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# Research of the Best Practices of Access to Public Information

## Ministry of Justice of Georgia

*Georgia, United Kingdom (Scotland), United States of America,  
Estonia – Comparative Analysis*

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**Editor:** Levan Avalishvili

The research was carried out by the Institute for Development of Freedom of Information (IDFI) within the framework of the United States Agency for International Development (USAID) Program “Good Governance in Georgia (G-3)”.

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2012

## Table of Contents

Introduction .....	3
Ministry of Justice .....	5
Introduction .....	5
2. Public agency funding and costs (budget).....	9
3. References to the activity of public agency.....	24
4. Public discussions - Electronic Engagement.....	49
5. News and blog.....	51
Recomendations .....	53
Statistical analysis of the public information requests .....	65
Research Methodology.....	66
Description of Analysis.....	66
Methods.....	66
Analysis of the reports of December 10 of the project target public institutions .....	67
Conclusion.....	68
Report form of providing access to information defined in the Article 49 of the .....	70
General Administrative Code of Georgia.....	70
Ministry of Justice- Public Information Requests 2009-2012.....	74
Public information request registry: Ministry of Justice .....	80
Proactive Publication of Public Information .....	90
Disclosure of public information in accordance with the terms.....	94

## Introduction

The following study is comparative analysis of Georgian and international legislation the United Kingdom (Scotland), the United States of America, Estonia prepared within the framework of a project – “**Research on the Effectiveness of the FOIA Provisions in Georgia**”, implemented by the Institute for Development of Freedom of Information (IDFI).

The project “ **Research on the Effectiveness of the FOIA Provisions in Georgia** ” was implemented by IDFI (March-May, 2012) under the **Good Governance in Georgia Program (G3)** of the United States Agency for International Development (USAID).

The goal of the project was to increase the level of transparency and effective governance of the administrative organs (**the Ministry of Justice, Civil Service Bureau, the Competition and State Procurement Agency, Chamber of Control of Georgia, Government of the Autonomous Republic of Ajara**) through studying the best international practice of access to information and overcoming shortcomings in this sphere.

Main objective of the project - "**Research on the Effectiveness of the FOIA Provisions in Georgia**" - was to increase the accountability and transparency of the civil sector of Georgia, through study of the best international practices of access to public information and implementation of recommendations introduced on the basis of research. To achieve this goal, several tasks have been named in the set.

First of all, it was important to make research of the content of information posted in the online resources of the public institutions and forms of their location. For this there were chosen several Georgian target public institutions - **the Ministry of Justice, Civil Service Bureau, the Competition and State Procurement Agency, Chamber of Control of Georgia, Government of the Autonomous Republic of Ajara, Ministry of Finance and Economy of Ajara A/R, Ministry of Health, Labour and Social Affairs of Ajara A/R, Ministry of Education, Culture and Sport of Ajara A/R, the Ministry of Agriculture of Ajara A/R.**

At the same time, the project focused on the study of international best practice on access to public information. Foreign government structures, identical to the Georgian target institutions, were used as the target for. In particular, they stressed the countries with the best practices in proactive publication: the United States, Great Britain/Scotland and Estonia.

The research of international practice demonstrated a significant modern trend. In particular, government agencies, to ensure transparency and accountability of their work, in a proactive mode make available the data of public interest. Development of information technologies gave them opportunity to make information about their activities much available through posting of different

types of reports, data and information on official web-sites, that is the most important element to establish effective communication with citizens and to improve public confidence to the public institutions. This trend has been a tradition at the international level. Moreover, in some countries it is already regulated at the legislative level.

- The research results revealed that almost in all cases, it is important to publish the following types of information on the official web-site:
  - Detailed information about leadership;
  - General contact information;
  - Description of structure of entity and the rule of activity;
  - Strategic and operational plans;
  - Projects and programs;
  - Action quarterly and annual reports/audits;
  - Resolutions;
  - Counsultations for individuals and legal entities;
  - Access to public information and a detailed description of request procedure;
  - The documents proactively published by an institution;
  - Detailed information on the financial activities of the body, the budget;
  - Openness of administrative costs;
  - Access to statistical data;
  - General information about the activities, etc.

Competence of the agencies should be considered and therefore specific information and documents posted on the web-site. Publication of information of such type on the web-site, and most importantly, the quality of the material and complete disclosure, is the main basis of assessment of accountability, openness and transparency of public institutions.

The research methodology consisted of three main components:

- Research of proactive posting by target administrative agencies of Georgia, on the basis of the analysis of public information posted on their web-sites;
- Study of the Government's official web-resources to identify the best practices of proactive posting;
- Collaboration of recommendation package in an attempt to increase transparency of Georgian public space.

## **Ministry of Justice**

### **Introduction**

In the scope of the research, in order to introduce recommendations of the practice of proactive posting for the Ministry of Justice of Georgia, official websites of identical public institutions of the United States, Great Britain and Estonia were focused. In particular, in the case of the United States of America - web-site of the Department of Justice of the United States of America - [www.justice.gov](http://www.justice.gov), Great Britain - web-site of the Ministry of Justice - [www.justice.gov.uk](http://www.justice.gov.uk), Estonia - web-site of the Ministry of Justice - [www.just.ee](http://www.just.ee). These countries are distinguished by a good practice of proactive access to public information. As a result, analysis of their best practices of proactive posting of public information, as well the form of uploading on the web-site might be a good example for Georgian public space.

## 1. General information about the public institution

On the web-site of the Department of Justice of the United States - along with the biography and contact information of the Head (U.S. - the Attorney General), there are collected, speeches and texts of public statements of the Head of public institution, articles and blog forums.

### MEET THE ATTORNEY GENERAL



**Eric H. Holder, Jr.**  
**Attorney General of the United States**

Eric H. Holder, Jr. was sworn in as the 82nd Attorney General of the United States on February 3, 2009 by Vice President Joe Biden.

[LEARN MORE »](#)

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### ATTORNEY GENERAL NEWS

**Attorney General Eric Holder Speaks at the Legal Aid Society of the District of Columbia Servant of Justice Awards 80th Anniversary Dinner**  
Thursday, April 26, 2012  
"Every day, Legal Aid attorneys are in the courtroom – standing up for survivors of domestic violence; helping families facing eviction, and veterans who have been denied their benefits; and making sure adults and children alike have an understanding of the rights and protections to which they are entitled. And,

### RELATED BLOG POSTS

April 24th, 2012  
**Access to Justice: Strengthening Civil Legal Aid**

April 20th, 2012  
**Bringing All Criminal Justice Stakeholders to the Table**

April 18th, 2012  
**An Unwavering Commitment to End Violence Against Women**

March 29th, 2012  
**A Commitment to Serving Justice: Enhanced Discovery and Training Resources**

**Articles and speech records by the Attorney General on the web-site of the U.S. Department of Justice**

Here are different types of publications and documents related to activity of the Attorney General. For example: memorandums, annual performance plans and reports, different statements and references sent to the Congress and etc.

## PUBLICATIONS

[Letter from the Attorney General to Congress on Litigation Involving the Defense of Marriage Act, February 17, 2012 \(PDF\)](#)

[Memorandum on Residential Mortgage-Backed Securities, January 2012 \(PDF\)](#)

[Attorney General's Annual Report to Congress and Assessment of U.S. Government Activities to Combat Trafficking in Persons for Fiscal Year 2010, December 2011 \(PDF\)](#)

[Memorandum on Oil and Gas Price Fraud Working Group, May 2011 \(PDF\)](#)

[Attorney General Holder Announces Formation of Oil and Gas Price Fraud Working Group to Focus on Energy Markets, April 2011 \(PDF\)](#)

[Memorandum on Law Enforcement Officer Safety Initiative to all U.S. Attorneys, March 2011 \(PDF\)](#)

[Memorandum on Agency Implementation of Section 508 of the Rehabilitation Act, February 2011 PDF | HTML](#)

[Guidance Regarding Use of DNA Waivers in Plea Agreements, November 2010 \(PDF\)](#)

[Memorandum on DNA Sample Collection from Federal Arrestees and Defendants, November 2010 \(PDF\)](#)

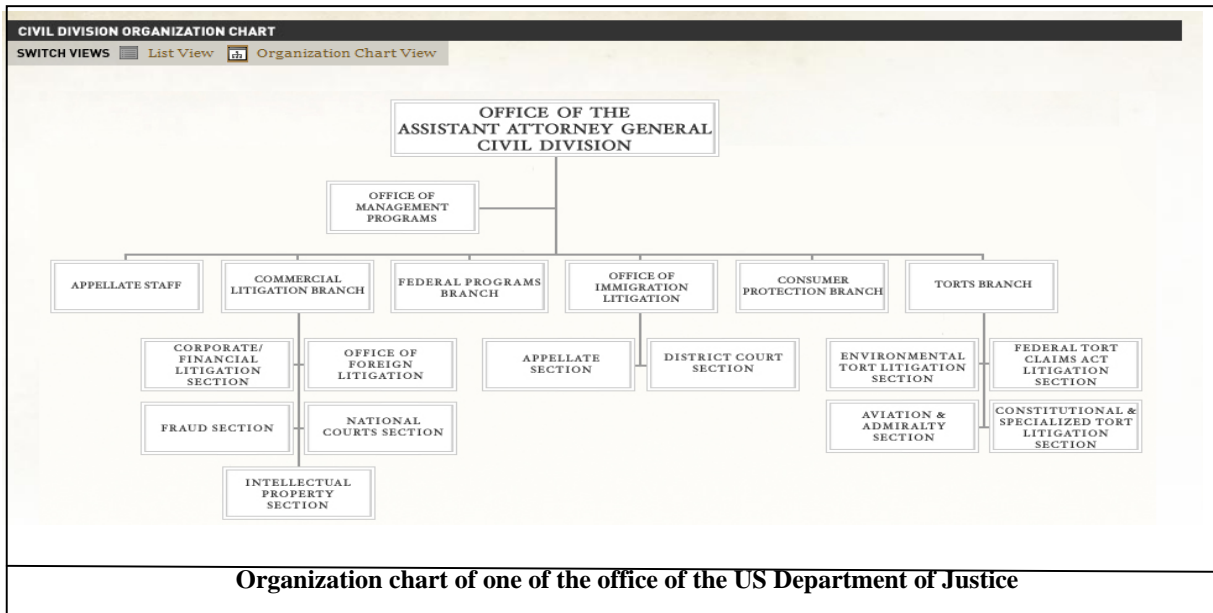
[Report and Recommendations of the Presidential Task Force on Controlled Unclassified Information \(PDF\)](#)

[Performance and Accountability Report:  
2011 | 2010 | 2009 | 2008 | 2007 | 2006 | 2005 | 2004](#)

**List of publications on the web-site**

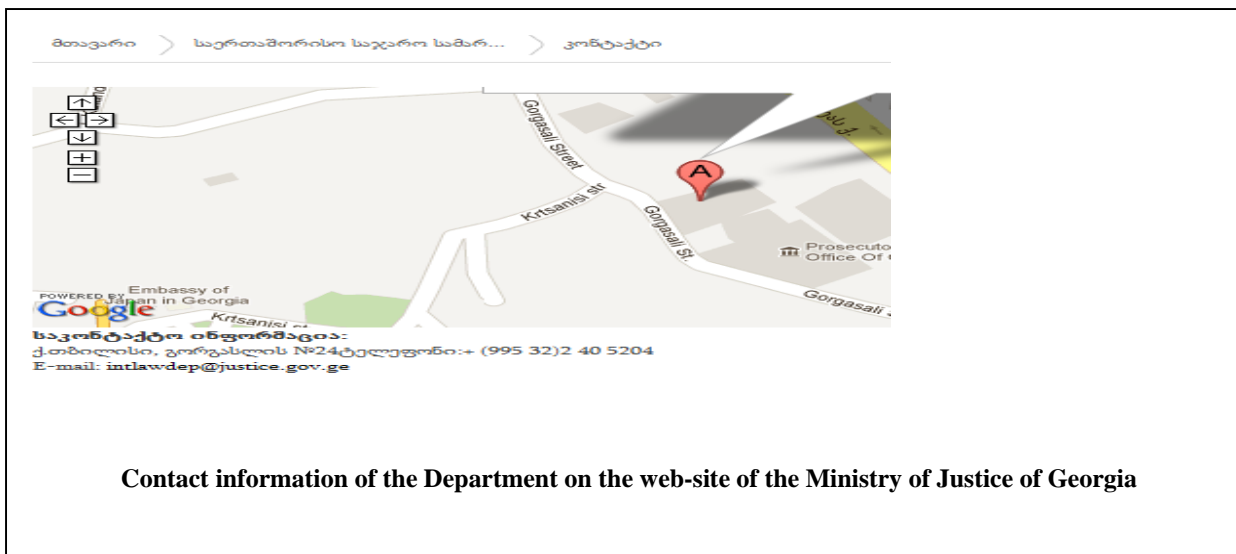
Preferable if the web-site provides names and relevant description of all structural subdivisions of the Ministry and its internal structural units, that will make more clear the inner structural and functional hierarchy.

Web-site of the U.S. Department of Justice presents in details the scheme of distribution of individual structural units of the department, activity related legal documents and other information.



Contact details of all the structural subdivisions of the Ministry and of the Head of its internal structural unit or deputy should be published on the web-site: official e-mail address, telephone and fax numbers of the reception. Contact information of other employees should be made available as well. This will significantly improve the quality of communication with citizens.

On the web-site of the Ministry of Justice, the offices have submitted incomplete contact information: in some cases contact person and fax number is not shown.



Example of USA is to be noted, where on the home page of the web-site of the Department of Justice there are given not only contact details of all the offices, but it provides with the phone numbers of the agency employees.



## CONTACT THE OFFICE



### By Mail

U.S. Department of Justice  
Community Relations Service  
600 E. Street, N.W., Suite 6000  
Washington, DC 20530

### By E-Mail

E-mail to the Office may be sent to [crs.webmaster@usdoj.gov](mailto:crs.webmaster@usdoj.gov).

### By Phone

Department of Justice Main Switchboard - (202) 514-2000  
Community Relations Service Officials, see the [Directory of Department Officials](#)

Updated: August 2011

### GENERAL INFORMATION COMMUNITY RELATIONS SERVICE

#### LEADERSHIP

**Becky L. Monroe**  
Acting Director,  
Community Relations Service

#### CONTACT

**Community Relations Service**  
(202) 305-2935

Contact details of one of the agency on the web-site of the U.S. Department of Justice

### COMMUNITY RELATIONS SERVICE

**Director, 305-2935**

Admin. Asst. to the Director, 305-2934

Associate Director, 305-2950

Special Assistant to the Director, 305-3001

[Top of Page](#)

### CRIMINAL DIVISION

**Assistant Attorney General, 514-2601**

Principal Deputy Assistant Attorney General and Chief of Staff, 514-2601

Deputy Chief of Staff and Counselor to the Assistant Attorney General, 514-2601

Counselor to the Assistant Attorney General, 514-2601

Office of Administration, Executive Officer, 514-2641

Office of Policy and Legislation, Director, 514-4193

Deputy Assistant Attorney General for International Policy, 514-2601

Office of International Affairs, Director, 514-0000

International Criminal Investigative Training Assistance Programs, Director, 305-8190

Office of Overseas Prosecutorial Development Assistance and Training, Director, 514-1323

Organized Crime and Racketeering Section, Chief, 514-3594

Office of Enforcement Operations, Director, 514-6809

Public Integrity Section, Chief, 514-1412

Deputy Assistant Attorney General, 514-2601

Fraud Section, Chief, 514-7023

Appellate Section, Chief, 514-2611

Capital Case Unit, Chief, 353-7172

Deputy Assistant Attorney General, 514-2601

Computer Crime and Intellectual Property Section, Chief, 514-1026

Child Exploitation and Obscenity Section, Chief, 514-5780

Human Rights and Special Prosecutions Section, Chief, 616-5731

Contact reference of one of the agency on the web-site of the U.S. Department of Justice

## 2. Public agency funding and costs (budget)

To ensure public transparency and accountability of the Ministry it is necessary to post information about the budget and the financial transactions on the web-site.

Sub-section “Budget of the Ministry” on the official website of the Ministry of Justice of Georgia is still under construction.




მთავარი > > სამინისტროს ბიუჯეტი

## მიმდინარეობს რეკონსტრუქცია

### Page allocated for the budget on the website of the Ministry of Justice of Georgia



Concerning the documents financial nature, the website of the Ministry of Justice of Georgia contains information about tenders and procurement. However, the information only covers the period of 2009-2010 and is allocated inconsistently.

#### მიმაგრებული დოკუმენტები:

-  ტენდერი საოფისე ტექნიკის სახარჯ მასალებზე
-  ინფორმაცია საქართველოს იუსტიციის სამინისტროს მიერ 2010 წლის ბიუჯეტით ჩატარებული ტენდერების შესახებ.
-  საქართველოს იუსტიციის სამინისტრო " სახელმწიფო შესყიდვების შესახებ " საქართველოს კანონის შესაბამისად, აცხადებს ტენდერს შენობისა და მიმდებარე ტერიტორიის მოვლა-დასუფთავების მომსახურების შესყიდვაზე

### Tender-related documents allocated on the website of the Ministry of Justice of Georgia

#### შესყიდვები

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#### მიმაგრებული დოკუმენტები:

-  2009 წლის IV კვარტლის შესყიდვები
-  2010 წლის იანვრის შესყიდვები

### Procurement-related documents allocated on the website of the Ministry of Justice of Georgia

On the web-site of the U.S. Department of Justice the budget is published in the main category of the department. There are a number of financial and other types of documents:

1. The strategic plan of the Ministry for fiscal years of 2012-2016;
2. Audits/reports of Inspector General;
3. Appeals on loss, fraud and abuse of power to the Inspector General;
4. Budget execution reports by years (2004-2011);
5. Budget projects submitted to the Congress;
6. Budget related comment records by legislators.

First of all, practice of proactive posting of audit/report paper by the Inspector General is to be mentioned. At the same time, these kinds of documents have been prepared as well in case of different structural units. Meantime, it is possible to view reports from previous years.

<b>OIG Reports</b> <i>Completed audits, inspections, and special reviews  organized by Department of Justice component</i>
<p>Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF)  Drug Enforcement Administration (DEA)  Executive Office for U. S. Attorneys (EOUSA)  Federal Bureau of Investigation (FBI)  Federal Bureau of Prisons (BOP)  Offices, Boards and Divisions (OBDs)  Office of Community Oriented Policing Services (COPS)  Office of Justice Programs (OJP)  U. S. Marshals Service (USMS)</p> <p>Other DOJ Components and Reports Encompassing More Than One DOJ Component</p> <p>Special Reports</p>
<p><b>List of reports by the Inspector General according to the different sub-divisions  on the web-site of the U.S. Department of Justice</b></p>
<p><b>Office of Justice Programs</b></p>
<p><b>2012</b></p> <p>Office of Justice Programs Annual Financial Statements Fiscal Year 2011, Audit Report 12-18, February 2012</p>
<p><b>2011</b></p> <p>Audit of The Office of Justice Programs' Monitoring and Oversight of Recovery Act and Non-Recovery Act Grants, Audit Report 11-19, March 2011</p> <p>Review of the Award Process for the Bureau of Justice Assistance Recovery Act Grant Program for Correctional Facilities on Tribal Lands, Category V, Report 11-18, February 2011</p> <p>Office of Justice Programs Annual Financial Statements, Fiscal Year 2010, Audit Report 11-17, February 2011</p>
<p><b>2010</b></p> <p>Office of Justice Programs' Recovery Act and Non-Recovery Act Programs for Edward Byrne Memorial Justice Assistance Grants and Byrne Competitive Grants, Audit Report 10-43, August 2010</p> <p>Office of Justice Programs' Management of Its Offender Reentry Initiatives, Audit Report 10-34, July 2010</p>
<p>11</p>

**Reports by the Inspector General for one of the sub-divisions according to years  
on the web-site of the U.S. Department of Justice**

These documents provides with budgetary balance of certain sub-divisions, their assets and liabilities, various types of costs, such as assignments, transfers, etc.

**ANALYSIS OF FINANCIAL STATEMENTS**

ATF prepares the principal financial statements required by OMB Circular A-136, *Financial Reporting Requirements*.

The Consolidated Balance Sheet is a presentation of ATF's assets, liabilities, and net position as of the end of the fiscal year. Assets represent the amounts of future economic benefits that are owned or managed by the Bureau. Liabilities are the amounts that are owed by the Bureau and net position comprises the unexpended appropriations and the cumulative results of operation.

Total assets as of September 30, 2011 and 2010, were \$556.7 and \$561.7 million, respectively with a decrease of approximately 1.0 percent. The Fund Balance with the Treasury represents approximately 43.4 percent of assets in FY 2011 and 46.5 percent in FY 2010.

Total liabilities as of September 30, 2011 and 2010, were \$352.3 million and \$330.3 million, respectively. The increase of \$22.0 million or 6.7 percent is primarily due to increase in liabilities from undercover operations of \$18.5 million and an increase in the FECA Actuarial liability of \$3.7 million.

The Consolidated Statement of Net Cost presents the gross operating costs and any related exchange revenue for the reporting period. The bottom line is the net cost to operate and run the Bureau programs for the fiscal year. ATF records the full cost of all transactions, including imputed costs absorbed by other entities. The net costs of operations as of September 30, 2011 and 2010 were \$1,182.4 million and \$1,181.9 million, respectively, an increase of approximately \$.5 million.

The Consolidated Statement of Changes in Net Position presents both the net cost of operations and how those costs were financed, whether from appropriations, transfers, or imputed financing. Unexpended appropriations as of September 30, 2011 and 2010 were \$174.2 million and \$202.2 million, respectively, the decrease is approximately 13.8 percent. The Net Position as of September 30, 2011 and 2010 was \$204.4 million and \$231.4 million, respectively, with a decrease of approximately 11.7 percent. The FY 2011 appropriations decreased by \$43.5 million or 3.8 percent.

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**Extraction from the report of the Inspector General**

In the same paper we see a detailed implementation plan, which provides with the sources of financing, amount of money spent for the specific objectives. In the report the data of last two years is compared and it shows the trends of changes in spendings of the same kind.

**Table 1. Source of ATF Resources  
(Dollars in Thousands)**

Source	FY 2011	FY 2010	Change%
<b>Earned Revenue</b>	\$ 91,300	\$ 91,159	0%
<b>Budgetary Financing Sources</b>			
Appropriations Received	1,114,772	1,158,272	-4%
Appropriations Transferred-In/Out	(7,892)	(3,318)	138%
Other Adjustments and Other Budgetary Financing Sources	(2,231)	-	-100%
<b>Other Financing Sources</b>			
Transfers-In/Out Without Reimbursement	3,153	2,407	31%
Imputed Financing from Costs Absorbed by Others	47,544	39,264	21%
<b>Total</b>	<b>\$ 1,246,646</b>	<b>\$ 1,287,784</b>	<b>-3%</b>

**Table 2. How ATF Resources are Spent  
(Dollars in Thousands)**

Strategic Goal (SG)	FY 2011	FY 2010	Change%
<b>SG 1: Prevent Terrorism and Promote the Nation's Security</b>			
<i>Net Cost</i>	\$ 5,649	\$ 7,185	-21%
<b>SG 2: Prevent Crime, Enforce Federal Laws, and Represent the Rights and Interests of the American People</b>			
<i>Gross Cost</i>	1,268,049	1,265,934	
Less: Earned Revenue	91,300	91,159	
<i>Net Cost</i>	1,176,749	1,174,775	0%
<b>Total Gross Cost</b>	<b>1,273,698</b>	<b>1,273,119</b>	
<b>Less: Total Earned Revenue</b>	<b>91,300</b>	<b>91,159</b>	
<b>Total Net Costs of Operations</b>	<b>\$ 1,182,398</b>	<b>\$ 1,181,960</b>	<b>0%</b>

**One of the reports by the Inspector General**

Most importantly, the report provides the percentage evaluation of performance. These indicators are given according to several previous years, which make it possible to analyze implemented changes. Along with statistical data there is presented their narrative explanations and evaluation of achieved results and effectiveness.

**Data Definitions:** ATF has developed a Performance Index to measure ATF's 10 core functions as well as the strategic goals and strategic objectives. The Index includes a performance goal statement for each core function to provide comprehensive tracking and measurement of ATF's performance across the enterprise. ATF's outcome-based performance goal statements are shown below:

<i>Core Function</i>	<i>Performance Goal Statement</i>
<b>Illegal Firearms Trafficking</b>	Reduce the risk to public safety caused by illegal firearms trafficking
<b>Firearms Criminal Possession and Use</b>	Reduce the risk to public safety caused by criminal possession and use of firearms
<b>Firearms Industry Operations</b>	Improve public safety by increasing compliance with Federal laws and regulations by firearms industry members
<b>Criminal Groups and Gangs</b>	Reduce the risk to public safety caused by criminal organizations and gangs
<b>Explosives, Bombs, and Bombings</b>	Reduce the risk to public safety caused by bombs and explosives
<b>Explosives Industry Operations</b>	Improve public safety by increasing compliance with Federal laws and regulations by explosives industry members
<b>Fire and Arson</b>	Reduce the risk to public safety caused by the criminal use of fire
<b>Alcohol and Tobacco</b>	Reduce the loss of tax revenues caused by contraband alcohol and tobacco trafficking
<b>Modernization</b>	Modernize business processes and systems for improved mission effectiveness and transparency
<b>Workforce</b>	Attract, develop, and retain an expert workforce to execute the ATF mission

A Report by the Inspector General of the US Department of Justice



**Discussion of FY 2011 Results:** This measure was discontinued at the end of FY 2010 and ATF is no longer measuring or reporting results. As part of the development of the FY 2010 – FY 2016 Strategic Plan, ATF developed a Performance Index to measure ATF's 10 core functions as well as the strategic goals and strategic objectives. The Index included a performance goal statement for each core function to provide comprehensive tracking and measurement of ATF's performance across the enterprise. In the Index, each performance goal statement aligns with specified strategic objectives and their corresponding performance indicators. This structure allows ATF to evaluate performance at each level: enterprise, budget decision unit, core function/performance goal statement, and strategic objective, and to use performance indicators to track progress against targets. ATF will incorporate the newly developed indicators into future submissions and align them to the Department's strategic plan.

A Report by the Inspector General of the US Department of Justice

The report describes statistics of arrested and accused persons, lists of income gained from different types of contributions, such as licenses, registration fee.

- In FY 2011 we initiated the following criminal investigations:
  - 27,515 firearms cases, including illegal possession and firearms trafficking;
  - 3,244 arson and explosives cases, including bombing and attempted bombing cases; and,
  - 125 alcohol and tobacco diversion cases.
- Since the inception of Project Gunrunner in FY 2006, ATF has seized 10,902 firearms and over 1.4 million rounds of ammunition destined for the Southwest Border. ATF has arrested 3,515 defendants and obtained evidence that indicates 26,727 firearms were trafficked to Mexico by organizations investigated by ATF.
- In FY 2011, ATF seized 1,171 firearms and 110,219 rounds of ammunition destined for the Southwest Border. ATF has arrested 430 defendants and obtained evidence that 4,330 firearms were trafficked to Mexico by organizations investigated by ATF.
- In FY 2011, ATF referred 311 cases for prosecution related to the Southwest Border, under Project Gunrunner.
- In FY 2011, there were 7,424 retail dealers and pawnbrokers who held Federal Firearms Licenses (FFLs) in Texas, Arizona, New Mexico, and Southern California. In 2011, ATF inspected 50 percent of the FFLs in those four states.

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**A Report by the Inspector General of the US Department of Justice**

- In FY 2011, ATF recommended 11,257 criminal cases against 18,790 defendants for prosecution – 1,590 of those cases involve 5,206 defendants engaged in gang related criminal conduct. Of the defendants recommended for prosecution, nearly 60% are previously convicted felons and 82% have prior arrest records.
- In addition, in FY 2011, ATF arrested 9,368 defendants, which led to 10,772 indictments and 7,337 convictions. As a result, 6,201 defendants were sentenced to prison in FY 2011 and received an average sentence of 191 months, excluding the 60 defendants who received life sentences and seven who received death sentences.

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**A Report by the Inspector General of the US Department of Justice**

In the document you may find evaluations, comments and recommendations of independent auditors and the errors discovered by them in financial statement.



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**INDEPENDENT AUDITORS' REPORT ON INTERNAL CONTROL OVER FINANCIAL REPORTING**

Acting Inspector General  
United States Department of Justice

Acting Director  
Bureau of Alcohol, Tobacco, Firearms and Explosives  
United States Department of Justice

We have audited the Consolidated Balance Sheets of the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF), a component of the United States Department of Justice (DOJ), as of September 30, 2011 and 2010, and the related Consolidated Statements of Net Cost, Consolidated Statements of Changes in Net Position, Combined Statements of Budgetary Resources, and Combined Statements of Custodial Activity for the years then ended, and have issued our report thereon dated November 4, 2011. We conducted our audits in accordance with auditing standards generally accepted in the United States of America; standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States; and Office of Management and Budget (OMB) Bulletin No. 07-04, *Audit Requirements for Federal Financial Statements*, as amended.

**A Report by the Inspector General of the US Department of Justice**

**PROPERTY, PLANT AND EQUIPMENT AND RELATED ACCOUNT BALANCES**

ATF records certain accounting transactions related to its capitalized equipment accounts based on information derived from a reconciliation between its equipment property schedules and its property management system (Sunflower). ATF did not perform this reconciliation during the first nine months of fiscal year 2011, and made numerous errors when performing a reconciliation to support its June 30, 2011 financial statement adjustments. In addition, ATF maintains real property schedules to support construction in process, leasehold improvements, and buildings, and internal use software, and software in development schedules. ATF did not update its software and development schedules as of June 30, 2011 and made errors when updating its property schedules. As a result, ATF's June 30, 2011 financial statements contained the following misstatements.

Account	Known Errors
Property, Plant and Equipment	\$1.3 million net understatement
Depreciation Expense	\$9.9 million net understatement
Accumulated Depreciation	\$9.9 million net understatement
Operating Expenses	\$1.3 million net overstatement
Financing Sources Transferred In	\$62 thousand overstatement

**A Report by the Inspector General of the US Department of Justice**



The report describes in detail the funds defined for different types of financial obligations and assets.

<b>U.S. Department of Justice</b>		
<b>Bureau of Alcohol, Tobacco, Firearms and Explosives</b>		
<b>Consolidated Balance Sheets</b>		
<b>As of September 30, 2011 and 2010</b>		
<b>Dollars in Thousands</b>	<b>2011</b>	<b>2010</b>
<b>ASSETS (Note 2)</b>		
Intragovernmental		
Fund Balance with U.S. Treasury (Note 3)	\$ 241,768	\$ 261,136
Accounts Receivable (Note 5)	27,803	28,291
Other Assets (Note 8)	7,643	14,349
<b>Total Intragovernmental</b>	<b>277,214</b>	<b>303,776</b>
Cash and Monetary Assets (Note 4)	68,184	49,009
Accounts Receivable, Net (Note 5)	256	162
General Property, Plant and Equipment, Net (Note 7)	210,262	207,118
Advances and Prepayments	786	1,669
<b>Total Assets</b>	<b>\$ 556,702</b>	<b>\$ 561,734</b>
<b>LIABILITIES (Note 9)</b>		
Intragovernmental		
Accounts Payable	\$ 14,942	\$ 14,803
Accrued Federal Employees' Compensation Act Liabilities	20,074	19,567
Other Liabilities (Note 12)	10,474	9,393
<b>Total Intragovernmental</b>	<b>45,490</b>	<b>43,763</b>
Accounts Payable	45,450	45,744
Actuarial Federal Employees' Compensation Act Liabilities	110,697	107,012
Accrued Payroll and Benefits	34,276	31,560
Accrued Annual and Compensatory Leave Liabilities	51,897	52,408
Seized Cash and Monetary Instruments (Notes 4 and 11)	3,527	3,010
Contingent Liabilities (Note 13)	-	3,505
Capital Lease Liabilities (Note 10)	1,071	1,875
Other Liabilities (Note 12)	59,905	41,416
<b>Total Liabilities</b>	<b>\$ 352,313</b>	<b>\$ 330,293</b>
<b>NET POSITION</b>		
Unexpended Appropriations - All Other Funds	\$ 174,210	\$ 202,183
Cumulative Results of Operations - All Other Funds	30,179	29,258
<b>Total Net Position</b>	<b>\$ 204,389</b>	<b>\$ 231,441</b>
<b>Total Liabilities and Net Position</b>	<b>\$ 556,702</b>	<b>\$ 561,734</b>
<small>The accompanying notes are an integral part of these financial statements.</small>		

**A Report by the Inspector General of the US Department of Justice**

The report cites, as well the data of funds spent by the department for specific activities of structural units within last two years.

**U.S. Department of Justice  
Bureau of Alcohol, Tobacco, Firearms and Explosives  
Consolidated Statements of Net Cost  
For the Fiscal Years Ended September 30, 2011 and 2010**

Dollars in Thousands

	FY	Gross Costs			Less: Earned Revenues			Net Cost of Operations (Note 14)
		Intra-governmental	With the Public	Total	Intra-governmental	With the Public	Total	
Goal 1	2011	\$ -	\$ 5,649	\$ 5,649	\$ -	\$ -	\$ -	\$ 5,649
	2010	\$ -	\$ 7,185	\$ 7,185	\$ -	\$ -	\$ -	\$ 7,185
Goal 2	2011	381,239	886,810	1,268,049	90,650	650	91,300	1,176,749
	2010	365,344	900,590	1,265,934	90,417	742	91,159	1,174,775
Total	2011	<u>\$ 381,239</u>	<u>\$ 892,459</u>	<u>\$ 1,273,698</u>	<u>\$ 90,650</u>	<u>\$ 650</u>	<u>\$ 91,300</u>	<u>\$ 1,182,398</u>
	2010	<u>\$ 365,344</u>	<u>\$ 907,775</u>	<u>\$ 1,273,119</u>	<u>\$ 90,417</u>	<u>\$ 742</u>	<u>\$ 91,159</u>	<u>\$ 1,181,960</u>

Goal 1 Prevent Terrorism and Promote the Nation's Security

Goal 2 Prevent Crime, Enforce Federal Laws, and Represent the Rights and Interests of the American People

The accompanying notes are an integral part of these financial statements.

**A Report by the Inspector General of the US Department of Justice**

It as well shows the changes due to the programs implemented by unexpected liabilities in the budget and sources of funds aimed for these activities.

**U.S. Department of Justice  
Bureau of Alcohol, Tobacco, Firearms and Explosives  
Consolidated Statements of Changes in Net Position  
For the Fiscal Years Ended September 30, 2011 and 2010**

Dollars in Thousands

	2011	2010
<b>Unexpended Appropriations</b>		
Beginning Balances	\$ 202,183	\$ 183,607
<b>Budgetary Financing Sources</b>		
Appropriations Received	1,114,772	1,158,272
Appropriations Transferred-In/Out	(7,892)	(3,318)
Other Adjustments	(2,231)	-
Appropriations Used	(1,132,622)	(1,136,378)
<b>Total Budgetary Financing Sources</b>	<u>(27,973)</u>	<u>18,576</u>
<b>Unexpended Appropriations</b>	<u>\$ 174,210</u>	<u>\$ 202,183</u>
<b>Cumulative Results of Operations</b>		
Beginning Balances	\$ 29,258	\$ 33,169
<b>Budgetary Financing Sources</b>		
Appropriations Used	1,132,622	1,136,378
<b>Other Financing Sources</b>		
Transfers-In/Out Without Reimbursement	3,153	2,407
Imputed Financing from Costs Absorbed by Others (Note 15)	47,544	39,264
<b>Total Financing Sources</b>	<u>1,183,319</u>	<u>1,178,049</u>
<b>Net Cost of Operations</b>	<u>(1,182,398)</u>	<u>(1,181,960)</u>
<b>Net Change</b>	921	(3,911)
<b>Cumulative Results of Operations</b>	<u>\$ 30,179</u>	<u>\$ 29,258</u>
<b>Net Position</b>	<u>\$ 204,389</u>	<u>\$ 231,441</u>

The accompanying notes are an integral part of these financial statements.

**A Report by the Inspector General of the US Department of Justice**

The report includes detailed information about the real estate balance of the Ministry.

## 6. Seized Property (continued)

For the Fiscal Year Ended September 30, 2011

Seized Property Category		Beginning Balance	Adjust- ments	Seizures	Disposals	Ending Balance
Seized for Evidence						
Seized Cash Deposited and Seized Monetary Instruments						
	Value	\$ 3,010	\$ -	\$ 6,789	\$ 6,272	\$ 3,527
Personal Property						
	Number	177	(105) *	6	36	42
	Value	\$ 1,725	\$ (977)	\$ 38	\$ 496	\$ 290
Non-Valued Firearms						
	Number	13,445	7,307 **	10,150	996	29,906

\*Adjustments for personal property are items determined to be seized for forfeiture, that in prior years were included in the seized evidence balance.

\*\*Adjustments for non-valued firearms are items determined to be seized for evidence that were not included in the seized for evidence balance in prior years.

For the Fiscal Year Ended September 30, 2010

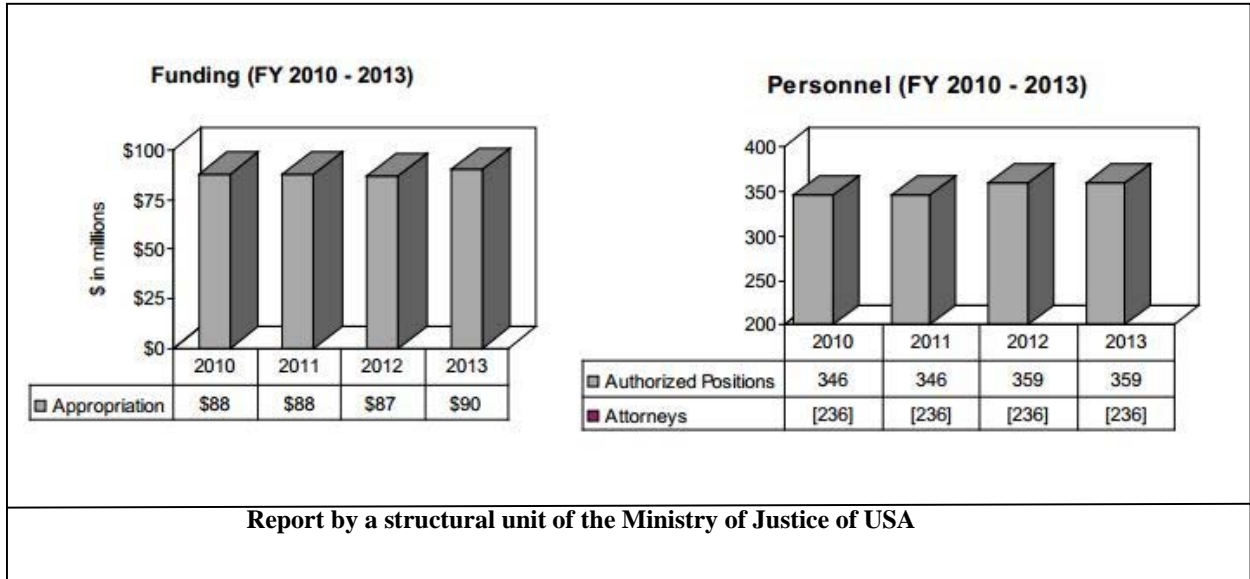
Seized Property Category		Beginning Balance	Adjust- ments	Seizures	Disposals	Ending Balance
Seized for Evidence						
Seized Cash Deposited and Seized Monetary Instruments						
	Value	\$ 2,436	\$ -	\$ 8,528	\$ 7,954	\$ 3,010
Personal Property						
	Number	180	1 *	13	17	177
	Value	\$ 1,886	\$ 11	\$ 84	\$ 256	\$ 1,725
Non-Valued Firearms						
	Number	14,174	-	5,213	5,942	13,445

### A Report by the Inspector General of the US Department of Justice

The web-site contains the reports represented by all the structural units of the Department.

They reflect the amount of financing of certain structures by years, number of employees, as well as originally intended and actually spent amounts for current state programs. Here is the archive of these types of reports. It should be noted that the Inspector General's annual report assesses the

overall effectiveness of activity of the Ministry and these types of documents are presented by separate structural units and they present evaluation of the programs implemented by them.



**National Security Division**  
(Dollars in Thousands)

Comparison by activity and program	2012 Enacted			2013 Current Services		
	Perm Pos.	FTE	Amount	Perm Pos.	FTE	Amount
National Security	359	353	87,000	359	359	90,231
<b>Total</b>	<b>359</b>	<b>353</b>	<b>87,000</b>	<b>359</b>	<b>359</b>	<b>90,231</b>
Reimbursable FTE	0	0	0	0	0	0
<b>Grand Total</b>	<b>359</b>	<b>353</b>	<b>87,000</b>	<b>359</b>	<b>359</b>	<b>90,231</b>

Comparison by activity and program	2013 Total Program Changes			2013 Request		
	Perm Pos.	FTE	Amount	Perm Pos.	FTE	Amount
National Security	0	0	-192	359	359	90,039
<b>Total</b>	<b>0</b>	<b>0</b>	<b>-192</b>	<b>359</b>	<b>359</b>	<b>90,039</b>
Reimbursable FTE	0	0	0	0	0	0
<b>Grand Total</b>	<b>0</b>	<b>0</b>	<b>-192</b>	<b>359</b>	<b>359</b>	<b>90,039</b>

**Report by a structural unit of the Ministry of Justice of USA**

In addition, it provides initially requested by all agencies and finally approved amount of appropriations.

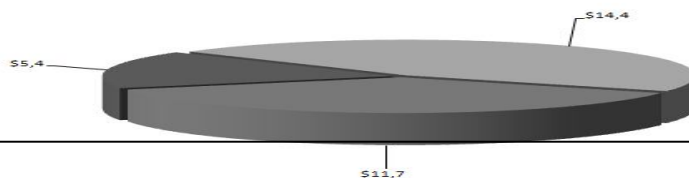
The report shows the percentage of distribution of total budget for the specific objectives of the Department and in comparison/relatively of each other and the amount of costs spent for each of the operations and programs. These data are provided both in PDF and Excel formats.

**U. S. DEPARTMENT OF JUSTICE  
SUMMARY OF BUDGET AUTHORITY BY APPROPRIATION**  
(Dollars in Thousands)

APPROPRIATION	FY 2011 ENACTED	FY 2012 ENACTED	FY 2013 REQUEST	CHANGE FROM 2012 to 2013	% CHANGE FY 2013 OVER FY 2012
<b>GENERAL ADMINISTRATION</b>	\$118,251	\$110,822	\$127,667	\$16,845	15.2%
NATIONAL DRUG INTELLIGENCE CENTER	33,955	20,000	0	-20,000	-100.0%
JUSTICE INFORMATION SHARING TECHNOLOGY	60,164	44,307	33,426	-10,881	-24.6%
DETENTION TRUSTEE	1,515,626	1,580,595	0	-1,580,595	-100.0%
LAW ENFORCEMENT WIRELESS COMMUNICATIONS	99,800	87,000	0	-87,000	-100.0%
<b>ADMINISTRATIVE REVIEW &amp; APPEALS</b>	<b>300,084</b>	<b>305,000</b>	<b>313,438</b>	<b>8,438</b>	<b>2.8%</b>
EXECUTIVE OFFICE FOR IMMIGRATION REVIEW	293,359	298,275	306,643	8,368	2.8%
Transfer from Immigration Fees Account	4,000	4,000	4,000	0	0.0%
PARDON ATTORNEY	2,725	2,725	2,795	70	2.6%
OFFICE OF THE INSPECTOR GENERAL	84,199	84,199	85,985	1,786	2.1%
WORKING CAPITAL FUND (Rescissions)	-26,000	-40,000	-26,000	14,000	-35.0%
U.S. PAROLE COMMISSION	12,833	12,833	12,772	-61	-0.5%
NATIONAL SECURITY DIVISION	87,762	87,000	90,039	3,039	3.5%
<b>GENERAL LEGAL ACTIVITIES</b>	<b>863,367</b>	<b>863,367</b>	<b>903,603</b>	<b>40,236</b>	<b>4.7%</b>
SOLICITOR GENERAL	10,725	10,724	10,805	81	0.8%
TAX DIVISION	104,877	104,877	106,459	1,582	1.5%
CRIMINAL DIVISION	174,001	174,000	185,473	11,473	6.6%
CIVIL DIVISION	283,105	283,103	298,040	14,937	5.3%
ENVIRONMENT & NATURAL RESOURCES DIVISION	108,010	108,009	110,360	2,351	2.2%
LEGAL COUNSEL	7,605	7,605	7,636	31	0.4%
CIVIL RIGHTS DIVISION	144,495	144,500	153,341	8,841	6.1%
INTERPOL	29,754	29,754	31,489	1,735	5.8%
OFFICE OF DISPUTE RESOLUTION	795	795	0	-795	-100.0%
VACCINE INJURY COMPENSATION TRUST FUND	[7,833]	[7,833]	[7,833]	[0]	0.0%
<b>ANTITRUST</b>	<b>162,844</b>	<b>159,587</b>	<b>164,753</b>	<b>5,166</b>	<b>3.2%</b>
Minus: Offset from Antitrust Pre-Merger Filing Fee	-110,000	-110,000	-117,500	-7,500	6.8%
U.S. ATTORNEYS	1,930,135	1,960,000	1,974,378	14,378	0.7%
<b>U.S. TRUSTEES</b>	<b>63,018</b>	<b>-58,571</b>	<b>-39,245</b>	<b>19,326</b>	<b>-33.0%</b>
U.S. TRUSTEES SALARIES & EXPENSES	218,811	223,258	227,407	4,149	1.9%
Minus: Offset from U.S. Trustee Fees and Interest on U.S. Securities	-281,829	-281,829	-266,652	15,177	-5.4%
FOREIGN CLAIMS SETTLEMENT COMMISSION	2,113	2,000	2,139	139	7.0%
<b>U.S. MARSHALS SERVICE</b>	<b>1,140,103</b>	<b>1,186,800</b>	<b>1,199,088</b>	<b>12,288</b>	<b>1.0%</b>
SALARIES & EXPENSES	1,123,511	1,174,000	1,203,488	29,488	2.5%
Rescission of Prior Year Balances	0	-2,200	-14,400	-12,200	554.5%
CONSTRUCTION	16,592	15,000	10,000	-5,000	-33.3%
FEDERAL PRISONER DETENTION	[1,515,626]	[1,580,595]	1,668,235	1,668,235	0.0%
COMMUNITY RELATIONS SERVICE	11,456	11,456	12,036	580	5.1%
ASSETS FORFEITURE FUND CURRENT BUDGET AUTHORITY	20,948	20,948	20,948	0	0.0%
INTERAGENCY CRIME & DRUG ENFORCEMENT	527,512	527,512	524,793	-2,719	-0.5%
<b>FEDERAL BUREAU OF INVESTIGATION</b>	<b>7,926,048</b>	<b>8,117,973</b>	<b>8,069,777</b>	<b>-48,196</b>	<b>-0.6%</b>

A report published by the US Department of Justice

**FY 2013 Budget Request by Strategic Goal  
Discretionary and Mandatory: \$31.5 Billion <sup>1/</sup>**  
(Dollars in Billions)



- Goal 1: Prevent Terrorism and Promote the Nation's Security Consistent with the Rule of Law.
- Goal 2: Prevent Crime, Protect the Rights of the American People, and Enforce Federal Law.
- Goal 3: Ensure and Support the Fair, Impartial, Efficient, and Transparent Administration of Justice at the Federal, State, Local, Tribal, and International Levels.

A report published by the US Department of Justice

In addition, the report there is given funds defined for various state programs according to specific directions and objectives. The report specifies the purpose of distribution of funds and explains reasons for the changes. In case of increase of funding for specific programs additional activities are listed in respect of which the approved budget was amended.



**U.S. Department of Justice  
FY 2013 Budget Request**

TRADITIONAL MISSIONS

**+ \$31.8 million in Program Increases**

**FY 2013 Overview**

It is the mission of DOJ to enforce the law and ensure the fair and impartial administration of justice for all Americans. Accomplishing this requires necessary resources both to investigate and to litigate. As such, the DOJ FY 2013 Budget requests \$31.8 million for program increases to expand DOJ's enforcement and litigation capacity and ability to protect vulnerable populations.

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**Facts Sheet of the budget of U.S. Department of Justice**

**Program Increases**

**General Administration (GA)**

- **Office of Tribal Justice: \$707,000 and 5 positions (4 attorneys)**  
This increase is part of the process to establish base funding for the Office within the General Administration account. It is facilitated partly through the transfer of resources previously provided on a reimbursable basis from other components. This enhancement provides additional attorneys as well as funding for extraordinary travel costs to support and enhance the efforts of the Office of Tribal Justice. OTJ serves 566 federally recognized tribes spread across 54 million acres of Indian Country. FY 2013 current services for this initiative are 5 positions (including 4 attorneys) and \$1.2 million.

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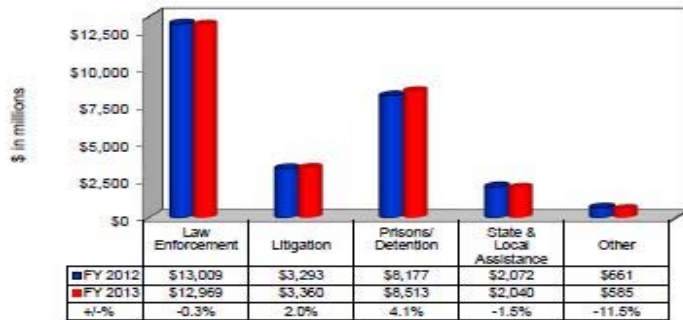
**Facts Sheet of the budget of U.S. Department of Justice**

Along with the report, the web-site provides presentation for budget submission, which focuses on the basic trends, explains logic of amounts in specific fields and their need for. This allows interested parties to have general opinion about financial policies of public institutions.



## 2013 DOJ Budget by Category

The budget includes the following by type of activity:



A slide from budget presentation on the web-site of the U.S. Department of Justice.  
Budget by category

Draft budget submitted to the Congress and its implementation plan is given on the web-site. In addition, comments by the legislators related to draft budget are attached.

JOHN TESTER  
MONTANA

COMMITTEE:  
APPROPRIATIONS  
ECONOMY  
INDIAN AFFAIRS  
VETERANS' AFFAIRS  
HOMELAND SECURITY AND  
GOVERNMENTAL AFFAIRS

United States Senate  
June 6, 2011

Senator John Tester  
SUITE 104  
MONTANA STATE CAPITOL  
300-220-5814  
MONTANA, ELEGANT PEOPLE  
1-800-552-4422

Senator  
jtester@mt.gov

The Hon. Eric H. Holder, Jr.  
Attorney General  
Department of Justice  
930 Pennsylvania Avenue, NW  
Washington, DC 20530-0001

Dear Attorney General Holder:

I write to bring your attention to the proven effectiveness of veterans' treatment courts, and to ask you to prioritize assistance for such efforts in Montana as your Department considers its budget.

Since members of Congress no longer have the opportunity to directly fund important initiatives like veterans' treatment courts, I strongly urge you to make these important and worthwhile investments in America's heroes.

In Montana, several treatment courts are beginning to offer services to veterans. Montana's first veterans' treatment court opens in Missoula this month. Yellowstone County is adding a program dedicated to veterans in order to make sure those struggling with multiple DUI offenses receive counseling, treatment and housing support.

These treatment initiatives will likely rely on federal grant funding from your Department to continue serving the veterans who served us.

As a member of the Senate Veterans' Affairs Committee and as a proud advocate for all veterans in Montana and across America, I know how important treatment courts are for veterans struggling with addiction and other mental health conditions. The need grows as more veterans return from service in Afghanistan and Iraq--many with PTSD and TBI.

These treatment courts often operate in rural communities where there is significant need for federal grant assistance.

Montana is home to more than 103,000 veterans--more veterans per capita than all states except Alaska. It is often difficult for jurisdictions in Montana and other rural states to fairly compete for federal resources. As you consider budgeting and awarding these grants in the future, please keep the Treasure State in mind. Thank you.

Sincerely,  
  
John Tester

**Comment made by a Congressman in regard to the draft budget  
on the web-site of the U.S. Department of Justice**

### 3. References to the activity of public agency

- **Strategic plans**

Posting of strategic plan on the web-site of a public agency is a must. Document of this type is compiled both for the whole Ministry and often for a specific structural unit.

The Ministry of Justice of Georgia is the only exception of public institutions in Georgia, the web-sites of which posts not only a single strategic plan, but also strategic plan developed by some of the structural units (eg, anti-corruption plan).

Even in the United States, the web-site of the Department of Justice includes both the plan for the entire department for several years, and strategic plans introduced for development of specific directions.

One of the examples is a strategic plan for 2012-2016 fiscal years. It is the agenda of the major challenges in the next five years. Along with the general objectives it includes a list of specific tasks and goals of the Department.

***Goal 2: Prevent Crime, Protect the Rights of the American People, and Enforce Federal Law***

- 2.1 Combat the threat, incidence, and prevalence of violent crime
- 2.2 Prevent and intervene in crimes against vulnerable populations; uphold the rights of, and improve services to, America's crime victims
- 2.3 Combat the threat, trafficking, and use of illegal drugs and the diversion of licit drugs
- 2.4 Combat corruption, economic crimes, and international organized crime
- 2.5 Promote and protect Americans' civil rights
- 2.6 Protect the federal fisc and defend the interests of the United States

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**The second goal written in strategic plan for fiscal years of 2012-2016 of the U.S. Department of Justice and objectives to be implemented in order to achieve the goals.**

The plan describes the specific strategy, lists the measures necessary for performance, and specifies which structures are responsible for their implementation. It also defines the mechanisms which help to evaluate the effectiveness of the achieved results in the form of separate reports for annual performance.



**APPENDIX A: PERFORMANCE MEASURES**

The *Department of Justice Strategic Plan for Fiscal Years 2012-2016* includes specific long-term outcome goals, covering three strategic goals. This *Plan* reflects the Department's current objectives and direction for the future.

The chart below provides the Department's 12 long-term outcome goals for FY 2012-2016. This list covers key mission areas and outcomes that can be related in either a direct or indirect way to the strategic goals, objectives, and activities for the Department's components covered by this *Plan*. The list of 12 long-term outcome goals fully aligns to the Department's priorities, addresses important policy issues, and expresses the Department's continued commitment regarding issues the public cares about such as terrorism, espionage, white-collar crime, violent crime, immigration, public safety, and civil rights.

As in the past, the targets for annual measures that contribute to the achievement of long-term outcome goals will be provided in the Department's annual Budget and Performance Summary and reported each year in the *Performance and Accountability Report*.

U.S. DEPARTMENT OF JUSTICE PERFORMANCE MEASURES			
Strategic Goal	FY 2016 Outcome Goal	Lead Component(s)	Annual Performance Measure
SG 1	Increase by 15 percent the number of counterterrorism intelligence products shared with Intelligence Community and Law Enforcement Community partners, in order to protect Americans from terrorism	FBI	Percentage increase in counterterrorism intelligence products shared with Intelligence Community and Law Enforcement Community partners
SG 2	Dismantle a cumulative total of 379 criminal enterprises engaging in white-collar crime	FBI	Number of criminal enterprises engaging in white collar crime dismantled
SG 2	Optimize federal assistance to state and local law enforcement agencies to combat gang violence  - Increase by 8 percent gang arrests resulting from coordination of gang investigations	FBI, DEA	- Percentage increase in gang arrests

U.S. DEPARTMENT OF JUSTICE PERFORMANCE MEASURES			
Strategic Goal	FY 2016 Outcome Goal	Lead Component(s)	Annual Performance Measure
	- Increase by 14 percent intelligence products produced in support of federal, state, and local investigations that are focused on gangs posing a significant threat to communities		- Percentage increase in intelligence products to support federal, state, and local law enforcement
SG 2	Increase by 8 percent the matters/ investigations resolved concerning sexual exploitation of children and human trafficking to protect potential victims from abuse and violence	CRT, FBI, CRM, USA, USMS	Percentage increase in matters/ investigations of child sexual exploitation and human trafficking resolved
SG 2	Dismantle 725 Consolidated Priority Organization Target-linked drug trafficking organizations	DEA, FBI, Consolidated data - OCDETF	Consolidated Priority Organization Target-linked drug trafficking organizations  - Dismantled - Disrupted
SG 2	Disrupt 1,700 Consolidated Priority Organization Target-linked drug trafficking organizations		
SG 2	Favorably resolve 90 percent of criminal cases	ENRD, ATR, CRM, USA, TAX, CIV, CRT	Case resolution for all DOJ litigating divisions - percent of cases favorably resolved: - Criminal cases - Civil cases
SG 2	Favorably resolve 80 percent of civil cases		
SG 3	Reduce system-wide crowding in federal prisons to 30% by 2016	BOP	Percent of system-wide crowding in Federal Prisons
SG 3	Increase the number of inmate participants in the Residential Drug Abuse Program by 6 percent (from 18,500 to 19,920)	BOP	Number/Percent of inmate participants in the Residential Drug Abuse Program
SG 3	Apprehend or clear 55 percent or 33,660 primary fugitives	USMS	Number and percent of primary felony fugitives apprehended or cleared

**Strategic document of the US Department of Justice for fiscal years 2012-2016**

Along with the list of the goals and objectives of the department, detailed information about planned programs for the next few years is available in the document. The strategic plan includes names of the programs/projects, specifies the objectives, the program status (for example: "current"), and in some cases deadline for their completion and submission of the final report. Also important is the fact that in all the cases, the ministry's office is defined, which will make a final assessment of the program.

## APPENDIX B: PROGRAM EVALUATIONS

Program evaluations typically address a broad range of questions and evaluate programs by assessing a variety of factors that may impact the results of a particular program. These program evaluations can be a key resource in determining whether programs and practices are achieving intended outcomes and can help leadership understand how best to strengthen and improve programs. Further, evaluations can help leadership determine how best to spend the DOJ's limited resources effectively.

The following table provides the current schedule of major DOJ program evaluations. The Department's *Annual Performance Plan*, included in its *Performance and Accountability Report (PAR)*, will include any adjustments to this schedule for the performance year covered by the PAR.

Program Evaluations				
Strategic Goal	Title	Focus/Issues to be Addressed	Type of Evaluation	Expected Completion
1	Counterterrorism Vacancies	Extent of FBI's Counterterrorism vacancies and reasons for them; trends and implications of vacancies; authorities and strategies used to address vacancies.	Government Accountability Office (GAO) Review	Ongoing
1	Terrorist Watch List Screening Processes	Actions federal agencies have taken in response to attempted attacks and the impact of those actions; more effective use of the terrorist watch list during screening processes; actions taken in response to GAO recommendations in its October 2007 report.	GAO Review	Ongoing
2	ATF's Project Gunrunner II	Impact on reduction of firearms trafficking to Mexico; reduction of violence on Southwest Border.	OIG Review	Ongoing
2	DOJ's Efforts to Address Mortgage Fraud	Overall efforts and coordination among DOJ components to address the mortgage fraud threat.	OIG Review	Ongoing
2	IT Cybersecurity Human Capital	Federal efforts to recruit, retain, train, and develop cybersecurity professionals.	GAO Review	Ongoing

Program Strategic Goal	Evaluations Title	Focus/Issues to be Addressed	Type of Evaluation	Expected Completion
2	Providing Comprehensive Services to Domestic Minor Victims Of Human Trafficking	OJP's demonstration program to provide comprehensive services to domestic minor victims of human trafficking. Goals: 1) document components of program implementation for each of three demonstration sites; 2) identify promising practices for service delivery programs for domestic minor victims of human trafficking; 3) inform delivery of current and future efforts by youth-serving agencies, law enforcement, and others serving domestic minor victims of human trafficking.	Independent Evaluation	Ongoing
2	USTF Peer Evaluation Program	Field office compliance with Program standards, policies, and expected levels of performance.	Internal Review	Ongoing
2	Annual Accounting and Authentication of Drug Control Funds and Related Performance Reports	To provide assurance about the reliability of each assertion made in the components' detailed Accounting Submission and Performance Summary Reports for each fiscal year.	OIG Attestation Review, Office of National Drug Control Policy (ONDCP)	Annually final OIG report to ONDCP February 1
3	DOJ's Use of Material Witness Warrants	How components use material witness warrants.	OIG Review	Ongoing
3	Facility Protection Issues at Federal Courthouses	Extent to which various federal stakeholders collaborate effectively regarding courthouse security; extent to which stakeholders use key practices in facility protection; security vulnerabilities and challenges at federal courthouses and stakeholders' actions to address them.	GAO Review	Fall 2011
3	Federal Prisoner Detention Quality Assurance Reviews	Compliance with Federal Performance-Based Detention Standards while confirming that government receives quality of services for which it has paid.	Independent Contractor Evaluation	Ongoing

### Strategic Plan of the U.S. Department of Justice for Fiscal Years of 2012-2016

Along with conceptual side, allocation form of the strategic plan on the web-site in very important. It is given as an entire document in PDF format; as well sub-sections are separated and it is easier for interested persons to view interested section from the strategy.

[Download the Entire Strategic Plan - PDF \(1.5 MB\)](#)

#### TABLE OF CONTENTS

- ◆ [A Message from the Attorney General - PDF](#)
- ◆ [Introduction - PDF](#)
- ◆ [An Overview of Major Issues and Trends - PDF](#)
- ◆ [Department of Justice Goals and Objectives: Fiscal Years 2012 - 2016 - PDF](#)
  - [GOAL 1: Prevent Terrorism and Promote the Nation's Security Consistent with the Rule of Law - PDF](#)
  - [GOAL 2: Prevent Crime, Protect the Rights of the American People, and Enforce Federal Law - PDF](#)
  - [GOAL 3: Ensure and Support the Fair, Impartial, Efficient, and Transparent Administration of Justice at the Federal, State, Local, Tribal, and International Levels - PDF](#)
- ◆ [Managing the DOJ Mission - PDF](#)
- ◆ **APPENDICES**
  - [Appendix A: Performance Measures - PDF](#)
  - [Appendix B: Program Evaluations - PDF](#)
  - [Appendix C: Acronyms - PDF](#)
  - [Appendix D: Justice Component Websites - PDF](#)

### Strategic plan of the U.S. Department of Justice for Fiscal Years of 2012-2016

Along with the unified strategic plan, strategic plans of the structural units are uploaded on the web-site.

## STRATEGIC PLANS



[DOJ Strategic Plan for Fiscal Years 2012 - 2016](#)

[DOJ Human Capital Strategic Plan FY 2007-2012 \(PDF\)](#)

[DOJ Information Technology Strategic Plan, FY 2010-2015](#)

[DOJ Equal Employment Opportunity Strategic Plan, 2008-2012 \(PDF\)](#)

[DOJ National Asset Forfeiture Strategic Plan, FY 2008-2012 \(PDF\)](#)

### COMPONENT STRATEGIC PLANS

[Bureau of Alcohol, Tobacco, Firearms and Explosives, Fiscal Years 2010-2016](#)

[Executive Office for Immigration Review, Fiscal Years 2008-2013 \(PDF\)](#)

[U.S. Trustee Program, FY 2005-2010](#)

[Office of Justice Programs, Fiscal Years 2007-2012 \(PDF\)](#)

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#### **List of strategic plans of structural units of the U.S. Department of Justice**

Documents reflect current trends, identifies key issues, general objectives and specific objectives of the strategy. In addition, it includes a list of scheduled programs, their implementation deadlines, sub-divisions responsible for implementation.

In addition to the current operational plans, these types of documents can be seen through the archive on the web-site. This allows interested people to compare the plans with challenges and priorities of the past period.

**STRATEGIC PLANS**

DOJ Strategic Plan for Fiscal Years 2012 - 2016  
 DOJ Human Capital Strategic Plan FY 2007-2012 (PDF)  
 DOJ Information Technology Strategic Plan, FY 2010-2015  
 DOJ Equal Employment Opportunity Strategic Plan, 2008-2012 (PDF)  
 DOJ National Asset Forfeiture Strategic Plan, FY 2008-2012 (PDF)

**COMPONENT STRATEGIC PLANS**

Bureau of Alcohol, Tobacco, Firearms and Explosives, Fiscal Years 2010-2016  
 Executive Office for Immigration Review, Fiscal Years 2008-2013 (PDF)  
 U.S. Trustee Program, FY 2005-2010  
 Office of Justice Programs, Fiscal Years 2007-2012 (PDF)

Former Strategic Plans for the Department of Justice can be found at the **Archive** section of the Department web site.

**PUBLICATIONS & DOCUMENTS Archive**

- [AG Order No. 2049-96: Specification of Community Programs Necessary for Protection of Life or Safety Under Welfare Reform Legislation](#)
- [Gun Violence Reduction: National Integrated Firearms Violence Reduction Strategy](#)
- [Strategic Plan, 2007-2012](#)
- [Strategic Plan, 2003-2008](#)
- [Strategic Plan, 2001-2006](#)
- [Strategic Plan, 2000-2005](#)
- [Strategic Plan, 1997-2002](#)

**On the left side of the picture there is given list of documents in the section of strategic plans on the web-site of the US Department of Justice. Button to reach the archive is marked red. On the right side of the picture you may see existing materials in the archive.**

- **Open governance and public information proactive disclosure**

Implementation of principles of open governance by public institutions and proactive disclosure of public information is one of the most important contemporary trends for transparency and accountability. In this regard, the experience of the United States Department of Justice - can be considered as one of the best practical example.

On the web-site of the U.S. Department of Justice there is created a separate division within "open government".

THE UNITED STATES DEPARTMENT OF JUSTICE

HOME ABOUT AGENCIES BUSINESS RESOURCES NEWS CAREERS CONTACT

Reaching Every Victim, Extending the Vision of Service  
 Attorney General Eric Holder Honors Individuals & Organizations for Service to Crime Victims

Office for Victims of Crime  
**OVC**  
 "Putting Victims First"

**OPEN GOVERNMENT**  
 AT THE DEPARTMENT OF JUSTICE

THE CRIMINAL JUSTICE SYSTEM  
 as a COUNTERTERRORISM TOOL

DEFENDING THE AFFORDABLE CARE ACT

**Home Page of the web-site of the U.S. Department of Justice. "Open Governance" banner is red marked.**

In this section, there is given the liabilities assigned by the department in the scope of the Presidential Initiative "open governance", relevant directives are distributed in the deadlines and their implementation plan is specified. Most importantly, we may see objectives of the quarterly reports and review of the recently published documents describing the details of the improved services.

#### ACCOMPLISHMENTS

**FOIA.Gov:** As its "flagship initiative," the Justice Department pledged a new "FOIA Dashboard" to enable the public to track and measure FOIA compliance for all 97 agencies subject to the FOIA. The concept for the site was to display graphically the data contained in agency Annual FOIA Reports. As it was being developed, the department continued to add features to the new site, greatly expanding its scope, so that the site is now an all new one-stop shop both for those interested in agency compliance with the FOIA and those interested in accessing information through the law.

As a comprehensive public resource for government-wide FOIA compliance data, FOIA.Gov displays graphically a wealth of data on agency FOIA processing, including the numbers of FOIA requests made and processed by each agency, the disposition of those requests, the time taken to respond, and any backlogs of pending requests. That data can be compared and contrasted between agencies and over time. Users can select the criteria they want to examine and then run a report on the site. The department also generates reports that would be of interest to the public and includes those on the site.

As an educational resource, FOIA.Gov contains material about how the FOIA works and what to expect during the process, and also provides contact information for all government agencies with links to their FOIA websites. Explanatory videos are embedded in the site, and frequently asked questions and a glossary of FOIA terms are included, all to enhance public understanding of the FOIA process. There are links spotlighting significant releases made by agencies, both to highlight the work of agencies and to provide the public with examples of the types of documents made available under the FOIA. There is also a section on FOIA news. The expanded dashboard went live in March 2011.

In response to public feedback, several improvements have been made to the site, including the addition of a "FOIA Contacts" button that appears on every page, the inclusion of explanatory icons, the redesign and simplification of certain features, and the expansion of the "News" page. The department is currently working on adding a new search capability to the site that would allow a user to search across agency websites to locate records and data on a given topic that is already publicly available. As agencies increasingly post material of interest to the public, the department is working to make improvements in how the public can more readily access that information directly from FOIA.Gov.

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Section from a report of implementation of action plan of open governance by the U.S. Department of Justice

**Research and Historical Interest:** The department's library staff, working with the DOJ Office of the Chief Information Officer's E-Gov Staff, began in July, 2011 an effort to post newly digitized DOJ Library resources. These are print resources that had previously been available to department employees only. Now, these DOJ-unique resources are being made available to the public for the first time through the department's Internet website to provide an array of documents for public review and research. These documents will prove to be a treasure trove to librarians, researchers and anyone else interested in the department's history and documents.

**Legislative Histories:** On July 19, 2011, 28 digitized legislative histories were posted on the DOJ website for public use. These histories track the development and passage of laws that were deemed of interest to the department or in which the department played a vital role. Another four digitized extensive legislative histories from the DOJ library staff's collections will be added in the near future. The legislative histories can now be accessed via the department's home page's top navigation bar dropdown options 'Resources' -- 'Legislative Histories' as well as through the following direct link:

[http://www.justice.gov/jmd/ls/legislative\\_histories/legislative-histories.html](http://www.justice.gov/jmd/ls/legislative_histories/legislative-histories.html).

**Statement of information from proactively posted report about implementation of action plan of open governance by the U.S. Department of Justice**

**DATA**

As of June 29, 2011, the Department had published 132 datasets on both [www.data.gov](http://www.data.gov), and the Department's own site on its open page, <http://www.justice.gov/open/data.html>. DOJ components providing datasets include:

- Antitrust Division (ATR) - 7
- Bureau of Justice Statistics (BJS) - 62
- Civil Division (CIV) - 3
- Civil Rights Division (CRT) - 2
- Department of Justice (DOJ) - 3
- Federal Bureau of Investigation (FBI) - 10
- Office of Legal Counsel (OLC) - 1
- US Attorney's Office (USAO) - 1
- US Trustee Program (USTP) - 43

Included in the 132 data sets are five that DOJ also contributed to [www.law.data.gov](http://www.law.data.gov).

Here operates a separate division about information available in the scope of the declassification program of the department. In addition, customers can take advantage of "mandatory declassification program" and apply the department with the request of public disclosure of certain information and in case of refusal appeal the decision. Contact details of the person responsible for this kind of information are indicated.

**DECLASSIFICATIONS PROGRAMS AT THE DEPARTMENT OF JUSTICE**

**Automatic Declassification Program**

The Automatic Declassification Program pertains to agencies with original classification authority (past and current). Information appraised as having permanent historical value is automatically declassified once it reaches 25 years of age unless an agency head has determined that it falls within a narrow exemption that permits continued classification and it has been appropriately approved.

Records that contain other agencies classified information is referred to those agencies for action. Though the Department of Justice may declassify their interest in a document, it will not be fully declassified until other agency equities are cleared.

**ACCESSING DECLASSIFIED MATERIALS AT THE DEPARTMENT OF JUSTICE**

Information that has been declassified under the Freedom of Information Act (FOIA) is often posted in FOIA Reading Rooms online. You may access the [Reading Rooms, here](#).

**How to File a Mandatory Declassification Review Request:**

To file a Mandatory Declassification Review Request, please contact:

Director, Office of Information and Privacy  
United States Department of Justice  
950 Pennsylvania Avenue, NW  
Washington, DC 20530

**On the left: information on the web-site of the U.S. Department of Justice about declassified documents. On the right: contact information and web address to forward to the online library.**

Online reading room, the so-called FOIA Library for reading proactively published information is created in the section. The resource is the reference of documents existed in the system of the US justice, posted by various agencies or automatically web-based online resources.

Any interested person has the opportunity to inspect the documents and then decide to send relevant application of public information request.



The image shows a screenshot of the FOIA Library website. At the top, there is a black header with the text "FOIA LIBRARY" in white, followed by a yellow envelope icon. Below the header, the main content area has a light beige background. It starts with a paragraph explaining that many documents are available to the public without a FOIA request, referred to as "proactive disclosures". This is followed by a list of sub-divisions, starting with the Office of the Attorney General and the Office of the Deputy Attorney General, and then a larger list of various divisions such as the Antitrust Division, Bureau of Alcohol, Tobacco, Firearms, and Explosives, and the Federal Bureau of Investigation.

**FOIA LIBRARY** 

Many documents are available to the public without having to make a FOIA request. These documents are called “proactive disclosures” because they are automatically posted online by all Department components. Please find links below to all Department of Justice components to access their documents that are available online.

- Office of the Attorney General
- Office of the Deputy Attorney General
- Office of the Associate Attorney General

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- Antitrust Division
- Bureau of Alcohol, Tobacco, Firearms, and Explosives
- Civil Division
- Civil Rights Division
- Community Relations Service
- Criminal Division
- Drug Enforcement Administration
- Environment and Natural Resources Division
- Executive Office for Immigration Review
- Executive Office for United States Attorneys
- Executive Office for United States Trustees
- Federal Bureau of Investigation
- Federal Bureau of Prisons
- Foreign Claims Settlement Commission
- Immigration and Naturalization Service  
*(INS was transferred to the Department of Homeland Security on March 1, 2003.)*
- INTERPOL-United States National Central Bureau
- Justice Management Division
- National Drug Intelligence Center
- National Security Division
- Office of Community Oriented Policing Services
- Office of Dispute Resolution
- Office of the Federal Detention Trustee
- Office of Information Policy
- Office of the Inspector General

**Library on the web-site of the U.S. Department of Justice related to freedom of information,  
according to the sub-divisions**

Variety of important data processed by the Department of Justice and its structural units are proactively published on the page of "open governance" (published in the unified database-[www.data.gov](http://www.data.gov)). The researches are published within a great public interest. Accordingly, analytical studies or availability of databases in the scope of competence is one of the priorities in the Justice System of the United States.

#### DEPARTMENT OF JUSTICE DATA SETS

##### Annual Survey of Jails: Individual Reporting-Level Data, 2007

This collection provides annual data on jail populations across the nation. These data are used to track growth in the number of jails and their capacities nationally, changes in the demographics of the jail population (including sex, race, and adult or juvenile status), supervision status of persons held, prevalence of crowding issues, and a count of non-United States citizens within the jail population.

##### Annual Survey of Jails: Jurisdiction-Level Data

This collection provides annual data on jail populations across the nation and examines the "spillover" effect on local jails resulting from the dramatic growth in federal and state prison populations. These data permit an assessment of the demands placed on correctional resources and provide a comprehensive picture of the adult correctional system and changes that occur within the system. Information is available on the number of inmates by sex, race, and adult or juvenile status. Facility characteristics were collected regarding capacity and average daily population.

[2006](#) | [2004](#) | [2003](#) | [2002](#) | [2001](#) | [2000](#) | [1998](#) | [1997](#) | [1996](#) | [1995](#)  
[1994](#) | [1990](#) | [1989](#) | [1987](#)

##### Annual Survey of Jails: Jurisdiction-Level and Jail-Level Data

This collection provides annual data on jail populations across the nation and examines the "spillover" effect on local jails resulting from the dramatic growth in federal and state prison populations.

[1992](#) | [1991](#) | [1986](#) | [1985](#)

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Processed data on the web-site of the U.S. Department of the Ministry of Justice



**Annual Survey of Jails Individual Reporting Level Data 2007**  
 This collection provides annual data on jail populations across the nation. These data are used to track growth in the number of jails and their capacities nationally.

This dataset is available for download

External Link  
 CSV 0.5 MB | RDF 392 KB

**Description**  
 This collection provides annual data on jail populations across the nation. These data are used to track growth in the number of jails and their capacities nationally, changes in the demographics of the jail population (including sex, race, and adult or juvenile status), supervision status of persons held, prevalence of crowding issues, and a count of non-United States citizens within the jail population.

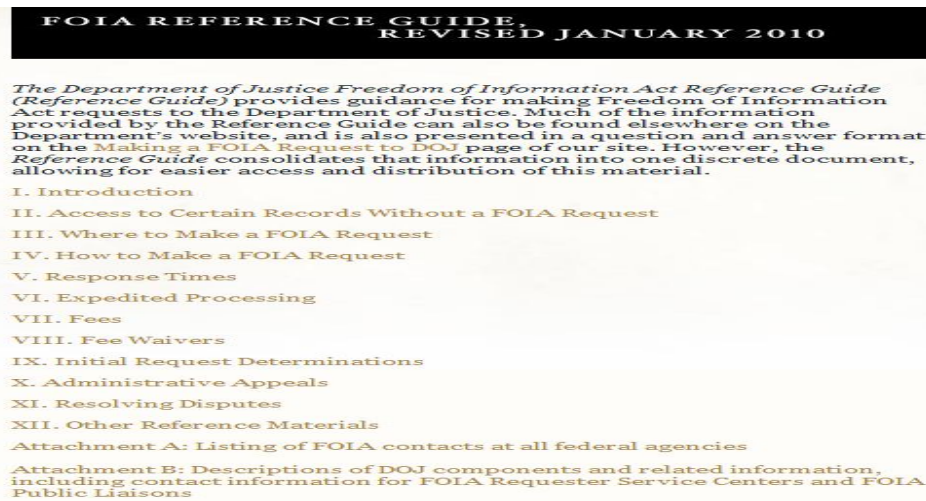
**Activity**  
 Community Rating: ★★★★★  
 Your Rating: ★★★★★

Data.gov Program Management Office  
 created Feb 18, 2011  
 updated May 12, 2011

**Studies of the situation in the penitentiary system published on the web-site of the U.S. database**

Given the fact that the for public information policy in the U.S. Department of Justice a separate structural unit - Information Policy Office – is in charge. Within the web portal of justice, on the office web-site of the office a detailed guide for public information request is presented.

Information request procedures, dates, fee, administrative rules of application and other useful information are described (including United Reference Guide of persons responsible for information of all federal agencies).



**List of subheadings of public information guide on the web-site of the U.S. Department of Justice**

It also represents question-answer section related to obtaining of public information.

How long will it take before I get a response?  
 Can my request be processed faster?  
 Are there any fees?  
 Can I ask that any fees be waived?  
 What can I expect in response to my request?  
 Can I appeal the response to my request?  
 If I'm still dissatisfied, are there other options?  
 What does the presumption of openness mean?

**GETTING STARTED**

The Department of Justice posts a great deal of information on its website so before making a request you might want to look there first. You may find that the information you are interested in is already posted. Our FOIA Library also has links to the websites of the Department's forty components to make finding records easier.

You should also keep in mind that each federal agency handles or processes its own records in response to FOIA requests. There is no central office in the government that processes FOIA requests for all federal departments and agencies. Therefore, before sending a request to the Department of Justice you should determine whether DOJ is likely to have the records you are seeking. You can also view the descriptions of the types of records that are maintained by each Department of Justice component. Finally, you can also read the official FOIA regulations of the Department of Justice.

[Back to Top](#)

**WHERE SHOULD I SEND MY REQUEST?**

DOJ is organized into a number of bureaus, divisions, offices, and boards, which are referred to as "components." Within DOJ, each component processes its own records in response to FOIA requests. Therefore, your request will receive the quickest possible response if it is addressed directly to the component that you believe has the records you are seeking. If you are unsure of which component would have the records you are seeking, you can read about each component and the types of records they maintain. Once you decide which component is likely to have the records you seek, you can view the list of FOIA contacts to get the address for that component's FOIA office.

If you believe that DOJ maintains the records you are seeking, but you are uncertain about which component has the records, you may send your request to the Department's Mail Referral Unit at:

FOIA/PA Mail Referral Unit

**FOIA question-answer forum on the web-site of the U.S. Department of Justice**

It is important that the web-page provides the decisions by the court made in relation with disputes related to public information request; information is given in accordance with the dates and issues.

**VIEW DECISIONS BY MONTH**

2012 January  
 2011 January | February | March | April | May | June | July | August | September | October | November | December  
 2010 January | February | March | April | May | June | July | August | September | October | November | December  
 2009 January | February | March | April | May | June | July | August | September | October | November | December

**VIEW DECISIONS BY TOPIC**

Adequacy of Administrative Record	In Forma Pauperis Status
Adequacy of Declarant	Injunctive Relief
Adequacy of Search	Jurisdiction
Administrative Procedure Act	Litigation Considerations
Agency Records	Mandamus Relief
Agency Requirements	Mootness
Allegations of Bad Faith	Motion for Contempt
Allegations of Wrongdoing	Motion for Reconsideration
Amending the Complaint	Motion for Summary Judgment
Appointment of Counsel	Motion To Dismiss
Attorney Fees	Motion to Intervene
Brady or Jencks Act	Motion to Reopen
Burden of Proof	Official Acknowledgment
Common Interest Doctrine	Open Government Act

Archive of decisions by the court made in relation with disputes related to public information request

the web-site of the U.S. Department of Justice

Each structural unit of the U.S. Department of Justice has established its FOIA sub-section, where is given proactively published data by the unit, the documents, and other interesting information.

**Civil Rights Division Home**

- About the Division
- Meet the Assistant Attorney General
- How to File a Complaint
- Press Room
- Cases and Matters
- Publications
- Employment Opportunities
- Civil Rights FOIA**
- Contact the Division

**Justice Department Reaches \$335 Million Lending Discrimination Settlement with Countrywide Financial Corporation**

READ MORE

1 2 3 4

**Office of the Chief Information Officer Home**

- About the Office
- Meet the CIO
- Plans, Reports, and Exhibits
- Projects
- OICIO FOIA**
- Contact the Office

**OFFICE of the CHIEF INFORMATION OFFICER**

**Sections of Freedom of Information according to the different sections on the web-site of the U.S. Department of Justice**

FOIA pages contain public information frequently requested by structural units, represented by the years.

**ELECTRONIC READING ROOM**

Please select the appropriate hyperlink below to access the information desired.

- Final Opinions and Orders
- Agency Policy Statements
- Administrative Staff Manuals and Instructions
- Frequently Requested Records**
- Office of Immigration Litigation: Immigration Litigation Bulletin

**ELECTRONIC READING ROOM**

Frequently Requested Records

2011 FY 2011 Annual report

Select

**Left: documents in the online reading section of a unit on the web-site of the U.S. Department of Justice. Right: frequently requested information search system**

Web-site also provides information electronic request form - FOIA E-Request Form.

<a href="#">Compensation Programs</a>	<b>Electronic FOIA Request Form</b>
<a href="#">Employment</a>	<b>CONTACT INFORMATION</b>
<a href="#">Civil Division FOIA</a>	
<a href="#">Electronic Reading Room</a>	Today's Date (MM/DD/YYYY): <input type="text"/>
<a href="#">E - Request Form</a>	Requestor's Full Name: <input type="text"/>
<a href="#">Contact the Division</a>	Address: <input type="text"/>
	(Optional) Address2: <input type="text"/>
	City: <input type="text"/> State: <input type="text"/>
	Zip Code: <input type="text"/>
	E-Mail: <input type="text"/>
	(Optional) Telephone: <input type="text"/>
	(Optional) Facsimile: <input type="text"/>
	<b>DESCRIPTION OF RECORDS SOUGHT</b>
	I request that a copy of the following documents/information be provided to me:
	<input type="text"/>
<b>Public information request electronic form on the web-site of the US Department of Justice</b>	

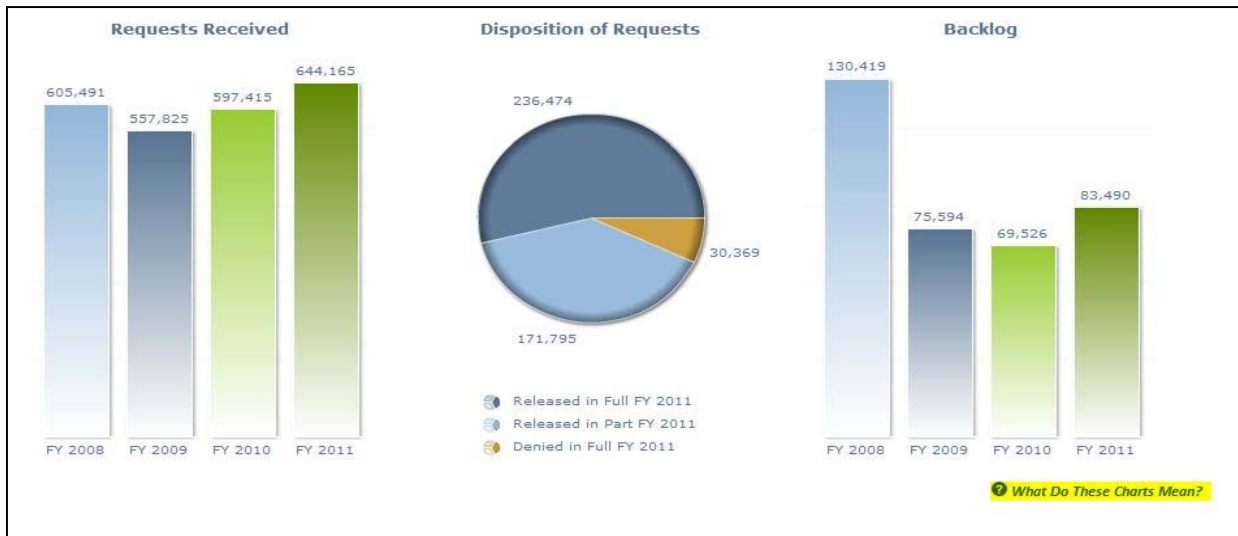
Web-site addresses are provided for the electronic resources, which proactively publish various kinds of public information.

One of the examples is a special e-resource created by the U.S. Department of Justice, which provides statistical data of requested, issued and rejected applications, arranged by years. The web-resource provides directory of definition of terms related to the procedures for obtaining public information.

The data are presented according to certain offices, which gives a good opportunity to compare information.



**E-resources of open data on the web-site of the U.S. Department of Justice**



**Official statistics in connection with a request for public information at: [www.foia.gov](http://www.foia.gov).  
(button for corresponding terms in the dictionary is yellow marked)**

A B C D E F G H I J K L M N O P Q R S T U V W X Y Z

**Administrative Appeal** – An independent review of the initial determination made in response to a FOIA request. Requesters who are dissatisfied with the response made on their initial request have a statutory right to appeal that initial determination to an office within the agency which will then conduct an independent review.

**Annual FOIA Report** – A report required to be filed each year with the Department of Justice by all federal agencies detailing the agency’s administration of the FOIA. Annual FOIA Reports contained detailed statistics on the number of FOIA requests and appeals received, processed, and pending at each agency.

**Backlog** – The number of requests or administrative appeals that are pending beyond the statutory time period for a response. ⓘ

**Certification of Identity** – To ensure that one person’s records are not inadvertently disclosed to another person, individuals requesting records on themselves are asked to certify their identity by signing a sworn statement certifying that they are who they say they are.

**Chief FOIA Officer** – A designated high-level official within each agency who has overall responsibility for the agency’s compliance with the FOIA.

**Definitions of words in alphabetical order at: [www.foia.gov](http://www.foia.gov).**

It also includes electronic means of analysis of various types of performance based on statistical data.

Interested person, specifying the years, agency and reference form, may learn and assess the degree of transparency of governmental agencies.

**1. SELECT REPORT**

Requests

Exemptions

**Appeals**

Disposition (Dis.)

Dis. - Use of Exemptions

Dis. - Other Than Exs.

Dis. - "Other" Reasons

Response Time

Ten Oldest Pending

Processing Time

Fee Waiver

Administration

Backlog

Consultations

Comparisons

**2. SELECT AGENCY**

+

Show List of Agencies All Components Select Components

**3. SELECT FISCAL YEAR**

FY 2011

FY 2010

FY 2009

FY 2008

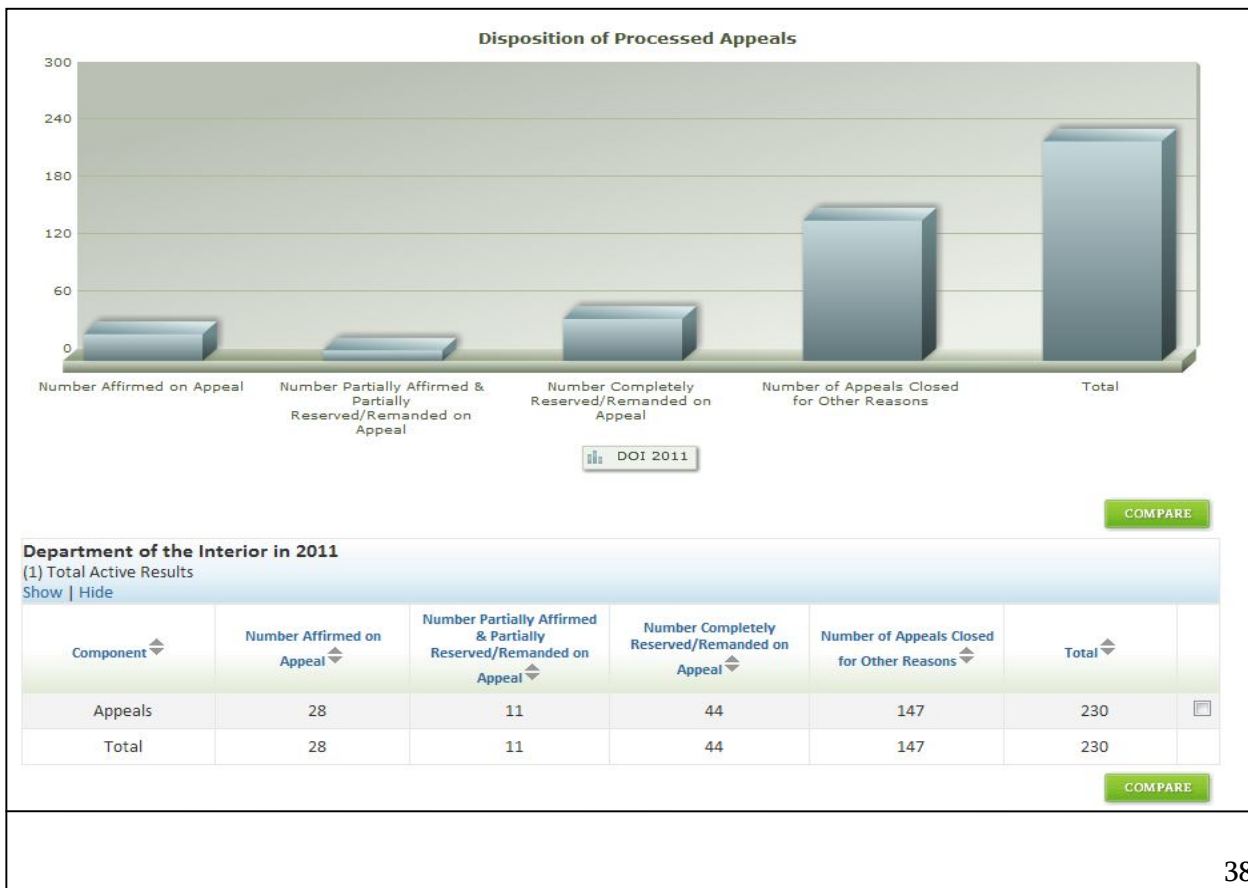
All Available Years

**4. CREATE REPORT**

**CREATE REPORT**

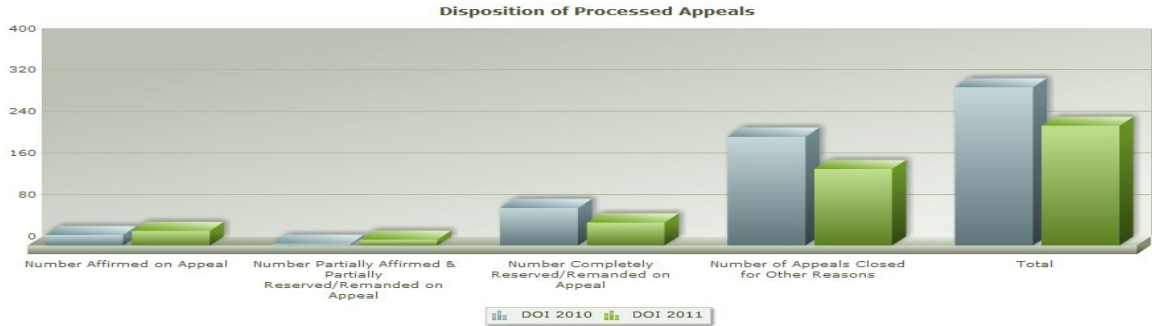
You can also export the data to a CSV file or print your report.

**Graphic view and application instruction of statistics at [www.foia.gov](http://www.foia.gov)**



Graphic view of statistics and a graphic sample presented according to selected categories at [www.foia.gov](http://www.foia.gov)

Here you may compare information by categories (eg, date, public agency, etc.).



[COMPARE](#)

**Department of the Interior in 2011**  
(1) Total Active Results  
[Show](#) | [Hide](#)

**Department of the Interior in 2010**  
(1) Total Active Results  
[Show](#) | [Hide](#)

Component	Number Affirmed on Appeal	Number Partially Affirmed & Partially Reserved/Remanded on Appeal	Number Completely Reserved/Remanded on Appeal	Number of Appeals Closed for Other Reasons	Total
Appeals	20	3	72	209	304
Total	20	3	72	209	304

[COMPARE](#)

Result of comparison of statistic data of administrative appeals according to years at [www.foia.gov](http://www.foia.gov)

The website of the Ministry of Justice of Great Britain prominently displays a section "Access to information and rights".

This section provides a description of the procedures to request public information, in particular:

1. What type of information may be requested by an interested person?
2. The relevant contact information;

**What can I request?**

The Freedom of Information (FOI) Act gives you the right to access official, recorded information held by public authorities, including the Ministry of Justice. Recorded information includes meeting notes or policy documents, for example.

If your request is for recorded information, this page will help you submit your FOI request to the correct body. But if have a question that you would like us to answer, for example about our policies, or you have a comment or complaint about our services then please send your request to us via the 'contact page'. That will help us to answer your request more quickly.

**Are you looking for your own personal data?**

If the information you seek is your own personal data or information about yourself then you should make a subject access request under the Data Protection Act 1998 (DPA), and not under the FOI Act.

[Back to top](#)

**Before you submit an FOI request**

**Section "Access to information and rights" – the web-site of the Ministry of Justice of Great Britain**

If the information you are seeking is not available elsewhere then you can submit an FOI request to us by post or by email.

Data Access and Compliance Unit  
Postal Point 6.25, Floor 6  
102 Petty France  
London  
SW1H 9AJ

Email

If your FOI request does not relate to the Ministry of Justice, your request might be for one of the other bodies below.

[Back to top](#)

### Requests for other bodies



The following bodies process their own requests. Please send your request direct to the relevant body if your request concerns them.

#### Criminal Cases Review Commission

The Criminal Cases Review Commission is the independent public body set up to investigate possible miscarriages of justice in England, Wales and Northern Ireland. The Commission assesses whether convictions or sentences should be referred to a court of appeal.

Head of Communications  
Human Resources,  
CCRC,  
Alpha Tower,  
Suffolk St Queensway,  
Birmingham, B1 1TT.

DX: 715466  
Birmingham 41

Tel  0121 633 1800   
Fax 0121 633 1823

## Section "Access to information and rights" – the web-site of the Ministry of Justice of Great Britain

From the website of the Ministry of Justice you may go to the e- resource which gives the following types of information in details:

- Which agencies are responsible to issue public information;
- Procedures to be considered when completing the application;
- Terms for obtaining information;
- Fees.

#### Public sector bodies covered by the Act

The Act applies to public bodies including:

- government departments and local assemblies
- local authorities and councils
- health trusts, hospitals and doctors' surgeries
- schools, colleges and universities
- publicly funded museums
- the police
- non-departmental public bodies, committees and advisory bodies

[Freedom of information - public bodies and their duties](#)

#### How to make a request

Write to (or email) the public body and include:

- your name
- an address where you can be contacted
- a description of the information that you want

To help the public body find the information, give as much detail as possible. For example, say 'minutes of the meeting where the decision to do X was made', rather than 'everything you have about X'.

All public authorities must manage their information in accordance with a publication scheme which describes the 'classes' or 'kinds' of information held (such as minutes or reports).

[Freedom of information: how to access official information](#)

#### How long does it take?

You should get a response within 20 working days. If the public body needs more time, they will write and tell you why, and when you will get their response.

#### What does it cost?

Most requests are free. You might be asked to pay a small amount for photocopies or postage.

If the public authority thinks that it will cost them more than £450 (or £600 for central government) to find the information and prepare it for release, then they can turn down your request. They might ask you to narrow down your request by being more specific in the information you're looking for.



## Information about obtaining information on the web-site of Great Britain

Online information request form is given, which further simplifies the procedure and makes it more convenient for citizens to obtain the necessary information.

The screenshot shows the Ministry of Justice website. At the top, there is a navigation bar with the Royal Coat of Arms and the word "Justice" in a large font. To the right of the logo is a search bar with a "Search" button. Below the logo is a horizontal menu with links for "News", "Organisations", "Publications", "Courts", "Tribunals", "Legal aid", "Offenders", "Youth justice", and "More topics".

The main content area has a breadcrumb trail: "Home » Information access and rights » How to make a FOI request » Ministry of Justice FOI request form". Below this is the title "Ministry of Justice FOI request form" in a yellow box. There is a "Share this" section with social media icons for Facebook, Twitter, LinkedIn, and others.

The form instructions state: "Only use this form to make a freedom of information (FOI) request to the Ministry of Justice." and "Unsure who your request is for?". A note says "( All fields with marked with \* are mandatory )".

The form is divided into two sections: "Your details" and "Your address".

**Your details**

Title:

First name \*:

Last name \*:

How would you prefer us to reply \*:

Email address \*:

**Your address**

## Online information request form on the website of the Ministry of Justice of Great Britain

In addition, on the web-site you will find online application forms of application to "the Commissioner for information," procedural description of decision appeal and as well online application forms.

**Challenging a response to an information request**

If your request for information is refused, you should first ask the public body to review their decision. Someone from the public body who was not connected with the initial decision should do this.

If you disagree with the reviewed decision, you can appeal to the Information Commissioner's Office (ICO). This is an independent body that promotes access to official information and protects personal information. If information has been wrongly withheld, the ICO can order it to be released.

If you disagree with the ICO's decision, you can appeal to the Information Rights Tribunal. This is an independent body that can look into your case and the ICO's decision. There are specific steps and deadlines you will need to follow when you appeal. If you disagree with the tribunal's decision, there are more options, but you may need professional advice.

- ▶ [How to appeal to the Information Commissioner](#)
- ▶ [Appealing against a decision made by the Information Commissioner](#)
- ▶ [Making a complaint against government or public bodies](#)

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**More useful links**

- ▶ [Make a freedom of information request to your local council](#)
- ▶ [Information Commissioner's Office website](#)

**Information about various forms of applications to apply to public agencies**

Website of the Ministry of Justice of Great Britain presents a separate service for subject applications. For example, individuals after filling out electronic application form may demand personal data filed in the system of the Ministry of Justice of Great Britain. At the same time, customers have the opportunity to choose a form to receive the response (mail or email).

**Subject information online request form on the website of the Ministry of Justice of Great Britain**

Registry of proactively published public information is included in the web-site (Ministry of Justice disclosure log). In the registry the responses for public information requests issued by the Ministry are uploaded in Word-format, stating the application number and date of issuance of the letter, as well confidentiality of applicants is guaranteed.

**Corporate services**

Share this

**Information released in response to Freedom of Information requests made to the Ministry of Justice about our corporate services.**

A B C D E F G H I J K L M N O P Q R S T U V W X Y Z

**A**

- Amount of money spent by the Ministry of Justice on research into customer satisfaction

**B**

- Bonuses at HMP YOI Lancaster Farms and HMP Castle

**C**

- Changes in the number of recorded violent incidents in Northumbria prisons
- Contact details for Health and Wellbeing officer
- Contractors and interim staff in Ministry of Justice procurement
- Contracts awarded by the Ministry of Justice since May 2010
- Contracts awarded by the Ministry of Justice since May 2010 - Annex A
- Contracts awarded to MITIE PLC and its subsidiaries

**A list of proactively published documents on the website of the Ministry of Justice. Information is published by thematic and alphabetical order.**

February 2012 Our ref: FOI/74629/12  
Your ref:

**Freedom of Information Request**

You asked for the following information from the Ministry of Justice (MoJ) relating to South Yorkshire:

- An annual breakdown of the amount recovered by the Proceeds of Crime Act for the last five full calendar years.
- An annual breakdown of the estimated actual amount those subject of the Proceeds of Crime Act were thought to have benefited through their illegal activity for the last five full calendar years.

Your request has been handled under the Freedom of Information Act 2000 (FOIA).

I can confirm that the department holds some of the information that you have asked for, and I am pleased to provide this to you.

The table below provides the Confiscation Orders granted under the Proceeds of Crime Act, under the HMCTS Enforcement Authority of South Yorkshire for the last five financial years.

	Number of POCA Confiscation Orders Granted	The Benefit Amount Assessed at the Confiscation Hearing	The Original Confiscation Order Amount Granted	The Amount Recovered as at 30 Jan 2012 on these orders
2006/07	66	£3,436,111	£2,189,468	£1,588,819
2007/08	62	£9,781,274	£4,500,007	£1,426,147
2008/09	100	£7,457,441	£3,126,679	£1,833,422
2009/10	107	£13,325,985	£2,067,944	£1,218,614
2010/11	115	£5,845,488	£1,321,316	£495,879
<b>Total</b>	<b>450</b>	<b>£38,846,299</b>	<b>£13,195,414</b>	<b>£6,562,881</b>

**Response to requests for public information published on the web-site of the Ministry of Justice of Great Britain**

The structure of the archive itself is notable: the published data, studies and reports are sorted according to their content (eg, annual reports, research, statistics, analysis, and so on).

**Publications**

- ▶ Circulars
- ▶ Corporate
- ▶ Legislation
- ▶ Policy
  - 2010
  - 2009
  - 2008
  - 2007
  - A-Z
- ▶ Research
- ▶ Statistics
- ▶ Freedom of Information - information rights tracker surveys
- ▶ Analysis
- ▶ MAPPA reports

Search publications

## Policy

Major reports and reviews on a wide range of policy issues, as well as green papers, white papers and government responses to parliamentary committee reports on major policy reviews.

**Government response to the Crown Dependencies report**  
03 November 2010  
The Government's response to the Justice Select Committee's report of 30 March examining the relationship between the Crown Dependencies and the UK Government.

**Memorandum to the Justice Select Committee**  
29 October 2010  
This memorandum provides a preliminary assessment of the Mental Capacity Act 2005 published as part of the post legislative scrutiny of Acts of Parliament.

**Memorandum to the Justice Select Committee: Post-Legislative Assessment of the Inquiries Act 2005**  
27 October 2010  
The Memorandum sets out the findings of the post-legislative assessment of the Inquiries Act 2005 which reviewed how the Act is working in practice against its objectives during passage as a Bill.

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Enter email:   
[Subscribe](#)

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| Share with...

**Archive of publications on the web-site of the Ministry of Justice of Great Britain**

## Statistics

Share this [f](#) [t](#) [e](#) [p](#) [+](#)

### Latest statistical publication

**Court statistics (quarterly)**  
Quarterly statistics on criminal and civil courts in England and Wales for whose administration the Ministry of Justice is responsible.

**Civil Justice**

- Mortgage and landlord possession statistics
- Statistics on privacy injunctions

**Conviction histories**

- Conviction histories of offenders

**Coroners and burials**

- Coroners statistics (National Statistics)

**Related pages**

- Statistics policy and procedures
- Previous statistical publications
- Statistics archive
- Guide to Ministry of Justice statistics
- Annual consultation on the Ministry of Justice and its Arms Length Bodies' statistical work-plan

**A list of proactively published statistical information on the website of the Ministry of Justice of Great Britain. The red box includes the most recent information. A new page for forwarding to the archive of statistical data is underlined.**

Statistical data are given in Excel-format. Also, based on the statistical surveys the Ministry conducted research, describing the major trends, current situation and development dynamics. Above listed proactively published information enables interested persons to inspect the material published by the Ministry before requesting the information and make the appropriate adjustments to their statements.

As well a separate database concerning administrative costs of the Ministry exists on the web-site. In this section, the following types of information are presented:

### 1. Quarter Business Plan

The business plans presents budget costs for structural units of the Ministry: money for grants, procurement of goods and services, salaries of employees. In case of service, specifies the type of service. It also provides information about the exact number of employees, their activities, sex and rate. The data is presented in Excel-format.

SPENDING				RESULTS				PEOPLE	
Budget	€ million	Common Areas of Spend	Q3 2011-Q3	Q3 2010-Q3	Input Indicators	Current	Previous	Whole Department Family - Workforce Size	Current
	Q3 2011-Q3	Q3 2010-Q3							
Total Departmental Expenditure Limit (DEL)	1 079	1 179			1 Cost per prison place (£, current = 2010/11, previous = 2009/10)	38 878	41 867	Payroll Staff (Total full-time equivalent by) (current = €1.00 Sep 2011, previous = €1.00 Jun 2011)	70 874
of which Resource DEL (incl. Depreciation)	1 048	1 058			2 Cost per prisoner (£, current = 2010/11, previous = 2009/10)	87 188	88 140	Non-departmental public bodies	2 348
					3 Cost per prevention report to courts	0.008 2011-12		Department Family	12 821
					4 Cost per community order	0.008 2011-12		Average Staff Costs (€ current = €1.00 Sep 2011, previous = €1.00 Jun 2011)	34 774
					5 Cost per offender supervised on licence post-conviction	0.008 2011-12		Contingent Labour (Total full-time equivalent by) (current = €1.00 Sep 2011, previous = €1.00 Jun 2011)	1 124
					6 Staff and judicial cost per sitting day in Crown court, Magistrates court, Civil courts and Tribunals	0.008 2011-12		Non-departmental public bodies	104
					7 Average cost per case of legal aid accounting	810		Department Family	1 328
					8 Office of the Public Guardian: Staff deployed and accommodation used in carrying out services to customers	0.008 2011-12		Department and Agencies Only	Current
Purchases of goods and services within Resource DEL	1 039	1 080			Impact Indicators	Current	Previous	Administrative Assistants and Administrative Officers	89.1
Payroll within Resource DEL	792	772			1 Adult prison re-offending (% current = 2009, previous = 2008)	24.9	23.4	Executive Officers	18.4
Other within Resource DEL	88	0			2 Adult prison re-offending (% current = 2009, previous = 2008)	48.0	48.7	(Total full-time equivalent by)	11.0

Report for Quarter Performance Business Plan of the Ministry of Justice of Great Britain

### 1. Information about the travel expenses of officials

Following information is required in case of travel expenses:

1. The type of passenger services;
2. The full name of the person receiving services;
3. The exact time and place of travel;

4. The amount of spent money;
5. Cost justification;
6. Passenger ticket class.

Expense Line Item	Claimant	Expense Date	Expense Line Amount (£)	Justification	Destination From	Destination To	Ticket Class
Taxis - UK	CALDERBANK, ELIZABETH IONA	08-Sep-2011	10.00	Inspection meeting - early departure	Waterloo	Liverpool	Standard
Daily Subsistence (10-12 hours)	CALDERBANK, ELIZABETH IONA	08-Sep-2011	9.30	Inspection meeting			
Rail Travel - UK	CALDERBANK, ELIZABETH IONA	08-Sep-2011	1.65	Inspection meeting	Liverpool	Waterloo	Standard
Taxis - UK	CALDERBANK, ELIZABETH IONA	20-Sep-2011	6.50	Inspection meeting - no other form of transport available	Wakefield	Crofton	Standard
Taxis - UK	CALDERBANK, ELIZABETH IONA	20-Sep-2011	6.00	Inspection meetings - no other form of transport available	Crofton	Wakefield	Standard
Daily Subsistence (10-12 hours)	CALDERBANK, ELIZABETH IONA	20-Sep-2011	9.30	Inspection meetings			
Other Travel	CALDERBANK, ELIZABETH IONA	20-Sep-2011	20.00	Oyster card - work use only	Station	Office	Standard

**Form of registration of travel expenses on the website of the Ministry of Justice of Great Britain**

2. **Surveys of public servants:** assessment by annually employed persons in public sector about their jobs, quality of organization's objectives and their involvement in the activities;
3. **Local Expenditures:** information about the financial expenses incurred by different structural units is uploaded;
4. **Salaries:** the salaries of employees according to various structural units of the Ministry. In addition, there is an interactive map, where you can find information of the following type about officials:
  1. The salary;
  2. His/her role in the organization, contact information.
5. **Information about the costs of more than 25 000 pounds:** the information is updated on a monthly basis;
6. **Gifts, receptions and meetings with various organizations:** a list of gifts given and received and their value.

## All questions by theme

This section shows the results for each question in the survey, by theme.  
 ^ indicates a variation in question wording from your previous survey  
 ⚡ indicates statistically significant difference from comparison

	Strongly agree	Agree	Neither	Disagree	Strongly disagree	% Positive	Difference from previous survey	Difference from CS2011	Difference from CS High Performers
<b>My work</b>									
:Strength of association with engagement									
B01. I am interested in my work	37	49	9	4	86%	0	-2 ⚡	-5 ⚡	
B02. I am sufficiently challenged by my work	27	47	14	9	74%	0	-1 ⚡	-5 ⚡	
B03. My work gives me a sense of personal accomplishment	23	47	17	10	70%	0	-3 ⚡	-8 ⚡	
B04. I feel involved in the decisions that affect my work	11	35	22	22	45%	0	-4 ⚡	-14 ⚡	
B05. I have a choice in deciding how I do my work	15	44	20	14	60%	-1 ⚡	-11 ⚡	-17 ⚡	
<b>Organisational objectives and purpose</b>									
:Strength of association with engagement									
B06. I have a clear understanding of [my organisation's] purpose	18	57	16	8	76%	-1 ⚡	-8 ⚡	-14 ⚡	
B07. I have a clear understanding of [my organisation's] objectives	16	55	19	8	71%	-1 ⚡	-8 ⚡	-13 ⚡	
B08. I understand how my work contributes to [my organisation's] objectives	19	56	17	6	75%	-1 ⚡	-6 ⚡	-11 ⚡	

## Results of internal inquiries published on the web-site of the Ministry of Justice of Great Britain

The image shows an organizational chart on the left and a detailed profile of the Permanent Secretary on the right. The organizational chart lists the following roles from top to bottom:

- Chief Executive: Her Majesty's Courts and Tribunals Service (HMCTS)
- Director General, Transforming Justice: Corporate Performance Group
- Director General, Finance and Corporate Services: Corporate Performance Group
- Permanent Secretary: Ministry of Justice (highlighted with a red box)
- Director General, Justice Policy Group: Justice Policy Group
- Principal Private Secretary: Private Office
- No Junior Posts

The profile of the Permanent Secretary, Suma Chakrabarti, includes the following details:

- Name:** Suma Chakrabarti (highlighted with a red box)
- Post ID:** 1
- Grade:** SCS4
- Salary:** £180,000 - £184,999
- Combined salary of reporting posts:** £0
- Working time:** 1
- Role:** Civil service head of the Ministry of Justice, responsible for the effectiveness, efficiency, leadership, management and staffing of all aspects of the Ministry's work. He is the Principal Accounting Officer, and is personally responsible to Parliament for the... (highlighted with a red box)
- Profession:** Operational Delivery
- Email:** general.queries@justice.gsi.gov.uk
- Phone:** 020 3334 3555
- Unit(s):** Ministry of Justice

Information about the employees of a unit on the web-site of the Ministry of Justice of Great Britain.  
 Information about a specific public official is red marked.

	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	Q	R
1	DEPARTMENTAL FAMILY,ENTITY,DATE,EXPENSE_AREA_3,EXPENSE_TYPE_3,SUPPLIER,TRANSACTION_NUMBER,AMOUNT																	
2	Ministry of Justice,Moj HQ,14-Jul-11,PZ501-Moj ICT Feeder,212001-Agency staff,METHODS CONSULTING,1053446,"J26,664.00"																	
3	Ministry of Justice,Moj HQ,28-Jul-11,PZ501-Moj ICT Feeder,212001-Agency staff,CAPITA RESOURCING LTD,1054442,"J61,931.52"																	
4	Ministry of Justice,Moj HQ,05-Jul-11,PZ501-Moj ICT Feeder,212001-Agency staff,CAPITA RESOURCING LTD,1052705,"J26,061.59"																	
5	Ministry of Justice,Moj HQ,07-Jul-11,PZ501-Moj ICT Feeder,212001-Agency staff,CAPITA RESOURCING LTD,1052833,"J31,789.13"																	
6	Ministry of Justice,Moj HQ,14-Jul-11,PZ501-Moj ICT Feeder,212001-Agency staff,CAPITA RESOURCING LTD,1053288,"J36,792.64"																	
7	Ministry of Justice,Moj HQ,14-Jul-11,PZ501-Moj ICT Feeder,212001-Agency staff,CAPITA RESOURCING LTD,1053288,"J37,065.17"																	
8	Ministry of Justice,Moj HQ,18-Jul-11,PZ501-Moj ICT Feeder,212001-Agency staff,CAPITA RESOURCING LTD,1053680,"J34,535.83"																	
9	Ministry of Justice,Moj HQ,18-Jul-11,PZ501-Moj ICT Feeder,212001-Agency staff,CAPITA RESOURCING LTD,1053680,"J36,987.30"																	
10	Ministry of Justice,Moj HQ,21-Jul-11,PZ501-Moj ICT Feeder,212001-Agency staff,CAPITA RESOURCING LTD,1053904,"J34,079.98"																	
11	Ministry of Justice,Moj HQ,25-Jul-11,LZ600-Transforming Justice,212001-Agency staff,CENTRAL OFFICE OF INFORMATION (COI),1054203,"J26,901.00"																	
12	Ministry of Justice,Moj HQ,28-Jul-11,PZ501-Moj ICT Feeder,212001-Agency staff,CAPITA RESOURCING LTD,1054442,"J38,016.48"																	
13	Ministry of Justice,Moj HQ,05-Jul-11,NZ406-Strategic Estates Feeder,221000-Property Rent and Rates,GVA GRIMLEY LTD T/A GVA,1052727,"J37,257.30"																	
14	Ministry of Justice,Moj HQ,11-Jul-11,NZ406-Strategic Estates Feeder,221000-Property Rent and Rates,DTZ DEBENHAM TIE LEUNG,1053048,"J1,006,550.35"																	
15	Ministry of Justice,Moj HQ,05-Jul-11,NZ406-Strategic Estates Feeder,222002-Other Property Costs,LAMBERT SMITH HAMPTON GROUP LTD - TA LAMBERT SMITH HAMPTON,1052738,"J45,120.00"																	
16	Ministry of Justice,Moj HQ,27-Jul-11,NZ406-Strategic Estates Feeder,222002-Other Property Costs,HOME OFFICE,1054388,"J7,075,000.00"																	
17	Ministry of Justice,Moj HQ,14-Jul-11,NZ406-Strategic Estates Feeder,261000-Fuel and Utilities,EDF ENERGY LTD,1053335,"J26,944.29"																	
18	Ministry of Justice,Moj HQ,25-Jul-11,NZ406-Strategic Estates Feeder,261000-Fuel and Utilities,EDF ENERGY LTD,1054228,"J69,093.68"																	
19	Ministry of Justice,Moj HQ,28-Jul-11,NZ406-Strategic Estates Feeder,261000-Fuel and Utilities,DEPARTMENT OF ENERGY & CLIMATE CHANGE (DECC),1054475,"J160,015.44"																	

**Information about the costs of more than 25 000 pounds on the web-site of the Ministry of Justice of Great Britain. Section of a month report.**

#### GIFTS GIVEN OVER £140

The Rt Hon Kenneth Clarke QC MP, Lord Chancellor and Secretary of State for Justice			
Date gift given	To	Gift	Value (over £140)
Nil Return			

The Rt Hon Lord McNally Minister of State and Deputy Leader of the House of Lords.			
Date gift given	To	Gift	Value (over £140)
Nil Return			

Crispin Blunt MP, Parliamentary Under Secretary of State			
Date gift given	To	Gift	Value (over £140)
Nil Return			

Jonathan Djanogly MP, Parliamentary Under-Secretary of State			
Date gift given	To	Gift	Value (over £140)
Nil Return			

#### GIFTS RECEIVED OVER £140

The Rt Hon Kenneth Clarke QC MP, Lord Chancellor and Secretary of State for Justice				
Date gift received	From	Gift	Value	Outcome
14/09/2011	Lexis Nexis	Book – Lissack & Horlick on Bribery	Over limit	Retained by the Department

**Information about the received and given gifts on the web-site of the Ministry of Justice of Great Britain.**



**OVERSEAS TRAVEL**

<b>The Rt Hon Kenneth Clarke QC MP, Lord Chancellor and Secretary of State for Justice</b>					
<b>Date(s) of trip</b>	<b>Destination</b>	<b>Purpose of trip</b>	<b>'No 32 (The Royal Squadron' or 'other RAF' or 'Charter' or 'Eurostar'</b>	<b>Number of officials accompanying Minister, where <u>non-scheduled travel is used</u></b>	<b>Total cost including travel and accommodation of <u>Minister only</u></b>
10/08/2011 – 11/08/2011	London	To return to the UK following the recall of Parliament	n/a	n/a	£268
22/09/2011-23/09/2011	Brussels	Justice and Home Affairs	n/a	n/a	£457
24/09/2011-28/09/2011	Delhi, India	to promote UK legal services	n/a	n/a	£2364

<b>The Rt Hon Lord McNally Minister of State and Deputy Leader of the House of Lords.</b>					
<b>Date(s) of trip</b>	<b>Destination</b>	<b>Purpose of trip</b>	<b>'Scheduled' 'No 32 (The Royal Squadron' or 'other RAF' or 'Chartered' or 'Eurostar'</b>	<b>Number of officials accompanying Minister, where non-scheduled travel is used</b>	<b>Total cost including travel and accommodation of Minister only</b>
8/7/2011 – 15/7/2011	Sydney, Australia	To attend Commonwealth Law Ministers meeting	Scheduled		£5156

**Information about the travel costs of the Minister on the web-site of the Ministry of Justice of Great Britain.**

**4. Public discussions - Electronic Engagement**

Citizens' engagement in public policy and public consultations on a variety of topics is an important issue in Great Britain. The specific issues are identified by the Ministry, in public hearing of which involvement of the Ministry is also important. The consultation period, the time frames for receiving comments of interested persons by the Ministry, observations and questions are stated.

## Punishment and reform: effective probation services

### Overview

Reference number: CP7/2012

This consultation paper sets out the conclusions of an internal review by the Secretary of State of how probation services in England and Wales can be improved. The intention is to ensure probation services are better able to achieve the outcomes in justice that matter to victims and communities: protecting the public, reducing reoffending and ensuring that offenders are properly punished.

The consultation paper sets out clear proposals to meet these aims whilst also achieving better value for money to the taxpayer.

### Why we are consulting

We need services of the right quality and price that are delivered in the right place and at the right time to punish and reform offenders. As such, our proposals directly support our plans to make sentences in the community more credible and effective.

They also help to take forward the vision for transforming justice set out by the Government in its Green Paper: Breaking the Cycle: Effective Punishment, Rehabilitation and Sentencing of Offenders.

**Give Us Your Views**

**Online consultation**

### Contact

Richard Chapman  
Effective Probation Services  
020 3334 6584

[effectiveprobationservices@justice.gsi.gov.uk](mailto:effectiveprobationservices@justice.gsi.gov.uk)

### Dates

Consultation is Open

Runs from 27 Mar 2012 to 22 Jun 2012

### Other Information

#### Audience:

Businesses,  
Citizens,  
Voluntary organisations,  
Local authorities,  
Charities,  
Government departments,  
Legal professionals

#### Interests:

Public Bodies

## Public Hearing published on the web-site of the Ministry of Justice of Georgia

Here are the results of the public hearings, the final evaluation document, views expressed by the citizens during the consultations, suggestions, asked questions and corresponding answers.

### Appointments and Diversity: A Judiciary for the 21st Century

#### Overview

Reference CP19/2011

A consultation on proposed amendments to the statutory and regulatory frameworks for judicial appointments, together with improving judicial diversity.

Although the principle of appointment on merit will remain, the changes will enable clear career progression and flexible working arrangements to encourage applications from previously untapped talent pools.

The wide ranging consultation seeks views whether, when considering two candidates of equal ability, there could be a presumption in favour of selecting the person from an underrepresented group.

Lack of diversity among judges has been shown to have a negative impact on the experience of people who use the courts, and limits the range of life experiences that judges can draw upon.

#### Related documents

[Equality impact assessment initial screening \(PDF 0.12mb\)](#), 119.0 kB (PDF document)

#### Results

In November last year the Ministry of Justice published a consultation that aimed to address issues that had been identified over the preceding years with the current system of appointing judges. Following the conclusion of the consultation the consultation response published today documents those of our proposals that are being taken forward as part of the Crime and Courts Bill which has been published today.

Files:

- [Report on response to consultation on Appointments and Diversity: A Judiciary for the 21st Century](#), 230.6 kB (PDF document)
- [Equality impact assessment](#), 242.0 kB (PDF document)
- [Impact assessment](#), 184.6 kB (PDF document)

Links:

- <http://www.justice.gov.uk/publications/policy/moj/2011/judicial-diversity-report>

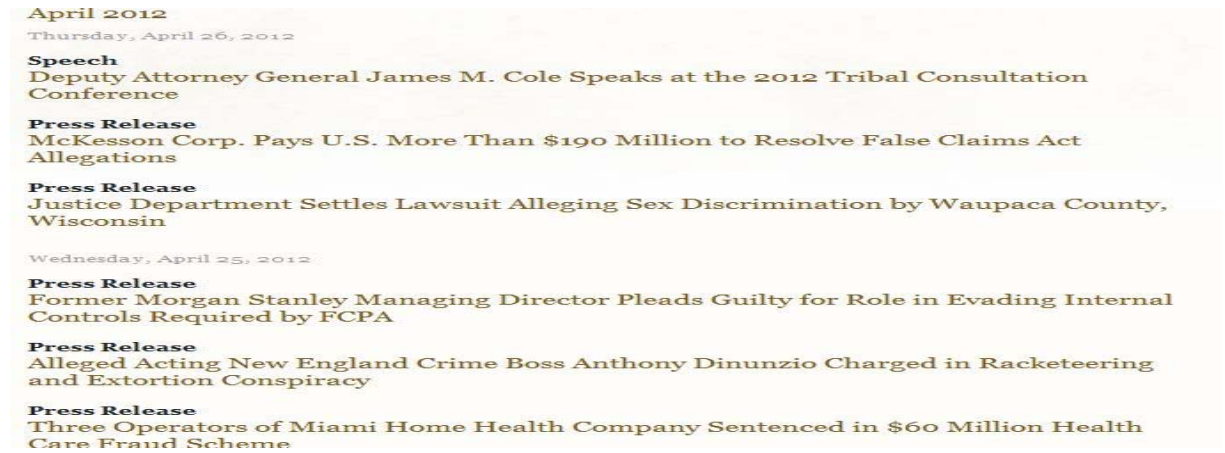
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web-site of the Ministry of Justice of Georgia - The results of consultations

## 5. News and blog

Availability of information references with regard to the current or past activities of public institution significantly stipulates transparency of information.

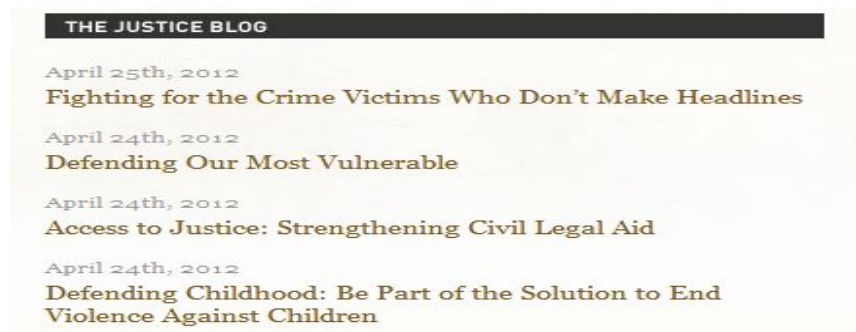
If we look at the web-site of the U.S. Department of Justice, we discover that the news is divided into three categories: speeches, press releases and the official blog.



The screenshot shows a news section from the US Department of Justice website for April 2012. It is organized by date, starting with Thursday, April 26, 2012, and then Wednesday, April 25, 2012. Under each date, there are entries for 'Speech' and 'Press Release'. The 'Speech' entry for April 26th is 'Deputy Attorney General James M. Cole Speaks at the 2012 Tribal Consultation Conference'. The 'Press Release' entries for April 26th are 'McKesson Corp. Pays U.S. More Than \$190 Million to Resolve False Claims Act Allegations' and 'Justice Department Settles Lawsuit Alleging Sex Discrimination by Waupaca County, Wisconsin'. The 'Press Release' entries for April 25th are 'Former Morgan Stanley Managing Director Pleads Guilty for Role in Evading Internal Controls Required by FCPA', 'Alleged Acting New England Crime Boss Anthony Dinunzio Charged in Racketeering and Extortion Conspiracy', and 'Three Operators of Miami Home Health Company Sentenced in \$60 Million Health Care Fraud Scheme'.

### News section on the website of the US Ministry of Justice

News section on the website of the US Ministry of Justice is not limited to the general review of the measures. Through blog forum user gets more detailed information about current events in the activities of the Department of Justice.



The screenshot shows the 'THE JUSTICE BLOG' section of the US Department of Justice website. It features a list of blog posts with their dates and titles. The posts are: 'April 25th, 2012: Fighting for the Crime Victims Who Don't Make Headlines', 'April 24th, 2012: Defending Our Most Vulnerable', 'April 24th, 2012: Access to Justice: Strengthening Civil Legal Aid', and 'April 24th, 2012: Defending Childhood: Be Part of the Solution to End Violence Against Children'.

### Blog forum on the website of the US Ministry of Justice

And most importantly, blog articles are created by the individual subunits and all articles belong to the respective categories. The posts can be sorted according to their topics and the author institution. As a result, the blogs are provided both in the general division, and in the web-sites of individual institutions. Moreover, the user is able to check for a specific unit's activities planned by the unit.

## Fighting for the Crime Victims Who Don't Make Headlines

April 25th, 2012 Posted by Tracy Russo

*The following post appears courtesy of Stuart Delery, the Acting Assistant Attorney General for the Justice Department's Civil Division.*

Gloria\* was thrilled to get the call telling her she had won \$5 million in a Jamaican lottery. In her 70s and living alone, Gloria had never been to Jamaica. But she wasn't about to turn down a windfall. All Gloria had to do to collect her enormous winnings was pay the taxes and insurance—up front.

A week later, the lottery called again. Gloria's prize had increased because other prizes had gone unclaimed. Just a few more taxes to be paid and she would be financially secure for life.

But, there was no lottery and there would be no winnings. Gloria was the victim of scam, a growing number of which target seniors.

All told, Gloria lost almost \$30,000—her entire nest egg.

At the Civil Division we are working hard to strengthen our role in protecting consumers from predators like these. With the help of our law enforcement partners at home and abroad, we are bringing criminal cases against lottery scams—seeking not just convictions but also restitution for victims. And we are giving priority to fighting criminals targeting vulnerable populations.

But we're not stopping there. We are also working with consumer advocacy groups to identify trends in fraud and support outreach and education to keep people from becoming victims in the first place.

Economic crimes can destroy lives just as quickly as violent ones. During this year's National Crime Victims' Rights Week, I hope that by sharing stories like Gloria's we can prevent others from falling victim to similar scams. The Federal Trade Commission estimates that 92 percent of lottery and sweepstakes fraud victims stay silent out of embarrassment or shame. We are encouraging victims to come forward and report these crimes at [FTCcomplaintassistant.gov](http://FTCcomplaintassistant.gov), because when they do, law enforcement can make the biggest difference.

*\*The names and details of victims have been altered to protect their privacy.*

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**Blog on the web-site of the U.S. Department of Justice**

## Recommendations

On the one hand, through the challenges in Georgian reality and the research of official web-site of the Ministry of Justice and on the other hand, based on the analysis of of selected international examples of best practice recommendation package was created for the Ministry of Justice. These recommendations aim to increase the level of accountability of Georgian public space, through practical implementation of e-transparency.

The gradual implementation of the proposals and recommendations will much improve the degree of transparency of the Ministry of Justice, in terms of web-site improvement. Also, it will be possible to improve already implemented services on the official portal and implement innovative electronic services.

- **Description of the functions of a public institution:** it is desirable to have detailed information about the functions of the Ministry of Justice in the web-site section "About us", which includes references to the governmental agency mission, its goals and authority. This component will give the citizens an idea of the activities and responsibilities of the institution.
- **Information about the head of the institution:** It is preferable if the official web-site of the Ministry of Justice, along with biographical data, provides competence, authority, statements, reports of its head person. Also, it is important to publish variety of publications, documents, memorandums, statements, public speech texts in relation to his/her activity.
- **Public institution structure:** it is desirable if the web-site of the Ministry of Justice provides names for all structural subdivisions and the internal unit structure of the ministry and description of their activities that will make clearer the inner structural and functional hierarchy. In addition, it is advisable to be able to find related legal documents, competence, description of activity and other additional information in each section of structural unit.
- **Information about the structural units of public institution:** official website of the Civil Service Bureau should provide contact details for the head or deputy head of all structural subdivisions of the Ministry and its internal structural units: e-mail address, telephone and fax numbers of the reception. Contact information of other employees should be made available.

- **Strategic plan of public institution:** to evaluate goals and objectives of a public agency, it is desirable if its official website provides strategic plan of the agency, which will determine within several years the government agency's:
  - The main objectives;
  - Activities planned to meet the objectives;
  - The challenges faced to the agency;
  - The description of the planned programs and projects - **name of the planned programs/projects, their goals, the program status (for example: "Current"), submission dates for their completion and final report, name of the unit in charge;**
  - The amount required for planned programs and projects;
  - Indicators for measuring the effectiveness of the implementation of planned programs and projects.

Along with the content of this document its location form should be considered. It is advisable to upload according to subheadings in expanded form, including HTML format and if the interested person may see the desired sub-clause, without downloading the entire document.

- **The public institution's annual report:** to ensure public access to the information about general activities of the public institution, on the web-site there should be placed annual reports of the institution, which will evaluate implementation of general activities, projects and initiatives. The reports should provide assessment of the effectiveness of the projects and their execution quality. In addition, it is important to have information on the implementation of the budget, assets and liabilities, various types of expenses, such as assignments, transfers. Report should include a number of details:
  - Priorities for public agency;
  - The public agency's mission, values and goals;
  - The plans/objectives for current year;
  - Achievement Indicators;
  - Both statistical data and narrative explanations of the projects implemented throughout the year as - based on pre-defined indicators to assess their effectiveness. There must be specified the amount spent for each of implemented project;
  - Measures within the competence of public institutions and evaluation of the effectiveness of implementation in the practices;
  - Individual project funding sources, the amount of funds spent for specific purposes;
  - Compare data of the last two years and trends and reasons for the changes of similar spendings;
  - Percentage appraisal of performance plans.

As international experience shows, tradition of estimates of the annual reports by the independent auditors, error detection in the financial balance and introduction of recommendations and further proactive disclosure is to be considered. It is desirable to introduce the same practice of public space of Georgia. It provides involvement of civil, experts and non-governmental sectors in assessment of activities of institutions.

- **Budget of the public agency:** to ensure transparency of a public institution, it is important to publish financial transactions and budget execution report on the official website. All the projects, the event, which has been implemented or are being planned, must be named in the document. There must be specified all types of financial expenses (administrative, personnel and etc.) spent for the execution, the financial liabilities and revenues from other operations. Current initiatives and their implementation reports should be summarized. It is necessary to show budget balance, the exact amounts of money spent on various services. It is also important to describe budgetary resources in the document. It is preferable to include narrative explanations of the financial operations in the report, along with statistical and quantitative data.

Proactive disclosure of some kind of information is as well important:

- Changes in the budget due to unexpected obligations and the funds sources for these activities;
- Information about the balance sheet of real estate of the Ministry;
- Amount of originally requested and finally approved assignments;
- Funds for various state programs set according to a specific direction and objectives, special purposes of distribution.

It is important to publish on the official website of the Ministry of Justice the draft budget presented to the Parliament and its implementation plan. In addition, the draft budget should be attached by recommendations and comments introduced in relation with the draft budget.

- **Access to Public Information/open governance:** contemporary indicator of transparency and accountability of public institutions are the references to the information proactively published on the web-site. Preferably, separate pages related to open governance should be created on the web-sites of the Ministry of Justice, where should be published:
  - Detailed references regarding the procedures for public information;
  - Freedom of Information Guide, which describes the basic procedures for requesting the information, terms, fees, an administrative application guidelines, contact details about the person responsible for public information and other information;
  - Glossary of wording related to the request for public information or administrative procedures;

- Question-answer section concerning the basic procedures and access to information;
- In order to simplify the procedures for obtaining public information, public information requests in electronic form. It will save time and resources both of a citizen and a public institution itself. It will further simplify bureaucratic procedures related to public information;
- Relevant statistical data about requested, issued and rejected requests. Interactive map is desirable to be placed on the web-site, which will help a user to be able to compare the statistical data of an institution, according to contents of answers, and other categories;
- Public information e-reading space (database) should be available on the web-site, where proactively published information is arranged by categories. They should be able to search by both, keywords and according to the dates and topics.
- In the database section of the proactively published information should be placed the following proactively published information about the administrative costs:
  - Wage rates and supplements of the Officials;
  - Information about the bonuses received by officials;
  - Officials property declaration;
  - Institution total expenses and detailed description of the financial resources management;
  - Travel costs of officials stating the travel time and travel cause;
  - Information about formal meetings, receptions, gifts, stating the identity of the visitor, purpose of visit, the amount of the expenditure, the type of the gift.
- In general, it is desirable to classify the information published in this section by categories. In particular, proactively published data related to the agency activities, costs, priorities, decision making, and work results and so on should be separated. Preferably, the web-site should provide search system for proactively published documents, where the relevant information is available according to the type, time of registration, number, department, and stating any reference word.
- In the same section, shall be placed renewable registry of the submitted statements and answers for request of public information - electronic registry of public information (application content, response status).
- In the same section, there must be published reports addressed by the public agency to the President of Georgia and the Parliament of Georgia, dated December 10 and the archive of the reports.



- On the web-site in a section devoted to public information, there should be a sub-section related to appropriate legal proceedings. On this page it is desirable to provide electronic forms for administrative appeal due to claims related to rejected public information. In addition, it is necessary to apply the procedure for the above-mentioned application types. As well, here should be placed references about court appeals and court decisions related to the request of public information. In order to find the information easily, they should be arranged according to subject and decision-making date (see Appendix 1).
- **Publications:** a section "Publications" should be provided on the web-site of the public agency where reports by all structural units of the agency, investigations concerning matters within their competence will be published. It is better to have a few different types of reports and research materials to be arranged by categories, which simplifies to find the desired information for the user. In the same section, there may be published statistical data related to their activities and the reviews.
- **Section of public reviews:** To implement effective communication with citizens and improve their involvement in the activities of the office, for the Ministry of Justice it will be useful to implement appropriate platform of electronic communication. Integration of the platform enables the society to establish interactive communication with the public agency responsible persons, express their opinions and suggestions, declare the problems. It is desirable to develop a report based on the conducted public discussions, where public and government agencies will summarize the issues identified by the society and set the ways of solutions.
- **News section:** All public institutions, in order to inform people about their working, create news section on their web-site. However, their form and arrangement is reflected in the possibility to easily find the desired information by stakeholders. Preferably the references placed in the news section on the web-site of the Ministry of Justice should be classified and categorized (eg, through creating sections of press releases, speeches, statements).

As for the information about individual activities, they should be ranked according to the structural units responsible for their implementation. As a result, in the news section the news will be presented as a unified format, as well according to various structural units. Structurization of the news archive on the web-site is also very important.

- **Public institution staffing:** In order to ensure transparency of personnel policy, the web-site of the Ministry of Justice should provide competition applications for different public vacancies. It is important to describe in detail the obligations of the position, qualification requirements for the vacant position and wage rate and deadlines determined for sending the application. Must be possible to fill the application online.

Web-site preferably includes references about current positions in public office and detailed information about the various positions and the rights and responsibilities defined for these positions.

In addition, it is desirable to find information in the electronic resources of the Ministry of Justice about the position of the Ministry, benefits, health and social insurance, working mode, vacation conditions. Another important detail is the job search system on the web-site, which enables a user to find a vacancy in a public office, stating salary amount, position and any reference word.

At the same time it is important to make available finding of information about internship. There must be described in detail in the qualification requirements and other relevant information necessary for the completion of the internship.

- **Cooperating with other countries:** Due to the activity of the Ministry of Justice, application of foreign expertise is often important and for this purpose, some meetings, trainings and various types of events are often held with representatives of foreign countries and organizations and partners. Similar information, in most cases is located in the news section. Considering foreign examples, it is desirable to display the following types of information:
  - Information about the visits, the exact date and the host organization;
  - Information about goals/purpose of meetings;
  - A detailed description of the matters considered at the meeting;
  - References about signed treaties and memorandums between the parties, if any;
  - Information about the results of the visits;
  - Information about the projects and trainings conducted together with international organizations;
  - Information about the reports designed by international organizations related to the activities of the Ministry.
- **Reports of independent organizations:** Preferably practice of assessment of effectiveness of public institutions should be conducted by an external, non-governmental actors. The research has revealed that several independent organizations once a year make

assessment of effectiveness of the activities of foreign institutions, accuracy of the financial operations and quality of the tasks facing them.

- **Subject applications:** As international experience shows, it is desirable if the web-site of the Ministry of Justice will provide a separate service for subject applications. For example, one of these electronic services, which may be introduced in Georgia, is the request of personal data by the individuals, filed in the system of the Ministry of Justice. Any citizen should be able to apply for such application by filling out an electronic application form. At the same time, the research carried out within the project revealed the fact that citizens often apply to the Ministry in order to obtain appropriate advice.
- **Specific Statistical data:** Based on the capacity of the Ministry of Justice, it is desirable if processed data and reports will be posted on the official the web-site on a regularly basis for the specific activities in digitally reading format.
- **Quarter Business Plan:** As the international experience shows, tradition of preparation of quarter business plans and proactive publication may be a subject of interest for the Ministry of Justice of Georgia. The document must include the following types of information and data: costs from the budget of the Ministry intended from structural units: money intended for grants, procurement of goods and services, salaries of employees. It should as well give information about the exact number of employees, their activities, gender and the rate.
- **Research of Public Servants:** It is preferable if the web-site will provide annual evaluations of the persons employed in the public sector about their jobs, organization's objectives and quality of their involvement in the activities of the Ministry.
- **Partnership for Open Government:** It is as well important to promote the initiative "Partnership for Open Government". Appropriate forum is to be placed on the home page of the web-site, where quarterly and annual reports on fulfillment of the commitments in the scope of initiative will be published.

## Appendix 1: Example of the structure of public information page of institutions

The image shows a screenshot of the website [www.justice.gov.ge/foi](http://www.justice.gov.ge/foi) in a Mozilla Firefox browser. The page is titled "საქართველოს იუსტიციის სამინისტრო" (Ministry of Justice) and "საქართველოს იუსტიციის სამინისტროს საჯარო ინფორმაცია" (Public Information of the Ministry of Justice). The page features a search bar, a navigation menu, and a list of links including "გაცემაზე პასუხისმგებელი პირები", "FoI - გზამკვლევი", "FoI კანონმდებლობა", "ლიაზის პოლიტიკა", "FoI ანგარიშები", "FoI სტატისტიკა", "საჩივარი და სარჩელი", and "FAQ".

Annotations on the page include:

- საჯარო ინფორმაციის გაცემაზე პასუხისმგებელი პირთა სახელები, გვარები, თანამდებობები და საკონტაქტო ინფორმაცია:** Points to the "გაცემაზე პასუხისმგებელი პირები" link.
- საჯარო ინფორმაციის გამოთვასთან დაკავშირებული ახსნა-განმარტებითი ინფორმაცია და ინტერესებულ პირთათვის:** Points to the "FoI - გზამკვლევი" link.
- საჯარო ინფორმაციის ლიბრასთან დაკავშირებული სრული სამართლებრივი აქტები და შესაბამისი ამონარიდები:** Points to the "FoI კანონმდებლობა" link.
- დაწესებულების მიერ ინდივიდუალურად შემიწავებული ლიაზის ყოველწლიური სტრატეგიული დოკუმენტი:** Points to the "ლიაზის პოლიტიკა" link.
- საჯარო ინფორმაციასთან დაკავშირებული ანგარიშები მათ შორის მ.შ. პრეზიდენტისა და პარლამენტისათვის წარსაღდგენი ანგარიშები და ამ ანგარიშების არქივი:** Points to the "FoI ანგარიშები" link.
- საჯარო ინფორმაციის მოთხოვნის/გაცემის ყოველკვარტალური და ყოველწლიური სტატისტიკური მაჩვენებლები:** Points to the "FoI სტატისტიკა" link.
- საჯარო ინფორმაციის ადმინისტრაციულ ორგანოში გასაჩივრების და სასამართლოსათვის მიმართვის წესის პროცედურების ტექსტური აღწერა და ის სასამართლო აქტები, რომლებიც ერთ-ერთ მხარეს წარმოადგენს საჯარო დაწესებულებას:** Points to the "საჩივარი და სარჩელი" link.
- ხშირად დასმული შეკითხვები:** Points to the "FAQ" link.
- შესული ვებხელმძღვანის წიგნები (შინაინსი, თანადი, გაცემული ინფორმაციის გვერდების ნაიდონობა, დაკვირვებულად/უარი ეუქვა):** Points to the "საჯარო ინფორმაცია" link.
- გაცემული საჯარო ინფორმაციის დოკუმენტები (ლოკუტრების მონაცემთა ბაზა (შესაბამისი HTML/PDF ფაილების არქივი)):** Points to the "საჯარო ინფორმაციის დოკუმენტები" link.
- საჯარო მონაცემთა ელექტრონული ბაზა (საკ-ის 35-ე მუხლით განსაზღვრული საჯარო წიგნები):** Points to the "საჯარო მონაცემთა ელექტრონული ბაზა" link.
- სახელმწიფო და კომერციული საიდუმლოების მკეთებელი ინფორმაციის მონაცემთა ბაზა (ინფორმაცია საჯარო ინფორმაციის გაცემაზე უარის საფუძვლების შესახებ, ინფორმაცია სახელმწიფო და კომერციული საიდუმლოებად მიჩნევის შესახებ ცნობები):** Points to the "სახელმწიფო და კომერციული საიდუმლოების მკეთებელი ინფორმაციის მონაცემთა ბაზა" link.
- საჯარო ინფორმაციის მოთხოვნის ელ. მოდული, გაცემაზე მის ჩამოსატვირთი და გასაგზავნი ფორმები და ინსტრუქცია:** Points to the "საჯარო ინფორმაციის მოთხოვნის ელ. მოდული, გაცემაზე მის ჩამოსატვირთი და გასაგზავნი ფორმები და ინსტრუქცია" link.

## **Statistical analysis of the public information requests**

For statistical analysis of fulfillment of obligation by the target public institutions, as defined in the Chapter 3 of the Administrative Code of Georgia, the Institute for Information Freedom Development, first of all applied to own databases. In 2010-2011 IDFI regularly requested public information from target institutions. At the same time, in order to conduct a comprehensive survey, IDFI requested from the state institutions the submitted applications for public information request during the years 2009-2012 and the responses. And also they requested reports for 2009, 2010 and 2011 on freedom of information compiled by the agencies in accordance with the General Administrative Code, Article 49 and sent to the Parliament and the President's administration of Georgia (so called reports of 10 December).

As a result of the analysis there was compiled statistical analysis for fulfillment of obligations in recent years prescribed by the General Administrative Code, Chapter 3 by the Government of Ajara A/R, the Ministry of Finance and Economy of Ajara A/R, the Ministry of Agriculture of Ajara A/R, the Ministry of Health, Labour and Social Affairs of Ajara A/R, Ministry of Education, Culture and Sports of Ajara A/R, the Ministry of Justice of Georgia, the Control Chamber of Georgia, the Civil Service Bureau, the Competition and State Procurement Agency.

At the same time, as the result of the analysis of public information, there are revealed several issues that the public is most interested in due to the activities of the target public institutions. Accordingly, by establishing the most demanded public information, it was possible to identify a list of issues that was recommended for proactive publication.

After analyzing the responses to public information requests by the administrative bodies, there are identified the gaps that hinder transparent and citizen oriented activity of target public institutions.

## **Research Methodology**

### **Description of Analysis**

To achieve the above-mentioned objective, within the scope of the project, applications for public information submitted to 9 public institutions of Georgia in 2009-2010-2011years (and in some cases included the year of 2012) were analyzed. The study covered the statements sent both by the Institute for Development of Freedom of Information within the project "Public Information Database" and the statements by other individuals or legal entities, which were provided by the public institutions.

#### **Methods**

The analysis includes statistical and qualitative components. The number of inquiries received over the years, the importance of compliance with the terms/violation of answers were statistically counted. There was analyzed the content of responses issued by a public agency for each request, in order to find out if the answers meet the requirements. In this regard, four main categories have been allocated: complete response, incomplete response, denial and ignoring (the evaluation system for several years has been approved in the scope of the project by the Institute for Development of Freedom of Information - "Public Information Database").

Response categories are defined depending on: a) the content, and b) the answer, c) liabilities and restrictions prescribed by the legislation in force. Given all this, if the information completely meets the requirements (including the form of delivery of required information), it is considered to be complete; partially satisfied answer is deemed to be incomplete; If the basis for denial is explained in a letter - a reasonable denial; In case, if requested public information is not mentioned in the answer - ignore. These categories are also grouped according to the following answers: according to years, actuality and the terms.

Also noteworthy is the fact that in the process of statistical research various requirements (issues) listed in one application of request for public information, have been considered as separate requirements.

## Analysis of the reports of December 10 of the project target public institutions

In accordance with the General Administrative Code of Georgia (hereinafter referred to as GACG), Article 49 – a public agency shall prepare reports on release of public information once a year and on December 10 of each year submit to the Parliament and the President of Georgia. Content of the report is defined in the GACG, Article 49. It should reflect the quantity of public information requests, number of decisions about the demand satisfaction or waiver, the identity of the person who makes the mentioned decisions, information on the legal acts applied by the institutions in decision-making process and the data about information processing, issuance and denial, appeal expenses and

### ***GACG - Article 49. Report***

*On December 10 of each year, a public agency shall submit the report to the President and Parliament of Georgia:*

- A) About the number of public information requests submitted to the agency and the number of requests for amendments in public information and the number of decisions on rejection of requests;*
- B) About of decisions made for satisfaction the requests or a refusal, the identity of decision-making servants, as well the decisions made to close own collegial meeting of a public agency;*
- C) About public databases;*
- D) About the number violations of requirements of this Code by public servants and the number of disciplinary punishment against the responsible persons.*
- E) About the legislative acts which the facility is based on for refusal to issue public information or for closing of Collegial Meeting of a public agency;*
- F) About appealing a decision of the refusal to issue public information;*
- G) About the costs related to processing and issuance of information by a public institution, as well the costs related to appealing the decision to refuse to provide information or decision made for closing collegial meeting of a public agency, including amounts paid on the benefit of the party.*

court penalties.

Submission of the report prescribed by the GACG, Article 49 ables and simplifies to control access to public information both from the side of the government (Parliament of Georgia and the President of Georgia), and the society. Within the project " Institute for Development of Freedom of Information ", in order to study compliance with the requirements of the Article 49, reports of December 10, sent by the administrative authorities in 2009, 2010 and 2011 years were requested from 9 target public institutions (Ministry of Justice, the government and of the ministries of Ajara, competition and government procurement agency, Chamber of Control, the Public Service Bureau). Unfortunately, this information was not received from the State Procurement and Competition Agency.

## Ministry of Justice of Georgia

The report of the Ministry provides the number of decisions made about information requests and request satisfaction and refusal of incoming requests. The identity of decision making persons is named. It describes the contents of the requests that are not satisfied, and gives a detailed explanation of the legal basis for the refusal. Detailed information is contained in the letters of the Ministry of Justice about appeal cases due to rejection; however, there is no mention of the costs of information processing and issuance, as well as of the appeal against refusal decisions.

The report of the Ministry of Justice does not show whether there were requests for amendments in public information. Also, there is no information about processing, storage and transmission of personal data to anyone else by the public databases and institution; as for the charge of disciplinary penalties, according to the letters, such cases have not been identified in 2009 -2011.

### Conclusion

As a result of the analysis, we see that most of the public institutions less consider requirements of the Article 49 of the GACG in writing the report of December 10. It can be said that each institution has own standard of reports. Reports submitted by one public institution for the three years, are alike. Some sections are selected with standard answers.

There are just two sections from the 7 ones prescribed by the Article 49 of the GACG which provides information in all the reports studied by institute – number of release of public information request and the issue to make correction in public information.

Comparison of the reports of 2009-2011 years revealed that from year to year mainly quantitative data of requested information are being changed and existed errors are not improved. Data reflected in the reports are not complete in most cases, do not correspond GACG requirements and therefore less likely to reflect the real situation regarding freedom of information.

There is an impression that the report about freedom of information from the public institution is just formality and superior institutions are not provided with complete information. Unfortunately, the controlling authorities are less serious to this issue because neither the President nor the administration responds to the incompletely prepared reports; they are not studied and are not in compliance with the law.

We think that the main factor causing the problem is missing of a standardized form and way out of a situation may be a legal act issued by the public officials on approval of such a form.



## **Recommendation**

Form to be approved for the report of December 10, on the basis of the normative legal act by senior officials of public institutions.

**Report form of providing access to information defined in the Article 49 of the  
General Administrative Code of Georgia**

To the President of Georgia / Chairman of the Georgian Parliament

Mr / Mrs

Public agency

Name

**a. Data on provision of public information**

Total number of requests for public information	Number of complied requirements	Decision-making public servant (name, position)	Information processing and issuance related costs

**b. Data on failure to provide public information**

Number of failed requests	Basis for refusal (relevant legislative acts)	Decision-making public servant (name, position)	Appeal-related costs	Amount charged by the court for the benefit of Claimant

**C. Data about amendments in Public Information**

Number of requests for amendments to the Public Information	Decision-making public servant (name, position)

**D. Data on public databases**

List of public databases	The database description

**E. Data about decisions made on closing meeting of collegial public agency**

Number of decisions made on closing of meetings of the collegial public agency	Basis for closing the meeting - the relevant legislative acts	Appeal-related costs	Amount charged by the court for the benefit of Claimant

**F. Data about the number of violations of requirements under the GACG by the public servants and the disciplinary punishment against responsible persons**

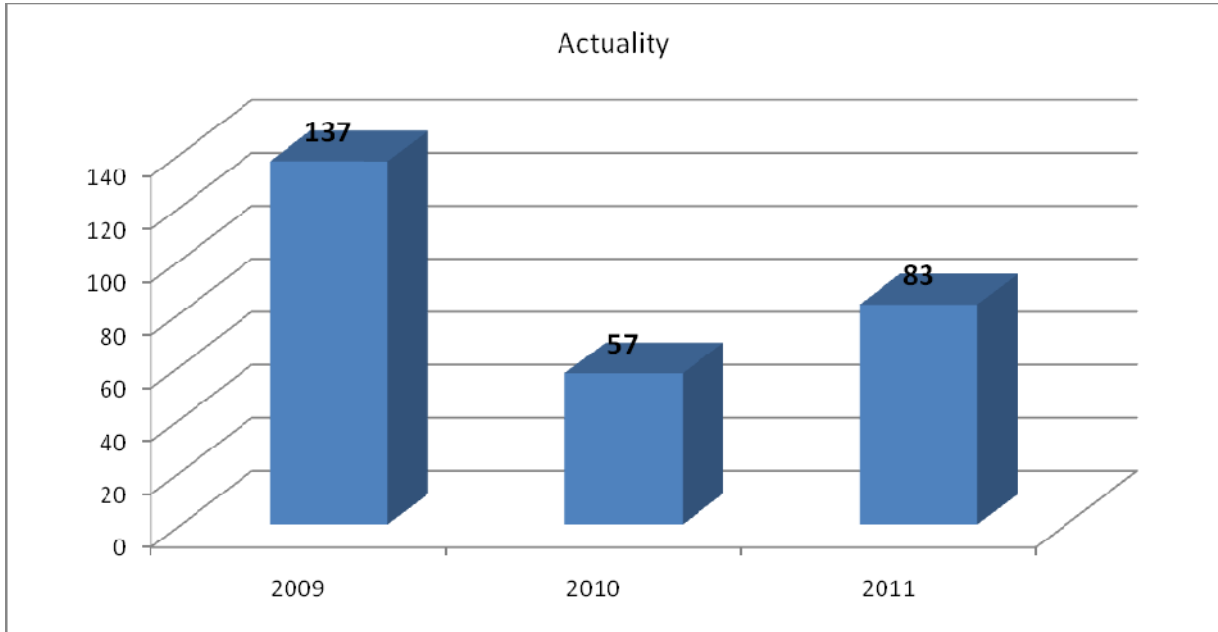
Number of violations of requirements under the GACG by the public servants	Number of disciplinary punishment against responsible persons

Signature:

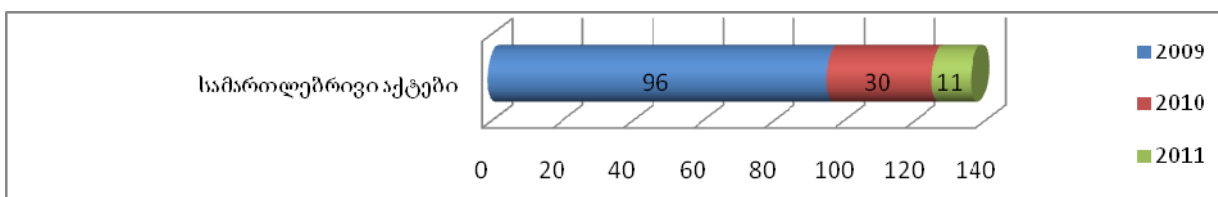
Date:

## Ministry of Justice- Public Information Requests 2009-2012.

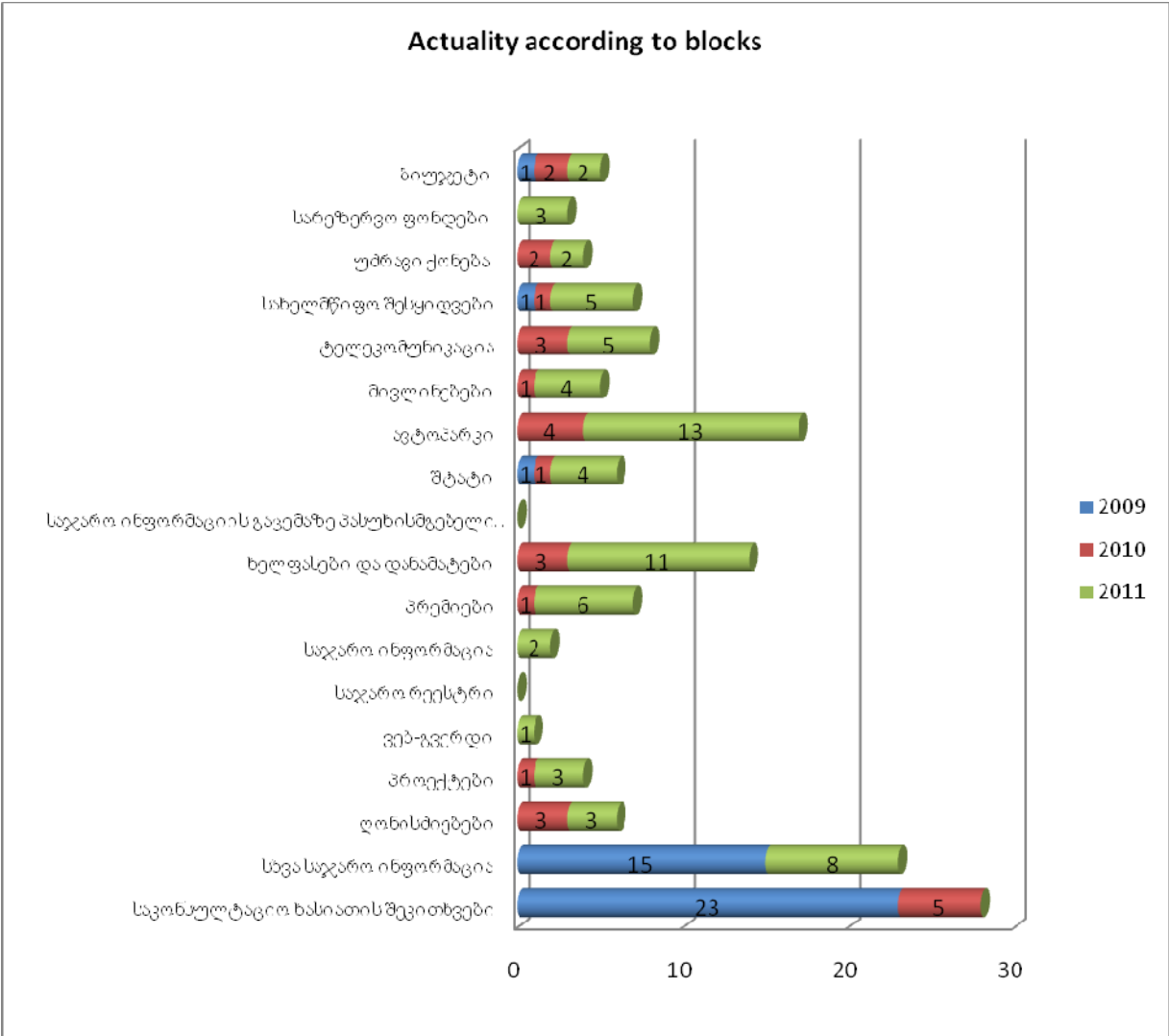
In 2009-2011 the Ministry of Justice was addressed for 277 issues of public information requests. Most of them were made in 2009, number of requests significantly decreased in 2010 and in 2011 it was increased again.



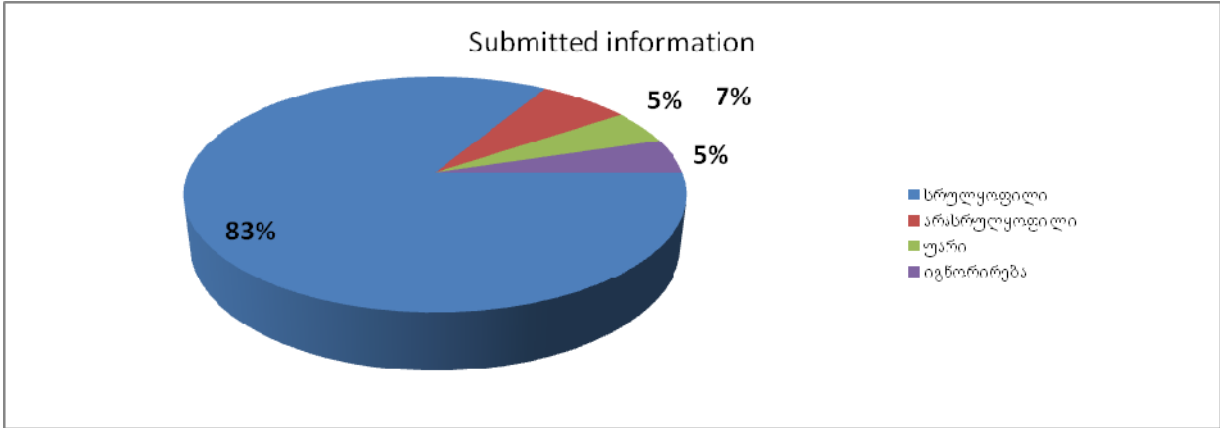
Most of the requests related to the legal acts - 137 requests from total 277. This issue was topical in 2009. Public information about the changes in legislation or other legal acts, were mostly requested by citizens.



In addition to the legal acts, there were many questions of consultation type, which do not belong to the category of public information, but it is important for the population. In addition, there were many requests which are difficult to add to a specific category, for example, information about the seal of the executive bureau, information about deceased persons as a result of drug use, etc. Most of these requests were applied in 2009 and 2011. In view point of actuality applications about the car fleet, salaries and supplements are frequent.

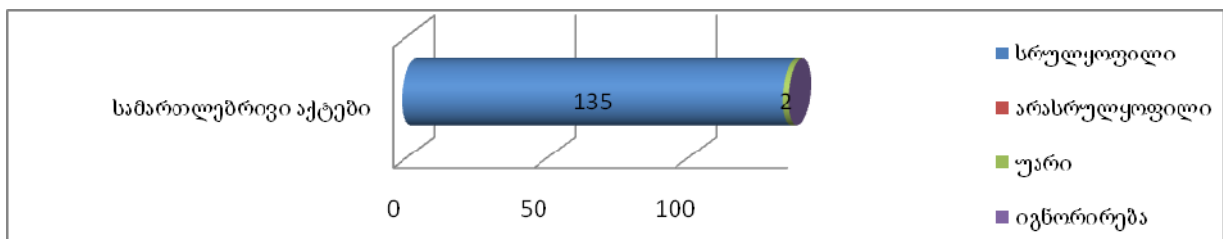


Most of the answers - 83%, in terms of content fully answered the requests. In 19 cases (7% of the total) responses were issued partially complete, and in 13-13 cases (5-5%) were rejected and ignored.



As for the distribution by categories, the most answers for the most of topical categories, legal acts, are complete. Information about various legal acts is requested by the citizens from the Ministry of Justice. The content of questions is distinguished by a wide range. For example, refers to the legal acts of real estate, land or property ownership, legal acts which regulate privatization and registration, as well apartment communities, construction norms and rules to legalize the construction, real estate management, and the procedure for seizure.

Citizens also ask for copies of various bills, e.g. private arbitration, the rule of Notarial Acts, regulations and provisions of public institutions. Various non-governmental organizations, lawyers and citizens demand the copies of orders and resolutions issued by the President and the ministers, information about amendments and additions to the Civil Code and different laws, as well about validity of ministerial ordinances/regulations and registration of in-laws. The requested information refers to the law on international treaties of Georgia, court decisions against Georgia arising in connection with the cases of the international courts. Several requests refer to the resolutions issued by the Council of Ministers of the USSR, and other agencies.



Consultation questions are frequent, which are related to license issues, property seizure and acquisition conditions, what documents must be submitted for job application in the public office, powers of filing of expert conclusions, they demand reference to the fact that the law permits marriage between man and woman, explanation how to annul conviction.

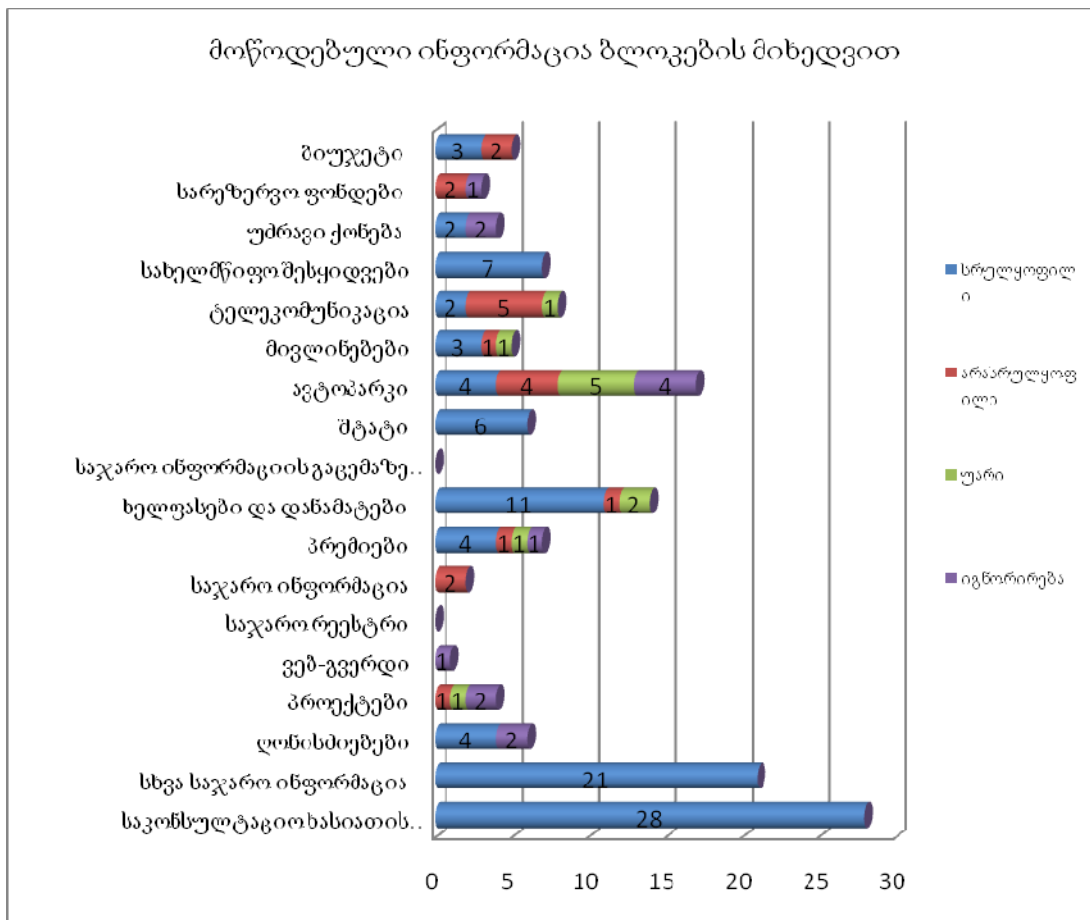
Citizens dissatisfied with the decision of the Court as well apply the Ministry of Justice, they demand issuance of various resolutions, often they apply with consultative questions that are beyond the competence of the Ministry, e.g. whether any legal documents are required for registration of internet page or whether expert conclusions are fair in specific cases, etc.

Despite these factors, persons responsible for providing public information have never ignored request, which must be positively mentioned.

Contents of partially complied responses are distributed as follows:



- In case of the budget, there has not been provided a detailed budget balance; data were obtained only for the second quarter, and provided information does not indicate which of the expenses were spent for the second quarter;
- In case of the funds allocated from the reserve funds and the relevant legal acts, instead of provision of information, there took place forwarding to another institution;
- In case of costs for telecommunications of officials, there have not been provided detailed information about the employees and the Minister (separately), only real expenses are provided. There was not stated the funds spent for conversation on the mobile phones;
- In case of central office (Administration) information was not separately provided for telecommunication costs of mobile operators, international and local calls;
- Travel expenses of officials did not include per diem delivered to the heads of structural units;
- Funds spent by the officials on motor vehicle service did not include the costs of entire system, there was no allocation of costs incurred by public officials;
- Information was not provided on the salaries issued to the Minister and his/her deputies and there were not defined the quarter which the specific information referred to.
- In case of legal-administrative acts, containing granting or refusal of public information, there was provided only information stating the number of applications for public information requests and number of approved applications, no list of individual administrative-legal acts was provided (with data reference);

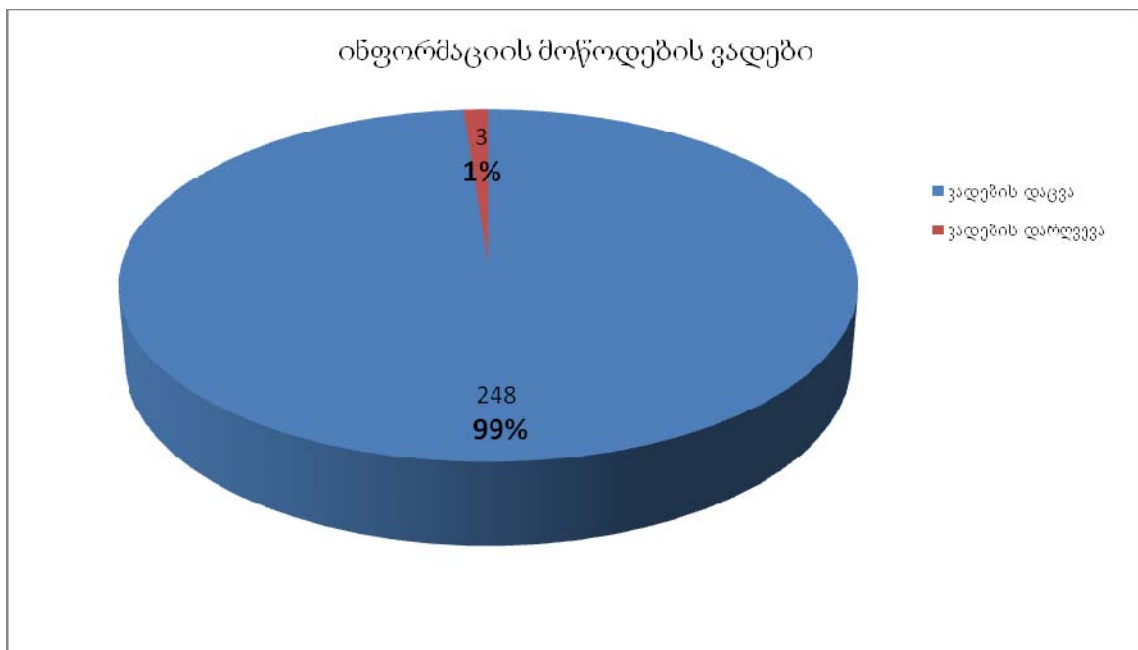


Information was refused for the following reasons:

- In regards the telecommunication costs of the officials, travel expenses of the officials, vehicles list of the officials, vehicles for personal distribution of the officials, the actual costs of fuel of the officials, fuel type consumed by the officials, car service costs of the officials, officials' salaries, additives, there was mentioned that separately from the employees of the system, the total amount of money spent by officials from the state budget is not included in a definition of public information as defined in the Administrative Code. In addition, the Ministry does not specify salaries, supplement, bonus, fuel limit, amount for telecommunications and others for officials and other public servants. At the same time, there is no provision in the law that requires public agencies to develop, establish and keep the information about the officials separately from other employees. Accordingly, the Ministry has sent the information about the costs of the total system.

As for the unanswered questions, no reaction has occurred from the side of the Ministry to public information requests on such topics as the amounts from reserve funds, value of the real estate registered on the balance of a public institution, personal distribution of the cars to the officials belonging to the administration (central office), monthly limit of fuel consumption and the fuel type, the information about expenditures for the official web-site of the public agency, the amount of money spent on implemented projects, a list of amounts spent for activities (commercial, cultural, educational scientific, social, etc.).

Positive is the fact that in 99% of cases public information was issued in accordance with the terms and only in 3 cases the 10-day period prescribed by the legislation was violated. Two of the cases were related to legal acts, while one – to the information about state procurement.



## Public information request registry: Ministry of Justice

<b>Ministry of Justice</b>		
Requested Information Category	Sub-category of Requested Information	Comment
<b>1. Budget</b>	1.1. Detailed information of spending of budget allocations	In the response of letter of 02.05.2011: There is no detailed balance of the budget.  In the response of letter of 12.09.2011: obtained only information of the second quarter. The information not indicates which of the costs were incurred in the second quarter (provides a total of 6 months).
	1.2. Budget changes	
<b>2. Reserve Funds</b>	2.1. Information of the amount of funds allocated for public institutions	In the response of letter of 12.09.2011: Instead of provision of information forwarding to other institution.
	2.2. In the case of allocated funds, a copy of the relevant act.	In the response of letter of 12.09.2011: Instead of provision of information forwarding to other institution.
<b>3. Real estate</b>	3.1. . Listing of real estate existing on the balance of public institution	
	3.2. Market Value of real estate existing on the balance of public institution	
<b>4. The State Procurement</b>	4.1. Detailed list of state procurement (tenders, competitions and other types of state procurement)	
	4.2. Amount of money spent for each procurement	
	4.3. Copies of procurement agreements	

	4.4. Information about the purchase of office equipment and maintenance		
<b>5. Telecommunication</b>	5.1. Information about telecommunication costs of officials for telephone (calls to mobile operators, international and local calls).	No detailed information about the employees and the Minister (separately), provides a full charges. There is no set amount of money spent on calls to mobile phones.	The response of letter of 12.09.2011: states that separately from the employees of the system, the total amount of money spent by officials from the state budget is not included in a definition of public information as defined in the Administrative Code. In addition, the Ministry not separates salaries, supplement, bonus, fuel limit, amount for telecommunications and others for officials and other public servants. At the same time, there is no provision in the law that requires public agencies to develop, establish and keep the information about the officials separately from other employees. Accordingly, the Ministry provided just total amount.
	5.2. All system/employees expenditures (calls to mobile operators, international and local calls).	In the response of 2010: No detailed information about the employees and the Minister (separately), provides a full charges. No amounts are stated for mobile calls. In response of 2011: Instead of information about a complete system provides information only about Central Office and the Chief Prosecutor's Office. In response of the letter of 12.09.2011: costs for mobile operators, international and local calls are not separated.	
	5.3. Amount of money spent from the budget for purchase of employees' mobile phones and cars.		

	5.4. Telecommunication costs (calls to mobile operators, international and local calls) of the employees of the Central office (administrative).	No information is given separately for calls to mobile operators, international calls and local calls.	
<b>6. Business trips</b>	6.1. Information about travel expenses incurred by officials (minister, deputies minister, head persons of structural units) for official and business visits outside the country and locally (separately ).	In the case of the data of 2009: is not provided in a separate per diems of the heads of structural units, in the case of the data of 2010: no distribution of officials, entire expenditure of the the central administration is stated.	Y 2011:Public information definition, defined by General Administrative Code not includes money amounts. Separately from the employees of the system, the total amount of money spent by officials from the state budget is not included in a definition of public information as defined in the Administrative Code. In addition, the Ministry not separates salaries, supplement, bonus, fuel limit, amount for telecommunications and others for officials and other public servants. At the same time, there is no provision in the law that requires public agencies to develop, establish and keep the information about the officials separately from other employees. Accordingly, the Ministry provided just total amount.
	6.2. Expenses incurred on official and working visits by the officials (or by other civil servants)of administration (central office), including expenses incurred for international visits.		

<b>7. Fleet</b>	7.1. The list of motor vehicles registered for the name of the officials and other public servants.	The response of the letter of 12.09.2011: states that separately from the employees of the system, the total amount of money spent by officials from the state budget is not included in a definition of public information as defined in the Administrative Code. In addition, the Ministry not separates salaries, supplement, bonus, fuel limit, amount for telecommunications and others for officials and other public servants. At the same time, there is no provision in the law that requires public agencies to develop, establish and keep the information about the officials separately from other employees. Accordingly, the Ministry provided just total amount.
	7.2. The personal distribution of motor vehicles to the officials.	
	7.3. Actual cost for fuel consumed by officials.	The response of the letter of 12.09.2011: states that separately from the employees of the system, the total amount of money spent by officials from the state budget is not included in a definition of public information as defined in the Administrative Code. In addition, the Ministry not separates salaries, supplement, bonus, fuel limit, amount for telecommunications and others for officials and other public servants. At the same time, there is no provision in the law that requires public agencies to develop, establish and keep the information about the officials separately from other employees. Accordingly, the Ministry provided just total amount.
	7.4. Type for fuel consumed by officials.	The response of the letter of 12.09.2011: states that separately from the employees of the system, the total amount of money spent by officials from the state budget is not included in a definition of public information as defined in the Administrative Code. In addition, the Ministry not separates salaries, supplement, bonus, fuel limit, amount for telecommunications and others for officials and other public servants. At the same time, there is no provision in the law that requires public agencies to develop, establish and keep the information about the officials separately from other employees. Accordingly, the Ministry provided just total amount.
	7.5. Actual cost for fuel consumed by employees of the whole system.	The response of the letter of 12.09.2011 states the cost of only central office instead of total expenses for fuel consumption by the whole system.

	7.6. Money spent from the budget for auto service (repairs, wear out) by officials.	The costs of the entire system, minister and staff is not separated.	The response of the letter of 12.09.2011: states that separately from the employees of the system, the total amount of money spent by officials from the state budget is not included in a definition of public information as defined in the Administrative Code. In addition, the Ministry not separates salaries, supplement, bonus, fuel limit, amount for telecommunications and others for officials and other public servants. At the same time, there is no provision in the law that requires public agencies to develop, establish and keep the information about the officials separately from other employees. Accordingly, the Ministry provided just total amount.
	7.7. Money spent from the budget for auto service (repairs, wear out) by the whole system.		
	7.8. Personal distribution of motor vehicles (including car model) on the balance of administration (central office) to the officials or public servants. (2011: or other public servants of Administration).		
	7.9. Actual cost incurred for fuel consumption of administration (central office).		
	7.10. Monthly limit and type of fuel consumption by the administration (central office).		
	7.11. Money amount spent for auto car service (repairs, wear out) by the administration from the budget.	The cost is given only for car service. There is no specified maintenance, wear out and other costs.	
<b>8. Staff</b>	8.1. Total number of staff.		
	8.2. Total number of freelance employees.		
	8.3. List of employees according to positions.		



	8.4. The list of names and positions of officials.	
<b>9. Salaries and supplements</b>	9.1. Additives to officials (minister, deputy ministers, head persons of the structural units and their deputies).	The response of the letter of 12.09.2011: states that separately from the employees of the system, the total amount of money spent by officials from the state budget is not included in a definition of public information as defined in the Administrative Code. In addition, the Ministry not separates salaries, supplement, bonus, fuel limit, amount for telecommunications and others for officials and other public servants. At the same time, there is no provision in the law that requires public agencies to develop, establish and keep the information about the officials separately from other employees. Accordingly, the Ministry provided just total amount.
	9.2. Salaries issued to the whole system.	
	9.3 Supplements issued to the whole system.	
	9.4. Wages of employees.	
	9.5. Salaries of the employees of administration (central office).	
	9.6. Supplements of the employees of administration (central office).	
<b>10. Bonuses</b>	10.1 Bonuses of officials.	The response of the letter of 12.09.2011: states that separately from the employees of the system, the total amount of money spent by officials from the state budget is not included in a definition of public information as defined in the Administrative Code. In addition, the Ministry not separates salaries, supplement, bonus, fuel limit, amount for telecommunications and others for officials and other public servants. At the same time, there is no provision in the law that requires public agencies to develop, establish and keep the information about the officials separately from other employees. Accordingly, the Ministry provided information for all the employees.

	10.2. Bonuses of the employees of the whole system (all structural units, territorial and other divisions and subdivisions under the system).		
	10.3. Bonuses for the employees of central office.		
<b>11. Public information</b>	11.1. The list of legal acts, which includes a response or refusal to meet the public information with the data reference (without copies of documents).	Number of submitted and responded public information request applications. No list of individual administrative-legal acts (with data references).	
<b>12. Web-site</b>	12.1. Information about the costs (if any) incurred for creation of official web-site of a Public agency.		
<b>13. Projects</b>	13.1. List of projects (social, targeted, research, scientific, educational, directed towards the development of certain fields, etc..)	No period of implementation is stated.	The response states that it is not clear what kind of projects and programs and the field of implementation is considered.
	13.2. Money amount spent for each project.		
<b>14. Events</b>	14.1. List of implemented events (advertising, cultural, educational, scientific, social and other).		
	14.2. Money amount spent for each event.		

<p><b>15. Legal acts</b></p>		<p>The ministry has made decision to not discuss TI applications, as the identified errors were not corrected in the relevant period. In 2009, they refused to provide information, specially, Young Lawyers Association of Georgia was refused to issue the resolution on transfer of rights for the property purchased at auction in accordance with the law on “execution proceedings”, Article 19.</p>	<p>In 2010, the information in relation with the violation cases of the regulations and disciplinary proceedings was requested by GYLA twice. In 2011, the Young Lawyers Association of Georgia sent 2 requests for misconduct of a similar nature. Changes in legislation or other legal acts of public information are mostly requested by citizens.</p>
<p><b>16. Other public information</b></p>	<p>16.1. Information about Legal Entities of Public Law established by the state</p> <p>16.2. Contact details of officials and public servants</p> <p>16.3. Information about deseased persons due to excess use of drugs.</p> <p>16.4. Information about political unions and their head persons.</p> <p>16.5. Information about budgets of self-governing towns.</p> <p>16.6. Information about structural units responsible for public relations of the ministry.</p> <p>16.7 Personal information</p> <p>16.8. Information about the seal of 2011 of the executive bureau</p>		
<p><b>17. Consultation questions</b></p>			<p>In 2010, the information requested by citizens were of advisory nature and could not be given, because the issue was beyond the competence of the Ministry. Often such questions are beyond the competence of the Ministry and are not public information and may not be replied, one person refused to take the response to the letter.</p>

## Results of Focused Discussions

[“Institute for Development of Freedom of Information”](#) in order to fully implement the research in the scope of the project has conducted focused discussion with representatives of non-governmental organizations and the media.

**The discussion aimed** exchange of information and sharing of experience in connection with requests of public information, the analysis of the practice of requesting public information from the target public institutions and establishment of content of the information mostly interested by the society.

Meetings were held in the town of Batumi as well as in Tbilisi. Journalists of non-governmental organizations, internet media and the print media, acting in Georgia, as well as studio Monitor participated in the meeting, who have a good practice in requesting information and in the scope of their activities are asking for public information from G3 partner institutions.

The discussions revealed, the practice of requesting public information from target institutions, namely the Ministry of Justice and the Control Chamber is ambiguous, because the information often depends on the contents of the request. On the one hand, the Ministry of Justice always issues information in requested form and within the deadline, but on the other hand, if the request relates to the "sensitive" topics, such as bonuses or business trips, it gets difficult to get information. Information request practice is the same in the Control Chamber. Media representatives often submit letters to the Chamber of Control and request information, in their opinion it is desirable to publish a list of inspected establishments on the web-site. This will allow the journalists to request specific documents, which will speed up and simplify to get information. Publication of the budget balance on the web of public institutions is a must.

According to representations of the representatives of non-governmental organizations, it is easy to get information from the Procurement Agency; level of informative transparency of the Agency official web-site is high. However, journalists still have to request in writing procurement operations and annual reports filed by public institutions. The only recommendation from the side of participants of the discussion concerned timely reflection of legislative changes on the web-site.

The journalists say it is easy to get information from the Public Service Bureau. However, opinions of regional and central government media about Ajara A/R do not coincide with each other. As Batumi media considers, it is often difficult to obtain complete information from the Government of Ajara A/R; whereas, representatives of non-governmental organizations and the media in Tbilisi consider that obtaining of information from the Administration Office of the Government of Ajara is introduced in compliance with the law.

**As for the subject of the requested information,** most frequently non-governmental organizations and media representatives are interested in the issue if the state budget is properly spent and the information of financial nature. Often they ask for information about the reserve

funds, procurement, staff, budget, salaries and bonuses, social programs, projects, travel, communication and fleet costs, as well as other legal acts.

At the meeting, representatives of non-governmental organizations and the media discussed the general problems that actually exist and that they faced from the side of both as public institutions and the Court when requesting public information. Often there are cases of violation of the terms prescribed by the Administrative Code. Often public institutions need ten days to issue simple information. Sometimes responses are inadequate and do not meet the specific requirements. Often they refer to web-site. All this underlines once again the need of proactive publication of public information on official website.

List of information, availability of which and publication on the official web-site of public institutions, as the journalists and NGOs believe, is a must, is quite extensive and includes the following topics:

1. Software budget balance;
2. Information about the legislative changes (Procurement Agency);
3. A list of establishments inspected by the Control Chamber;
4. Agreements signed on the basis of negotiations with one person;
5. Agreements on the property disposed at auction;
6. Agreements on privatization of large facilities;
7. Identities of shareholders with voting rights in joint stock companies;
8. Information about subcontractors in the case of negotiation with one person;
9. International agreements concluded by the Georgian side;
10. Presidential decrees and orders;
11. Information relating to the expenditure of state funds by not profit not commercial legal entities;

The representatives of the media consider that government sessions must be open for them.

## **Recommendations**

As the result of statistic and content analyzis of public information obtained from 9 target public institutions (the Government of Ajara A/R, the Ministry of Finance and Economy of Ajara A/R, the Ministry of Agriculture of Ajara A/R, the Ministry of Health, Labour and Social Affairs of Ajara A/R, Ministry of Education, Culture and Sports of Ajara A/R, the Ministry of Justice of Georgia, the Control Chamber of Georgia, the Civil Service Bureau, the Competition and State Procurement Agency) issued during the years of 2009, 2010, 2012 and in some cases during 2012, it was revealed issues of topic interest by the society and the recommendations were introduced for these institutions. Since commitment of liability prescribed by the 3<sup>rd</sup> chapter of the General Administrative Code, is equally required for all administrative bodies of Georgia, the following

recommendations of general nature are introduced, which are based on common trends revealed in the detailed analysis of activities of the nine target institutions, and that equally concerns all these institutions. Moreover, it is possible to further recommendations to the public institutions, which are not included in the target group.

### **Proactive Publication of Public Information**

It should be noted that within the framework of the research, the Ministry of Finance of Ajara A/R from total 9 institutions is the only one with just 18% of indication of issuance of complete information in 2009-2011. In case of five institutions, percentage of complete responses is particularly high 87% -98%. Although these data give hope, it must be kept in mind that a response for each individual request, especially timely response, requires consumption of human, financial and time resources. For example, share of information issued in accordance with the terms by the Civil Service Bureau amounts to 45%, while the Ministry of Finance of Ajara A/R have not replied to any request in compliance with the terms. It is true that in public institutions there are persons responsible for providing public information, but the process of internal bureaucracy, responding incoming and outgoing messages and finally obtaining the necessary information often needs more than one day and requires involvement of more than one person. For instance, the Civil Service Bureau in 2009 had lost 60 working days to respond to the requests of property declarations. Within three months – in September, October and November – the bureau was working almost every day for the public information incoming requests. In addition, only a number of unique days is counted – e.g. if a request was made on September 7 and have been answered on September 9, and the request was received on September 8 and was answered on September 9, the days which were covered (8 and 9 September), were counted only once - but in reality in these days, loading would be more. If you count the days spent for each request separately (without taking into account calendar days), the rate will be twice or three times increased, as the cases when more than one request was to be responded in a short period of time, is quite often.

September 2009							Days used for the processing of documents relating to property declaration
Mon	Tue	Wed	Thu	Fri	Sat	Sun	
	1	2	3	4	5	6	0
7	8	9	10	11	12	13	4
14	15	16	17	18	19	20	5
21	22	23	24	25	26	27	5
28	29	30					3
							17

October 2009							Days used for the processing of documents relating to property declaration
Mon	Tue	Wed	Thu	Fri	Sat	Sun	
			1	2	3	4	2
5	6	7	8	9	10	11	5
12	13	14	15	16	17	18	3
19	20	21	22	23	24	25	2
26	27	28	29	30	31		4
							16

November 2009							Days used for the processing of documents relating to property declaration
Mon	Tue	Wed	Thu	Fri	Sat	Sun	
						1	0
2	3	4	5	6	7	8	2
9	10	11	12	13	14	15	5
16	17	18	19	20	21	22	5
23	24	25	26	27	28	29	5
30							1
							18

December 2009							Days used for the processing of documents relating to property declaration
Mon	Tue	Wed	Thu	Fri	Sat	Sun	
	1	2	3	4	5	6	2
7	8	9	10	11	12	13	1
14	15	16	17	18	19	20	1
21	22	23	24	25	26	27	0
28	29	30	31				0
							4

						Sum	55
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Since 2010, when the Civil Service Bureau implemented online system for property declarations, the request number was reduced from 570 to 149 (2009). This is one of the best examples of how a proactive publication of public information will simplify the work of public institutions.

Therefore, it is desirable that public institutions proactively, before receiving the requests of public information, will publish such information publicly, which is potentially of great interest and importance for public. During the conducted research, as the result of the detailed analysis, key categories of information may be selected which are commonly asked for and demanded in the case of practice of nine institutions.

**Financial transparency and accountability of public institutions** - mostly, requested information is related to administrative costs of a public institution, knowledge of which is necessary to make people aware of the disposition of public resources. Such information mainly includes but is not limited to the following categories:

- **Information about the budget** (budget balance, budget amendments, non-budget revenues, etc.);
- **Information about the reserve funds** (the amount of funds allocated from the reserve funds, activities financed with allocated amounts, report of spending of reserve funds, copies of relevant legal acts, etc.);
- **Information on Government Procurement** (list of procurement, the amount of money spent on each purchase, procurement plans, information about procurement legal entities and/or individual entrepreneurs, reports of agreements fulfilled as the result of tenders, etc.);
- **Information about telecommunication costs** (funds spent by officials, the full system, the telephone conversations, costs incurred for procurement of telephones, etc.);
- **Information about travel expenses** (details of official visits, costs allocated for business trips according to the years, etc.);
- **Information on car fleet costs** (number of cars on the balance, purchase date, cost, funding source, purchase forms, list of cars on the balance of officials/administration other public employees and the personal distribution, actual consumption of fuel, consumed fuel type, fuel monthly limit, amount of money spent from the budget for vehicle services, source of origin of funding for purchase of a car, etc.);
- **Information on wages, salaries and bonuses** (officials' salaries, supplements and bonuses, quarterly amounts spent for employees' salaries, bonuses and supplements, salaries of the staff, amount of money for the premium for a premium fund, etc);
- **Information about a public agency owned facilities** (listing and price of the real estate on the balance, number of alienated objects, address, selling conditions and documentation, information about the assets transferred for symbolic value, information about possession and disposal of facilities, etc.);
- **Information about credit and debit** - time of debt and causes the accumulation, accompanied with relevant documentation;



- **Different types of costs** (information about the money spent on official visits and presents, etc.).
- **Information about a public institution** - often society is interested in a kind of static information related to the activities of a public institution. Proactive publication of such information on the web-site will avoid an institution from unnecessary demands on a standard issues, such as:
  - **Information about persons employed in public institution** (total number of employees and contractors, list of positions according to the employed persons, contact information, information about selection rules and the competitions, information on paid vacation – identity of officials, vacation time, duration, amount of compensation, etc.);
  - **Information about structural units under the jurisdiction of a public institution** (list of structural units, legal entities of public law and not profit not commercial legal entities, the status and responsibilities, relevant legal acts, which defines structural functions of the units (name of protocol, name of issuing authority, date of issue and number), list of subunits, addresses and names of management personnel, information about a registered non-profit legal entities (number, list of legal entities, including address and phone of manager and web-site, etc.)
  - Here should be separated, which structural unit includes liability of commitment of public information, defined by the GACG and contact details of the structural unit. Name and contact information of persons responsible for the public information.
- **Information about the projects and activities of public institutions** - society often is interested in current and implemented events and projects, which make obvious activities of public agency and disposal of funds allocated for these activities. Preferably, a public institution should publish detailed information about the current and planned projects and activities on their official web-site. In particular, the following types of information:
  - **Information about the current and planned and implemented projects by the public institution** (list of social, targeted, research, scientific, educational programs, oriented to development of certain areas and alike., list of projects, amounts spent for each project, copies of the documents developed within the project, information on the project development and approval date, information about target information implemented in the current year, information on current and planned programs, reports on implemented projects, program start date, etc.);
  - **Information about implemented, current and planned activities by institution** (list of advertising, cultural, educational, scientific, social and other activities, copies of documents of accounting documentation stating amounts spent for each event, funding sources of current events, copies of relevant documents, etc).
  - **Information about legal acts** – Society often is interested in official documents related to public agency, such as orders, regulations, and ordinances, financial and legal documents reflecting implemented work, cooperation memoranda and copies of the documents of other legal content.

- **Public information request renewable registry** - preferably, a public institution should place a public registry on the web-site with references on incoming requests and responses, filed requests and answers about personnel and the administrative - list of the legal acts, which includes responses to public information requests, or refusal, with references to details, etc.. Disclosure of such information would reduce the number of many individual requests for one issue and saves resources of public institution.
- **Consultation questions - FAQ** - public agencies are often applied not only with public information requests, but also with some questions of consultation type, such as references to contract signing, etc. It should be noted that in many cases public agency provides proper answers to such questions. However, in order to save the time, human and financial resources, spent by the public agency, it is desirable that such kind of information to be displayed on the web-site in FAQ (Frequently Asked Questions - FAQ) format.

### **Avoidance Incomplete Responses**

Research has revealed that share of incomplete responses is large. For example, only 18% of responses by the Ministry of Finance and Economics of Ajara A/R are fully consistent with requested information. When a public agency does not completely respond to the requested information, even if it is responded, it is considered to be incomplete response. Therefore, it is desirable that a public agency to respond to a request for public information appropriately and in case of refusal provide evidence.

Also it is quite frequent when instead of provision of information they redirect to the web-sites, which also is not a complete answer, as According to the General Administrative Code of Georgia, Article 37, everyone has the right to request public information about its physical form and condition of preservation and choose a form of obtaining public information ". It is desirable to provide a public information in the form, as it is required, but if not available, carry out own action. It should also be noted that the proactive publication does not create a basis for a public agency to respond to requests for public information by redirecting to the web-site. In this case, proactive disclosure only reduces the number of potential claims, as the persons interested in public information further will first check the web-site and only then they will request specific information, if it will not be posted on the web-site.

### **Disclosure of public information in accordance with the terms**

According to Article 40 of the General Administrative Code of Georgia, "public agency shall provide public information immediately or not later than 10 days, if the answer to the request for public information requires:

A) search and processing of information in its sub-divisions or any other public institution from other urban areas;

B) search and processing of various certain documents of significant volume, which are not related to each other;

C) consultation with its structural sub-division or other public agency located in other urban areas.

If disclosure of public information needs 10 days period, the public agency shall notify the applicant upon request".

In 55% of responses issued by the Civil Service Bureau, 10 day period, provided for under the Article 40 of the General Administrative Code of Georgia, is violated. Preferably, public information should be disclosed immediately or at least be in compliance with the 10-day period.

### **Ignored and rejected issues**

Cases when the request for public information referred to in the statement is totally ignored by the public agency, is ranging up to 1-8% of the total number of responses. However, in two cases number of such responses is alarmingly high - 20% of the responses given by the Government of Ajara is ignored, and in case of the Ministry of Finance of Ajara A/R rate of such responses reaches 58%. Preferably, the public agency needs to read carefully received requests and thoroughly respond to each item. In case, if the information can not be issued, refusal should be substantiated – with a reference to the relevant legal regulation.