



An Roinn Dlí agus Cirt  
Department of Justice

CRIMINAL  
ASSETS  
BUREAU

**Department of Justice**

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**Criminal Assets Bureau**

**Performance Delivery Agreement 2021**

## 1. Background and context

### 1.1 Objectives of this Agreement

The purpose of this Agreement is to define, in the context of the resource inputs provided, the targets by which the performance of the Criminal Assets Bureau will be measured in 2021. The ongoing supports that the Department of Justice will provide to the Bureau in this regard, and the mechanisms for monitoring and appraising performance, form part of the overall governance arrangements between the two parties and as such are set out in the separate but complementary Oversight Agreement 2020-22.

### 1.2 Inputs

#### 1.2.1 Financial Inputs

The Bureau's budgetary allocation for 2021 is as follows:

- Pay € 8,260,000
- Non-Pay € 1,701,000
- **Total € 9,961,000**

#### 1.2.2 Staffing Resources

The following table sets out the Bureau's sanctioned staffing levels for 2021:

An Garda Síochána	53
Officers of the Revenue Commissioners	17
Officers of the Department of Social Protection	8
Bureau Legal Officer	1
Staff of the Department of Justice (forensic analysts, financial analysts, administrative staff)	20
<b>Total</b>	<b>99</b>

As at 17<sup>th</sup> February 2021, the Bureau had the following 11 vacancies:

- 2 x Forensic Accountant
- 7 x Garda (\* It is expected that a competition will be held in 2021)
- 1 x AP (ICT)
- 1 x CO (Admin)

## 2. Performance Targets

The following are the principal targets that will be referenced in 2021 to assess the Bureau's efficiency and productivity in using the resources allocated to it.

### 2.1 Quantitative targets

Output area or initiative	Metric	Associated strategic goal*	2021 Target	2020 Target	2020 Outturn	2019 Target	2019 Outturn
Proceeds of Crime	New Proceeds of Crime Orders submitted to and	Goals 1 and 2	30	30	31	25	31

Output area or initiative	Metric	Associated strategic goal*	2021 Target	2020 Target	2020 Outturn	2019 Target	2019 Outturn
	granted by the High Court						
Tax	Tax assessments completed on individual targets	Goal 1	45	42	44	40	49
	Tax collected	Goal 2	€2.1m	€2m	€2m	€2.5m	€2.03m
Search Operations	Search operations conducted	Goal 1	30	24	54	24	57
Social Welfare	Social welfare payments recovered	Goal 1	€325,000	€325,000	€315,840	€324,000	€322,400
	Overpayments identified	Goal 2	€1.9m	€1.6m	€1.71m	€1.25m	€1.57m
	Savings identified	Goal 2	€475,000	€450K	€466,676	€400K	€441,513
Training and Development	Officers provided with asset profiler training	Goal 3	100 trained across two courses (Q2 and Q4)	100	0 **	100	110
Customs	<b>Control Officer Functions:</b> Licence refusals/revocations (including VRT authorisations) identified and detention/seizure of goods/vehicles	Goal 1	5 Refusals/ Revocations	8	9	8	12
			20 Seizures	10	14	10	24
	<b>Operational Support &amp; Liaison:</b> Customs case referrals (including Section 38 detentions and customs profiles)	Goal 2	50 referrals completed***	80	90	80	125

\* CAB Strategic Plan 2020-23. Strategic Goal 1: Identifying Assets; Goal 2: Depriving & Denying; Goal 3: Developing Our Resources; Goal 4: Working with our Partners.

\*\* Due to Covid-19 Restrictions, Asset Profiler Training Courses were cancelled for 2020. It is planned to hold 2 online courses in 2021 - Q2 and Q4 – subject to possible resource impacts of Covid-19 restrictions.

\*\*\* The anticipated reductions in traffic at ports and airports account for the reduced referrals expected in 2021.

## 2.2 Other targets

Output area or initiative	Target	Associated Strategic Goal
Exchanging information, cooperating and conducting joint investigations with international law enforcement partners	<p>For the Year 2021 the Bureau will continue to pursue assets and targets internationally and to that end will liaise and cooperate with the ARO and CARIN Networks.</p> <p><b>ARO<sup>1</sup></b> –ARO requests will be processed as follows:</p> <ul style="list-style-type: none"> <li>• Urgent requests: 8 hours</li> <li>• Non-urgent (involving serious offence) 1 week</li> <li>• All other requests 2 weeks</li> </ul> <p><b>CARIN<sup>2</sup></b> –CARIN requests will be processed within one week.</p>	<i>Goal 4</i>
Mentoring of students in submission of their Professional Development Portfolio (PDP) under the Post-Graduate Diploma in Proceeds of Crime Investigation and Asset Investigation (POCAI).	Application to be submitted to University of Limerick (UL) seeking accreditation under POCAI for persons who currently hold the TACTIC Qualification by end Q1.	<i>Goal 3</i>

## 2.3 Main risks to achievement of targets

The main potential risks to achievement of the targets set out in this Agreement, and the corresponding mitigation measures that the Bureau has in place, are as set out below:

- The Bureau’s ability to deliver on targets and operations is predicated on maintaining its full complement of officers and staff. The multi-disciplinary composition of the Bureau, with different contracts and durations of assignment, requires the cooperation and support of a number of other organisations. As vacancies can take considerable time to fill, the Bureau has contingencies in place to ensure service continuity pending permanent replacements. The Bureau can where necessary seek the secondment of temporary staff from An Garda Síochána to assist with special projects and investigations and can also provide overtime hours to relevant Bureau staff, where necessary, to mitigate the shortfall.
- Given the litigation focus of the key performance targets in the area of Proceeds of Crime litigation, together with collection, appeals and associated litigation for Revenue and Social Welfare identified above, the continued co-location and adequate resourcing of the Bureau’s litigation, advisory and conveyancing service provider - the Criminal Assets Section (“CAS”) of the Chief State Solicitor’s Office - is vital to the delivery of those targets. The year-on-year increase in Bureau output has resulted in a significant increase in Bureau legal-service

<sup>1</sup> In 2020 the Bureau received and processed 121 requests assistance from 29 countries worldwide via the ARO (Asset Recovery Office) network. In addition, the Bureau sent 114 requests for assistance to 31 different countries worldwide via the network.

<sup>2</sup> In 2020 the Bureau received and processed 8 requests via CARIN (Camden Asset Recovery Inter-agency Network) for assistance. In addition, the Bureau sent 3 requests via CARIN for assistance and cooperation.

demands on CAS, which are currently under considerable strain. A business case for additional CAS resources has been submitted by the CSSO to DPER.

- Following the 'IT Audit & Risk Assessment Report' issued by Mazars in January 2019, the Bureau has worked to introduce an inclusive and robust ICT Disaster Recovery Plan. This plan will see a methodical test procedure introduced as a standing item of governance on the quarterly meetings of the Audit & Risk Committee.

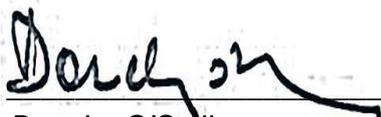
- All Covid-19 related staff instructions and guidelines (HSE, DOJ, AGS) have been implemented in the Bureau and are updated as required. The Bureau operates physical distancing in all work areas and shared spaces, and has allocated a dedicated Covid-19 isolation room. All large Bureau meetings are conducted via conference call. All Bureau Operational Orders and briefings now incorporate specific Covid-19 instructions, which are operating well. Notwithstanding this, Covid-19 remains a risk to the Bureau carrying out its functions.

## **2.4 Amendment of targets**

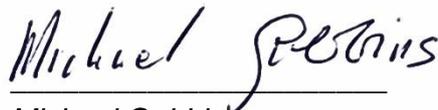
In exceptional circumstances it may become necessary to amend one or more targets over the course of this Agreement. Where either party believes this may be necessary, they shall consult with the other party with a view to agreeing any appropriate changes as soon as practicable.

## **3. Duration and signatories to the Agreement**

Doncha O'Sullivan, Assistant Secretary, Department of Justice, and Michael Gubbins, Chief Bureau Officer, Criminal Assets Bureau, affirm that this Agreement shall be in effect from the date hereunder until 31<sup>st</sup> December 2021.



*Doncha O'Sullivan  
Assistant Secretary  
Department of Justice*



*Michael Gubbins  
Chief Bureau Officer  
Criminal Assets Bureau*

**Date: 08 March 2021**