
For **Written Answer** on : **07/11/2017**
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Department: **Business, Enterprise and Innovation**

QUESTION

To ask the Tánaiste and Minister for Business; Enterprise and Innovation the number of prosecutions the Office of the Director of Corporate Enforcement has brought in each year from 2007 to 2017; and the number of these prosecutions that resulted in a conviction, in tabular form.

REPLY

Tánaiste and Minister for Business, Enterprise and Innovation (Frances Fitzgerald)

Section 949(3) of the Companies Act 2014 provides that the Director of Corporate Enforcement shall be independent in the performance of his statutory functions. I, as Minister for Business, Enterprise and Innovation have no direct function in such matters.

I am, however, informed that over the period 2007 to 2017, the Office of the Director of Corporate Enforcement (ODCE) initiated a total of 43 summary prosecutions (i.e., against individuals and/or companies) in the District Court. Such prosecutions can involve individuals or companies being charged with multiple alleged offences. Those prosecutions resulted in a total of 140 convictions being secured. Those prosecutions and convictions are set out by year in the Table below.

As can be seen from the Table, activity in this area has reduced in recent years. This is consistent with the ODCE having taken a decision to concentrate its resources on more serious and complex investigations, the result of which is usually the submission of a file to the Director of Public Prosecutions (DPP) for consideration, as opposed to a summary prosecution by the ODCE. Over the same period, i.e., 2007 to 2017, the ODCE has submitted files in respect of 17 separate investigations to the DPP, on foot of which the DPP has directed a total of 214 charges. One such file currently remains with the DPP and, as such, it is possible that further charges will be directed on foot of the contents of same.

	Prosecutions Initiated by the ODCE	Convictions secured
2007	4	28
2008	5	19
2009	4	6
2010	3	8
2011	5	20
2012	4	16
2013	5	17
2014	10	19
2015	3	7
2016	0	0
2017	0	0
	43	140