Independent Reporting Mechanism (IRM): Ireland End-of-Term Report 2016-2018

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Overview: Ireland

Independent Reporting Mechanism (IRM) End-of-Term Report 2016-2018

At the end of Ireland's second action plan cycle, a majority of its commitments were completed or achieved substantial progress. Moving forward, once the third action plan is developed, priority must be given to establish a permanent group to oversee the plan's implementation, something expected since 2014, which has yet to come to fruition.

The Open Government Partnership (OGP) is a voluntary international initiative that aims to secure commitments from governments to their citizenry to promote transparency, empower citizens, fight corruption, and harness new technologies to strengthen governance. The Independent Reporting Mechanism (IRM) carries out a review of the activities of each OGP-participating country. This report summarizes the results of the period 1 July 2016 to 30 June 2018, including relevant developments up to September 2018.

The OGP process in Ireland is coordinated by the Department of Public Expenditure and Reform (DPER). As reported in the midterm report, civil society groups were involved in the action plan development, even though they have not been involved in the implementation phase of the plan as a whole. In this regard, an Implementation Review Group that would consist of both state officials and civil society organisations, has yet to be established. A significant number of the commitments were carried out under the leadership of DPER, in cooperation with other ministries such as the Department of Justice and Equality.

Although the government did not publish an end-of-term self-assessment report that was open for public comment at the time of writing this IRM end-of-term report, in September 2018, DPER did provide the IRM researcher with drafts of individual progress reports that describe year-two implementation activities for all the commitments separately.

Table 1: At a Glance	Mid-term	End of term
Number of Commitments	18	
Level of Completion		
Completed	6% (1)	28% (5)
Substantial	39% (7)	44% (8)
Limited	39% (7)	22% (4)
Not Started	17% (3)	6% (1)
Number of Commitments with...		
Clear Relevance to OGP Values	78% (14)	78% (14)
Transformative Potential Impact	11% (2)	11% (2)
Substantial or Complete Implementation	44% (8)	72% (13)
All Three (✪)	6% (1)	11% (2)
Did It Open government?		
Major	6% (1)	
Outstanding	0	
Moving Forward		
Number of Commitments Carried Over to Next Action Plan	N/A	

At the time of writing this report, Ireland has not presented a new action plan for its third cycle.

This report was prepared by Raj Chari, Trinity College Dublin

Consultation with Civil Society during Implementation

Countries participating in OGP follow a process for consultation during development and implementation of their action plan.

As reported in the IRM midterm report, while civil society organisations (CSOs) and individual citizens were involved in the formulation of the second plan, there was a lack of development of the Implementation Review Group (IRG) throughout the ensuing two-year cycle. The IRG was envisaged to monitor the implementation of the national action plan. By the end of the second year, there have been no steps to establish the IRG. Because the IRG has yet to be developed, CSOs were not involved in the implementation of the policy as a whole. Nevertheless, some commitments at the individual level, particularly those establishing a Charities Regulator (Commitment 13) and enhancing youth participation in politics (Commitment 4B), did see the state pursue significant outreach with citizens and CSOs. The IRM researcher expects that the government will make establishing the IRG a priority in the next action plan cycle.

Table 2: Consultation during Implementation

Regular Multistakeholder Forum	Midterm	End of Term
1. Did a forum exist?	No	No
2. Did it meet regularly?	No	No

Table 3: Level of Public Influence during Implementation

The IRM has adapted the International Association for Public Participation (IAP2) "Spectrum of Participation" to apply to OGP.[1] This spectrum shows the potential level of public influence on the contents of the action plan. In the spirit of OGP, most countries should aspire for "collaborative."

Level of Public Influence during Implementation of Action Plan		Midterm	End of Term
Empower	The government handed decision-making power to members of the public.		
Collaborate	There was iterative dialogue AND the public helped set the agenda.		
Involve	The government gave feedback on how public inputs were considered.		
Consult	The public could give inputs.		
Inform	The government provided the public with information on the action plan.	X	X
No Consultation	No consultation		

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[1] IAP2's Public Participation Spectrum available at:
http://c.ymcdn.com/sites/www.iap2.org/resource/resmgr/foundations_course/IAP2_P2_Spectrum_FINAL.pdf

About the Assessment

The indicators and method used in the IRM research can be found in the IRM Procedures Manual.[1] One measure, the "starred commitment" (✪), deserves further explanation due to its particular interest to readers and usefulness for encouraging a race to the top among OGP-participating countries. Starred commitments are considered exemplary OGP commitments. To receive a star, a commitment must meet several criteria:

- Starred commitments will have "medium" or "high" specificity. A commitment must lay out clearly defined activities and steps to make a judgment about its potential impact.
- The commitment's language should make clear its relevance to opening government. Specifically, it must relate to at least one of the OGP values of Access to Information, Civic Participation, or Public Accountability.
- The commitment would have a "transformative" potential impact if completely implemented.[2]
- The government must make significant progress on this commitment during the action plan implementation period, receiving an assessment of "substantial" or "complete" implementation.

Starred commitments can lose their starred status if their completion falls short of substantial or full completion at the end of the action plan implementation period.

In the midterm report, Ireland's action plan contained one starred commitment. At the end of term, based on the changes in the level of completion, Ireland's action plan contained two starred commitments:

Commitment 13: Develop a Code of Practice for the Governance of Charities
Commitment 14: Strengthen Anti-Corruption Measures

Finally, the tables in this section present an excerpt of the wealth of data the IRM collects during its reporting process. For the full dataset for Ireland, see the OGP Explorer at www.opengovpartnership.org/explorer.

About "Did It Open Government?"

To capture changes in government practice, the IRM introduced a new variable "Did It Open Government?" in end-of-term reports. This variable attempts to move beyond measuring outputs and deliverables to looking at how the government practice has changed as a result of the commitment's implementation.

As written, some OGP commitments are vague and/or not clearly relevant to OGP values but achieve significant policy reforms. In other cases, commitments as written appear relevant and ambitious, but fail to open government as implemented. The "Did It Open Government" variable attempts to captures these subtleties.

The "Did It Open Government?" variable assesses changes in government practice using the following spectrum:

- Worsened: Government openness worsens as a result of the commitment.
- Did not change: No changes in government practice.
- Marginal: Some change, but minor in terms of its effect on level of openness.
- Major: A step forward for government openness in the relevant policy area, but remains limited in scope or scale.
- Outstanding: A reform that has transformed "business as usual" in the relevant policy area by opening government.

To assess this variable, researchers establish the status quo at the outset of the action plan. They then assess outcomes *as implemented* for changes in government openness.

Readers should keep in mind limitations. IRM end-of-term reports are prepared only a few months after the implementation cycle is completed. The variable focuses on outcomes that can be observed in government openness practices at the end of the two-year implementation period. The report and the variable do not intend to assess impact because of the complex methodological implications and the time frame of the report.

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[1] IRM Procedures Manual, http://www.opengovpartnership.org/about/about-irm.
[2] The International Experts Panel changed this criterion in 2015. For more information, visit http://www.opengovpartnership.org/node/5919.

Commitment Implementation

General Overview of Commitments

As part of OGP, countries are required to make commitments in a two-year action plan. The tables below summarize the completion level at the end of term and progress on the "Did It Open Government?" metric. For commitments that were complete at the midterm, the report will provide a summary of the progress report findings but focus on analysis of the 'Did It Open Government?' variable. For further details on these commitments, please see the Ireland IRM progress report 2016–18.

This plan had 15 commitments that were clearly organised and, when multiple milestones existed, showed coherence. The slight restructurings of the action plan for both the midterm report and the end-of-term report (as fully explained in the midterm report) include: a) subdividing Commitment 3 into three clear sections, and b) subdividing Commitment 4 of the action plan into parts '4A' and '4B,' where 4A analyses the commitment's first three milestones that focus on citizen engagement more generally 4B specifically on youth. As a result, the final number of commitments assessed in this report totals 18.

Table 4: Assessment of Progress by Commitment

Commitment Overview	Specificity				OGP Value Relevance (as written)				Potential Impact				Completion (Midterm / End of Term)				Did It Open Government?				
	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Technology & Innovation for Transparency & Accountability	None	Minor	Moderate	Transformative	Not Started	Limited	Substantial	Completed	Worsened	Did Not Change	Marginal	Major	Outstanding
1. Promote Transparent Climate Policy Development		✔				✔				✔				✔					✔		
															✔						
2. Support Public Participation Networks			✔		✔	✔					✔				✔				✔		
																✔					
3A. Improve Access to Justice: Reducing Costs			✔		✔		✔			✔				✔					✔		
														✔							
3B. Improve Access to Justice:		✔			Unclear					✔			✔						✔		

Framework to Assist Vulnerable Persons														✔								
3C. Improve Access to Justice: Oversight of Legal Practitioners		✔			✔				✔			✔				✔			
4A. Enhance Citizen Engagement in Policy Making: General		✔		✔	✔				✔			✔				✔			
4B. Enhance Citizen Engagement in Policy Making: Youth		✔			✔				✔			✔					✔	
5. Enhance Customer Engagement		✔		✔				✔				✔					✔	
6. Improve Access to Government Services Through Technology		✔		✔			✔		✔			✔					✔	
7. Participatory Budgeting	✔				✔				✔		✔					✔		
8. Improve Transparency of Government Service Providers			✔	✔					✔		✔					✔		
9. Enhance Fiscal Transparency	✔			Unclear				✔				✔					✔	
10. Introduce Modern Document Management Procedures	✔			Unclear				✔			✔					✔		
11. Develop and Open Data Strategy 2017-2020		✔		✔	✔		✔		✔					✔			✔	
12. Invest in Data Infrastructure			✔	✔			✔		✔				✔				✔	

that will Result in Better Open Data														✔							
⚙13. Develop a Code of Practice for the Governance of Charities			✔		✔	✔					✔			✔ ✔				8		✔	
⚙14. Strengthen Anti-Corruption Measures			✔			✔					✔		✔	✔				✔			
15. Establish a Register of Beneficial Ownership		✔			Unclear					✔				✔ ✔				✔			

1. Promote Transparent Climate Policy Development

Objective: *To integrate the transparency requirements of United Nations Climate Change agreements into the Open Government Partnership National Action Plan so that open government reforms can help advance climate action.*

Status quo: *At the Paris climate conference (COP21) in December 2015 countries adopted a legally binding global climate Agreement that seeks to avoid the impacts of climate change by limiting global warming to below 2°C. Among the core principles of the Paris Agreement are the concepts of enhanced transparency, accountability and participation.*

Consultation is at the heart of work being undertaken to create both the first National Mitigation Plan (NMP) and the National Adaptation Framework (NAF). Some non-statutory consultations have already taken place and statutory consultations will be undertaken during the development of the NMP and NAF during 2017.

The co-chairs of the Open Government Partnership, the World Resources Institute and the Government of France have produced guidance for integrating climate commitments in OGP National Action Plans.

As part of the 2016 Program for Partnership Government it has been agreed that the Government will establish a National Dialogue on Climate Change that will involve extensive public consultation. This will incorporate the key infrastructural, land use and economic issues to be considered in our long-term transition to a new low carbon future.

Ambition: *To inform decision making on climate action through consulting interested members of the public.*

Milestone:

1.1. Initiate the implementation of the National Dialogue on Climate Change

Responsible institution: Department of Communications, Climate Action and Environment (DCCEA)

Supporting institutions: All Government Departments, State Agencies as well as Local Authorities and sectoral representatives will be central in holding a constructive Dialogue.

Start Date: January 2017

End Date: June 2018

Commitment Overview	Specificity	OGP Value Relevance (as written)	Potential Impact	Completion	Midterm End of Term	Did It Open Government?

	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Technology & Innovation for Transparency & Accountability	None	Minor	Moderate	Transformative	Not Started	Limited	Substantial	Completed	Worsened	Did Not Change	Marginal	Major	Outstanding
1. Overall		✔				✔				✔				✔	✔				✔		

Commitment Aim

Ireland ratified the Paris Agreement (COP21) on global climate change in November 2016, and the Department of Communications, Climate Action and Environment introduced the country's first National Mitigation Plan (NMP) in July 2017 to reduce greenhouse gas emissions. This commitment sought to address the Paris Agreement's transparency framework requirement by creating the National Dialogue on Climate Action (NDCA) as part of the government's Program for a Partnership Government. A key goal was to create awareness, engagement, and motivation to act (locally, regionally and nationally) in relation to the challenges presented by climate change, as well as facilitate gatherings and public consultation to discuss and deliberate on appropriate responses to reduce carbon emissions.[1]

Status
Midterm: Limited

During the first year of the action plan, implementation was limited. An advisory board consisting of civil society was established to assist the Minister for Communications, Climate Action and Environment (DCCAE) in the commitment. The DCCAE also published the Draft National Mitigation Plan (NMP) in March 2017, which it later updated in July 2017.[2] However, what remained to be completed was planning for the first round of both national and regional stakeholder events.

End of term: Substantial

In the second year of the plan, two important developments took place, as verified by evidence from the government's self-assessment report for the commitment (henceforth referred to in this report as 'self-assessment report'). The developments were provided to the IRM researcher in September 2018, accompanied by desk research performed by the IRM researcher. First, at the national level, the Citizen's Assembly met on 30 September, 1 October, and 4-5 November 2017 to consider how the National Dialogue on Climate Action could effectively engage stakeholders in order to create awareness, engagement and motivations to act regarding climate change.[3] The Citizen's Assembly, which is a deliberative body consisting of 100 citizens who meet regularly, is an important forum that has had a significant impact on public policy in the 2000s (as previously reported by the IRM researcher on Ireland's first action plan, when it recommended holding a referendum on Marriage Equality). In its deliberations on climate action, the Assembly came up with 17 recommendations in a report published on 18 April 2018, including a key recommendation on institutionalising a new independent body to address problems associated with climate change and help develop climate policy.[4]

Secondly, at the regional level, the first regional stakeholder meeting took place in Athlone on 23 June 2018, with 75 participants, including interested citizens and academics, to create awareness,

engagement and motivation to act on challenges relating to climate change, as reported in the National Television station RTE.[5]

Both of these developments demonstrate that substantial progress has been made by the end of year two of the action plan. The overall status of the commitment, however, is not yet complete, as the Parliamentary Committee on Climate Action is still analyzing the recommendations of the Citizen's Assembly, while further regional meetings to raise awareness and continue to consult with interested members of the public are scheduled in 2019.

Did It Open Government?
Civic Participation: Marginal

At the outset of the action plan, there was little consultation with members of the public to inform decision-making on climate policy in Ireland. The commitment, therefore, sought to create structures at the national and regional levels to facilitate citizen participation on key issues to be considered in the long-term transition to a low-carbon future, as stipulated in the Paris agreement. While there was an attempt (particularly in year two) to create opportunities for the public to inform public policy development, its impact in terms of opening up government is marginal.

It is difficult to conclude that the commitment substantially opened government decision-making for two main reasons. First, given the relatively small numbers of public consultations that took place during the action plan cycle, it is too early to assess if the commitment fostered public interest and engagement in the policy area. Second, it remains unclear how these consultations will have an actual impact of the formation of Ireland´s climate policy, given that the state has not clearly outlined a mechanism to translate the ideas during public consultation into public policy outputs.

Carried Forward?
At the time of writing this report (September 2018), Ireland has yet to develop its third action plan. The IRM researcher recommends carrying this commitment forward to guarantee future dialogue with citizens, but to clearly outline how the government will effectively incorporate ideas raised in the consultation into legislation. In this regard, the IRM researcher agrees with the Citizen Assembly's recommendation to establish a key independent body that is resourced appropriately and given a broad range of new functions and powers. The IRM researcher thus recommends that a reworded commitment in the next plan could also outline the formal establishment of this body, where one of its key functions will be to relay the views raised by citizens during consultations to the government and ensure that these are incorporated when legislation is developed.

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[1] "National Dialogue on Climate Action," Department of Communications, Climate Action & Environment, https://www.dccae.gov.ie/en-ie/climate-action/topics/national-dialogue-on-climate-action/Pages/default.aspx .
[2] "National Mitigation Plan," Department of Communications, Climate Action & Environment, July 2017, https://www.dccae.gov.ie/documents/National%20Mitigation%20Plan%202017.pdf.
[3] "How the State can make Ireland a leader in tackling climate change," The Citizen's Assembly, https://www.citizensassembly.ie/en/How-the-State-can-make-Ireland-a-leader-in-tackling-climate-change/How-the-State-can-make-Ireland-a-leader-in-tackling-climate-change.html
[4] This is seen in the first recommendation where it is stated that: 'a matter of urgency a new or existing independent body should be resourced appropriately, operate in an open and transparent manner, and be given a broad range of new functions and powers in legislation to urgently address climate change.' "How the State can make Ireland a leader in tackling climate change," The Citizen's Assembly, https://www.citizensassembly.ie/en/How-the-State-can-make-Ireland-a-leader-in-tackling-climate-change/How-the-State-can-make-Ireland-a-leader-in-tackling-climate-change.html
[5] "Regional Climate Change Meeting in Athlone," RTE News, 23 June 2018, https://www.rte.ie/news/player/2018/0623/21387947-regional-climate-change-meeting-held-in-athlone/

2. Support Public Participation Networks

Objective: *Drawing on initial experiences of the operation of Public Participation Networks, continue to pro-actively work to provide necessary supports and promote best practice.*

Status quo: *The primary responsibility and accountability for decision-making within the local authority resides in the elected council. As part of a revitalisation of local government, the approaches to engage the public in local authority policy formulation and service design will go beyond the range of communication, consultation and community participation mechanisms used in the past. Approaches to stimulate greater public participation will complement rather than diminish, compete with, or substitute for local representative democracy. The participation of members of local communities, whether as individuals or as members of local sectoral, community or other groups in public life and their right to influence the decisions that affect their lives and communities are at the centre of democracy. Open and inclusive policy-making enhances transparency and accountability, and builds civic capacity.*

A National PPN Advisory Group has been established, representative of relevant stakeholders, and chaired by the Department of Housing, Planning, Community and Local Government. A PPN User Guide has been developed to provide practical assistance to PPNs. Resources have been provided to recruit dedicated resource workers for each PPN. A PPN Data Base comprising a robust data and information management system that all PPN's can use is being rolled out. A series of training and information events have been provided at a number of different geographical locations to support PPNs and local authorities. The public consultation for this National Action Plan highlighted the need to ensure that PPNs are supported through the dissemination of best practices across local authorities.

Ambition: *To ensure that Public Participation Networks provide the community and voluntary and environmental sectors with meaningful engagement with Local Authorities.*

Milestone:
2.1. Put in place a fully representative and transparently nominated National PPN Advisory Board. With National Advisory group guidance:
- Engage with all stakeholders, including PPNs, community-based PPN member organizations and local authorities.
- Update and improve the PPN user guide
- Continue on-going training/capacity building programs for local PPN participants, including local authority members and officials
- Develop a national communications/awareness raising plan for PPNs
- Roll out and update as necessary Client Relationship Database for PPNs

Responsible Institution: Department of Housing, Planning, Community and Local Government
Supporting institutions: All local authorities

Start Date: January 2017

End Date: June 2017

Commitment Overview	Specificity	OGP Value Relevance (as written)	Potential Impact	Completion	Midterm	Did It Open Government?
					End of Term	

	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Technology & Innovation for Transparency & Accountability	None	Minor	Moderate	Transformative	Not Started	Limited	Substantial	Completed	Worsened	Did Not Change	Marginal	Major	Outstanding
2. Overall			✔		✔	✔					✔				✔	✔			✔		

Commitment Aim

Ireland's first action plan introduced platforms for public participation at the local government level, referred to as Public Participation Networks (PPNs). This commitment aimed to establish a National PPN Advisory Group that is nominated or elected by stakeholders. The group would offer strategic guidance on issues, such as promoting best practice regarding PPNs throughout Ireland, providing training for PPN participants (including training local officials), and raising awareness for PPN activities.

Status
Midterm: Substantial

The government made substantial progress on this commitment by the end of the first year of the action plan. The Department of Housing, Planning, Community and Local Government made first steps to establish the Advisory Group, by inviting each local PPN to seek nominations from within their membership and nominate one representative from each sectoral college (Community and Voluntary, Social Inclusion and Environmental). The Department also required that the nomination process adopted by local PPNs be inclusive, transparent and fair, where nominated individuals explicitly state their willingness to take up a position on a newly constituted National PPN Advisory Group. Nominations were made to the Department through individual PPN's by 30 June 2017, with a key task for year two to be the establishment of the group.

End of term: Complete

By the end of year two, the commitment was completed. As seen in the government's report on the commitment given to the IRM researcher, and as verified through the IRM researcher's desk research, the Department of Rural and Community Development launched the Advisory Group in October 2017 and is fully representative of all stakeholders. In terms of its full representation, as stated in the 2017 PPN Annual report by the Department and the National PPN Advisory Group, "(t)he Group now includes one representative each from the Community and Voluntary, Environmental and Social Inclusion sectors, three PPN Volunteers – one each representing the three different sectors, three PPN resource workers and two Local Authority staff (one at Director of Service level and one directly supporting a PPN)."[1] Since its formation, the group has met five times. Information has also been spread by way of a PPN User Guide and PPN Client Database available to all 31 PPNs. In order to increase awareness of the PPNs, over 1200 hours of training programs were delivered in over 340 sessions to over 2600 PPN stakeholders during the second year of the action plan, including local government officials.

Did It Open Government?
Access to Information: Marginal
Civic Participation: Marginal

While a government-appointed National PPN Advisory Group has existed since 2016, at the outset of the action plan, the problem persisted that local stakeholders did not chose this group. This commitment offered a solution to engage with various local stakeholders on how to make the National PPN Advisory Group fully representative and making policy formulation more inclusive and representative of all stakeholders. For example, they could have networking regional meetings to share information on PPN issues and spread information by way of a PPN User Guide and PPN Client Database. Thus far, the National PPN Advisory Group has had a marginal impact in terms of creating opportunities for new representative institutions to influence decisions and further inform stakeholders with relevant information. It should be noted, however, that it may have the potential to better open government in the future, but that is not being fully realized at the moment, given that the group is only recently established, and time is needed to see how it functions.

Carried Forward?

At the time of writing this report (September 2018), Ireland has yet to develop its third action plan. As the commitment is completed, the IRM researcher does not recommend including it in the next plan.

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[1] See page 4: "PPN Annual Report 2017," Department of Rural and Community Development and the National PPN Advisory Group, https://drcd.gov.ie/wp-content/uploads/180904-Final-Design-Version-2017_PPN_Annual_Report.pdf

3A. Improve Access to Justice: Reducing Costs

Commitment Text *(note: this text is also relevant to 3A, 3B, and 3C of this report)*:

Objective: *Improve access to justice by reducing its cost, assisting those who require support, and improving oversight of legal practitioners.*

Status quo: *The Legal Aid Board provides legal advice, for a nominal fee, on certain civil matters to those below certain income thresholds. However, there have been criticisms that high legal fees for those above the income thresholds reduces access to justice. The opaque nature of how those legal fees are calculated has also been criticised. The recently established Legal Services Regulatory Authority is charged with the oversight of legal practitioners, legal services and creating a more transparent legal costs regime in the State as provided for under the Legal Services Regulation Act 2015.*

The Irish Government recently began a scheme, Abhaile, of free legal and financial advice, as well as professional assistance, to certain borrowers who find themselves at risk of losing their home due to mortgage arrears. This initiative will seek to encourage engagement of borrowers and creditors in alternative dispute resolution mechanisms, prevent unnecessary recourse to the courts, and minimise repossessions for distressed borrowers.

Milestones:

A) Reduce the cost of accessing justice by:

3A.1 - Introducing new legal business models, such as Legal Partnerships. This will help to integrate the dual model of legal representation in Ireland and will enable legal entities to become more efficient in dealing with their clients.

3A.2 - Implementing a new system to adjudicate on the costs associated with legal proceedings. This new independent process will involve publishing determinations in respect of legal cost disputes. This action will help to create openness, consistency and clarity around the costs of accessing justice.

3A.3 - Introducing a quicker and cheaper informal arrangement for the resolution of complaints surrounding the costs of legal representation. This informal mechanism may be accessed by aggrieved clients prior to going to full adjudication.

3A.4 - Classifying unjustifiable overcharging of clients as 'serious misconduct'. This would be adjudicated by the new independent oversight body for legal practitioners. A robust penalties and professional disciplinary scheme will be applied to those found to have grossly overcharged clients.

3A.5 - Encouraging greater use of alternative dispute resolution. We will introduce a new framework to promote mediation as a viable, effective and efficient alternative to court proceedings thereby reducing legal costs, speeding up the resolution of disputes and relieving the stress involved in court proceedings.

Responsible institution: Department of Justice and Equality

Supporting institution: Department of Health, Decision Support Service

Start date: January 2017

End date: June 2018

	Specificity				Midterm	

Commitment Overview					OGP Value Relevance (as written)				Potential Impact				Completion		End of Term		Did It Open Government?				
	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Technology & Innovation for Transparency & Accountability	None	Minor	Moderate	Transformative	Not Started	Limited	Substantial	Completed	Worsened	Did Not Change	Marginal	Major	Outstanding
3A. Overall			✔		✔		✔			✔				✔				✔			
														✔							
3A.1. New Legal Business Models		✔					✔		✔					✔							
														✔							
3A.2. New System to Adjudicate Legal Proceedings			✔		✔		✔			✔				✔							
														✔							
3A.3. New Informal Arrangements for the Resolution of Legal Representation Cost Complaints		✔					✔			✔				✔							
															✔						
3A.4. Classifying Unjustifiable Overcharging of Clients as 'Serious Misconduct'		✔					✔			✔					✔						
															✔						
3A.5. New Framework for Mediation as Alternative to Court Proceedings			✔				✔			✔					✔						
																✔					

Commitment Aim

This commitment sought to reduce the cost of accessing justice in Ireland by pursuing five main goals:

- Introducing new legal business models, such as Legal Partnerships (Milestone 3A.1),

- Creating a new independent process to adjudicate on the costs associated with legal proceedings (3A.2),
- Introducing a quicker and cheaper informal arrangement for the resolution of legal representation cost complaints (3A.3),
- Classifying unjustifiable overcharging of clients as a 'serious misconduct' and applying penalties to legal professionals who overcharge clients (3A.4),
- Introducing a new framework to promote mediation as an alternative to court proceedings (3A.5).

Status
Midterm: Limited

At the midterm, the overall implementation level for this commitment was limited. The Legal Services Regulatory Authority made some progress regarding the public consultation by beginning to garner views from stakeholders on legal partnerships. The Office of the Legal Costs Adjudicator was originally meant to be established by the end of 2017, but was delayed due to appointing staff and developing and integrating an online platform that would allow the publication of important decisions online. Additionally, the new complaint system still needed to be set up. However, the last two milestones did see substantial completion; the government included a new category of "grossly excessive" legal costs under section 50 of the Legal Services Regulation Act 2015, and a Mediation Bill was published in February 2017, with legislative approval to ensue in year two of the plan.

End of term: Limited

The government reports that progress has been made on only one of the milestones (3.A5) during year two, where the rest remain at status quo from the midterm. In this regard, the Mediation Act was signed into law on 2 October 2017, coming into effect 1 January 2018, as also verified by desk research.[1] One of the key components of the act is to oblige legal practitioners to advise clients to consider using mediation as a means of resolving disputes.[2] Given that no further progress is made on four of the other five milestones, however, overall progress on the commitment is deemed to be limited at the end of year two.

Did It Open Government?
Access to Information: Did Not Change
Public Accountability: Did not Change

At the outset of the action plan, legal costs in Ireland were some of the highest in the world, often denying citizens judicial protection and restricting access to justice. The commitment sought to decrease the barriers for access to justice by reducing costs associated with accessing justice and increasing regulations to which legal professionals must abide. While there is limited overall progress on the commitment, some of the milestones have seen some good progress (3.A4 and 3.A5). With regard to access to information, there is little evidence at this stage that the initiatives have significantly changed practices, as more information has not been disclosed to the public. The Mediation Act will provide obligations on solicitors and barristers to notify clients of the option to pursue mediation to resolve disputes (as opposed to pursuing more costly court proceedings), thereby making them increasingly accountable for their actions. However, this change has not taken place because the act has only recently been adopted and it is too soon to gauge if legal practitioners will be fully answerable for their actions if they fail to do so.

Carried Forward?
At the time of writing this report (September 2018), Ireland has yet to develop its third action plan. The IRM researcher recommends carrying forward the first three milestones that have seen only limited completion to date.

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[1] "Mediation Act 2017," A&L Goodbody, https://www.algoodbody.com/insights-publications/mediation-increased-obligations-from-1-january-2018

[2] "Mediation Act 2017 – what's new for solicitors," Law Society of Ireland, 22 December 2017, https://www.lawsociety.ie/News/News/Stories/mediation-act-2017--whats-new-for-solicitors/#.W6i6EGgzY2w

3B. Improve Access to Justice: Framework to Assist Vulnerable Persons

Commitment Text:

Introduce a new statutory framework to assist vulnerable persons and individuals with decision-making capacity difficulties to exercise their legal capacity. The new framework will replace the outdated "Wards of Court" system and establish a modern statutory framework to support decision-making by adults with capacity difficulties. The aim is to safeguard the person's autonomy to the greatest extent possible by offering a continuum of decision support options most appropriate to the person's needs.

Milestone

3B. Introduce a new framework to assist vulnerable persons and individuals with limited decision-making capacity

Responsible institution: Department of Justice and Equality

Supporting institution: Department of Health, Decision Support Service

Start date: January 2017
End date: June 2018

Editorial Note: For the remainder of this commitment text, please see Commitment 3A.

Commitment Overview	Specificity				OGP Value Relevance (as written)				Potential Impact				Completion / Midterm / End of Term				Did It Open Government?				
	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Technology & Innovation for Transparency & Accountability	None	Minor	Moderate	Transformative	Not Started	Limited	Substantial	Completed	Worsened	Did Not Change	Marginal	Major	Outstanding
3B. Overall		✔			Unclear					✔			✔ (Midterm)		✔ (End of Term)			✔			

Commitment Aim

The main objective of this commitment was to establish a framework to help decision-making for adults who have capacity difficulties, by offering a court-appointed decision-making assistant to help such adults.

Status

Midterm: Not Started

At the midterm, the government had not started implementation of this commitment.

End of term: Substantial

At the start of year two, the key development in this commitment was the appointment of the new Director of the Decision Support Service (DSS) in October 2017, Áine Flynn.[1] The Director will be tasked to oversee the future establishment and commissioning of the DSS, which will roll out the new decision-making support options. In terms of resources earmarked for the establishment of the DSS, the government notes in its progress report on the commitment to allocate EUR 3 million in 2018. While substantial progress has been made, the new decision-making support options have yet to be fully rolled out by the end of year two.

Did It Open Government?
Access to Information: Did not change
Civic Participation: Did not change
Public Accountability: Did not change

At the outset of the action, the statutory framework to support decision-making for adults with capacity difficulties in Ireland was weak. To change this, this commitment sought to enact structures and rules in order to safeguard these adults' independence and autonomy. As was reported in the midterm report, while granting access to decision-making and self-determination support options for those with capacity difficulties is laudable, the commitment as written is not relevant to OGP values, because it focuses on enhancing autonomy rather than participation or accountability.

Carried Forward?
At the time of writing this report (September 2018), Ireland has yet to develop its third action plan. Given that substantial progress has been made and given that the commitment will be implemented soon, the IRM researcher does not recommend carrying it forward. Moreover, given the lack of clear relevance of this commitment to OGP values, it should not be carried forward.

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[1] On the appointment and full list of duties of the Director, please see "Director of Decision Support Services," Mental Health Commission, https://www.mhcirl.ie/DSS/dir_dss/

3C. Improve Access to Justice: Oversight of Legal Practitioners

Commitment Text:

Create more open and transparent oversight of legal practitioners by:

- Establishing a new independent regime to regulate solicitors and barristers. This will end reliance on self-regulation by the legal professional bodies and will open up governance and reporting mechanisms to public and parliamentary scrutiny.

- Introducing an independent complaints system to deal with professional misconduct by legal practitioners.

- Making the way legal costs are charged more open and transparent through the introduction of new rules for solicitors and barristers. This will require legal practitioners to inform their clients in much greater detail how their legal costs are calculated.

Responsible institution: Department of Justice and Equality

Supporting institutions: Department of Health, Decision Support Service

Start date: January 2017

End date: June 2018

Editorial Note: For the remainder of the commitment text, please see Commitment 3A

Commitment Overview	Specificity				OGP Value Relevance (as written)				Potential Impact				Completion / Midterm / End of Term				Did It Open Government?				
	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Technology & Innovation for Transparency & Accountability	None	Minor	Moderate	Transformative	Not Started	Limited	Substantial	Completed	Worsened	Did Not Change	Marginal	Major	Outstanding
3C. Overall			✔				✔				✔			✔				✔			
														✔							
3.C1 (and C3) Regime to Regulate Solicitors and Makes Costs Transparent			✔				✔				✔			✔							
														✔							
3.C2. Complaints System for Misconduct			✔				✔				✔			✔							
														✔							

Commitment Aim

This commitment aimed to establish an independent regulation of solicitors and barristers in Ireland, including making legal costs more transparent, and open up a complaints system to deal with professional misconduct when it occurs in the legal profession.

Status
Midterm: Limited

Progress at the midterm was limited. The new independent statutory regulator for the legal profession, referred to as the Legal Services Regulatory Authority (LSRA), was established on 1 October 2016. It met several times during the first year of the action plan and started a search for a full-time chief executive. However, until the LSRA is fully operational with a permanent CEO in charge, the rules for charging clients could not be fully put into motion. Regarding the complaints system to deal with professional misconduct, the midterm report highlighted that a new single Disciplinary Tribunal for solicitors and barristers had not been fully developed, and that next steps for the second year included making key staffing appointments, putting Information, Communication and Technology (ICT) capacities in place and developing a roadmap by October 2017.

End of term: Limited

Progress on the commitment at the end of year two remains limited. Because the text of the sections on 'progress' and the 'next steps' for this commitment provided to the IRM researcher by the government at the end of year two is the same as what was provided at the midterm, there appears to have been no additional progress made since the midterm. However, desk research shows that small steps have been taken: a CEO of the LSRA (Brian Doherty) was named in September 2017,[1] and the new CEO spearheaded a three-year Strategic Plan in Q3 2018.[2] This plan outlines its desire to perform research on legal costs, but that the findings will not be available until Q2 2019.[3] Evidence on the roadmap of the Legal Practitioners Disciplinary Tribunal was also not found in internet searches.

Did It Open Government?
Public Accountability: Did Not Change

Before the action plan, there was no independent regulation of the legal profession; the law society acted in a self-regulatory capacity when complaints against lawyers were made. This commitment aimed to establish independent regulation of the legal profession by creating a complaints mechanism to report misconduct among legal professionals. While the commitment is relevant to the OGP value of public accountability, it has had no effect on opening up government at this stage. This is because its implementation progress is limited (as discussed above), and because it is unclear what mechanisms will ensure that legal costs are more open and transparent and what penalties will be given if this is not the case. While there may be a significant change in the future from the status quo of self-regulation to create an independent statutory regulator for all legal practitioners and more open oversight of the profession as the LSRA develops, these changes have not come about at the end of the action plan cycle.

Carried Forward?

At the time of writing this report (September 2018), Ireland has yet to develop its third action plan. Given that the structures of the LSRA are starting to be set up, guided by a strategic plan, the IRM researcher does not recommend including this commitment in the next plan.

[1] For a message from the new CEO in the LSRA's 2017 Annual report, please see pages 4-5: "Annual Report 2017," Legal Services Regulatory Authority, April 2018, http://lsra.ie/en/LSRA/2017%20Annual%20Report%20-%20LSRA.pdf/Files/2017%20Annual%20Report%20-%20LSRA.pdf

[2] As part of the mission, the LSRA states that "The Legal Services Regulatory Authority will regulate the provision of legal services by legal practitioners and will ensure the maintenance and improvement of standards in the provision of legal services in the State." See page 9 of its Strategic Plan of April 2018: "First Strategic Plan 2018–2020," Legal Services

Regulatory Authority, April 2018, http://lsra.ie/en/LSRA/LSRA_Strategic_Plan_2018-2020-FINAL.pdf/Files/LSRA_Strategic_Plan_2018-2020-FINAL.pdf

[3] See page 9 of its Strategic Plan of April 2018: "First Strategic Plan 2018–2020," Legal Services Regulatory Authority, April 2018, http://lsra.ie/en/LSRA/LSRA_Strategic_Plan_2018-2020-FINAL.pdf/Files/LSRA_Strategic_Plan_2018-2020-FINAL.pdf

4A. Enhance Citizen Engagement in Policy Making: General

Commitment Text:

Objective: *To build capacity and help to create a culture of openness and responsiveness to the citizen in policy making across the public sector.*

Status quo: *Ireland's first Open Government Partnership National Action Plan, 2014-2016, acknowledged that citizen participation requires accessible and timely information about policy and service development proposals, clear ways to engage with policy makers, and a culture of openness on the part of the public service. Updated guidance on consulting the public was prepared under the National Action Plan. In addition, one of the aims of the Civil Service Renewal Plan is to 'promote a culture of innovation and openness by involving greater external participation and consultation in policy development'. A series of Open Policy Debates has been established for a range of policy areas. It promotes regular open discussion, early on in the policy development process. It allows a wide range of academics and practitioners to hear informed, expert, opposing and challenging views.*

Many helpful suggestions were made in the submissions received as part of the process to draft this Action Plan. The milestones set out below to fulfil this commitment aim to address the shortcomings identified in those submissions and advance the ideas for improvements.

Ambition: *To promote meaningful citizen engagement in policy making and in turn to increase the legitimacy of decision-making, improve the public's knowledge and awareness of complex policy challenges, help decision-makers to make better decisions, and lead to better policies and improvements in the quality of service provision.*

Milestones:

4.A1. Create a Consultation Portal. This will act as a central repository for public consultations. It will make consultations easier to engage with and promote best practice in how they are run. It will contribute to the evaluation and monitoring of citizen engagement efforts.

4.A2. The Civil Service Learning and Development Project Team will ensure that an awareness of best practice in external engagement and consultation is embedded in relevant training modules of the new curriculum, including Policy Making, Communications, Change Management and Project Management.

4.A3. Create a practitioners network to support citizen engagement. This will be used to gather and share best practice and innovations in citizen engagement, including the provision of accessible information on key policy issues and 'legislative footprints' on current legislative initiatives.

Responsible institution: Department of Public Expenditure and Reform

Supporting institution: Department of Children and Youth Affairs (DCYA)

Start date: January 2017

End date: June 2018

Commitment Overview	Specificity	OGP Value Relevance (as written)	Potential Impact	Completion	Midterm	Did It Open Government?
					End of Term	

	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Technology & Innovation for Transparency & Accountability	None	Minor	Moderate	Transformative	Not Started	Limited	Substantial	Completed	Worsened	Did Not Change	Marginal	Major	Outstanding
4A. Overall			✔		✔	✔					✔			✔				✔			
														✔							
4.A1. Create a Consultation Portal			✔			✔					✔			✔							
														✔							
4.A2. Provide Training Modules for Civil Servants			✔			✔					✔			✔							
														✔							
4.A3. Create Practitioner Network for Participation			✔		✔	✔					✔		✔								
													✔								

Commitment Aim

Building on commitments from the first action plan, this commitment aimed to enhance citizen's engagement through:

- the creation of a Consultation Portal to act as a repository for public consultations,
- providing training modules for civil servants through the Civil Service Learning and Development Project Team, tasked to ensure best practice when engaging with publics, and
- creating practitioner networks to support citizen engagement to gather and share best practice and innovations in engagement, including "legislative footprints" on current legislative initiatives.

Status
Midterm: Limited

At the midterm, the completion level was limited. Department of Public Expenditure and Reform (DPER) developed the Consultation Portal (Milestone 4.A1), with data on consultations in various departments inputted. The department also established a framework to provide training for the Civil Service (Milestone 4.A2) in Q2 2017. However, several tasks remained incomplete, namely launching the Consultation Portal at the end of Q4 2017, fully embedding the guidelines for the Civil Service into training during the second year of the action plan, and creating a practitioner network to support citizen engagement (Milestone 4.A3).

End of term: Limited

As verified by evidence from the government's self-assessment report on the commitment provided to the IRM researcher in September 2018, the 'progress' that is reported by the end of year two is the same as that at the end of year one for all three milestones. Therefore, the level of implementation at the midterm remained unchanged at the end of the second year, for which no reason was given. This was also verified by desk research performed by the IRM researcher.

Did It Open Government?
Access to Information: Did Not Change
Civic Participation: Did Not Change

This commitment sought to better facilitate consultation with citizens, given their lack of engagement in the policy process. In particular, it sought to build capacity within public offices to engage citizens in policy, leading to more informed outcomes and promoting a culture of openness on the part of the public service. Because Milestone 4.A3 called for providing accessible information on "legislative footprints," whereby citizens would have more complete information on the different influences on a piece of legislation and the steps it has taken during the formulation process, the commitment was also relevant to access to information.

However, this commitment did not result in opening up government, due to the limited implementation progress by the end of the action plan. Milestone 4.A3 in particular, which called for sharing best practice and innovations within public bodies on how to foster citizen engagement (including offering information of legislative footprints), was not started. As a result, the government did not create a new environment, either for the public to influence decisions or receive higher quality information disclosed by the state.

Carried Forward?
At the time of writing this report (September 2018), Ireland has yet to develop its third action plan. The IRM researcher recommends that the milestone on the Consultation Portal be carried forward. It can serve as a strong means to engage citizens in politics, and a modified commitment may be developed that will constructively see how the portal can be used when the details of the public policy are formulated.

4B. Enhance Citizen Engagement in Policy Making: Youth

Commitment Text:

The Department of Children and Youth Affairs will establish a Children and Young People's Participation Hub, as a national centre for excellence on the participation of children and young people. The Hub will support Government departments and other organisations by providing training, developing good practice toolkits and supporting organisations to effectively involve children and young people in decision-making, including young children and those who are seldom heard.

Milestone:

4B. Establish a participation hub for children and youth

Responsible institution: Department of Public Expenditure and Reform

Supporting institution: Department of Children and Youth Affairs (DCYA)

Start date: January 2017

End date: June 2018

Editorial Note: For the remainder of the commitment text, see Commitment 4A.

Commitment Overview	Specificity				OGP Value Relevance (as written)				Potential Impact				Completion / Midterm / End of Term				Did It Open Government?				
	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Technology & Innovation for Transparency & Accountability	None	Minor	Moderate	Transformative	Not Started	Limited	Substantial	Completed	Worsened	Did Not Change	Marginal	Major	Outstanding
4B. Overall			✔			✔					✔				✔ (midterm)	✔ (end of term)			✔		

Commitment Aim

This commitment sought to increase participation of youth and children in decision-making processes by creating of a Children and Young People's Participation Hub. This hub is designed to serve as a national centre for excellence on the participation of children and young people, support government departments by providing training, and develop good practice toolkits to involve youth in decision making.

Status
Midterm: Substantial

The level of completion at the midterm was substantial. Key achievements included commissioning further education and continuing professional development program in Ireland and developing a training program to explore the views of children and young people. The hub also has a dedicated

webpage that was substantially improved during the first year of the action plan by housing an online children's participation database of publications on the theory and practice of young people's participation in decision-making. What remained in year two included developing a three-year work plan for the hub, further developing consultation with young people, and developing further training plans.

End of term: Complete

In the second year of the action plan, key tasks were performed, and the commitment can be deemed complete. Along with the hub's webpage being fully developed in November 2017 (www.hubnanog.ie), a three-year development plan and an annual work plan were developed in year two of the action plan. More consultations with young people were performed in year two, as verified by desk research,[1] and a first training programme on creative methods of seeking to gauge the views of youth was delivered to adults working in the government.

Did It Open Government?
Civic Participation: Marginal

The policy problem at the outset of the commitment was that the state had not pursued clear initiatives to increase youth participation in decision-making. The commitment therefore aimed to increase participation through the creation and development of a hub whereby youth could increase participation, and also support governments by providing training. The goal of improving young people's access to participation in decision-making processes, relevant to the OGP value of civic participation, had as a clear objective of creating a hub of excellence. With this hub, the government created opportunities for a specific sector of the public to be better informed and potentially influence decisions. At this stage, this commitment can be considered a marginal way of opening up government. Although databases of publications are available, young people have been consulted, and government officials have been trained, more time is needed to clearly see whether the hub is used effectively.

Carried Forward?
At the time of writing this report (September 2018), Ireland has yet to develop its third action plan. While continuous work will likely revolve around the key aims of the tasks, such as training and advising governments and agencies to better incorporate the views of young people as well as adding resources to the Participation Hub Database, the IRM researcher recommends there is no need to carry it forward into the next plan, given that the commitment is complete.

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[1] "'So, How was School Today?' Report of a survey on how young people are taught and how they learn," Department of Children and Youth Affairs, 2017,
https://www.dcya.gov.ie/documents/publications/20171106SoHowWasSchoolTodayReport.pdf

5. Enhance Customer Engagement

Commitment Text:

Objective: *Build on long-standing efforts to provide quality public services, focusing on actions that build capacity and help to create a culture of openness and responsiveness to the customer.*

Milestones:

5.1. Enhance reporting on progress made in meeting standards and commitments in Customer Charters and provide reports in open data formats. We will similarly report on efforts to:
- *Promote the use of plain language*
- *Promote universal design*
- *Address Digital Exclusion*
- *Comply with the Public Sector Duty under Section 42 of the Irish Human Rights and Equality Commission Act 2014*

5.2. Design and introduce structured reporting on responses to any issues identified in surveys of Civil Service customers and provide reports in open data formats.

5.3. Encourage public bodies to engage with their customers in the development, delivery and review of services.

5.4. Provide training in Customer Service and Communication Skills to improve the quality and consistency of customer engagement across the Civil Service

Responsible institutions: Department of Public Expenditure and Reform; Department of Justice and Equality; Irish Human Rights and Equality Commission; Centre for Excellence in Universal Design; OGCIO.

Supporting institutions: All government departments and public bodies

Start date: January 2017

End date: June 2018

Editorial Note: The text of the commitment was abridged for formatting reasons. For full commitment text, visit: https://www.opengovpartnership.org/sites/default/files/Ireland_NAP_2016-2018.pdf.

Commitment Overview	Specificity	OGP Value Relevance (as written)	Potential Impact	Completion	Midterm	Did It Open Government?
					End of Term	

	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Technology & Innovation for Transparency & Accountability	None	Minor	Moderate	Transformative	Not Started	Limited	Substantial	Completed	Worsened	Did Not Change	Marginal	Major	Outstanding
5. Overall			✔		✔					✔					✔				✔		
															✔						
5.1. Reporting on Progress in Meeting Standards and Commitments in Customer Charters			✔		✔					✔					✔						
5.2. Reporting on Responses to Issues Identified in Surveys of Civil Service Customers			✔		✔					✔					✔						
															✔						
5.3. Public Bodies Engagement with Customers		✔			Unclear					✔				✔							
															✔						
5.4. Training in Customer Service and Communication Skills			✔		Unclear					✔				✔							
																✔					

Commitment Aim

This commitment sought to create a culture of openness and responsiveness to customer engagement with the state. To achieve this, the commitment called for

- enhanced reporting on progress made in meeting standards related to the Customer Charters (which refers to a statement by each government Department or public body describing the level and quality of customer service a customer can expect from a Government Department of Office),
- reporting on responses identified in surveys of Civil Service customers and provide reports in open data formats,
- encouraging public bodies to engage with their customers in the development, delivery, and review of services, and
- training in customer service and communication skills across the civil service to improve the quality and consistency of customer engagement.

Status
Midterm: Substantial

At the midterm, there was substantial progress in implementing some parts of the commitment (milestones 5.1 and 5.2), but limited progress for other parts (milestones 5.3 and 5.4). An area where there was substantial progress, for example, was the Department of Public Expenditure and Reform (DPER) Minister launching the *Customer Communications Toolkit for Public Service (*Milestone 5.1), containing advice on general writing style principles and the design of forms and documents, with the intention of teaching public servants how to communicate clearly to the public. A survey of Business Customers of the Civil Service was published in January 2017, based on a sample of over 500 businesses countrywide that were phoned in 2016, and reported in open data format (Milestone 5.2). It was expected that the new draft of "Our Public Service 2020" (Milestone 5.3) was to take place in Q4 2017, and that further training sessions aimed at increasing the skill sets of civil servants in a customer service environment would take place in year two of the action plan.

End of term: Substantial

Overall, the implementation of the commitment was substantial, although the first three milestones remain to be fully completed at the end of year two. As evidenced in desk research, a key development in year two of the action plan was the December 2017 publication of the *Our Public Service 2020 (OPS2020)*, Ireland's new public service reform plan.[1] Relevant parts of the public service plan to this commitment include, for example, Action 2 (on improving services for customers, which outlines steps to support the delivery of a quality service to the public and ensures effective feedback tools are in place to survey customer experience) and Action 3 (which outlines steps to make services more accessible to all by ensuring that public bodies will use plain language and improve face-to-face, telephone, written and web-based interaction with customers).

With regard to reporting on issues identified in surveys of customers (Milestone 5.3), the government reports that the Steering Group on the Civil Service Business Survey is overseeing the business survey that is currently underway, with findings expected to be reported later in 2018. And regarding providing training in customer service during year two of the plan (Milestone 5.4), the government reports that four courses (Delivering Excellent Customer Service; Oral Communications; Reception/Front Desk; and Telephone Techniques) have been delivered over 122 training sessions between September 2017 and September 2018, with more sessions envisaged over the year.

Did It Open Government?
Access to Information: Marginal

By increasing the responsiveness of public bodies to citizens that are users of public services, this commitment attempted to improve how citizens engage with civil services. Citizens' level of satisfaction with the service is significant because the more *information* that citizens have on the state, the more satisfaction they will have with the service. The changes that the commitment aimed towards were to provide reports on meeting standards and commitments in Customer Charters and issue identified surveys in open data formats. While some of the data on surveys have yet to be reported, the information released in January 2017 did offer information to the public on customers' views on the quality of service. However, while a positive step, it is difficult to assess these activities as opening government more than marginally. While the commitment may help ensure the delivery of public services, it is not clear that this will create a culture of full information, openness and participation when in public service delivery.

Carried Forward?
At the time of writing this report (September 2018), Ireland has yet to develop its third action plan. The IRM researcher does not recommend carrying this commitment forward, given its substantial completion. Moreover, given the lack of clear relevance of part of this commitment to OGP values, it should not be carried forward.

[1] "Our Public Service 2020," Department of Public Expenditure and Reform, December 2017,
https://ops2020.gov.ie/resources/Our-Public-Service-2020-WEB.pdf

6. Improve Access to Government Services Through Technology

Commitment Text:

Objective: *To improve services to our citizens through enhanced use of technology.*

Status quo: *The global technological shift has increased both the demand and expectation for Governments to make it simpler for citizens to use services through technology and digital platforms. Citizens expect their Government to harness technology and to build solutions that are shared across the public service. There is an increasing demand for reduced duplication of effort to make the citizen's transactions with the State easier, more flexible, and less time consuming.*

Ambition: *The Government will champion the role of new technology and drive innovation by making it easier for citizens to engage with the State. This ambition will include meeting citizens' demands for digital services by introducing readily accessible, intuitive, and secure applications. These solutions will increase service speed, effectiveness, and will create better value for money in the provision of public services.*

The Government will meet this ambition by eliminating duplication of engagement through a single customer view using a 'tell us once' principle; by replacing multiple Government issued cards with one safe and secure smart Public Services Card, making the citizen's engagement with the State quicker and more seamless. The Government's ICT strategy will provide enhanced outcomes for customers by using a secure Government Network, sharing commonly needed applications across the public service and by implementing a Government Cloud to safely store and maintain data and applications.

The State recognises that not all citizens will have the capacity to access digital or web-based solutions and will cater for this too.

Milestones:

6.1. The Office of the Government Chief Information Officer will continue to work with the Department of Social Protection to increase the uptake of MyGovID and the Public Services Card, including its use by Government agencies, and to develop the SAFE authentication model. This will also enable Citizens to access Government services online with confidence.

6.2. Create a Government service gateway or portal. The gateway would initially be a means of directing the service user, especially where they are new users of Government services, to the services they require. The portal would then be used to present new or less well known information or services and be the means for single sign-on/authentication and verification/update of general information (e.g. simple address information), using the "tell us once" principle.

Responsible institutions: Department of Public Expenditure and Reform, Department of Social Protection

Supporting institution(s): N/A

Start date: January 2017

End date: June 2018

Commitment Overview	Specificity	OGP Value Relevance (as written)	Potential Impact	Completion	Midterm	Did It Open Government?
					End of Term	

	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Technology & Innovation for Transparency & Accountability	None	Minor	Moderate	Transformative	Not Started	Limited	Substantial	Completed	Worsened	Did Not Change	Marginal	Major	Outstanding
6. Overall			✔		✔			✔		✔				✔					✔		
																✔					
6.1. Increase uptake of MyGovID and the Public Service Card, and Develop the Standard Authentication Framework Environment			✔		Unclear						✔				✔						
																✔					
6.2. Develop Government's Digital Services Gateway			✔		✔			✔		✔				✔							
																✔					

Commitment Aim

This commitment sought to increase the uptake of the Public Services Card (PSC), created in 2012, to replace other government-issued cards such as the free travel pass and social services card. It also sought to use the PSC as a foundation for citizens to use MyGovID, the portal for accessing government services online, such as social welfare payments and revenue service in order to reduce the amount of times users need to give their personal information on government portals/websites. The commitment also called for the creation of a new "Digital Services gateway" to direct new users to services they require, and eventually serve as a single sign-on/authentication and verification of general information.

Status
Midterm: Limited

While the uptake of the PSC card was substantial, with an increase of services found on the website of MyGovID (Milestone 6.1) as discussed in the midterm report, the development of the Government's Digital Services Gateway was limited, as it was not fully launched in the first year of the action plan. The launch was expected to take place in the second year.

End of term: Complete

At the end of year two of the action plan, the commitment was complete, based on evidence in the government's report on this commitment and desk research. By the end of year two, the uptake of the PSC covers 2.7 million individuals, while the MyGovID basic service is rising to cover over 600,000 individuals. Further services have been added to MyGovID, including online services for driver's licences. The Digital Services Gateway was also launched in 2018 (available at https://www.gov.ie/en/). On its usability, the IRM researcher can report on the clarity of the webpage design and the ease with which one can use the Gateway, which offers links to 14 themed services

such as those relating to 'Family and Relationships,' 'Social Welfare,' ´Money and Tax' and 'Social Welfare.'

Did It Open Government?
Access to Information: Marginal

At the outset of the commitment, there was a need to improve services to the public by way of technology. Thus, this commitment aimed to allow users of the PSC, MyGovID, and the new gateway to have their identity more easily and more efficiently authenticated and improve the services that are received. With the initiatives, particularly that with regard to developing the gateway, the status quo from before the plan was changed positively; through the initiative, the government disclosed more information that is available to citizens in order for them to make more informed choices and improved the quality of information on services that are available to the public. As a result, the initiative can be considered a marginal step forward in terms of opening government. However, it is difficult to determine at this stage whether this is major. For one, there is no means to guarantee that services that are received by citizens will improve from before, especially if requests for services are not processed quicker or more efficiently. Further, part of the reason why this commitment cannot represent a major opening up of government is because part of it (6.1) lacks clear relevance to OGP values.

Carried Forward?
At the time of writing this report (September 2018), Ireland has yet to develop its third action plan. The IRM researcher recommends that the commitment not be carried over, considering that it is complete.

7. Participatory Budgeting

Commitment Text:

Objective: *Undertake a feasibility study on possible means of enabling further citizen engagement in local authority budgetary processes.*

Status quo: *The budgetary process established under the Local Government Reform Act 2014, will be considered in the context of a further programme of local government reform and development to be undertaken pursuant to the Programme for a Partnership Government for the purpose of a report for Government and the Oireachtas by mid-2017 on potential measures to boost local government leadership and accountability, and to ensure that local government funding, structures and responsibilities strengthen local democracy. Having regard to these active considerations it is considered that the opportunity for the timely commencement of this action and the means by which further citizen engagement might be enhanced will be informed by this process.*

Ambition: *The results of the feasibility study will inform and guide the next steps on how further citizen engagement in local authority budgetary processes can be facilitated.*

Milestone:

7.1. Association of Irish Local Government (AILG) & County and City Managers' Association to undertake feasibility study, in consultation with key stakeholders, on enabling further citizen engagement in local authority budgetary processes.

Responsible institution: Department of Housing, Planning, Community and Local Government

Supporting institutions: National PPN Advisory Group, Local Authorities, The Association of Irish Local Government (AILG) and the County and City Managers' Association

Start date: January 2017

End date: December 2017

Commitment Overview	Specificity				OGP Value Relevance (as written)				Potential Impact				Completion / Midterm End of Term				Did It Open Government?				
	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Technology & Innovation for Transparency & Accountability	None	Minor	Moderate	Transformative	Not Started	Limited	Substantial	Completed	Worsened	Did Not Change	Marginal	Major	Outstanding
7. Overall		✔				✔				✔			✔ / ✔					✔			

Commitment Aim

This commitment aimed to bring citizens into the Local Authority budgetary processes by performing a feasibility study with stakeholders. Through consultation with stakeholders, the aim was to hold consultations to examine how to enable further engagement by citizens in the budgetary process.

Status
Midterm: Not Started

Implementation of this commitment had not started by the end of the first year of the action plan. The government clearly indicated this lack of implementation in its progress report on the commitment, although it also stated that draft terms of reference were being prepared and would serve as a foundation for starting to perform the feasibility study in year two of plan.

End of term: Limited

There is evidence of limited progress in year two of the action plan. The government reports in its self-assessment on the commitment that the terms of reference are still to be finalized, but has a clear plan to do so through consultation with South Dublin County Council and the Institute of Public Administration. Both organisations offer expertise and experience of having examined participatory budgeting, allowing for the objectives and output for the feasibility study to be informed. Desk research verifies that South Dublin County Council has ample experience in this area as it performed a pilot study of participatory budgeting in 2017.[1] In this regard, the government's plans to consult with the County is order to better inform the consultation seems to be a prudent 'policy learning' strategy.

Did It Open Government?
Civic Participation: Did Not Change

At the outset of the action plan, the Local Government Reform Act of 2014 provided for a major restructuring of the institutional structures of local government. Expanding on this reform, this commitment thus sought to bring citizens into the Local Authority budgetary processes, where it represented what can be considered a first step to opening government in this area by performing a study to see how to engage citizens in the policy process. By the end of year one, this first step was not started, and by the end of year two, the terms of reference for the study have yet to be finalized. As such, this commitment did not create opportunities for the public to inform or influence decisions with regard to participatory budgeting.

Carried Forward?

At the time of writing this report (September 2018), Ireland has yet to develop its third action plan. The IRM researcher recommends that the commitment be carried forward into the next plan, but with clear amendments on two grounds. First, one of the weaknesses of the commitment, as stated in this action plan, is that it is concerned with performing a feasibility study. However, it should be made clear how stakeholders will be consulted and what type and volume of evidence will be deemed sufficient to make any firm conclusions. Secondly, while participatory budgeting is an important component for civic participation, a feasibility study for participatory budgeting will not, in itself, lead to greater participation.

A revised commitment should clearly outline how the findings of the study are going to be translated into the development of rules/guidelines that will ensure citizen input and engagement are guaranteed regarding participatory budgeting. Doing so will allow for a change to open government in this policy area in the future.

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[1] "Launch of €300K - Have your Say! Participatory Budgeting," South Dublin County Council, http://www.sdublincoco.ie/Media/Item/36895

8. Improve Transparency of Government Service Providers

Commitment Text:

Objective: *To increase the release of data, preferably machine readable data, on organisations delivering services on the Government's behalf. This will include audited financial data, compliance data and on-going performance delivery data.*

Milestones

8.1. Undertake a strategic assessment of contracting data infrastructure and contracting transparency compliance practices to identify changes required to:

- *deliver data to the Open Contracting Partnership's Open Contracting Data Standard Intermediate level, and*
- *be able to deliver on the requirements of a standard transparency clause in all large service contracts if such a clause were to be implemented*

8.2. Assess the impact of transparency clauses in other jurisdictions, and consult with public bodies and industry representatives on the introduction of a standard transparency clause in order to inform a final decision on implementation of a standard transparency clause in service contracts.

8.3. Undertake a strategic assessment of grant funding data infrastructure and grant funding compliance practices to identify changes required to:

- *deliver data equivalent to the Open Contracting Partnership's Open Contracting Data Standard Basic level*
- *be able to deliver on the requirements of a standard transparency clause in all major grant agreements*

8.4. Consult with public bodies and grant funded bodies on the introduction of a model transparency clause in order to inform a final decision on implementation of a standard transparency clause in grant agreements.

Responsible institution: Department of Public Expenditure and Reform

Supporting institutions: Department of Health, Department of Education, Department of Defence, Local Government sector. All government departments that, directly or indirectly, grant fund organisations to deliver services on their behalf.

Start date: January 2017

End date: June 2018

Editorial Note: The text of the commitment was abridged for formatting reasons. For full commitment text, visit: https://www.opengovpartnership.org/sites/default/files/Ireland_NAP_2016-2018.pdf.

Commitment Overview	Specificity	OGP Value Relevance (as written)	Potential Impact	Completion	Midterm	Did It Open Government?
					End of Term	

	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Technology & Innovation for Transparency & Accountability	None	Minor	Moderate	Transformative	Not Started	Limited	Substantial	Completed	Worsened	Did Not Change	Marginal	Major	Outstanding
8. Overall				✔	✔					✔			✔					✔			
													✔								
8.1. Strategic Assessment of Contracting Data Infrastructure			✔		✔					✔			✔								
													✔								
8.2. Assess Impact of Transparency in Other Jurisdictions and Consult on Standard Transparency Clause		✔			✔					✔			✔								
													✔								
8.3. Strategic Assessment of Grant Funding Data Infrastructure			✔		✔					✔			✔								
													✔								
8.4. Standard Transparency Clause in Grant Agreements		✔			✔					✔			✔								
													✔								

Commitment Aim

This commitment aimed to increase transparency for all large service contracts and grant agreements by way of releasing data regarding public funds received by organizations delivering services. This in turn could give citizens better knowledge of who is attaining grants and contracts from the state for the delivery of certain services.

Status
Midterm: Not Started

At the end of the first year of the plan, this commitment was not started. One initial meeting did take place between the Reform and Delivery Office, Office of Government Procurement and the Director of Open Contracting Partnership in January 2017 regarding the first two milestones (8.1 and 8.2), but there was no reporting on the other two milestones.

End of term: Not started

At the end of year two, the government reports that there has been no change in implementation of the commitment, although no reasons were given why this was the case. It therefore remains not started.

Did It Open Government?
Access to Information: Did Not Change

Before the action plan, there was the lack of transparency in government contracts and grants and the need to increase information available on how funds are allocated for this purpose. By improving transparency, this commitment aimed to offer a solution by effectively holding the state accountable for the funds they have earmarked for those carrying out services for government. The commitment was not started, which means that the government did not disclose more information or improve the quality of information disclosed to the public. One may further argue, from a theoretical perspective, that even if some of the commitment would have been implemented, given that there is no legislative change that is explicitly envisaged in the commitment, the state would not have been legally obliged to disclose more information in the future. As such, it is unlikely that its capacity to open government would have been more than limited.

Carried Forward?
At the time of writing this report (September 2018), Ireland has yet to develop its third action plan. The IRM researcher recommends not carrying it forward, unless there is a clear legislative initiative associated with the commitment, which would give it greater potential impact. As it stands, the stated objective is to "to increase the release of data," whereas it would have a greater potential impact if there were clear statutory obligations for the state to be "legally obliged to systematically publish all data" on all government contracts and grants. Such data should be published on a yearly basis and as freely available open-data (see commitments 11 & 12).

9. Enhance Fiscal Transparency

Commitment Text:

Objective: *To support better resource allocation decision making, and improve people's understanding of what resources are available and the costs over time, of the various choices involved in public spending.*

Status quo: *Fiscal transparency has been advanced recently by the creation of the website whereyourmoneygoes.gov.ie which tries to make it easier to understand Government spending on public services. The performance budgeting initiative aims to strengthen focus on what is being delivered through that spending on public services and to build this information into the policy-making and accountability processes. At its core it is concerned with ensuring that policy development and resource allocation decisions are better informed.*

The introduction of the initiative laid the foundation for a more systematic engagement by parliamentarians and the public on the impact of public policies and on resource allocation decisions.

The initiative has been subject to ongoing review since its introduction, and has evolved considerably over the last number of years. One of the most significant developments has been the reformatting of the Revised Estimates Volume (REV), published each December, to include performance information. Following the publication of REV 2016, a detailed review was carried out of the performance information provided and detailed feedback was provided to the main Government Departments.

A comprehensive guidance note was also developed to assist Departments in selecting and reporting on appropriate performance indicators.

Ambition: *To provide greater transparency on resource allocation and related public policy decisions and to strengthen focus on what is being delivered through public services, with public funds.*

Milestone:

9.1. The Minister for Public Expenditure and Reform has proposed to submit a Performance Report to the Oireachtas by end Quarter One each year, starting in 2017. This report will provide information on the performance of each Vote and the linkages between results and allocated resources. It is intended that this will allow for meaningful engagement between the Oireachtas and Government Departments on resource allocation and public policy decisions.

Responsible institution: Department of Public Expenditure and Reform

Supporting institutions: All government departments and supporting bodies

Start date: January 2017

End date: June 2018

Commitment Overview	Specificity	OGP Value Relevance (as written)	Potential Impact	Completion	Midterm End of Term	Did It Open Government?

	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Technology & Innovation for Transparency & Accountability	None	Minor	Moderate	Transformative	Not Started	Limited	Substantial	Completed	Worsened	Did Not Change	Marginal	Major	Outstanding
9. Overall		✔			Unclear					✔					✔	✔			✔		

Commitment Aim

This commitment aimed to develop a Performance Report to be presented to the Oireachtas (the Irish parliament) by Q1 of each year (starting in 2017) that will provide information on how the state allocates its funds. In particular, it will give information on the performance of all the gross spending by government departments and agencies, and the links between the results and allocated resources.

Status
Midterm: Substantial

After the first year of the action plan, progress on this commitment was substantial. In April 2017, the Minister of the Department of Public Expenditure and Reform (DPER), Paschal Donohoe, published the 2016 Public Services Report on the DPER website, focusing on the results delivered in terms of outputs for the following expenditure areas: Social Protection, Health, Education, Justice, Transport, Agriculture, Defence, Enterprise & Innovation, Foreign Affairs, Finance, Climate Action & Environment and Arts. This 2016 report was then published and presented to Parliament on 26 April 2017.

End of term: Complete

The government reports that in year two that DPER published the 2017 Public Services Report of 2017 and tabled it to Parliament on 27 April 2018. As desk research also verifies, this was subsequently discussed with the Select Committee on Budgetary Oversight in May 2018.[1] The 2017 report is the second report in the cycle that was completed and then tabled. Given that the main aim of the commitment was to introduce performance reports on expenditure, and given that this has taken place twice within the reporting period, the commitment can be deemed completed, although it should be noted that the tabling of these reports is an ongoing initiative that is expected to take place yearly.

Did It Open Government?
Access to Information: Marginal

As discussed in the midterm report, the commitment text as written does not *explicitly* state that the proposed Performance Report that will be presented to Parliament would also be made public. Therefore, its OGP value relevance, *prima facie*, was unclear. However, DPER ultimately published the reports twice and in the reporting cycle, and the information presented to Parliament both times was also made available to the public. As such, outcomes of the commitment do reflect an improvement to access to information. There is a marginal change because the government did disclose more information to the public.

Theoretically, the commitment could lead to greater transparency in government expenditures in the medium to long term. However, without guaranteed public scrutiny of the reports, and without a

clearly defined mechanism by which citizens can express concerns over the resource allocation, it is unlikely to have any major change.

Carried Forward?

At the time of writing this report (September 2018), Ireland has yet to develop its third action plan. Although it is expected that Performance Reports of government expenditure will be done on a yearly basis going forward, the IRM researcher recommends that there is no need to make an explicit commitment related to this in the next action plan.

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[1] "Business of Select Committee," Houses of Oireachtas, 2 May 2018
https://www.oireachtas.ie/en/debates/debate/committee_on_budgetary_oversight/2018-05-02/2/.

10. Introduce Modern Document Management Procedures

Commitment Text:

Objective: *To propose a Public Service Records Management Plan to facilitate coherent and comprehensive records management in the Public Service that will assist Public Service bodies in carrying out their functions effectively in addition to supporting the requirements of National Archives, Freedom of Information and Data Protection legislation.*

Status quo: *Records management relates to a broad set of corporate responsibilities and enables Public Service bodies carry out their functions effectively in addition to supporting the smooth operational requirements of National Archives, Freedom of Information and Data Protection legislation*

In 2005 the Civil Service Centre for Management Organisation Development (CMOD) issued guidance regarding records management ('Old rules are still good rules - Record Management Guidelines). Over time, organic record keeping practises have evolved including the proliferation of disparate record keeping systems of varying quality based on digital technologies. The advantages of digital systems in creating, copying and distribution of documents has diluted the underlying systems which were traditionally used to manage files and to ensure the context, reliability and integrity of the record.

Ambition: *The Ministers for Public Expenditure and Reform, and Arts, Heritage, Regional, Rural and Gaeltacht Affairs, will shortly bring a memorandum to Government requesting approval for a proposed Public Service Records Management Plan to deliver the policies, guidelines, structures and systems necessary to facilitate coherent and comprehensive records management. The Plan, will also address the issue of electronic and digital records, as well as giving direction to public bodies with regard to records not meriting long-term preservation management.*

Milestones:

10.1. Present a Public Service Records Management Plan to the Government for decision

10.2. More milestones will be added to show how this commitment will be delivered subject to Government's approval of the Plan. If approved it is envisaged the plan will be delivered over three years.

Responsible institution: National Archives, Department of Public Expenditure and Reform

Supporting institutions: All government departments

Start date: January 2017

End date: January 2020

Commitment Overview	Specificity	OGP Value Relevance (as written)	Potential Impact	Completion	Midterm End of Term	Did It Open Government?

	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Technology & Innovation for Transparency & Accountability	None	Minor	Moderate	Transformative	Not Started	Limited	Substantial	Completed	Worsened	Did Not Change	Marginal	Major	Outstanding
10. Overall		✔				Unclear				✔				✔				✔			
															✔						
10.1. Present a Public Service Records Management Plan to the Government for Decision		✔				Unclear				✔				✔							
															✔						
10.2. More Milestones will be Added	✔					Unclear			✔				✔								
													✔								

Commitment Aim

This commitment sought to propose a Public Services Records Management Plan. The aim of this plan was to create robust records management in public bodies so that they comply with the requirement of the National Archives, Freedom of Information and Data Protection legislation. The plan also aimed to improve the management of public records, including electronic and digital records.

Status

Midterm: Limited

At the end of the first year of the action plan, the completion level for this commitment was limited. In terms of a main event during the year, at the start of the action plan (Milestone 10.1), a memorandum from the Minister of the Department of Public Expenditure and Reform (DPER) and the Minister for Arts, Heritage, Regional, Rural and Gaeltacht Affairs was sent to Cabinet on the three-year plan to reform records management across the public service. However, the plan was not agreed upon by Cabinet during the first year of the plan, thus representing a key issue to address during the second year.

End of term: Limited

At the end of year two, some substantial progress has been made on 10.1, although 10.2 is not started. The government reports that even though procedures have yet to be introduced, Cabinet did make some small steps in the implementation of the commitment. After the DPER Minister took a new plan to the Cabinet in June 2017 (as reported in the press and verified by desk research[1]), the executive approved the formulation of the Public Services Records Management Plan at the start of year two of the action plan. The plan has both immediate objectives (such as producing a framework by which public bodies can implement electronic systems for the management of digital records) and long-term objectives (such as phasing in the plan and fully developing document management procedures over a three-year basis).

Did It Open Government?

Access to Information: Did not change
Civic Participation: Did not change
Public Accountability: Did not change

While the plan seeks to improve the management of public records, this does not necessarily mean improving transparency or the release of records to the public. As such, this represents an internal-government change that has no public-facing element specified in the commitment itself, even though there is the argument that the plan could save the state a significant amount of money.[2] As such, Milestone 10.1 was coded as having unclear relevance to OGP values (Milestone 10.2, which calls for more milestones, is not relevant to any OGP values.) Given that the commitment is not relevant to the key OGP values, there is therefore no change in terms of opening up government.

Carried Forward?

At the time of writing this report (September 2018), Ireland has yet to develop its third action plan. Given that this commitment is not directly relevant to OGP values, and given that it is not clear how this initiative seeks to include or benefit stakeholders beyond state actors, the IRM researcher does not recommend including it in the next action plan

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[1] "Government spending €1.5 million to store paper records each year," The Journal.ie, 11 June 2017, http://www.thejournal.ie/paper-records-public-service-3435731-Jun2017/

[2] This figure could be as high as €500,000 per year, based on the data reported by The Journal.ie estimating the costs of archiving documents at present being €1.5 million over the last three years. "Government spending €1.5 million to store paper records each year," The Journal.ie, 11 June 2017, http://www.thejournal.ie/paper-records-public-service-3435731-Jun2017/

Commitment Text:

Objective: *Improve access to information and strengthen transparency by scaling up the volume and quality of open data available on the Government's open data portal: data.gov.ie*

Status quo: *Governance structures are in place via the Open Data Governance Board (ODGB) and a Public Bodies Working Group (PBWG) provides technical advice to support the Open Data Initiative. The Foundation document for the development of the Public Service Open Data Strategy and the Open Data Technical Framework are publicly available. Consultation with stakeholders has commenced. Data.gov.ie portal has been developed and enhanced and the number of datasets has grown to approx. 4500. A number of public bodies are actively engaged with the initiative but more engagement is required to bring other public bodies on board to make their data available as open data. Greater promotion of the portal amongst potential users is also required.*

Ambition: *To develop and implement an Open Data Strategy setting out short and long term goals over 2017-2020 including:*
• building the number of datasets accessible through the open data portal: data.gov.ie
• monitoring compliance with the Technical Framework to ensure open data is in line with best practice
• raising awareness and promoting usage through multiple communication channels, such as participation at seminars, conferences, producing blogs, newsletters, etc.

Milestones:

11.1. Complete ongoing consultation with all stakeholders on proposed Open Data Strategy and then Develop a Draft Open Data Strategy 2017-2020.

11.2. Begin implementation of the Open Data Strategy 2017-2020.

Responsible institution: Department of Public Expenditure and Reform

Supporting institutions: All government bodies

Start date: January 2017

End date: June 2020

Commitment Overview	Specificity				OGP Value Relevance (as written)				Potential Impact				Completion / Midterm / End of Term				Did It Open Government?				
	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Technology & Innovation for Transparency & Accountability	None	Minor	Moderate	Transformative	Not Started	Limited	Substantial	Completed	Worsened	Did Not Change	Marginal	Major	Outstanding
11. Overall			✔		✔	✔		✔			✔					✔			✔		
																✔					

11.1. Develop Open Data Strategy 2017-2020		✔			✔			✔				✔		
												✔		
11.2. Begin Implementation of Open Data Strategy		✔	✔		✔			✔				✔		
												✔		

Commitment Aim

This commitment called for ongoing consultations with stakeholders on a proposed Open Data Strategy, developing a Draft Open Data Strategy 2017-2020, and beginning the implementation of the Open Data Strategy 2017-2020. The Open Data Strategy 2017-2020 involves increasing the number of datasets available in the open data portal, data.gov.ie, ensuring compliance with the Technical Framework to ensure open data is in line with best practice, and raising awareness and promoting usage of open data.

Status
Midterm: Complete

This commitment was complete at the end of the year of the action plan. As reported in the midterm report, key deliverable achievements included releasing a draft of the Open Data Strategy that was open for public consultation, whose responses were taken into consideration when the final document on the strategy was released in July 2017 (Milestone 11.1). The subsequent implementation of the policy started to take place (Milestone 11.2).

The implementation phase of this commitment will take place over the next three years, including more trainings, awareness raising and engagement with key stakeholders on feedback. Although the commitment itself was complete in year one, the government has demonstrated it is dedicated to implementing the strategy over the next three years. Evidence of this is seen in training of around 300 public servants in September 2017 in open data and technical support, as seen in the government's progress report on the commitment. This training was held over four days and advertised as desk research verifies.[1]

Did It Open Government?
Access to Information: Marginal
Civic Participation: Marginal

Before the commitment, Ireland had started developing its open data policies, primarily as a result of the first action plan, which represented the first time the state embarked on open data initiatives. However, it lacked a coherent open data strategy, which this commitment aimed to develop and implement with stakeholders. Given the consultation element of the commitment, it is relevant to the OGP value of civic participation, while the building of datasets and increasing user awareness on the use of the open data portal makes it relevant to access to information. On these counts, there was a marginal opening up of government when compared to the status of the policy before the action plan, where a particularly strong point was the ongoing consultation with stakeholders, whose views were taken into consideration as evidenced in the IRM midterm report, ensuring that the Open Data Strategy was designed in a way that fits stakeholder needs. It is also important to note that the training of over 300 public servants provides reason to believe that this will further open government in the years to come, even though there is not enough evidence at this stage to suggest the Open Data Strategy has had higher than a marginal impact.

Carried Forward?
At the time of writing this report (September 2018), Ireland has yet to develop its third action plan. Because this commitment is complete, the IRM researcher does not recommend carrying it forward.

[1] "Open Data training for Public Bodies - book now!," data.gov.ie, 24 August 2017, https://data.gov.ie/blog/opendatatrainingforpublicbodies-booknow

12. Invest in Data Infrastructure that will result in better Open Data

Commitment Text:

Objective: *Strengthen the quality and quantity of potential Open Data sets by investing in data systems, people, standards, unique identifiers and processes.*

Milestones

12.1. The OGCIO will work with DSP, Revenue, DJEI, CSO and other stakeholders to develop the concept of a National Data Infrastructure, including the initiation of pathfinder projects that will demonstrate the value of linking data from multiple sources

12.2. D/PER will work with Parliamentary Counsel to complete the drafting of the Data Sharing and Governance Bill and progress it through the Oireachtas to enactment.

12.3. The OGCIO, supported by the ICT Advisory Board and Heads of Civil Service HR and PAS, will work with Human Resources staff to develop an ICT Human Resource Strategy.

12.4. The OGCIO will build on existing relationships and practice sharing with the most advanced data-enabled EU countries (specifically the Nordics and the Netherlands), taking advice as appropriate, to define the gap between Ireland and EU exemplars and identify strategies to make up the ground.

Responsible institution: Department of Public Expenditure and Reform

Supporting institutions: All Government bodies

Start date: January 2017

End date: June 2018

Editorial Note: The text of the commitment was abridged for formatting reasons. For full commitment text, visit: https://www.opengovpartnership.org/sites/default/files/Ireland_NAP_2016-2018.pdf.

Commitment Overview	Specificity				OGP Value Relevance (as written)				Potential Impact				Completion / Midterm End of Term				Did It Open Government?				
	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Technology & Innovation for Transparency & Accountability	None	Minor	Moderate	Transformative	Not Started	Limited	Substantial	Completed	Worsened	Did Not Change	Marginal	Major	Outstanding
12. Overall			✔		✔			✔			✔				✔				✔		
															✔						
12.1. Develop the Concept of a National			✔		✔			✔			✔				✔						
															✔						

Data Infrastructure														
12.2. Draft Data Sharing and Governance Bill & Attain Legislative Approval			✔	✔			✔			✔				✔
														✔
12.3. Develop an ICT Human Resource Strategy			✔	Unclear				✔				✔		
												✔		
12.4. Build on Existing Relationship with Advanced Data-enabled EU Countries	✔			Unclear				✔				✔		
												✔		

Commitment Aim

This commitment sought to strengthen the quality and quantity of potential open data that is available to citizens by developing the concept of a National Data Infrastructure, drafting relevant legislation, developing an ICT HR strategy, and sharing best practices on the theme of leading open data EU-member states. Particularly, this commitment included actions that would make data more available, namely the development of a National Data Infrastructure and the Data Sharing and Governance Bill.

Status

Midterm: Substantial

The overall progress in the first year of implementation, the Department of Public Expenditure and Reform (DPER) made substantial progress in developing the concept of a National Data Infrastructure (Milestone 12.1). The general scheme (i.e. main headings/aspects) of the Data Sharing and Governance Bill had been completed (Milestone 12.2), with key next steps being the passing of the bill and a sub-group of the ICT Advisory Board beginning work on an ICT HR Strategy in the civil service in line with the Civil Service Renewal Programme (Milestone 12.3). In addition, a conference was held to examine the benefits of a well-functioning data ecosystems in July 2017 with other EU-member states (Milestone 12.4). Key next steps in year two included passing the Data Sharing and Governance Bill.

End of term: Substantial

By the end of year two, the progress in this commitment remains substantial. The government stated that the Data Sharing and Governance Bill has gone through the committee stage and has been introduced in the Senate (Seanad), where desk research shows that by July 2018, it was in the third stage at the Seanad.[1] The bill, however, has yet to attain legislative approval by the end of year two of the plan. There have been several workshops with government departments and local authorities related to the development of the national data, and desk research also verifies that the state has also worked with Microsoft, outlining a program to move towards a more digital government.[2]

Since the midterm report, there has a been a strong increase in the number of data sets, showing that investment in data infrastructure has improved the quantity and quality of data. The data from data.gov.ie demonstrates this point; in December 2017, there were 5486 datasets from 99 publishers, and at the time of writing in September 2018, there were 8761 datasets from 103 publishers on 14 themes. This change represents a significant increase of almost 60% in a nine-month period.

Did It Open Government?
Access to Information: Marginal

Open data is a relatively new phenomenon in Ireland, brought in a few years ago with the first action plan, and this commitment sought to strengthen the quality and quantity of potential open data through various means. These changes included devising a concept of national data infrastructure, enacting a Data Sharing and Governance Bill and working with other EU-member states to policy-learn in terms of adopting best practices. While a measurement of the success of these strategies is indeed the availability of more datasets, it is difficult to see this opening up of government as beyond marginal. Key legislation has yet to be enacted, and there is still a large amount of information that will be populated on the portal in the future. Further, it remains unclear at this stage how having access to this information on the portal will be taken up by citizens in the future or allow citizens to influence public policy decisions in a major way in the future.

Carried Forward?
At the time of writing this report (September 2018), Ireland has yet to develop its third action plan. Given that the commitment is almost complete, the IRM researcher does not recommend carrying it forward to the next action plan. Moreover, given the lack of clear relevance of parts of this commitment to OGP values, it should not be carried forward.

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[1] "Data Sharing and Governance Bill 2018," Houses of the Oireachtas, 18 December 2018, https://www.oireachtas.ie/en/bills/bill/2018/55/
[2] "Enabling Digital Ireland," Department of Public Expenditure and Reform," 5 July 2018, https://www.per.gov.ie/en/enabling-digital-ireland/

✪13. Develop a Code of Practice for the Governance of Charities

Commitment Text:

Objective: *Strengthen the corporate governance standards of charities in order to promote transparency, accountability and improve citizen trust in this important sector.*

Status quo: *In Ireland, billions of Euro are dispersed by the Government to charities to deliver services that in other jurisdictions are often delivered directly by the state. In recent years, a number of these bodies have been subject to investigations due to lax governance standards. The charities sector, through Charities Institute Ireland, has developed Fundraising Principles while the wider not-for-profit sector has developed The Governance Code, which is a voluntary governance code. DPER Circular (13/2014) 'The Management of and Accountability for Grants from Exchequer Funds' focuses primarily on accounting for funds.*

Ambition: *To develop appropriate, proportional, clear and supported standards of governance for charities, including areas such as financial governance, transparency, recruitment and tenure. These standards will deliver better outcomes for our society through better focused charities where volunteers, staff, service recipients and all other stakeholders will have a common point of reference for governance standards.*

Milestones:

13.1. Conduct consultation with all stakeholders and develop first draft of a Code of Practice for the Governance of Charities

13.2. Seek feedback on the first draft and then publish finalised Code of Practice for the Governance of Charities

13.3. Work with charity sector representatives to design a structured, supported rollout process

Responsible institution: Charities Regulator

Supporting institutions: All government departments that fund services via the charities sector

Start date: January 2017

End date: June 2018

Commitment Overview	Specificity				OGP Value Relevance (as written)				Potential Impact				Completion / Midterm End of Term				Did It Open Government?				
	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Technology & Innovation for Transparency & Accountability	None	Minor	Moderate	Transformative	Not Started	Limited	Substantial	Completed	Worsened	Did Not Change	Marginal	Major	Outstanding
				✔		✔	✔					✔			✔					✔	

	Specificity				OGP Value Relevance				Potential Impact				Completion				Did It Open Government?				
✪13. Overall															✔						
13.1. Develop First Draft of Code of Practice		✔		✔								✔			✔						
															✔						
13.2. Feedback on First Draft and Publish Finalized Code of Practice		✔		✔								✔		✔							
														✔							
13.3. Design Rollout Process		✔		✔ ✔								✔		✔							
													✔								

Editorial note: This commitment is clearly relevant to OGP values as written, has transformative potential impact, and is substantially or completely implemented and therefore qualifies as a starred commitment.

Commitment Aim

This commitment aimed to reform regulation of the charity sector by developing clear, robust standards of governance of charities, in order to increase public trust in them, which was waning as a consequence of scandals that rocked the sector as reported in the midterm report. The developed regulations would focus on the role of trustees (who make decisions on the charity as members of its governing body), financial governance, and on recruitment of charity employees. Specifically, the commitment called for the development of a Code of Practice for the Governance of Charities to: engage in public consultation to develop the code; seek feedback from stakeholders on a first draft of a policy and then formulate a final draft; and implement the policy.

Status
Midterm: Substantial

At the midterm, the IRM researcher considered only the completion level of Milestone 13.1, because this was the only milestone scheduled to be pursued during the first year of the action plan. It was reported that the completion level of Milestone 13.1 was substantial, where key achievements included initial ideas for the code being taken to public consultation Cork, Galway and Dublin, and the Charities Regulator published a link to an online questionnaire for stakeholders and citizens to express their views on how Irish charities should be regulated. Next steps for year two included publishing the first draft of the code, gathering public comments on the draft, and finalising and adopting the policy into law.

End of term: Substantial

Based on the above consultation process with over 1200 individuals, a key development in year two is that the drafting of the code is taking place. In this regard, the Statutory Consultative Panel on the Governance of Charitable Organisations launched a report on 10 May 2018.[1] Key proposals in the report are that the new code should be based on principles of best practices in the sector, operating on a comply-or-explain basis. The latter means that the organization must "comply with the provisions of the code or explain why it has not done so."[2] Although the government states in its self-assessment on this commitment that first draft of the code will not be delivered/adopted until Q4 2018, significant work is being done and the Charities Regulator is in the process of developing and designing the full text of a new governance code.

Did It Open Government?

Civic Participation: Major
Public Accountability: Did Not Change

At the outset of the action plan, there were several major scandals in Ireland's charity sector as reported in the midterm report. To deal with this problem, regulatory change as embodied in this commitment was needed in order to create sectoral standards to improve transparency and thereby increase public trust in charities. The commitment has improved civic participation in a major way at this stage; well over a thousand individuals from the sector and academia have been consulted on developing the code, and as is explained in more detail in the midterm report, the outreaching with society on this important issue has been significant.

As this policy has yet to be implemented, and a full draft of the code has yet to be developed (for example, naming the exact penalties if the rules are broken by a charity), it is difficult to gauge the exact impact the code will have on promoting public accountability. However, given that the code will be principles-based, it will change the status quo in terms of (the present lack of) regulatory environment. This means that while the code promises to be a very important step towards greater accountability in the charities sector, because the code is not yet passed, we do not fully know what will be in it and what specific regulatory mechanisms it will contain. Therefore, in terms of accountability, at this stage there is no change in opening up government when compared to the status quo.

Carried Forward?

At the time of writing this report (September 2018), Ireland has yet to develop its third action plan. Although slightly delayed, this commitment is on a clear path to be completed within the next year. The IRM researcher thus recommends not including it in the next action plan.

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[1] "Minister Kyne launches Report of the Consultative Panel on the Governance of Charitable Organisations," Charities Regulator, 10 May 2018, https://www.charitiesregulator.ie/en/information-for-the-public/our-news/2018/may/minister-kyne-launches-report-of-the-consultative-panel-on-the-governance-of-charitable-organisations
[2] As quoted by a longer definition of the term from the Financial Times, found on "Definition of comply or explain," *Financial Times,* http://lexicon.ft.com/Term?term=comply-or-explain

✪14. Strengthen Anti-Corruption Measures

Commitment Text:

Objective: *To strengthen the legislative framework to prevent, investigate and respond to corruption in the public and private sectors.*

Ambition:
A) Finalise and enact the Public Sector Standards Bill to put in place a framework which modernises, simplifies and streamlines the current legislative framework for ethics with a robust and effective institutional framework for oversight, investigation and enforcement.

B) A new Criminal Justice (Corruption Offences) Bill will be published and enacted to replace the outdated and overlapping Prevention of Corruption Acts which date back to 1889. The new Bill will replace existing offences and supplement them with new offences including those which will incriminate trading in influence, intimidation, misuse of confidential information by a public official, and facilitating corruption.
The Bill will clarify the liability of corporate bodies for offences. It will also extend the range of penalties available to a court when a person is convicted to include forfeiture of public office.

C) The prevention of corruption in the judicial sector will be enhanced by reforms in governance and accountability by establishing a judicial council. The Judicial Council legislation will provide for the establishment of a Judicial Conduct Committee, the function of which will be to promote and maintain high standards of judicial conduct.

In addition to investigating complaints into the conduct of individual judges, the Judicial Conduct Committee will also be given responsibility for preparing and submitting draft guidelines concerning judicial conduct and ethics to the Board of the Council, for adoption by the Council. It is also envisaged that the Judicial Conduct Committee would have a role in providing advice on judicial conduct and ethics, both in general terms and to individual judges.

Milestones:

14.1. Progress the Public Sector Standards Bill through the Oireachtas to enactment

14.2. A new Criminal Justice (Corruption Offences) Bill will be published and enacted

14.3. Judicial Council legislation will be published and enacted

Responsible institutions: Department of Public Expenditure and Reform, Department of Justice

Supporting institution(s): N/A

Start date: January 2017

End date: June 2018

Commitment Overview	Specificity	OGP Value Relevance (as written)	Potential Impact	Completion	Midterm	Did It Open Government?
					End of Term	

	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Technology & Innovation for Transparency & Accountability	None	Minor	Moderate	Transformative	Not Started	Limited	Substantial	Completed	Worsened	Did Not Change	Marginal	Major	Outstanding
✪14. Overall				✔			✔					✔		✔				✔			
															✔						
14.1. Progress the Public Sector Standards Bill through the Oireachtas to Enactment				✔			✔					✔		✔							
														✔							
14.2. New Criminal Justice (Corruption Offences) Bill Published and Enacted				✔			✔					✔			✔						
																✔					
14.3. Judicial Council Legislation will be Published and Enacted				✔			✔					✔			✔						
															✔						

Editorial note: This commitment is clearly relevant to OGP values as written, has transformative potential impact, and is substantially or completely implemented and therefore qualifies as a starred commitment.

Commitment Aim

This commitment sought to strengthen Ireland's anticorruption laws by aligning them with international best practices. To achieve this objective, the commitment includes three main tasks:

- legislative approval of the Public Sector Standards Bill, an initiative providing for a new ethics regime to effectively identify, disclose, and manage actual or potential conflicts of interest in the public sector;
- enact a new Criminal Justice (Corruption Offences) Bill, consolidating extant piecemeal legislation in the area;
- enact Judicial Council legislation to prevent corruption in the judicial sector, calling for the establishment of a Judicial Council to promote excellence and integrity amongst judges.

More details on each of these initiatives can be seen in the midterm report.

Status
Midterm: Limited

At the midterm, there was limited completion of this commitment. The Public Sector Standards Bill was still only at the Committee stage in April 2017, reflecting a long delay, considered that it was introduced in Parliament in December 2015. Similarly, the Judicial Council Bill was introduced to Parliament in June 2017 during the first year of the action plan and was expected to gain legislative approval during the second year of the plan.

End of term: Substantial

Overall, the progress at the end of year two can be considered substantial. Desk research verifies that the Public Sector Standards Bill remains in the same Committee stage as was reported in the midterm report.[1] This means that compared to the other two initiatives in this commitment, little progress has been made, and the bill itself has not progressed in the three years since it was introduced. The Judicial Council Bill is now at the second stage reading in the Senate and is awaiting parliamentary approval.[2] The Criminal Justice Bill has passed through Parliament and was enacted into law at the end of year two of the reporting period in June 2018, where its passing and contents were reported in the Irish press.[3] The act has outlined several new offences to strengthen the law on corruption, including prohibiting a public official from making use of confidential information in order to gain personal advantage and formulating strict rules to prevent public officials from accepting any form of gifts. Penalties for breaking the rules include monetary fines and sentences of up to ten years in jail.

Did It Open Government?
Public Accountability: Did Not Change

At the outset of the action plan, different initiatives needed to be addressed in order to fight corruption in the country, which nearly destabilized the Irish banking and financial system in the 2000s. After enacting key transparency policies in the first action plan (such as strengthening Freedom of Information (FoI) rules, whistleblowing regulations, and enacting lobbying regulations), this commitment sought to shed more light on the actions of key state actors working in the political system, namely civil servants, elected officials and judges, in order to ultimately increase public trust in government. However, the initiatives in this commitment have not opened up government at this stage, nor have they promoted full accountability, given that key regulations have not been fully implemented at this early stage. In fact, the plight of the Public Sector Standards Bill, already seen in Ireland's first action plan—which has effectively been lost in its passage in Parliament since 2015 for no apparent reason—may even give the wrong message to citizens that the government has no desire to create a robust regulatory environment to hold public officials accountable for their actions.

Carried Forward?
At the time of writing this report (September 2018), Ireland has yet to develop its third action plan. Although the Public Sector Standards Bill was included in Ireland's first action plan and has not progressed since it was carried forward in this second action plan, the IRM researcher recommends that it be included again in the third action plan, given that the bill represents a robust piece of legislation in the policy area in terms of promoting transparency and accountability. The other two bills are either passed or in the process of being passed, so they do not need to be included in the next action plan.

[1] "STATE OF PLAY OF BILLS BEFORE DÁIL AND SEANAD," Department of the Taoiseach, 11 December 2018, https://www.taoiseach.gov.ie/eng/Taoiseach_and_Government/Government_Legislation_Programme/State_of_Play_of_Bills _before_the_D%C3%A1il/
[2] "Judicial Council Bill 2017," Houses of the Oireachtas, 22 November 2017, https://www.oireachtas.ie/en/bills/bill/2017/70/
[3] For example, the Bill was the subject of an op-ed by a Legal scholar who wrote in the Independent on it. "There's no point in new anti-corruption laws if there's no criminal sanction," *Business Irish,* 27 December 2018, https://www.independent.ie/business/irish/theres-no-point-in-new-anticorruption-laws-if-theres-no-criminal-sanction-36026099.html

15. Establish a Register of Beneficial Ownership

Commitment Text:

Objective: *To strengthen transparency over who ultimately owns and controls companies and other legal entities, to effectively detect, disrupt and prevent money laundering and terrorist financing.*

Status quo: *Ireland is committed to implementing the Financial Action Task Force (FATF) Recommendations on transparency and beneficial ownership. Ireland is transposing the EU 4th Anti-Money Laundering Directive which requires Member States to create registers of beneficial ownership information of companies (article 30). The EU 4th Anti-Money Laundering Directive is currently being amended to greater enhance counter terrorist financing and transparency provisions which may have an impact on beneficial ownership registers.*

Ambition: *We will work to ensure that beneficial ownership information of companies can be used effectively to detect, disrupt and prevent money laundering and terrorist financing. We will work to ensure accurate and timely beneficial ownership information of companies is collected and available to those with a legitimate interest. This requires mechanisms to ensure law enforcement and other competent authorities, including tax authorities, have full and effective access to accurate and up to date information.*

Milestone

15.1. Establish central registers of beneficial ownership information of companies, put in place effective arrangements for reporting, sharing and exchanging this information and consider the feasibility of making it public.

Responsible institution: Department of Finance

Supporting Institutions: Department of Justice and Equality; Department of Jobs, Enterprise and Innovation; Companies Registration Office; Central Bank of Ireland

Start date: December 2016

End date: To be decided at EU level

Commitment Overview	Specificity				OGP Value Relevance (as written)				Potential Impact				Completion				Midterm / End of Term	Did It Open Government?				
	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Technology & Innovation for Transparency & Accountability	None	Minor	Moderate	Transformative	Not Started	Limited	Substantial	Completed		Worsened	Did Not Change	Marginal	Major	Outstanding
15. Overall		✔			Unclear					✔					✔ (midterm) / ✔ (end of term)				✔			

Commitment Aim

This commitment sought to bring Ireland into compliance with Article 30 of the fourth EU Anti-Money Laundering Directive of 2015, which requires member-states to create a register of beneficial ownership information of companies. According to the action plan, the central register will "report, share and exchange" information on beneficial ownership. The commitment also considers the feasibility of making the register public.

Status
Midterm: Substantial

At the midterm, the completion level was substantial. Since Q4 2016, the government had obliged companies to collect information on their beneficial ownership and to file this information with the Department of Finance's central beneficial ownership register. The government stated that the register is expected to be fully in place and found in the Companies Registration Office (CRO) by Q4 2017.

End of term: Substantial

At the end of year two, the government reports in its self-assessment that the register is expected now to be in place in Q4 2018. This suggests that little measurable progress has been made since the midterm report, so its implementation remains substantial, although not complete.

Did It Open Government?
Access to Information: Did not change
Civic Participation: Did not change
Public Accountability: Did not change

As discussed in the midterm report, although a register could consolidate information on beneficial ownership in Ireland, as written the commitment does not guarantee public access to the register, and it might only be available only to public bodies, a concern shared by different CSOs. If the government makes the register available to the public when finished, this commitment could theoretically improve access to information on beneficial ownership in Ireland. However, given that the register has yet to be launched, there is no change of opening government.

Carried Forward?

At the time of writing this report (September 2018), Ireland has yet to develop its third action plan. The IRM researcher recommends carrying this commitment forward but amending it to clearly state that the register will be made public. This is now effectively a legal obligation for the Irish government; the EU's Fifth Anti-Money Laundering Directive (5AMLD) recently came into force on 9 July 2018 after the close of the reporting period, clearly stating that the public will be allowed to access to these registers.[1] As EU Directives in this area must be transposed into national law by EU-member state governments, the register, once developed, will have to be made public. As such, in the future, this may potentially have a major, if not outstanding, impact on improving the quantity and quality of information which is disclosed to the public.

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[1] "Governance & Compliance Update: Beneficial Ownership and the Fifth Anti-Money Laundering Directive," Mason Hayes & Curran, 4 July 2018, https://www.mhc.ie/latest/insights/governance-compliance-update-beneficial-ownership-and-the-fifth-money-laundering-directive

Methodological Note

The end-of-term report is based on desk research and interviews with governmental and nongovernmental stakeholders. The IRM report builds on the findings of the government's self-assessment report; other assessments of progress put out by civil society, the private sector, or international organizations; and the previous IRM progress report. This report is particularly based on an analysis and desk review of: governmental programs; draft laws and regulations; governmental decrees; newspaper articles; academic papers; and government self-assessment reports on the individual commitments (both at the midterm, and draft versions for the end of term report given to the author by the government after completion of the two-year cycle).

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The Open Government Partnership (OGP) aims to secure concrete commitments from governments to promote transparency, to empower citizens, to fight corruption, and to harness new technologies to strengthen governance. OGP's Independent Reporting Mechanism assesses development and implementation of national action plans to foster dialogue among stakeholders and to improve accountability.

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