



DEPARTMENT OF JUSTICE,  
EQUALITY AND LAW REFORM

*Working for a Safer, Fairer Ireland*



ANNUAL REPORT 2006

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# ANNUAL REPORT 2006

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**FOREWORD BY AN TÁNAISTE AND MINISTER FOR JUSTICE, EQUALITY AND LAW REFORM**  
**MICHAEL MCDOWELL, T.D.**



Minister for Children  
**Brian Lenihan, T.D.**



Minister of State  
**Frank Fahey, T.D.**



I am pleased to present the 2006 Annual Report for the Department of Justice, Equality and Law Reform. The Annual Report sets out progress achieved by my Department on the goals and objectives set in the Department's Strategy Statement 2005-2007 as well as other important developments during the year, including progress on many commitments under the Agreed Programme for Government falling within my area of responsibility.

Increased effectiveness, accountability and reform of An Garda Síochána were effected through the continuing implementation of the Garda Síochána Act 2005. I approved a major increase in Garda supervisory ranks to facilitate the commitment to expand the Force to 14,000 and to allow for the expansion of specialist units. This target was achieved by the end of 2006. The Garda Recruitment Campaign for Trainee and Reserve Gardai was an overwhelming success and a strong vote of confidence in An Garda Síochána. Figures provided by the Public Appointments Service showed a total of 9,138 applications for the position of Garda Trainee and 6,661 applications for the Garda Reserve Force.

Significant savings to the Exchequer were achieved by the acceptance by prison staff of the Proposal for Organisation Change. Actions such as the introduction of new rosters and a dedicated Escort Corps reflect the full constructive engagement of management and staff in the delivery of the agreed change programme. The Prisons Building Programme proceeded satisfactorily. Preparatory planning on the new prison complex at Thornton in north County Dublin is on track and this will permit building work to commence on site in March 2007.

The Irish Naturalisation and Immigration Service (INIS) continued to improve services across its spectrum of activities thus strengthening the effectiveness of the immigration system. A more integrated and effective approach to visa services was also advanced through the transfer of the Visa Office from the Department of Foreign Affairs to INIS.

Securing a lasting peace in Northern Ireland and achieving a peaceful society remains a matter of utmost importance and in 2006 there was continuing contact between representatives from this Department and the Northern Ireland Office of Criminal Justice under the auspices of the Agreement on Cooperation on Criminal Justice Matters. There was also continuing support throughout the year for the Independent Monitoring Commission (IMC), whose role is to report on paramilitary activity, security normalisation and participation in the political institutions of the State.

The programme of reform in relation to the areas of equality and disability continued. The Department worked towards achieving the goals of gender equality, fulfilling commitments under the Agreed Programme for Government in relation to improving parental leave, giving priority to the implementation of the provisions of the Disability Act 2005 and progressing implementation of the National Action Plan against Racism.

This progress would not have been possible without the dedication and commitment of the staff of this Department, its agencies and associated bodies. On my own behalf, and on behalf of my colleagues Minister for Children, Brian Lenihan T.D. and Minister of State, Frank Fahey T.D., I would like to thank everyone concerned.

**Michael McDowell, T.D.**

Tánaiste & Minister for Justice,  
Equality and Law Reform

## DEPARTMENT OF JUSTICE, EQUALITY AND LAW REFORM

The Department of Justice, Equality and Law Reform's ('the Department') work programme upholds the highest values and addresses the deepest concerns of our society.

Our collective mission is to help make Ireland a safer and fairer place in which to live and work, visit and do business. The remit of the Justice family of agencies and services stretches across a range of human concerns and touches on every aspect of national life from child protection and involvement in Inquiries and Tribunals to all elements involved in crime and punishment and the courts system, from the buying and selling of property to a range of immigration services and the areas of disability and diversity.

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

### Department Structure and Staffing

The Department is structured around ten areas. Each area is comprised of one or more Divisions and is headed by a member of the Management Advisory Committee:

- Crime, Security and Northern Ireland, Mutual Assistance and Extradition
- Garda Síochána and Garda Accountability
- Prisons and Probation and Welfare Policy
- Criminal Law Reform and Human Rights
- Civil Law Reform, Courts Policy, Equality and Disability
- EU/International Matters
- Asylum, Immigration and Citizenship
- Reception and Integration Agency
- Youth Justice
- Human Resources, Corporate Services, Organisation Development, Project Development, Finance, Internal Audit and IT

There were approximately 750 staff working in the Head Office areas of the Department at the end of 2006. There are now 24 organisations in the Justice and Equality Sector, each with specific administrative, regulatory or operational functions (see Appendix 1 – Organisation Chart).

Across all its votes the Department was responsible for a budget of €2.21bn in 2006 which compares to a budget of €2.11bn in 2005.

INTRODUCTION BY THE SECRETARY GENERAL  
SEÁN AYLWARD



This report outlines the wide range of activities carried out in the course of a single year by our Department. It reflects a remarkable level of human activity in many different settings- work largely carried out behind the scenes by hundreds of civil servants at all levels in our organisation. This publication can only hint at my colleagues' deep commitment to public service values, to our Government and the Irish people.

Together with many stakeholders across our society, I can personally vouch for the professionalism, loyalty and commitment demonstrated by our staff, day in day out, at all hours, throughout the year.

We may not have reached every target we set ourselves for 2006. I am confident however that a "safer, fairer Ireland" will result from our efforts during those challenging twelve months.

We will continue to strive to achieve higher levels of performance within our organisation in 2007. We look forward to recording further solid progress by year's end.

**Seán Aylward**  
Secretary General







- 1. Tackling Crime:**  
We will continue to develop effective anti-crime policies, implement effective and balanced laws – in line with our human rights and international obligations – and work to ensure visible policing of our communities and enforcement of the law.
- 2. Developing Criminal Justice Services:**  
We will further advance our structural and service reforms in An Garda Síochána, Courts, Prisons and Probation to enable those agencies implement their mandates in the most effective and efficient way possible.
- 3. Asylum, Immigration and Citizenship:**  
We will continue to implement Government commitments in relation to asylum, immigration and citizenship matters in addition to updating, as necessary, the legislative base in this area, enhancing a “whole of Government” approach.
- 4. Promoting a Fair, Tolerant and Caring Society:**  
We will promote the development of a caring, tolerant and fair society through the implementation of appropriate policies.
- 5. Contributing to a Secure and Peaceful Society:**  
We will contribute to securing a lasting settlement to the Northern Ireland conflict and achieving a secure and peaceful society.
- 6. Civil Law Reform:**  
We will continue to reform our civil laws and provide for improved regulatory systems where required.
- 7. Business Delivery and Modernisation:**  
We will support the delivery of the Department's business objectives through the effective use of our resources and the implementation of modernisation commitments under the “Sustaining Progress” Agreement.



## TACKLING CRIME

Tackling Crime in all its forms is a top priority for this Department. 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.

This High Level Goal brings together a number of strategies which have been framed to deliver commitments intensifying the fight against drugs and organised crime; continuing to enforce public order; ensuring effective and visible policing; implementing stronger anti-crime laws; giving effect to our international obligations to combat crime; examining the scope for restructuring the delivery of services in the area of youth justice; regulating and controlling the use of firearms and explosives; supporting victims of crime; addressing domestic violence against women; road safety and implementation of traffic laws.

## TACKLING CRIME

### PROGRESS MADE IN THESE AREAS DURING 2006

#### TACKLING DRUGS, ORGANISED CRIME AND PUBLIC ORDER OFFENCES

The Department continued to play a proactive role, inter alia, through representation in the institutional structures in place under the National Drugs Strategy, in the formulation and implementation of policies to tackle the problem of drug misuse.

An increase in resources was approved to enable An Garda Síochána to continue Operation Anvil for as long as is deemed necessary. This increase in resources resulted in the seizure of a substantial quantity of drugs, guns and ammunition and the targeting of criminals who travel around the country to commit burglaries and other offences.

Twenty two pilot Joint Policing Committees were established by local authorities and the Garda Commissioner in accordance with guidelines which the Tánaiste issued in June after consultation with the Minister for the Environment, Heritage and Local Government and the Minister for Community, Rural and Gaeltacht Affairs.

Funding is being provided for the establishment of thirteen community CCTV schemes in eleven locations nationwide. We processed an increased volume of requests for Mutual Legal Assistance and an increase in the surrender of persons under the European Arrest Warrant Act 2003.

#### POLICING RESOURCES

We succeeded in meeting the timescale for achieving the target strength of 14,000 attested members of An Garda Síochána by 2008. The increase of overall Garda numbers to 14,000 was achieved by the end of the year when, in November, the induction of 280 new Garda recruits to the Garda College, Templemore, resulted in a combined strength of 14,137 of both attested Gardaí and recruits in training.

A successful Garda Recruitment Campaign for Trainee and Reserve Gardaí resulted in a total of 9,138 applications for the position of Garda Trainee and over 7,000 applications for the Garda Reserve. The first batch of Reserve members started their training in

Templemore in September and the first group of Garda Reserves were assigned to Garda Stations in Dublin, Cork, Sligo and Galway in November with the co-operation of all Garda Representative Associations

#### REFORM OF CRIMINAL LAW AND INTERNATIONAL JUDICIAL CO-OPERATION ON CRIME

The Criminal Justice Act 2006, which contains a comprehensive package of anti-crime measures designed to enhance the powers of An Garda Síochána in the investigation and prosecution of offences was signed into law on 16th July. This Act also provides for improvements in the operation of the criminal justice system including increased measures to deal with organised crime, anti-social behaviour and the introduction of a new system of fixed charges for certain public order offences.

The Department continued to play a proactive role in law reform by establishing a Review Group to examine a number of issues under the general heading "Balance in the Criminal Law Review Group". In this regard, provision was also made in the Criminal Justice Act 2006 for the establishment of a Criminal Law Codification Advisory Committee to oversee the codification of all substantive criminal law into a single Crimes Act. The selection process for the establishment of a Research Support Unit to support the work of the Committee has been completed.

A new Code of Practice was introduced for the Cash in Transit Industry as part of the Department's continued pursuit of a safe, secure and efficient process for cash movement.

The Criminal Law (Insanity) Act 2006, which clarifies, modernises and reforms the law on criminal insanity and fitness to be tried and related issues to bring it into line with ECHR jurisprudence was enacted while the Criminal Justice (Mutual Assistance) Bill 2005 which will supplement and enhance existing international co-operation in the fight against terrorism and organised crime is progressing through the Oireachtas.

The Prisons Bill 2006, which will modernise and introduce cost-effective measures in the prisons system was published.





The Criminal Law (Trafficking in Persons and Sexual Offences) Bill 2006 which introduces specific offences of trafficking in persons for the purposes of sexual and labour exploitation was approved. This Bill represents a powerful strategy to provide comprehensive protection under criminal law to persons, in particular children and other vulnerable persons, against sexual abuse and attack. Also in this regard, the Report of the Department / An Garda Síochána was published and the Crimestoppers campaign to combat human trafficking was launched.

The Europol (Amendment) Act 2006, which gives force of law to Protocols to the Europol Convention concerned with combating terrorism, unlawful drug trafficking and other serious forms of international organized crime was enacted on 23 December 2006. This Act will pave the way for enhanced co-operation between law enforcement agencies across all of the EU member states in the fight against all forms of crime with a cross border dimension.

The Updated Cross Border Organised Crime Threat Assessment was published at the 4th Annual Garda Síochána/PSNI Cross Border Organised Crime Seminar.

See also Appendix 2 - Legislation enacted 2006.

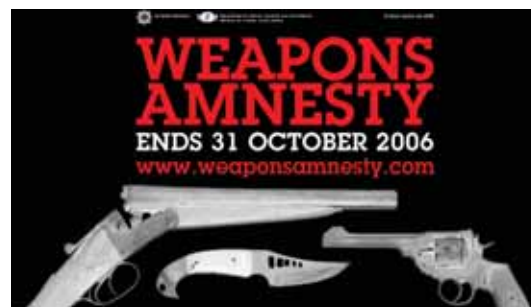
#### HUMAN RIGHTS

Following the appointment of a new Human Rights Commission the Department ensured that communication with that organisation was maintained insofar as the Minister's statutory responsibilities were concerned and all appropriate actions are being taken by the Department in accordance with those statutory obligations.

#### YOUTH JUSTICE

The Irish Youth Justice Service, which is an executive office of the Department, was established in December 2005 and has responsibility for the co-ordination and management of all services to children who offend with the following overarching remit:

- ◆ implementation of the Children Act 2001 and amendments



- ◆ establishment of national oversight and local youth justice teams
- ◆ management of the detention services for offending children under 18 years of age
- ◆ development of a national strategy for youth justice

Funding was made available by the Department to provide for preparatory work in the areas of community sanctions and detention and continued funding was made available for the expansion of initiatives such as the Garda Youth Diversion Projects, bringing the total number in operation to 74.

#### FIREARMS AND EXPLOSIVES

The Criminal Justice Act 2006, which amends the Firearms Acts 1925 to 2000, introduced new provisions updating and strengthening the law governing the control of firearms. These 13 provisions include the toughest penalties for firearms offences in the history of the State, including mandatory minimum prison sentences. Under this Act, a statutory basis was also provided for an amnesty during which firearms, knives and offensive weapons could be surrendered to the Garda Síochána before new penalties and minimum mandatory sentences were introduced.

The amnesty commenced on 1 September 2006 and ended on 31st October, 2006 and resulted in the surrender of over 1,000 weapons. We engaged in an extensive advertising campaign to promote the amnesty.

Amendments to the Explosives Act 1875 in the Criminal Justice Act 2006 also provide for new offences in relation to fireworks and substantially increased the penalties under the Act. A nationwide advertising campaign took place on the run up to Halloween to highlight the dangers of fireworks and new increased penalties for their illegal use.

An Explosives Legislation Review Group was set up to review the law and policy on the control of explosives (Explosives Act 1875). The group produced a consultation document and consulted with industry and other regulators.

## TACKLING CRIME



The Department was represented at EU/UN meetings on firearms and explosives directives and it participated at Council and Working Groups and technical committees.

- ◆ **Registration of Firearms Dealers:**  
We processed 339 Firearms Dealers licences and maintained a register of Firearms Dealers and processed new applications.
- ◆ **Licensing of Firearms Importation:**  
We processed 1,493 applications for importation of firearms and ammunition.
- ◆ **Importation of Explosives:**  
We processed 709 licence applications for import, transportation and storage of explosives (including deemed substances and fireworks).

### VICTIMS OF CRIME

The Commission of Investigation into allegations of child sexual abuse against clergy in the Archdiocese of Dublin was formally established by Government Order on 28 March 2006. The Commission is chaired by Circuit Court Judge Yvonne Murphy.

The Department oversaw the implementation of the recommendation of the Inquiry to investigate allegations or complaints of child sexual abuse which were made against clergy operating under the aegis of the Diocese of Ferns.

The Department undertook the development of a new Strategy to co-ordinate services and policy in relation to Violence against Women and a major publicity campaign to raise awareness of this violence and which encouraged victims to come forward and seek help was launched.

We continued to support victims of crime through disbursement of funding to organisations assisting these victims, by improving the co-ordination and strengthening of the accountability of such organisations and through the support and resource of the work of the Commission for the Support of Victims of Crime. Almost €900,000 was provided to 33 organisations supporting victims of crime.

### ROAD SAFETY

We continued to participate in the High Level Working Group on Road Safety which oversees implementation of the renewed three-year Road Safety Strategy. On 1 September 2006 the High Level Working Group was replaced by the Road Safety Authority (RSA).

The Department contributed to the preparation of the New Road Safety Strategy which will cover the period from 2007 - 2011. The Department chaired the Project Board established to oversee the outsourcing by the Garda Síochána of the provision and operation of safety cameras.

The Department oversaw an increase in the number of Traffic Corps personnel on a phased basis over the year so that by the end of 2006 the Traffic Corps had increased its numbers to a complement of 805, an increase of 235 from the previous year. Appropriate budgetary arrangements have been put in place. We assisted in providing input to the Garda Síochána traffic law enforcement policing strategy.

The Tánaiste discharged his responsibility under the Carriage of Dangerous Goods by Road Regulations through the provision of specialist course, exams, road checks and prosecutions.

### COMMUNITY INITIATIVES

The Department participated in the work of the RAPID (Revitalising Areas by Planning, Investment and Development) National Monitoring Committee and all relevant issues being progressed. Considerable progress has been achieved by the Department in 2006 in implementing the RAPID programme as follows:

- ◆ in line with the Government Policing priorities for 2006, which are contained in the Garda Policing Plan 2006, the Garda Commissioner has agreed to review local policing arrangements in communities in the RAPID programme areas where local residents are seeking to have issues such as persistent vandalism, low and high level intimidation and other anti-social behaviour more effectively addressed.



- ◆ in July 2006 this Department initiated, in conjunction with the Department of the Environment, Heritage and Local Government and the Department of Community, Rural and Gaeltacht Affairs, an anti-graffiti pilot project in RAPID areas.
- ◆ twenty new Garda Youth Diversion projects were established nationwide and of these eleven are located in RAPID areas.
- ◆ in conjunction with the Department of Community, Rural and Gaeltacht Affairs cofunding of proposals relating to Probation projects in RAPID areas were approved to the amount of €49,940.
- ◆ the second call for proposals under the Community based CCTV scheme was announced and the Department of Community, Rural and Gaeltacht Affairs agreed to provide matching funding allocated by the Department of Justice, Equality and Law Reform to successful Stage 2 applicants from RAPID areas, subject to certain conditions.
- ◆ the Equal Opportunities Childcare Programme (EOCP) under the National Development Plan (NDP) has provided substantial funding to RAPID areas. Since the inception of the EOCP in 2000 and up to the end March 2006, funding of €112 million has been committed to RAPID areas. Responsibility for the EOCP and the National Childcare Investment Programme 2006-2010 was assigned from 1 April 2006 to the Department of Health and Children.
- ◆ the second phase of the Equality for Women measure specifically targets economically disadvantaged women in RAPID areas. Funding of approximately €7 million was approved for 58 projects over the period June 2005 to March 2007.

#### OTHER DEVELOPMENTS

Responsibility for the compilation, production and publication of crime statistics was transferred to the Central Statistics Office.

We reviewed the support provided to the Internet Advisory Board in its supervision of self regulation of the Irish Internet Service Provider Industry and monitoring of developments relating to illegal and harmful use of the internet. Following this review, we increased resources and Secretariat support.







## DEVELOPING CRIMINAL JUSTICE SERVICES

Ensuring the sufficiency of resources to the criminal justice system continues to be a priority for the Department. This High Level Goal focuses on the Department's interaction with key organisations in our area of responsibility within the criminal justice system – An Garda Síochána, the Courts Service, the Irish Prisons Service and the Probation Service.

The effectiveness of our policies and actions in this area has a direct bearing on our ability and that of the criminal justice agencies to deliver on the Government's comprehensive anti-crime programme.

## DEVELOPING CRIMINAL JUSTICE SERVICES

### PROGRESS MADE IN THESE AREAS DURING 2006

#### AN GARDA SÍOCHÁNA

##### Structural Reform and Modernisation:

In February 2006 the Tánaiste approved the appointment of three Ombudsman Commissioners to the Garda Síochána Ombudsman Commission. Work is currently underway to support the commencement of operations in 2007.

The Tánaiste appointed a Chief Inspector and two inspectors to An Garda Síochána Inspectorate which was established in July 2006. The first report of the Inspectorate was published in November 2006.

A four person Advisory Group was appointed to advise the Garda Commissioner on the issues of management and leadership development in the Force. The Group published its first report in November 2006.

A new system of promotion for An Garda Síochána was implemented in 2006 to make the system more transparent, accountable and in line with best practice.

The functions of Accounting Officers were transferred from the Department to the Garda Commissioner on 14 July 2006 and this was followed on 16 October 2006 by the transfer of responsibility to the Garda Commissioner for all civilian staff in An Garda Síochána.

Following the transfer of responsibilities a dedicated Civilian Human Resources Directorate was established. This Directorate will carry out all aspects of human resource management and development (including recruitment, training, industrial relations and general HR administrative functions) for the nearly 2,000 clerical, administrative, professional, technical and industrial civilian staff now working with An Garda Síochána. It will also play a key strategic role in driving forward the wider Civilianisation Programme.

##### Accountability:

Increased effectiveness, accountability and reform of An Garda Síochána was achieved through the continuing implementation of An Garda Síochána Act. Draft regulations for confidential reporting of

corruption and malpractice in An Garda Síochána were published.

Draft Discipline Regulations were published. The draft is the subject of discussion with the Garda Representative Associations within the Garda conciliation and arbitration framework and which will ensure that disciplinary procedures are completed efficiently and effectively without undue delay.

##### Other Developments:

A Memorandum of Understanding was signed to ensure that information on sex offenders who plan to travel between the UK and Ireland is shared between the relevant police forces. Following the implementation of the practical recommendations of the Report of the Working Group on Garda Vetting in 2005, the availability of Garda criminal record vetting has been expanded in the interests of the protection of children and vulnerable adults.

#### COURTS

A provision of €20 million was made available to continue the programme of renovation and refurbishment of Court houses nationwide. The development of the Criminal Court Complex is proceeding. The Department continued its close monitoring of judicial resources and processed appointments expeditiously.

We maintained budgetary control on the Criminal Legal Aid Scheme (€41.7m) and payments were processed speedily.

Approval was given to progress nine "Greenfield" court projects, by way of Public Private Partnership (PPP), as part of a new envelope of €50 million for such projects to be expended over the next two years. These projects will be complemented by investment in other modernisation initiatives such as a Civil Case Management IT system and the continuing delivery of court services by electronic means and courtroom technology upgrades.



## PRISONS

The Prisons Building Programme is proceeding with the construction of new prisoner accommodation and support facilities at Portlaoise, Castlereagh, Wheatfield, Limerick, Shelto Abbey and Loughan House. Tender documentation has issued in respect of the proposed new prison development at Thornton, North County Dublin and it is expected that the contract will be awarded by summer 2007 with construction work getting underway as soon as possible.

The Prisons Bill 2006 which provides for, inter alia, planning provisions for major prison developments and the closure of Mountjoy Prison; the issues to be included in prison rules which include mandatory drug testing; a basis in primary legislation for revised disciplinary procedures, including appeals; the possibility of outsourcing prisoner escort services; the video conferencing of certain court hearings; placing the Office of the Inspector of Prisons on a statutory footing and a statutory basis for charging prisoners for certain optional services and the exclusion of non-commercial work from the National Minimum Wage Act 2000.

Over €29 million was realised through the dispersal of former prison lands at Shanganagh Castle, Shankill, Co. Dublin in October 2006.

Significant savings to the Exchequer were made through the introduction of new working arrangements in the "Proposal for Organisational Change" which incorporated the introduction of new rosters, new technology, a dedicated Escort Corps and the restructuring of the Stores and Maintenance functional areas which reflect the full constructive engagement of management and staff in the delivery of this agreed change programme.

The Irish Prison Service published its Drugs Policy & Strategy entitled Keeping Drugs out of Prison which provides, for the first time, a co-ordinated, consistent national approach to eliminating the supply of drugs into prison as well as ensuring that appropriate treatment is available to prisoners to help them conquer their addiction.

This complements the other work carried out by the Department in its continuing contribution to the implementation of the National Drugs Strategy 2001-2008. Preparations are at an advanced stage for the decentralisation of the Irish Prison Service Headquarters to Longford as part of the Government's Decentralisation Policy.

The construction phase of the HQ building was completed in December 2005 with the fit-out to follow in the first half of 2007. The move to be completed in May/June 2007.

## PROBATION

The year saw considerable progress in the modernisation of the Probation Service beginning with the formal change of name of the Service to the Probation Service (formerly the Probation and Welfare Service). In addition, a new Strategy Statement for 2006-2007 was developed and launched and a new senior management structure at Deputy Director and Assistant Director level was created.

Expansion and improvement of information technology continued which included the development of an upgraded website for the Service.

A dedicated Young Person's Probation Division was established within the Service to work in close collaboration with the Irish Youth Justice Service in the implementation of the Children Act 2001 and the delivery of services to young people.







## ASYLUM, IMMIGRATION AND CITIZENSHIP

The Department places a major emphasis on the continued reform of asylum and immigration systems.

This High Level Goal focuses on implementing Government commitments in relation to asylum, immigration and citizenship matters in addition to updating, as necessary, the legislative base and enhancing a “whole Government” approach by addressing such matters as the growth in legal migration, asylum processing objectives, the need to modernise legislation in keeping with national and international requirements, streamlining the State’s services and developing reception, accommodation and integration arrangements.

## ASYLUM, IMMIGRATION AND CITIZENSHIP

### PROGRESS MADE IN THESE AREAS DURING 2006

(see related Tables in Appendix 3)

#### APPLICATIONS AND CASE PROCESSING

In order to further improve customer services and to ensure the efficient and effective delivery of services, INIS (Irish Naturalisation and Immigration Service) initiated a programme of enhanced services which included greatly extended opening hours.

Improved services and reduced processing time resulted in cases being scheduled for interview on the day of applications being made from April onwards and the elimination of any backlog of applications in the Office of the Refugee Applications Commission (ORAC).

The processing times for prioritised asylum applications were 17-20 working days in the Office of the Refugee Applications Commission and 15 working days in the Refugee Appeals Tribunal (RAT).

Our improved processing time also saw the reduction in the number of asylum applications on hand for over six months in Office of the Refugee Applications Commission and the Refugee Appeals Tribunal with 1,299 on hand at the end of December 2006 as compared to some 6,500 applications at the end of September 2001. Processing time in respect of visa applications also showed continuing improvement.

There was a slight reduction in the number of asylum applications received in 2006 amounting to some 4,314 as compared to 4,323 in 2005.

The top 5 countries of origin in 2006 were Nigeria, Sudan, Romania, Iraq and Iran. In 2005, the main source countries were Nigeria, Romania, Somalia, Sudan and Iran.

While there was a reduction in the number of asylum applications, an increased number of applications for permission to reside in the State were processed in 2006 as compared to previous years. The following details reflect the very significant increases in the number of applications received in 2006 -

General Permission to Remain  
8,925 – up 1,000% since 2003

Family Reunification  
1,357 – up 395% since 2001

EU Treaty Rights  
1,768 – up 704% since 2001

During the year, 1,389 naturalisation certificates and 4,391 posts nuptial citizenship certificates were issued.

There was also an increase in the number of decisions being Judicially Reviewed.

The programme of repatriation of persons refused refugee status or illegally in the State proceeded (for details see Appendix 3, Tables 1-4).

The outcome details of the Irish Born Child Scheme 2005 (allowing non-national parents of those children born in the State before 1 January 2005 to apply for permission to remain in Ireland on the basis of such parentage) were published showing that approximately 18,000 applications were submitted and of these some 17,000 were approved, while some 1,000 were refused. Successful applicants have been granted permission to remain in the State for a period of two years with this permission to be renewable at the end of this period.

There was an increased return under Dublin II Regulations of persons who had claimed asylum in another EU country (for details see Appendix 3, Table 5). The Ministerial Decisions Unit continued its processing of decisions to grant or refuse refugee status (for details see Appendix 3, Table 6).



## LEGISLATION AND INTERNATIONAL REQUIREMENTS

Intensive work was undertaken on drafting of Scheme of Immigration Residence and Protection Bill which was published following Government approval in September 2006. This Bill involves a radical overhaul of the State's immigration and protection laws and will provide a comprehensive legislative base for effective management of migration.

The European Communities (Free Movement of Persons) Regulations 2006 were signed into law giving effect to the Directive on the rights of citizens of the Union and their family members to move and reside freely within the territory of the Member States.

The European Communities (Eligibility for Protection) Regulations 2006 were signed into law giving full effect to the provisions of a European Council Directive (commonly referred to as the "Asylum Qualification Directive") on the minimum standards for the qualification and status of third country nationals or stateless persons as refugees or as persons who otherwise need international protection and the content of the protection granted.

Agreements were reached with the International Organisation for Migration (IOM) in respect of voluntary returns, namely:

- ◆ a new voluntary returns programme for unaccompanied minors and "aged out minors" (which commenced on 1 July 2006);
- ◆ a new Assisted Voluntary Return and Reintegration Programme (VARRP) for non-EEA nationals who are asylum seekers and irregular migrants in Ireland.

INIS signed a Memorandum of Understanding with the IOM in August 2006 in respect of an assisted voluntary return and reintegration programme for irregular vulnerable Nigerian Nationals in Ireland and the Netherlands. This Understanding will run for eighteen months, commencing on 1 September 2006. A Memorandum of Understanding was also signed by INIS with IOM in December 2006 on strengthening

the capacity of the Nigerian Immigration Service to detect and investigate travel document fraud and deter irregular migration to the UK, Ireland and Europe. The duration of this project is 1 December 2006 to 31 May 2007.

Quarterly meetings of a Working Group with the UK were held throughout the year in Dublin and London in relation to immigration matters generally within the Common Travel Area. This has also led to the establishment of a number of working groups which deal with specific topics relating to the issue of illegal immigration and the abuse of the Common Travel Area.

July 2006 saw the commencement of Ireland's twelve month Chair of the Inter - Governmental Conference on Asylum, Refugee and Migration Policies. This Inter - Governmental organisation is based in Geneva.

## INFRASTRUCTURE

In order to further improve services a number of technical improvements have been initiated during 2006, namely:

- ◆ a contract was signed in November 2006 and work commenced on a new electronic fingerprinting system (AFIS) for, inter alia, asylum seekers and non-EEA nationals on registration at the Garda Naturalisation Immigration Bureau (GNIB). This System is due to be delivered over a period of eighteen months;
- ◆ the tender evaluation process was completed and the contract signed on 20 December 2006 for a new IT system for INIS known as AISIP (Asylum Immigration Strategic Integration Platform). The new system will include a case and statistical management system, an accommodation management system for asylum seekers, a file tracking system and a country of origin information system;
- ◆ an Automated Visa and Tracking System (AVATS) is in the process of being developed.

## ASYLUM, IMMIGRATION AND CITIZENSHIP

A more integrated and effective approach to visa services was advanced through the transfer of the Visa Office from the Department of Foreign Affairs to INIS.

The GNIB Information System was successfully enhanced and upgraded to:

- ◆ facilitate electronic exchange of adverse Immigration related information with the UK;
- ◆ charge for the GNIB Registration Card since May 2006.

### OTHER DEVELOPMENTS

The Expenditure Review Report of the Asylum and Immigration Process was published in November 2006.

The decision of the Refugee Appeals Tribunal to publish a selection of legally important decisions from 31 March 2006 and the introduction of a more comprehensive database on 31 October 2006.

### RECEPTION AND INTEGRATION AGENCY (RIA)

The number of asylum seekers accommodated by the Refugee Integration Agency amounted to a total of 5,489 at end December 2006. At the end of 2006, the Agency was operating a total of 54 centres including 4 Reception Centres, 41 Accommodation Centres and 9 Self-Catering Centres. Seven of the Accommodation Centres were State owned while the rest were commercially owned. The costs involved were:

- ◆ €10.7m in accommodating asylum seekers in State owned Centres;
- ◆ €67.7m in accommodating asylum seekers in commercially owned Centres;
- ◆ €0.7m for the provision of transport.

In 2006, 97 inspections of Accommodation Centres were carried out. The quota for resettlement refugees was raised from 50 to 200 persons and the Department carried out its first selection mission to Jordan to fill most of that quota.

The Refugee Integration Agency Child Protection Policy was fully implemented and "Storyboard" materials were developed in order to promote this. The Refugee Integration Agency is responsible for administering the European Refugee Fund (ERF). In 2006, 20 projects were funded at a cost of approximately €1.2m.

A special Integration Fund was established to promote the integration of legally resident migrants. Projects valued over €5m have been approved under the Fund.

Under the Refugee Integration Agency's Small Grants Scheme, €165,000 was disbursed in respect of 65 projects to assist asylum seekers to settle into local areas and to promote intercultural activities between them and the local community.

In keeping with its multi-Agency remit, the Refugee Integration Agency co-ordinated interagency meetings for service providers in all areas of the country in which Accommodation Centres are operating and provided continued support in the fields of education and health.







## **PROMOTING A FAIR, TOLERANT AND CARING SOCIETY**

The Department and its agencies have been initiating and supporting programmes to develop a more caring and tolerant society in which equality of opportunity is promoted and advanced.

The focus of this High Level Goal is to continue to develop this work by addressing issues of equality, discrimination, tolerance and diversity in terms of gender, employment, racism, disability and any other sphere requiring attention.

Obligations in these areas arise not only from Government commitments, but also derive from Ireland's membership of such bodies as the EU, Council of Europe, the UN and the International Labour Organisation.

## PROMOTING A FAIR, TOLERANT AND CARING SOCIETY

### PROGRESS MADE IN THESE AREAS DURING 2006

#### SOCIAL INCLUSION

The Department broadened and strengthened its focus on Social Inclusion through the extension of its social inclusion agenda. This covers work ranging from equality to disability and to certain aspects of integration and the reintegration of prisoners. The Department is progressing this work through participation in the Partnership Agreement Towards 2016, the National Development Plan 2007-2013, NAP Inclusion 2007-2016, the National Strategic Reference Framework and the other national strategies.

#### GENDER EQUALITY

The Department continued to work actively towards the goal of true gender equality through gender mainstreaming in Government policy and is proactively working to ensure that the National Development Plan and its successor (NDP 2007-2013), the partnership process and other social and economic policies adequately focus on gender equality.

The development of the National Women's Strategy – an “all of Government” policy document, was brought to an advanced stage. We implemented a new funding strand under the ongoing Equality for Women Measure in the National Development Plan to encourage community groups in CLAR (Ceantair Laga Ard-Riachtanaí) areas and third level institutions to undertake projects which foster gender equality, complementing an initiative in RAPID (Revitalising Areas by Planning Investment and Development) areas announced last year.

The Department participated fully in EU, UN and Council of Europe fora which foster and exchange good practice on gender equality through initiatives such as the European Commission's 2006-2010 Road Map on Gender Equality.

This project is being implemented across Europe and focuses on six priorities namely the achievement of equal economic independence, reconciliation policies, equal participation in decision making, eliminating stereotypes, combating violence against women and trafficking and promoting gender equality outside the EU.

#### DISABILITY EQUALITY

The Department is continuing to develop its lead and coordination roles across Government on the implementation of the National Disability Strategy, in particular, the roll-out of the provisions of the Disability Act 2005.

We implemented a key commitment of Towards 2016

- ♦ the establishment of a Stakeholder Monitoring Group - in November, composed of senior Government officials and representatives of major disability stakeholder groups to monitor progress on the implementation of the National Disability Strategy.

We supported the Minister of State (Mr. Frank Fahey T.D.) in securing approval by the Oireachtas of Sectoral Plans for disability services prepared by six Government Departments as required under the Disability Act 2005; the Department arranged for publication of the Sectoral Plans in December.

S.I. No. 163 of 2006 (relating to a Code of Practice on Accessibility of Public Services and Information provided by Public Bodies) was prepared and signed into law by the Minister in April - the Code was developed by the National Disability Authority following a comprehensive public consultation process.

We worked closely with the National Disability Authority on the development of a public service-wide system for the implementation of new legislative provisions on the employment by public bodies of people with disabilities, the development and resourcing a new Centre of Excellence in Universal Design to be established under the Disability Act 2005 from 1 January 2007 and in the design, preparation and operation of the first Excellence through Accessibility awards, presented to four public bodies by the Minister in September.

Funding was provided to the National Disability Authority to the amount of €5.854m (grant aid) and the Department also liaised with that body on policy, legislation and operational matters.





The Department completed negotiations on a text for a UN Convention relating to people with disabilities and continued to develop the Department's input to policy discussion at EU and Council of Europe level.

Round 2 of the Enhancing Disability Services (EDS) Funding Programme was launched, in conjunction with Pobal, making a further €6 million available for funding in the 2007/08 period thus allowing for the development of major innovative projects around the country.

The Accessible Transport Funding Pilot Programme was completed, making up to €200,000 available for the purchase of accessible transport for people with disabilities and funding of €6m was made available to sixty four organisations under the Independent Living Support Programme.

We also supported disability organisations by funding People with Disabilities Ireland Ltd (PwDI) and the Vantastic Dial-a-Ride demonstration project on accessible transport for people with disabilities.

Raising awareness about the lives of people with disabilities is a prime concern of the Department and it continued to work in this regard through

- ◆ funding for the TV series "ThreeSixty" and "About the House"
- ◆ supporting a schools awareness event in December on the theme "Games We Can All Play" to mark the National Information Day on Disability, in cooperation with INTO.

## **DIVERSITY AND TOLERANCE**

### **Racism:**

We are ensuring that the implementation of the National Action Plan against Racism (NPAR) is progressing in a timely and satisfactory manner and supported the introduction of Anti Racist and Diversity Plans in towns and cities.

The Department is assisting the integration of migrants through the funding of new initiatives for a wide variety of integration-related activities and projects and through the introduction of a new consultation process between the Garda Síochána and leaders of ethnic and cultural communities.

A major radio campaign was undertaken by the Department thus enhancing its interaction with and through the media.

Funds were allocated for training in the primary school sector to support the introduction of intercultural guidelines for primary school teachers.

### **Travellers:**

There was ongoing development of measures to promote tolerance and understanding between the Traveller and settled communities through the publication of the Report of the High Level Group on Traveller Issues and the co-ordinating and monitoring of the implementation of this Report at departmental level.

The Department continued its role of monitoring the work of Traveller Interagency groups at city and county level and is continuing to develop measures to promote tolerance and understanding between the Traveller and settled communities in line with commitments made by all social partners under Towards 2016.

We supported various Traveller related initiatives, including assisting the Department of Finance in developing a pilot Civil Service Traveller Internship Programme in carrying out an evaluation of the Pavee Point Mediation Service.

We also assisted the Department of Foreign Affairs with the visit of the Advisory of the Framework Convention for the Protection of National Minorities.

## **EMPLOYMENT EQUALITY**

The Parental Leave (Amendment) Act 2006 was signed into law thereby fulfilling commitments in the Agreed Programme for Government in relation to improving the parental leave scheme.

The duration of maternity and adoptive leave was increased through the Maternity Protection Act 1994 (Extension of Period of Leave) Order 2006 and the Adoptive Leave Act 2005 (Extension of Periods of Leave) Order 2006 that came into effect in March 2006.

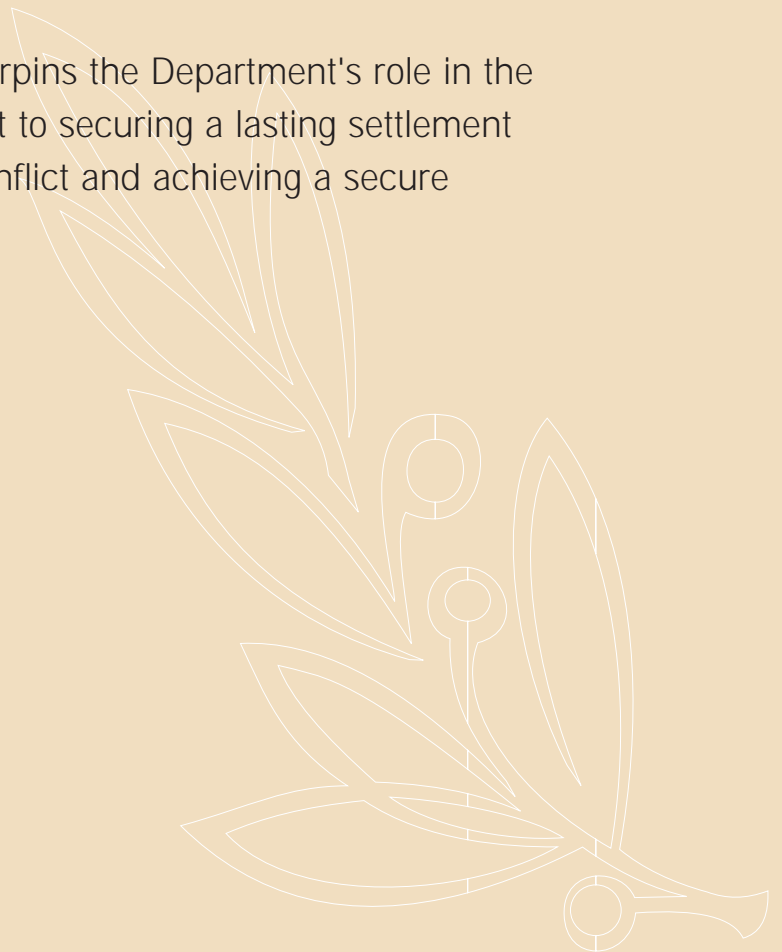




## CONTRIBUTING TO A SECURE AND PEACEFUL SOCIETY

A primary function of the Department is to ensure that, through appropriate policies and measures, that the security of the State is guaranteed.

This High Level Goal underpins the Department's role in the Government's commitment to securing a lasting settlement to the Northern Ireland conflict and achieving a secure and peaceful society.





## CONTRIBUTING TO A SECURE AND PEACEFUL SOCIETY

### PROGRESS MADE IN THESE AREAS DURING 2006

The Department continued to participate fully in multi-lateral talks to achieve a comprehensive and lasting settlement to the conflict in Northern Ireland and the restoration of the devolved institutions. The Department also liaised regularly with the Northern Irish authorities in relation to North/South and East / West issues and participated fully in the institutions established under the Good Friday Agreement.

The Department continued to liaise closely with the Independent Monitoring Commission (IMC), whose role is to report on paramilitary activity, security normalisation and participation in the political institutions of the State.

2006 saw the publication of the following Reports of the IMC to the Irish and British Governments under the International Agreement establishing the Commission in 2005

- ◆ 8th Report pursuant with Articles 4 and 7 of the International Agreement was sought by both Governments in the context of the PIRA statement of July 2005
- ◆ 9th report, the first under Article 5(1), dealt with the programme of security normalisation published by the British Government on 1 August 2005, therefore reflecting the changed security environment in Northern Ireland
- ◆ 10th report pursuant to Articles 4 and 7 examined paramilitary activity in Northern Ireland
- ◆ 11th report, the second to be produced under Article 5(1) of the Agreement, dealt with the programme of security normalisation published by the British Government on 1 August 2005.

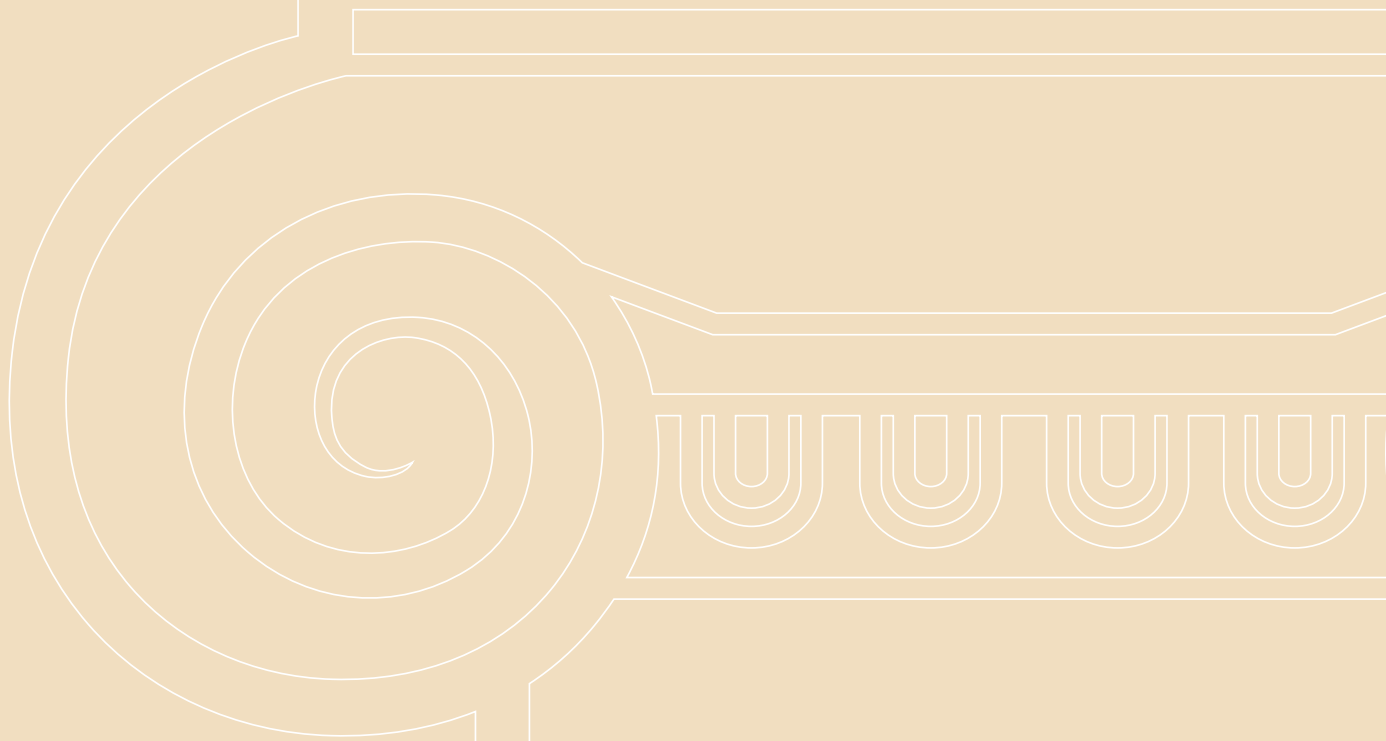
We continued to support the Independent International Commission on Decommissioning, including publication of its Report of January 2006.

We continued to support and liaise closely with the Independent Commission for the Location of Victims' Remains and the implementation of the recommendations contained in its 2006 Report. There was ongoing contact between both jurisdictions

in relation to the International Agreement on Cooperation on Criminal Justice Matters, including agreement of a comprehensive work programme on areas such as Rehabilitation of Offenders, Youth Justice, Criminal Justice in a Multicultural Society and ongoing cooperative work in relation to Sex Offenders, Probation, Forensic Science, Support for Victims of Crime and Exchange of Personnel.

We supported the Remembrance Commission, which disbursed in the region of €1.5m in 2006 to victims of the conflict in Northern Ireland in this jurisdiction and their support groups.



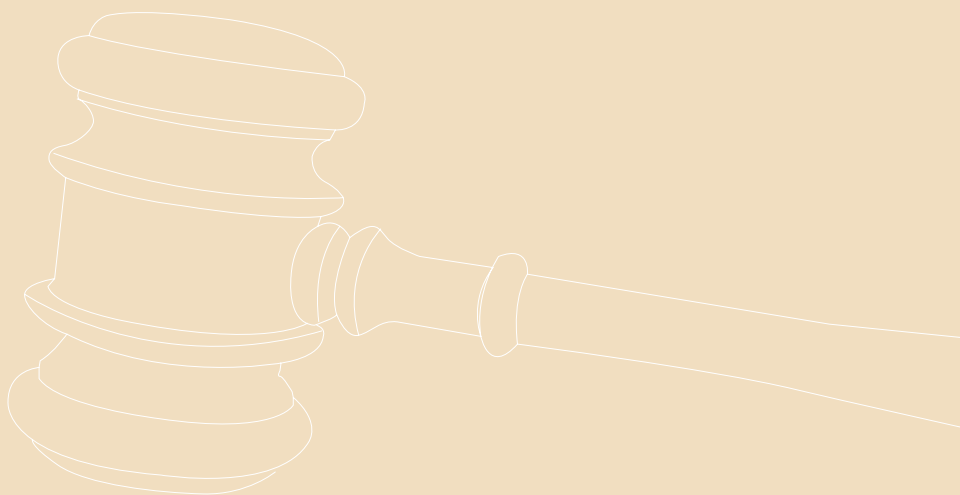




## CIVIL LAW REFORM

Legislation to reform specific areas of civil and administrative law accounts for a significant proportion of the Department's substantial law reform output.

The objective of this High Level Goal is to complete the programme of civil law reform contained in the Government's Legislative Programme, to continue to keep civil law under review and to provide for improved regulatory systems where required.



## CIVIL LAW REFORM

### PROGRESS MADE IN THESE AREAS DURING 2006

The enactment of the Registration of Deeds and Title Act 2006, provides for the establishment of the Property Registration Authority and reforms the law relating to the registration of land. The new Authority, whose main functions are to manage and control the Land Registry and Registry of Deeds and to promote and extend the registration of ownership of land in the Land Registry, was formally established on 4 November 2006.

The Government granted approval for the drafting of legislation to establish the Property Services Regulatory Authority and to reform the law relating to sales of property. The legislation will give effect to key recommendations of the Auctioneering/Estate Agency Review Group. The main functions of the new Authority will be to operate a licensing system for providers of property services (including auctioneers, estate agents and property management agents); investigate complaints against such providers, and promote consumer protection by increasing awareness of such services.

The Land and Conveyancing Law Reform Bill 2006 was presented in the Seanad in June 2006 and was approved by it in November 2006. The primary purpose of this Bill is to reform and modernise the State's land and conveyancing laws in order to meet modern needs. It repeals about 150 pre-1922 statutes, the earliest of which date from the 13th century, and replaces them where appropriate with provisions suited to modern conditions.

The Defamation Bill 2006, presented in the Seanad in July 2006, updates the law on defamation taking into account the need for balance between the competing rights of freedom of expression and respect for good name and reputation. It provides for recognition of an independent Press Council, subject to certain conditions regarding its establishment.

The Civil Law (Miscellaneous Provisions) Bill 2006, presented in the Dáil in April 2006, passed Second Stage in October. The Bill provides for the establishment of a Legal Services Ombudsman and for amendments to the law in a variety of areas

including business tenancies, courts and court officers, bankruptcy law, succession law and the law on statutory declarations.

The Privacy Bill 2006 also presented in the Seanad in July 2006, provides for the introduction of a statutory framework to protect all citizens from invasion of privacy.

The Scheme of the Judicial Council Bill, being prepared for Government approval, was the subject of ongoing consultations during 2006 with relevant stakeholders.

The intention is that the Bill will set up a council of judges serving on Irish courts and will have, among other things, responsibility for establishing a code of ethics and for disciplinary investigations of judicial misconduct allegations.

Significant progress was made in relation to the development of the Immigration, Residence and Protection Bill. Relevant statutory instruments were prepared for the transposition of EU Directives relating to Immigration and Asylum (see Chapter 3, Asylum, Immigration & Citizenship).

#### Options Paper on Domestic Partnership

- ♦ The Tánaiste established the Working Group on Domestic Partnership in March 2006. This Working Group was asked to consider the categories of partnerships and relationships outside of marriage to which legal effect and recognition might be accorded, consistent with constitutional provisions, and to identify options as to how and to what extent legal recognition could be given to those alternative forms of partnership, including partnerships entered into outside the State. The Working Group presented an Options Paper to the Tánaiste which was published on 29 November 2006. The Options Paper is intended for public consultation and, together with the Law Reform Commission's December 2006 Report on the Rights and Duties of Cohabitants, will assist in the formulation of legislative proposals in this area.





#### Study Group on Pre-nuptial Agreements

- ◆ In October 2006 the Tánaiste announced the establishment of a Study Group on Prenuptial Agreements. The Study Group was asked to examine the operation of the law since the introduction of divorce in 1996 with respect to pre-nuptial agreements and is expected to report in March 2007.

The Casino Regulation Committee was established and is to report to Government on

- ◆ The possibilities for a legislative basis for the strict regulation of casino-style operations in the State
- ◆ The form of regulation, the functions and powers of any regulatory body, the licensing system, codes of practice, investigation of complaints, entry and inspection, appeals against decisions, the nature and type of offences, internet gambling etc.
- ◆ The role of authorities and the requirements of the Financial Action Task Force.

See also Appendix 2 – Legislation Enacted 2006





## **BUSINESS DELIVERY AND MODERNISATION**

The Department is committed to achieving its business objectives and driving improvements in service levels and output.

This High Level Goal provides the Department's support of business objectives through the effective management of resources and the implementation of modernisation commitments under Partnership Agreements.

## BUSINESS DELIVERY AND MODERNISATION

### PROGRESS MADE IN THESE AREAS DURING 2006

Modernisation and reform of the Department's support structure is monitored on an ongoing basis through facilities such as Partnership and the Industrial Relations processes. There have also been many tangible improvements in the way business is conducted in, for example, the continuing investment in Human Resources through professional learning and training programmes.

#### POLICY PLANNING AND RESEARCH

The Policy Planning Research Unit (PPRU) approved the following projects:

- ◆ Postgraduate Studentship in Irish Legal History, sponsored by this Department and established by the Irish Legal History Society (ILHS)
- ◆ Research for Garda Youth Diversion Projects 2006
- ◆ An Evidence Base for a Crack Cocaine Strategy.

#### CUSTOMER SERVICE

The First Interim Report of the Archives Advisory Group, which incorporates a range of recommendations regarding the release of Departmental records, was submitted to the Tánaiste in September 2006 and the Group's recommendations were accepted.

The Department commenced its Inaugural Irish Language Scheme on 30 June 2006 and put in place a system of extensive awareness raising, training and other support measures.

A major programme of works to relocate and enhance the Department's Head Office accommodation in Dublin commenced and is well advanced.

The Department set up a Disability Advisory Group with a view to improving access to public services provided by the Department for people with disabilities.

#### INFORMATION TECHNOLOGY

IT Division moved towards becoming a shared service provider of IT services for the Justice Sector as a number of the Department's agencies moved on to the Department's Citrix platform. This permits more consolidated operation of IT services from a single centre and allows the agencies to devote greater

resources to their core functions. The arrangement offers particular support for new, moving or decentralising offices.

There was ongoing development of e-working and remote access in keeping with the requirement for improved customer service and increased workplace flexibility with very high levels of availability being sustained.

The Department completed a major procurement for a new integrated asylum and immigration system for the Irish Naturalisation and Immigration Service (INIS) which will provide INIS with a modern IT system to manage the increasing volumes of visitors to Ireland and which will also put in place a strategic architecture for the Department's IT network, and a support and system delivery service for the Department and its agencies.

Substantial progress was made on the new Automated Visa system which will go live during 2007 and on the Criminal Justice Interoperability Pilot to join Garda and Courts systems (also due to go live during 2007). This pilot will allow for further linkages in the Criminal Justice System to be developed.

#### FINANCIAL MANAGEMENT

We are finalising the implementation and enhancement of the core features of the Management Information Framework (MIF) through the Department and associated offices and agencies.

We implemented the modernisation of the financial structures of the Probation Service and the transfer of responsibility from the Prisons Service to the Department of Justice, Equality and Law Reform.

We identified alternative methods to improve the effectiveness of the collection of fines. A pilot project on the collection of fines was completed and a report of findings will be completed in early 2007.

We developed and implemented required structures with regard to Resource Allocation and Business Planning (RABP) model for 2007 estimates. The





new structures are in place and 2007 estimates will be presented on this basis.

We continued our development of best practice in the area of procurement and procurement policies. A Corporate Procurement Plan is being drafted and the functionality of the online procurement e-catalogue is under review.

#### FINANCIAL SHARED SERVICES

We implemented the provision of Financial Services to the Department, the Garda Síochána, the Irish Prison Service, the Courts Service and the Property Registration Authority (Land Registry) in accordance with the terms and conditions of Service Level Agreements between these organisations and the Department's Financial Shared Services Division which included payroll, accounts payable, staff expenses, financial accounting and reporting, administration and payment of certain pensions, support and development of financial computer systems. An electronic payslip for the Department, the Courts Service, the Property Registration Authority (Land Registry) and the Probation and Welfare Service was developed and implemented.

#### 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 2006

##### (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

| Invoice Amount | No. of Invoices | Amount of Interest Paid |
|----------------|-----------------|-------------------------|
| Under €317     | 443             | €3,218.11               |
| Over €317      | 1,087           | €32,563.82              |
| <b>Total</b>   | <b>1,530</b>    | <b>€35,844.93</b>       |

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

- ◆ The overall percentage of late payments to total payments was 2.5%
- ◆ The total amount of interest paid with respect to late payments was €35,844.93

#### INTERNAL AUDIT

The Department of Justice Equality and Law Reform remains committed to the highest standards of Corporate Governance and established an Audit Committee in January 2004. The committee comprises five members; four members are independent of the Department of Justice, Equality and Law Reform. The committee has its own terms of reference and charter and the members of the Audit Committee continue to provide a valuable service to the organisation.

#### FREEDOM OF INFORMATION (FOI)

We made every effort 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.

We continued our participation in the Civil Service Users Network group (CSUN) - a group of FOI Officers in Civil Service Departments which is an invaluable tool in the exchange of information when dealing with inter-departmental FOI requests, assisting in the processing of common requests in a unified and efficient manner.

We processed a total of 477 requests under the Freedom of Information Acts 1997 and 2003

- ◆ 68% of requests were for personal information from staff and clients of the Department
- ◆ approximately 21% of requests were from journalists.

#### REGULATORY REFORM

The Department is engaged in the ongoing process of review, modernisation and evaluation of

## **BUSINESS DELIVERY AND MODERNISATION**

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.

A number of RIAs were carried out across a range of legislation during 2006 with a view to widespread application in 2007:

- ◆ 5 General Schemes/Heads of Bills brought to Government – 2 RIAs prepared
- ◆ 6 Bills published – no RIAs published
- ◆ 26 Statutory Instruments made – 2 RIAs prepared
- ◆ 2 Draft EU Directives - 1 RIA prepared

### **DECENTRALISATION**

We continued our preparations for the decentralisation of a number of our agencies and offices. This will involve the relocation of over 800 posts. Implementation plans have been prepared for each area including identification of suitable sites and there is ongoing planning for the internal and external transfer of staff, staff training and management of ICT needs.

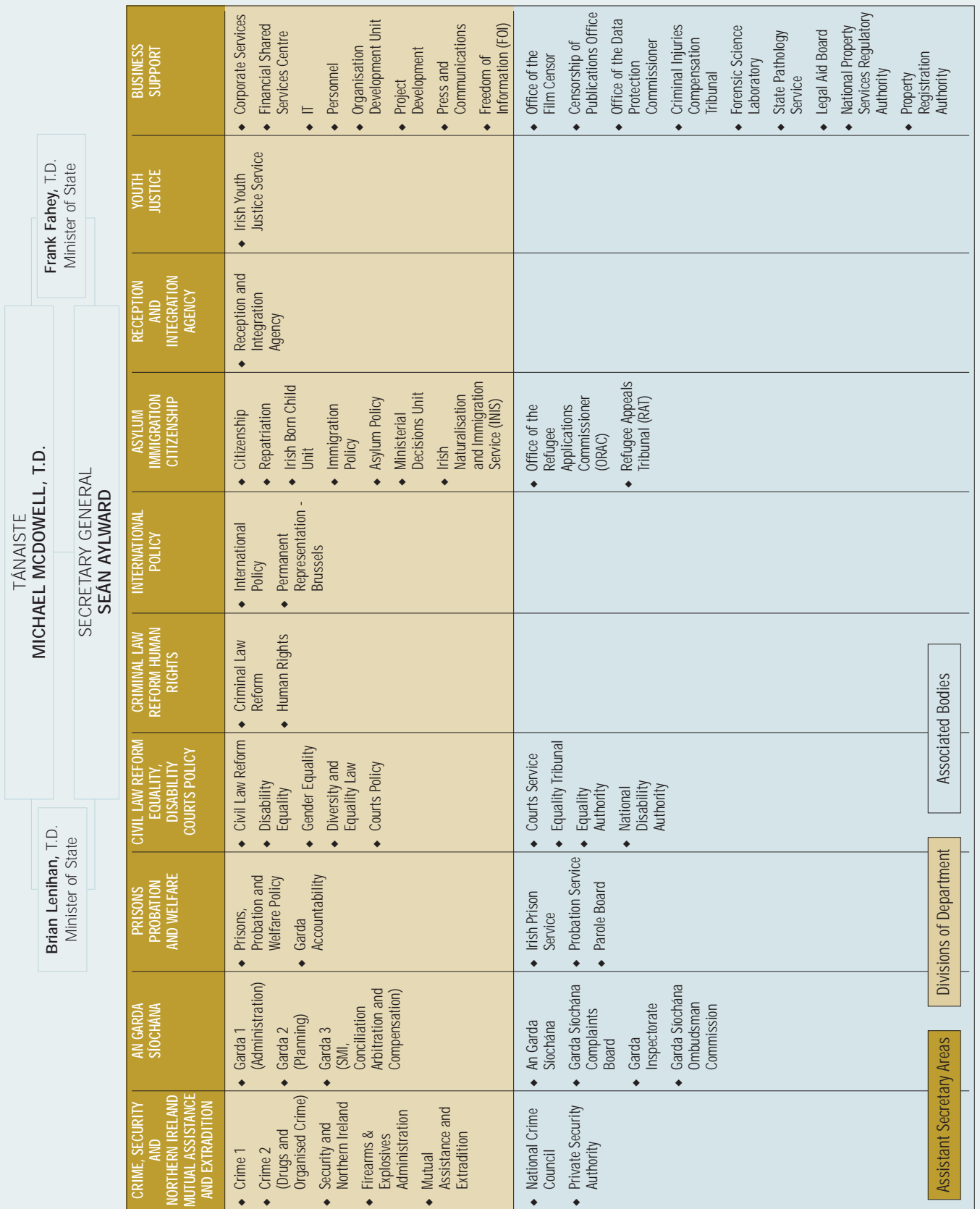
### **ENERGY SAVING MEASURES**

There was further progression in Department's policy to use products which are 100% recycled, partly recycled or made by way of the forest control method.

## **APPENDICES**

1. Organisation Chart
2. Legislation Enacted
3. Asylum and Immigration Tables

## APPENDIX 1: ORGANISATION CHART





**Criminal Law (Insanity) Act 2006**

[12 April, No. 11 of 2006]

**Registration of Deeds and Title Act 2006**

[7 May, No. 12 of 2006]

**Parental Leave (Amendment) Act 2006**

[18 May, No. 13 of 2006]

**Criminal Law (Sexual Offences) Act 2006**

[2 June, No. 15 of 2006]

**Criminal Justice Act 2006**

[16 July, No. 26 of 2006]

**International Criminal Court Act 2006**

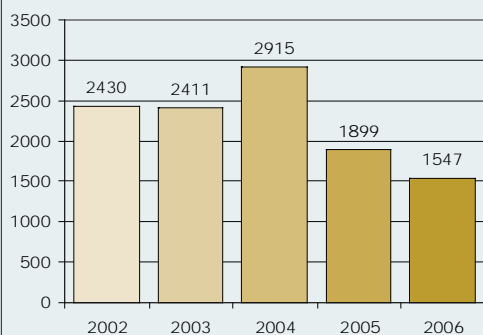
[31 October, No. 30 of 2006]

**Europol (Amendment) Act 2006**

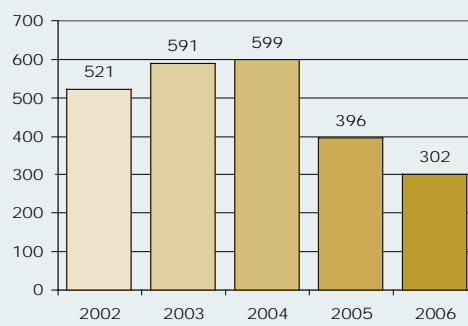
[23 December, No. 37 of 2006]

### APPENDIX 3: ASYLUM AND IMMIGRATION TABLES

**TABLE 1**  
**Number of Deportation Orders signed 2002 - 2006**



**TABLE 2**  
**Number of Deportation Orders effected 2002 - 2006**



**TABLE 3**  
**Removals Effected through the use of Charter Flights 2006**

| Date         | Destination       | Adults | Minors | Total | Costs    |
|--------------|-------------------|--------|--------|-------|----------|
| 17 January   | Romania /         |        |        |       |          |
|              | Moldova           | 42     | 2      | 44    | €91,255  |
| 27 January   | Spain – Dublin II |        |        |       |          |
|              | Regulation        |        |        |       |          |
|              | Transfer          | 1      | Nil    | 1     | €43,300  |
| 21 February  | China             | 13     | Nil    | 13    | €255,539 |
| 4 April      | Nigeria           | 23     | 6      | 29    | €242,050 |
| 15 May       | Romania           | 44     | 4      | 48    | €89,300  |
| 20 September | Nigeria           | 26     | 8      | 34    | €285,200 |
| 12 December  | Nigeria           | 9      | 0      | 9     | €162,100 |

### APPENDIX 3: ASYLUM AND IMMIGRATION TABLES

| TABLE 4<br>Total Number of Voluntary Returns 2002 – 2006 |  |   |       |
|--|--|---|-------|
| Year   | Dept. of Justice,<br>Equality and Law<br>Reform assisted | International<br>Organisation for<br>Migration assisted | Total |
| 2006   | 63   | 164   | 207   |
| 2005   | 125  | 210   | 335   |
| 2004   | 218  | 393   | 611   |
| 2003   | 361  | 401   | 762   |
| 2002   | 396  | 110   | 506   |

| TABLE 5<br>The table below shows the top five nationalities for Transfer Orders signed and effected in 2006 and Regulation States of origination. |            |                   |             |                   |            |
|---|------------|-------------------|-------------|-------------------|------------|
| Orders Signed   |            | Orders Effected   |             | Arrived From      |            |
| Iran  | 104        | Iran              | 60          | UK                | 246        |
| Sudan   | 71         | Somalia           | 54          | Italy             | 14         |
| Somalia   | 66         | Sudan             | 33          | France            | 6          |
| Nigeria   | 43         | Pakistan          | 22          | Germany           | 5          |
| Pakistan  | 29         | Eritrea           | 16          | Sweden            | 5          |
| Others  | 243        | Others            | 109         | Others            | 280        |
| <b>Total 2006</b>   | <b>556</b> | <b>Total 2006</b> | <b>*294</b> | <b>Total 2006</b> | <b>556</b> |
| <b>Total 2005</b>   | <b>426</b> | <b>Total 2005</b> | <b>209</b>  | <b>Total 2005</b> | <b>426</b> |
| <b>Total 2004</b>   | <b>238</b> | <b>Total 2004</b> | <b>65</b>   | <b>Total 2004</b> | <b>65</b>  |

- ◆ Of the total number of Transfers, 64 were effected by ferry and the remaining 230 were effected by plane. In addition, a plane was chartered in January, 2006, to transfer one extremely troublesome person to Spain. Finally, 6 Irish born children left the State with parents who were the subject of Transfer Orders.

| TABLE 6<br>Section 17(7) applications in 2006                |     |
|--|-----|
| No. of Section 17(7) applications for re-admittance received | 109 |
| No. of applications approved                                 | 5   |
| No. of applications refused                                  | 82  |
| No. of applications on hand at end 2006                      | 22  |

