



DRAFT 3

Global Prosecutors' E-Crime Network

Governance Document

Contents

Background	3
Objectives	3
Outcomes	4
Terms of Reference	4

Background

The Global Prosecutors' E-Crime Network (GPEN) was sponsored by the Crown Prosecution Service (CPS) and is hosted by the International Association of Prosecutors (IAP).

GPEN is a network of specialist e-crime prosecutors managed by a Development Board composed of IAP members. Each IAP member country has been invited to nominate at least one prosecutor (with a knowledge of e-crime) to be registered with GPEN as the contact point for that country for any queries, enquiries, requests, etc for e-crime advice. There are security restrictions on the network to ensure that the material is only available to members and is not open to misuse e.g. by criminals.

GPEN not only encourages enhanced international cooperation in the e-crime arena, but enables all jurisdictions to develop a co-ordinated approach to access information and training and for dealing with e-crime that supports effective prosecutions and promotes the principles of the Council of Europe Cybercrime Convention.

The governing body for GPEN is the Development Board, (DB) which was established at the end of 2008.

Objectives

GPEN must operate in accordance with the IAP Vision as set out below and with the IAP objects as set out in the IAP Constitution.

VISION STATEMENT

The IAP is an International Community of Prosecutors committed to setting and raising standards of professional conduct and ethics for Prosecutors worldwide; promoting the rule of law, fairness, impartiality and respect for human rights and improving international co-operation to combat crime. Its aim is to be a world authority for Prosecutors on matters in the conduct of criminal prosecutions and associated matters and to operate as an organisation of international repute and referral.

GPEN is a web-based platform which can be accessed by specialist e-crime prosecutors from around the world and provides IAP members with access to:

- a contacts database of fellow nominated e-crime prosecutors from around the world;
- a discussion forum (message/chat board) for the exchange of queries and advice;

- a library collection of e-crime material; e.g. national legislation and legal guidance;
- a virtual Global Prosecutors' E-Crime College, containing a database of e-crime training courses and presentations.
- Links to other relevant websites
- Opportunities for exchange of tools to counter and detect cyber-crime

Outcomes

The intended outcomes of the Network are to:

- enhance international cooperation in the e-crime arena between member countries;
- reduce duplication of training and realise significant cost savings as countries will no longer need to devise their own training material from scratch;
- develop appropriate training courses to train prosecutors who will be able to train their colleagues.
- encourage the sharing of best practice and dissemination of lessons learnt;
- improve the exchange of crucial information and data quickly and efficiently;
- encourage all jurisdictions to develop a co-ordinated approach for dealing with e-crime that supports effective prosecutions and promotes the principles of the Council of Europe Cybercrime Convention;
- engage with industry and law enforcement agencies in order to keep abreast of and contribute to technological developments and improve training methods and content.

Terms of Reference

Governance and composition of the DB

The DB is a committee¹ of the IAP and must operate in accordance with the IAP Constitution and such protocols as are agreed by the Executive

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- ¹ Article 8(2)m of The IAP Constitution provides that the Executive Committee shall have the powers and duties.. 'to propose the establishment of committees of the Association by the General Meeting and to determine, whether before or after such establishment, the titles, functions, powers and procedures of such committees'

Committee (EC) insofar as they relate to the DB, including the Sponsorship Protocol..

It is not a requirement that the members, including the Chair, of the DB are members of the EC.

The DB will oversee and direct the activities of GPEN, allowing for a division of labour among the members. An optimum number should be no less than 8 and no more than 12. A quorum must comprise at least half the current membership. The members should cover a representative spread of global regions to reflect the global nature of GPEN.

The DB must ensure that the GPEN website is maintained and that effective arrangements exist for collecting, selecting, reviewing and uploading relevant material and that all contact points play their part in this mission

Members need to have authority to commit resources (generally manpower) including their personal time.

The DB will report to each meeting of the EC (usually twice yearly).

The DB will meet at least once a year within the margins of the IAP Annual Conference and at other times as agreed by the DB.

All decisions of the DB will be by consensus.

DB Selection Arrangements

The General Counsel of the IAP is an ex officio member of the DB and will be the link with the EC.

Members of the DB will be selected by a selection committee of the DB comprising the Chair and 2 members of the DB to be agreed by the DB. Candidates for membership can be nominated by IAP organisational members or can be IAP individual members. Terms of office will generally be for a minimum of three years from the date of the formal inaugural meeting in Bahrain (19.01.2010) to a maximum of six years ,subject to the need for rotation and continuity requirements as set out in the 'Selection Guidance' in the Annex to this document.

The Chair of the DB is a key role and is responsible for ensuring the effective working of the DB in consultation with the EC through the General Counsel.

The Chair will be nominated by the DB from within the DB membership for approval by the EC

Strategy and Business Planning

The DB will determine its future direction and annual business and work plan which will be published on the GPEN website. The work plan will allocate tasks to DB members who are required to provide activity reports as set out in the Annex to this document

Key Performance Indicators and Measures of Success will be determined and agreed by the DB.

Finance

The DB will not hold any funds; all funds for GPEN will be held and administered by the IAP.

Security

The DB is responsible for ensuring that measures are in place to assure the integrity of GPEN

Communication

The Communication Manager for the IAP will incorporate GPEN communication requirements, including website maintenance, within the IAP Communication Plan.

All DB members and the Communication Manager carry responsibility for raising the profile of GPEN in their individual regions, including stakeholder and media engagement and marketing to IAP members and prospective members.

Industry and Law Enforcement

The Development Board will determine GPEN's role and relationship with industry and law enforcement as set out in the annex to this document and the annual work plan.

Training

E-crime training modules can only be endorsed with GPEN / IAP branding with the approval of the DB.