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# Corporate Governance Framework


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## Foreword

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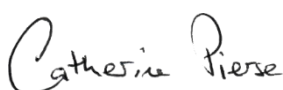
Corporate governance is central to the effective operation of all government departments and offices. This is also true of an effective prosecution service. Good corporate governance is vitally important in effectively discharging the functions of this Office, as it ensures that a framework of structures, policies and processes are in place to deliver on our obligations, and allows for an objective assessment of management and corporate performance.

Since 2015, the Civil Service Renewal Plan commits to strengthening Corporate Governance in the Civil Service in line with international best practice. This is being achieved by the implementation of a Corporate Governance Standard for the Civil Service. A template Standard was published by the Department of Public Expenditure and Reform in 2015 and is used by each department and office since then to guide the development of their individual Governance Frameworks. Amongst other things, this makes it easier for the public to compare practices across organisations.

This Office is different in some respects to other Civil Service organisations, primarily due to its independence which is enshrined in legislation. It is also not subject to the Public Service Management Act, 1997. However, while recognising these differences and its statutory independence, it is important to also acknowledge that the Office of the Director of Public Prosecutions is subject to most of the important Civil Service codes, controls, procedures and regulations. We therefore follow, in so far as is possible, the common Civil Service template and this document provides an overview of the structure of this Office, the values which underpin our work, the management procedures in place and the audit and compliance arrangements to which we are subject.

This Governance Framework was first developed in accordance with the Standard and published in May 2016, with a second edition published in May 2022. Since that time, the Office has undergone a period of significant change and growth, with our sanctioned staff complement increasing by 22%. Our current Strategy Statement 2022-2024 was published in June 2022, following which we revised our business planning processes to ensure the effective delivery and monitoring of our strategic goals. We also reviewed our Risk Management Policy, procedures and Risk Register, as well as our Audit Committee Charter and the composition of the Audit Committee. The roles and responsibilities of our Senior Management Team have also been reviewed. All of these changes are reflected in this third edition of our Corporate Governance Framework. The Framework will be kept under ongoing review and updated accordingly from time to time.

The overall Governance Framework described in this document has at its core the objective of ensuring that my Office delivers on its mission of providing a prosecution service on behalf of the people of Ireland that is independent, fair and effective.



**Catherine Pierse**  
**Director of Public Prosecutions**

October 2024

## CHAPTER 1: Office Overview

### 1.1 Our Mission and Values

The office of the Director of Public Prosecutions was established by the [Prosecution of Offences Act, 1974](#). The Act provided for the transfer to the Director of all functions previously performed by the Attorney General in relation to criminal matters and election and referendum petitions. The Director is independent in the performance of her functions.

The mission of the Office of the Director of Public Prosecutions (ODPP) is to deliver a fair, independent and effective prosecution service on behalf of all the people of Ireland.

The staff of the Office of the DPP act in the public interest to deliver on our mission and the key priorities outlined in our Strategy Statements. In doing so we are guided by our core values:



These values are underpinned by our behaviours which we believe are core to the fundamentals of good governance standards.

### 1.2 Standards of Conduct

The work of officials of the Office of the DPP is also underpinned by civil service values which are contained in the [Civil Service Code of Standards and Behaviour](#) published by the Standards in Public Office Commission.

Officials of the Office must also comply with the provisions of the Ethics in Public Office Acts, 1995 and 2001. The Standards Commission has published [Guidelines on Compliance with the Provisions of the Ethics in Public Office Acts, 1995 and 2001](#).

In addition to the standards contained in the Civil Service Code of Standards and Behaviour and the Ethics in Public Office Acts, the work of prosecutors in the Office is also informed by the [Irish Human Rights and Equality Commission Act 2014](#) and a series of national and international standards and guidelines. National standards include the [Guidelines for Prosecutors and Code of Ethics](#) developed by the Office of the DPP and the [Solicitor's Guide to Professional Conduct](#) published by the Law Society of Ireland.

The work of prosecutors in the Office is informed by the Constitution, the EU Charter, the Convention on Human Rights as well as the decisions of Irish Courts, the ECJ and the ECHR.

International standards and guidelines which apply to prosecutors in the Office of the DPP can be found in the United Nations publication [The Status and Role of Prosecutors](#), the International Association of Prosecutors publication [Standards of Professional Responsibility and Statement of the Essential Duties and Rights of Prosecutors](#) and the [Council of Europe publication European Guidelines on Ethics and Conduct for Public Prosecutors](#).

As well as complying with national and international standards in discharging their functions, many staff in the Office are also prosecutors and have an obligation to annually complete a minimum number of hours of continuing professional development. This is to ensure that they keep their knowledge and skills up to date.

### 1.3 Structure and Organisation of the Office

The Office is led by the Director of Public Prosecutions, the Deputy Director and other members of the Senior Management Team. It is further supported by a Management Board which consists of a number of heads of sections within the Office. The composition, roles and responsibilities/terms of reference and operational procedures of both the Senior Management Team and the Management Board are described in [Chapter 3](#) of this document.

Organisationally, the Office of the DPP is divided into four divisions, as follows:

1. The [Directing and Specialist Units Division](#) determines, following an examination of an investigation file, whether there should be a prosecution, or whether a prosecution commenced by the Garda Síochána should be maintained. The direction which issues indicates the charges, if any, to be brought before the courts. In some cases, further information and investigation may be required before a decision can be made. To prosecute there must be sufficient evidence which could, though not necessarily would, lead a court or a jury to decide, beyond reasonable doubt, that the person is guilty of the offence. There are also two specialised Units within this Division – the Serious and Sexual Offences Unit and the Special Financial Crime Unit – which have both a directing function and also prosecute cases in court.
2. The [Solicitors Division](#), headed by the Chief Prosecution Solicitor, provides a solicitor service to the Director in the preparation and presentation of cases in the Dublin District and Circuit Courts, the Court of Appeal and the High and Supreme Courts. Outside the Dublin area 30 local state solicitors, engaged on a contract basis, provide a solicitor service in the Circuit Court and in some District Court matters in their respective local areas.
3. The [Prosecution Support Services Division](#) incorporates the Victims Liaison Unit which is responsible for ensuring that the Office meets its obligations in relation to the support and protection of victims of crime; the International Unit which deals with areas of international criminal law; the Prosecution Standards Unit which supports high standards of prosecution practice across the prosecution system; and the Prosecution Policy and Research Unit which includes the library, information and knowledge management services as well as the Data Protection Team.
4. The [Corporate Services Division](#) is an essential part of the support structures in the Office of the DPP, and contributes to the Office's overall strategy through a range of business functions including human resources and organisational development, finance, ICT, facilities management, procurement, media office, communications and governance.

### 1.4 Organisation Structure

An organisational chart describing the above structures is maintained on our website, [www.dppireland.ie](http://www.dppireland.ie).

## 1.5 Strategic Planning – Linking High-Level Objectives to Individual Performance

The [Public Service Management Act 1997](#) sets out the requirement for most civil service organisations to develop Strategy Statements. While the Office of the DPP is not a scheduled office within the meaning of the Act, the Director has decided to operate according to its provisions in so far as is possible on an administrative basis. Accordingly, the Office develops and implements [Strategy Statements](#) covering three-year periods which define the objectives of the Office and outline strategies for achieving these objectives.

Each Strategy Statement is developed following detailed consideration by the Office of its environment including its statutory functions, values, stakeholders, strategic positioning and the risks faced. The Strategy Statement sets out the key strategic themes for the period and the priority actions that will be taken to deliver on the high-level objectives. Desired outcomes are identified as are a range of key measures which will be used to assess progress. The Strategy Statement is approved by the Senior Management Team and Management Board and progress with regard to the implementations of the strategies and actions agreed is monitored by both groups.

Giving effect to high-level strategies is achieved through translating objectives and strategies into annual Business Plans and Section/Unit Work Programmes and from there in the Role Profile of individual officers. The role profile outlines the functions and responsibilities of the individual staff member and their individual contribution to the achievement of objectives of their Section/Unit and the wider organisation. Significant emphasis is placed on using the Civil Service Performance Management and Development System to ensure that clear individual objectives are set and are formally reviewed throughout the year. This formal system is key to ensuring that performance of individuals contributes to the delivery of the organisational performance planned for in our Strategy Statement.

## 1.6 Internal Communications Arrangements

The managers of all sections and units are expected to have regular meetings to keep staff informed of Office policies and of developments which impact on the Office and its work. In addition, groups such as the Office Partnership Committee are an important forum where information is exchanged face to face. Formal meetings under the Performance Management and Development System which take place between individual members of staff and their managers also play a key function in ensuring that important information is communicated.

There are also a number of staff networks and forums in existence across various grades and disciplines in the Office, all providing employee engagement opportunities.

Information is also communicated internally through electronic means, for example via our Intranet which incorporates a legal portal. This is an important knowledge management tool used to highlight important developments and to make sure that easy access is available to the latest legal knowledge and research, Office policies, protocols and other important documents.

In addition, minutes of Management Board meetings provide updates on a range of issues being addressed by the Office. These minutes are posted on the Office Intranet.

## 1.7 Engagement with External Stakeholders

External stakeholders of the Office can be categorised into a number of groups based on their main areas of interest. Key groups include:

- i) members of the public generally;
- ii) persons who are suspected of or accused of criminal offences;
- iii) victims of crime and their families;
- iv) advocacy groups;

- v) the Garda Síochána and other organisations who undertake investigations into suspected criminality including:
- The Office of the Revenue Commissioners
  - Government departments
  - Health and Safety Authority
  - Competition and Consumer Protection Commission
  - Corporate Enforcement Authority
  - Garda Síochána Ombudsman Commission
  - Environmental Protection Agency
  - local authorities
- vi) the Oireachtas, Department of the Taoiseach, Department of Justice, and Department of Public Expenditure, NDP Delivery and Reform;
- vii) Courts Service;
- viii) other participants in the criminal justice system; *and*
- ix) relevant international organisations.

Detailed information about our work is provided in our [Annual Reports](#) and on our website, as well as information about how to make contact with the Office. The website also explains the categories of persons who may contact the Office in relation to individual cases.

The Office has created a dedicated page on its website specifically for [victims of crime](#). This webpage allows easy access to a range of booklets explaining the criminal justice process and outlining what can be expected of this Office. The webpage also contains a link to the formal complaints policy of the Office and an explanation as to how to avail of this policy.

In addition to published material, pre-trial meetings are offered in all fatal and sexual offence cases proceeding on indictment. Meetings are facilitated for all cases proceeding on indictment where requested by the victim. There is also a dedicated Victims Liaison Unit which provides information to victims in circumstances where a decision has been taken not to prosecute.

In response to commitments under our [Irish Language Scheme](#), information on our website is produced in both Irish and English. The [Official Languages \(Amendment\) Act 2021](#) was enacted in December 2021 and makes changes to the [Official Languages Act 2003](#). The main aim of the 2021 Act is to increase and improve services provided through Irish by public bodies. In accordance with the Official Languages (Amendment) Act 2021, a system of Language Standards will replace the current Language Schemes in all Government sectors. The Office's current Irish Language Scheme will remain in place until all such new Standards are introduced.

There is also provision to communicate with the Office in other languages. In addition, the Office has produced six information booklets, all written in plain language approved by the National Adult Literacy Agency, which are available for victims of crime and the public generally. The booklets are available in English, Irish and ten foreign languages on our website, [www.dppireland.ie](http://www.dppireland.ie).

Freedom of Information requests are also received from external stakeholders. The arrangements for processing such requests are set out in summary on the [Freedom of Information](#) page on our website. While the Office is subject to the Freedom of Information Acts, [section 42\(f\) of the Freedom of Information Act 2014](#) restricts access to records held or created by the Office, other than those relating to the general administration of the Office.



Staff of the Office appear before the Committee of Public Accounts of Dáil Éireann. Staff of the Office also participate on working groups and committees established by, for example, the Department of Justice or the Courts Service, which are focused on aspects of the Irish criminal justice system. The Office is a participant in the [Criminal Justice Sectoral Strategy 2022–2024](#). Regular face-to-face meetings also take place with investigative organisations who submit files to the Office. In addition, the Office participates in the work of international organisations whose remit covers aspects of criminal prosecutions.

## 1.8 Review of the Effectiveness of the Framework

The objectives for this Corporate Governance Framework are to ensure that the Office’s systems of accountability and responsibility are effective, robust, clear, and identifiable. The Senior Management Team and the Management Board will keep this framework under review so that it is adapted to meet changes in our environment.

Updated versions of the document will be published on the Office website, [www.dppireland.ie](http://www.dppireland.ie).

## CHAPTER 2: Management Roles and Assignment of Responsibility

As explained earlier, the Office of the DPP is not subject to the Public Service Management Act. While assignment of responsibility does not take place under the Public Service Management Act, powers and functions with regard to prosecutions are delegated under the [Prosecution of Offences Act 1974](#). Notwithstanding the delegations referred to above, ultimate authority over prosecutorial decisions in the Office rests with the Director of Public Prosecutions. Likewise, legal authority and responsibility for financial matters rests with the Deputy Director as the Accounting Officer for the Office. Outlined below is a brief summary of the statutory responsibilities of the Director and Deputy Director.

### 2.1 Director of Public Prosecutions

The primary role and responsibility of the Director arises from the fact that the power to initiate prosecutions on indictment in Ireland is vested in the Director. While a range of parties, including the Director, may initiate criminal prosecutions in the District Court only the Director may prosecute on indictment (save for those very limited cases where the Attorney General is the indictable prosecutor). In exercising this power, the Director is acting for the people of Ireland rather than acting on behalf of individual victims.

The Director's responsibilities with regard to prosecutions on indictment include deciding whether a prosecution should be taken, deciding the charges to be preferred and deciding how the prosecution should be managed. The Director is independent of Government in discharging her role.

[Section 2 of the Prosecution of Offences Act 1974](#) sets out the terms and conditions for the appointment and tenure of the Director of Public Prosecutions. These include:

- A person shall not be appointed to be the Director unless at the date of his/her appointment he/she is a practising barrister or a practising solicitor and has practised as a barrister or as a solicitor for at least ten years.
- The Director shall be a civil servant in the Civil Service of the State.
- The Director shall be independent in the performance of his/her functions.
- The Director shall hold office upon such terms and conditions as may be determined by the Taoiseach after consultation with the Minister for the Public Service.

In addition to the powers and responsibility with regard to criminal prosecutions assigned under the Prosecution of Offences Act 1974, section 2(11) of the Act as amended by [section 31 of the Civil Service Regulation \(Amendment\) Act 2005](#) vests in the Director the power of appointing staff to the Office. The Director has also been designated as the appropriate authority in respect of staff of the Office of the grade of Principal Officer or equivalent or superior grade. This means that powers with regard to management and discipline of staff of these grades is vested in the Director.

### 2.2 Deputy Director of Public Prosecutions

The Deputy Director supports the Director in the performance of his/her prosecutorial functions. The Deputy Director is also the designated Accounting Officer for the Office. In essence this means that legal authority and responsibility for financial matters within the Office rests with Deputy Director of Public Prosecutions. Dáil Éireann votes funds every year for Government departments and offices to spend on agreed services. After the end of each year, departments and offices in receipt of the voted funds prepare an account of their expenditure and receipts. This is called the Appropriation Account. This Account must be signed by the Accounting Officer and presented for audit to the Comptroller and Auditor General. The Accounting Officer may then be called to appear before the Committee of Public Accounts of Dáil Éireann to give evidence in relation to the money spent.

The Deputy Director has a further significant role with regard to the operation of the Office. The Deputy Director has been designated as the appropriate authority in respect of staff of the Office below the grade of Principal Officer. This means that powers with regard to management and discipline of staff of these grades is vested in the Deputy Director.

### 2.3 Assignment of Responsibilities to Other Staff

The preceding sections have outlined the statutory responsibilities of the Director and Deputy Director and have highlighted that because the Public Service Management Act does not apply to this Office's assignments under that Act do not arise. While assignment of responsibilities to senior staff do not take place under the Public Service Management Act, assignments of responsibility have been made under section 4(1)(a) of the Prosecution of Offences Act 1974. Section 4(1)(a) allows the Director to direct legal staff to perform a range of her statutory functions. A range of directions have been made by the Director.

In addition to the statutory assignment of responsibilities to staff, a range of other responsibilities are assigned to all staff of the Office on an administrative basis through the use of the Civil Service Performance Management and Development System. Under this system formal annual work plans are agreed between managers and individual staff. Performance is then assessed against the agreed work plans.

### 2.4 Leadership and Organisational Capacity

The Director and Deputy Director are supported in the leadership of the Office by the Senior Management Team and the Management Board (see [Chapter 3](#)). In addition to the leadership provided by these groups, the Office recognises the importance of individuals exercising leadership roles at many levels. The Office also recognises that it must build organisational capacity to deal not only with the issues of today, but also to be well placed to address future issues. These issues will include changes in the criminal law, the retirement of experienced staff, and the challenges of operating in a full employment market.

As part of its planning for the future the Office engages in strategic workforce planning to identify the likely demands for and availability of staff and the skills and knowledge likely to be required in the future.

Overall direction of legal learning and development (L&D) within the Office rests with the Legal Training Steering Group which supports the delivery of legal L&D. The objective of this group is to ensure the delivery of appropriate and relevant training initiatives, embedding a culture of learning within the Office and fostering a culture of knowledge sharing. The knowledge built up over years within the Office with regard to prosecutorial matters is recognised as being a key asset. Strategies and objectives are in place to support the codification and sharing of this knowledge. A Knowledge Management Strategy and Implementation Plan is in place to support the codification and sharing of this knowledge. The development and implementation of the Knowledge Management Strategy is overseen by the Knowledge Management Lawyer.

In addition to a comprehensive legal L&D programme, the Office has put in place a number of other supports and programmes which include mentoring, probation and performance management supports, detailed induction programmes, coaching, sponsorship of staff at external leadership programmes and one-to-one counselling for vicarious trauma.

The Office also invests in the future education of staff through a Refund of Fees Scheme for staff who pursue relevant third level courses in their own time. Employees who have successfully completed the Law Society FE1 exams are eligible for consideration for the Trainee Solicitor Programme. Under this programme, the Office sponsors employees to attend the Law Society of Ireland Professional Practice Course to qualify as a solicitor.

## CHAPTER 3: Senior Management Team, Management Board and Other Governance Structures

### 3.1 Senior Management Team (SMT)

The Director of Public Prosecutions has overall responsibility for the performance of the functions set out under the [Prosecution of Offences Act 1974](#). The Deputy Director is designated as the Accounting Officer of the Office. The Senior Management Team (SMT), a forum made up of Senior Managers from within the Office, supports the Director and Deputy Director in leading the prosecution service and in the performance of their statutory functions. As of June 2024, this forum consists of the Director, the Deputy Director, each of the Heads of Division and each Deputy Chief Prosecutor, thereby providing a total of nine members.

#### Roles and Responsibilities

The responsibilities of Senior Managers are to:

- Lead, manage and provide strategic direction in the development and delivery of the area of work for which they are responsible.
- Demonstrate leadership in upholding the Office’s values of Integrity, Independence, Excellence, Collegiality and Respect.
- Ensure that there are adequate systems in place to monitor and report on the quality of performance in the area of ODPP work for which they are responsible;
- Identify and report on trends in their areas of responsibility.
- Keep themselves up to date and fully informed on strategic issues and any emerging risks – whether challenge or opportunity – in the environment in which the Office operates.
- Support effective governance, assurance and risk management structures and systems across the organisation.
- Support the fulfilment of ODPP corporate responsibilities, including the preparation of the Statement of Strategy, annual reports, business plans, submissions to Dáil Committees, and internal audit reports.
- Support the development of capability and capacity to meet current and future business needs.
- Support a positive, fair, healthy and safe working environment for all staff.
- Support good communication with external stakeholders and the public.
- Maintain a high standard of communication with the Director and Deputy Director and with colleagues on the SMT regarding issues of strategic and/or cross-organisational significance, including progress on the implementation of the Organisational Business Plan.

#### Senior Management Team meetings

Senior Managers generally meet weekly to discuss matters of cross-organisational significance. This can include matters relating to but are not confined to: the development and implementation of organisational business plans; compliance with corporate governance and quality assurance standards; monitoring of trends and risks; identification of resourcing needs and management of external stakeholder relationships. There is a standard item at each SMT meeting to provide an update on any external contacts of strategic significance.

#### Frequency and notice of meetings

- The Director, as Chairperson, is responsible for agreeing agenda items, chairing meetings and signing off on agreed action points. In the absence of the Chairperson, the Deputy Director shall chair the meeting.

- The SMT shall generally meet weekly (Tuesdays) in person in the Director’s office.
- Senior Managers are asked to proactively consider whether there are items they want to ask the Chair to consider including on the agenda for the next (or a subsequent) SMT meeting. Typically, such matters will be of cross-organisational significance such as would benefit from discussion at an SMT meeting.
- Senior Managers who are seeking a decision or seeking to discuss an issue that is either complex or strategically significant are asked to provide papers with proposals for action in advance of an SMT discussion on a topic, supporting staff from their teams to present at the SMT where appropriate to do so.
- Notice of each meeting, including an agenda of items to be discussed, shall be forwarded to each member of the SMT no later than one working day before the date of each the meetings.
- Supporting papers shall be sent to the SMT at least one working day in advance of each meeting.

### Quorum

The quorum for meetings is six and must include either the Director or Deputy Director. While it is expected that members will attend all scheduled SMT meetings, in exceptional circumstances a substitute may be nominated to attend on behalf of an SMT member. Notification of any such substitution must be made to the secretary to the SMT at least one full working day in advance of the meeting. The quorum may not apply in an emergency or business continuity situations where decisions will be made by those members of the SMT present at the time.

### Action points of meetings

- The secretary shall circulate the action points of all meetings, including recording the names of those present.
- Senior Managers are asked to implement any actions assigned to them at an SMT meeting and report back on progress made in relation to those actions.
- A summary of SMT discussions shall be published to Insight on a monthly basis.

### Review

These terms of reference are effective from 2 July 2024. The terms of reference will be reviewed annually.

## 3.2 Management Board

The Management Board of the Office comprises the Director and Deputy Director, Heads of Division and Heads of Sections/Units. While Board members participate in a collaborative manner with regard to the management of the Office, the Management Board operates in the context that a range of functions have been assigned by Acts of the Oireachtas, specifically to the Director and the Deputy Director. As a consequence, while decisions at the Management Board are generally reached following consultation, the Director, or the Deputy Director in, for example, matters relating to her functions as Accounting Officer, will decide a course of action having due regard to the views expressed by the Management Board.

### Management Board Terms of Reference

The terms of reference of the Management Board are to:

- Contribute to the strategic leadership of the Office and participate in the development of strategic plans that will ensure the Office continues to fulfil its mission;
- Monitor progress of strategic plans to achieve key objectives;
- Provide advice and support to the Director and Deputy Director in the discharge of their statutory responsibilities;

- Ensure that key information is communicated throughout the Office;
- Approve key Office corporate policy documents;
- Ensure that key risks to the Office as well as strategies to mitigate those risks are identified and addressed in a timely and effective manner;
- Monitor adequacy of resources available and the efficiency of their use;
- Highlight opportunities for improvement or innovation; *and*
- Ensure that information regarding the work of internal committees and external engagement is shared.

### Meetings, Agendas, Papers and Support

The Management Board meets monthly. Its secretariat is provided by the Private Secretary to the Director.

The secretary to the Management Board prepares the agenda for the monthly meeting in consultation with Management Board members. Papers on matters to be considered are submitted to the secretary in time to allow for circulation prior to the meeting. Standing items on the agenda include reports from legal sections and updates on finances, human resources and ICT matters.

### Management Board Minutes / Action Points

Following each meeting the secretary to the Management Board, in consultation with the Director, prepares draft minutes documenting:

- Decisions reached;
- Actions required;
- Management Board Member(s) responsible for the action points; *and*
- Timetable for action.

Following approval by the Director, draft minutes are circulated to the Management Board and members are given a further number of days to clarify/correct any aspect of the draft minutes. After this period the minutes are finalised and circulated to all staff via the Office Intranet.

### Appointment of Management Board Sub-committees

The Management Board may appoint sub-committees, either on a standing or ad-hoc basis, to address particular policy or organisational issues. Such sub-committees are accountable to and report to the Management Board. Sub-committees may also comprise of staff members who are not members of the Board. Feedback from sub-committees may form part of the agenda of Management Board meetings. In addition, the secretary to the Management Board includes formal reports from sub-committees at intervals to be decided by the Board.

### Review of Management Board Progress

Agreed action points will be considered at a subsequent Management Board meeting in order to monitor progress. The Secretary to the Management Board will keep a record of progress with regard to each action point and follow up as necessary.

The Management Board will review its terms of reference every three years.

## 3.3 ICT Governance Board

The ICT Governance Board of the Office was established in early 2021 in light of the ever increasing importance of and reliance on ICT in conducting the core business of the Office.

The primary role of the ICT Governance Board is to operate as a high-level oversight board to monitor that key current and future ICT needs of the Office are met.

### 3.4 Governance Across Organisational Boundaries

Notwithstanding the fact that the Office is independent in the exercise of its functions, the Director and the Management Board recognise that all parties in the criminal justice system have a role to play in ensuring that the highest level of service and value for money is provided to the taxpayer. In recognition of this, Management Board members and other senior staff participate in a range of committees and working groups with other participants in the criminal justice sector. As mentioned in [chapter 1](#), the Office is a participant on the Criminal Justice Strategic Committee and in the development and implementation of Criminal Justice Sectoral Strategies. It is also represented on sub-groups tasked with implementing the programme of work detailed in this Strategy. Regular informal contact is also maintained across the sector.

## CHAPTER 4: Audit Assurance and Compliance Arrangements

### 4.1 Control and Assurance Environment

The framework for ensuring compliance incorporates both management controls and the assurance provided by both internal and external audit that these controls are adequate and are operating effectively. Controls include administrative controls, management reporting and financial controls. The role of Senior Managers and Management Board members in the overall management of the Office and the responsibilities assigned to all staff under the Civil Service Performance Management and Development System, referred to earlier in the document, form key parts of our control environment.

The Deputy Director, as Accounting Officer, is responsible for establishing and maintaining the Office's system of internal financial control. Maintaining the system of internal financial controls is a continuous process, and the system and its effectiveness are kept under ongoing review. Each year the Deputy Director signs a statement on internal financial controls to be included with the Appropriation Account following the annual audit by the Comptroller and Audit General.

The Office's control environment contains the following elements:

- responsibilities for all aspects of the work of the Office have been assigned at management level with corresponding accountability;
- there is an appropriate budgeting system with an annual budget which is kept under review by senior management;
- there are regular reviews by senior management of periodic and annual financial reports which indicate financial performance against forecasts;
- reporting arrangements have been established at all levels where responsibility for financial management has been assigned;
- a risk management system operates within the Office;
- there are systems aimed at ensuring the security of the ICT systems;
- there are appropriate capital investment control guidelines and formal project management disciplines; and
- the Office ensures that there is an appropriate focus on good practice in purchasing and that procedures are in place to ensure compliance with all relevant guidelines.

### 4.2 Risk Management

The Office of the DPP is exposed to a range of possible events that, if they were to happen, would undermine and/or impact the delivery of the high-level objectives set out in our Strategy Statement. The ODP's management of these risk events is the combination of structures, management systems, organisational culture and behaviour which enables us to manage the threats and opportunities which might impact on the achievement of our objectives. It is a process that involves the systematic application of management policies, procedures and practices to the task of identifying, evaluating, controlling, monitoring and communicating risk.

The management of risk is an ongoing process and the Risk Register - as a living, changing document - reflects this.

It is the responsibility of the Senior Management Team and Management Board to ensure that there is a robust risk management process in place. The Audit Committee, which forms part of the Office's control environment, advises on the systems of control underlying the risk management framework. Importantly, all staff have a role



to play in the identification and management of risks. The Office of the DPP's approach to risk management is kept under ongoing review by the Senior Management Team and Management Board, as well as in the context of internal audit reports.

### 4.3 Internal Audit and Audit Committee

Internal audit in the Office is overseen by the Audit Committee of the Office. In giving assurance to the Accounting Officer that internal controls are adequate and are operating effectively, the Audit Committee relies upon the internal audit reports produced by the Office's Internal Auditor. These reports arise from an annual work programme decided upon by the Audit Committee. The Internal Audit function is reviewed periodically by the Accounting Officer (Deputy Director) and the Audit Committee. Procedures are in place to ensure that recommendations made within the reports of the Internal Audit function are followed up.

Given the relatively small size of the Office and that prosecutorial work is its main area of expertise, a decision has been made that the internal audit function be outsourced.

#### Role of the Audit Committee

The Audit Committee is part of the control environment within the Office and provides independent advice and assurance to the Accounting Officer regarding the suitability and robustness of the Office's internal control systems and procedures. The role of the Audit Committee is to:

- a) Consider the adequacy and effectiveness of the Office's internal control systems, environment and procedures.
- b) Oversee the work of Internal Audit and to provide advice and guidance.
- c) Advise on the systems of control underlying the risk management framework and processes, including:
  - receiving feedback from the Head of Internal Audit and the organisation's management on the effectiveness of the risk management process; and
  - taking such feedback into account for input into the priorities of the Internal Audit Unit work programme.
- d) Submit an annual report on the activities of the Audit Committee to the Accounting Officer

The Committee is not responsible for the performance of any executive functions and is not vested with any executive powers.

#### Membership of the Audit Committee

The Accounting Officer determines the membership of the Audit Committee. The Committee comprises six members including a chairperson. Three of the members are current members of the Management Board, the other members shall be external members chosen by virtue of experience in fields of expertise relevant to the functions of the Committee. The Accounting Officer shall appoint the Chairperson of the Committee, who shall be external to the Office. A statement of members' interests is prepared on an annual basis.

The Audit Committee is independent in the performance of its duties and responsibilities and is not subject to direction or control from any other party in the exercise of its duties. The duties and responsibilities of the Audit Committee are:

#### Internal Control

- a) To advise on the Office's internal control systems.
- b) To review internal audit reports, significant findings and recommendations together with management responses.

- c) To monitor management’s implementation of audit recommendations from internal audit, external audit and other sources.

### Internal Audit

- a) To review the adequacy and independence of the Internal Audit function operating in the Office, including compliance with the Internal Audit Standards.
- b) To review and approve the draft Annual Internal Audit plan and monitor its implementation.
- c) To request special reports from the Internal Auditor as considered appropriate.

### External Audit

- a) To meet, at least on an annual basis, the nominee of the Comptroller and Auditor General.
- b) To review the external audit management letter and the Office’s response.
- c) To advise on the systems of control underlying the financial management processes, including:
  - reviewing the results of the external audit; and
  - reviewing the procedures and practices associated with financial management and budgeting.

### Reporting

- a) The Chairperson to meet the Accounting Officer and the SMT annually.
- b) To submit an annual report on the activities of the Audit Committee to the Accounting Officer within three months of the end of the calendar year.

### Protected disclosures

- a) The role of the Audit Committee in relation to protected disclosures is set out in the ODPP Policy and Procedures for the making of Protected Disclosures.

### Other functions

- a) To evaluate the performance of the Committee on a regular basis.
- b) To offer observations on the draft Appropriation Account before submission the Accounting Officer.

## 4.4 External Audit – Comptroller and Auditor General and Committee of Public Accounts

The Comptroller and Auditor General plays a central role in the public accountability process by providing assurance to Dáil Éireann on the manner in which public funds have been administered and providing it with reports on matters arising out of audits and other statutory examinations. These reports are considered by the Committee of Public Accounts of Dáil Éireann.

The Comptroller and Auditor General conducts an annual financial audit which culminates in an opinion on the Office’s Appropriation Account. This work entails examining the accounts and underlying records and transactions of those entities in order to ensure that the accounts properly reflect the transactions and that the transactions recorded in the accounts are regular and have been applied for the purposes intended and in accordance with rules governing them.

The Deputy Director, as Accounting Officer, may be requested to attend before the Committee of Public Accounts to answer questions with regard to the Appropriation Account.

## 4.5 Commission for Public Service Appointments (CPSA)

All of the Office’s recruitment is governed by the Commission for Public Service Appointments (CPSA) through the Code of Practice (the Code) and operated under our CPSA license. The CPSA Code provides regulations to ensure that the Office is compliant with Civil Service recruitment and selection procedures and processes. The

Code also provides an appeals mechanism which is applicable to the Office’s recruitment competitions, and enables applicants to submit an informal and/or external review or complaint to the Office with potential escalation to the CPSA. The Head of Recruitment manages the process for appeals via the CPSA Code. The Office is also subject to annual audits and checks by the CPSA. These are managed by the Head of HR-OD and signed off by the Deputy Director as required to ensure the CPSA Auditor can assess compliance.

#### 4.6 International Monitoring and Evaluation

Ireland is a member of a number of international bodies including the EU, Council of Europe, United Nations and the Organisation for Economic Co-operation and Development (OECD). Ireland, therefore, participates in many legislative and non-legislative initiatives in the areas of criminal justice and human rights, which often set standards and have reporting and evaluation obligations. The Office, as one of the bodies in the Irish criminal justice system, participates in responding to requests to Ireland for information from such international bodies in the contexts of monitoring and evaluation processes and has ongoing regard to evaluation conclusions