



AUDIT
OFFICE



REPUBLIC
OF CYPRUS

AUDIT OF MINISTRY OF JUSTICE AND PUBLIC ORDER

Executive Summary



**AUDIT OFFICE OF THE REPUBLIC
SPECIAL REPORT no. ΥΔΔΤ/01/2022**

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The Audit Office carried out an audit of the financial statements of the Republic of Cyprus, within the framework of the provisions of articles 116 and 81 of the Constitution of the Republic of Cyprus and the Law on Financial Responsibility and the Financial Framework of 2014 (Law 20 (I) / 2014), respectively. A sample of receipts and payments transactions concerning the Ministry of Justice and Public Order, was audited in the context of the audit in question, for the years 2019-2020. A compliance audit was also carried out for the above years, mainly in relation to the findings and recommendations that were derived from previous audits of our institution. In addition, our Office carried out a performance audit regarding the Fine Warrants, for which we issued a separate Special Report (ENT/01/2021), which was published on the website of our institution on 18.10.2021.

1 Compliance audit

The most important findings of the compliance audit are the following:

Administration of the Ministry of Justice and Public Order.

The settlement of some cases where an advance payment has been given, within the framework of the National Mechanism for Women's Rights, is still pending. For these cases, no supporting documents were submitted for the expenses incurred and/or the scheduled evaluation was not carried out.

Cyprus Police.

- ◆ Although more than two years have passed since the relocation of the National Guard General Staff to the Ministry of Defence, the available office space that has arisen, at the Police Headquarters remains unused, since the Department of Public Works cannot guarantee the safety of the building before the completion of the static and seismic studies.
- ◆ The issuance of the final approval certificates (from town planning authorities), for a significant number of rented premises, is still pending. As a result, the procedures for renegotiating rents and signing new contracts are frozen. Essentially, the Police utilizes buildings, the use of which constitutes a criminal offence and in addition has no valid lease agreements in force.
- ◆ The balance of accumulated overtime of staff, remains high.
- ◆ The stores used by the Anti-Drug Service - Nicosia District, do not meet the appropriate technical specifications since the ventilation in two warehouses is not satisfactory and only one warehouse has a fire safety system. Furthermore, a container which is used as a storage space, does not have an alarm and ventilation systems and a strong odor is emitted due to the high temperatures.
- ◆ The fixed asset registers of some warehouses were not properly updated.
- ◆ The handing and taking over certificate required by Stores Regulations was not prepared during the transfer of certain stores from one Officer to another.
- ◆ Officers in charge of stores were not conversant with the provisions of the Store Regulations.

- ◆ It has not yet been ascertained whether some items submitted by the Anti-Drug Service to the Nicosia District Court and were placed in a warehouse, in which a fire broke out in February 2018, were destroyed or not.
- ◆ We identified unreconciled differences regarding amounts collected online for out-of-court settlements, between the computerized police system and the receipts according to statements of the payment provider (JCC).
- ◆ We noticed an increase in the cancellations of out-of-court settlements, due to incorrect entries and other errors occurred by members of the Police.
- ◆ We noticed a small increase in the number of police vehicles involved in traffic accidents. No responsibility was attributed to any member of the Police, in any of these accidents.
- ◆ Inspections for the ban of smoking, have been significantly decreased over the last four years.
- ◆ The Ministry of Justice and Public Order suggested the granting of pension benefits to former members of the Police who were forced to resign, based on their actual service, as if they were retiring voluntarily and not on the basis of been forced to resign due to serious offences they made. Following the recommendation of our Office, the relevant Police Order has been amended, so that the procedure to be followed in such cases takes into account the seriousness of the offence, as well as other factors.
- ◆ In a tender for the shipbuilding and supply of three high-speed patrol boats, the bidder submitted a bid with a substantial deviation regarding the tender guarantee. The reports of the Evaluation Committee had no reference to the fact. As a result, the Tender Council of the Ministry assigned the tender to an invalid bid, which was subsequently rejected by the Tender Review Authority. As a result, 11 months elapsed from the date of submission of the bids until the assignment of the contract, with the risk of losing the funding of the project.
- ◆ The Police directly assigned the contract, through the negotiation process, to the existing contractor, for the amendment, expansion and connection of the Police Central System with the National Input/Exit Control System, costing €1.587.888, thus consolidating its dependence on the existing contractor, without even having a bargaining power, due to the monopoly regime that is created in such cases.

Fire Service.

- ◆ Staff overtime on 31.12.2020 increased by 37% compared to the corresponding one on 31.12.2019.
- ◆ The computerization of the warehouse and fixed asset registers is pending since 2010.

Department of Prisons.

- ◆ The Contractor for the supply and installation of automatic fire extinguishing system, has not fulfilled his contractual obligations, despite the fact that more than four years have passed since the temporary acceptance of the project. As a result, in case of activation of the system, its efficiency, the safety of the staff and the smooth operation of the Prisons are not guaranteed.

- ◆ There is a serious problem with the credibility of the prisoners' individual accounts, including the money of newly arrived convicts/inmates handed over upon entering the prison, the money sent or transferred to prisoners by relatives, as well as the philanthropy allowance paid to them.
- ◆ The total cost of food for convicts and detainees in the Central Prisons increased by 21% during the period 2017-2020.
- ◆ We observed a significant increase in the accumulated overtime hours of staff not working the shift system.
- ◆ 24% of prison guards received sick leave for more than 42 days, a rate that is considered particularly high.
- ◆ From a thorough audit of 21 cases that received an excessive number of sick leave during the period 2017 - July 2018, we found out that for six cases, it remained unclear whether all of their sick leave was justified.
- ◆ A significant number of prison staff do not provide the necessary medical certificates/supporting documents to justify their sick leave.
- ◆ We identified several cases, where the recommendations of the Medical Councils are not limited to the justification and opinion on the disease, but include recommendations related to administrative decisions, thus affecting the administrative organization and composition of the Department.
- ◆ A prison guard is on sick leave from 4.1.2015 until today. Since 2015, he has been summoned before the Medical Council, 12 times, however he did not appear in any session. In addition, from 28.6.2019 until today, he has not presented any medical certificate. As we have been informed, a disciplinary investigation is underway for the above person.
- ◆ The replacement of the prison guards who serve in the Prison Clinic with nursing staff of the Ministry of Health is still pending, despite the recommendation of the European Committee for the Prevention of Torture of the Council of Europe.
- ◆ We noticed a delay in the delivery of medicines by the Pharmaceutical Services. As a result, the Department is forced to make purchases from private pharmacies to meet its needs.
- ◆ Upon receipt of personal belongings from detainees, the Departmental Order regarding their custody conditions is not followed.
- ◆ Unseized items were not listed in order to dispose of them, except from passports, identity cards and electoral booklets.

State Archive.

The dispersion of archival material in six storage areas, in different parts of Nicosia, makes the processing of work and the handling of archival material, difficult. In addition, the storage spaces have not been built with appropriate specifications for the storage of sensitive documents.

2 Financial audit

The most important findings of the financial audit are the following:

Administration of the Ministry of Justice and Public Order.

Some invoices/documents did not bear the receipt stamp and in one case, the invoices/documents did not bear the stamp of recommendation/payment authorization, in violation of the relevant Treasury's circular.

Cyprus Police.

- ◆ There was a delay in the collection of the due amount by the Limassol Marina Management, in relation to the remuneration of ten police officers during the first half of 2020.
- ◆ We noticed a discrepancy between the Police Order and the Law, regarding the amount to be collected for the issuance of White Criminal Registry certificates and Criminal Registry certificates.
- ◆ Some invoices / documents did not bear a stamp with the date of their receipt, in violation of the relevant Treasury's circular.
- ◆ We noticed a long delay in the registration of public contracts with concise procedures in the e-Procurement system.
- ◆ An additional salary increment, was granted to a member of the Police who was at the top of the A8 scale, without any relevant provision in the 2020 budget.
- ◆ The appropriate documents which provide the necessary information for the salary changes of the police staff, are not kept.
- ◆ The Cyprus Bar Association owes significant amounts related to the remuneration of special police officers during the years 2015-2018. The Cyprus Bar Association disputes it.
- ◆ Debts related to alarm systems' annual subscriptions and fees for incorrect calls, are outstanding for a period of more than two years.

Department of Prisons.

- ◆ Some invoices / documents did not bear a receipt date stamp, in violation of the relevant Treasury circular.
- ◆ The Department has three water meters, which have been charged with a fixed amount only, for at least one year.
- ◆ It is not documented whether the accounting department checks if there are amounts due by the beneficiaries to government services, before a payment is made to them, in violation of the relevant Treasury circular.

For all the above-mentioned findings, relevant recommendations were submitted by our Office, which together with the Ministry of Justice and Public Order's comments and views, are presented in this Report.