



**AN ROINN DLÍ AGUS CIRT, COMHIONANNAIS AGUS ATHCHÓIRITHE DLÍ  
DEPARTMENT OF JUSTICE, EQUALITY AND LAW REFORM**

## **ANNUAL REPORT 2009**

*Working for a Safer, Fairer Ireland*



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## FOREWORD BY MINISTER FOR JUSTICE, EQUALITY AND LAW REFORM DERMOT AHERN, T.D.

The prevailing economic environment has led to an unprecedented contraction in Exchequer finances. On taking up office as Minister for Justice, Equality and Law Reform in June 2008, I set tackling crime as my top and absolute priority for the Department. This framed my Department's work for 2009.



Minister for Justice, Equality and Law Reform,  
Dermot Ahern T.D.



Minister of State,  
John Curran T.D.  
(April 2009 - April  
2010)



Minister of State, Conor Lenihan  
T.D. (June 2007- April 2009)



Minister of State,  
Barry Andrews T.D.



Minister of State, John  
Moloney T.D.

The Estimates package that we secured involved funding of some €2.6 billion across the Sector during the year. Full details of the outputs achieved for this expenditure are given in the Annual Output Statement at Appendix 2 of this Report. This Statement shows that the targets we set were largely delivered upon or, in a minority of instances where this was not achieved, significant progress was made towards completion.

The Renewed Programme for Government agreed in October 2009 ([www.taoiseach.ie](http://www.taoiseach.ie)) set challenging commitments for the Department in the areas of Crime, Justice, Equality and Law Reform. We are well placed to deliver upon these and our aim remains to make Ireland a safer and more equitable society.

Following the Referendum and the entry into force of the Lisbon Treaty, the past year has seen a significant development in EU cooperation in the Justice and Home Affairs (JHA) area. This will become increasingly important for the Department in the future as decisions on police cooperation and cooperation in criminal law matters are made by qualified majority voting rather than unanimity, with Ireland being allowed to opt-in on a case by case basis.

Notwithstanding the challenging economic and operating environment in which the Department operates, this Report records notable achievements. Among these, the following stand out:

- Operation Anvil, which targets serious and organised crime, has contributed to increases of the order of 50% in arrests for murder, serious assaults, burglary, robbery offences and theft.
- There were increases of the order of 25% in searches for drugs and in connection with offences under the Offences against the State Acts, and 29% in firearms seized and recovered.
- There were notable decreases in 9 of the 14 crime groups for which statistics are given. For example, homicide offences were down by 10.1%, manslaughter offences were down by 60% and the offence of dangerous driving leading to death was down by 26.5%.

- There were 40 fewer deaths on the road during the year (down from 279 in 2008 to 239), with the Road Safety Strategy 2007 - 2012 making a significant contribution to this.
- The National Model of Community Policing, which involves consistent structures, practices and quality service in community policing, was launched and almost 1,000 community police were assigned to all Garda Divisions by the end of the year.
- Development and modernisation of accommodation and procedures in the Courts Service to improve the administration of Justice continued, in particular the opening of the new Criminal Courts of Justice complex in Dublin in December.
- Higher committal rates to prison, reflecting increased Garda activity, has required the provision of some 1,670 additional prison spaces in recent years. During the year, the Government reaffirmed its commitment to developing the new Thornton Hall facility in North County Dublin to accommodate up to 2,200 prisoners.
- Our first National Action Plan to Prevent and Combat Trafficking in Human Beings (2009 to 2012) was published, a dedicated Investigation and Co-ordination Unit was established within the Garda National Immigration Bureau (GNIB) and a wide range of awareness-raising initiatives and training measures were undertaken.
- Agencies such as the Property Registration Authority (PRA) and the Irish Film Classification Office (IFCO) continued to make an important contribution to the economic life of the country in their sectors.

The achievements of the past year were delivered by some 25,000 public servants in the Sector and I am grateful for their commitment to their work on behalf of the Irish people. Their work continues and on my own behalf and on behalf of Government colleagues, I take this opportunity to thank them for their loyalty during the year.

This is my last Annual Report as Minister with responsibility for equality, disability, integration and human rights matters. In March 2010, the Taoiseach announced the transfer of responsibility for these areas from Justice, Equality and Law Reform to the newly formed Department of Community, Equality and Gaeltacht Affairs. I want to take this opportunity to thank the staff involved for their work during my time as Minister. Their efforts have contributed in no small way to advancing the Government's aim of promoting a caring, integrated and equitable society.

Dermot Ahern, T.D.  
Minister for Justice, Equality and Law Reform.

April 2010

## DEPARTMENT OF JUSTICE, EQUALITY AND LAW REFORM

The mission of the Department is to help make Ireland a safer and fairer place in which to live and work, visit and do business. At the end of 2009 there were 24 organisations in the Justice and Equality Sector, each with specific administrative, regulatory or operational functions (see Appendix 1 – Organisation Chart) and each subject to the general governance arrangements set out in the Code of Practice for the Governance of State Bodies (Department of Finance May 2009).

The remit of the Justice family of agencies and services stretches across a range of human concerns and touches on aspects of national life as diverse as the protection of life and property; the prevention and detection of crime; maintaining and promoting equality of treatment between people; the provision of services for the buying and selling of property; the management of inward migration to the State; supporting integration and providing a Courts Service and other forms of investigative tribunals.

On the international front, the Minister and the Department serve the interests of Ireland in relation to Justice, Equality and Home Affairs' matters by participating fully in the European Union, the Council of Europe and the United Nations among other international fora.

The Department of Justice, Equality and Law Reform is structured around clusters of Divisions, each headed up by a member of the Management Advisory Committee (MAC), responsible for administration and policy in relation to:

- An Garda Síochána
- Immigration Related Services
- Civil Law Reform
- Courts Policy
- Crime, Security and Northern Ireland
- Equality and Disability
- EU/International Matters
- Human Resources, Corporate Services, Organisation Development, Finance, Internal Audit, IT
- Mutual Assistance and Extradition
- Criminal Law Reform and Prisons and Probation Policy
- Reception and Integration Agency (RIA)

The heads of the following agencies/offices of the Department are also members of the Management Advisory Committee:

- Office of the Minister for Integration
- Anti- Human Trafficking Unit
- Cosc – the National Office for the Prevention of Domestic, Sexual and Gender-based Violence
- Irish Prison Service
- Irish Youth Justice Service

There were approximately 334 staff working in the Head Office areas of the Department at the end of 2009. In addition there were approximately 177 staff working in Financial Shared Services and approximately 673 staff working in the Irish Naturalisation and Immigration Service (INIS).

Across all its votes the Department was responsible for a budget of €2.58 billion in 2009 which compares to a budget of €2.69 billion in 2008.

## Annual Output Statement 2010

There are 9 Programmes listed in our Annual Output Statement (Appendix 2):

1. Community Security, Law Enforcement, Crime Prevention by Support for An Garda Síochána
2. The Maintenance of Safe and Secure Custody for Offenders by Support for the Prison Service
3. Management of the Courts and Supporting the Judiciary
4. The Promotion of a Safe Society through the Provision of a Wide Range of Justice Services
5. The Promotion of a Tolerant and Equitable Society
6. The Provision of Asylum/Immigration and Related Services
7. The Provision of Probation Services
8. The Provision of a Coherent, Effective Youth Justice Service
9. The Provision of Property Registration Services

We have aligned our High Level Goals as far as is practicable to reflect the programmes of the Annual Output Statement as follows:

High Level Goal	Programme
1. Supporting An Garda Síochána and Tackling Crime	1. Community Security, Law Enforcement, Crime Prevention by Support for An Garda Síochána
2. Developing Justice Services	2. The Maintenance of Safe and Secure Custody for Offenders by Support for the Prisons Service 3. Management of the Courts and Supporting the Judiciary 7. The Provision of Probation Services 8. The Provision of a Coherent, Effective Youth Justice Service 9. The Provision of Property Registration Services
3. Provision of Immigration and Related Services	6. The Provision of Immigration Related Services
4. Promotion of a Caring, Integrated and Equitable Society	5. The Promotion of a Tolerant and Equitable Society
5. Promotion of a Secure and Peaceful Society	4. The Promotion of a Safe Society through the Provision of a Wide Range of Justice Services
6. Law Reform	Note - Civil Law Reform is included in Programme 5
7. Business Delivery	No equivalent programme

## INTRODUCTION BY THE SECRETARY GENERAL



I am pleased to introduce this Annual Report and Output Statement on the work of the Department of Justice, Equality and Law Reform during 2009.

Our services have delivered vital functions across the Criminal Justice, Immigration and Equality Sectors in the year under review. The year was a difficult one for institutions as well as individuals as budgets were reduced due to the crisis in the Public Finances. The moratorium on recruitment and promotions and the Incentivised Early Retirement Scheme (ISER) also mean that we will have to perform our function in future with fewer staff.

We are in a period of change. The Irish people whom we serve with pride are depending on us now to bring the ethos of partnership with our staff that we have established over the last 10 years to a new level in order to enable us all to still deliver to them services which are essential in a democratic society. I am confident that we can rise to this great challenge.

This Report records much progress and achievement. It is important that I acknowledge the part played in this work, often on a 24/7 basis, by all my colleagues across the Department and our agencies over the last 12 months. At the most difficult of times, under immense pressure, high standards of public service were maintained on the front line and behind the scenes.

In March 2010, the Taoiseach announced the transfer of responsibility for equality, disability, integration and human rights matters from Justice, Equality and Law Reform to the newly formed Department of Community, Equality and Gaeltacht Affairs. I am proud of the work done in this Department since 1997 under the Equality brief to build a fairer Ireland. None of our achievements would have happened without the wholehearted commitment and dedication of the staff involved and I want to extend my thanks to them as they transfer to their new Department.

**Law, Order, Justice and the promotion of fairness and safety** for all our people remain more dependent than ever on our commitment and our collective effort. Go n-éirí go geal leis an obair!

Seán Aylward  
Secretary General



## HIGH LEVEL GOALS

**1** **Supporting An Garda Síochána and Tackling Crime**  
We will further advance law enforcement, crime prevention and community security by our continuing structural and service reform of An Garda Síochána and through the development of effective anti-crime policies, the implementation and enforcement of effective and balanced laws and working to ensure visible policing of our communities.

**2** **Developing Justice Services**  
We will continue to advance our structural and service reforms of justice services – criminal and civil - so as to enable the Department and the Justice and Equality Sector organisations implement their mandates in the most effective and efficient way possible.

**3** **Provision of Immigration and Related Services**  
We will continue to implement Government commitments in relation to the provision of asylum, immigration and related services and to update when necessary the legislative base in this area.

**4** **Promotion of a Caring, Integrated and Equitable Society**  
We will promote the development of a caring and equitable society and co-ordinate, support and facilitate the integration of all legally resident immigrants into Irish society through the implementation of appropriate policies.

**5** **Promotion of a Secure and Peaceful Society**  
We will continue to promote a secure and peaceful society through the provision of a wide range of Justice Services and to support the devolved institutions in Northern Ireland.

**6** **Law Reform**  
We will continue to reform our laws – criminal and civil – and provide for improved regulatory systems where required.

**7** **Business Delivery**  
We will support the delivery of the Department’s business objectives through optimising staff performance and development, providing a high quality working environment for staff and customers, maintaining the highest standards of corporate governance and through the effective use of resources.



## **SUPPORTING AN GARDA SÍOCHÁNA AND TACKLING CRIME**

**Tackling crime in all its forms is a top priority for the Department. We play a key role in the development of the regulatory and structural framework within which An Garda Síochána operates and in the promotion of measures designed to provide greater accountability, economy, efficiency and effectiveness. We remain committed to taking whatever actions are necessary to reduce the level of crime in our society and to make our communities and our streets safer. A number of strategies have been framed to deliver commitments on such matters as the fight against drugs and organised crime; the enforcement of public order; ensuring effective and visible policing at community level; the implementation of stronger anti-crime laws; giving effect to our international obligations to combat crime and protect the security of the State; the regulation and control of the use of firearms and explosives and the implementation of traffic laws.**

**Programme 1 is associated with this High Level Goal. Details of funding and outputs are shown in the Output Statement at Appendix 2.**

Mr. Dermot Gallagher, Chairman, Garda Síochána Ombudsman Commission (centre) with Ms. Kathleen O'Toole, Chief Inspector of the Garda Inspectorate and Garda Commissioner Fachtna Murphy

## **POLICING MATTERS**

The Garda Síochána Policing Plans 2008 and 2009 outlined the Garda Commissioner's plans to realign Garda Divisional boundaries to make them coterminous with County boundaries in order to facilitate both local Garda and local authority management in the administration of Joint Policing Committees. This programme of realignment was completed in 2009 for Garda Divisions outside the Dublin Metropolitan Area. An Garda Síochána is currently undertaking a review of boundaries in this Area.

The Garda Síochána Policing Plan for 2009 took into account the priorities set by the Minister under the Garda Síochána Act 2005. Two of its strategic goals were to significantly reduce the incidence of (i) crime and criminal behaviour and (ii) public disorder and anti-social behaviour in communities. The ongoing use of specialist Garda units combined with specific, intelligence-led operations, such as Operation Anvil, remains an integral part of law enforcement. The situation was kept under review to ensure an appropriate response was made to new and emerging trends.

Following a request from the Minister, the Garda Síochána Inspectorate assessed the need to establish a dedicated Missing Persons Unit within An Garda Síochána, including a response similar to the "Amber Alert", and published its report. One of its main recommendations was that an emergency alert system for missing children, similar to the Amber Alert system in place in other countries, should be established. The Minister gave the go ahead for the implementation of this recommendation and An Garda Síochána is committed to its implementation. They are currently exploring options to achieve the most appropriate structure to give effect to the recommendation, taking account of progress at international level in the development of alert systems for missing children.

The Criminal Assets Bureau continued to target those who seek financial benefit from crime. The Divisional Asset Profiler Programme now has 102 Garda Profilers. In addition 13 Revenue staff have been trained as profilers. The Assets Profilers in co-ordination with the Bureau are targeting the assets of lower and mid-ranking criminals in local communities. The Minister has also established a review group comprising of representatives of this Department and CAB to review the Proceeds of Crime Legislation.

### **Garda Involvement in International Peacekeeping**

The duties and responsibilities of An Garda Síochána go well beyond the borders of this jurisdiction. An Garda Síochána is quite properly held in high esteem internationally in policing matters relating to peacekeeping and civilian crisis management. The reputation is well deserved and derives from a long tradition of Garda Síochána involvement in international missions. Currently there are Garda Liaison Officers in London, Madrid, Paris, The Hague and Lisbon. There are also officers working with Europol in The Hague and Interpol in Lyon as well as members serving with the OSCE in Vienna and EU and UN missions in Bosnia, Kosovo and Cyprus.

## **POLICING RESOURCES**

The strength of An Garda Síochána as of 31 December 2009 was 14,547. There were also 232 student Gardaí at various stages of the training programme.

In addition, there were 478 attested Reserve Gardaí with a further 167 at various stages of training. A total of 30 attested Reserve Gardaí and 10 trainee Garda Reserves have become full time members.

At 31 December 2009 there were 2,659 civilian employees.

The Department continued to work with An Garda Síochána during the course of the year on the provision of resources and services for the Force. For example, the Department has worked closely with the Garda authorities and other State bodies on the provision of the National Digital Radio Service for An Garda Síochána.



The project is at an advanced stage with all Divisions within the Dublin Metropolitan and Eastern Regions successfully migrated to the new system during 2009 and rollout in the Southern Division, including the cities of Cork and Limerick, is ongoing. The remaining regions will become operational in line with agreed infrastructure development plans and nationwide rollout of the radio system is on schedule for completion during 2011.

## CRIME STATISTICS

Statistics on recorded crime in 2009 showed encouraging trends. Of the 14 crime groups for which statistics are given, 9 showed reductions compared to 2008, underscoring the sustained response from the justice sector in tackling criminal activity. The number of homicide offences decreased by 10.1%, with decreases in the levels of manslaughter (down 60%) and dangerous driving leading to death (down 26.5%). While there was an increase in the number of murders (up 6%) and in the level of property crime (up 2.2%), there were decreases in the numbers of public order offences (down 7.8%) and controlled drug offences (down 6.3%). Details of the Central Statistics Office crime statistics can be seen at [www.cso.ie](http://www.cso.ie).

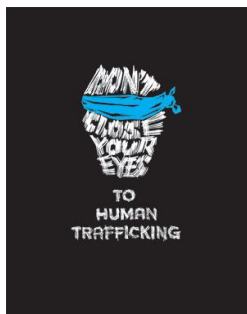
## DRUGS

In 2009 the Department continued to be actively involved in policy development in relation to drugs at national, EU and UN levels. The Department actively contributed to the development of the new Interim National Drugs Strategy 2009-2016 which was launched in September 2009. The Department attended EU working group meetings and also participated in the development of the current EU Action Plan on Drugs 2009-2012. At UN level the Department participated in the 52nd Session of the Commission on Narcotic Drugs in March 2009. This was a high level meeting to review the 1998 UN Global Drugs Strategy.

## ANTI-HUMAN TRAFFICKING

### National Action Plan

In June, 2009 the Minister published Ireland's first National Action Plan to Prevent and Combat Trafficking in Human Beings in Ireland 2009-2012. The Plan sets out the measures (some which have already been undertaken) to prevent human trafficking, protect victims and prosecute offenders. It also identifies areas which require further action. A copy of the Plan is available on [www.justice.ie](http://www.justice.ie).



### Support for Victims

In 2009, the range of supports provided to potential and suspected victims of human trafficking (accommodation, health services, crime prevention advice, interpretation, education, etc) was expanded to include a comprehensive individual care plan by the HSE for each potential or suspected victim of human trafficking. From November the Legal Aid Board now provides legal assistance and advice to potential and suspected victims of human trafficking. Non Governmental Organisations (NGOs) also provide a range of supports to potential and suspected victims.

### **Awareness Raising and Training**

A wide range of awareness-raising initiatives and training measures were undertaken. A Train the Trainer programme entitled "Tackling Trafficking in Ireland - What can you do?" was developed, designed and delivered jointly by the International Organisation for Migration (IOM) and the Anti Human Trafficking Unit to a number of Public Sector organisations including the HSE, Prisons, National Employment Rights Authority (NERA) and the Departments of Transport, Social Community and Family Affairs, Defence, and Agriculture Fisheries and Food. Persons participating in the training will provide training on human trafficking to other staff in their organisations. Information seminars on human trafficking were provided to staff of the Departments of Enterprise, Trade and Employment and Foreign Affairs by the IOM, the Garda National Immigration Bureau (GNIB) and this Department. Further information is available on the website [www.blueblindfold.gov.ie](http://www.blueblindfold.gov.ie).

### **Policing**

The Policing Plan for 2009 identified the investigation of trafficking in human beings as a key priority. A dedicated Human Trafficking Investigation and Co-ordination Unit was established within the Garda National Immigration Bureau in 2009 to co-ordinate policy and provide expert assistance in investigations of human trafficking.

Sixty eight incidents of alleged human trafficking involving 66 potential victims (49 adults and 17 minors) were reported to An Garda Síochána in 2009. Of these 66 persons, 40 were in the asylum process, 15 required immigration permission, 5 were in the care of the HSE as minors, 4 were EU citizens and 2 voluntarily left the State. Ten persons were granted a period of recovery and reflection under the Administrative Arrangements (1 person did not require it) and 11 persons were granted temporary residence periods. Investigations of 13 cases of potential trafficking concluded that there was no evidence to support allegations of human trafficking.

## **DOMESTIC AND SEXUAL VIOLENCE PREVENTION**

In January 2009 the Minister launched a major new report on public attitudes to domestic abuse. The report, "Attitudes to Domestic Abuse in Ireland", was the first of its kind in this country and was undertaken by Cosc, the National Office for the Prevention of Domestic, Sexual and Gender-based Violence. The report includes the key findings that: almost half (44%) of all Irish people knew someone who has experienced domestic abuse; and that when they were asked about their willingness to intervene where they encountered domestic abuse, most were only willing to intervene in certain circumstances. Copies of the executive summary and the full report are available on the Cosc website at [www.cosc.ie](http://www.cosc.ie).

The results of the survey informed a national public awareness campaign in January with the message 'Your Silence Feeds the Violence'. The campaign was aimed at encouraging the public to take an active role in supporting people who are experiencing domestic abuse.

Cosc's main priority during the year was the drafting of a National Strategy on Domestic, Sexual and Gender-based Violence. The Strategy will be a statement of the Government's priority actions to address domestic, sexual and gender-based violence in the five-year period from early 2010 to the end of 2014. The main focus of the Strategy will be, on the one hand, to prevent the violence concerned and, on the other, to respond effectively to such violence. Ultimately the impact of the Strategy will be fewer victims of domestic and sexual violence, better services for those who are victims and increased accountability for perpetrators.

## **VICTIMS OF CRIME**

Two new websites to help victims of crime were launched in September. The new sites are [www.victimsofcrimeoffice.ie](http://www.victimsofcrimeoffice.ie) and [www.csvc.ie](http://www.csvc.ie) (the Commission for the Support of Victims of Crime). The Victims of Crime Office works to support the development of competent, caring and efficient services to victims of crime with the criminal justice agencies and the voluntary sector. As well as supporting work at EU level in relation to victims of general crime, trafficking and child sexual exploitation, the Office provided advice and input in relation to the victim impact statement provisions of the Criminal Procedure Bill 2009. The Office provides the secretariat to the Commission for the Support of Victims of Crime.

The Commission for the Support of Victims of Crime continued to disburse funds to organisations engaged in supporting victims of crime, a task it commenced in 2005. It also worked with the criminal justice agencies to amend the Victims Charter. The Commission organised the first two meetings of the Victims of Crime Consultative Forum in January and September. The Forum gives the funded groups the opportunity to make an input into the policy process from the perspective of the victim of crime. It also allows the voluntary groups share good practice with each other.

## **FIREARMS AND EXPLOSIVES**

### **Explosives**

The technical Inspectorate comprising two Government Inspectors of Explosives and a Firearms Range Inspector has statutory functions (under explosives legislation) relating to importation, manufacture, storage and sale of explosives and to transport of explosives (under Carriage of Dangerous Goods by Road legislation).

The Inspectorate participated in various EU Council and Working Groups and technical committees. It also participated in EU/UN meetings on explosives directives and transport of dangerous goods, the EU Standing Committee on Experts on Explosive Precursors and the CEN Technical Committee on Firework Standards.

During 2009 an EU Commission Directive setting up a system for the identification and traceability of explosives for civil uses was transposed through the European Communities (System for the Identification and Traceability of Explosives for Civil Uses) Regulations 2009 (S.I. 133 of 2009). The purpose of these Regulations is to strengthen the control of explosives for civil uses by requiring the unique labelling of explosives throughout the EU and in addition it requires manufacturers, traders and users to tighten record keeping and stock management.

Work was finalised in 2009 on transposing another Directive (2007/43/EC) on the placing on the market of pyrotechnic articles. The Directive will restrict the sale, possession and use of the more hazardous categories of pyrotechnic articles, including fireworks, but allows for the sale to the general public of the least hazardous category of fireworks (Category 1 fireworks). The proposed Regulations also sets age limits for the sale of pyrotechnic articles. The Regulations will come into operation on 4 July 2010.

During 2009, over 800 licence applications for the importation of explosives (including deemed substances and fireworks) were processed.

### **Firearms**

The Firearms Range Inspector began the certification process for target shooting ranges during 2009. This included the organisation of information seminars and range visits.

The Criminal Justice (Miscellaneous Provisions) Act 2009, enacted on 24 July 2009, imposes a handgun ban and much tougher penalties for individuals found in possession of knives.

The Act, together with the commencement of the remaining firearms provisions of the Criminal Justice Act 2006, significantly overhauls the licensing of firearms and introduces a new three year licence system for firearms. This new more rigorous system allows Superintendents to enquire into the medical history of applicants, provides for character referees for applicants and introduces minimum standards for secure accommodation of firearms.

Handguns - new licences will only be issued in very limited circumstances. Any existing handgun licences are subject to the new rigorous licensing procedures.

Knives and similar weapons - the penalty for possessing a knife in a public place is increased from one to five years and the Gardaí are given an extended power of search without warrant in relation to knives and offensive weapons. Furthermore, Samurai swords are now outlawed under the Firearms and Offensive Weapons Act 1990 (Offensive Weapons) Order, updated in August 2009.

As at 31 December 2009, there were 325 firearms dealers on the Minister's Register of Firearms Dealers. Two hundred and thirty three of these are registered to trade in firearms and ammunition (including 82 with authorisations to trade in restricted firearms) and a further 92 firearms dealers are registered to trade in ammunition only. In 2009, 1,221 applications for importation of firearms and ammunition were processed.

## **DNA DATABASE**

In December the Government approved the publication of the Criminal Justice (Forensic Evidence and DNA Database System) Bill. This Bill updates the law on taking and use of forensic samples. Its major innovation is the establishment of a DNA Database which will have two distinct functions (i) to produce intelligence to aid criminal investigations by linking individuals to crimes and (ii) linking multiple crimes sections, and to assist in identifying missing or unknown persons.



## **ROAD SAFETY**

One of the strategic goals of the Garda Síochána Policing Plan for 2009 was to significantly reduce the incidence of fatal and serious injuries and improve road safety. There were 40 fewer road deaths in the year, with a decrease from 279 in 2008 to 239. The implementation of the relevant action points in the Road Safety Strategy 2007-2012 made a significant contribution to this outcome.

A contract was signed with the GoSafe consortium for the provision and operation of a network of safety cameras to detect speeding drivers. The contract, in line with the Road Safety Strategy 2007-2012, will result in a network of mobile safety cameras which will provide in the region of 6,000 hours of enforcement a month. In addition, 'before and after' speed surveys will be carried out so that enforcement activities can be focused most effectively.

## **COMMUNITY INITIATIVES**

At 31 December 2009, a total of 28 Community based CCTV Schemes had become operational and a total of 27 Garda Town Centre CCTV systems had been completed.

A National Community Policing Office has been established within the Garda Community Relations Section to develop and oversee the implementation programme. The model is being rolled out nationwide in line with an action plan which has been developed. Training is ongoing and it is intended that every District Officer throughout the country will take ownership of community policing within his/her area of responsibility. The Garda Síochána National Model of Community Policing Report is available on the Garda website [www.garda.ie](http://www.garda.ie).

Following a pilot phase and subsequently the publication by the Minister of revised Guidelines, Joint Policing Committees were established in 96 out of 114 local authority areas by the end of 2009. The Committees provide a forum where An Garda Síochána and the local authority - the two organisations which make the most significant contribution to preventing and tackling crime - can come together, with the participation of Members of the Oireachtas and community and voluntary interests, on matters affecting an area. In August 2009 the Minister issued Guidelines for Local Policing Fora (LPFs) in areas where Local Drugs Task Forces are established. The LPFs will allow for engagement with the communities in specific neighbourhoods.

## **INTERNET SAFETY AND AWARENESS**

The Office for Internet Safety of the Department ([www.internetsafety.ie](http://www.internetsafety.ie)) has lead responsibility for internet safety in Ireland, particularly as it relates to children.

There are now 4 booklets in the Get With It series:

- A guide to cyberbullying
- A parents' guide to social networking websites
- A parents' guide to filtering technologies, and
- A parents' guide to new media technologies.



EU Safer Internet Day 2009 was held on 10 February 2009. This international annual event takes place every February to promote safe and responsible use of the internet and mobile phone technologies, especially amongst children and young people. To mark Safer Internet Day 2009, the Office for Internet Safety produced an information leaflet on "Internet Safety for Parents" and a bookmark on "Top Tips for safer use of social-networking sites".

The 6th Annual Report of the Irish Internet Hotline which investigates child pornography content on the web was launched on 24 June. For the ninth year running, Ireland has again had no material reported that was assessed to be child pornography. Any instances of suspected online child abuse should be reported to [www.hotline.ie](http://www.hotline.ie) immediately.

## **INTERNATIONAL CO-OPERATION IN THE FIGHT AGAINST CRIME**

In 2009, the Department received 334 major requests for mutual legal assistance e.g. taking of evidence, seizure of assets, searches etc - up from 304 such requests in 2008. The Department also received 326 European Arrest Warrants from other EU Member States in 2009. The corresponding figure for 2008 was 198. During the year, the Department actively contributed to policy developments at EU and international level to specifically target organised criminality. The Department attended EU, UN, Council of Europe and OSCE (Organisation for Security and Cooperation in Europe) meetings throughout the year to build on current levels of cooperation in the fight against organised crime and also attended the United Nations Convention Against Corruption which agreed a review mechanism for compliance with the evaluation of the Convention.



An Garda Síochána, working closely with the Probation Service, are at an advanced stage in the development of an all-island model for risk assessment. Further joint training is being prepared. Cross jurisdictional liaison has been very effective, particularly with Northern Ireland, with cross representation on appropriate committees operationalised. On 8/9 October 2009 the Probation Service in Ireland, in collaboration with the CEP (European Organisation for Probation), hosted an expert meeting on the 'Implementation of the EU Framework Decision on the Transfer of Probation Supervision'. This Framework Decision will allow Courts to impose a non custodial order with conditions, including supervision, to be implemented in the home country of an offender convicted abroad, thus improving the prospects of rehabilitation.

### **EU co-operation in Justice and Home Affairs**

The past year has seen a significant development in EU cooperation in the Justice and Home Affairs (JHA) area, with the entry into force of the Lisbon Treaty. JHA matters will become increasingly important as decisions on police cooperation and cooperation in criminal law matters are made by qualified majority voting rather than unanimity. This Department played an important role in ensuring Ireland's particular legal system and constitutional position are protected by the inclusion of a Protocol allowing Ireland to opt-in to JHA measures on a case by case basis. The operation of the Protocol will be reviewed in 2012.

The Department also played an active role in contributing to and negotiating a new multi-annual Justice and Home Affairs work programme, the Stockholm Programme, which will ensure that Ireland's concerns and priorities are reflected in EU developments in the JHA area over the next five years.

### **WHITE PAPER ON CRIME**

In January 2009, the Minister launched a project to develop a White Paper on Crime. The White Paper, which forms part of the Renewed Programme for Government, is due for completion in 2011 and will set out the overall policy framework for strategies to combat and prevent crime into the future. The Department's website includes all documentation relevant to the White Paper process and members of the public can register on-line for updates.

Consultation is an essential part of the development of the White Paper on Crime and a key element in the process will be the production of a series of discussion documents which will be used to give structure to the very broad range of subjects which need to be examined.

The first of these documents was published in July 2009 and dealt with Crime Prevention and Community Safety. It addressed a wide range of approaches designed to prevent crime and sought views on how well existing crime prevention measures are working and what scope there is for further development. In addition to inviting written comments on the issues raised in the document, a series of regional seminars with community groups and other stakeholders was held in late 2009. A report on the outcome of these discussions, together with a summary of the written submissions received, have been published on the Department's website. These reports reflect the views expressed in the 70 written submissions received from organisations and individuals as well as the views expressed by some 200 people who attended the regional public consultation meetings.

The second discussion document deals with Criminal Sanctions and is due for publication in early 2010. Subsequent documents will deal with Organised and Economic crime and with the relationship between the public and the criminal justice system. In addition to seeking written views of these documents, a further round of regional consultation seminars will be held so that a broad geographic reach will have been achieved as part of the overall process.

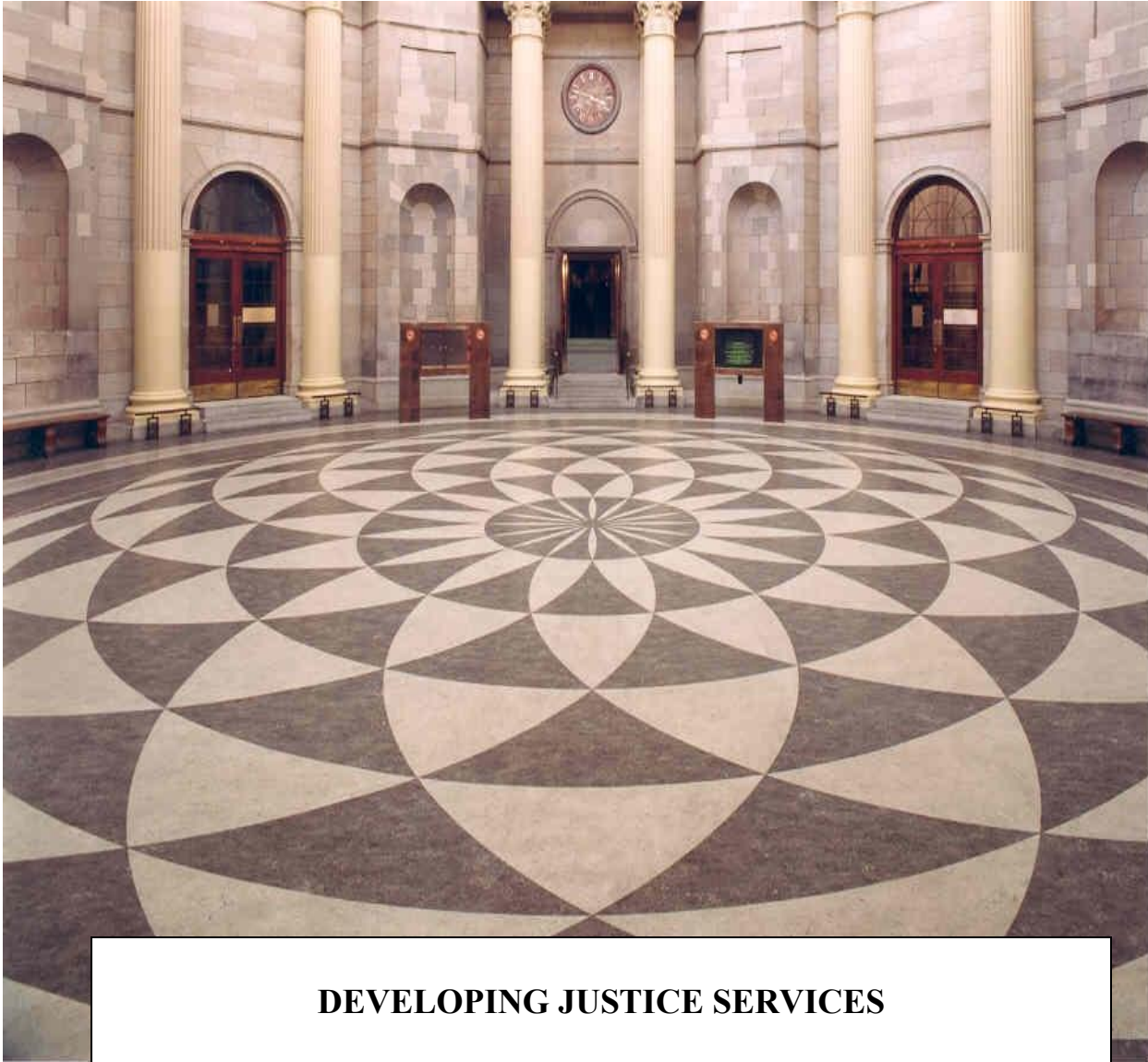
## **BAIL**

In April the Minister signed an order (SI no. 165 of 2009) commencing section 19 of the Criminal Justice Act 2007 in part with the result that the prosecution in addition to the bail applicant may appeal to the High Court against a bail decision or against the conditions attaching to bail. Previously only the applicant had the right to appeal.

## **ANTI MONEY LAUNDERING**

An Anti-Money Laundering Compliance Unit (AMLCU) has been established in the Department to administer functions that will arise following transposition of the 3rd EU Money Laundering Directive. The Criminal Justice (Money Laundering and Terrorist Financing) Bill will, when enacted, transpose the Directive into Irish Law. It was published on 28 July 2009. This Bill is expected to be enacted in early 2010.

The AMLCU has engaged with the sectors concerned and has made significant progress in putting in place the administrative systems to commence operations in 2010.



## **DEVELOPING JUSTICE SERVICES**

**The Department is committed to ensuring that all areas of the justice system- criminal and civil- are adequately resourced and to effective interaction between the key organisations. We play a lead role in ensuring that the justice sector organisations deliver on all commitments contained in national and international strategies.**

**Programme 2,3,7,8 and 9 are associated with this High Level Goal. Details of funding and outputs are shown in the Output Statement at Appendix 2.**

## COURTS

The Criminal Courts of Justice in Parkgate Street, Dublin was completed and handed over to the Courts Service in November 2009. Criminal trials from the Dublin District Court commenced in the new building in December. The complex became fully operational in January 2010. The new building is one of the most significant developments in the history of the courts in Ireland, and provides vastly improved conditions for the public, jurors, victims and their families with secure segregated accommodation areas and access routes. New legislation was necessary in order to ensure the efficient operation of the Criminal Courts of Justice - the Courts and Court Officers Bill 2009 was published in August and enacted on 24 November 2009. The Act's provisions came into operation on 4 December 2009.



The refurbishment of the historic Thurles Courthouse was completed at a cost of €4.7 million and the Minister formally opened the building on 24 July 2009.

The Working Group established to consider the case for a general Court of Appeal published its final report on 7 August 2009. The Group considered a number of options and their possible implications and recommended that a Court of Appeal be established, provided for in the Constitution and then established by law. The report is under consideration by the Government.

Mr Justice Aindrias Ó Caoimh was reappointed as a Judge of the Court of Justice of the European Communities (ECJ) in October 2009. Mr Justice Nicholas Kearns was appointed from the Supreme Court as President of the High Court with effect from 28 October 2009 to replace Mr Justice Richard Johnson who retired. Two judges were appointed to the Circuit Court.

Twenty six Statutory Instruments were introduced to provide new Rules of Court including rules to extend the remit of the Small Claims procedure to include certain business claims.

In the first quarter of the year, the fees payable to solicitors and counsel under the Criminal Legal Aid scheme were reduced by 8%, following a direction from the Department of Finance, however, expenditure during the year rose to €60.3 million, an increase of 9% on 2008.

In October 2009 the Supreme Court ruled in the case of Edward Carmody-v-the Minister for Justice, Equality and Law Reform, Ireland and the Attorney General. The Court found that in exceptional circumstances and where the issues are particularly grave or complex, a defendant appearing before the District Court has a constitutional right to seek legal aid which includes counsel as well as a solicitor (this had not been provided for in the Criminal Justice Legal Aid Act 1962). A non-statutory District Court (Counsel) Scheme was introduced with effect from 23 October 2009 to give effect to the Judgement.

In the context of developing a new Criminal Legal Aid Bill, measures towards addressing the escalating cost of Criminal Legal Aid such as the use of PPSN to strengthen means testing provisions and the introduction of a requirement whereby those who can afford to would be required to make a contribution towards Criminal Legal Aid costs were examined. Work also commenced to test on a pilot basis whether legal aid services could be procured from the legal profession in a more cost effective and predictable manner.

## PRISONS

There has been a consistent increase in the total prisoner population over recent years. The higher committal rates to prison can be attributed to increased Garda activity resulting in the successful prosecution of criminals and their conviction by the courts.

The Irish Prison Service (IPS) has been engaged in an ongoing extensive programme of investment in prison infrastructure to modernise and expand the prison estate resulting in more than 1,670 new spaces already provided.

In June, 2009 the Government re-affirmed its commitment to developing a new prison campus at Thornton Hall, Kilsallaghan, County Dublin and also approved the launch of a new tendering process for the construction of a more affordable and better value prison campus at Thornton. The aim is to provide good quality, regime focussed prison accommodation with appropriate support and rehabilitative facilities for prisoners to prepare them for re-integration into society. Thornton will be a campus development with approximately 1,400 cells on a 130 acre site. The new prison facility will have operational flexibility to accommodate up to 2,200 prisoners in a range of security settings.

A new block in Portlaoise Prison was opened in November. The block can accommodate 200 prisoners.

A new IPS Sex Offender Programme began in January and is expected to cater for approximately 60 offenders in a full year. This level of intervention will ensure that, when the programme is fully operational, all sex offenders who are serving sentences of at least one year and who are willing and suitable to engage with the therapeutic services will be able to avail of interventions.

Integrated Sentence Management (ISM) was piloted in two Dublin prisons. It is intended that ISM will be rolled out to all prisons on a phased basis subject to the exigencies of the financial and budgetary situation.

The following Reports were published -

- Annual Report for 2008 of the Inspector of Prisons, Judge Michael Reilly.
- A Report by the Inspector of Prisons on Castlerea Prison.
- A Report by the Inspector of Prisons on Mountjoy Prison.
- The 2008 Annual Reports of the Visiting Committees to Arbour Hill, Castlerea Prison, Cloverhill Prison, Cork Prison, Dóchas Centre, Midlands Prison, Portlaoise Prison, Shelton Abbey Place of Detention, Wheatfield Prison, Loughan House Place of Detention, Mountjoy Prison, Limerick Prison, St. Patrick's Institution and the Training Unit Place of Detention.

## PROBATION

Following extensive consultation with stakeholders a new model of Community Service operation, informed by the Value for Money and Policy Review on Community Service, was developed by the Probation Service in 2009 for implementation on a pilot basis in Dublin in early 2010. A full implementation plan for the pilot phase has been completed with the agreement of stakeholders and an implementation monitoring group established.

The dedicated Graffiti Removal Community Service Unit, a pilot initiative, working in partnership with the local authority and communities in South County Dublin was reviewed and evaluated in 2009. The evaluation confirmed the pilot as a valuable cost effective Community Service initiative providing visible benefits in communities and providing an important and sustainable Community Service sanction for the Courts. Negotiations have been completed with local authorities with Dublin City, Dunlaoghaire -

Rathdown, Fingal and Cork local authorities to extend the Community Service Graffiti Removal initiative to their areas by implementing the practice model as developed in South Dublin. Vehicles and equipment have been commissioned and Community Service personnel will be in place for implementation in early 2010.

The Minister published a report "The Management of Sex Offenders - a Discussion Document" on 27 January providing a comprehensive overview of the current position and future policy options. As part of the consultative process a conference was held in March where interested parties raised questions and shared views on the important issues raised in the document. The output from the conference informed the ongoing development of the project. A Project Board, led by the Probation Service, was established to look at the implementation of electronic monitoring in this jurisdiction. This work continued during 2009.

A new policy on the management of sex offenders in prison was initiated in April. The policy is aimed at bringing about changes in offenders' lives that reduce risk of re-offending and enhance public protection. This policy forms an integral part of the wider criminal justice policies designed to ensure a joined-up approach by the Irish Prison Service, the Probation Service and An Garda Síochána, working with community-based agencies, in supporting convicted sex offenders to reintegrate into society and reduce the risk of further offending.

A Project Team was established by the Probation Service to work with the Service funded Community Based Organisations (CBOs) and all stakeholders to implement, as appropriate, recommendations outlined in the Value for Money and Policy Review of Probation Projects and completed all priority tasks in November 2009. The Value for Money and Policy Review of Projects has been an important driver for change and development in the Service management of, and relationship with, CBOs and in their efficient and relevant operations. The CBOs have benefited through the efficient management systems implemented as well as increased clarity in purpose and governance.

## **YOUTH JUSTICE**

The National Youth Justice Strategy 2008-2010 was progressed at a national level in 2009 by the National Youth Justice Oversight Group, containing representatives of the main stakeholders involved and which was established in order to facilitate the cross-agency collaboration needed. The Strategy includes a number of goals and targets for the stakeholders to help measure progress and to assess where available resources should be targeted. Significant progress has been made under each of the high level goals, the net effect of which is to create a more co-ordinated strategic approach, make better use of existing resources, create positive working relationships amongst stakeholders and deliver better outcomes for children in trouble with the law and for the community in general. The Oversight Group reported progress on the Strategy to the Cabinet Committee on Social Inclusion, Children and Integration in October 2009.

"Designing Effective Local Responses to Youth Crime: A baseline analysis of the Garda Youth Diversion Projects" was published by the Irish Youth Justice Service (IYJS) in July. Implementation of its recommendations, which centre around greater alignment of projects to local youth crime patterns and improved training and best practice, has commenced. All recommendations will be substantially implemented by the end of 2010.

The Working Group established to consider the future role of the Finglas Child and Adolescent Centre reported in 2009 and recommended the closure of the Centre and the transfer of the children and services to the Oberstown Campus. The Centre will be closed by end-March 2010 when the site will be returned to the Office of Public Works (OPW). An integration strategy for integrating services of the four children detention schools has been drafted by the IYJS in consultation with the Directors and senior managers of the schools.

Planning for the future national detention facilities development was further progressed in 2009. The OPW, who were appointed to deliver the design and manage the procurement of the construction phase of the project, developed sketch designs and an order of magnitude cost which have been approved by the Steering Committee overseeing the project. Subject to the outcome of consultations with regard to the planning process, the OPW will progress the development of detailed specifications and drawings to tender for the construction phase of the project. Tendering for the construction of the facilities will be subject to Government approval and to the necessary funding being made available.

## TRIBUNALS AND INQUIRIES

**Dean Lyons Commission of Investigation and Expert Group** - The Expert Group to examine the adequacy of Garda protocols and procedures regarding the assessment of the fitness of witnesses to be interviewed arising from the Dean Lyons case completed its report in 2009.

**The McMorrow Commission of Investigation into the death of Gary Douch in Mountjoy Prison** - The work of the Commission continued in 2009 and the final report is expected in 2010.

**Dublin Archdiocese Commission of Investigation** - The Report of the Commission of Investigation into the Catholic Archdiocese of Dublin was published in November in accordance with directions of the High Court. The Commission commenced an investigation into the Diocese of Cloyne.

**The Smithwick Tribunal** - The Smithwick Tribunal was set up to enquire into suggestions that members of An Garda Síochána or other employees of the State colluded in the fatal shootings of RUC Chief Superintendent Harry Breen and RUC Superintendent Robert Buchanan on 20 March 1989. The work of the Tribunal is ongoing.

## RESTORATIVE JUSTICE

The Final Report from the National Commission on Restorative Justice was published in December. The Report examines the nature and application of restorative justice and its relevance in the Irish Criminal Justice System and makes recommendations for the use of restorative justice on a national basis. The recommendations in the Report will be examined in the context of the White Paper on Crime which is looking at the use of custodial and non-custodial sanctions.

## MAJOR REVIEW OF GAMBLING

In May the Minister commenced a major review aimed at developing a new and comprehensive legal and organisational framework governing the gambling architecture in the State based on the following important considerations:

- that young people and the vulnerable are protected;
- that gambling should in all respects be fairly and openly conducted, and
- that gambling is kept free of crime

Consultation is an essential part of the review and, through a public information notice on the Department's website on 1 May and in daily newspapers on 24 July, submissions were invited from interested parties and members of the public. There were also consultations with stakeholders - statutory, NGO and the private sector - and with the community at large. The gambling material on the Department's website was viewed over 3,800 times. Over 170 people/organisations responded to the invitation to register on the website in order to obtain e-mail updates on the review process; 69 submissions were received from interested organisations and individuals and over 50 follow-up meetings were held with interested parties.

## OTHER MATTERS

### **Coroners Service Implementation Team**

Work is continuing with coroners to identify ways of improving the delivery of their service at local level in advance of the Coroners Bill being enacted. The first national website for the Coroners Service was developed and launched in 2009 ([www.coroners.ie](http://www.coroners.ie)) along with an introductory leaflet. This website focuses on providing practical information in a simple and quick way to those affected by a sudden or unexplained death. Both the website and leaflet were developed in consultation with the Coroners Society of Ireland as well as other stakeholders.

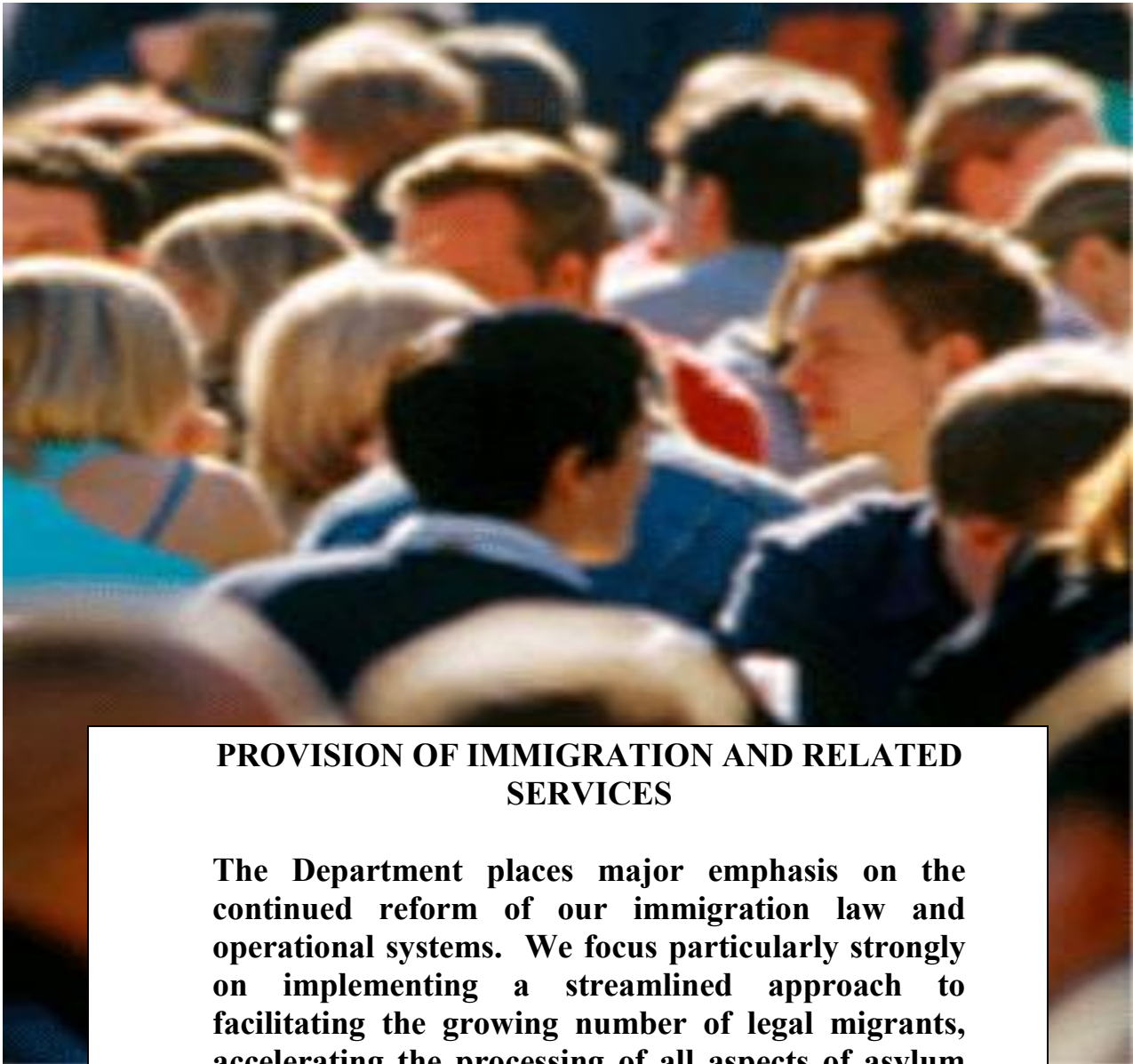
### **Irish Legal Terms Advisory Committee**

New members were appointed to the Irish Legal Terms Advisory Committee on 7 August:

- the Honourable Mr Justice Adrian Hardiman, of the Supreme Court
- His Honour Judge Rory Mac Cabe of the Circuit Court
- Judge Uinsin MacGruairc of the District Court
- Mr Vivian Uíbh Eachach, Chief-Translator, Rannóg an Aistiúcháin
- Mr Caoimhin Ó hUiginn, Former Assistant Secretary, Department of Justice, Equality and Law Reform
- Dr Micheál Ó Cearúil, Translator, Department of Justice, Equality and Law Reform
- Ms Fidelma Ní Ghallchobhair, Secretary, An Coiste Téarmaíochta

These appointments were made in order to facilitate the verification of the translation of the Forms contained in the Rules of Court translated by the Department. The Committee's verification process gives an authority and quality assurance to the Irish translation to the Rules of Court. It is expected that the Irish Translation of the Circuit Court Rules 2001 will be published in the first quarter of 2010.





## **PROVISION OF IMMIGRATION AND RELATED SERVICES**

**The Department places major emphasis on the continued reform of our immigration law and operational systems. We focus particularly strongly on implementing a streamlined approach to facilitating the growing number of legal migrants, accelerating the processing of all aspects of asylum applications and providing efficient reception and accommodation arrangements.**

**Programme 6 is associated with this High Level Goal. Details of funding and outputs are shown in the Output Statement at Appendix 2.**

## **POLICY DEVELOPMENTS**

In response to the economic downturn, new measures were introduced in August 2009 to cater for the situation of non-EEA workers who became redundant or were at risk of becoming so. The Minister directed that non-EEA workers made redundant be given 6 months grace within which they should seek new employment. Persons who had completed 5 years on an employment permit were exempted from the requirement to hold a permit.

The Minister published a set of proposals for reform of non-EEA student immigration on 1 September and initiated a public consultation process on the issue. The discussion document drawn up by the Department, in consultation with a number of other Government Departments, contains more than 20 specific proposals including capping the length of time a person can spend in Ireland as a student, introducing a two tier system to facilitate the targeting of incentives towards the upper end of the academic spectrum, a tighter inspection regime, possible changes in respect of visas and new guidelines on work placement of internship. More than 100 submissions were received. The Minister established an interdepartmental committee to report to him with final recommendations.

On 1 October a scheme was introduced for foreign nationals who have become undocumented through no fault of their own after previously holding a work permit. The scheme ran for 3 months and 185 applications were received.

## **LEGISLATION AND INTERNATIONAL REQUIREMENTS**

Work continued on the Immigration Residence and Protection Bill 2008 with a view to commencing Dáil Report Stage in the first half of 2010.

### **International**

During 2009 Ireland opted into the adoption and application of proposals from the European Commission for a recast of the Dublin Regulation and for the establishment of a European Asylum Support Office. The two proposals are key elements of the Policy Plan on Asylum presented by the Commission in June 2008.

### **European Directive (2004/38/EC) on the right of EU citizens and their family members to move and reside freely in the EU (the Free Movement Directive).**

In July 2009 a set of Guidelines was published by the Commission to assist Member States in applying the Directive. The Member States in conjunction with the EU Commission are continuing to review the implementation of the Directive. Ireland has highlighted the importance of ensuring that the Directive is not allowed to become a vehicle for abuse of the immigration system.

### **European Migration Network**

The primary objective of the European Migration Network is to improve the range and quality of research concerning migration and asylum related matters at both the European and Member State level in order to support more coherent policy and decision making across the EU. In 2009 the Irish National Contact Point (ESRI) published several research studies on topics including unaccompanied minors and the organisation of asylum and migration policies in Ireland.

## ASYLUM APPLICATIONS

In 2009, the Office of the Refugee Applications Commissioner (ORAC) received 2,689 applications for refugee status. This figure represents a 30.5% reduction on the number of applications received in 2008.

The countries with the most number of applications were:

- Nigeria 569 (21.2 %)
- Pakistan 257 (9.6%)
- China 194 (7.2%)
- DR Congo 102 (3.8%)
- Zimbabwe 91 (3.4%)

At end of year there were 470 applications on hand in ORAC. Further details can be found on the ORAC website [www.orac.ie](http://www.orac.ie).

At end of year there were 2,311 cases on hand in the Refugee Appeals Tribunal (RAT).

## RECEPTION AND INTEGRATION

The reception function of the Refugee and Integration Agency (RIA) accommodated 6,494 protection applicants at the end of 2009 - a decrease of 7.26% over the year. In 2009 expenditure in respect of asylum accommodation services amounted to €86.5million.



A total of 54 centres throughout the country were under contract to RIA at the end of 2009. During the year RIA closed 5 accommodation centres, 1 self-catering centre and 1 Programme Refugee centre. RIA opened 1 accommodation centre.

During 2009, 145 inspections of accommodation centres were carried out. Seventy two information clinics in centres and 30 Interagency meetings were held.

During 2009, 663 destitute EU nationals were assisted by RIA to return home voluntarily.

## DEPORTATIONS AND REMOVALS

In 2009, a total of 291 Deportation Orders were effected. An additional 243 Dublin II Regulation Transfer Orders and 33 Removal Orders were also effected during the year. The voluntary return to their countries of origin was facilitated in the cases of some 539 persons.

When deportations, transfers, removals and voluntary returns are combined, a total of 1,106 persons were either assisted to return voluntarily to their countries of origin or were removed from the State in 2009.

The financial cost of effecting deportation, Dublin II Regulation Transfer orders and Removal orders amounted to €1,143,387.

## PERSONS GRANTED LEAVE TO REMAIN

During 2009, 659 persons were granted Leave To Remain in the State by the Minister for Justice Equality and Law Reform following the consideration of their individual cases under Section 3 of the Immigration Act 1999 (as amended).

## **SUBSIDIARY PROTECTION**

Some 2,089 applications for Subsidiary Protection were received in the year 2009 while decisions were made on 677 such applications during the year.

## **JUDICIAL REVIEWS (REPATRIATION)**

A significant number of Judicial Reviews arise in the area of Repatriation. During 2009, a total of 267 new legal challenges, through the medium of judicial review, were instituted by persons faced with deportation/transfer or removal from the State. There were a further 316 cases on hand at the start of 2009 bringing the total to 583 cases arising to be dealt with during the year. At the end of the year a total of 250 legal challenges were still before the courts.

The volume and cost of judicial reviews being taken continues to have significant resource implications (both from a staffing and financial perspective) for the Irish Naturalisation and Immigration Service (INIS) and indeed the State as a whole.

## **EU TREATY RIGHTS**

Directive 2004/38/EC was transposed into national law by the European Communities (Free Movement of Persons Regulations 2006 and 2008). This provides for EU citizens and their family members to have a right to move and reside freely in any Member State of the European Union subject to certain conditions. EU citizens are said to be exercising their EU Treaty Rights when they move and reside in a Member State other than their own Member State. All non EU family members intending to reside in Ireland, for a period greater than three months, must apply for a residence card.

2,707 applications for leave to remain in Ireland were received in 2009. During that period, 1,541 permissions were approved and 958 refused. A request for a review of a refusal decision was made in 576 cases. The top five applicant nationalities for EU Treaty Rights in 2009 were:

- Pakistani 31%
- Nigerian 19%
- Brazilian 12%
- Indian 10%
- South African 9%.

## **GENERAL IMMIGRATION**

During 2009, 2,939 applications for General Permission to Remain in the State were received. In all, 1,313 applications were approved and 494 refused in 2009.

### **Family Reunification**

INIS received a total of 895 applications for family reunification of refugees in 2009. The total number of decisions processed was 1,260 in 2009 of which 731 applications were approved.

## **NATURALISATION**

INIS received 27,765 applications for a certificate of naturalisation in 2009. This represents an increase of 155% over 2008 levels.

A total of 25,582 applications were processed during 2009 with 12,242 rejected as invalid and a further 6,011 deemed ineligible. Of the 7,329 eligible applications processed a total of 5,868 were approved and 1,461 were refused. A total of 4,531 certificates of naturalisation were issued during the year.

## **VISAS**

A total of 133,967 Irish visa applications were processed worldwide in 2009. Of this total, 57,413 applications were for re-entry visas. 57,411 re-entry visas were issued.

A total of 65,671 visas for initial entry were issued during the year, including 21,748 visas which were approved by Department of Foreign Affairs staff in Irish Missions abroad acting under delegated authority without the need to refer the applications to INIS for decision. 10,700 entry visa applications were refused.

## **INFORMATION COMMUNICATIONS TECHNOLOGY INFRASTRUCTURE (ICT)**

Work is at an advanced stage on the delivery of a number of major INIS ICT projects aimed, in particular, at improving customer service provision and protection of national security and border protection. Major projects underway or completed during 2009 include:

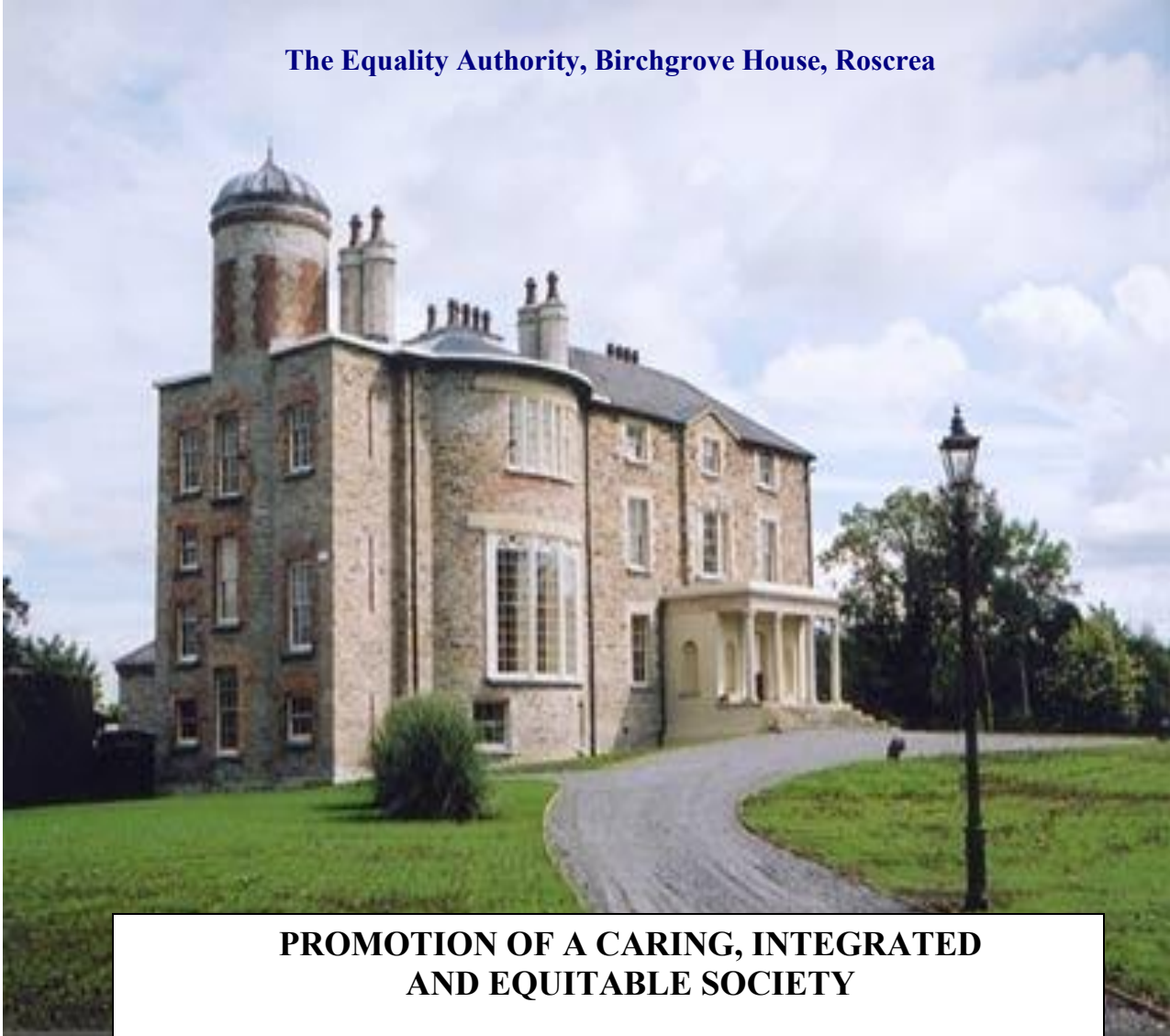
- Rollout of the Automated Visa Application Tracking System (AVATS) was completed successfully in July 2009. All visas are now applied for online with all worldwide applications now processed through the system.
- A new electronic border control system, known as IBIS (Irish Border Information System) is being developed in conjunction with a number of other Departments. This system will facilitate the screening of passenger information collected by carriers against immigration, Garda, Customs and other watch-lists. In the event that a match occurs the relevant agency would be alerted immediately, facilitating time to take appropriate measures to monitor, intercept, question, stop or arrest the individual concerned. A prototype system, which will inform a tendering process for the full scale system, is being developed using in-house resources.
- The development and deployment of an integrated automated fingerprint system (AFIS) for the capture of fingerprints of asylum seekers (presenting at ORAC) was effectively completed in 2009. The system, which is part of the development of a new advanced integrated fingerprinting system for the Garda Technical Bureau, was extended to capture fingerprints of all foreign nationals (from outside the EEA) upon registration with GNIB in August 2008. The number of locations where fingerprints are captured increased over the course of 2009 as AFIS equipment became operational in local Garda Stations around the country for this purpose. The remaining elements of the technical capabilities of the AFIS system will be deployed when the Immigration, Residence and Protection Bill is enacted and commenced. An additional phase to the AFIS system involving the introduction of fingerprinting in the Irish visa application process, was approved in mid-2009 and development work commenced in the Autumn. This phase of AFIS will go live in March 2010.
- A new case management system for INIS, with particular emphasis on the Immigration and Citizenship areas and with links to other systems such as those in the asylum areas, is being developed which will substantially enhance customer service provision. Key modules include:
  - Case Management Systems
  - Country of Origin and Library Information Systems
  - File Tracking Systems.

## CHANGE MANAGEMENT

As part of the Change Management Programme underway in INIS, a number of shared services initiatives have been introduced. These include the establishment of an INIS Research and Analysis Unit (RAU) to provide a centralised service across INIS involving the preparation and dissemination of asylum and migration data, statistical analysis and investigation of data trends. The Unit is headed by a statistician assigned from the CSO.

In addition, all Organisation and Finance functions across INIS and related agencies have been consolidated into a single unit. The amalgamation of other shared services such as training, customer service and management of court proceedings, within a Corporate Business Support Unit is also planned. These initiatives result in the delivery of more efficient, cost-effective shared services to the organisation and its customers.

**The Equality Authority, Birchgrove House, Roscrea**



**PROMOTION OF A CARING, INTEGRATED  
AND EQUITABLE SOCIETY**

**The Department and the Justice organisations are responsible for supporting programmes whose aim is to develop a more caring society in which equality of opportunity is promoted and advanced. The Department addresses issues of equality, discrimination and diversity in terms of gender, racism, disability and any other sphere requiring attention and also ensures that all legally resident immigrants are supported in their integration into Irish society.**

**Programme 5 is associated with this High Level Goal. Details of funding and outputs are shown in the Output Statement at Appendix 2.**

## DIVERSITY AND TOLERANCE

### Travellers

The Department continued to co-ordinate the implementation of the Report of the High Level Group on Traveller Issues (March 2006), especially in relation to local delivery under the structures of the City and County Development Boards.

The Department continued to support the work of The National Traveller Monitoring and Advisory Committee (NTMAC) which was established in 2007, following on from a commitment in the Partnership Agreement "Towards 2016".

During 2009, the Department also supported a number of other positive communication measures including approaches to conflict resolution such as mediation and media communications including:

- Traveller Focus Week - a nationwide programme of cultural and information events during the first week of December each year.
- Voice of the Traveller Magazine - being developed as a means of providing news, discussion and entertainment, focussing on issues of particular relevance to the Traveller community.
- Pavee Point Mediation Service - the Department continues to support this service which engages in a range of conflict transformation initiatives.



### Reports to International Bodies

The Office of the Minister for Integration (OMI) prepared Ireland's combined Third and Fourth Periodic Reports to the UN on progress on implementation by Ireland of the UN Convention on the Elimination of all forms of Racial Discrimination. The Report was submitted to the UN in December 2009.

### Holocaust

OMI provided funding to the Holocaust Education Trust, the organisers of the Government's Holocaust Memorial Day, held each year on the Sunday closest to 27 January (the anniversary date of the liberation of the Auschwitz-Birkenau Concentration Camp in 1945). The Commemoration serves as a reminder of the dangers of racism and provides lessons from the past that are relevant today. The Office also provided support to the Holocaust Education Trust in Ireland towards the further development of education materials and awareness raising activities.

## GENDER EQUALITY

The first Progress Report on the National Women's Strategy 2007-2016 was published on 6 August 2009. The Report outlines developments to the end of 2008 and shows many positive outcomes for women since the Strategy was published in 2007. This includes, for example, the establishment of Cosc and the Anti-Human Trafficking Unit in this Department and a wide range of activities in other Departments and Agencies. Containing more than 200 actions, the National Women's Strategy aims to "achieve an Ireland where all women enjoy equality with men and can achieve their full potential while enjoying a safe and fulfilling life".

Under the Equality for Women Measure of the ESF-supported Human Capital Investment Operational Programme, funding exceeding €1 million was made available to 36 community based non profit groups who are providing development supports to disadvantaged women to enable them to prepare to re-enter the labour market or formal training and education.



Ireland's "gender equality" status in relation to the implementation of the UN Beijing Platform for Action prepared at the Fourth World Summit of Women 1995 was reviewed by the United Nations Economic Commission for Europe and by the Government of Sweden on behalf of the European Union.

The Department was actively engaged in the work of the Steering Committee on Gender Equality of the Council of Europe, the Management Board of the European Gender Institute and a number of EU Committees. Contributions were also made to a number of evaluations undertaken by the European Union and to a range of EU Council Conclusions including recommendations in relation to the development of EU economic policy.

A new framework and training module for gender mainstreaming in Government policy was prepared using funding from EU Progress.

## **DISABILITY EQUALITY**

Implementation of the National Disability Strategy is the focus of disability policy over the lifetime of "Towards 2016". The National Disability Strategy Stakeholder Monitoring Group (NDSSMG) monitors the implementation of the National Disability Strategy. It comprises senior officials of Government Departments, stakeholders in the disability sector, the National Disability Authority (NDA), IBEC and ICTU. The NDSSMG ensures coordination of responses from Departments and facilitation of dialogue between all parties. The 5th and 6th meetings of the NDSSMG took place on 24 February and 5 October 2009 at which reports on progress were presented by senior officials from the relevant Departments.

The Sectoral Plans of six Government Departments, a crucial element of the National Disability Strategy, outline the programme of measures proposed for the provision of services to persons with specified disabilities. Part 3 of the Disability Act 2005 provided for reports of progress on the implementation of the Sectoral Plans by 21 December 2009. The reports were submitted by the relevant Government Departments within the statutory timeframe.

In 2009 the NDA undertook widespread dissemination and awareness-raising among public bodies of the outcomes and key findings of its "Monitoring Report on the implementation of the NDA's Code of Practice on Accessibility of Public Services and Information provided by Public Bodies" which it had published on 19 December 2008.

The Minister of State at the Department requested the NDA to draft a Code of Practice on the access provisions of the Act concerning Heritage sites. The drafting of the code was progressed in 2009 and is expected to be finalised in 2010.

Part 5 of the Disability Act provides for a statutory target, currently set at 3%, for the recruitment and employment of people with disabilities in the public sector. The NDA Report on the compliance by the public service with the employment of people with disabilities in 2008 was published in December 2009. The main findings of the report showed an increase in the number and proportion of people with disabilities employed over the previous two years of reporting. The totals were 3.9% in Government Departments, 2.5% in public bodies and 2.7% in Government Departments and public bodies combined. The Report also highlighted wide-ranging examples of good practice which demonstrate how public sector organisations have built up a significant track record in promoting employment of people with disabilities, aiding job retention and fostering a positive work environment.

Ireland was in the first group of countries to sign, subject to ratification, the United Nations Convention on the Rights of Persons with Disabilities when it opened for signature on 30 March, 2007. The National Disability Strategy in many respects comprehends many of the provisions of the UN Convention. A high-level inter-departmental implementation group was established under the chairmanship of the Department to advise on any changes to legislation, policies, programmes and schemes that may be required to enable ratification of the Convention. The group has developed a work programme to address matters that need to be aligned with the Convention. In 2009 it met on 23 April and 25 August. The Mental Capacity Bill, which is expected to be published in 2010, forms an important part of what is required to ratify the Convention. Work on implementing the various other provisions, which are extensive, continues in the relevant Departments.

The Department continued to fund People with Disabilities in Ireland Ltd (PwDI) and the Vantastic Dial-a-Ride demonstration project on accessible transport for people with disabilities. Funding was also made available under the National Disability Plan 2007-2013 for a programme of overarching support projects in the Justice area focusing on improved accessibility to services including technology development and implementation of existing legal provisions in relation to the position of people with disabilities.



The Department continued to fund the Enhancing Disabilities Services Programme which was delivered through Pobal. Introduced as a finite programme to run from 2005-2009, 31 projects and 3 thematic groups were funded as one-off voluntary sector projects which demonstrated an innovative cost-effective approach to service provision for people with disabilities and which also had the capacity to be mainstreamed.

The Minister appointed the new Board of the National Disability Authority with effect from 21 December 2009. The term of office of the Members of the Board will run for four years until 20 December 2013.

## **EQUALITY IN EMPLOYMENT AND ACCESS TO GOODS AND SERVICES**

Minor amendments to the provision in the Equal Status Act 2000 for equal treatment of men and women in the insurance and related financial service sectors were made by the Civil Law (Miscellaneous Provisions) Act 2008. The changes were made to apply the principle of equal treatment between men and women in the access to, and supply of, goods and services as set out in the Gender Goods and Services Directive (2004/113/EC).

### **Work Life Balance**

As required under "Towards 2016", work continued on reviewing the level of provision of maternity/paternity leave.

### **EU and International**

Negotiations on a range of EU proposals were undertaken in 2009. These included proposals with regard to maternity leave and between persons irrespective of religion or belief, disability, age or sexual orientation other than in the field of employment and occupation.

Agreement was reached at Ministerial Council level on both the proposal for a Directive of the European Parliament and of the Council on the application of the principle of equal treatment between men and women engaged in a self-employed capacity and repealing Directive 86/613/EEC and the revised Parental Leave Directive.

## **INTEGRATION**

### **Website**

In June 2009, the Minister for Integration John Curran, T.D. launched the website of the Office of the Minister for Integration [www.integration.ie](http://www.integration.ie). This website highlights the work of the Office, provides information on European and national funding streams managed by the Office and informs migrants about how they can access key services such as education, housing and English language classes. It also informs migrants and interested stakeholders of developments in integration and diversity management taking place at the national and international level and provides links to relevant websites and to various multilingual resources which have been developed by a range of service providers specifically for migrants.

The OMI website also hosts an information portal on migrants and education developed by the Department of Education and Science. This portal contains links to information on the Irish education system, resources available for intercultural education and to organisations and institutions (in Ireland and abroad) conducting educational research on migration.

### **UNHCR-led Refugee Resettlement Programme**

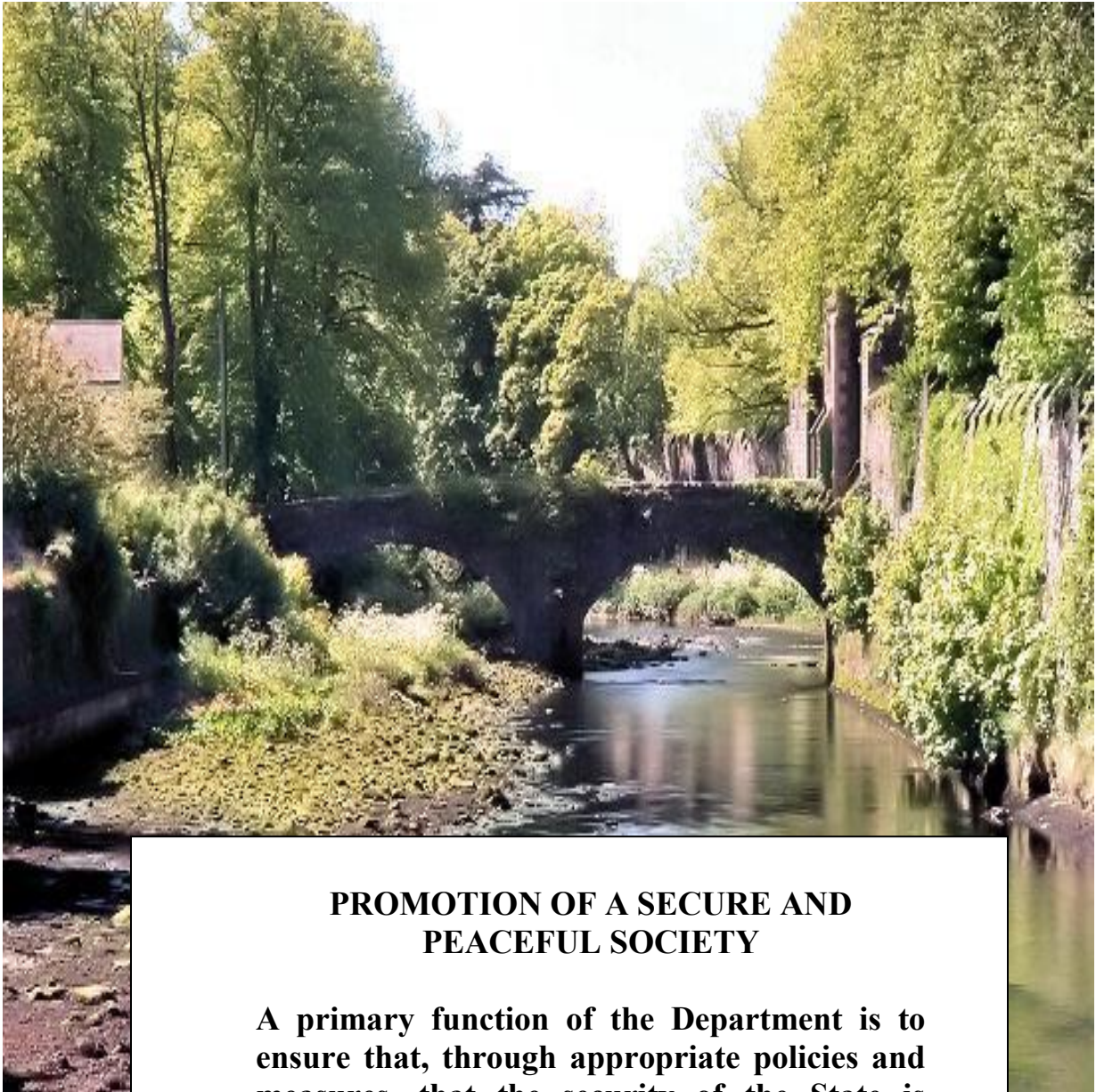
Ireland continues to play its part in the UNHCR led Refugee Resettlement Programme.

In 2009, 192 persons were admitted to Ireland for resettlement including 82 refugees from Burma/Myanmar and 84 refugees formerly from the Democratic Republic of Congo. A further 26 persons were admitted from various other locations throughout the year.

### **Grants**

In 2009, the Office of the Minister for Integration paid grants amounting to €2.9 million approximately to promote the integration of immigrants. Among the measures/bodies assisted were the Employment for People from Immigrant Communities project, local authorities, sporting bodies and bodies supporting resettled persons.

In addition, the Office is the responsible authority in Ireland for the European Refugee Fund and the European Fund for the Integration of Third-Country Nationals. A call for applications under both Funds was made on its behalf by Pobal on 27 November 2009 with a closing date of 26 February 2010.



### **PROMOTION OF A SECURE AND PEACEFUL SOCIETY**

**A primary function of the Department is to ensure that, through appropriate policies and measures, that the security of the State is guaranteed. The Department is also committed to supporting the devolved institutions in Northern Ireland.**

**Programme 4 is associated with this High Level Goal. Details of funding and outputs are shown in the Output Statement at Appendix 2.**

The Department is committed to ensuring that, through appropriate policies and measures, the security of the State is guaranteed.

The Department is also committed to contributing to supporting the devolved institutions in Northern Ireland, and to promoting a secure and peaceful society.

The Department, in co-operation with the Northern Ireland Office and criminal justice agencies North and South, continued to promote criminal justice co-operation across a range of areas, including Forensic Science, Public Protection, Victim Support, Youth Justice and the Management of Sex Offenders. Efforts are ongoing to harmonise sex offender notification requirements across Ireland and the UK. Provisions were put in place to ensure that North/South co-operation in the criminal justice area is maintained and enhanced following the anticipated devolution of policing and justice powers to the Northern Ireland Assembly in April 2010.

During 2009 the Department continued to support the work of the Independent Monitoring Commission (IMC), Independent International Commission on Decommissioning (IICD) and Independent Commission on the Location of Victims' Remains (ICLVR).

The Independent Monitoring Commission issued two reports during 2009.

- The Twenty-first Report of the Independent Monitoring Commission was published in May. The Commission's report continued its assessment of the level of paramilitary activity, and covered the six month period 1 September 2008 - 28 February 2009.
- The Twenty-second Report of the Independent Monitoring Commission was published in November. This Report made a further assessment of the paramilitary activity in respect of the period 1 March 2009 - 31 August 2009, including the murder of two British soldiers and a PSNI Officer in March 2009.

The Independent International Commission on Decommissioning issued a report in September confirming extensive decommissioning of paramilitary arms by loyalist groups.

In October the 7th Annual Cross Border Policing Seminar on Organised Crime took place in Dundalk. It outlined the respective Governments' successes in tackling organised gangs right across Ireland (North and South). The seminar was jointly organised by this Department and the Northern Ireland Office. Attendees included senior representatives of An Garda Síochána, the Criminal Assets Bureau, The Revenue Commissioners [Customs], the Police Service of Northern Ireland, The Serious Organised Crime Agency, and HM Revenue and Customs.



## **LAW REFORM**

**Legislation promoted by the Department to reform specific areas of criminal and civil law accounts for a very significant share of the Government's law reform output. Key priorities for the Department are completing the programme of law reform contained in the Government's legislative programme, continuing to keep legislation under review and providing for improved regulatory systems where required.**

Legislation in relation to law reform accounts for a significant proportion of the Department's output and its ongoing objective is to complete the programme of law reform contained in the Government's Legislative Programme, to keep all legislation under review and to provide for improved regulatory systems where required.

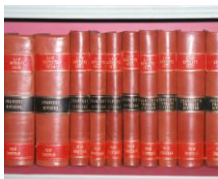
## CRIMINAL LAW

### Legislation enacted

The Criminal Justice (Surveillance) Act 2009 provides a regulatory framework for the use of covert surveillance by An Garda Síochána, the Defence Forces and the Revenue Commissioners in investigating and preventing arrestable offences and maintaining State security and facilitates the use of evidence obtained covertly in criminal proceedings. The Act came into force on 12 July 2009.

The Criminal Justice (Amendment) Act 2009 includes significant new measures to prosecute and punish those individuals who direct and organise the commission of serious crimes. The Act provides that organised crime offences are scheduled offences for the purpose of the Offences Against the State Act 1939 so that they will be tried in the Special Criminal Court unless the DPP directs otherwise. The Act also provides for a new offence of directing or controlling a criminal organisation which will carry a maximum sentence of life imprisonment. The Bill became law on 23 July 2009.

The Criminal Justice (Miscellaneous Provisions) Bill 2009, which was published on 14 May and enacted on 24 July 2009 imposes a handgun ban and much tougher penalties for individuals found in possession of knives.



### Legislation published

The Fines Bill 2009 was published on 20 April 2009. The new legislation will introduce significant changes in the operation of the payment of fines which is expected to reduce numbers imprisoned for non payments.

The Criminal Procedure Bill 2009 was published on 25 May 2009. The Bill, amongst other matters, reforms the law on victim impact evidence, modifies the rule against jeopardy by providing that certain acquittals may be re-opened where new and compelling evidence of the acquitted person's involvement emerges or where an acquittal is tainted and permits the Prosecution to appeal certain acquittals on a "with prejudice" basis.

The Communications (Retention of Data) Bill 2009 was published on 13 July 2009. The Bill implements Directive 2006/24/EC of the European Parliament and the Council into Irish Law. It will ensure that legislation on the retention of data will be similar to that in all other EU Member States and the 3 member countries of the European Economic Area which are also bound by the Directive.

The Criminal Justice (Money Laundering and Terrorist Financing) Bill 2009 was published on 28 July 2009. This Bill will transpose the 3rd EU Money Laundering Directive into Irish law. It was given its Second Stage reading in the Dáil on 19 November 2009.

In December 2009 the Government approved the publication of the Criminal Justice (Forensic Evidence and DNA Database System) Bill. The Bill updates the law on the taking and use of forensic samples. Its major innovation is the establishment of a DNA Database which will have two distinct functions (i) to produce intelligence to aid criminal investigations by linking individuals to crimes and linking multiple crimes sections and (ii) to assist in identifying missing or unknown persons. The finalisation of the Bill was delayed due to the need to review its proposals in the light of the December 2008 judgement of the European Court of Human Rights in S & Marper-v-the United Kingdom.

## **Other Matters**

In 2009, the Criminal Law Codification Advisory Committee continued the implementation of its first work programme. A draft of the non-fatal offences against the person part of the Code was submitted to the Department. First drafts of offences provisions dealing with criminal damage offences, public order offences, theft and related offences, offences relating to stolen property and offences relating to trespass were considered by the Advisory Committee. The Advisory Committee also examined draft provisions on objective and fault elements, causation, limits on consent and ineffective consent.

## **CIVIL LAW**

### **Legislation enacted**

The Defamation Bill 2006 providing for modernisation of the law on defamation was enacted on 23 July 2009. An order was made on 15 December 2009 (S.I. No 517 of 2009) fixing 1 January 2010 as the date of commencement of the Act. The Act provides for a modern statutory framework for defamation law. It provides for comprehensive reform and gives statutory expression to developments in the jurisprudence of our courts and elsewhere, including the European Court of Human Rights. It respects the necessary balance between the competing rights of freedom of expression and of respect for one's good name and reputation. It also provides for recognition of an independent Press Council, subject to certain conditions regarding its establishment.

The Legal Services Ombudsman Bill 2008 was enacted on 10 March 2009. The Act provides for the appointment of a Legal Services Ombudsman to review complaints made by clients of solicitors and barristers who are dissatisfied with the outcome of a complaint made to the Law Society or Bar Council. The Ombudsman will also review the procedures of the Law Society and Bar Council for dealing with client complaints. The Ombudsman may make recommendations and give directions to the two bodies with respect to specific complaints or to improve their procedures generally for the receipt and investigation of complaints. In addition, the Ombudsman will raise public awareness of the complaints procedures of the Law Society and Bar Council. The Ombudsman will also monitor and report annually to the Minister and the Oireachtas on the adequacy of the admissions policies of both professions.

The Land and Conveyancing Law Reform Bill 2006 (No. 27 of 2009) was enacted on 21 July 2009. The Act makes provision for a major reform of land and conveyancing law in areas such as co-ownership, contracts and conveyances, mortgages, future interests and trusts of lands. It provides for the repeal of many pre-1922 statutes and replaces them with a single code of modern land and conveyancing law.

The Land and Conveyancing Law Reform Bill 2006 (Commencement) Order 2009 (S.I. No. 356 of 2009) was made on 4 September 2009. The Order sets 1 December 2009 as the commencement date for all sections of the Act, except section 132 (review of rent in certain cases). On 1 December 2009 the Minister signed the Commencement Order (S.I. 471 of 2009) for section 132 of the Land and Conveyancing Law Reform Act, with an operative date of 28 February 2010. From that date, it is no longer possible to include upward only rent review clauses in business leases.

The Enforcement of Court Orders Act 2009 was enacted on 14 July 2009 in response to the High Court Judgment of Laffoy J. in *McCann –v- Judge of Monaghan District Court et al* in which section 6 of the Enforcement of Court Orders Act 1940 was found to be incompatible with the Constitution. The Act inserts a number of key safeguards to the provisions under which a Court may hear an application, or grant an imprisonment order against a debtor who has failed to comply with an instalment order. It also provides that a debtor against whom an imprisonment order may be made will be entitled to apply for legal aid.



An Order under the Registration of Title Act 1964 (S.I. 176 of 2009) extending compulsory registration of ownership of land to 12 further counties with effect from 1 January 2010 was made on 28 April 2009. The counties are Cavan, Donegal, Galway, Kerry, Kildare, Leitrim, Limerick, Mayo, Monaghan, Offaly, Tipperary and Waterford. This means that registration of title will be compulsory in all counties except counties Cork and Dublin.

The Data Protection Act 1988 (Section 5(1)(d)) (Specification) Regulations 2009 (S.I. No. 421 of 2009), made on 20 October 2009, updates the Data Protection Act 1988 (Section 5(1)(d)) (Specification) Regulations 1993 (S.I. No. 95 of 1993).

### **Publication of Legislation**

The Property Services (Regulation) Bill 2009 published on 11 May 2009 provides for the establishment of the Property Services Regulatory Authority on a statutory basis. The principal role of the Authority is to control and supervise providers of property services (auctioneers, letting agents and property management agents) and to improve standards in the provision of those services.

The Multi-Unit Developments Bill 2009 published on 25 May 2009 provides for the amendment of the law relating to the ownership and management of the common areas of multi-unit developments and for the fair, efficient and effective management of bodies responsible for the management of such common areas and for related matters.

The Civil Partnership Bill 2009 published on 26 June 2009 provides for a statutory civil partnership registration scheme for same-sex couples together with a range of rights and duties consequent on registration including maintenance obligations, protection of a shared home, pension rights and succession. The Bill also provides a measure of financial protection for cohabitants in certain circumstances.

### **Other Matters**

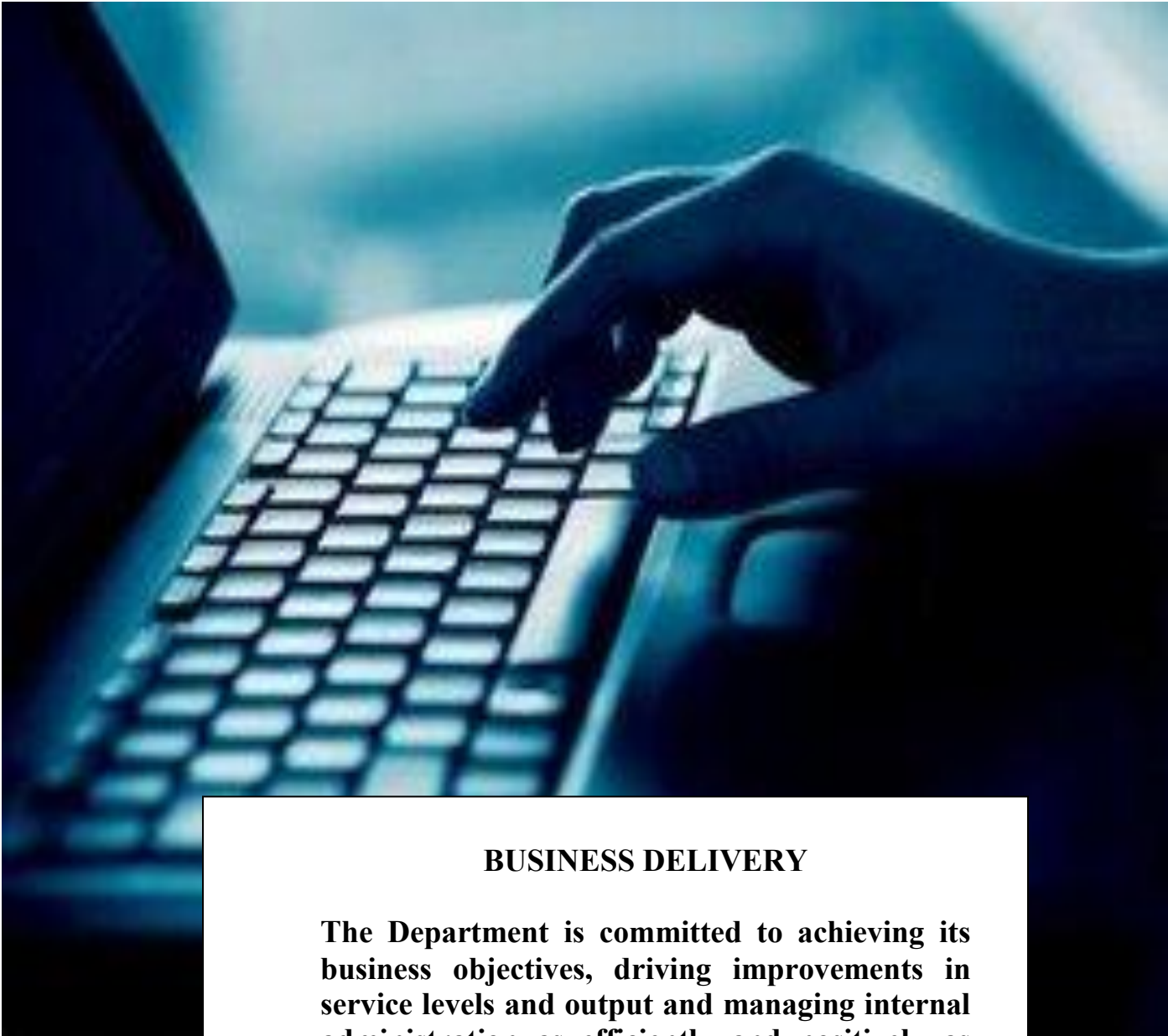
The Code of Practice on the Display and Sale of Alcohol Products in Mixed Trading Premises was launched in May. The Code promotes voluntary compliance with the structural separation provisions of section 9 of the Intoxicating Liquor Act 2008. Mr Padraic White, who was appointed Chairperson of Responsible Retailing of Alcohol in Ireland (RRAI), presented the first annual Compliance Report on the implementation of the Code on 30 September 2009. Based on progress achieved and on-going roll-out of the Code in supermarkets, convenience stores and garage forecourts, the Minister concluded that the commencement of Section 9 of the 2008 Act was not required at this time. The Code and the Compliance Report can be consulted at [www.rrai.ie](http://www.rrai.ie).

In May 2009, Ireland ratified the Additional Protocol to the Convention for the Protection of Individuals with regard to Automatic Processing of Personal Data, regarding supervisory authorities and trans-border data flows.

### **Progress of Bills in Dáil and Seanad**

The Tribunals of Inquiry Bill 2005 providing for consolidation and extensive reform of the law on tribunals of inquiry completed Dáil Committee Stage on 2 April 2009.

The Arbitration Bill 2008 completed Committee Stage in the Dáil on 23 April 2009. It provides a legal framework for arbitration in line with best practice internationally.



### **BUSINESS DELIVERY**

**The Department is committed to achieving its business objectives, driving improvements in service levels and output and managing internal administration as efficiently and positively as possible through the effective management of resources.**

## **BUSINESS DELIVERY OVERVIEW**

In terms of Business Delivery, the year under review was one of adjustment, given reduced budgets, the moratorium on recruitment in the public service and the Incentivised Early Retirement Scheme (ISER).

Against this background, the key priorities for the year were to provide resources and support for the key activities of policing, crime prevention and tackling crime and to ensure, to the greatest extent possible, that funding was maintained to preserve front-line services and core functions across the sector.

The Business Delivery areas of the Department provide a range of essential back-office services (ranging from Human Resources, to Corporate Services, Finance and Internal Audit) that support the delivery of services across the Department and Agencies.

Standing arrangements are in place to co-ordinate services in the Justice and Equality Sector and to seek to optimise cross-service co-operation.

## **BUSINESS PLANNING**

The Department has a comprehensive Business Planning system in place, under which all Heads of Divisions prepare an annual Business Plan at the start of the year covering their areas of responsibility and anticipated outputs. The Business Plans cascade down to the individual level in the Annual Role Profile forms that are prepared by every member of staff as part of the Performance Management and Development System (PMDS). Business Plans are presented to the Management Advisory Committee and were discussed at the Annual Senior Management Conference which took place in January.

## **RISK MANAGEMENT**

Risk management is recognised as an essential component of Business Planning and Corporate Governance and appropriate arrangements were in place in the Department during the year to manage risk, both at Divisional level and corporately.

## **RESEARCH AND DATA STRATEGY**

The Policy Planning Research Unit (PPRU) was replaced by an internal research unit based in the Department's Organisation Development Unit in 2009.

Due to cuts in expenditure no new research projects were approved in 2009. However, the following research projects received funding from the research budget in 2009, totalling €187,309 in all:

- Codification of Criminal Law
- The Needs of Victims of Crime
- The Recidivism Rates of Treated versus Untreated Sex Offenders
- Research of the Nordic and Irish Prison Systems
- Report for Interdepartmental Drugs Group on Needle Exchange in Ireland

Work on drafting a Data Strategy aimed at identifying the data needed to better inform policy, planning and evaluation across the Department was underway.

## **CUSTOMER SERVICE**

Customer Service is a central component of any organisation in that the quality of the service provided determines the perceived effectiveness and efficiency of that organisation by the public at large. Consequently, this matter is given priority on an ongoing basis by the Department and a number of significant initiatives have been advanced during 2009.

A new Customer Action Plan and a new Customer Charter were completed in 2009 and were placed on the Department's website.

The Department's Disability Advisory Group continue to seek ways of improving access to public services under the Disability Act 2005. The Department will continue to provide training in the areas of disability, diversity and equality to enable staff to better understand customer needs.

In 2009, further Irish language training programmes were undertaken by staff interfacing with the Department's Irish language customers. Department staff are available to deal with customer queries where the customer requests that the service is delivered through the Irish language.

## **INFORMATION TECHNOLOGY**

Centralised IT services for approximately 1800 users in the core Department and in a number of associated agencies are currently being provided.

## **FINANCIAL MANAGEMENT**

Financial Management constitutes a major facet of effective and efficient management. During 2009 the central Financial Management structure continued to expand to further incorporate agencies and bodies in the Justice, Equality and Law Reform Sector. It is intended that in the interests of good corporate governance and efficiency that the last few remaining agencies will be brought into this financial environment as soon as practicable.

The Annual Output Statement 2010 (Appendix 2) shows the link between the Department's outputs and the resources allocated for their delivery. This initiative was introduced in 2007 and has since become an annual feature of Departmental reporting.

## **PROCUREMENT STRATEGY**

In line with the emphasis on public procurement the Department has established a Procurement Strategy Group which has obtained agreement to, and begun to implement, a new Corporate Procurement strategy. The Group is represented on the Board of the new National Procurement Service and is working to develop the most collaborative approach possible. Its objectives are to reduce the risks and costs of procurement for purchasers and suppliers and to improve the supply of goods and services to the Department and its agencies.

## FINANCIAL SHARED SERVICES

The Department's Financial Shared Services (FSS) centre in Killarney provides financial services to the Department, An Garda Síochána, the Irish Prison Service, the Courts Service, the Property Registration Authority, the Department of Arts, Sport and Tourism, the National Library of Ireland, the National Museum of Ireland and the Department of the Taoiseach. Service delivery to each of these client organisations is governed by Service Level Agreements. Their 2009 budgets amounted to approximately €3.1 billion and the payment services provided by the FSS include payroll, pensions, invoices, employee expenses, grants and criminal legal aid fees and expenses. A total of almost 1.3 million pay and pension payments were made to 34,800 people in 2009, issuing on a weekly, fortnightly or monthly basis. In addition to this, 460,000 invoices, expenses and fees were paid in 2009.

Other services provided by the FSS include general ledger maintenance, financial accounting and reporting, technical support and development of Payroll and Financial Management systems. Monthly performance reports are issued to each client organisation under a comprehensive customer relationship management system. In order to facilitate the Government's policy on Transforming Public Services, the Financial Shared Services centre is available to provide financial services to other Government departments, offices and agencies if required.

## PROMPT PAYMENT OF ACCOUNTS ACT 1997

In accordance with the Prompt Payment of Accounts Act 1997, the following information is provided in respect of the financial period ending 31 December 2009 -

### (a) Payment Practices

The Department makes payment to suppliers in accordance with the terms specified in the respective invoices or conditions specified in individual contracts, if appropriate. Since 2002 the standard terms are 30 days.

### (b) Late Payments

<i>Invoice Amount</i>	<i>No. of Invoices</i>	<i>Amount of Interest Paid</i>
Under €317	76	913.33
Over €317	417	8597.76
Total	493	9511.09

### (c) Overall percentage of late payments to total payments and total interest paid

- The overall percentage of late payments to total payments was 0.5%.
- The total amount of interest paid with respect to late payments was €9,511.09.

## INTERNAL AUDIT

The Department of Justice, Equality and Law Reform is committed to the highest standards of Corporate Governance and established an Audit Committee in January 2004. The Committee comprises five members, four of whom are independent of the Department of Justice, Equality and Law Reform, and it has its own terms of reference and charter. The role of the Audit Committee includes advising the Secretary General on the adequacy and effectiveness of the systems and internal controls operating within the Department. An Audit Work Programme was approved by the Committee for 2009 and the majority of the planned work was completed. The audits carried out throughout the year provide assurance on the internal financial controls and reports make recommendations to strengthen systems and procedures. The Audit Committee

met seven times in 2009 and received a number of presentations from Senior Managers of the Department, the Prison Service and external Accounting Service providers. The presentations form an important contribution to the Committee's work and assist appropriate oversight of best practice throughout the Department.

## **FREEDOM OF INFORMATION**

Every effort was made to maintain high quality decision making in responding to all Freedom of Information requests through the provision of ongoing training for appointed Deciding Officers and Appeals Officers of the Department. Participation in the Civil Service Users Network group (CSUN) - a group of FOI Officers in Civil Service Departments - continued. This is an invaluable tool in the exchange of information when dealing with inter-departmental FOI requests by assisting in the processing of common requests in a unified and efficient manner.

A total of 844 requests under the Freedom of Information Acts 1997 and 2003 of which 84% were for personal information from staff and clients of the Department, approximately 16% were from journalists and the remaining 6% were non personal requests from TDs various organisations.

## **ARCHIVES ADVISORY GROUP**

In January 2009 the Department transferred a total of 1,000 files covering the period 1934 -1939 to the National Archives. These files consist of records which had previously been withheld due to their sensitive nature. Further releases are contemplated during 2010.

## **REGULATORY REFORM**

The Department is engaged in the ongoing process of review, modernisation and evaluation of effectiveness of law reform activity and has nominated two representatives to the interdepartmental group, the RIA network. This network will promote and facilitate the use of Regulatory Impact Analysis within and across Government Departments and Offices and provide a contact point in each Department and Office to facilitate contact and information-sharing between the various bodies.

RIAs were carried out on the following pieces of legislation during 2009:

- Criminal Justice (Forensic Evidence and DNA Database System) Bill 2010
- Criminal Law Insanity Bill 2010
- Criminal Justice (Amendment) Bill 2009
- European Evidence Warrant Bill
- Civil Law (Miscellaneous Provisions) Bill
- Multi-Unit Developments Bill 2009.

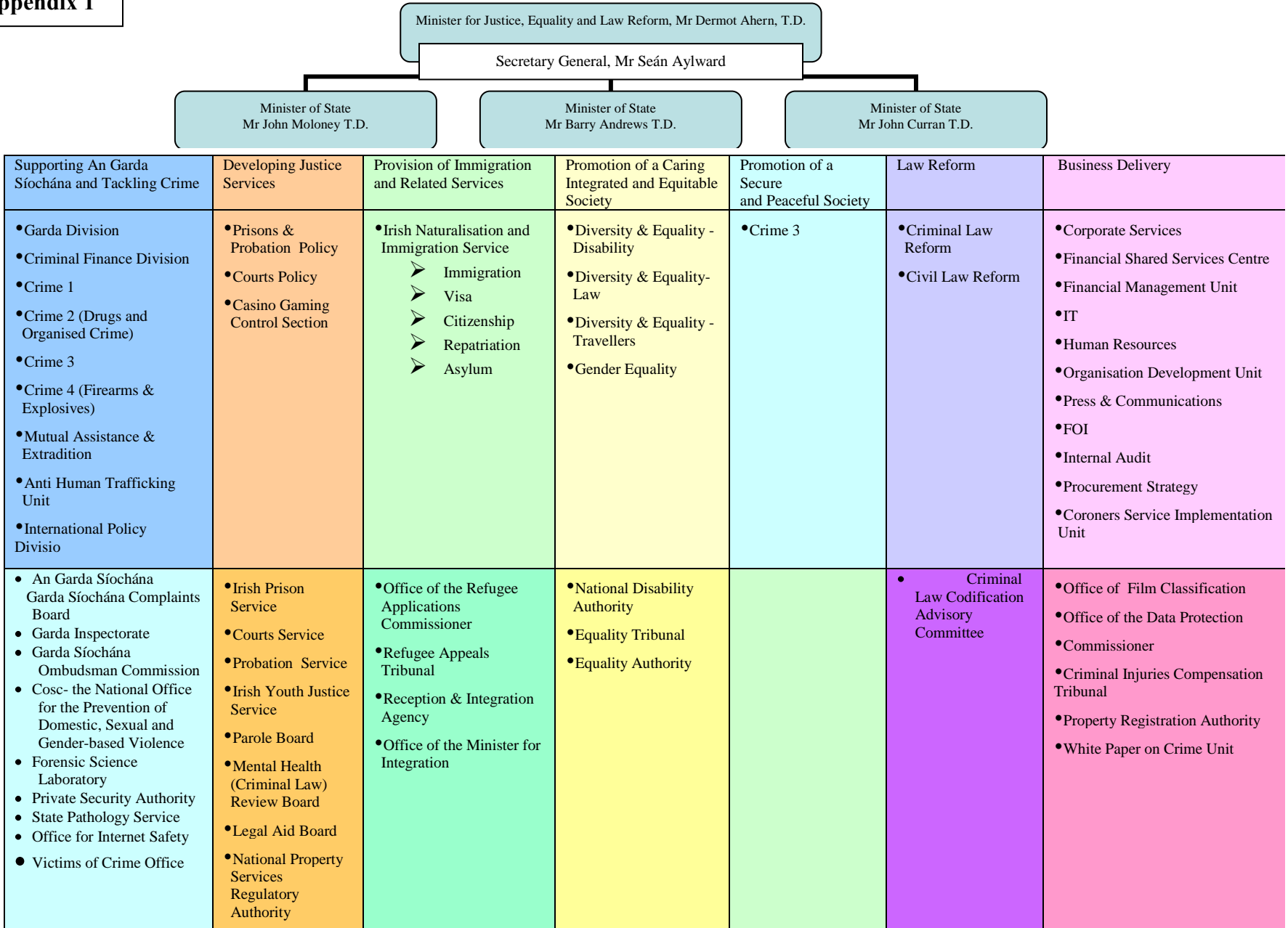
## **ENERGY SAVING MEASURES**

The Department of Justice, Equality and Law Reform is participating in the Office of Public Works programme entitled 'Optimising Power @ Work, Staff Energy Awareness Campaign' which was launched in 2008. This project aims to conserve energy in State Buildings and has as its objective a 15% reduction of CO2 emissions per annum in all of the targeted State Buildings. A number of the Department's main buildings are included in this project and, with the assistance of OPW and external advisors, energy usage in these buildings will be monitored.

**APPENDICES**



## Appendix 1





**Appendix 2**

**Justice Sector Group  
Output Statement 2010**

## Introduction

In 2007 the first Annual Output Statements were published by Government Departments. These publications represent a new increased level of transparency and accountability across the Public Service and allow for enhanced Dáil scrutiny of the Estimates.

The Annual Output Statement for the Justice Sector primarily focuses on the priorities set down for us in the Agreed Programme for Government. These priorities are further reflected in our Strategy Statement and in particular, the High Level Goals set out in that document. These High Level Goals reflect the policies, operational mandates and activities which underpin the wide ranging and complex business of the delivering of justice and equality services. The Department, in the exercise of its functions – either directly, as a resource provider or in its oversight role aims to operate in accordance with the following set of shared values.

- Ensure access to justice
- Apply fair and equal standards of treatment to all groups in society
- Demonstrate accountability for our actions
- Show courtesy integrity and openness in our dealings
- Provide excellent services to the public
- Value the individual.

In this, our fourth statement, it is clear that the economic circumstances which prevail are challenging. Having said that, our aim is to continue to build on the momentum of the previous statements. In doing this, we are very conscious of our responsibilities to deliver our mandate within the very serious financial circumstances under which we operate. Within these changed circumstances our general momentum must become more focused on the three core imperatives of:

1. Delivering on our core Justice values.
2. Renewed and increased determination to achieve value for money and maximise the impact and return that we achieve from each euro at our disposal.
3. Maintaining the delivery of our frontline services.

In 2009 the output targets set for the Justice Sector were measurable and ambitious. We are pleased to report that overall these targets have been largely delivered. Where, in the minority of instances, full delivery has not yet been achieved significant progress has been made towards completion. For 2010 it is our clear intention to focus our resources on front line policing and to prioritise our tackling of organised crime.

In this, the 2010 Statement despite very challenging economic conditions and in many cases, significantly reduced budgets we have again committed to a full and ambitious set of output targets for the year ahead. The attainment of each of these outputs will in its own way contribute to our overall goal of developing a “safer, fairer Ireland.

## Programme Introduction and Overview

The Justice Vote Group under the direction and control of the Minister for Justice, Equality and Law Reform Mr. Dermot Ahern, T.D. is comprised of five individual Votes: Vote 19 Justice, Equality and Law Reform, Vote 20 Garda Síochána, Vote 21 Prisons, Vote 22 Courts Service and Vote 23 Property Registration Authority.

In terms of its business, the Vote Group is concerned with **nine core areas of activity**. Each of these core areas represents a programme or pillar on which the business of the Justice Group is supported. These pillars are not discrete or confined to any of the individual Votes. They are a reflection of the relationships and inter-dependencies which exist between the separate, often complex agencies within the Vote Group. These key relationships are necessary to enable the Group conduct its business and satisfy its mission as captured by our Mission Statement:

*“To maintain and enhance community security and promote a fair society through the development of a range of policies and high quality services which underpin:*

- The protection and assertion of human rights and fundamental freedoms consistent with the common good;*
- The security of the State;*
- An effective and balanced approach to tackling crime;*
- Progress towards the elimination of discrimination, the promotion of equal opportunities and tolerance.”*

All policy, legislation and other activities are undertaken with the goal of maximizing the positive impact on society in these areas.

### **Programme 1: “Community Security, Law Enforcement, Crime Prevention by support for An Garda Síochána”.**

Programme 1 revolves around the activities of An Garda Síochána and their responsibilities with regard to community security, law enforcement and crime prevention. In addition to the core gross allocation on the Garda Vote 20 of €1,500m in 2010 it identifies expenditure of €54m contained in the Justice Vote 19 which is utilised to assist and support An Garda Síochána in their endeavours. Supports range from direct activities such as Forensic Science to indirect activities such as Financial Services giving a gross total of €1,554m for this programme.

### **Programme 2: “The maintenance of safe and secure custody for offenders by support for the Prison Service”**

Programme 2 focuses on the activities of the Prison Service in its remit to provide safe and secure custody to offenders. A total gross estimate of €352m for Vote 21 combined with an allocation of €2m in support expenditure from Vote 19 which covers support areas such as the Prisons Inspectorate, Parole Board, policy and Financial Services giving a gross total of €354m for this programme.

**Programme 3: “Management of the Courts and supporting the Judiciary”**

Programme 3 focuses on the core activities of the Courts Service including its role in support of the Judiciary. A total gross estimate of €149m for Vote 22 combined with a significant allocation of €77m in Legal Aid support expenditure from Vote 19 plus allocated expenditure from policy areas and Financial Services giving a gross total of €225m for this programme.

**Programme 4: “The promotion of a safe society through the provision of a wide range of Justice Services ”**

Programme 4 focuses on the wide and diverse range of activities within Vote 19 which do not naturally fall into the other core areas of activity. Such activities range from Commissions and Special Inquiries, Human Rights Commission to the Mental Health Review Board, National Property Services Regulatory Authority, Irish Film Classification Office and Private Security Authority amongst others. A total gross estimate of €23m for these services combined with an allocation of €5m in support expenditure which covers support areas such as policy and Financial Services giving a gross total of €28m for this programme.

**Programme 5: “The promotion of a tolerant and equitable society”**

Programme 5 focuses on the areas of Equality, Disability and Civil Law Reform within Vote 19. A total gross estimate of €23m for these areas combined with an allocation of €6m in support expenditure which covers support areas such as policy and Financial Services giving a gross total of €29m for this programme.

**Programme 6: “The provision of Immigration and Related services”**

Programme 6 focuses on the areas of Immigration and Related Services within Vote 19. A total gross estimate of €117m for these areas combined with an allocation of €29m in support expenditure which covers support areas such as policy and Financial Services giving a gross total of €146m for this programme.

**Programme 7: “The provision of Probation Services”**

Programme 7 focuses on the area of Probation Services within Vote 19. A total gross estimate of €46m for this area combined with an allocation of €6m in support expenditure which covers support areas such as policy and Financial Services giving a gross total of €52m for this programme.

**Programme 8: “The provision of a coherent effective Youth Justice Service”**

Programme 8 focuses on the relatively new area of Youth Justice within Vote 19. A total gross estimate of €52m for this area combined with an allocation of €5m in support expenditure which covers support areas such as policy and Financial Services giving a gross total of €57m for this programme.

**Programme 9: “The provision of Property Registration Services”**

Programme 9 is concerned with the Vote of the Property Registration Authority Vote 23. A total gross estimate of €40m has been allocated for this Vote.

**1. Summary Statement of High Level Goals and Associated Programmes**

<b>High Level Goals</b>	<b>Associated Programmes</b>
<b>1.</b> Supporting An Garda Síochána and Tackling Crime	<b>1.</b> Community Security, Law Enforcement, Crime Prevention by Support for An Garda Síochána
<b>2.</b> Developing Justice Services	<b>2.</b> The Maintenance of Safe and Secure Custody for Offenders by Support for the Prisons Service <b>3.</b> Management of the Courts and Supporting the Judiciary <b>7.</b> The Provision of Probation Services <b>8.</b> The Provision of a Coherent, Effective Youth Justice Service <b>9.</b> The Provision of Property Registration Services
<b>3.</b> Provision of Immigration and Related Services	<b>6.</b> The Provision of Immigration and Related Services
<b>4.</b> Promotion of a Caring, Integrated and Equitable Society	<b>5.</b> The Promotion of a Tolerant and Equitable Society
<b>5.</b> Promotion of a Secure and Peaceful Society	<b>4.</b> The Promotion of a Safe Society through the Provision of a Wide Range of Justice Services
<b>6.</b> Law Reform	For ease of reporting all Law Reform information is contained in HLG 6 even though Civil Law Reform is included in Programme 5
<b>7.</b> Business Delivery	Across all programmes.

## High Level Goals and Aggregate Impact Indicators

HIGH LEVEL GOALS		IMPACT INDICATORS
1	<p>Supporting An Garda Síochána and Tackling Crime</p> <p>We will further advance law enforcement, crime prevention and community security by our continuing structural and service reform of An Garda Síochána and through the development of effective anti-crime policies, the implementation and enforcement of effective and balanced laws and working to ensure visible policing of our communities.</p>	Reduction in crime and a safer environment in which to live and work
2	<p>Developing Justice Services</p> <p>We will continue to advance our structural and service reforms of justice services – criminal and other - so as to enable the Department and the Justice and Equality Sector organisations implement their mandates in the most effective and efficient way possible.</p>	Delivery of a more effective justice system entailing a range of responses appropriate to today's society
3	<p>Provision of Immigration and Related Services</p> <p>We will continue to implement Government commitments in relation to the provision of immigration and related services and to update when necessary the legislative base in this area.</p>	Policies implemented effectively and enhanced delivery of migrant systems
4	<p>Promotion of a Caring, Integrated and Equitable Society</p> <p>We will promote the development of a caring and equitable society and co-ordinate, support and facilitate the integration of all legally resident immigrants into Irish society through the implementation of appropriate policies.</p>	A more integrated society in which equality of opportunity is promoted and advanced
5	<p>Promotion of a Secure and Peaceful Society</p> <p>We will continue to promote a secure and peaceful society through the provision of a wide range of Justice Services and we will continue to contribute to the development of accountable local governance in Northern Ireland.</p>	The security of the State advanced through appropriate measures and policies

## Justice Vote Group - Vote Summary 2009 / 2010

Justice Vote Group	REV 2009 €million	Outturn 2009 €million	REV 2010 €million	% Change on Outturn
Net Voted Expenditure*	2,396.8	2,408.4	2,275.5	-6%
Appropriations in Aid*	178.6	222.1	211.3	-5%
Gross Voted Expenditure*	2,575.4	2,630.5	2,486.8	-5%
Non Voted				
<b>Total Gross Expenditure</b>	<b>2,575.4</b>	<b>2,630.5</b>	<b>2,486.8</b>	<b>-5%</b>
<i>of which – Exchequer Pay</i>		1,512.9	1,395.4	-8%
<i>No. of Public Service Employees</i>		24,951	24,586	-2%

\* As in Budget Estimates / Revised Estimates

### Breakdown of Total Gross Expenditure by Programme

Justice	REV 2009 €million	Outturn 2009 €million	REV 2010 €million	% Change on Outturn
Programme 1	1,622.1	1,663.7	1,554.3	-7%
Programme 2	381.7	375.9	354.4	-6%
Programme 3	191.8	213.6	225.4	6%
Programme 4	33.8	23.2	28.0	20%
Programme 5	40.0	29.0	29.1	0%
Programme 6	143.1	178.0	146.2	-18%
Programme 7	61.6	60.4	52.4	-13%
Programme 8	58.5	45.5	56.8	25%
Programme 9	42.9	41.0	40.3	-2%
<b>Total Gross Expenditure</b>	<b>2,575.4</b>	<b>2,630.5</b>	<b>2,486.8</b>	<b>-5%</b>
Exchequer pay and pensions included in above gross total				
Number of associated Public Service employees and pensioners				

## Programme 1 Justice Vote Group

### Community security, law enforcement, crime prevention by support for the Garda Síochána\*

Inputs				
Programme 1	2009 € million	Outturn 2009 € million	2010 € million	%Change on Outturn
Programme Expenditure				
- Current	1,402.8	1,450.4	1,348.9	-7%
- Capital	44.9	40.4	30.0	-26%
Administration and other support				
- Pay	80.1	82.1	73.7	-10%
- Non-Pay	94.4	90.9	101.6	12%
<b>Total Gross Programme Expenditure</b>	<b>1,622.1</b>	<b>1,663.7</b>	<b>1,554.2</b>	<b>-7%</b>
<b>Number of Staff employed on Programme (whole time equivalents) as at 31 December 2009</b>			<b>Number of Staff</b>	
- Civil Servants			2,327	
- Other Public Servants			14,845	
Outputs				
2009	2009		2010	
Output Target	Output Achieved		Output Target	
Resources targeted at organised crime including the provision of €21m for Operation Anvil.	Operation Anvil continues to result in increased activity against crime. In the year to end November 2009, there were increases of 50% in arrests for murder, serious assaults, burglary, robbery offences and theft; 25% in searches for drugs and theft and in connection with offences under the Offences Against the State Acts; and 29% in firearms seized and recovered. In the year to end September 2009, the number of homicides decreased by 15%; attempted murder by 54%; robbery of cash or goods in transit by 29%; importation of drugs by 21%; and possession of firearms by 18%.		<b>Resources targeted at organised crime including a review of the Proceeds of Crime legislation.</b>	
Garda National Model of Community Policing implemented.	The National Model of Community Policing has been implemented. It was launched in early 2009 to deliver: <ul style="list-style-type: none"> <li>• A consistent national structure to the Community Policing function</li> <li>• A more coordinated and efficient Garda service to the Community</li> <li>• Good practices and quality service in Community Policing on a national basis.</li> </ul> Almost 1,000 community police have been assigned to all Garda Divisions by the end of 2009.		<b>Roll out the outsourced provision and operation of safety cameras.</b>	



Rollout of National Digital Radio Service completed in the Dublin Metropolitan and Eastern Regions	The Service has been successfully deployed in the Dublin Metropolitan Region, the Eastern Region (including Louth) and to certain National Units. Over 8,800 radio devices have been deployed in 2009.	<b>Continue rollout of the National Digital Radio Service.</b>
In 2009 the Garda Inspectorate will publish the reports of its two on-going inspections of (i) resource allocation in the Garda Síochána and (ii) consideration of the case for a dedicated Garda missing persons unit and "amber-alert" type programme.	The Inspectorate's report, "Missing Persons, Review and Recommendations" was published in March, 2009. The report on "Resource Allocation in an Garda Síochána" was finalised in 2009.	<b>The Garda Inspectorate will review and report in 2010 on "arrangements for Garda handling of complaints of sexual abuse against children."</b>
To publish a National Action Plan setting out Ireland's strategy to prevent and combat the trafficking of human beings and to protect victims.	The National Action Plan to Prevent and Combat the Trafficking of Human Beings in Ireland 2009-2012 was published on 10 June, 2009 by the Minister for Justice, Equality and Law Reform.	<b>Ratification of the Council of Europe Convention on Action Against Trafficking in Human Beings. Ratification of the Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children. Implementation of aspects of the National Action Plan to Prevent and Combat the Trafficking of Human Beings in Ireland 2009-2012.</b>
The Criminal Justice (Money Laundering) Bill 2008, on enactment, will establish a State Supervisory Authority for Anti-Money Laundering Control for certain designated persons/businesses.	It is expected that the Legislation will be enacted in the first quarter 2010. Progress has been made in developing the necessary structures to support the operation of the legislation once enacted..	<b>The Criminal Justice (Money Laundering and Terrorist Financing) Bill 2009 will establish a State Competent Authority, administered by the Department of Justice, Equality and Law Reform to implement new Money Laundering and Terrorist Financing controls for certain designated persons/businesses.</b>

**\*Offices/Agencies incorporated within this programme**

Garda Síochána, Garda Complaints Board, Criminal Assets Bureau, Forensic Science Laboratory, State Pathology, Criminal Injuries Compensation, Crime Prevention Measures, Garda Ombudsman Commission, Office of the Garda Inspectorate

## Programme 2 Justice Vote Group

### The maintenance of safe and secure custody for offenders by support for the Prisons Service\*

<b>Inputs</b>				
<b>Programme 2</b>	<b>2009 € million</b>	<b>Outturn 2009 € million</b>	<b>2010 € million</b>	<b>%Change on Outturn</b>
Programme Expenditure				
- Current	331.1	326.5	313.2	-4%
- Capital	38.7	38.0	30.1	-21%
Administration and other support				
- Pay	10.1	9.4	9.1	-3%
- Non-Pay	1.8	2.0	2.0	-1%
<b>Total Gross Programme Expenditure</b>	<b>381.7</b>	<b>375.9</b>	<b>354.4</b>	<b>-6%</b>
<b>Number of Staff employed on Programme (whole time equivalents) as at 31 December 2009</b>			<b>Number of Staff</b>	
- Civil Servants			190	
- Other Public Servants			3,385	
<b>Outputs</b>				
<b>2009</b>	<b>2009</b>		<b>2010</b>	
<b>Output Target</b>	<b>Output Achieved</b>		<b>Output Target</b>	
Progress plans to modernise and increase the prison estate in light of economic circumstances.	Thornton Hall Prison Development: Technical solution agreed with the preferred bidder (PB). The PB submitted its best financial offer which was deemed not affordable due to the substantial increase in the unitary charge which resulted in the abandonment of the PPP competition. Government approval received in June 2009 to proceed with a revised prison development at Thornton to be undertaken on a phased basis. Project re-appraisal completed. Detailed business case in preparation. Tender process to engage technical consultants commenced.		Thornton Hall Prison Development:- Appoint technical consultants for phase 1 works. Complete construction of access road. Appoint contractor for construction of perimeter wall. Appoint Technical Consultants for main prison project. Midlands Extension:- Finalise the design and procurement stages for the proposed new 150-cell extension to the Midlands Prison and commence construction phase. Opening of Separation Unit, Mountjoy Prison, additional accommodation in Dóchas Centre and Limerick Prison and new block in Wheatfield Prison. Munster Region Prison (Kilworth):- Progress plans for the new prison development at Kilworth, County Cork.	
Evaluation of pilot phase of the Integrated Sentence Management Initiative.	An action research approach is being implemented throughout the pilot and consolidation phases of the Integrated Sentence Management (ISM) initiative. This methodology is supporting the continual development and refinement of the ISM model. The outcomes of ongoing reviews and analysis are being translated into changes to the ISM system and		Further Implementation of Integrated Sentence Management Initiative (ISM) will be mainstreamed in all prisons during 2010. All new committals with a sentence greater than 12 months will take part in ISM.	

	also have informed the preparation of the technical specification for the ISMS database which is being developed to support the roll-out of ISM. Any further changes arising from data being gathered from surveys and interviews with stakeholders and prisoner participants will be factored into the model during 2010. During 2009, ISM has also been extended to additional numbers of prisoners in the pilot prisons projects of Wheatfield and Arbour Hill. There are currently approximately 120 prisoners engaged at these locations. ISM has also been initiated in a further three prisons: Training Unit-North Circular Road, Midlands Prison and St. Patrick's Institution.	
Additional capacity will be brought on stream in Portlaoise, Castlerea and Wheatfield Prisons. This will result in an increased capacity in 2009 of 400 places (11%) over 2008 levels	A new prisoner accommodation block opened in Portlaoise Prison with capacity to accommodate approximately 200 prisoners; A new remand block opened in Castlerea Prison with capacity to accommodate approximately 110 prisoners; and a new block in Wheatfield Prison, with capacity to accommodate approximately 200 prisoners, was completed to fit-out.	<b>A review of all posts and tasks within the Irish Prison Service will take place during 2010 with a view to improving efficiencies.</b>
<b>Other Targets</b>		
<b>*Offices/Agencies incorporated within this programme</b> Prisons Service, Prisons Inspectorate, Parole Board		

## Programme 3 Justice Vote Group

### Management of the Courts and supporting the Judiciary\*

Inputs				
Programme 3	2009 € million	Outturn 2009 € million	2010 € million	%Change on Outturn
Programme Expenditure				
- Current	73.8	76.7	68.1	-11%
- Capital	28.8	28.8	62.6	118%
Administration and other support				
- Pay	26.6	26.6	26.7	1%
- Non-Pay	62.7	81.6	67.9	-17%
<b>Total Gross Programme Expenditure</b>	<b>191.8</b>	<b>213.6</b>	<b>225.3</b>	<b>6%</b>
<b>Number of Staff employed on Programme (whole time equivalents) as at 31 December 2009</b> – Civil Servants – Other Public Servants			<b>Number of Staff</b>  <b>1,314</b> <b>0</b>	
Outputs				
2009 Output Target	2009 Output Achieved		2010 Output Target	
Complete the installation of Digital Audio Recording in all Supreme, High and Circuit Court courtrooms in Dublin.	In addition to the 12 criminal courts which were DAR enabled during 2008, the Supreme, High and Circuit Courts in Dublin were DAR enabled and fully commissioned on the 5th of October 2009. This covered an additional 21 courts. In addition, the 22 courts of the CCJ are also DAR enabled. A pilot for DAR of District Courts is currently underway. Digital Audio Recording rules were introduced in the Superior Courts effective from the 10th of September 2008 and in the Circuit Court effective from the 1st of October 2008.		<b>Introduction, with the approval of the Rules Committee and the Minister, of new orders on Alternative Dispute Resolution to the Superior Courts Rules Committee by the end of the first quarter 2010</b>	
Implementation of Family Law Case Progression by County Registrars	Family Law Case progression was implemented by County Registrars during 2009. The purpose of case progression in Family Law is to ensure that proceedings are prepared for trial in a manner which is just, expeditious and likely to minimise the costs of the proceedings and that the time and other resources of the court are employed optimally. It is proposed to undertake a review of the system during 2010.		<b>Expansion of Case Progression including review of the implementation to date of Family Law procedures</b>	

		<b>Transforming Administration and Structures in the Courts (TASC)</b>
The key priority for the Legal Aid Board in 2009 is the implementation of the recommendations of three separate reviews, a Risk Assessment Review, a Law Centre Review and a Head Office Review.	The recommendations of the three reviews were largely implemented during 2009	<b>The priority for the Legal Aid Board in 2010 is to introduce an IT based legal case management system, introduce and develop an "advice only" service to civil legal aid matters and prepare for the transfer of responsibility for criminal legal aid to the board</b>

**\*Offices/Agencies incorporated within this programme**

Courts Service, Legal Aid – Criminal, Legal Aid Board, Free Legal Advice Centres

## Programme 4 Justice Vote Group

### The promotion of a safe society through the provision of a wide range of Justice Services\*

Inputs				
Programme 4	2009 € million	Outturn 2009 € million	2010 € million	%Change on Outturn
Programme Expenditure				
- Current	27.5	18.1	22.8	26%
- Capital	0.0	0.0	0.0	
Administration and other support				
- Pay	1.9	2.0	1.5	-25%
- Non-Pay	4.4	3.2	3.7	16%
<b>Total Gross Programme Expenditure</b>	<b>33.8</b>	<b>23.2</b>	<b>27.9</b>	<b>20%</b>
<b>Number of Staff employed on Programme (whole time equivalents) as at 31 December 2009</b>			<b>Number of Staff</b>	
- Civil Servants			127	
- Other Public Servants			0	
-				
Outputs				
2009	2009		2010	
Output Target	Output Achieved		Output Target	
Enactment of the legislation to establish the Property Services Regulatory Authority on a statutory basis.	The Property Services (Regulation) Bill 2009 which provides for the establishment of the Property Services Regulatory Authority on a statutory basis is before the House of the Oireachtas. It is currently at Committee stage in the Seanad.		Enactment of the legislation to establish the Property Services Regulatory Authority on a statutory basis.	
Implementation of licensing for the providers of protected forms of transport for cash in transit. Commencement of licensing for CCTV installers.	The implementation of licensing for the providers of protected forms of transport for the cash in transit sector has been substantially progressed during 2009. Issues arose around the potential requirement for installers of CCTV systems to install to different standards. Negotiations were entered into with the various stakeholders with a view to resolving this issue. Resolution was arrived at but this necessitated an agreed amended draft CCTV standard. The amended draft is at public consultation with the aim of commencing licensing in the first half of 2010.		The amended draft CCTV standard is at public consultation with the aim of commencing licensing in the first half of 2010.	

Irish Film Classification Office: Completion of IT upgrade to allow distributors conduct their business with IFCO online.	IT upgrade to allow distributors conduct their business with IFCO online was completed 2nd Quarter 2009 and has proved to be extremely successful and efficient for our clients and has reduced payroll costs at IFCO	<b>2010 will be a year of consolidation in an effort to further reduce the costs associated with the Irish Film Classification Office. Main targets will be (a) examination of an online classification system to run parallel with the existing DVD classifications (b) Incorporation of the PEGI Video Game rating classifications into our current legislation.</b>
Development of a new regulatory architecture for gambling in Ireland	In 2009 the Minister announced a major review of Gambling by the Department of Justice, Equality and Law Reform. The objective of the review is to put in place a modern responsive well-regulated code.	<b>Publication in 2010 of a Government policy paper on gambling and the submission of draft heads of a Gambling Bill</b>
Provide financial shared services to the client organisations of the Financial Shared Services Centre.	Financial Services were provided by the Department's Financial Shared Services (FSS) centre in accordance with the terms of individual service level agreements with its client organisations. A recent customer satisfaction survey showed that 87% of customers rated the FSS as being "very good" or "good".	<b>The FSS will implement any shared services projects assigned to it by Government under the Transforming Public Services Programme subject to the necessary resources being made available.</b>
Data Protection Commissioner Successful prosecution of spam offenders. .	Six companies were successfully prosecuted for SPAM offences in 2009. The impact of this has been a pronounced decrease in the numbers of complaints received from members of the public in relation to the unsolicited marketing by the premium rate text marketing sector.	<b>Continued successful prosecution of SPAM offenders both in the premium rate text marketing sector and in the broader services sector</b>
		<b>Continuing the implementation of a two-year strategic plan for the European Group of National Human Rights Institutions of which the Irish Human Rights Commission is currently the chair.</b>

**\* Offices/Agencies incorporated within this programme**

Commissions and Special Inquiries, Human Rights Commission, Commission for the Victims of N.I. Conflict, Independent International Commission, Independent Monitoring Commission, Office of the Data Protection Commissioner, Coroner Service, Victims of Crime, Central Authorities (Child Abduction), Private Security Authority, Irish Film Classification Office, Property Services Authority, Social Disadvantage Measures - Dormant Account Funded, Mental Health (Criminal Law) Review Board

## Programme 5 Justice Vote Group

### The promotion of a tolerant and equitable society \*

Inputs				
Programme 5	2009 € million	Outturn 2009 € million	2010 € million	%Change on Outturn
Programme Expenditure				
- Current	31.6	21.8	22.9	5%
- Capital	0.0	0.0	0.0	
Administration and other support				
- Pay	3.0	3.1	2.4	-24%
- Non-Pay	5.4	4.1	3.8	-7%
<b>Total Gross Programme Expenditure</b>	<b>40.0</b>	<b>29.0</b>	<b>29.1</b>	<b>0%</b>
<b>Number of Staff employed on Programme (whole time equivalents) as at 31 December 2009</b>			<b>Number of Staff</b>	
- Civil Servants			213	
- Other Public Servants			0	
Outputs*				
<b>2009</b>	<b>2009</b>		<b>2010</b>	
<b>Output Target</b>	<b>Output Achieved</b>		<b>Output Target</b>	
Publication of Code of Practice on access to Heritage Sites early 2009	It has not been possible to achieve the output target of publishing the draft code in 2009. Following advice received from the AG's Office in April 2009 further consultation commenced with the Department of Environment, Heritage and Local Government, which is still ongoing, to resolve issues that arose in relation to the draft code. On completion of this consultation the draft code will be referred back to AG's Office prior to publication.		<b>The publication of Code of Practice on access to Heritage Sites by the end of 2010</b>	
			<b>To carry out a review of the operation of the Disability Act 2005 by the end of July 2010.</b>	
Continue to foster implementation of National Women's Strategy 2007 – 2016 and implement "Equality for Women Measure" as key element of Strategy if funding/financial situation permits.	Progress Report on implementation of National Women's Strategy published August 2009		<b>Continue to oversee implementation of the National Women's Strategy, with emphasis on women and the economy and women and decision making</b>	



<p>Revised Procedures in the Equality Tribunal devised and implemented to promote greater efficiency.</p>	<p>Revised legal procedures have been devised and implemented. The most recent figures available indicate that other administrative efficiency measures and rising productivity increased case closures in the first 9 months of 2009 by 14% from 543 to 621 cases. In addition, an intense focus on value for money, collaborative procurement arrangements and efficient case handling is expected to result in efficiency savings of €450k by end 2009.</p>	<p><b>A further increase of at least 10% in closures of discrimination cases in the Equality Tribunal.</b></p>
<p>Complete the final draft of the National strategy on Domestic, Sexual and Gender-based Violence by the end of December, 2009.</p>	<p>The vast majority of the work on drafting the National Strategy on Domestic, Sexual and Gender-based Violence was completed in 2009</p>	<p><b>Publish and begin implementing, in conjunction with other bodies, the National Strategy on Domestic, Sexual and Gender-based Violence in Q1 2010.</b></p>

**\* Offices/Agencies incorporated within this programme**

Equality Authority, Equality Tribunal, Grant for the National Women's Council, Equality Proofing, Cosc, Equality Monitoring / Consultative Committees, Gender Mainstreaming and Positive Action for Women, Status of People with Disabilities, National Disability Authority, Disability Projects, Civil Law Reform, Office of the Minister for Integration

**Programme 6 Justice Vote Group**  
**The provision of Immigration and Related services** \*

Inputs				
Programme 6	2009 € million	Outturn 2009 € million	2010 € million	%Change on Outturn
Programme Expenditure				
- Current	112.0	140.2	117.4	-16%
- Capital	0.0	0.0	0.0	
Administration and other support				
- Pay	11.4	11.9	8.7	-27%
- Non-Pay	19.5	25.8	20.1	-22%
<b>Total Gross Programme Expenditure</b>	<b>143.0</b>	<b>178.0</b>	<b>146.2</b>	<b>-18%</b>
<b>Number of Staff employed on Programme (whole time equivalents) as at 31 December 2009</b>			<b>Number of Staff</b>	
- Civil Servants			782	
- Other Public Servants			0	
Outputs*				
2009 Output Target	2009 Output Achieved	2010 Output Target		
Subject to the passage and enactment of the Immigration Residence and Protection Bill, the bringing into effect of the provisions of the Bill.	This Bill has not yet been passed by the Oireachtas	Subject to the passage and enactment of the Immigration Residence and Protection Bill, the bringing into effect of the provisions of the Bill.		
<b>Other Targets</b>				
Reception and Integration Agency will ensure that full board and accommodation services are provided to those asylum seekers who require them.	This target has been achieved. All asylum seekers who sought accommodation from RIA in 2009 were so provided. At the end of 2009, RIA accommodated 6,500 persons in 54 accommodation centres across 21 counties at a (provisional) cost of €86.5 million.	Reception and Integration Agency will continue to ensure that full board and accommodation services are provided to those asylum seekers who require them.		
Reception and Integration Agency will ensure the voluntary return home of all destitute EU nationals from the 12 States which joined the EU in 2004 and 2007.	This target has been achieved. All destitute nationals from the 12 EU States concerned, who are referred to RIA by the HSE, were accommodated overnight by RIA and voluntarily returned home by way of a one way flight ticket. Provisional figures for 2009 indicate that RIA facilitated the return of 663 destitute EU nationals at a cost of €144,784.	Citizenship: We will finalise 6,000 applications in 2010 and will issue circa 5,000 certificates of naturalisation.		
<b>* Offices/Agencies incorporated within this programme</b>				
I.N.I.S., Asylum Seekers Task Force - Legal Aid, European Refugee Fund, Asylum Seekers Accommodation				

**Programme 7 Justice Vote Group**  
**The provision of Probation Services** \*

Inputs				
Programme 7	2009 € million	Outturn 2009 € million	2010 € million	%Change on Outturn
Programme Expenditure				
- Current	43.0	42.0	40.2	-4%
- Capital	4.5	2.9	1.3	-55%
Administration and other support				
- Pay	7.7	7.9	5.4	-31%
- Non-Pay	6.5	7.7	5.5	-28%
<b>Total Gross Programme Expenditure</b>	<b>61.6</b>	<b>60.4</b>	<b>52.4</b>	<b>-13%</b>
<b>Number of Staff employed on Programme (whole time equivalents) as at 31 December 2009</b>			<b>Number of Staff</b>	
- Civil Servants			453	
- Other Public Servants			0	
<b>Outputs*</b>				
<b>2009</b>	<b>2009</b>		<b>2010</b>	
<b>Output Target</b>	<b>Output Achieved</b>		<b>Output Target</b>	
Develop and implement an all island risk assessment instrument for sex offenders.	A combination of two risk assessment instruments, Risk Matrix 2000 and Stable & Acute 2007, for sex offenders was developed and implemented in 2009.		<b>We will develop and implement a work plan based on the recommendations of the Value for Money and Policy Review findings on the Community Service scheme, in conjunction with the Department of Justice Equality and Law Reform.</b>	
Develop a work plan from the recommendations of the Expenditure Review Initiative and implement as appropriate.	A workplan was developed and a report on the implementation of the findings of the Value for Money and Policy Review on Projects was prepared. All possible progress has been achieved across the full range of VFM recommendations.		<b>We will develop systems for ongoing monitoring of Community Based Organisations in receipt of funding through the Probation Service to assess delivery of outputs in accordance with funding agreements, promote good governance and added value to the work of the Service.</b>	
Establish premises and programmes to address the needs of the higher risk adult offender population in Limerick.	The Limerick Moving On Project (PALLS) was established in 2009 to address the needs of the higher risk adult offender population in Limerick.			

\*Offices/Agencies incorporated within this programme

Probation Service

## Programme 8 Justice Vote Group

### The provision of a coherent effective Youth Justice Service \*

Inputs				
Programme 8	2009 € million	Outturn 2009 € million	Year 2010 € million	%Change on Outturn
Programme Expenditure				
- Current	43.8	37.7	38.9	3%
- Capital	8.7	2.7	8.2	206%
Administration and other support				
- Pay	1.6	1.6	4.0	157%
- Non-Pay	4.4	3.5	5.3	59%
<b>Total Gross Programme Expenditure</b>	<b>58.5</b>	<b>45.5</b>	<b>56.5</b>	<b>25%</b>
<b>Number of Staff employed on Programme (whole time equivalents) as at 31 December 2009</b>			<b>Number of Staff</b>	
- Civil Servants			39	
- Other Public Servants			306	
Outputs*				
2009 Output Target	2009 Output Achieved		2010 Output Target	
Progress the implementation of the National Youth Justice Strategy 2008 – 2010 subject to available resources. The National Youth Justice Oversight Group will oversee progress and report to the Cabinet Committee on Social Inclusion.	Considerable progress has been made on implementation of the Strategy. A progress report was noted by the Cabinet Committee on Social Inclusion in October 2009.		<b>Delivery of a more effective youth justice system entailing a range of responses appropriate to the needs of children in trouble with the law and the community in general, with the emphasis on the development of improved detention school services in 2010.</b>	
Develop and roll out of measures to improve the effectiveness of the Garda Youth Diversion Projects (GYDP's) in dealing with local crime problems.	A baseline analysis of the GYDPs was undertaken and its report was published in July 2009. Work is underway to implement its recommendations with five trial sites being selected to develop the new approaches. The training of staff and the development of an online learning community to share best practice are underway. A tendering process for delivering core training to all GYDPs in 2010 was completed. Significant work has also been undertaken by IYJS in partnership with An Garda Síochána to review the governance of the projects to improve their effectiveness.		<b>More effective responses to youth offending. Garda resources will be freed up to work more intensively with GYDPs on project outcomes when a streamlined funding mechanism between IYJS and service providers is put in place.</b>	
Complete design phase and prepare for tendering process for the construction of the new national detention facility.	Concept designs developed and approved by the project's Steering Committee. Consultation held with stakeholders to ensure output of relevant experienced staff to design process. Tender for site investigations issued. Sketch designs and order of magnitude costing developed for submission to the Steering Committee.		<b>Ongoing consultation process with range of stakeholders including working groups and planning authorities. Tender process and award of construction contract will be subject to Government approval and the necessary finance being made available.</b>	

\* **Offices/Agencies incorporated within this programme**

Youth Justice Service

**Programme 9 Justice Vote Group**  
**The provision of Property Registration Services.** \*

Inputs				
Programme 9	2009 € million	Outturn 2009 € million	Year 2010 € million	% Change on Outturn
Programme Expenditure				
- Current	34.9	32.7	33.4	2%
- Capital	3.2	4.1	2.4	-42%
Administration and other support				
- Pay	3.8	3.4	3.4	0%
- Non-Pay	1.0	0.8	1.1	44%
<b>Total Gross Programme Expenditure</b>	<b>42.9</b>	<b>41.0</b>	<b>40.3</b>	<b>-2%</b>
<b>Number of Staff employed on Programme (whole time equivalents) as at 31 December 2009</b>			<b>Number of Staff</b>	
- Civil Servants			616	
- Other Public Servants			0	
Outputs				
2009	2009		2010	
Output Target	Output Achieved		Output Target	
Completion of a further 200,000 Legal Transactions .	Completion of 219,000 Legal Transactions (Dealings)		Completion of a further 180,000 Legal Transactions . The core business of the Land Registry involves examining legal applications for registration with related documents and maps, interpreting the legal effect of such documents and recording their legal impact on the registers and maps.	
A further 8 Maps to be fully digitised. Completion of the digitisation of a further 8 counties' maps in 2009 will ensure that 23 counties in total will have fully digitised maps by the end of 2009. This project is critical to the provision of an electronic registration framework	A further 7 Counties Maps Fully digitised in 2009		The remaining 4 counties to be digitised in 2010, thus completing the Digital Mapping project. This project is critical to the provision of an electronic registration framework. On the completion of Digital Mapping, all of the Land Registry folios, maps and indices will be fully computerized on the electronic register and available over the Internet on the landdirect.ie service.	
Provision of electronic on-line facility for the processing of releasing of charges. This is a further milestone in the overall eGovernment initiative undertaken by the PRA.	System for the electronic release of charges successfully implemented in March 2009. Over 50% of all application for the release of charges are now being received and processed electronically.		Provision of an on-line facility for the registration of charges under the 'Fair Deal' Nursing Home scheme. This project will be another key milestone in the electronic registration programme and will also pave the way for the development of electronic registration of charges for financial institutions.	
* Offices/Agencies incorporated within this programme				
Property Registration Authority				

## **Appendix 3**

### **Legislation Enacted**

Criminal Justice (Surveillance) Act 2009  
Criminal Justice (Amendment) Act 2009  
Criminal Justice (Miscellaneous) Provisions 2009  
Defamation Act 2009  
Enforcement of Court Orders Act 2009  
Land and Conveyancing Law Reform Act 2009  
Legal Services Ombudsman Act 2009 (Civil Law Reform)

### **Legislation Published**

The Fines Bill 2009  
Criminal Procedures Bill 2009  
Communications (Retention of Data) Bill 2009  
Criminal Justice (Money Laundering) Bill 2009  
Property Services (Regulation) Bill 2009  
Multi Unit Development Bill 2009  
Civil Partnership Bill 2009

## Appendix 4

### Asylum/Immigration Tables

**Table 1 - Number of Deportation Orders signed**

<b>Deportation Orders Signed 2005 - 2009</b>	
2005	1,900*
2006	1,573*
2007	418
2008	757*
2009	1,077

**Table 2 - Number of Deportation Orders effected**

<b>Deportations 2005 - 2009</b>	
2005	395*
2006	301*
2007	139
2008	161*
2009	291

**Table 3 - Transfer Orders effected**

<b>Transfer Orders effected 2005 - 2009</b>	
2005	209
2006	294
2007	225
2008	271
2009	243

**Table 4 - Leave to remain granted under Section 3, Immigration Act 1999 ( as amended)**

<b>Leave to Remain Granted under Section 3 of the Immigration Act 1999 (as amended)</b>	
<b>2005 - 2009</b>	
2005	154
2006	217*
2007	859*
2008	1,278*
2009	659

**Table 5 - Applications for Subsidiary Protection**

<b>Subsidiary Protection 2006 - 2009</b>			
<b>Year</b>	<b>Applications Received</b>	<b>Applications Granted</b>	<b>Applications Refused</b>
2006 #	185*	0	0
2007	1341*	2	97*
2008	1498*	7	472*
2009	2,089	24	653

# Subsidiary Protection Regulations came into force on 10 October, 2006

**Table 6 - Voluntary Returns**

<b>Voluntary Returns</b>			
<b>Year</b>	<b>Assisted by Department</b>	<b>Arranged through IOM<sup>1</sup></b>	<b>Total</b>
2005	124*	206*	330*
2006	63	175	238
2007	162	255	417
2008	75*	454*	529*
2009	134	405	539

\* Some minor adjustments to previous years statistics are reflected in the figures above.

<sup>1</sup> International Organisation for Migration