



Appointments to the Legal Aid Board

Closing Date: 15:00 on 29th of November 2016

**State Boards Division
Public Appointments Service
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stateboards.ie operates under the auspices of the Public Appointments Service and is committed to a policy of equal opportunity.

The Public Appointments Service (PAS), established under statute in 2004, provides an independent shared service in recruitment, assessment and selection to organisations across the Civil and Public Services. On 30 September 2014, the Government decided that the PAS should also be given responsibility for putting in place an open, accessible, rigorous and transparent system to support Ministers in making appointments to State Boards. Our dedicated website, www.stateboards.ie, is the channel through which the PAS advertises vacancies on State Boards. It is also the means through which accomplished, experienced and qualified people, including people who might not previously have been identified as available for appointment, can then apply to be considered for particular vacancies.

Membership of State Boards

High standards of corporate governance in all State Agencies, whether in the commercial or non-commercial sphere, are critical to ensuring a positive contribution to the State's overall social and economic development.

Members of State Boards are appointed to act on behalf of the citizen to oversee the running of the affairs of state bodies. State bodies must serve the interests of the taxpayer, pursue value for money in their endeavours (including managing risk appropriately), and act transparently as public entities. Members of State Boards, and the relevant management team, are accountable for the proper management of the organisation.

Board members should act on a fully informed basis, in good faith, with due diligence and care, and in the best interest of the State body, subject to the objectives set by Government. In that regard and in accordance with 13.2 of the Guidelines on Appointments to State Boards, "it is advisable that no member of a State Board should serve more than two full terms of appointment or should hold appointments to more than two State Boards."

Note that the Civil Legal Aid Act precludes a Board member from serving more than two terms.

The [Code of Practice for the Governance of State Bodies](#) provides a framework for the application of best practice in corporate governance by both commercial and non-commercial State bodies.

In order to be an effective contributor on a State Board it is recommended that members should:

- bring independent and objective scrutiny to the oversight of the organisation;
- be prepared to be challenging when necessary while being supportive to the delivery of organisational strategy and objectives;
- be equipped to offer considered advice on the basis of sound judgement and experience;
- be prepared to make a time commitment to their work commensurate with their role.

Appointment to the Legal Aid Board

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| Location: | Cahirciveen and Dublin |
| Number of Vacancies: | 1 Ordinary Member – must be practising barrister (see section 3 below) |
| Remuneration: | Ordinary member €7,695 per annum. Travel and subsistence is payable at the appropriate Civil Service rate. (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 e.g. Worker Directors). |
| Time Requirements: | On average 11 meetings are held per annum. In addition, members are required to serve on various committees. The current Board operates with an Appeal Committee, an Audit and Risk Management Committee, a Finance Committee, a HR Committee, a Performance Committee, a Family Mediation Committee and a Policy and Reform Committee. The number of meetings varies depending on the committee. Some have an average of 12 meetings per year and others may have two meetings per year. To date, the committees have generally met on the same day as the Board meeting. |

1. Background

The Legal Aid Board is a statutory body charged with providing civil legal aid to persons of modest means and also with providing a family mediation service. The Board has been in existence since 1979 though it wasn't established on a statutory basis until the enactment of the Civil Legal Aid Act 1995. A legislative amendment in 2011 transferred responsibility to it for the provision of the State's family mediation services.

The primary model used for delivering services is the law centre / family mediation office model using employed solicitors, mediators and support staff. The Board has approximately 50 service delivery offices located throughout the country. The Board also uses private solicitors on a case by case basis to deliver services. The Board's Head Office functions are provided out of offices in Dublin and Cahirciveen. The Board has a total staffing of over 450.

At the moment the Board administers three of the State's ad hoc criminal legal aid schemes namely the Garda Station Legal Advice Scheme, the Legal Aid – Custody Issues Scheme and the Criminal Assets Bureau Legal Aid Scheme.

Legislation is being drafted to transfer responsibility for the administration of these schemes and the statutory Criminal Legal Aid Scheme to the Legal Aid Board.

2. Functions of the Board

The Board consists of a Chairperson and twelve ordinary members, two of these members must be practising barristers, two practising solicitors, and two must be members of the staff. The Departments of Justice and Equality, Public Expenditure and Reform and Social Protection are also represented on the Board.

The Board's Mission Statement, set out in its Corporate Plan 2015 – 2017, is to facilitate the effective resolution of civil disputes through the delivery of efficient and accessible legal aid and mediation services and to effectively manage and administer the State's criminal legal aid schemes.

The Board has responsibility for:

- the strategic direction of the organisation
- determining policy and monitoring its implementation
- overseeing the proper and effective management of the organisation
- monitoring the implementation of effective financial procedures and providing accountability
- approving and monitoring budgets, and
- making certain reserved decisions.

Person Specification

There is one vacancy for an ordinary member post to be filled.

The Minister for Justice and Equality is seeking expressions of interest from suitably qualified and experienced persons for consideration for appointment as a member of the Board.

Section 3 (b) (i) of the Civil Legal Aid Act 1995 provides that:

(b) Of the members of the Board—

(i) 2 shall be barristers who have been engaged in practice as such for a period of **not less than 7 years prior to their appointment** as such members, and if **either such member ceases during his or her term of office as such to be a practising barrister, he or she shall thereupon cease to be a member of the Board,**

Applications are sought from persons who meet the above criteria and who have significant senior level experience in the following:

Law

- Legal practice and/or mediation practice
- Academic background in the law
- Human rights law
- the practice and procedure of the Courts

3. Term of Appointment

Under the Act, the term of office of a member of the Board shall be not more than five years and no person shall be appointed a member of the Board for more than two terms, subject to:

- The membership of any member of the Board may be terminated by the Minister at any time, on the basis of reasons to be stated by the Minister.
- A member of the Board may resign his or her membership of the Board by notice in writing sent or given to the Minister, and the resignation shall take effect on the day on which the Minister receives the notice.
- Members of the Board shall, subject to the provisions of this Schedule, hold office upon such terms and conditions as the Minister may, with the consent of the Minister for Public Expenditure and Reform, from time to time determine.
- The roles and responsibilities of Board Members are described in the Code of Practice for the Governance of State Bodies 2009 which is available on the website of the Department of Finance ([Code of Practice for the Governance of State Bodies](#)).
- A board member shall cease to be a member of the board if he or she is nominated as a member of Seanad Éireann, is elected as a member of either House of the Oireachtas or as a representative in the European Parliament, elected to the European Parliament, or becomes a member of a local authority.

4. Submitting your Expression of Interest

Before submitting your expression of interest, please review the self-assessment questionnaire which can be found [here](#). This questionnaire is designed to help you in considering whether to submit an expression of interest - you are not required to submit the questionnaire as part of the application process.

Having considered the general suitability criteria for membership of a State Board, you should consider carefully how your background and experience fits with the specific appointment criteria set out in the Person Specification section in this booklet. Please give careful consideration to the possibility of any potential conflict of interest that may arise if appointed to this board.

Your submission should be made via the following link www.stateboards.ie together with your **Curriculum Vitae** and a **cover letter** (see Appendix 1 of this booklet for help with the online process).

IMPORTANT NOTE

Please take care when submitting your expression of interest. As the Assessment Panel will generally make its recommendation(s) based on consideration of the documentation which you submit, it is most important that you do the following:

- 1. Ensure your Cover Letter (and supporting CV) clearly specifies how your particular background and experience meets the requirements of the Board position(s) specified in this booklet, and*
- 2. That you fully answer any supplementary questions which are presented to you as part of our online application process.*

This will help ensure that the Assessment Panel is as informed as possible as to the basis for your candidature and why you believe you are a person who could potentially be appointed to this State Board.

If you have any questions regarding the application process please email info@stateboards.ie.

5. Assessment Process

An Assessment Panel (the “Panel”) will be convened by PAS to consider and assess the expressions of interest received by PAS. The Panel will:

- review and discuss the expressions of interest received against the specific appointment criteria for the role, as advertised in this Information Booklet;
- 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 (this may include PAS requiring statutory declarations from shortlisted applicants as to the bona fides of the qualifications and experience contained in their applications).
- arrive at a shortlist of suitable candidates to be sent forward for consideration by the Minister.

6. 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.

7. Data Protection Acts 1988 & 2003

For further information on Data Protection please follow the [link](#)

APPENDIX 1

Submitting your expression of interest

In order to submit your application, you should take the following steps:

1. Go to www.stateboards.ie.
2. On the bar at the top of the page click on "Available Appointments".
3. This brings you to a page with all our advertised vacancies. Select whichever position you would like to apply for (you are welcome to apply for more than one position if you wish).
4. On the relevant page please click on the "apply for position" button at the bottom of the page
5. This will bring you to a page on www.publicjobs.ie and, if you already have a publicjobs.ie account, will prompt you for your username and password. If you do not have an account you will be asked to create one.
6. Once you input your details you will be brought to a page where there is a prompt in the middle of the page which says "apply here". Click on the link to the online application form beside it.
7. A form will appear on your screen, some of the text boxes will be populated with information from your publicjobs.ie profile (Name, address etc.). You will need to complete the rest of the fields and enter your name and the date at the bottom of the form. Click on "continue".
8. You will then be brought to a screen where you should upload your CV and Cover Letter. These are required documents and your application cannot be processed without them. Once you have selected these and uploaded them, please click on the "submit" button at the bottom of the page.
9. You will receive an e-mail confirmation (to the address listed in your publicjobs.ie profile) to confirm that your application has been submitted.

You must confirm that you do not have any conflicts of interest or legal impediment which would be likely to interfere with your ability to play a full part on the Board. You must also confirm that you can make yourself available to attend meetings and to carry out the duties of a Board member.