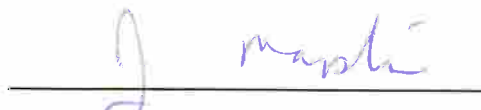
8. Duration and Signatories

- 8.1 The State Pathologist Dr. Marie Cassidy and Mr. James Martin, Assistant Secretary of the Department of Justice and Equality agree that the arrangements as set out in this agreement will apply with effect from the date signed until 31 December, 2017.



Marie Cassidy
State Pathologist

8/5/17



James Martin
Assistant Secretary

12/5/2017

Department of Justice and
Equality

Date: 8/5/17

Date: