

Northern Ireland Audit Office

coverage of the

Department of Justice



Northern Ireland
Audit Office

Introduction

The Northern Ireland Audit Office (NIAO) is a public sector body that is totally independent of government. We help the Northern Ireland Assembly hold the Executive to account for the way it spends public money. We do this by auditing the finances of public bodies and scrutinising public spending to assess facts and value for the taxpayer, providing insights into how well public services are being delivered. More information on the roles and responsibilities of both the Comptroller and Auditor General (C&AG) and the NIAO can be found on our [website](#).

The NIAO carries out a number of functions:

Financial Audit: representing around 70 per cent of our core business, each year we conduct a programme of audits on some 150 public bodies.

Public Reporting: while the NIAO does not question the merits of government policies, we seek to promote better value for money through independent, evidence-based examinations. We then produce reports to the Assembly which highlight and demonstrate ways in which audited bodies can make improvements. These reports take account of single and cross-cutting themes and public sector priorities.

Good Practice: our Good Practice Guides highlight and encourage public bodies to improve their performance in achieving value for money and implementing policy.

Raising Concerns and Counter Fraud: we provide support and guidance to public sector organisations, and coordinate the National Fraud Initiative data matching exercise in Northern Ireland. We also process concerns raised by MLAs, public sector employees and citizens regarding the use of public money.

This document provides a brief outline of the recent work of the NIAO specific to the **Department of Justice (DoJ)**.

If you would like to know more about the NIAO work on DoJ please contact:



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Department of Justice (DoJ) – background

The Department of Justice (DOJ) was established in April 2010, following the devolution of justice powers to the Northern Ireland Assembly. It has a range of devolved policing and justice functions as set out in the Northern Ireland Act 1998 (Devolution of Policing and Justice Functions) Order 2010, including the functions transferred from the Northern Ireland Office and the former Northern Ireland Court Service.

In addition to its statutory functions, the DOJ provides resources and a legislative framework for its five executive agencies and eight non-departmental public bodies (NDPBs), which collectively constitute most of the justice system in Northern Ireland. Together with these organisations, the DOJ is responsible for the resourcing, legislative and policy framework of the justice system.

Naomi Long became the Justice Minister on 3 February 2024. Together with its agencies, NDPBs and stakeholders, the role of the Department is to support the Minister of Justice to deliver on the mission of “working in partnership to create a fair, just and safe community where we respect the law and each other”.

The DoJ cannot deliver effectively without working together with its delivery partners across the wider justice system, with other government departments, and with the community and voluntary sector. Together with these delivery partners, the DoJ delivers on its mission by focussing on four strategic themes:

- **Support safe and resilient communities:** by working with its partners to help build a safe and resilient community and reduce the vulnerability of individuals to becoming a potential victim and/or offender; by informing and empowering communities, businesses and individuals to take the necessary steps to protect themselves from becoming a victim of crime; and by providing support where people do become victims of crime. The DoJ is working within a multi-agency partnership model to support responses to cross-cutting community safety issues and will address criminality and coercive control within communities through proactive collaboration and local problem solving.
- **Address harm and vulnerability:** including through the provision of early-stage diversionary approaches to address the issues that contribute to offending behaviours. The DoJ is providing practical support to victims, and developing policies and legislation to protect those most vulnerable in our society.
- **Challenge offending behaviours and supporting rehabilitation:** through working with those who offend, to challenge and support the behavioural change necessary for them to become active and responsible citizens. The DoJ is working with partners to promote rehabilitation, and when a custodial sentence is imposed, the DoJ is focussing on resettlement leading to reintegration back into society.
- **Deliver an effective justice system:** a system which is faster, more accessible, and which serves the needs of those who engage with it. The DoJ will ensure appropriate access to justice for citizens. The DoJ is delivering a system which supports court users in the early and proportionate resolution of civil and family proceedings, and supports and empowers people working in the justice system to deliver effectively.

The DoJ is headed by a Permanent Secretary and is organised into five areas, each headed by a Deputy Secretary to deliver on these priorities:

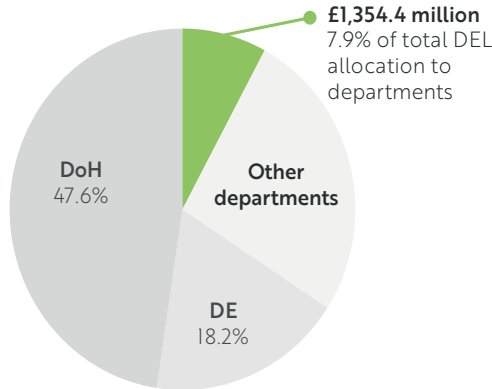
- Access to Justice;
- Safer Communities;
- Justice Delivery;
- Reducing Offending; and
- Northern Ireland Courts and Tribunals Service

The core Department and five agencies have a staff complement of over 3,200.

Department of Justice (DoJ) funding

Figure 1 provides an overview of the Department’s Departmental Expenditure Limit (DEL) funding relative to all departments. It also shows the split between Resource and Capital DEL as well as how they are allocated to various spending areas and objectives.

Figure 1. Overview of the DEL funding allocation for the Department of Justice



While not one of the larger departments in terms of expenditure, the Department of Justice is one of four with expenditure of around £1-1.5bn.

The vast majority of the Department’s funding relates to Resource DEL.



Most of the Department’s funding is used on policing services.

SPENDING AREA	RESOURCE DEL	CAPITAL DEL	TOTAL
Police Service of Northern Ireland	£798.9m	£53.4m	£852.3m
Access to Justice	£192.4m	£13.3m	£205.7m
Reducing Offending	£159.4m	£17.6m	£177.0m
Safer Communities	£111.8m	£7.7m	£119.5m
TOTAL	£1,262.5m	£92.0m	£1,354.5m

Source: 2024-25 Budget Document, Department of Finance

Bodies for which DoJ has responsibility for sponsorship and oversight

The DOJ has five agencies and sponsors a number of NDPBs/bodies affiliated with policing and justice:

Agencies

- Forensic Science Northern Ireland (FSNI);
- Legal Services Agency Northern Ireland (LSANI);
- Northern Ireland Courts and Tribunals Service (NICTS);
- Northern Ireland Prison Service (NIPS); and
- Youth Justice Agency (YJA).

Non-Departmental Public Bodies and Pension Schemes

- Criminal Justice Inspection Northern Ireland (CJINI);
- Northern Ireland Police Fund (NIPF);
- Northern Ireland Policing Board (NIPB);
- Office of the Police Ombudsman for Northern Ireland (OPONI);
- Police Rehabilitation and Retraining Trust (PRRT);
- Police Service of Northern Ireland (PSNI) and PSNI Police Pensions;
- Probation Board for Northern Ireland (PBNI); and
- RUC George Cross Foundation.

In addition to auditing the annual report and accounts of the above bodies, the NIAO also audits the following statutory accounts:

- Northern Ireland Courts and Tribunals Service Fine Collection Trust Statement;
- Northern Ireland Courts and Tribunals Service Investment Account; and
- Funds in Court in Northern Ireland.



Financial Audit Update

The Comptroller and Auditor General (C&AG) for Northern Ireland is the external auditor for the Department. Each year the NIAO conducts a programme of audits on the financial statements of DOJ, its executive agencies and non-departmental public bodies (NDPBs). The C&AG is required, under the Government Resources and Accounts Act (Northern Ireland) 2001, to report her opinion as to whether the financial statements give a true and fair view. She is also required to satisfy herself that, in all material respects, expenditure and income have been applied to the purposes intended by the Northern Ireland Assembly and conform to the authorities which govern them; that is, they are 'regular'.

The C&AG reports the results of her financial audit work to the Northern Ireland Assembly. From time to time, she may also produce stand-alone reports that are published as Assembly documents. Since 2020, the C&AG has issued five qualified audit opinions, relating to the Legal Services Agency Northern Ireland, an Agency of the DoJ. On these occasions, she also published a report attached to the accounts on the reasons why she decided to qualify her audit opinion. A summary of the qualification reasons for the most recent set of financial statements is outlined below.

Report by the C&AG on the LSA annual report and accounts 2023-2024

The Comptroller and Auditor General reported on the 2023-2024 accounts of the Legal Services Agency Northern Ireland (previously the Northern Ireland Legal Services Commission). The audit opinion on these bodies has been qualified every year since 2003 due to a lack of effective counter fraud arrangements and weaknesses in the financial estimates of provisions for ongoing legal aid cases but significant progress has been made by the Agency on its provisions for legal aid liabilities, to the extent that the C&AG removed her qualification on this in the 2022-2023 year of account. While progress has also been made in respect of fraud and error, further work is needed to fully resolve the issues relating to official error in legal aid payments along with applicant and practitioner fraud and error. As such, her regularity opinion was qualified on the 2023-2024 financial statements.



Public Reporting

The NIAO produces a Public Reporting Programme, outlining the C&AG's priority public reporting work to be progressed. The Programme examines economy, efficiency and effectiveness in the delivery of services and aims to provide elected representatives, decision makers and citizens with information and assurance about how well public services are operated and public money is spent. The [Public Reporting Programme](#) can be found on our website.

In relation to the DOJ, the following Public Reporting work is due for completion in 2024-25 and the findings will be presented to the Public Accounts Committee.

Continuous Improvement in Policing Arrangements 2024 (Published in July 2024)

With the Public Accounts Committee for Consideration

The C&AG is required under section 29 of the Police (Northern Ireland) Act 2000 to audit the Policing Plan and performance summary and to send a report to the Policing Board, the Chief Constable and the DoJ. This report reviews the systems underpinning the plan and performance summary. It is not an audit of PSNI's performance.

This report, published in July 2024, examined the performance summary of the Policing Board and the PSNI in 2022-23 and the Annual Performance Plan for 2023-24. The C&AG has given an unqualified audit opinion on the 2022-23 Annual Assessment and the 2023-24 Annual Performance Plan.

A review of the Planning Appeals Commission (part of the NI Courts and Tribunals Service) (Scheduled to publish in March 2025)

This report will examine the role of the Planning Appeals Commission, its performance and the reasons behind delays in producing its reports together with the impact on the Northern Ireland economy. It will also look at options available to improve overall performance and outcomes.

PSNI Fleet Management

This report is scheduled to publish in March 2025.



Previous Public Reporting coverage in DoJ

An overview and main findings from a selection of NIAO reports on the DOJ and its arm's length bodies since 2020 are outlined below.

Continuous improvement arrangements in policing 2023 (Published in July 2023)

Released by the Public Accounts Committee

This report, examined the performance summary of the Policing Board and the PSNI in 2021-22 and the Annual Performance Plan for 2022-23. The C&AG has given an unqualified audit opinion on the 2021-22 Annual Assessment and the 2022-23 Annual Performance Plan.

The Judicial Review Process in Northern Ireland (Published in July 2023)

With the Public Accounts Committee for consideration

The report provided a factual overview of the judicial review process, the number of judicial reviews, the outcomes, the time taken to complete judicial reviews and the associated costs. The report found that in the majority of cases, judicial reviews do not find in favour of the applicant, with approximately 1 in 8 applicants being successful in their challenges to the legality of public bodies' decisions or actions.

Over the past six years, it has taken on average more than a year to progress through both stages of the judicial review process. Therefore, the time associated with the court proceedings, can create significant delay to public bodies progressing projects or decisions. The report also found that data in relation to judicial reviews is not collated in a way that allows easy identification of the grounds on which a judicial review is taken or subsequently granted.

Reducing Adult Reoffending in Northern Ireland (Published in June 2023)

With the Public Accounts Committee for consideration

This report considered how the Department of Justice and other key justice organisations have worked to develop strategies aimed at diverting adult offenders from crime. It highlights the current challenges that the Department now faces but also the initiatives and interventions which have shown encouraging results in potentially helping rehabilitate offenders. The report stresses the need for the justice system to focus on the systemic issues which are making it more difficult to rehabilitate 'hard-to-reach' offenders and calls for a better-defined strategic approach which takes account of the particular challenges associated with rehabilitating short-term and remand prisoners.

Managing Children who offend: Follow-up Report (Published in December 2020)

Produced under previous Assembly Mandate

This was a follow-up to a 2017 report by the C&AG. Published in December 2020, the report considered the progress made in addressing the C&AG's earlier recommendations. It noted that the youth justice system is in the early stages of a major reform programme and that

progress has been made although further work is required to build management systems. This includes: fully developing a transformation strategy; improving measures and reporting on the impact its work has on the young people it deals with; and more fully understanding costs throughout the youth justice system.

Injury on Duty schemes for officers in the Police Service of Northern Ireland and the Northern Ireland Prison Service (Published in March 2020)

Produced under previous Assembly Mandate

Injury awards are made to former police officers and prison officers for injuries sustained whilst on duty. These are often referred to as Injury on Duty awards and are made under two separate schemes – a PSNI scheme and the Northern Ireland Civil Service (NICS) scheme which includes Prison Service officers.

These schemes are amongst the largest injury schemes within central government in Northern Ireland. Both have seen costs increase over the last five years, with £33.9 million spent by the PSNI and £2.3 million by NIPS in 2018-19. As at 31 March 2019, total liabilities were estimated at £488 million for the PSNI and £53 million for the NIPS.

This 2020 report found that substantial changes are needed to make the schemes used by the PSNI and NIPS sustainable and highlighted a number of issues:

- The scale of claims in Northern Ireland is significantly greater than in England.
- The PSNI scheme is complex and challenging to administer.
- The payment of injury awards is not always equitable.
- There are no time limits within which an application must be made.

Reducing costs in the PSNI (Published in April 2020)

Produced under previous Assembly Mandate

This report examined the PSNI's annual funding reduction between 2010-11 and 2019-20, a reduction more severe than that experienced by most English and Welsh police services over the same period. This report also examined the challenges in budgeting and funding methods experienced by the PSNI and the methods implemented to overcome these challenges.

Key findings include:

- Police services across the UK have experienced a decade of reduced funding. The PSNI's budget has fallen by more than £200 million in real terms, while demand has increased and the nature of crime has changed significantly. If the PSNI is to continue to manage in these circumstances, it has to adopt a more strategic approach to reducing costs.
- In a bid to manage costs, the PSNI introduced a methodology called Priority Based Resourcing (PBR). PBR did not, however, deliver the anticipated strategic change and the focus turned very quickly to reducing headcount.
- The PSNI plans to implement a new efficiency programme with a different approach. It recognises the need to learn from the experience gained during 2015 to 2019.

The NIAO has also published several cross-cutting reports, including:

- [Budgeting and Accountability \(May 2024\)](#)
- [Major Capital Projects \(February 2024\)](#)
- [Comptroller and Auditor General's Report on Financial Audit Findings 2023 \(December 2023\)](#)
- [Approaches to achieving net zero across the UK \(September 2023\)](#)
- [Ministerial Directions in Northern Ireland \(April 2023\)](#)
- [The NI Budget Process \(June 2021\)](#)
- [Broadband Investment in Northern Ireland \(June 2021\)](#)
- [Managing Attendance in Central and Local Government \(November 2020\)](#)
- [Capacity and Capability in the Northern Ireland Civil Service \(November 2020\)](#)
- Overview of the Northern Ireland Executive's response to the COVID-19 pandemic ([July 2023](#), [June 2021](#) and [September 2020](#))

Copies of all our reports can be found in the [Publications section](#) of our website.



Good Practice guides

We have compiled a number of good practice guides over recent years covering a range of topics highlighting and encouraging public bodies to improve their performance in achieving value for money, implementing policy and suggesting ways in which public services could be improved.

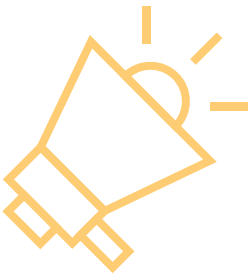
Copies of our good practice guides can be found in the [Publications section](#) of our website.

Recent NIAO Good Practice Guides have covered topics including:

 Board Effectiveness	 Grant Fraud
 Local Government Asset Management Financial Reporting	 School Governance
 Risk Management	 Planning Fraud

Topics planned for future good practice guides include:

 Audit Committee Effectiveness	 Cyber Security
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Counter Fraud Activity

The C&AG maintains a small Counter Fraud Unit which records and monitors notified frauds, and provides fraud-related advice and guidance, both internally and to the wider public sector, to help organisations strengthen their controls and minimise fraud risks. The Unit also co-ordinates the National Fraud Initiative (NFI) in Northern Ireland and is the first point of contact for third parties wishing to raise public interest concerns with the C&AG or Local Government Auditor.

Reporting Fraud

Managing Public Money Northern Ireland requires all NICS departments to report immediately to the C&AG (and to the Department of Finance) all proven, suspected and attempted frauds affecting them or the ALBs sponsored by them. The NIAO monitors these returns and liaises with the audited bodies to ensure that any fraud risks identified are properly addressed, for example through the introduction of additional controls.

National Fraud Initiative (NFI)

All NICS departments participate in the NFI, a UK-wide data matching exercise run every two years. To date, NFI exercises in Northern Ireland have resulted in actual and estimated savings of almost £48 million.

The overall results for NI are published every two years in the regional NFI reports which are available on our [website](#).

The NFI is not reported at organisational level, but by type of outcome (e.g. pensions/rates/payroll etc.) for NI as a whole.

Raising Concerns

Raising concerns (also referred to as whistleblowing) plays a vital role in securing and maintaining standards in public life. Concerns should be raised in the first instance with the relevant department or arm's length body, as they are best placed to address the issue raised.

The C&AG and the Local Government Auditor are "prescribed persons" to whom protected disclosures can be made under Public Interest Disclosure legislation. Public sector employees, members of the public, contractors, councillors and other third parties can raise concerns with them about the proper conduct of public business, value for money and fraud and corruption. Details of how this can be done, and how such concerns will be considered, are on our [website](#).