



Home Office

INDEPENDENT REVIEWER OF STATE THREATS LEGISLATION

Recruitment Information Pack

September 2023



INVESTORS
IN PEOPLE | Bronze

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A message from the Home Secretary, Rt Hon Suella Braverman MP

Dear Applicant,

The threat of hostile activity against the UK's interests from foreign powers is growing. These threats are diverse, sophisticated, and ever evolving. As stated by MI5 Director, General Ken McCallum, in November 2022, 'We are facing adversaries who have massive scale and are not squeamish about the tactics they deploy. The West is in a contest in which our security, values and democratic institutions are at stake'. We should not underestimate the lengths hostile actors will go to, and the resources they will invest to cause us harm. They seek to target our national infrastructure and interfere in our political system and as we saw in the tragic events in Salisbury in 2018, they pose a physical threat through assassinations and poisoning. Their actions can also be small and incremental, but targeted and assertive with the capacity to undermine the safety and interest of our United Kingdom over time.

It is the Government's utmost priority to protect the UK's national security, the safety of the British public and the UK's vital interests from the hostile activities of foreign states. State threats legislation must therefore be as robust as possible to deal with individuals who seek to do us harm. However, we must ensure that the legislation and the way it is used in practice is not only as effective as possible, but also that it is fair and proportionate.

As an Independent Reviewer, you would report directly to me, and would have the opportunity to shape the role further to respond to the changing threat we face from hostile actors.

This role will demand a highly talented individual of unquestionable integrity and credibility, who can demonstrate his or her ability to exercise sound judgment to balance complex information and competing and sensitive interests.

I wish you well in your application.

Home Secretary

Background

The Home Secretary is required to appoint theIRSTL under section 64 of the National Security Bill. TheIRSTL's role will be very similar to that of the Independent Reviewer of Terrorism Legislation (IRTL). TheIRSTL will assess the fairness, effectiveness and proportionality of UK state threats legislation, and report their findings and recommendations. These reports will be laid before Parliament, to inform public and political debate. They may also be called upon to comment on key state threats issues in the media.

Role Description

- Job Title:** Independent Reviewer of State Threats Legislation (IRSTL)
- Remuneration:** £1200 per day (plus VAT and reasonable expenses). The time commitment is expected to be around 100 days per annum, which equates to two days per week, but this could vary depending on the Independent Reviewer's programme of work and will be at the discretion of the role holder.
- Appointment:** Fixed term until May 2025 in order to align the role with the IRTL appointment cycle.
- Location:** Flexible within the United Kingdom. However, the successful candidate will need to work from Home Office Headquarters in Central London on occasion, in order to review sensitive material in a secure environment and be prepared to travel throughout Great Britain and Northern Ireland.
- Reporting to:** Home Secretary

Purpose:

The threat of hostile activity against the UK's interests from foreign states is growing. States are becoming increasingly assertive in how they advance their own objectives and undermine the safety and interests of the UK, operating covertly in an attempt to interfere with the UK's national security, economy, and democracy. State threats legislation creates offences and powers which provide a vital deterrent to those who wish to cause the UK harm. However, the legislation must carefully balance the nation's security and the need to protect the public, with maintaining the rights and freedoms that form the basis of our democratic society.

The Government is therefore seeking an experienced individual to provide independent oversight and scrutiny of UK state threats legislation as the Independent Reviewer of State Threats Legislation. The Independent Reviewer is appointed by the Home Secretary, under section 64 of the National Security Act 2023, to review the operation of key UK State Threats statutes to assess their fairness, effectiveness and proportionality. The Independent Reviewer provides an important safeguard, informing the Parliamentary and public debate on state threats law and civil liberties through written reports, evidence, media and an online presence. The Independent Reviewer will have the opportunity to be supported by specialist assistants to help discharge the Reviewer's statutory responsibilities.

Key Responsibilities:

The Independent Reviewer's main responsibilities are to:

- Carry out an annual review, and report to the Secretary of State for the Home Department, on the operation of statutes falling within the Independent Reviewer's remit, which are:
 - Part 1, except section 30, of the National Security Act 2023.
 - Part 2 of the National Security Act 2023.
 - Schedule 3 to the Counter-Terrorism and Border Security Act 2019, except the functions of the Investigatory Powers Commissioner under Part 1 of that Schedule.
 - Carry out such further discretionary reviews (and provide reports to the Home Secretary on those reviews) as the Independent Reviewer considers necessary on the operation of statutes falling within the Independent Reviewer's remit.
- Provide the Home Secretary with a proposed annual work programme, by 31 January each year, setting out the reviews to be conducted within that calendar year.
- In addition, state threats legislation may attract significant attention and it is likely that the Independent Reviewer may be called upon to take part in public debates, to give evidence to Parliamentary Committees and international bodies, and to comment to domestic and overseas media on high-profile state threats issues.

Person Specification

It is essential in your supporting statement that you provide evidence and proven examples against each of the selection criteria in Part One only of the person specification, in so far as you are able. These responses will be further developed and explored with those candidates invited for interview, together with the other criteria listed in Part Two.

Part One – Essential Criteria

- Ability to demonstrate outstanding personal qualities, in particular integrity and independence, with a strong and personal commitment to the highest standards of public life.
- A good understanding and experience of dealing with state threats and related national security policy issues.
- Scrupulous fairness in assessing complex information and competing interests, sound judgment and a willingness to accept scrutiny and challenge.
- A first-class communicator with the authority and interpersonal skills to secure and retain the confidence of a wide range of challenging audiences including parliamentarians, law enforcement, judicial and legal professionals, NGOs and the media.
- Ability to lead a small team effectively and efficiently in the conduct of reviews and production of detailed reports.

Desirable

- A balanced appreciation of the importance of civil liberties and their interaction with laws designed to protect the public.
- Expertise in analysing the law and its operation, coupled with a broader understanding of the effects of law on society and the concerns of different groups within society.
- Senior barrister, solicitor, judge or legal academic.
- Experience of media and social media.

Part Two – Knowledge, Skills and Abilities

- The ability to command respect quickly and to build mutually supportive relationships and networks.
- A strong intellect, analytical and written skills.
- Resilient in challenging circumstances and able to work under pressure, remaining calm but decisive.
- Comfortable operating in a political environment, whilst also being tenacious and robust.
- The ability to work on sensitive issues requiring the utmost discretion.

As a holder of a public office the IRSTL is expected to follow the [Seven Principles of Public Life](#), as set out by the Nolan Committee on Standards in Public Life, at Annex A.

Due diligence: Please note that as part of the recruitment process, due diligence, including social media checks will be undertaken on the short-listed candidates.

Response Instructions

The closing date for applications is 23:00 Monday 2 October 2023.

Please submit the following 3 documents, clearly labelled. In order to apply, you will need to click on one of the links below, depending on if you have already set up an account on the new Cabinet Office Public Appointment website.

<https://apply-for-public-appointment.service.gov.uk/create-account>

<https://apply-for-public-appointment.service.gov.uk/auth/sign-in>

- 1. A concise CV (maximum two sides A4, minimum 11 font) setting out your career history and including details of any professional qualifications.**
- 2. A short supporting statement (maximum two sides A4, minimum 11 font) giving evidence of the strength and depth of your ability to meet the essential criteria for the role. Please provide specific examples to demonstrate how you meet each of the experience, qualities and skill areas identified in the person specification.**
- 3. Please complete and return via the site the form at Annex B (attached separately), relating to conflicts of interest.**

Please submit your application documents as 3 separate attachments and note that short-listed candidates will also be required to complete and return a separate form in relation to referees and nationality information.

Please note the following:

- We cannot accept applications submitted after the closing date.
- Applications will be assessed solely on the documentation provided. Please refer to the advert and checklist to ensure you have provided the necessary documentation.
- Applications will be acknowledged upon receipt.
- Feedback will only be given to unsuccessful candidates following interview.

Further Information

If you have any queries about any aspect of this role, or merely wish to have an informal discussion, then please contact Rob Frederick at Robert.Frederick@homeoffice.gov.uk

If you have any queries about the recruitment process for this role, please contact the Public Appointments Team at: publicappointments@homeoffice.gov.uk

If helpful to you, there is guidance available on writing a supporting statement on the public appointments webpages: <https://www.gov.uk/guidance/public-appointments>

Indicative Timetable

Please note that these dates are only indicative at this stage and could be subject to change.

Advert Closing Date	23:00, Monday 2 October 2023
Short List Meeting	Expected w/c 9 October
Final Panel Interviews	Expected w/c 13 November
Meeting with Home Secretary (if required)	Expected post interview

Selection Process

This role is being competed in accordance with the Government's Governance Code on Public Appointments¹, which sets out the regulatory framework for public appointments processes. The Code is based on three core principles – merit, openness and fairness.

An Advisory Assessment Panel (AAP) will sift applications, assessing each application against the essential criteria, to produce a shortlist. Subject to Ministerial agreement, they will then conduct interviews to ascertain which candidates are appointable to the role.

The AAP will be independently chaired. Their role will be to ensure that the appointment is made in accordance with the Governance Code. The selection panel will include the Director of State Threats and Cyber, Homeland Security Group (Home Office), Legal Director, Secret Intelligence Service, and a Rt Hon Lord Justice as the independent panel member.

The Home Office Public Appointments Team will acknowledge your application on behalf of the Home Office and keep you updated on the progress of the competition.

At the short-listing meeting the selection panel will assess each application against the essential criteria and decide who to invite for interview. Interviews are expected to take place at Home Office HQ, central London, and to last for between 45 and 60 minutes. Further details about the format will be provided to you in advance.

The final decision to appoint to this role rests with the Home Secretary. Appointable candidates may be invited to meet with Ministers before a final decision is made. As a result, there may be a delay in informing candidates of the outcome of the competition.

We encourage a diverse workforce and welcome applications from all suitably qualified people.

¹https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/578498/governance_code_on_public_appointments_16_12_2016.pdf

Please note: Expenses incurred by candidates during the recruitment process will not be reimbursed except in exceptional circumstances and only when agreed in advance with the Home Office Public Appointments Team.

Terms of Appointment

Nature of Appointment: You are not an employee of the Home Office. Accordingly, nothing in this document shall be construed as, or taken to create a contract of employment between you and the Department or His Majesty's Government.

Appointment Term: Your appointment will be for a minimum period of three years. There is a possibility of re-appointment, subject to a satisfactory annual appraisal of performance and Ministerial agreement.

Remuneration:

- The role is remunerated at £1200 per day (plus VAT and reasonable expenses).
- The remuneration is taxable through payroll, but the appointment is not pensionable.
- The post holder can claim reimbursement for reasonable travel and subsistence costs necessarily incurred during the course of their duties at rates set centrally.
- Applicants should note that the successful candidate cannot be remunerated for this role if they are being paid for an existing full-time role from the public purse.

Time Commitment: The time commitment is expected to be two days per week.

Location: Flexible within the United Kingdom. However, the successful candidate will be required to work from Home Office Headquarters in Central London on occasion, in order to review sensitive material in a secure environment and be prepared to travel throughout Great Britain and Northern Ireland.

Availability: The successful candidate will be encouraged to take up their appointment as soon as possible, subject to the successful completion of pre-appointment checks and security clearance.

Security clearance: The successful candidate will be required to have or be willing to obtain security clearance to Developed Vetting (DV) level. DV is the most comprehensive form of security vetting. Carrying out the relevant checks can take a number of months. It includes:

- a basic check of identity documents and employment/education referees;
- a check against departmental/company records;
- the completion of a security questionnaire and a specific, more detailed DV supplementary questionnaire;
- a check against the criminal and security records of the UK and, if appropriate, of overseas countries;
- a credit reference check;
- the completion of a financial questionnaire;
- a detailed interview conducted by an investigating officer; and
- further enquiries, including the checking of references, in writing, by telephone or by interview, from both personal friends and employers as appropriate.

Nationality: Please note, individuals should normally have been resident in the UK for 10 years preceding their application for DV clearance. The role will be offered on a conditional basis until the successful candidate has passed all checks. For further information, please follow this link:

[National security vetting: clearance levels - GOV.UK \(www.gov.uk\)](https://www.gov.uk/national-security-vetting-clearance-levels)

Confidentiality: You will be subject to the provisions of the Official Secrets Act and required to exercise care in the use of official information acquired in the course of official duties, and not to disclose information which is held in confidence.

Disqualification for appointment: There are circumstances in which an individual will not be considered for appointment. They include:

- people who have received a prison sentence or suspended sentence of 3 months or more in the last 5 years;
- people who are the subject of a bankruptcy restrictions order or interim order;
- in certain circumstances, those who have had an earlier term of appointment terminated;
- anyone who is under a disqualification order under the Company Directors Disqualification Act 1986; and
- anyone who has been removed from trusteeship of a charity.

Further advice about disqualification for appointment can be given by contacting the Public Appointments Team on publicappointments@homeoffice.gov.uk

Standards in public life: You will be expected to demonstrate high standards of corporate and personal conduct. Candidates will be expected to abide by the “Seven Principles of Public Life” set out by the Committee on Standards in Public Life (see below, page 12).

Registration of interests: The purpose of these provisions is to avoid any danger of the post holder being influenced, or appearing to be influenced, by their private interests in the exercise of their public duties.

Public appointments require the highest standards of propriety, involving impartiality, integrity and objectivity, in relation to the stewardship of public funds and the oversight and management of all related activities. This means that any private, voluntary, charitable, or political interest which might be material and relevant to the work of the body concerned should be declared. It is important, therefore, that you consider your circumstances when applying for a public appointment and identify any potential conflicts of interest, whether real or perceived.

There is a requirement to declare any actual or potential conflict of interest you may have in being appointed as Independent Reviewer in a separate form. Any actual or perceived conflicts of interest will be fully explored by the APP at interview stage.

Further advice about disqualification for appointment can be given by contacting the Public Appointments Team on publicappointments@homeoffice.gov.uk.

Political Activity: You are expected not to occupy paid party political posts or hold particularly sensitive or high profile roles in a political party during your appointment as Immigration Independent Reviewer. Subject to the foregoing, you are free to engage in political activities provided that you are conscious of your general public responsibilities and exercise a proper discretion, particularly with regard to the work of the Independent Reviewer.

You will be required to complete a Political Activity Declaration as part of your application, which will be kept separate from your application and will only be seen by the APP prior to interview. The APP may at that stage explore with you any potential for conflict of interest. It is appreciated that political activities may have given you relevant skills, including experience gained from committee work, collective decision making, resolving conflict and public speaking. If, therefore, you have had such experience and you consider it relevant to your application for this post, you may if you choose include it separately in the main body of your application.

Disability Confident: The Home Office is an accredited user of the government’s “Disability Confident” disability symbol, which denotes organisations which have a positive attitude towards disabled applicants. Applicants who meet the minimum criteria in the job specification are guaranteed an interview (GIS). Selection will be on merit. If you wish to apply for consideration under this scheme, please complete the form in Annex B. It is not necessary to state the nature of your disability.

Whether you choose to apply under the GIS or not you can still ask us to make particular arrangements for you when attending an interview. You can also contact us if you want to discuss the criteria for the role or have questions regarding your application.

Equal Opportunities Monitoring: The Home Office is committed to providing equal opportunities for all, irrespective of race, age, disability, gender, marital status, religion, sexual orientation and transgender.

As part of the application process, we ask candidates to complete equal opportunities monitoring information. This will help us to monitor selection decisions to assess whether equality of opportunity is being achieved. The information in Annex C will be treated as confidential and used for statistical purposes only. The form will not be treated as part of your application.

Centre for Public Appointments Database: As set out in Annex B, if you consent, we will retain your CV and contact details for the purposes of alerting you to any opportunities that may arise in future. We will also share your CV and contact details with the Centre for Public Appointments in the Cabinet Office who may use it for this purpose. They may also share it with other Government Departments so that they can contact you about such opportunities. You may withdraw your consent to your information being processed for this purpose at any time by contacting dpo@homeoffice.gov.uk.

Complaints: If you are not completely satisfied with the way your application is handled at any stage of the competition, please raise any complaint in the first instance with the Public Appointments Team at: publicappointments@homeoffice.gov.uk

We will reply to your complaint within 20 days.

ANNEX A – THE SEVEN PRINCIPLES OF PUBLIC LIFE

The principles of public life apply to anyone who works as a public office-holder. This includes all those who are elected or appointed to public office, nationally and locally, and all people appointed to work in the civil service, local government, the police, courts and probation services, NDPBs, and in the health, education, social and care services. All public office-holders are both servants of the public and stewards of public resources. The principles also have application to all those in other sectors delivering public services.

Selflessness

Holders of public office should act solely in terms of the public interest. They should not do so in order to gain financial or other material benefits for themselves, their family, or their friends.

Integrity

Holders of public office should not place themselves under any financial or other obligation to outside individuals or organisations that might seek to influence them in the performance of their official duties.

Objectivity

In carrying out public business, including making public appointments, awarding contracts, or recommending individuals for rewards and benefits, holders of public office should make choices on merit.

Accountability

Holders of public office are accountable for their decisions and actions to the public and must submit themselves to whatever scrutiny is appropriate to their office.

Openness

Holders of public office should be as open as possible about all the decisions and actions that they take. They should give reasons for their decisions and restrict information only when the public interest clearly demands.

Honesty

Holders of public office have a duty to declare any private interests relating to their public duties and to take steps to resolve any conflicts arising in a way that protects the public interest.

Leadership

Holders of public office should promote and support these principles by leadership and example.