

**GARDA SÍOCHÁNA OMBUDSMAN COMMISSION**

**STATEMENT OF FINANCIAL POSITION AS AT 31 DECEMBER 2016**

	Notes	2016 €	2015 €
<b><u>Fixed Assets</u></b>			
Property, plant and equipment	8	1,259,995	1,789,591
<b><u>Current Assets</u></b>			
Receivables	9	453,987	304,475
Cash and cash equivalents		500	400
		<u>454,487</u>	<u>304,875</u>
<b><u>Current Liabilities (Amount falling due within one year)</u></b>			
Payables	10	<u>(255,409)</u>	<u>(525,249)</u>
Net Current Assets / (Liabilities)		199,078	(220,374)
Net Assets		<u>1,459,073</u>	<u>1,569,217</u>
<b><u>Representing</u></b>			
Retained Revenue Reserves		199,078	(220,374)
Capital Account	11	<u>1,259,995</u>	<u>1,789,591</u>
		<u>1,459,073</u>	<u>1,569,217</u>

The Statement of Cash Flows and Notes 1 to 15 form part of these financial statements.

*Mary Ellen Ring*  
 Chairperson of the Commission  
 Ms. Justice Mary Ellen Ring

Date: 7<sup>th</sup> December 2017.

**GARDA SÍOCHÁNA OMBUDSMAN COMMISSION**

**STATEMENT OF CASH FLOWS FOR THE YEAR ENDED 31 DECEMBER 2016**

	Notes	2016 €	2015 €
<b>Net Cash Flows from Operating Activities</b>			
Surplus/(Deficit) for the year		419,452	(2,315)
Transfer from Capital Account		(529,596)	(223,202)
Depreciation charge		643,471	590,970
Loss on disposal of fixed asses		64	-
(Increase) / Decrease in Receivables		(149,512)	17,610
(Decrease) / Increase in Payables		(269,840)	(15,295)
<b>Net Cash Flows from Operating Activities</b>		<u>114,039</u>	<u>367,768</u>
<b>Cash Flows From Investing Activities</b>			
Payments to acquire property, plant and equipment	8	<u>(113,939)</u>	<u>(367,768)</u>
<b>Net Cashflows from Investing Activities</b>		<u>(113,939)</u>	<u>(367,768)</u>
<b>Increase / (decrease) in cash and cash equivalents</b>		<u>100</u>	<u>-</u>
Cash and cash equivalents at the beginning of year		400	400
Cash and cash equivalents at the end of the year		<u>500</u>	<u>400</u>

**GARDA SÍOCHÁNA OMBUDSMAN COMMISSION  
NOTES TO THE FINANCIAL STATEMENTS  
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**1. Accounting policies**

The basis of accounting and significant accounting policies adopted by the Garda Síochána Ombudsman Commission are set out below. They have been applied consistently throughout the year and for the preceding year.

**a) General Information**

The Garda Síochána Ombudsman Commission was set up under the Garda Síochána Act 2005, with a head office at 150 Upper Abbey Street, Dublin 1. Their primary function is to deal with matters involving possible misconduct by members of the Garda Síochána, in an efficient, effective and fair manner.

**b) Statement of Compliance**

The financial statements of the Garda Síochána Ombudsman Commission for the year ended 31 December 2016 have been prepared in accordance with FRS 102, the financial reporting standard applicable in the UK and Ireland issued by the Financial Reporting Council (FRC), as promulgated by Chartered Accountants Ireland.

**c) Basis of Preparation**

The Financial Statements are prepared on the going concern basis, under the historical cost convention and comply with the financial reporting standards of the Financial Reporting Council, except as indicated in Oireachtas Grants below. The Financial Statements are in the form approved by the Minister for Justice and Equality with the concurrence of the Minister for Public Expenditure and Reform. The Financial Statements are prepared in Euro which is the functional currency of the Commission.

**d) Oireachtas Grants**

Income recognised in the financial statements under Grants represents funding provided to the Commission through the Vote of the Department of Justice and Equality. The Department administers the payment of salaries and all other costs and the amount recognised as income represents the recourse to the Vote to fund payments made during the year.

**e) Property, Plant and Equipment**

Property, plant and equipment are stated at their historical cost less accumulated depreciation. Depreciation is charged to the Statement of Income and Expenditure and Retained Revenue Reserves on a straight line basis, at the rates set out below, so as to write off the assets, adjusted for residual value, over their expected useful lives as follows: -

Improvements on Leasehold buildings	Over lease term of 25 years
Furniture and Fittings	10.00%
Office Equipment	20.00%
IT Equipment	20.00%
Motor Vehicles	20.00%

The residual value and useful lives of fixed assets are considered annually for indicators that these may have changed. Where such indicators are present, a review will be carried out of the residual value, depreciation method and useful lives, and these will be amended if necessary. Changes in depreciation rates arising from this review are accounted for prospectively over the remaining useful lives of the assets.

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**f) Capital Account**

The Capital Account represents the unamortised value of funding applied for the purchase of fixed assets.

**g) Cash and Cash Equivalents**

Cash consists of cash on hand and demand deposits.

**h) Foreign Currencies**

Transactions denominated in foreign currencies are translated into euro and recorded at the rate of exchange ruling at the dates of transactions. Monetary assets and liabilities denominated in foreign currencies are translated into euro at the rates of exchange ruling at the reporting date or at forward purchase contract rates where such contracts exist.

**i) Retirement Benefits**

The employees of the Garda Síochána Ombudsman Commission are civil servants and are members of a defined benefit scheme which is unfunded and is administered by the Department of Public Expenditure and Reform.

The Public Service (Single Scheme and Other Provisions) Act 2012 became law on 28th July 2012 and introduced the new Single Public Service Pension Scheme ("Single Scheme") which commenced with effect from 1st January 2013. All new staff members to the Garda Síochána Ombudsman Commission, who are new entrants to the Public Sector, on or after 1st January 2013 are members of the Single Scheme.

There is no charge in these financial statements for any liabilities which may arise in respect of the retirement benefits of the Garda Síochána Ombudsman Commission.

**j) Operating Leases**

Rental expenditure under operating leases is recognised in the Statement of Income and Expenditure and Retained Revenue Reserves over the life of the lease. Expenditure is recognised on a straight-line basis over the lease period.

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	<b>2016</b>	<b>2015</b>
	<b>€</b>	<b>€</b>
<b>2 Oireachtas Grants</b>		
Department of Justice and Equality	<u>8,386,114</u>	<u>8,647,841</u>

The Garda Síochána Ombudsman Commission is funded from the Vote of the Department of Justice and Equality (Vote 24) through subhead A.4.

The Oireachtas grant figure comprises the amount charged to Subhead A.4 in 2016 of €8,414,614 and net of miscellaneous charges and receipts amounting to €28,500 accounted for in other subheads which pertain to the Commission.

	<b>2016</b>	<b>2015</b>
	<b>€</b>	<b>€</b>
<b>3 Staff Costs and Employee Information</b>		
Wages and Salaries	4,506,778	4,590,214
Travel and Subsistence	94,854	62,410
Flexibility Allowance	353,492	348,232
Staff Training and CPD	70,523	46,530
Total Staff Cost	<u>5,025,647</u>	<u>5,047,386</u>

Pension Related Deduction was deducted in line with statutory requirements. €247,435 of pension levy has been deducted in 2016 (2015: €306,697) and retained by the Department of Justice and Equality.

<b>Employee Numbers</b>	<b>2016</b>	<b>2015</b>
The average number of employees during the year was made up as follows:		
Commissioners	3	3
Directors	2	2
Operations	59	56
Administration	19	19
Total	<u>83</u>	<u>80</u>

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**3 Staff Costs and Employee Information (continued)**

Employee benefits breakdown:

Range of total employee benefits		Number of Employees	
From	To	2016	2015
€60,000	- €69,999	18	16
€70,000	- €79,999	7	9
€80,000	- €89,999	5	5
€110,000	- €119,999	-	1
€120,000	- €129,999	1	1
€130,000	- €139,999	2	2

**4 Remuneration of Chairperson and Other Commissioners**

The remuneration in 2016 of the Chairperson and Commissioners are as follows:

	2016 Salary €	2015 Salary €
Ms. Justice Mary Ellen Ring (appointed 06/08/15)	-	-
Mr Simon O Brien (resigned 30/01/15)	-	19,127
Ms. Carmel Foley	130,794	141,257
Mr. Kieran FitzGerald	124,632	134,410
Mr. Mark Toland (appointed 12 <sup>th</sup> December 2016)	-	-

The Commissioners did not receive any performance related payments or any other benefit in kind during the year.

The above charge for wages and salaries does not include the salary of €172,710 (2015: 151,153) paid to one of the Commissioners, Justice Mary Ellen Ring, whose salary for administrative convenience was borne by the Central Fund. Commissioner Mark Toland was a member of the Garda Síochána Inspectorate prior to his appointment and his salary was paid by the Department of Justice and Equality in 2016.

Commissioners Carmel Foley and Kieran FitzGerald are members of the civil service pension scheme and will be entitled to a pension at Principal Officer level and Assistant Principal level respectively. Ms. Justice Mary Ellen Ring opted not to join the Spouse and Childrens Pension Scheme. The terms of the non-contributory pension scheme for non established state employees applies to Mr. Toland's contract.

In 2016, Chairperson Justice Mary Ellen Ring incurred travel expenses of €187 (2015: €0). Commissioners Carmel Foley, Kieran FitzGerald and Mark Toland incurred travel expenses of €23 (2015: €0), €0 (2015: €346) and €0 respectively.

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	2016	2015
	€	€
<b>5 Upkeep and Overheads</b>		
Rent and Service Charges	994,285	989,107
Repairs and Maintenance	39,660	85,299
Security	316,195	292,567
Cleaning	36,363	36,525
Light and Heat	116,832	103,832
Premises Expenses	2,172	47,186
	<u>1,505,507</u>	<u>1,554,516</u>

	2016	2015
	€	€
<b>6 General Expenses</b>		
Telephone	37,444	21,376
IT Expenses	577,832	605,869
Canteen	347	927
Print, Post and Stationery	53,660	50,762
Publication Expenses	13,869	5,978
Library and Reference Materials	31,340	42,786
Motor Expenses	58,107	47,386
Office Equipment	22,461	2,985
Protective Clothing and Accessories	9,017	18,159
Conference and Seminar Costs	9,369	5,435
General Meeting Expenses	10,026	7,541
Subscriptions	8,007	7,378
Loss on disposal of Fixed Assets	64	-
General Office Expenses	3,150	1,403
	<u>834,693</u>	<u>817,985</u>

Included in general expenses above are amounts of €2,293 (2015:€1,493) in respect of hospitality expenditure.

	2016	2015
	€	€
<b>7 Professional Fees</b>		
Legal	364,792	750,435
Investigation related costs	36,838	71,178
HR Administration and Compliance costs	55,885	16,548
Accounting	8,585	6,500
External Audit	11,000	8,000
	<u>477,100</u>	<u>852,661</u>

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8 Property, Plant and Equipment	Improvements on Leasehold Buildings	IT Equipment	Office Equipment	Furniture & Fittings	Motor Vehicles	Total
	€	€	€	€	€	€
<b>Cost</b>						
At 01 January 2016	1,419,803	2,974,775	213,966	4,541,314	387,136	9,536,994
Additions for the year	-	64,862	5,252	3,260	40,565	113,939
Disposals	-	(53,867)	(9,486)	(630)	-	(63,983)
At 31 December 2016	1,419,803	2,985,770	209,732	4,543,944	427,701	9,586,950
<b>Accumulated Depreciation</b>						
At 01 January 2016	511,128	2,646,785	211,994	4,060,674	316,822	7,747,403
Depreciation charge for the year	56,792	104,847	1,747	454,394	25,691	643,471
Disposals	-	(53,867)	(9,486)	(566)	-	(63,919)
At 31 December 2016	567,920	2,697,765	204,255	4,514,502	342,513	8,326,955
<b>Net Book Value</b>						
At 31 December 2016	851,883	288,005	5,477	29,442	85,188	1,259,995
At 31 December 2015	908,675	327,990	1,972	480,640	70,314	1,789,591

	2016 €	2015 €
9 Receivables		
Prepayments	453,987	304,475
	<u>453,987</u>	<u>304,475</u>

All receivables are due within one year.

	2016 €	2015 €
10 Payables		
Amounts falling due within one year:		
Accrued Expenses		
Pay	92,538	258,225
Non-Pay	162,871	267,024
	<u>255,409</u>	<u>525,249</u>

The terms of accruals are based on the underlying contracts.



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	2016 €	2015 €
<b>11 Capital Account</b>		
At 01 January	1,789,591	2,012,793
<u>Transfer (to)/ from Statement of Income and Expenditure and Retained Revenue Reserves</u>		
Funding of Fixed Assets	113,939	367,768
Amount released on disposal of fixed assets	(64)	-
Amortisation in line with asset depreciation policy	<u>(643,471)</u>	<u>(590,970)</u>
Transferred to Statement of Income and Expenditure	(529,596)	(223,202)
Balance at 31 December	<u>1,259,995</u>	<u>1,789,591</u>

**12 Lease Commitments**

The Garda Síochána Ombudsman Commission has commitments in respect of the following leases:

- a lease on office accommodation at No. 150 Abbey Street, Dublin 1. This is held by way of a 25 year lease, which commenced in 2007. The annual cost of lease is €934,376 in respect of the premises and €48,000 in respect of tenants' car park spaces.
- a lease on office accommodation at Acorn Business Centre, Mahon Industrial Estate, Blackrock, Cork. This is held by way of a 3 month lease which commenced in December 2016. The monthly rent charged is €1,845.

**Lease Commitments**

At 31 December 2016 and at 31 December 2015 the Garda Síochána Ombudsman Commission had the following future minimum lease payments under non-cancellable leases:

	As at 31 December 2016 €	As at 31 December 2015 €
Payable within 1 year	987,911	982,376
Payable within 2 – 5 years	3,929,504	3,929,504
Payable after 5 years	<u>10,806,136</u>	<u>11,788,512</u>
	<u>15,723,551</u>	<u>16,700,392</u>

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**13 Capital Commitments**

There were no capital commitments at 31<sup>st</sup> December 2016.

**14 Related Party Transactions/ Disclosure of Interests**

Key management personnel in the Garda Síochána Ombudsman Commission consists of three Commissioners and two members of the Senior Executive. Total compensation paid to key management personnel by the Garda Síochána Ombudsman Commission amounted to €540,477 (2015: €550,391). Payments from the Central Fund amounted to €172,710 (2015: €151,153).

The Garda Síochána Ombudsman Commission complies with the Code of Practice for the Governance of State Bodies issued by the Department of Finance in relation to the disclosure of interests by the Commission and members/staff of the Commission. Formal procedures exist to ensure adherence with the requirements of the Code.

**15 Approval of financial statements**

The financial statements were approved on 26<sup>th</sup> June 2017.