MENTAL HEALTH COMMISSION
COIMISIÚN MEABHAIR-SHLÁINTE

FINANCIAL STATEMENTS

For the year ended 31 December 2024

MENTAL HEALTH COMMISSION

Financial Statements
For the year ended 31 December 2024

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MENTAL HEALTH COMMISSION

General Information
For the year ended 31 December 2024

Senior Leadership Team

Mr John Farrelly	– Chief Executive
Prof Jim Lucey	– Inspector of Mental Health Services
Mr Gary Kiernan	– Director of Regulation
Ms Áine Flynn	– Director of the Decision Support Service
Ms Orla Keane	– General Counsel for MHC (DSS)
Mr Brian Gillespie	– Chief Operations Officer

Members of the Commission
Dr. John Hillery (Chairperson)
Ms. Rowena Mulcahy
Dr. Michael Drumm
Dr. Margo Wrigley
Ms. Fionn Fitzpatrick
Dr. John Cox
Dr Orla Healy
Ms. Martina McGuinness
Ms. Linda Curran
Dr Joseph Duffy
Ms. Catherine Cocoman
Ms. Tammy Donaghy
Mr. Ray Burke

Head Office
Waterloo Exchange
Waterloo Road
Dublin 4

Web Sites:
www.mhcirl.ie
www.decisionsupportservice.ie

Bankers
Allied Irish Bank
1 Lower Baggot Street
Dublin 2

Auditors
The Comptroller and Auditor General
3A Mayor Street Upper
Dublin 1

General Information
For the year ended 31 December 2024

Panel of Solicitors
Byrne Wallace LLP
88 Harcourt Street
Dublin 2

Fieldfisher LLP
45 Mespil Rd, Dublin 4, D04 W2F1

Accountants
Crowleys DFK
16/17 College Green
Dublin 2

Internal Auditors
Crowe Advisory Ireland Limited
40 Mespil Road
Dublin 4

Certificate of the Comptroller and Auditor General

Report for presentation to the Houses of the Oireachtas

Mental Health Commission

Qualified opinion on the financial statements

I have audited the financial statements of the Mental Health Commission for the year ended 31 December 2024 as required under the provisions of section 47 of the Mental Health Act 2001. The financial statements have been prepared in accordance with Financial Reporting Standard (FRS) 102 — *The Financial Reporting Standard applicable in the UK and the Republic of Ireland* and comprise

- the statement of income and expenditure and retained revenue reserves
- the statement of financial position
- the statement of cash flows, and
- the related notes, including a summary of significant accounting policies.

In my opinion, except for the non-compliance with the requirements of FRS 102 in relation to retirement benefit entitlements referred to below, the financial statements give a true and fair view of the assets, liabilities and financial position of the Mental Health Commission at 31 December 2024 and of its income and expenditure for 2024 in accordance with FRS 102.

Basis for qualified opinion on financial statements

In compliance with the directions of the Minister for Health, the Mental Health Commission accounts for the costs of retirement benefit entitlements only as they become payable. This does not comply with FRS 102 which requires that the financial statements recognise the full cost of retirement benefit entitlements earned in the period and the accrued liability at the reporting date. The effect of the non-compliance on the Mental Health Commission's financial statements for 2024 has not been quantified.

I conducted my audit of the financial statements in accordance with the International Standards on Auditing (ISAs) as promulgated by the International Organisation of Supreme Audit Institutions. My responsibilities under those standards are described in the appendix to this report. I am independent of the Mental Health Commission and have fulfilled my other ethical responsibilities in accordance with the standards.

I believe that the audit evidence I have obtained is sufficient and appropriate to provide a basis for my opinion.

Report on information other than the financial statements, and on other matters

The Mental Health Commission has presented certain other information together with the financial statements. This comprises the governance statement and Commission members' report, and the statement on internal control. My responsibilities to report in relation to such information, and on certain other matters upon which I report by exception, are described in the appendix to this report.

I have nothing to report in that regard.

John Crean

For and on behalf of the

Comptroller and Auditor General

July 2025

Certificate of the Comptroller and Auditor General

Responsibilities of Commission members

As detailed in the governance statement and Commission members' report, the Commission members are responsible for

- the preparation of annual financial statements in the form prescribed under section 47 of the Mental Health Act 2001
- ensuring that the financial statements give a true and fair view in accordance with FRS 102
- ensuring the regularity of transactions
- assessing whether the use of the going concern basis of accounting is appropriate, and
- such internal control as they determine is necessary to enable the preparation of financial statements that are free from material misstatement, whether due to fraud or error.

Responsibilities of the Comptroller and Auditor General

I am required under section 47 of the Mental Health Act 2001 to audit the financial statements of the Mental Health Commission and to report thereon to the Houses of the Oireachtas.

My objective in carrying out the audit is to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement due to fraud or error. Reasonable assurance is a high level of assurance, but is not a guarantee that an audit conducted in accordance with the ISAs will always detect a material misstatement when it exists. Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of these financial statements.

As part of an audit in accordance with the ISAs, I exercise professional judgment and maintain professional scepticism throughout the audit. In doing so,

- I identify and assess the risks of material misstatement of the financial statements whether due to fraud or error; design and perform audit procedures responsive to those risks; and obtain audit evidence that is sufficient and appropriate to provide a basis for my opinion. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control.
- I obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the internal controls.
- I evaluate the appropriateness of accounting policies used and the reasonableness of accounting estimates and related disclosures.
- I conclude on the appropriateness of the use of the going concern basis of accounting and, based on the audit evidence obtained, on whether a material uncertainty exists related to events or conditions that may cast significant doubt on the Mental Health Commission's ability to continue as a going concern. If I conclude that a material uncertainty exists, I am required to draw attention in my report to the related disclosures in the financial statements or, if such disclosures are inadequate, to modify my opinion. My conclusions are based on the audit evidence obtained up to the date of my report. However, future events or conditions may cause the Mental Health Commission to cease to continue as a going concern.
- I evaluate the overall presentation, structure and content of the financial statements, including the disclosures, and whether the financial statements represent the underlying transactions and events in a manner that achieves fair presentation.

I communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit and significant audit findings, including any significant deficiencies in internal control that I identify during my audit.

I report by exception if, in my opinion,

- I have not received all the information and explanations I required for my audit, or
- the accounting records were not sufficient to permit the financial statements to be readily and properly audited, or
- the financial statements are not in agreement with the accounting records.

Information other than the financial statements

My opinion on the financial statements does not cover the other information presented with those statements, and I do not express any form of assurance conclusion thereon.

In connection with my audit of the financial statements, I am required under the ISAs to read the other information presented and, in doing so, consider whether the other information is materially inconsistent with the financial statements or with knowledge obtained during the audit, or if it otherwise appears to be materially misstated. If, based on the work I have performed, I conclude that there is a material misstatement of this other information, I am required to report that fact.

Reporting on other matters

My audit is conducted by reference to the special considerations which attach to State bodies in relation to their management and operation. I report if I identify material matters relating to the manner in which public business has been conducted.

I seek to obtain evidence about the regularity of financial transactions in the course of audit. I report if I identify any material instance where public money has not been applied for the purposes intended or where transactions did not conform to the authorities governing them.

Governance Statement and Commission Members' Report

Governance

The MHC is an independent statutory body established in April 2002 under the provisions of the Mental Health Acts 2001-2018 ("the 2001 Act"). The principal functions of the MHC, as specified in the 2001 Act, are to promote, encourage and foster the establishment and maintenance of high standards and good practices in the delivery of mental health services and to take all reasonable steps to protect the interests of persons detained in approved centres. The MHC is also empowered to undertake such activities, as it deems appropriate to foster and promote these standards and practices.

The functions of the MHC were expanded by the Assisted Decision Making (Capacity) Act 2015 as amended ("the 2015 Act"). The 2015 Act provided for the establishment of the Decision Support Service ("the DSS") to support decision-making by and for adults with capacity difficulties and to regulate the individuals who are providing supports to people with capacity difficulties.

The Commission is accountable to the Minister for Health and is responsible for ensuring good governance and performs this task by setting strategic objectives and targets and taking strategic decisions on all key business issues. The regular day-to-day management, control and direction of the Mental Health Commission are the responsibility of the Chief Executive (CE) and the Senior Leadership Team (SLT). The CE and the SLT must follow the strategic direction set by the Commission, ensure that all Commission members have a clear understanding of the key activities and decisions related to the entity and of any significant risks likely to arise.

The Commission acts through, and its functions are performed in the name of the Commission, by the CE. The CE mandates and controls generally the administration and business of the Commission and such other (if any) functions as may be determined by the Commission.

Commission Responsibilities

The work and responsibilities of the Commission are set out in Mental Health Commission's Corporate Governance manual, which also contains the matters specifically reserved for the Commission's decisions. This is set out in Appendix 1 – Reserved Functions of the Board of the Mental Health Commission which is appended to this document and an extract of same provided below.
Matters specifically reserved to members of the Commission are: -

- To define the vision and strategic direction of the organisation.
- To ensure the organisation fulfils its statutory duties.
- Planning and performance functions;
    - Approve the annual business plan and annual budget.
    - Approve any strategies underpinning the delivery of the approved business plan and annual budget.
    - Input into and approve the Strategic Plan.
    - Approve the annual financial statements and annual report including the statement on systems of internal control.
    - Approve the appointment, remuneration and succession planning of the Chief Executive and/or other relevant members of senior leadership as required save where the post has a fixed scale of renumeration as per the parent Department.
    - Approve the annual assessment of the performance of the Chief Executive.
    - Where necessary, approve the removal of the Chief Executive.
    - Appoint or remove the Secretary to the Commission.
    - Approve significant amendments to the pension benefits of the CE and staff.
    - Matters required under the 2015 Act.

- Approval of the establishment and dissolution of Commission committees and approval of the Chairpersons, membership and terms of reference for Commission committees.
- Approval of all new contracts (within the budget approved by the Board of the Commission) where the value exceeds €400,000 per annum.
- Approval of all transactions and/ or contracts (within the budget approved by the Board of the Commission) that exceed the agreed value by €100,000.
- Approval of all transactions (or related programmes of transactions) not within the approved budget the value of which is in excess of €65,000.
- To monitor the overall management of the organisation.
- Approval of the MHC's scheme of delegation which sets out clear delegated authority levels.
- Annual review of the effectiveness of internal controls (including financial, information governance, operational, compliance controls and risk management systems), including evaluating management's actions on material incidents, to ensure the effective identification, monitoring and control of external risks and identification of opportunities to support the MHC's statutory objectives.
- Approval of statements for inclusion in the annual report concerning internal controls and risk management including the annual financial review.
- Receive assurances of compliance with statutory and administrative requirements in relation to the number, grading and conditions of all staff, including remuneration and superannuation.

Section 47 of the 2001 Act requires the Commission to keep, in such form as may be approved by the Minister for Health, all proper and usual accounts of money received and expended by it.

In preparing these financial statements, the Commission of the Mental Health Commission is required to:

- select suitable accounting policies and apply them consistently,
- make judgements and estimates that are reasonable and prudent,
- prepare the financial statements on the going concern basis unless it is inappropriate to presume that it will continue in operation,
- and state whether applicable accounting standards have been followed, subject to any material departures disclosed and explained in the financial statements.

The Commission is responsible for keeping adequate accounting records which disclose, with reasonable accuracy at any time, its financial position and enables it to ensure that the financial statements comply with Section 47 of the Mental Health Act 2001. The maintenance and integrity of the corporate and financial information on the Mental Health Commission's website is the responsibility of the Commission.

The Commission is responsible for approving the annual plan and budget. The 2024 annual plan was approved on 22 February 2024 and the budget was approved on 23 March 2024.

The Commission is also responsible for safeguarding its assets and hence for taking reasonable steps for the prevention and detection of fraud and other irregularities.

The Commission considers that the financial statements of the Mental Health Commission give a true and fair view of the financial performance and the financial position of the Mental Health Commission at 31 December 2024, except for the non-compliance with the requirements of FRS 102 in relation to retirement benefit entitlements, as directed by the Minister for Health.

Governance Statement and Commission Members' Report (continued)

Commission Structure

The Commission consists of a Chairperson and 12 ordinary members, all of whom are appointed by the Minister for Health.

The Commission undertook an internal evaluation of their own performance for the year in December 2024 as guided by the Code of Practice for the Governance of State Bodies (2016), which was reviewed by it at its meeting in January 2025.

The Commission has established two committees, as follows:

1. **Finance, Audit and Risk Committee**: comprises three Commission members and five independent members. The role of the Finance, Audit and Risk Committee (FARC) is to support the Commission in relation to its responsibilities for issues of risk, control, governance and associated assurance. The FARC is independent from the financial management of the organisation. In particular, the Committee ensures that the internal control systems including audit activities are monitored actively and independently. The FARC reports to the Commission after each meeting, and formally in writing annually.

   The members of the Finance, Audit and Risk Committee:
   Dr Orla Healy (Chairperson), Kevin Roantree, Dr John Cox, Martina McGuiness, Audrey Houlihan, Cliff O'Keeffe, Josephine O'Reilly and Dearbhla Fitzsimons.

   There were four meetings of the FARC in 2024. The Chairperson of the Commission is an ex officio member of the Finance, Audit and Risk Committee.

2. **The Human Rights Committee** (formerly the Legislation Committee): comprises three Commission members and five independent members. The members of this committee are:
   Michael Drumm (Chairperson), Catherine Cocoman, Linda Curran, Catherine Carty, Charles O'Mahony, Claire Hendrick, Mary Donnelly, Blezzing Dada.

   There were three meetings of the Human Rights Committee in 2024. The Chairperson of the Commission is an ex officio member of the Human Rights Committee.

Schedule of Attendance, Fees and Expenses

A schedule of attendance at the Commission and Committee meetings for 2024 is set out below including the fees and expenses received by each member:

	Commission	Finance, Audit & Risk Committee	Human Rights Committee	Fees 2024 €	Expenses 2024 €
Number of meetings	**11**	**4**	**3**		
Commission Members					
Rowena Mulcahy	9/11	-	-	7,695	-
Dr. Michael Drumm	10/11	-	3/3	-	-
Dr. Margo Wrigley	9/11	-	-	-	-
Dr John Hillery	10/11	-	-	11,970	-
*Fionn Fitzpatrick	3/11	-	-	-	-
Dr John Cox	9/11	4/4		7,695	525
Ray Burke	10/11	-	-	7,695	-
Dr Joseph Duffy	9/11	-	-	-	-
Tammy Donaghy	9/11	-	-	7,695	-
Dr Orla Healy	9/11	4/4	-	-	-
Martina McGuiness	11/11	4/4	-	7,695	-
Linda Curran	11/11	-	2/3	7,695	-
Catherine Cocoman	8/11	-	2/3	-	-
FARC					
Kevin Roantree	-	4/4	-	-	-
Audrey Houlihan	-	4/4	-	-	-
Cliff O'Keefe	-	3/4	-	-	-
Josephine O'Reilly	-	4/4	-	-	-
Dearbhla Fitzsimons	-	3/4	-	-	-
Human Rights Committee					
Mary Donnelly	-	-	3/3	-	-
Blezzing Dada	-	-	2/3	-	-
Catherine Carty	-	-	2/3	-	-
Charles O'Mahoney	-	-	3/3	-	-
Claire Hendrick	-	-	1/3	-	-
				58,140	**525**

*This member was on long term sick leave.
Six of the Commission members did not receive a Commission fee under the One Person One Salary (OPOS) principle.

Governance Statement and Commission Members' Report (continued)

Key Personnel Changes

There were no personnel changes on the Board of the Mental Health Commission.

Disclosures Required by Code of Practice for the Governance of State Bodies (2016)

The Board of the Mental Health Commission is responsible for ensuring that the Mental Health Commission has complied with the requirements of the Code of Practice for the Governance of State Bodies ("the Code"), as published by the Department of Public Expenditure and Reform in August 2016. The following disclosures are required by the Code.

Employee Short-Term Benefits Breakdown are disclosed in note 5 to the financial statements.

Consultancy Costs

Consultancy costs include the cost of external advice to management and exclude outsourced 'business-as-usual' functions.

	2024	2023
	€	€
Corporate Governance	-	24,969
Procurement	-	577
ICT Consultancy Support	688	-
Review of Senior Management Structure	25,317	-
Strategic Planning	-	51,545
CAMHS Report Review	-	178,142
Business Continuity Plan	452	1,304
DSS Business Analysis Project Management	448,936	800,586
HR and Pension	9,102	10,722
Total consultancy costs	484,495	1,067,845

Governance Statement and Commission Members' Report (continued)

Legal Costs and Settlements

The table below provides the total amount incurred on legal costs. There were no settlement costs in 2024.

	2024	2023
	€	€
Legal fees	**730,600**	624,198
Settlements	**-**	-
Total	**730,600**	624,198

Travel and Subsistence Expenditure

Travel and subsistence expenditure are categorised as follows:

	2024	2023
	€	€
Domestic		
- Commission	**525**	724
- Employees	**145,039**	137,222
International		
- Commission	**-**	-
- Employees	**15,127**	8,056
Total	**160,691**	146,002

Hospitality Expenditure

The Statement of Income and Expenditure and Retained Revenue Reserves includes the following hospitality expenditure:

	2024	2023
	€	€
Commission / Staff hospitality	**787**	690
Total	**787**	690

Statement of Compliance

The Commission has adopted the Code of Practice for the Governance of State Bodies (revised 2016) and has put procedures in place to ensure compliance with the provisions of the Code. The Commission is in full compliance with the Code for the year ended 2024.

.....
Dr John Hillery
Chairperson
Date 17 July 2025

.....
John Farrelly
Chief Executive
Date 17/07/25

Statement on Internal Control

Scope of Responsibility

As Chairperson, I acknowledge the Board of the Commission is responsible for the system of internal control. The Commission has delegated responsibility to the Chief Executive to deal with management and operational issues and to report to the Commission regularly.

Purpose of the System of Internal Control

The system can only provide reasonable and not absolute assurance that assets are safeguarded, transactions authorised and properly recorded, and that material errors or irregularities are either prevented or would be detected in a timely manner.

Control Environment

The following steps have been taken to ensure an appropriate control environment:

- The Commission has a regular schedule of meetings (at least ten per annum) at which it is provided with regular updated reports of expenditure.
- A Finance, Audit and Risk Committee of the Commission has been established. The Committee's Terms of Reference are in accordance with the Code of Practice for the Governance of State Bodies (revised 2016) to include oversight on financial reporting, external and internal audits, risk management and internal controls.
- Management responsibilities are assigned, with corresponding accountability.

Risk and Control Framework

The Mental Health Commission has established processes to identify and evaluate financial and business risks by:

- Identifying the nature and extent of financial risks and business risks facing the Commission.
- Assessing the likelihood of identified risks occurring.
- Assessing the Mental Health Commission's ability to manage and mitigate the risks that do occur.

Statement on Internal Control (continued)

Ongoing Monitoring and Review

The system of internal control is based on a framework of regular management information, administrative procedures including segregation of duties, and a system of delegation and accountability. In particular it includes:

- Appropriate budgeting system with an annual budget, which is reviewed regularly by senior management.
- Regular review by senior management of periodic and annual financial reports, which indicate financial performance against forecasts.
- Regular senior leadership team meetings.
- Completion of an Internal Control Questionnaire (ICQ) by senior management to assess the effectiveness of the control environment in their respective areas of responsibility.

Mechanisms for ensuring the adequacy of the security of the Information and Communication Technology (ICT) systems that include the establishment of appropriate policies and control procedures have been established. This also includes robust cyber security measures to protect the ICT network from unwanted threats.

The Mental Health Commission has a properly constituted internal audit function which reports to the Finance, Audit and Risk Committee. The internal audit function operates in accordance with the Code of Practice for the Governance of State Bodies. The Commission's monitoring and review of effectiveness of the systems of internal control is informed by the work of the outsourced internal auditor and the Finance, Audit and Risk Committee. The following internal audits were conducted in 2024, as part of a 3-year internal audit plan:-

- Cybersecurity Review
- Workforce Management and Development
- Risk Management
- Stakeholder Communication

Procurement

I confirm that the Mental Health Commission has procedures in place to ensure compliance with current procurement rules and guidelines.

The Finance, Audit and Risk Committee receives updates by way of a Statement of Procurement Non-Compliances prepared by management.

I can confirm that there are no non-compliance of procurement processes or procedures to report in 2024.

Statement on Internal Control (continued)

Review of Effectiveness

The Finance, Audit and Risk Committee and the Commission have reviewed the Statement on Internal Control to ensure it accurately reflects the control system in operation during the reporting period.

I confirm that the Commission conducted an annual review of the effectiveness of the internal controls for 2024 and this was signed off by the Commission in March 2025.

The Commission is of the opinion that reasonable assurance can be placed on the effectiveness of the system of internal controls instituted and implemented for the financial year ended 31 December 2024.

Internal Control Issues

Internal Control Issues	Mitigating actions
1. Data Breaches There were four data breaches reported to the Data Protection Commission (DPC) in 2024. Although the volume of data breaches is small in relation to the number of records processed, the MHC is aware that each data breach is significant to the data subject concerned. Some of the causes of data breaches included: - Misplaced records no back up copy - Human error in data entry - System access issues.	The Information Governance Unit (IGU) meets quarterly and reviews both data incidents and data breaches, it then decides on mitigating actions e.g. additional training and awareness raising around data management and data protection. It also helps to coordinate organisation wide activities such as manual and technical issues around data entry, storage, sharing and system access privileges. Separately, the Data Protection Officer has raised data protection matters at Staff meetings.

Signed .....

Dr John Hillery
Chairperson
Date 17 July 2025

Statement of Income and Expenditure and Retained Revenue Reserves
For the year ended 31 December 2024

	Notes	2024 €	2023 €
Income			
Grant Income	2	**28,441,000**	26,163,006
Superannuation Contributions	3	**62,818**	65,923
DSS Registration Fees	4	**94,308**	21,193
Other Income		**30**	-
		28,598,156	26,250,122
Expenditure			
Commission Costs	5	**63,515**	56,916
Staff Costs	6	**10,102,950**	8,352,862
Mental Health Tribunals	8	**9,901,984**	9,236,649
DSS Panel Fees	9	**49,442**	-
Upkeep and Overheads	10	**830,328**	774,785
General Expenses	11	**4,746,683**	5,578,437
Depreciation	13	**203,705**	172,651
		25,898,607	24,172,300
Surplus for the year before appropriations		**2,699,549**	2,077,822
Transfer (to) / from capital account	17	**(163,206)**	(1,423,498)
Surplus for the year after appropriations		**2,536,343**	654,324
Balance brought forward 1 January		**2,566,074**	1,911,750
Balance carried forward at 31 December		**5,102,417**	2,566,074

The Statement of Income and Expenditure and Retained Revenue Reserves includes all gains and losses recognised in the year.

The Statement of Cash Flows and notes 1-22 form part of these financial statements.

On behalf of the Commission

.....
Dr John Hillery
Chairperson
Date 17/7/25

.....
John Farrelly
Chief Executive
Date 17 July 2025

MENTAL HEALTH COMMISSION

Statement of Financial Position
As at 31 December 2024

	Notes	2024	2023
		€	€
Fixed Assets			
Property, Plant and Equipment	13	**4,524,005**	371,428
Assets under Development	14	**-**	3,989,371
		4,524,005	4,360,799
Current assets			
Cash and Cash Equivalents		**6,747,152**	4,925,690
Receivables and Prepayments	15	**1,320,728**	704,280
		8,067,880	5,629,970
Current Liabilities			
Amounts Falling Due Within 1 Year			
Payables and Accruals	16	**(2,965,463)**	(3,063,896)
Net Current Assets		**5,102,417**	2,566,074
Total Assets less Current Liabilities		**9,626,422**	6,926,873
Net Assets		**9,626,422**	6,926,873
Reserves			
Statement of Income and Expenditure		**5,102,417**	2,566,074
Capital Account	17	**4,524,005**	4,360,799
		9,626,422	6,926,873

The Statement of Cash Flows and notes 1-22 form part of these financial statements.

On behalf of the Commission

.....
Dr John Hillery
Chairperson
Date 17 July 2025

.....
John Farrelly
Chief Executive
Date 17/07/25

MENTAL HEALTH COMMISSION

Statement of Cash Flows
For the year ended 31 December 2024

	Note	2024	2023
		€	€
Net Cash Flow from Operating Activities			
Excess income over expenditure		**2,699,549**	2,077,822
Depreciation charge	13	**203,705**	172,651
(Increase) / Decrease in receivables		**(616,448)**	(79,955)
(Decrease) / Increase in payables		**(98,433)**	1,139,231
Loss / (Gain) on disposal of fixed assets		**1,257**	-
Net Cash Inflow / (Outflow) from Operating Activities		**2,189,630**	3,309,749
Net Cash flows from investing activities			
Amount allocated to fund asset additions	17	**(368,168)**	(1,596,149)
Net Cash Flow from Investing Activities		**(368,168)**	(1,596,149)
Increase / (Decrease) in Cash and Cash Equivalents		**1,821,462**	1,713,600
Cash and cash equivalents 1 January		**4,925,690**	3,212,090
Cash and cash equivalents 31 December		**6,747,152**	4,925,690

On behalf of the Commission

.....
Dr John Hillery
Chairperson
Date 17/07/25

.....
John Farrelly
Chief Executive
Date 17/7/25

Notes to the financial statements
For the year ended 31 December 2024

1. Accounting Policies

a) General

The Mental Health Commission was established by the Minister for Health on 5 April 2002 under Section 32 of the Mental Health Act, 2001 with a head office at Waterloo Exchange, Waterloo Road, Dublin 4.

The principal functions of the Commission, as specified in the Act, are to promote, encourage and foster the establishment and maintenance of high standards and good practices in the delivery of mental health services and to take all reasonable steps to protect the interests of persons detained in approved centres.

The Commission undertakes the following activities:

- Appointing persons to mental health tribunals to review the detention of involuntary service users and appointing a legal representative for each service user.
- Establishing and maintaining a Register of Approved Centres.
- Inspecting approved centres and other mental health services.
- Making rules regulating the use of specific treatments and interventions as specified in the Mental Health Act 2001; and
- Developing codes of practice to guide people working in mental health services.

The Assisted Decision Making (Capacity) Act 2015 as amended was substantively commenced on 26 April 2023. This legislation conferred additional statutory functions on the Mental Health Commission.

The Commission is also empowered to undertake such activities, as it deems appropriate to foster and promote these standard and practices.

b) Statement of Compliance

The financial statements of the Mental Health Commission for the year ended 31 December 2024 have been prepared in accordance with FRS 102 (the financial reporting standard applicable in the UK and Ireland issued by the Financial Reporting Council) with the exception of Section 28 Employee Benefits - (See Accounting Policy h).

c) Basis of Preparation

The financial statements are prepared under the historical cost convention, except as indicated below. The following accounting policies have been applied consistently in dealing with items which are considered material in relation to the Mental Health Commission's financial statements.

The financial statements are prepared in Euro which is the functional currency of the Commission.

d) Period of Account

The financial statements relate to the year ended 31 December 2024.

1. Accounting Policies (continued)

e) Income

State Grant
Income shown in the financial statements under Grant Income represents the amount received, including capital grants, in the period.

DSS Registration Fees
DSS Registration Fees are fees charged in relation to a) Searching the Register of Decision Support Arrangements, b) For an application to register, vary or notify certain decision support arrangements and c) For an application to object to the registration or notification of certain decision support arrangements. Amounts shown as DSS Registration Fees represents the actual receipts in the period.

Other Income
Superannuation contributions from staff represents the actual receipts in the period.

f) Tangible Assets and Depreciation

Tangible assets are stated at their historical cost less accumulated depreciation. Depreciation is charged to the Statement of Income and Expenditure and Retained Revenue Reserves on a straight-line basis, at the rates set out below, so as to write off the assets, adjusted for residual value, per their expected useful lives as follows:

IT Equipment	Straight-line over 3 years
Office Equipment	Straight-line over 5 years
Furniture and Fittings	Straight-line over 10 years
Leasehold Improvements	Straight-line over 8 years

The residual value and useful lives of fixed assets are considered annually for indicators that these may have changed. Where such indicators are present, a review will be carried out of the residual value, depreciation methods and useful lives, and these will be amended if necessary. Changes in depreciation rates arising from this review are accounted for prospectively over the remaining useful lives of the assets.

Assets Under Development
Assets under development relate to the implementation of an ICT system to support the establishment of the Decision Support Service by the MHC. Development costs of the asset are capitalised as they are incurred. Depreciation is charged to the Statement of Income and Expenditure and Retained Revenue Reserves on a straight-line basis over 3 years, commencing in 2025.

g) Capital Account

The capital account balance represents the unamortised value of funds used for the purchase of fixed assets and assets under development.

Notes to the financial statements
For the year ended 31 December 2024

Accounting Policies (continued)

h) Employee Benefits

Short-term Benefits
Short-term benefits such as holiday pay are recognised as an expense in the year, and benefits that are accrued at year-end are included in the Payables figure in the Statement of Financial Position.

Retirement Benefits
The Commission had submitted a superannuation scheme for approval by the Department of Health regarding pension arrangements as per Section 40 of the Mental Health Act 2001. In 2017 the scheme was approved.

The Public Service (Single Scheme and Other Provisions) Act 2012 became law on 28 July 2012 and introduced the new Single Public Service Pension Scheme ("Single Scheme") which commenced with effect from 1 January 2013. All new staff members to the Mental Health Commission, who are new entrants to the Public Sector, on or after 1 January 2013 are members of the Single Scheme.

In accordance with the direction of the Minister for Health, pensions are accounted for on a 'pay as-you go' basis. The provisions of FRS 102 'Section 28: Employee Benefits' are not applied and the liability for future pension benefits accrued in the year has not been recognised in the financial statements.

i) Cash and Cash Equivalents

Cash includes cash on hand and demand deposits. Cash equivalents include short-term, highly liquid investments that are readily convertible to known amounts of cash and that are subject to an insignificant risk of changes in value.

j) Receivables

Receivables are recognised at fair value, less a provision for doubtful debts. The provision for doubtful debts is a specific provision and is established when there is objective evidence that the Commission will not be able to collect all amounts owed to it. All movements in the provision for doubtful debts are recognised in the Statement of Income and Expenditure and Retained Revenue Reserves.

k) Payables

Trade creditors are measured at invoice price, unless payment is deferred beyond normal business terms or is financed at a rate of interest that is not market rate. In this case the arrangement constitutes a financing transaction, and the financial liability is measured at the present value of future payments discounted at a market rate of interest for a similar debt instrument.

Accounting Policies (continued)

l) Contingencies

Contingent liabilities, arising as a result of past events, are not recognised when (i) it is not probable that there will be an outflow of resources or that the amount cannot be reliably measured at the reporting date or (ii) when the existence will be confirmed by the occurrence or non-occurrence of uncertain future events not wholly within the Commission's control. Contingent liabilities are disclosed in the financial statements unless the probability of an outflow or resources is remote.

Contingent assets are not recognised. Contingent assets are disclosed in the financial statements when an inflow of economic benefits is probable.

m) Critical Accounting Judgements and Estimates

The preparation of the financial statements requires management to make judgements, estimates and assumptions that affect the amounts reported for assets and liabilities as at the statement of financial position date and the amounts reported for revenues and expenses during the year. However, the nature of estimation means that actual outcomes could differ from those estimates. There were no judgements required that had a significant effect on amounts recognised in the financial statements for 2024.

n) Operating Lease

Rental expenditure under operating leases is recognised in the Statement of Income and Expenditure and Retained Revenue Reserves over the life of the lease. Expenditure is recognised on a straight-line basis over the lease period, except where there are rental increases linked to the expected rate of inflation, in which case these increases are recognised when incurred. Any lease incentives received are recognised over the life of the lease.

Notes to the financial statements
For the year ended 31 December 2024

2. Grant Income

	2024	2023
	€	€
Department of Health (Vote 38 Subhead E1)	**19,366,000**	17,266,000
Department of Health – (ICT Capital Grant)	**-**	118,006
Department of Children, Disability and Equality (Vote 40, Subhead D9)	**9,075,000**	8,464,000
Health Service Executive (DSS Communication)	**-**	300,000
Department of Children, Disability and Equality (Services with Synergy Learning)	**-**	15,000
	28,441,000	**26,163,006**

3. Superannuation Contributions

By agreement with the funding departments, the Commission retains superannuation contributions payable by staff who are members of the model superannuation scheme, and these contributions are recognised as income in the financial statements. The €62,818 brought to account in 2024 is in respect of deductions made in 2024 (2023 €65,923).

Employee contributions under the Single Scheme are remitted to the Department of Public Expenditure and Reform.

The Public Service Pay and Pensions Act introduced an "additional superannuation contribution" payable by all staff. These salary deductions are not retained but are remitted to the Department of Health as required.

4. DSS Registration Fees

	2024	2023
	€	€
DSS Registration Fees	**94,308**	21,193
	94,308	**21,193**

Fees are set by the Minister for Children, Disability and Equality or made subject to section 95(3) of the Assisted Decision - Making (Capacity) Act 2015 by the Director of the Decision Support Service.

5. Commission Costs

	2024	2023
	€	€
Chairperson's stipend	**11,970**	11,970
Commission member fees	**46,170**	42,323
Commission meetings and conference costs	**4,850**	1,899
Travel and Subsistence	**525**	724
	63,515	**56,916**

Notes to the financial statements
For the year ended 31 December 2024

6. Staff Costs

	2024	2023
	€	€
Salaries and wages	**9,044,416**	7,705,740
Agency Personnel	**716,340**	346,895
Travel and Subsistence – Domestic	**146,679**	137,222
Travel and Subsistence – Foreign	**15,127**	8,056
Staff training and CPD	**180,388**	154,949
	10,102,950	**8,352,862**
Average number of employees	**148**	128
WTE's at 31 December	**159**	124

Additional superannuation contributions were deducted in line with statutory requirements. €151,437 of additional superannuation contributions have been deducted in 2024 and paid over to the Department of Health (2023: €120,749). There were no termination payments or overtime payments made in the year. Key management personnel remuneration is disclosed in note 19 to the financial statements.

Employee benefits breakdown

Employees' short-term benefits in excess of €60,000 are categorised into the following bands:

Range of total employee benefits			**Number of Employees**	
From		**To**	**2024**	**2023**
€60,000	-	€69,999	15	9
€70,000	-	€79,999	9	12
€80,000	-	€89,999	10	4
€90,000	-	€99,999	2	1
€100,000	-	€109,999	2	2
€110,000	-	€119,999	1	-
€120,000	-	€129,999	-	1
€130,000	-	€139,999	1	1
€140,000	-	€149,999	1	1
€150,000	-	€159,999	-	-
€160,000	-	€169,999	-	-
€170,000	-	€179,999	-	1
€180,000	-	€189,999	1	-
€190,000	-	€199,999	-	-
€200,000	-	€209,999	-	1
€210,000	-	€219,999	-	-
€220,000	-	€229,999	-	-
€230,000	-	€239,999	-	-
€240,000	-	€249,999	-	-
€250,000	-	€259,999	-	-
€260,000	-	€269,999	-	-
€270,000	-	€279,999		
€280,000	-	€289,999	1	-

Notes to the financial statements
For the year ended 31 December 2024

7. Chief Executive's Remuneration	2024	2023
	€	€
Chief Executive's annual basic salary:		
Chief Executive	**183,749**	175,727
All-in cost of the Chief Executives' total remuneration (incl superannuation)	**183,749**	**175,727**

Note: For the purposes of this disclosure, short-term employee benefits in relation to services rendered during the reporting period include salary, overtime allowances and other payments on behalf of the employee but exclude employer's PRSI.
The Chief Executive's pension entitlements do not extend beyond the standard entitlement in the model public sector defined benefit superannuation scheme.

8. Mental Health Tribunals	2024	2023
	€	€
Fees to Panel Members		
Chairpersons' fees	**1,564,333**	1,462,135
Lay Members' fees	**785,437**	731,747
Consultant Psychiatrists' fees	**1,041,972**	975,993
Consultant Psychiatrists' fees – Independent	**1,818,360**	1,693,698
Legal Representatives' fees	**3,590,791**	3,429,473
Legal Representatives' fees - Circuit court appeals *	**428,795**	321,181
Other Costs		
Travel and subsistence for Panel Members	**551,687**	549,976
Recruitment and costs for new LRs	**44,437**	5,602
Translation Costs	**60,064**	64,844
Training associated with the Mental Health Act	**16,108**	2,000
	9,901,984	**9,236,649**

*These include fees paid to the detained person's legal representative only.

9. Decision Support Service (DSS) Panel Fees	2024	2023
	€	€
Decision-Making Representative (DMR) Remunerations	**45,866**	-
General Visitor Panel Payments	**3,576**	-
	49,442	-

Notes to the financial statements
For the year ended 31 December 2024

10. Upkeep and Overheads

	2024	2023
	€	€
Repairs and maintenance	**33,544**	7,836
Rent, rates and service charges	**797,566**	760,868
Insurance	**(782)**	6,081
	830,328	**774,785**

11. General Expenses

	2024	2023
	€	€
Administrative Costs		
Telephone	**207,872**	161,593
Light and heat	**20,449**	25,087
Printing, postage, stationery and storage	**129,833**	103,653
Taxi and courier	**7,554**	3,801
Recruitment costs	**180,865**	185,673
Accountancy and internal audit	**190,403**	178,291
Audit fees	**21,800**	21,300
Bank charges	**1,613**	1,680
Advertising to include recruitment	**8,447**	10,818
Library publications and reference material	**30,892**	21,362
Subscriptions	**23,540**	25,978
Cleaning	**18,316**	11,928
Pension and human resources	**9,102**	10,722
Project Management Office (PMO)	**321,414**	316,061
Strategic Planning	**-**	51,545
CAMHS Report Review	**-**	178,142
Business Continuity Planning	**452**	1,304
Review of Senior Management Structure	**25,318**	-
ICT Support Consultancy	**688**	-
Corporate Governance	**-**	24,969
Procurement	**-**	577
Equipment Hire	**4,446**	-
DSS Business Analysis Project Management	**448,936**	800,586
Publications expenses	**838**	4,161
Conference, room hire and seminar expenses	**48,463**	43,940
Hospitality expenses	**87**	690
Communications and media	**469,582**	1,330,050
Insurance	**111,784**	89,828
Quality Framework	**234,072**	104,004
Standards Development	**313,823**	76,806
Human Rights (Rules & Codes)	**123,000**	59,348

Overarching National Standards for Children	-	40,000
Loss on disposal of fixed assets	**1,257**	-
General office expenses	**44,313**	40,428
Total Administrative Costs	**2,999,159**	3,924,325

Legal Costs		
Legal fees - general advice	**99,230**	78,530
*Court Proceedings – Solicitor	**70,574**	5,707
Court Proceedings – Counsel	**14,453**	77,478
**Superior Court - Solicitor	**29,895**	67,816
Superior Court – Counsel	**4,059**	2,503
Circuit Court Appeals under the 2001 Act	**83,594**	67,165
Total Legal Costs	**301,805**	299,199

*This means district or circuit court.
**This means, high, court of appeal or supreme court.

	2024	**2023**
ICT Costs	**€**	**€**
IT technical support	**539,790**	728,427
IT development costs	**55,963**	25,342
Licenses	**831,526**	487,381
DSS ICT Project Licence and Project Management	**18,440**	27,093
Review of ICT System	**-**	86,670
	1,445,719	1,354,913
Total General Expenses	**4,746,683**	5,578,437

12. Decision Support Service

	2024 €	2023 €
Income		
Grant Income		
Department of Children, Disability and Equality (Vote 40, Subhead D9)	9,075,000	8,779,000
DSS Registration Fees	94,308	21,193
	9,169,308	**8,800,193**
Expenditure		
Pay		
Salaries and Wages	5,037,909	3,674,982
Non-Pay		
Administrative Costs		
Telephone	95,727	67,917
Light and Heat	11,991	10,159
Printing, postage, stationery and storage	12,115	4,752
Recruitment costs	108,910	45,888
Accountancy and audit	49,660	61,328
Bank charges	209	215
Cleaning	9,158	5,692
Rent, rates and service charges	406,370	379,522
DSS Panel Fees	49,442	-
Travel and subsistence	5,927	3,975
Library publications and reference material	13,107	9,960
Conference, room hire and seminar expenses	13,769	-
Review of Senior Management Structure	12,659	-
Staff training	31,979	40,461
Insurance	55,501	56,617
General office expenses	3,661	7,018
Depreciation	5,328	5,305
PMO	160,707	158,030
Communication & Media *(including campaign related to the launch of DSS)*	215,150	1,076,611
Commission Fees	31,225	28,064
Advertising to include recruitment	2,850	-
Quality Framework	14,960	-
	1,310,405	1,961,514

Notes to the financial statements
For the year ended 31 December 2024

Legal Costs		
Legal fees general[1]	122,122	16,502
ICT Costs		
IT technical support	291,149	249,494
Subscriptions and licenses	986	1,145
DSS Business Analysis Project Management	448,936	800,586
Licences	553,648	369,114
	1,294,719	1,420,339
Total Non Pay Expenditure	**2,727,246**	**3,398,355**
Total DSS related expenditure	7,765,155	7,073,337
Transfer (to) / from capital account	(139,261)	(1,395,768)
Surplus / (Deficit) for the year	**1,264,892**	**331,088**

[1] DSS legal fees are a subset of note 8 and include general legal costs, solicitor's fees and counsel's fees.

13. Property, Plant and Equipment

	Furniture and Fittings	Office Equipment	IT Equipment	Leasehold Improvements	DSS IT System	Total
	€	€	€	€	€	€
Cost						
At 1 January 2024	404,395	64,785	817,335	207,456	-	1,493,971
Additions	28,516	5,346	189,975	-	4,133,702	4,357,539
Disposals	-	(25,075)	(44,438)	-	-	(69,513)
At 31 December 2024	**432,911**	**45,056**	**962,872**	**207,456**	**4,133,702**	**5,781,997**
Depreciation						
At 1 January 2024	**337,467**	**57,824**	**519,796**	**207,456**	-	**1,122,543**
Charge for the period	15,214	3,251	185,240	-	-	203,705
Disposals	-	(23,818)	(44,438)	-	-	(68,256)
At 31 December 2024	**352,681**	**37,257**	**660,598**	**207,456**	-	**1,257,992**
Net Book Value						
At 31 December 2024	**80,230**	**7,799**	**302,274**	-	**4,133,702**	**4,524,005**
At 31 December 2023	66,928	6,961	297,539	-	-	371,428

14. Assets Under Development

	2024 €	2023 €
Cost		
As at 1 January	3,989,371	2,593,603
Additions	144,331	1,395,768
Movement to Tangible Assets	(4,133,702)	(-)
At 31 December	-	**3,989,371**

The asset under development relates to the implementation of an ICT system to support the establishment of the Decision Support Service by the MHC. The funding and the associated expenditure for the system has been drawn down from the income provided under note 12 above.

Development costs of the asset are capitalised as they are incurred. Depreciation of the asset will not commence until the asset is in use. The DSS IT system is fully in use at the end of 2024.

15. Receivables and Prepayments

	2024 €	2023 €
Prepayments	**1,320,728**	704,280
	1,320,728	**704,280**

The fair value of debtors and prepayments approximate to their carrying amounts.

16. Payables and Accruals

	2024 €	2023 €
Creditors	**529,649**	425,841
PAYE/PRSI	**366,617**	302,415
Accruals	**1,844,411**	2,097,419
Withholding tax	**170,010**	162,948
Other creditors	**350**	31,140
VAT	**54,426**	44,133
	2,965,463	**3,063,896**

Tax and social insurance are subject to the terms of the relevant legislation. Interest accrues on late payment. No interest was due at the financial year end. The terms of accruals are based on the underlying contracts. Other amounts included within creditors not covered by specific note disclosures are unsecured, interest free and repayable on demand.

Notes to the financial statements
For the year ended 31 December 2024

17. Capital Account

	2024	2023
	€	€
As at 1st January	**4,360,799**	**2,937,301**
Funds allocated to acquire fixed assets	**223,837**	**200,381**
Funds allocated to development of assets	**144,331**	**1,395,768**
Amount amortised in line with asset depreciation	**(203,705)**	**(172,651)**
Amount released on disposal of assets	**(1,257)**	**-**
Amount released from / (to) statement of income and expenditure	**163,206**	**1,423,498**
As at 31st December	**4,524,005**	**4,360,799**

In accordance with accounting policy, Government grants are recognised based on actual receipts. The element of these grants which are for the purchase of tangible assets and to development of assets are amortised over the useful life of the assets. There are no unfulfilled conditions or contingencies attaching to these grants.

18. Operating Lease

The Mental Health Commission has commitments in respect of a lease on office accommodation at Waterloo Exchange, Waterloo Road. The original lease held by the Office of Public Works expired in May 2022. The OPW is expected to assign a new lease to the Mental Health Commission

Lease Commitments
Commitments in respect of this lease including service charges are as follows:

	As at 31 December 2024	As at 31 December 2023
	€	€
Under 1 year	-	-
Between 2 – 5 years	-	-
Over 5 years	-	-
	-	-

During 2024, the OPW charged a full year of the service charges at €135,846 (2023: €124,568).

19. Related Party Disclosures

Key management personnel in the Mental Health Commission consist of the Chief Executive, senior management and members of the Commission. Total compensation paid to key management personnel, including commission members' fees and expenses and total CE remuneration, amounted to €1,347,245 (2023: €1,298,688).

The Commission has adopted procedures in accordance with the guidelines issued by the Department of Public Expenditure and Reform in relation to the disclosure of interests by Commission Members and these procedures have been adhered to in the year. There were no transactions in the year in relation to the Commission's activities in which a Commission Member had any beneficial interest.

20. Capital Commitments

There are no Capital Commitments as at 31 December 2024.

21. Contingent Liabilities

The Commission was involved in a number of legal cases at the financial year end. The Commission is notable to estimate the potential financial impact of these cases at this point.

22. Approval of financial statements

The financial statements were approved by the Commission at its meeting on ..17 July 2025