

# Call for Expressions of Interest

## Chairperson and Members of the Advisory Council against Economic Crime and Corruption

The Minister for Justice invites expressions of interest for consideration for appointment as Chairperson and ordinary members of the Advisory Council against Economic Crime and Corruption

Closing Date: 15:00 on Friday 8 October 2021

## Advisory Council against Economic Crime and Corruption

The establishment of the Advisory Council against Economic Crime and Corruption was one of the recommendations made in the *Review of Structures and Strategies to Prevent, Investigate and Penalise Economic Crime and Corruption*<sup>1</sup>. The review was led by James Hamilton, the former Director of Public Prosecutions.

An implementation plan for the recommendations was agreed by Government and published by the Minister for Justice in April 2021<sup>2</sup>. The implementation plan sets out 22 actions to be completed by State agencies and Departments to progress the Hamilton report's recommendations and sets timelines for the completion of these actions.

One of the most significant early actions in the implementation plan is the establishment of cross-sectoral, partnership-based Advisory Council against Economic Crime and Corruption at the centre of Government which will advise and make proposals on strategic and policy responses and will be responsible for developing a multi-annual strategy to combat economic crime and corruption.

The draft Terms of Reference for the Council are attached as an appendix, and these include the key responsibilities of the Advisory Council. The final Terms of Reference will be agreed by the Council itself once all the Members and Chairperson are appointed.

### Membership of the Advisory Council

The Advisory Council comprises 19 members and an independent Chairperson:

- 13 members are drawn from across the public sector, including the relevant government departments, enforcement and regulatory agencies. These bodies nominate their own representatives.
- Two are members who have an understanding of the interests of businesses, the financial sector, and employers, and who possess a good knowledge and understanding of the particular issues faced by the Irish corporate and financial sector in relation to economic crime and corruption.
- Two members are academics specialising in anti-corruption, economic crime, or a related field.
- Two are members who have an understanding of the interests of civil society, particularly those of employees, consumers, victims of economic crime and corruption, etc.

### Secretariat

The Secretariat to the Advisory Council is provided by the Criminal Justice Policy function in the Department of Justice.

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<sup>1</sup> Accessible online here:

[http://www.justice.ie/en/JELR/Hamilton\\_Review\\_Group\\_Report.pdf/Files/Hamilton\\_Review\\_Group\\_Report.pdf](http://www.justice.ie/en/JELR/Hamilton_Review_Group_Report.pdf/Files/Hamilton_Review_Group_Report.pdf)

<sup>2</sup> Accessible online here:

[http://www.justice.ie/en/JELR/HRG\\_Implementation%20Plan.pdf/Files/HRG\\_Implementation%20Plan.pdf](http://www.justice.ie/en/JELR/HRG_Implementation%20Plan.pdf/Files/HRG_Implementation%20Plan.pdf)

## Conditions for Members

### Time Requirement

The Advisory Council will meet at least once per quarter. Members are expected to read the relevant documents that are circulated in advance of the meetings and be prepared to discuss and comment on them at the meeting. Sub-committees may form as the need arises.

Applicants should note that under the implementation plan, the Advisory Council – supported by the Secretariat – is expected to begin developing the multi-annual strategy for combatting economic crime and corruption and an accompanying action plan in Q4 2021, with the strategy and action plan to be submitted to Government for approval in Q1 2022.

On that basis, the expected time commitment is 24 days' work a year for the Chair and 12 days' work a year for the ordinary members.

### Term of appointment

The term for the Chairperson is four years and the term for ordinary members is three years.

### Remuneration

The fee for the Chairperson is €11,970 per annum. For ordinary members, the annual fee is €7,695 per annum. It should be noted that in line with the 'One Person One Salary' principle, no public servant will be entitled to receive remuneration in the form of board fees, save for situations that are statutorily provided for. Travel and subsistence expenses are payable at appropriate civil service rates and can be claimed through the Department of Justice for expenses incurred in travelling to meetings.

### Person Specification

The Minister for Justice is seeking to appoint up to seven suitably qualified candidates to the Advisory Council against Economic Crime and Corruption. It is proposed to appoint:

- a) one independent Chairperson,
- b) Two members having experience representative of business and the financial sector,
- c) Two members with academic expertise in the field of economic crime and corruption,
- d) Two members having experience representative of civil society.

Expressions of interest are now being sought from suitably qualified persons with relevant expertise for consideration for appointment as Chairperson and as ordinary members of the Advisory Council. These persons should be at an appropriately senior level.

As is evident from the draft Terms of Reference for the Council, the Council and its members will be required to consider and take account of a wide range of important national and sectoral policy issues in relation to economic crime and corruption.

Although the Advisory Council is not a State Board, applicants should be aware of the contents of the Code of Practice for the Governance of State Bodies<sup>3</sup> which provides a framework for the application of best practice. All members of the Council should act on a fully informed basis, in good

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<sup>3</sup> Accessible online here: <https://www.gov.ie/en/publication/0918ef-code-of-practice-for-the-governance-of-state-bodies/>

faith, with due diligence and care, and in the best interests of the Council, subject to the objectives set by Government.

In order to qualify for appointment, a person must not have any legal impediment or conflicts of interest likely to interfere with his/her ability to assume the role of ordinary member or Chairperson of the Advisory Council. Please give careful consideration to the possibility of any potential conflict of interest that may exist and address this in your cover letter. The Assessment Panel may decide, based on the perceived level of conflict, not to forward your name for consideration.

### Chairperson

The role of the Chairperson will be to lead the work of the Council and the Secretariat which supports the Council, find consensus among the Council members so that recommendations can be given to Government, and represent the Council. The Chairperson is responsible for leadership of the Advisory Council and ensuring its effectiveness on all aspects of its role. They should display high standards of integrity and probity and set expectations regarding culture, values, and behaviours for the Advisory Council and for the tone of discussions at Council level.

The Chairperson will:

- provide leadership and strategic direction,
- lead the Advisory Council in making informed and fair recommendations and decisions,
- deliver the Advisory Council's recommendations and agenda, ensuring issues are brought forward in a timely manner for effective resolution, and
- act as an advocate for the Advisory Council's recommendations, representing the Advisory Council to the public, media and other stakeholders.

Candidates for the role of Chairperson must demonstrate in their application evidence of:

- proven ability in building consensus and effective communication,
- proven ability in influencing a wide range of stakeholders
- an ability to lead strategically in a high-profile environment
- demonstrable understanding or the ability to grasp issues relating to economic crime and corruption
- the capacity to work in a sensitive area sometimes under the pressure of close public scrutiny.

Previous experience of board/advisory body membership and knowledge of international anti-corruption standards and best practice is desirable but not essential.

### Ordinary members

Expressions of interest are sought for ordinary members at an appropriately senior level in three categories:

- (a) Members having experience representative of business and the financial sector
- (b) Members with academic expertise in the field of economic crime and corruption
- (c) Members having experience representative of civil society

Those interested in the role of ordinary member must be able to demonstrate the following essential experience.

*(a) Members having experience representative of business and the financial sector*

Candidates must demonstrate in their application:

- significant experience of working in business or on behalf of business, particularly in the financial sector, and
- an understanding of the specific issues faced by Irish businesses and the financial sector in relation to economic crime and corruption.

*(b) Members with academic expertise in the field of economic crime and corruption*

Candidates must demonstrate in their application:

- significant academic experience which demonstrates a deep understanding of the issues of economic crime and corruption or related fields.

*(c) Members having experience representative of civil society*

Candidates must demonstrate in their application at least one of the following:

- experience which demonstrates understanding of the issues of economic crime and corruption,

or

- a proven track record in an advocacy or representational role on behalf of employees/consumers/victims of economic crime and corruption

or

- a proven track record in a role communicating to the public about issues related to economic crime and corruption.

Desirable attributes for applicants across the three categories include but are not limited to:

- experience of effective leadership at a senior level in an applicant's area of expertise,
- previous experience of board membership,
- demonstrated understanding of the policy development process,
- critical thinking skills with a proven ability to grasp the detail of a wide range of issues,
- experience of participation on similar committees or groups,
- excellent communication skills, both oral and written,
- excellent analytical skills, a commitment to an evidence-based approach and an ability to make important and objective decisions within fixed timeframes,
- the ability to work as part of a team and with a small secretariat and have a proven track record of collaborative working.

## Application Process

Expressions of interest should be submitted by email to [secretariat@anticorruption.ie](mailto:secretariat@anticorruption.ie) by 15:00 Friday October 2021.

An expression of interest should include:

- a cover letter expressing interest and outlining suitability and relevant experience for the role; and
- a detailed CV.

Please indicate whether you wish to be considered for the role of ordinary member, Chairperson, or both.

### Closing Date

The closing date for receipt of applications is 15:00 Friday 8 October 2021.

### Selection Process

An Assessment Panel (the 'Panel') will be convened to consider and assess the expressions of interest received.

The Panel will

- review and discuss the expressions of interest received against the specific appointment criteria for the role, as advertised in this call for expressions of interest;
- assess potential candidates further once they meet the specified appointment criteria by undertaking any or all of the following steps:
  - consideration of the written applications; and/or
  - meeting/conference call; and/or
  - referee checks; and/or
  - any other selection or verification method deemed appropriate.

The Panel will arrive at a shortlist of the most suitably qualified candidates to be sent forward for consideration by the Minister for Justice.

The Minister shall have regard to the desirability for gender balance, diversity and inclusion on the Advisory Council as the Minister considers appropriate.

### Confidentiality

Subject to the provisions of the Freedom of Information Acts 2014, applications will be treated in strict confidence. All enquires, applications and all aspects of the proceedings are treated as strictly confidential and are not disclosed to anyone, outside those directly involved in that aspect of the process.

Certain items of information, not specific to any individual, are extracted from computer records for general statistical purposes.

### Questions and inquiries

If you have any questions or require any clarification related to this call for expressions of interest, please email [secretariat@anticorruption.ie](mailto:secretariat@anticorruption.ie)

## Appendix 1: Draft Terms of Reference of Advisory Council against Economic Crime and Corruption

These Terms of Reference are included for information purposes. Please note that these Terms of Reference are still at the draft stage and will be subject to agreement by the full Advisory Council once all the members are appointed.

### Advisory Council against Economic Crime and Corruption

1. The establishment of the Advisory Council against Economic Crime and Corruption was one of the recommendations made in the *Review of Structures and Strategies to Prevent, Investigate and Penalise Economic Crime and Corruption*<sup>4</sup>. The review was led by James Hamilton, the former Director of Public Prosecutions.

### Structure

2. The Advisory Council will consist of senior persons, at Principal Officer-level or equivalent, drawn from the public service, commercial, industry and financial bodies, as well as persons representing the interests of consumers and workers and bodies with an expertise in anti-corruption activities. To the extent practicable, there should be an appropriate balance between men and women in the membership of the Council.
3. The Chair of the Council will be an independent person of appropriate experience and expertise, who will be selected subject to Government approval. The role of the Chair will be to lead the work of the Council and the Secretariat which supports the Council, find consensus among the Council members so that recommendations can be given to Government, and represent the Council. The Chair role will be part-time and the Chair will have a four-year term, renewable once. The Council will meet on a quarterly basis.
4. The Advisory Council will be supported by a Secretariat established in the Department of Justice and tasked with supporting the work of the Advisory Council against Economic Crime and Corruption and the Economic Crime and Corruption Forum. The Secretariat's functions include facilitating meetings, drafting reports, organising events, supporting the development and drafting of the National Strategy and Action plan, etc.

### Membership

5. Membership will consist of representatives of:
  - Department of Enterprise, Trade and Employment (1)
  - Department of Finance (1)
  - Department of Justice (1)
  - Department of Public Expenditure and Reform (1)
  - Department of Social Protection (1)
  - Chair of the Economic Crime and Corruption Forum (1)

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<sup>4</sup> Accessible online here:

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- An Garda Síochána (1)
- Central Bank of Ireland (CBI) (1)
- Competition and Consumer Protection Commission (CCPC) (1)
- Office of the Director of Corporate Enforcement (ODCE)/Corporate Enforcement Authority (CEA) (1)
- Office of the Director of Public Prosecutions (ODPP) (1)
- Revenue (1)
- Standards In Public Office Commission (SIPOC) (1)
- Business and financial sector (2)
- Academia (2)
- Civil society (2)
- Independent Chairperson (1)

6. This amounts to 13 public sector representatives, six representatives from outside the public sector, plus an independent Chair, for a total of 20 members.

### **Key responsibilities**

7. The Advisory Council against Economic Crime and Corruption will have the following key responsibilities:
- (a) Agree appropriate structures for governance, oversight and accountability of the Council, including reporting procedures on domestic and international developments across the state.
  - (b) Determine the scope of topics under 'economic crime and corruption' and define the terminology associated with each.
  - (c) Develop a first multi-annual strategy and an accompanying action plan for combatting economic crime and corruption, and submit for Government approval by Q1 2022. The Economic Crime and Corruption Forum is to be consulted in the process of developing the strategy and action plan.
  - (d) Measure the implementation of the strategy and action plan through periodic evaluations that monitor effectiveness and delivery of legislative, policy and operational initiatives contained therein.
  - (e) Convene sub-committees, as required, to progress any aspect of the work within the Council's remit.
  - (f) Provide strategic leadership through serving as a 'centre of excellence', one which coordinates research and analysis, training, public education and awareness-raising, and promotes best practice.
  - (g) Assess the levels of resourcing and expertise or experience in relevant bodies and, where appropriate, make recommendations for additional resources to be pursued through existing mechanisms.

- (h) Promote, and advise stakeholders on, enhanced co-operation and information-sharing within and between the public and private sectors.
- (i) Make evidence-based proposals to Government on emerging trends and national/international developments to address economic crime and corruption.

### **Meeting Standing Orders**

- 8. The Council will operate on a consensus basis. In the absence of consensus, decisions may be taken by the Chair.
- 9. The quorum for a meeting to proceed on the date proposed by the Chair will be 2/3 of the Council members; otherwise the date will be rescheduled to as soon as possible thereafter.
- 10. Minutes of meetings will be prepared by the Secretariat will be circulated to Council members as soon as practicable after the meetings.
- 11. The agenda will include a standing item to review the action points agreed at the previous meeting.

### **Review of Terms of Reference**

- 12. These Terms of Reference will be reviewed by the Council 12 months after it is established at the latest, and at regular intervals afterwards.