



**An Roinn Dlí agus Cirt
agus Comhionannais**
Department of Justice
and Equality

**Report on Protected Disclosures received in the
Department of Justice and Equality (Vote 24)
2018**

Introduction

Under Section 22 of the Protected Disclosures Act 2014 each public body is required to publish an annual report setting out the number of protected disclosures received in the preceding year and the action taken (if any). This report must not result in persons making disclosures being identifiable.

Department of Justice and Equality Protected Disclosures Policy

The policy introduced by the Department of Justice and Equality under the terms of the Protected Disclosures Act 2014 is designed to facilitate and encourage all workers to raise internally genuine concerns about possible wrongdoing in the workplace so that these concerns can be investigated following the principles of natural justice and addressed in a manner appropriate to the circumstances of the case. The policy is published at: [DJE_Protected_Disclosures_Policy_March_2015](#)

[Note; This Policy is under review with the intention being to finalise a new Protected Disclosures Policy in 2019](#)

External Assessments/Investigations

In 2018 the Department engaged the services of independent external assessors and investigators under the Office of Government Procurement Framework for Protected Disclosures. The external assessor determines if the disclosure meets the requirements of the Protected Disclosure Act. Where the requirements are met, the disclosure will be sent for an external investigation. The discloser will be informed of the findings of the assessment and or investigation processes. This ensures an open and transparent assessment/investigation process in relation to protected disclosures.

Summary of Protected Disclosures Received in 2018

Correspondence received for examination under the Protected Disclosures Policy:	13
Of the above, do not relate to the Department of Justice:	2
Of the above, relate to the Irish Prison Service (Vote 21):	11
Assessments Conducted:	6
Pending Assessment:	5

Note: Two investigations of Protected Disclosures received in 2016 were ongoing at the end of 2018.

Thirteen reports were received by the Department/Minister purporting to be, or having the characteristics of, a Protected Disclosure.

- Of these, two did not relate to the Department or any Body under the Ministers remit.
- Four were assessed by external assessors and considered protected disclosures; they were awaiting external investigation at the end of 2018.
- Two were assessed as not being protected disclosures.
- Five reports were awaiting/undergoing assessment at the end of 2018.

Recommendations made in relation to disclosures received prior to 2018

Regardless of the outcome of the protected disclosure assessment or investigation, the process may highlight an issue of concern or compliance and a recommendation may be appropriate.

Two investigations relating to protected disclosures received in 2017 were concluded in 2018. Recommendations were made in these cases, both relating to the Irish Prison Service.

The Irish Prison Service has indicated that the recommendations made have been implemented or are in the process of being implemented.

Irish Prison Service Protected Disclosures Policy 2018

The Irish Prison Service received a further 4 protected disclosures in 2018. The Irish Prison Service issued a new Protected Disclosures Policy on 1st July 2018.

The Policy is published at: <https://www.irishprisons.ie/protected-disclosures-policy-2018/>

The Department continued to work with Transparency International Ireland (TII) during 2018 in relation to the revision of the Protected Disclosures Policy and staff training. Disclosers are also advised of TII's Speak Up Helpline and TII's legal advice support.

A dedicated confidential email address speakup@justice.ie was introduced in early 2019 to encourage workers to report relevant wrongdoings.

Appendix 1 – Details of Offices/Agencies that have adopted the Department’s Protected Disclosures Policy

The Executive Offices or Agencies which come under the aegis of Vote 24 – Department of Justice and Equality who have adopted the Department’s policy are as follows:

Unit/Agency	Date Adopted
Criminal Assets Bureau	15/03/2017
Forensic Science Ireland	29/04/2015
Garda Inspectorate	13/06/2017
Insolvency Service of Ireland	23/04/2016
International Protection Appeals Tribunal	18/05/2015
International Protection Office	18/05/2015
Irish Film Classification Office	29/04/2015
National Property Services Regulatory Authority	08/05/2015
Office of the Data Protection Commissioner	23/04/2015
Office of the State Pathologist	05/05/2015
Private Security Authority	26/06/2015
Probation Service	29/04/2015
Reception and Integration Agency	20/05/2015

Note: The Irish Prison Service, Legal Aid Board, National Disability Authority, Courts Service, An Garda Síochána and the Garda Síochána Ombudsman Commission, have their own Protected Disclosures Policies in place and report separately on protected disclosures received.

