



An Roinn Dlí agus Cirt
Department of Justice

CRIMINAL
ASSETS
BUREAU

Department of Justice

Criminal Assets Bureau

Performance Delivery Agreement 2022

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 2022. 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 2022 is as follows:

- Pay € 9,157,000
- Non-Pay € 1,701,000
- **Total €10,858,000**

1.2.2 Staffing Resources

The following table sets out the Bureau's (a) authorised and (b) actual whole-time equivalent staffing levels as at 1st April 2022.

	Authorised	Actual
Members of An Garda Síochána	53	51
Officers of the Revenue Commissioners	17	15
Officers of the Department of Social Protection	8	8
Bureau Legal Officer	1	1
Staff of the Department of Justice <i>(forensic analysts, financial analysts, administrative staff)</i>	20	16.8
Total	99	91.8

2. Performance Targets

The following are the principal targets that will be monitored in 2022 to assess the Bureau's efficiency and effectiveness in using the resources allocated to it.

Output area/ initiative	Metric	Associated strategic goal ¹	2022 Target	2021 Target	2021 Outturn	2020 Target	2020 Outturn
Proceeds of Crime	Proceeds of Crime Files completed	Goals 1 and 2	30	---	---	---	---
Tax	Tax assessments completed on individual targets	Goal 1	45	45	47	42	44
	Tax collected	Goal 2	€2.2m	€2.1m	€4.041m ²	€2m	€2m
Search Operations	Search operations conducted	Goal 1	35	30	48	24	54
Social Welfare	Social welfare payments recovered	Goal 1	€340,000	€325,000	€364,828	€325,000	€315,840
	Overpayments identified	Goal 2	€2.2m	€1.9m	€2.8m	€1.6m	€1.71m
	Savings identified	Goal 2	€600,000	€475K	€707,119	€450K	€466,676
Customs - Operational Support & Liaison: <i>Information exchange referrals & collaboration</i>	Tax compliance referrals to Revenue	Goal 2	5	---	---	---	---
	Section 38 cash referrals from Customs processed		20	---	---	---	---
	Ireland/UK Mutual Assistance referrals (outgoing requests submitted & incoming requests processed)		10	---	---	---	---
	Joint operations conducted with Revenue Customs		15	---	---	---	---
Customs – Control Officer Functions: ³	Excise licences/ VRT authorisations reviewed	Goal 1	5	---	---	---	---

¹ 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.

² The variance in target and higher outturn is explained as follows: a total of €1.5m was collected from two targets and their companies in unforeseen and atypical circumstances, i.e. uncontested tax assessments leading to collection of €0.8m from one and the sale of development property by another.

³ 2022 Customs metrics have been amended to reflect new risks emerging post-Brexit together with the current focus of Bureau investigations. Instances of fuel laundering have decreased considerably over recent years following the introduction of the new mineral oil marker, in conjunction with the UK authorities. While the Bureau will continue to monitor any cases involved in the fuel trade, the need to apply strict sanctions such as revocation of mineral oil licences has diminished. In addition, the possible abuse of Customs Duty and VAT regulations by criminals has emerged as a new risk following the formal withdrawal of the UK from the EU. Again, appropriate and proportionate actions will be taken where any such breaches of EU regulations are identified.

Output area/ initiative	Metric	Associated strategic goal ¹	2022 Target	2021 Target	2021 Outturn	2020 Target	2020 Outturn
Conduct Compliance Operations	Compliance operations conducted		5	---	---	---	---
	Enforcement actions concluded		10	---	---	---	---
Exchanging information, cooperating and conducting joint investigations with international law enforcement partners	Asset Recovery Office % of urgent requests processed within 8 hrs	Goal 4	100%	100%	100%	100%	100%
	% of non-urgent (involving serious offence) requests processed within 1 wk		100%	100%	100%	100%	100%
	% of other requests processed within 2 wks		100%	100%	100%	100%	100%
	CARIN % of requests processed within 1 wk		100%	100%	100%	100%	100%
Training & Development	Officers provided with asset profiler training ⁴	Goal 3	130	100	102	100	0

2.1 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:

Risk	Mitigation measures
Risk of staff vacancies (in particular at Sergeant and Inspector levels) causing operational disruption and affecting the attainment of targets.	Seek secondment of temporary staff from An Garda Síochána to assist with special projects and investigations. Provide overtime hours to relevant Bureau staff where necessary.
Risk to attainment of Criminal Assets Bureau targets arising from resource pressures on CSSO's Criminal Assets Section (CAS).	Continued engagement with stakeholders towards resolution, including support for related engagement between CSSO and DPER.

⁴ Comprises 30 new Profilers trained in Q1 for Operation Tara, plus 100 other profilers to be upskilled across two courses in Q2 & Q4 respectively.

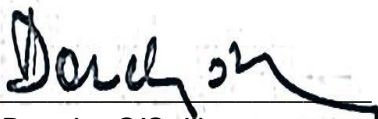
Risk of major operational failure and/or major data breach owing to ICT systems or cybersecurity failure.	Following the 'IT Audit & Risk Assessment Report' issued by Mazars in January 2019, the Bureau has worked to introduce a comprehensive and robust ICT Disaster Recovery Plan. This plan will see a methodical test procedure introduced as a standing item of governance on the quarterly meetings of the Audit & Risk Committee.
Risk of resurgence of Covid 19 infections/public health restrictions affecting CAB operations.	Previous local protocols and working arrangements can be reactivated as necessary.
Risk of relocation of CAB HQ causing operational disruption.	A project group has been established and a project manager employed to assist with the relocation. Preparatory work commenced at an early stage.

2.2 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 will 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 will be in effect until 31st December 2022.



Doncha O'Sullivan
Assistant Secretary
Department of Justice



Michael Gubbins
Chief Bureau Officer
Criminal Assets Bureau

Date: 4th April 2022