

Department of
Justice, Equality
and Law Reform

Annual Report 2005



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

Legal Aid

Courts

Northern Ireland

Asylum, Immigration and Citizenship

Prisons and Probation & Welfare

Tackling Crime

Diversity

European Union and International

Social Inclusion

Security

Human Rights

Equality

Working for a Safer Fairer Ireland

Department of Justice, Equality and Law Reform

Tánaiste's Office & Secretary General's Office

94 St. Stephen's Green, Dublin 2

Department of Justice, Equality and Law Reform

Pinebrook House, 71/74 Harcourt Street, Dublin 2

Tel: 01 602 8202

Fax: 01 661 5461

Lo-Call: 1890 221 227

Email: info@justice.ie

Website: www.justice.ie

Asylum, Immigration and Citizenship

13-14 Burgh Quay, Dublin 2

Tel: 01 616 7700

Lo-Call: 1890 551 500

Financial Shared Services

Killarney, Co. Kerry

Tel: 064 70300

This document is available on the Department's website.

Copies of this document may be obtained from:
Organisation Development Unit
Department of Justice, Equality and Law Reform
Pinebrook House, 71/74 Harcourt Street, Dublin 2

PRN A6/1739

	Page No
Mission Statement and Values	2
Foreword by Tánaiste & Minister for Justice, Equality & Law Reform Michael McDowell, T.D.	3

Part 1 – Introduction

Introduction by Secretary General	7
Department's Mandate	8
Structure of the Department	8

Part 2

Progress on 2005 – 2007 Strategy Statement High Level Goals and other developments during 2005.

Tackling Crime (HLG 1)	11
Developing Criminal Justice Services (HLG 2)	22
Asylum, Immigration and Citizenship (HLG 3)	29
Promoting a Fair, Tolerant and Caring Society (HLG 4)	47
Contributing to a Secure and Peaceful Society (HLG 5)	53
Civil Law Reform (HLG 6)	57
Business Delivery and Modernisation (HLG 7)	61

Part 3 – Appendices

Appendix 1 Organisation Chart	69
Appendix 2 Abbreviations	70

Mission Statement

To maintain and enhance community security and equality 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;
- the effective and balanced approach to tackling crime; and
- progress towards the elimination of discrimination and the promotion of equal opportunities and the accommodation of diversity.

Values

We are guided by a set of core values in seeking to deliver on our mission. These values are founded on an analysis of the environment in which we operate, the expectations of Government and the community and the resources at our disposal. These values are the guiding principles informing our work. We aim to:

- ensure access to justice;
- apply fair and equal standards of treatment to all groups in our society;
- demonstrate accountability for our actions;
- show courtesy, integrity and openness in our dealings;
- provide excellent services to the public; and
- value the individual.



Michael McDowell, T.D.,
*Tánaiste & Minister for Justice,
Equality and Law Reform*

Foreword by Tánaiste & Minister for Justice, Equality and Law Reform, Michael McDowell, T.D.

I am pleased to present this report on the activities and achievements of my Department during 2005. The Annual Report sets out progress achieved on the goals and objectives of the Department's Strategy Statement 2005-2007 as well as other important developments during the year.

Many commitments under the Agreed Programme for Government fall within my area of responsibility. A number of these commitments have been fully implemented and we made good progress on delivering many others in 2005.

Major progress was achieved in the significant structural reform and organisation of the Garda Síochána, evidenced by the enactment of the Garda Síochána Act, 2005. It is vital that we have an independent complaints mechanism to maintain public confidence in, and support of, An Garda Síochána. I therefore established the Garda Síochána Ombudsman Commission, as a priority under the Act. This body will replace the Garda Síochána Complaints Board and, with a radically expanded role, is required and empowered directly and independently to investigate complaints against members of An Garda Síochána as well as any practice, policy or procedure



Brian Lenihan, T.D.
Minister of State



Frank Fahey, T.D.
Minister of State

with a view to reducing the incidence of related complaints.

Matters concerning the Irish Prisons Service were also to the fore during the year. Funding for the Service was increased by 18% to €369 million, a site at Thornton Hall in North County Dublin was purchased in September for the replacement of the existing Mountjoy complex and construction of education and medical facilities at Portlaoise Prison was initiated. The problem of overtime expenditure was addressed following the findings of the Civil Service Arbitration Board. These findings, in combination with an agreement reached on operational matters, were presented in a single package entitled "Proposal for Organisational Change in the Irish Prison Service" and were accepted by staff following a ballot, bringing negotiations to a satisfactory conclusion. This agreement allows for major organisational change across the Irish Prison Service.

Youth justice is a key priority of my Department and, under the Children Act, 2001, the new Irish Youth Justice Service was established with a view to modernising and reforming youth justice provision. It provides an overarching strategic plan governing the operational relationship of key stakeholders. Improvements in the area of Childcare included an increase not only in the number of childcare places but also in that of staffing levels. From 2006, this responsibility falls under the aegis of the Office of the Minister for Children.

Improving the effectiveness and integrity of the State's Immigration system was addressed in a comprehensive manner in 2005 with the establishment of the Irish Naturalisation and Immigration Service (INIS). This Service will be a "one stop shop" that will incorporate the Department's current structures dealing with asylum, immigration and citizenship. It will include a new Immigrant Integration Unit to promote and co-ordinate social and organisational measures across the whole spectrum of Government for the acceptance of lawful immigrants into Irish economic and cultural life. The citizenship issue of children born in the State to non-national parents was also addressed. In January 2005 I announced new procedures for the consideration of applications for leave to remain in the State from such parents and a dedicated Unit was established to carry out this work over the course of the year. The Unit successfully completed its remit, processing almost 18,000 applications during that period.

As always, securing a lasting peace in Northern Ireland and achieving a secure and peaceful society remains a matter of paramount importance. Co-operation between police forces North and South in the fight against crime on an all-Ireland basis was at an all time high and was further enhanced following the introduction of personnel exchanges between the two Forces.

The programme of reform in relation to the areas of equality and disability also progressed satisfactorily with the launching of the National Action Plan Against Racism (NPAR) and the Disability Act, 2005. Both of these measures are key elements in the Government's strategy to support participation in society by all groups concerned and contain a range of positive actions that will complement the existing equality infrastructure.

As with all public service organisations, fiscal management is vitally important and as Minister I must ensure that all public monies are spent and

accounted for judiciously and using best practice. Across all its areas of responsibility my Department was responsible for a budget of almost €2 billion in 2005. In addition, it received an allocation of almost €1.1 billion under the Capital Investment Framework (CIF) 2005-2009. Part of this allocation was sourced by way of Public Private Partnerships (PPPs) and the monies received are funding major capital investment projects.

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 TD and Minister of State, Frank Fahey TD, I would like to thank everyone concerned.

Michael McDowell, T.D.,
Tánaiste & Minister for Justice, Equality and Law Reform

part one

Introduction



Sean Aylward
Secretary General

Introduction by the Secretary General

The 2005 Annual Report of the Department of Justice, Equality and Law Reform records the progress we have made so far as an organisation in implementing the objectives set out in our Strategy Statement 2005-2007. Each of the Department's main areas of work is the subject of a separate chapter under its related High Level Goal.

Significant advances were made on our change agenda in 2005. Our mandate for change covers a wide range of issues ranging from the policy level in, for instance, responding to crime more efficiently to operational issues like supporting the programmes of institutional reform and modernisation in the Garda Síochána and the Prison Service. We are putting in place new structures for youth justice, working to manage immigration issues more effectively and promoting equality measures. We are even developing new structures to regulate the buying and selling of property in the consumer interest. Details of the legislation enacted on behalf of the Department and Bills published and progressed by our Minister during 2005 are to be found in Chapter 1 (Tackling Crime) and Chapter 6 (Civil Law Reform).

Our activities in the internal/corporate development areas of strategic planning, customer service, performance management, staff training and financial management are covered in Chapter 7.

The core service provided by this Department stretches far beyond the traditional perception of Irish administrative life: the 9-5, Monday to Friday pattern. It could not be provided to the Government and Irish people without huge levels of professionalism, loyalty and personal commitment to work by hundreds of Civil Servants at all levels in our organisation. We are proud of our Department and its contribution to building a safer and fairer society. The high standards of performance demonstrated by our staff day and night, throughout the year are greatly appreciated by me and by our many stakeholders across the spectrum of civil society. Of course we can and do make mistakes from time to time but we are committed to rectifying our errors in a positive, non blame-laying way.

Reasonable progress was made across the remit of this Department in 2005. We are now well placed to advance the priorities set for us by Government in the coming years. We know much remains to be done to fulfil our obligations to Government and society. However our resolve and will to deliver and to succeed is clear and will become more evident in the years to come.

Seán Aylward
Secretary General

Department's Mandate

The Department's Mission Statement, Values and High Level Goals reflect a Department with a mandate which crosses many significant and varied areas of public sector policy and administration.

The Department's main areas of responsibility include:-

- Implementing Government policy on crime and protecting the security of the State.
- Providing policy advice in relation to the criminal justice system and supporting the operation of the system.
- Continuing reform and updating of the criminal and civil laws and providing improved regulatory systems where required.
- Playing a central part in the implementation of core elements in the Good Friday Agreement.
- Co-operating in the EU and international fields and promoting Ireland's interest within the Department's area of responsibility.
- Implementing the Government's asylum strategy and further developing national immigration policy.
- Developing and implementing policy in relation to equal treatment generally, anti-racism, disability equality, human rights and childcare.

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 (see Appendix 1):

- Crime, Security and Northern Ireland, Mutual Assistance and Extradition
- Garda Síochána
- 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
- Childcare and Youth Justice
- Personnel, Corporate Services, Organisation Development, Project Development, Finance and IT
- Reception and Integration Agency

There were approximately 760 staff working in the Head Office areas of the Department at the end of 2005. There are now 23 organisations in the Justice and Equality Sector, each with specific administrative, regulatory or operational functions (see Appendix 1).

Across all its votes the Department was responsible for a budget of €2.11 billion in 2005 which compares to a budget of €1.945 billion in 2004.

part two

**Progress on 2005 – 2007 Strategy Statement High Level
Goals and other developments during 2005**

TACKLING CRIME

High Level Goal 1

We will continue to develop effective anti-crime policies, implement effective and balanced laws – in line with our human rights obligations – and work to ensure visible policing of our communities and enforcement of the law.

1.1 Drugs Objective:

We will extend the State's capacity to tackle the problem of drugs in our communities and in our prisons under the National Drugs Strategy, with a special focus on supply reduction

1.2 Organised Crime Objective:

We will continue to take the measures necessary to combat organised crime

1.3 Public Order Objective:

We will keep public order laws under review and provide resources to reduce the threat of street crime

1.4 Policing Resources Objective:

We will deliver the Government commitment to increase Garda numbers to 14,000 by 2007 and work with An Garda Síochána to ensure optimal use of the extra manpower

1.5 Criminal Law Reform Objective:

We will complete the programme of criminal law reform contained in the Government's legislative programme including our EU and international commitments

1.6 Human Rights Objective:

We will provide support to the Human Rights Commission to enable it carry out its mandate and we will develop and review, where necessary the criminal law to take account of our human rights obligations

1.7 International Judicial Co-Operation on Crime Objective:

We will work with international partners to confront the threat of cross-border crime and, as part of this, we will strengthen our mutual assistance and extradition arrangements with other states

1.8 Youth Justice Objective:

We will strengthen the youth justice system by enhancing co-ordination and linkage of services and by providing clear strategic leadership in this policy area

1.9 Firearms and Explosives Objective:

To implement effective policies and laws to regulate and control firearms and explosives

1.10 Victims of Crime Objective:

We will ensure that the supports we provide for victims of crime are directed to achieve the greatest possible benefits for victims

1.11 Road Safety Objective:

We will work closely with Departments and Agencies to ensure that the necessary traffic policing resources, systems and structures are in place to reduce road fatalities and injuries

1.1 Drugs Objective

- 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. These structures include the Inter-Departmental Group on Drugs, the National Drugs Strategy Team, the National Advisory Committee on Drugs and the National Assessment Committee for the Young People's Facilities and Services Fund. The Department and its associated agencies continued to progress the implementation of actions in the justice area.
- A comprehensive mid-term review of the National Drugs Strategy was finalised in 2005. The Department was actively involved and was represented on the steering group which oversaw the review.
- The Department continued to provide ongoing support for and to liaise with Local and Regional Drug Task Forces (LDTFs and RDTFs) in the development and implementation of their work programmes and action plans. This support included:
 - ⇒ the provision of dedicated liaison support to the Dublin North Inner City Local Drug Task Force and the Midlands Regional Drug Task Force through our National Drugs Strategy Team membership
 - ⇒ the ongoing channelling of funding to pilot Local Drug Task Force projects in respect of which An Garda Síochána and the Probation and Welfare Service are the lead agencies
 - ⇒ the provision of mainstream funding for a range of justice related projects which have their origins in Local Drug Task Force pilot initiatives and
 - ⇒ the provision of appropriate support to all LDTFs and RDTFs in relation to justice issues.
- In partnership with the Department of Health and Children and the Health Research Board, the Department helped initiate a new and more comprehensive system for recording drug related deaths in Ireland.
- The new Prison Rules which include specific provision for mandatory drug testing in all prisons and places of detention were published on the 22 June 2005.
- The Prisons Bill, 2005 was awaiting Committee Stage in the Seanad and included certain amendments to give effect to the new prison rules to replace outdated 1947 rules.
- Provisions in relation to the establishment of a Drug Offenders Register were drafted for inclusion in the Criminal Justice Bill 2004. It is intended that these provisions will be introduced by way of Committee Stage amendments to the Bill.
- Provisions which will provide for new offences of supplying drugs to prisoners were drafted for inclusion in the Criminal Justice Bill 2004. It is intended that these provisions will be introduced by way of Committee Stage amendments to the Bill.
- Provisions to strengthen the existing sentencing provisions for drug trafficking offences were drafted for inclusion in the Criminal Justice Bill 2004. It is intended that these provisions will be introduced by way of Committee Stage amendments to the Bill.

1.2 Organised Crime Objective

- The Anti-Crime Programme approved by the Government in 2005 included an increase in the provision for Garda overtime. This will yield significant additional policing man hours which

will enable An Garda Síochána to implement targeted, intelligence-driven and high intensity operations against organised crime, including drug crime.

- Funding was approved to enable An Garda Síochána continue Operation Anvil for as long as the Garda authorities deem necessary and for its geographical extension beyond Dublin.
- The Department made arrangements for the recruitment of additional specialist staff with financial expertise to assist the Criminal Assets Bureau in delivering its mandate to identify, seize and confiscate the proceeds of crime.
- In co-operation with the Northern Ireland Office, the Department organised a successful seminar on cross border organised crime - the third such seminar since 2003. There was wide participation in the conference by law enforcement personnel and Government officials from both sides of the border.
- Bilateral agreements in the field of combating organised crime, including drug trafficking, were concluded with Bulgaria, Poland and Cyprus.

1.3 Public Order Objective

- The Minister launched Garda CCTV systems in Bray and Galway in 2005. Following recommendations from the Garda authorities, the Minister approved the implementation of six new Garda CCTV systems. With the addition of these 6 new locations a total of 17 Garda Town Centre CCTV Systems will be implemented in the following locations: Athlone, Ballyfermot, Carlow, Castlebar, Clondalkin, Clonmel, Drogheda, Dungarvan, Ennis, Kilkenny, Kinsale, Mullingar, Portlaoise, Sligo, Tallaght, Tullamore and Waterford.

- The Secretary General approved an outline plan for Community based CCTV in February 2005. A Project Board was set up, chaired by the Department of Justice, Equality and Law Reform, with representatives from Department of Environment, Heritage and Local Government, Department of Community Rural and Gaeltacht Affairs, the Garda Síochána, Area Development Management Ltd (now Pobal) and the Chambers of Commerce. Pobal was engaged to administer the scheme on behalf of the Department. The scheme was launched by the Minister on 15 June 2005. A total of 83 applications were received by closing date of 20 Sept 2005, of which 24 Stage 1 and 13 Stage 2 schemes were approved for funding in Dec 05.
- The Department contributed to the Garda tendering process for the development of an upgraded age card, with enhanced security features.
- The Department monitored Garda enforcement of the measures in the licensing laws in accordance with the Garda Policing Plan 2005.

1.4 Policing Resources Objective

- The timescale for achieving the target strength of 14,000 members of An Garda Síochána, remains as when Government approval was announced in October 2004 for proposals to achieve this objective. The phased increase in the strength of An Garda Síochána to 14,000 will lead to a combined strength, of both attested Gardaí and recruits in training, of 14,000 by the end of 2006, with a fully attested strength of 14,000 by 2008.
- The Department worked with An Garda Síochána and the Public Appointments Service (PAS) to ensure the recruitment process was on track and made the necessary arrangements for the holding of a new recruitment competition in September

2005 to ensure continuity of recruit intakes. A Garda Síochána (Ranks) Order, 2005 was made to facilitate the expansion in garda numbers and a temporary administration block at the Abbey Court Hotel, Nenagh was designated as a Garda Station for the purpose of Garda training. By December 2005, the strength of the force stood at 12,264.

- A review of eligibility criteria for entry to An Garda Síochána was completed, which involved consultations with Garda management, the National Consultative Committee on Racism and Interculturalism (NCCRI), the Public Appointments Service, the Garda Representative Associations within the Garda Council and the Attorney General. Government approval was obtained for the making of new Regulations in September 2005 which introduced changes to the entry rules for recruitment to An Garda Síochána. The new changes will open up entry to An Garda Síochána to persons in Ireland from all parts of the community and from all ethnic backgrounds. This was a hugely significant step which will help ensure that future intakes of recruits to An Garda Síochána reflect the composition of Irish society, to the benefit of the Force and the people it serves. Arrangements were made in conjunction with the Department of Education and Science, the National Qualifications Authority of Ireland and the PAS to assess whether an applicant has the educational qualifications required.

1.5 Criminal Law Reform Objective

- The Proceeds of Crime (Amendment) Act 2005, enacted in February 2005, incorporates the proposals that were formerly contemplated for a Proceeds of Corruption Act.
- The matter of extending the power to the Director of Public Prosecutions to appeal against lenient sentences in serious cases before the District

Court had been referred by the Attorney General to the Law Reform Commission as a matter of urgent public interest. The Commission had issued a Consultation Paper and a final report was awaited.

- Legislative provisions relating to the establishment of the Criminal Law Codification Advisory Committee were prepared for inclusion in the Criminal Justice Bill 2004. A Chairman was appointed to the Committee, which will operate on a non-statutory basis pending enactment of the legislation. A draft RFT relating to the establishment of a Research Support Unit in a third level institution to support the work of the Committee, was prepared for issue in 2006. A financial allocation of €100,000 was secured to support the work of the Committee in 2006.
- The Criminal Justice Bill completed Second Stage in Dáil Éireann on 26 October 2005. On 22 November 2005 Government approved the drafting of proposals to be brought forward as Committee Stage amendments to the Bill. These proposals included new provisions to deal with anti-social behaviour, provision to deal with participation in organised crime and proposals to update and strengthen the law in relation to firearms and explosives.
- The Criminal Law Insanity Bill was passed by Seanad Éireann on 19 April, 2005. It completed Second Stage in Dáil Éireann on 15 November, 2005 and is due to commence Committee Stage on 18 January 2006.
- Committee Stage of the International Criminal Court Bill commenced on 23 November 2005.
- The Transfer of Execution of Sentences Bill was enacted in December 2005.

- The Criminal Justice (Mutual Assistance) Bill was published on 5 December, 2005 and was awaiting Second Stage in the Seanad.
- Work on the draft Heads of the Criminal Justice (Miscellaneous Provisions) Bill was almost completed and will be submitted to Government for approval in 2006.
- The 3rd EU Anti-Money Laundering Directive was published in the Official Journal on 25 November 2005. The advice of the Attorney General's Office was sought on legislative requirements arising. A process of consultation on implementation with relevant bodies had commenced.
- The advice of the Attorney General's Office was sought on legislative requirements arising in relation to the EU/Swiss Agreement to counter fraud.
- First preliminary draft of the Criminal Justice (Protection of Confidential Information) Bill from Parliamentary Counsel's Office was under consideration in the Department.
- The advice of the Attorney General's Office was sought on legislative requirements arising from the revised Council of Europe Convention on Money Laundering, Search, Seizure and Confiscation of the Proceeds of Crime.
- The Department was awaiting agreement on an EU Framework Decision and also on the results of research on race hatred which was being undertaken.

Bills enacted in 2005

- Proceeds of Crime (Amendment) Act 2005
- Criminal Justice (Terrorist Offences) Act 2005
- Garda Síochána Act 2005
- Transfer of Execution of Sentences Act 2005

Bills published in 2005

- Criminal Justice (Mutual Assistance) Bill 2005

Bills in respect of which significant progress was made in 2005

- Trafficking and Child Exploitation Bill. Scope of the Bill expanded and expected to be published in 2006.
- Criminal Justice (Miscellaneous Provisions) Bill. This Bill includes provisions to give effect to a number of international instruments and it will also contain a number of technical amendments to the criminal law.

Proposals under consideration in 2005 which are likely to give rise to the need for legislation

- (1) Working Group on the Jurisdiction of the Courts: Proposals for legislative amendments relevant to the Criminal Law Reform area were under consideration and preparation.
- (2) The establishment of a DNA Database: This matter had been referred by the Attorney General to the Law Reform Commission for consideration as a matter of urgent public interest. The Law Reform Commission published a Consultation Paper on the subject in 2004 and in November 2005 published a Final Report. That Report was under examination with a view to bringing forward legislative proposals in 2006.

Secondary Legislation

- (1) Two Orders of the Minister under section 57A of the Criminal Justice Act 1994, in relation to Myanmar and Nauru, were signed in April 2005.
- (2) Designation Orders under sections 46(1), 47(1) and 55(1) of the Criminal Justice Act, 1994 were made in January 2005. Consultation with Government Departments was undertaken in December 2005 in relation to making further orders, arising from a number of countries becoming parties to conventions and agreements since then.

International Agreements

(1) Legislative amendments necessary to give effect to the following Agreements were included in the Criminal Justice (Mutual Assistance) Bill 2005 –

- Convention on Mutual Assistance in Criminal Matters between the Member States of the European Union
- EU Protocol to the Convention on Mutual Assistance in criminal matters
- EU Framework Decision on the execution in the EU of orders freezing assets or evidence
- Council of Europe Second Additional Protocol to the European Convention on mutual assistance in criminal matters
- Bilateral Agreements with UK re extension of the 1959 Council of Europe Convention on mutual assistance in criminal matters to the Isle of Man and to the Bailiwick of Guernsey
- Bilateral Agreement covering mutual legal assistance in criminal matters between the Hong Kong Sar and Ireland
- Bilateral Agreement between EU/USA on co-operation in judicial matters in the area of mutual legal assistance
- Agreement between the EU and Norway and Iceland concerning the application of the 2000 EU Mutual Assistance Convention
- Mutual assistance in criminal matters aspects of the Schengen acquis

(2) During 2005 a number of examinations were undertaken to identify the outstanding legislative requirements arising from our commitments under the following international agreements –

- UN Convention against Corruption. An examination was completed.
- UN Convention on Transnational Organised Crime and associated Protocols. An examination was ongoing

- EU draft Framework Decision on the application of the principle of mutual recognition to confiscation orders. An examination was at a preliminary stage of consideration.

International Bodies – Reviews and Mutual Evaluations

(1) GRECO 2nd Round Mutual Evaluation – Evaluation completed and final report was agreed at plenary of GRECO in December 2005.

(2) FATF Mutual Evaluation – Evaluation visit completed in July 2005. Response to first draft Report was completed in November 2005.

(3) OECD Working Party on Bribery

Evaluation of implementation of OECD Convention against Bribery –

(i) Provisions of the Criminal Justice (Miscellaneous Provisions) Bill (see above) will implement the recommendation of the evaluation of Ireland;

(ii) Ireland took part in an evaluation of Slovenia.

Restatement

Restatement projects in relation to the Corruption Acts, Proceeds of Crime Acts and the Criminal Justice Act 1994 were undertaken during 2005.

1.6 Human Rights Objective

- Channels of communication at official level were in place between the Department and the Human Rights Commission insofar as the Minister's statutory responsibilities were concerned, principally with respect to financial and staffing issues. During 2005 the Department took all appropriate action in accordance with those statutory obligations.
- Relevant areas of the Department were kept informed of ECHR (European Convention for the Protection of Human Rights and Fundamental Freedoms), related developments.

1.7 International Judicial Co-Operation on Crime Objective

- The Department participated as Irish delegate in relevant Schengen Working Groups.
- The Department was involved in preparatory work for and represented at the five-day annual CDPC (European Committee on Crime Problems) in Strasbourg in March 2005 and the Conference of European Ministers for Justice in April 2005. The Department was also involved in preparatory work for the Third Council of Europe Summit in Warsaw in May 2005.
- Mutual Assistance in criminal matters aspects are provided for in the Criminal Justice (Mutual Assistance) Bill which was published on 5 December, 2005 and awaiting Second Stage in the Seanad.
- Transfer of sentences aspects were provided for in the Transfer of Execution of Sentences Act 2005.

- Aspects concerning the smuggling of illegal immigrants are to be included in the Criminal Justice (Miscellaneous Provisions) Bill.
- Establishment of an EU Fundamental Rights Agency - five meetings of the EU Ad Hoc Working Party on Fundamental Rights and Citizenship took place in 2005.
- During 2005 the following instruments encompassed by the Programme and Action Plan were the subject of negotiations/consideration at EU level:
 - ⇒ Council Framework Decision on the European Evidence Warrant for obtaining objects, documents and data for use in criminal matters.
 - ⇒ Draft Council Framework Decision on the fight against organised crime.
 - ⇒ Commission Green Paper on mutual recognition of non-custodial pre-trial supervision measures.
 - ⇒ Draft Council Framework Decision on certain procedural rights in criminal proceedings throughout the European Union.

- The Department continued to process requests for mutual assistance, for surrender under the European Arrest Warrant and for extradition. The numbers of requests handled during 2005 were:

Mutual Assistance: 410 received; 259 issued abroad

European Arrest Warrant: 82 received; 29 issued abroad

Extradition: 18 received; 6 issued abroad

Number of cases where evidence was taken from witnesses for use in investigations or proceedings abroad: 61.

- The Department contributed in a significant way to the preparation of amendments to the European Arrest Warrant Act 2003 (enacted in the Criminal Justice (Terrorist Offences) Act 2005) and to the preparation of the Criminal Justice (Mutual Assistance) Bill 2005.
- The Department adopted new work procedures, and revised its operating Guidelines, in relation to mutual assistance and the European Arrest Warrant (EAW) arising from legislative changes and decisions of the Courts.
- Annual Reports on the operation of Part 3 of the Extradition Act and on the operation of the European Arrest Warrant were presented to both Houses of the Oireachtas within the statutory time limits.
- The Department actively participated in discussions in relation to the Council Framework Decision on the European Evidence Warrant for obtaining objects, documents and data for use in criminal matters.
- Appropriate briefing material was provided in a timely manner for Justice and Home Affairs (JHA) Council Meetings, Article 36 and other Working Groups on issues related to mutual assistance, the European Arrest Warrant and extradition.
- In late 2005 the Department put in place detailed arrangements for responding to an EU questionnaire for an evaluation of Ireland's implementation of the EAW.
- Bilateral instruments to give effect to the EU-US agreement on mutual legal assistance and extradition were signed on 14 July 2005.
- Bilateral agreements with Hong Kong (MLA and extradition) and Canada (extradition) were at an advanced stage.
- Bilateral agreements with Argentina (MLA and extradition) and Mexico (extradition) were at a preliminary stage of negotiation.
- Proposed agreement between the EU and Norway and Iceland on Extradition – were awaiting developments at EU level.
- A meeting with US officials, involving all relevant Irish Government agencies, to discuss various aspects of the operation of extradition and mutual assistance arrangements, was organised and hosted by the Department in August.
- The Department was represented at three meetings of the European Judicial Network (EJN) during 2005 and provided appropriate material for inclusion in an EJN database concerning the types of mutual assistance which Ireland can provide.
- The Department participated and contributed to the work of the European Crime Prevention Network in 2005.

1.8 Youth Justice Objective

- In 2005, the Department supported and provided funding of €5.47 million to 64 Garda Youth Diversion projects and monitored the administration of the projects which catered for approximately 2,500 participants.
- The Department monitored the operation of the Garda Juvenile Diversion Programme. There were 21,500 referrals to the Programme in 2005. The Department provided funding of €96,750 for the Garda Restorative Justice Project under the Garda Juvenile Diversion Programme for 2005 and 2006. The 2004 annual report of the statutory committee to monitor the effectiveness of the Diversion Programme was launched in 2005.

- Funding of €15,000 was provided for a non-alcoholic coffee bar in Clondalkin.
- The Youth Justice Project Team, established to conduct an analytical review of the youth justice arrangements in the State, completed its work in 2005. The Report on the Youth Justice Review was examined in June 2005 by the Cabinet Committee on Social Inclusion which agreed that proposals for reforms should be brought forward.
- Subsequently, in December 2005, the Government agreed to implement a series of youth justice reforms including a number of legislative amendments to the Children Act 2001 and the establishment of an overarching body with policy and operational responsibilities, the Irish Youth Justice Service (IYJS). The IYJS was established in December 2005 and legislative amendments were expected to be introduced in early 2006.
- The Irish Youth Justice Service will be an executive office of the Department of Justice, Equality and Law Reform and will operate within the policy remit of the Office of the Minister for Children. The IYJS remit includes the development of a unified youth justice policy, the management of all detention facilities for children under the age of 18 years and the management of the implementation of certain aspects of the Children Act 2001, as amended.
- Research was commissioned into the public's attitude to fireworks. As a result of both the consultation process and the research it showed a need to strengthen the enforcement provisions in the 1875 Act.
- Amendments to the Explosives Act, 1875 were prepared to be brought forward at Committee Stage of the Criminal Justice Bill, 2004 which will provide for new offences governing the misuse of fireworks in public places.
- Amendments relating to fines and penalties were prepared to the Explosives Act, 1875 for inclusion, at Committee Stage in the Criminal Justice Bill, 2004.
- A Working Group was set up to review the Law and Policy on the control of explosives (Explosives Act, 1875).
- Registration of Firearms Dealers: The Department maintained a register of Firearms Dealers and processed new applications.
- Licensing of Firearms Importation: The Department processed applications for importation of firearms and ammunition.
- Importation of Explosives: The Department processed licence applications for import, transportation and storage of explosives (including deemed substances and fireworks).
- Assistance to Local & Port Authorities in drafting Bye-laws for points of import for handling of explosives: The Minister drafted and sanctioned bye-laws as required. Surveys conducted.

1.9 Firearms and Explosives Objective

- Amendments prepared to the Firearms Acts 1925-2000 for inclusion, at Committee Stage in the Criminal Justice Bill, 2004 were put before the Houses of the Oireachtas.
- "Fireworks Policy Review - Discussion Document" was published.

	2004	2005
No. of firearms dealers	350	358
No. of firearms certificates issued to Irish residents	213,596	220,557
No. of Firearm Importation Licences (EU and Non-EU importations)	1,433	1,470
Firearm Exportation Licences to EU countries	463	394
Explosives		
- Importation licences for deemed explosives and TD3s	296	334
- Commercial	356	245
- Nitrates/Rockets	57	89
Training courses for Drivers of Vehicles Carrying Explosives	14	19

1.10 Victims of Crime Objective

- In March, 2005 the Minister decided to terminate funding of the Victim Support organisation due to ongoing concerns in relation to governance, service levels, and accountability for public funds. A number of groupings within Victim Support have now left and formed new organisations.
- In March 2005 the Minister established the Commission for the Support of Victims of Crime with a remit to devise a framework of supports for crime victims into the future and to disburse funding for such supports. Review and evaluation of the provisions of the Victims' Charter was commenced by the Commission as part of its work.
- The Commission received 71 applications for funding from organisations providing victim services after a public advertisement in April 2005 and, after detailed examination of the applications, disbursed funding to some 40 successful organisations by the end of 2005.
- The review of the Criminal Injuries Scheme was advanced during the course of the year. Arrangements were put in place to facilitate the application of the EU Directive dealing with compensation for crime victims, which is to come into effect in 2006.

Violence Against Women

- A successful national awareness raising campaign involving TV ads was run early in 2005. Funding was also provided to a range of voluntary groups for local awareness raising measures. Overall funding under the Violence against Women subhead was increased by 39%.
- The Department continued to fund comprehensive research into attrition rates in rape cases in Ireland. This project was being carried out by National University of Ireland, Galway (NUIG) and the Rape Crisis Network Ireland (RCNI). Funding was also provided for a legal co-ordinator post for RCNI, to enhance their capacity to work with victims and to develop joint training and other programmes with the Garda Síochána.
- The Department published an evaluation of the Perpetrator Programmes it funds. The aim of these programmes is to hold perpetrators accountable for their behaviour with a view to preventing further violent acts.
- The preparation of a new 5-10 year Strategy and Action Plan for the National Steering Committee on Violence against Women was advanced, with extensive consultation taking place with voluntary groups, service providers and relevant experts.

Commission of Investigation into the handling of allegations of child sexual abuse against clergy operating under the aegis of the Archdiocese of Dublin

- Discussions took place with the Archdiocese of Dublin, the Department of Finance and representatives of victims/complainants on various aspects of the Commission and agreement as appropriate was reached with them. In November 2005 the Government agreed to the establishment of a Commission of Investigation and the Dáil and Seanad approved motions establishing it. Her Honour Judge Yvonne Murphy, Circuit Court, agreed to chair the Commission. Work began on preparing accommodation and other arrangements for the Commission, including the assignment of staff.

Oversight of the implementation of the recommendations 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 led the implementation of a number of the recommendations of the Ferns Report which fall within the responsibility of the Department.
- The Department liaised with the Office of the Minister for Children and with the Department of Health and Children which has overall responsibility for implementation of the Report's recommendations.

1.11 Road Safety Objective

- The Department continued to participate in the High Level Working Group on Road Safety which oversees implementation of the renewed three-year Road Safety Strategy. The Department chaired and provided the secretariat of the Working Group set up by the Minister to consider the potential of outsourcing the provision

and operation of speed cameras. The Group's recommendations were approved by Government in July 2005. Work commenced on implementing the recommendations, including the necessary tendering process.

- The number of Traffic Corps personnel increased on a phased basis. By the end of 2005, the Traffic Corps had increased its numbers to a complement of 570, an increase of 40 from the previous year. Appropriate budgetary arrangements have been put in place.
- The Department assisted in providing input into Garda Síochána traffic law enforcement policing strategy.

Other Developments

Internet Advisory Board

- During 2005, the Department supported the Internet Advisory Board's (IAB) implementation of its work programme by:
 - Providing a secretariat to the IAB
 - Manning the IAB helpline
 - Planning and implementing a national multi-media campaign (Get With IT) which was very successful with approx 5,000 voicemail messages alone requesting copies of a free booklet explaining new communications technologies to parents.
 - Contributing to the DCMNR National Campaign MakeITSecure.
 - The IAB conducted a review of its terms of reference, structure and resources and submitted this for consideration by the Department.
- The subgroup review of the Code of Practice and Ethics was completed and presented to the IAB, and on approval, its recommendations were referred to the Internet Service Providers Association for action to update and implement.

DEVELOPING CRIMINAL JUSTICE SERVICES

High Level Goal 2

We will further advance our structural and service reforms of An Garda Síochána, Courts, Prisons and Probation & Welfare Service to enable those agencies implement their mandates in the most effective and efficient way possible.

2.1 Garda Organisation Objective:

We will continue to develop Garda structures and processes so as to ensure maximum possible effectiveness, efficiency and transparency and accountability of the Force

2.2 Courts Objective:

To support the Courts Service in the implementation of key Government and Ministerial commitments which relate to the courts system and in delivering a high quality service to persons who come before the courts system

2.3 Prisons Objective:

We will seek appropriate resources for the development of the prison infrastructure and support services to ensure that prison accommodation and services develop in line with best practice

2.4 Probation and Welfare Objective:

We will provide policy direction to the Probation and Welfare Service and monitor the performance of the Service in line with agreed policy objectives

2.1 Garda Organisation Objective

- Formal negotiations took place under the Conciliation and Arbitration (C&A) scheme and informal contacts with the representative associations and the Garda Síochána were used to good effect to ensure that stable industrial relations were maintained during 2005. Under the terms of the Garda C&A scheme, Council meetings were held with each of the representative associations of the various ranks of the An Garda Síochána throughout the year in addition to a number of Joint Council meetings. Debate continues on a number of different aspects of the terms and conditions of the employment of members of the force.
- Facilitation services and the use of an Adjudicator and an Arbitration Board are also part of the Garda C & A scheme. The first ad hoc Arbitration hearing was held in October 2005. Additionally, agreement was reached to avail of the Facilitation service at the LRC for the first time in respect of four claims where agreement could not be reached at Council. Facilitation discussions will take place in 2006.
- In April 2005, the four Garda Representative Associations signed up to the terms of Part Two of "Sustaining Progress – Pay and the Workplace". Subject to verification by the Performance Verification Group that sufficient progress had been achieved on the Garda Action Plan to merit the increases due, the following increases were paid –
 - o 1.5% from 1 June 2005
 - o 1.5% from 1 December 2005

- The Garda Síochána Act 2005 was signed into law on 10 July 2005. The main provisions of the Act are: the establishment of the Ombudsman Commission, the establishment of the Garda Inspectorate, the development of guidelines to enable the establishment of Joint Policing Committees, the preparation of revised Discipline Regulations/ Code of Ethics, the transfer of the Accounting Officer function to the Garda Commissioner, the establishment of Performance targets by the Minister and the transfer of responsibility for civilian staff to the Garda Commissioner.
- The Minister established an Implementation Advisory Group under the Chairmanship of Senator Maurice Hayes to ensure the effective and timely implementation of the provisions of the Act. The Group reported in December 2005 and stated that substantial and satisfactory progress had been made.
- In December 2005, the Minister made an order under the provisions of the Garda Síochána Act 2005 establishing the Garda Síochána Ombudsman Commission. On 15 December 2005, he announced that the Government had nominated the following persons to form the new Garda Ombudsman Commission: Mr. Justice Kevin Haugh (Chairperson), Ms. Carmel Foley and Mr. Conor Brady. The Ombudsman Commission was supplied with a small transitional team to act as a temporary resource until it secured permanent staff. The Department also supplied temporary accommodation at 31/35 Bow Street, Smithfield, Dublin 7.
- The Minister launched the search and recruitment process for the selection of a Chief Inspector for the Garda Inspectorate in December 2005. The objective of the Inspectorate, which will be independent in its functions, is to ensure that the resources available to the Garda Síochána are used so as to achieve and maintain the highest levels of efficiency and effectiveness in its operation and administration, as measured by reference to the best standards of comparable police services. The appointment of the members of the Inspectorate was planned for mid-2006.
- An independent review of the pilot community warden scheme reported that the scheme was quite successful. The Department maintained contact with the Department of the Environment, Heritage and Local Government which is leading on this commitment.
- An interdepartmental group was established to address this issue. A key requirement under the Act is that the Minister should issue to local authorities and the Garda Commissioner guidelines on the establishment and maintenance of joint policing committees. Draft guidelines were drawn up by the interdepartmental group. These were being reviewed by the Minister at end-2005 with a view to being formally issued in 2006.
- A working group prepared draft discipline regulations, in conjunction with the Garda Commissioner. These are based on well established principles in the private and public sectors and are significantly more streamlined than the system which is currently in existence.
- Work was well underway at end-2005 for the Garda Commissioner to be assigned the responsibilities of Accounting Officer in relation to the appropriation accounts of the Garda Síochána for the purposes of the Comptroller and Auditor General Acts 1866 to 1998. Preparations centred on the Garda Commissioner being equipped to discharge the duties of Accounting Officer, determining the functions that ought to be transferred from the Department of Justice, Equality and Law Reform to the Garda Síochána, and on identifying the audit-related functions and structures that need to be put in place within

the Force. The transfer was planned for July 2006. Similarly, the next steps for the transfer of responsibility for civilian staff had been identified, and discussions had taken place with the Garda authorities on the practical measures that will be required to enable them to discharge their responsibilities. The proposed deadline was October 2006.

- Section 22 of the Garda Síochána Act provides for the preparation of an annual policing plan. It was anticipated that this section of the Act would become operative in the first quarter of 2006. The plan will cover issues such as organised crime/drugs, terrorism, public safety/confidence, organisational and deployment, crime prevention and reduction, illegal immigration and trafficking in people and crime statistics.
- The Garda Reserve will supplement the strength of the Garda Síochána, and in particular assist it in developing close links with local communities. The Garda Reserve will be a source of local strength and knowledge. Reserve members will be given very carefully selected powers and duties, they will be properly trained for whatever they are asked to do, and they will work under the supervision of full time members of the Force.
- At end-2005 the Garda Commissioner was drawing up proposals to the Minister, as the Act provides, on the duties Reserve members will carry out, the powers they will exercise and the training they will receive.
- The Department continued to process claims by members of An Garda Síochána under the Garda Compensation Acts 1941-1945. In 2005 over 150 claims were heard by the High court which made awards amounting to over €7m. 249 new applications were received and 329 applications were processed (179 authorised; 142 refused; 8 withdrawn) during the year.

- During 2005 the Government appointed 6 Assistant Commissioners, 14 Chief Superintendents and 40 Superintendents to fill vacancies which arose in those ranks.
- The Garda Síochána Act 2005 was enacted on 10 July, 2005. The first two Commencement Orders under the Act were signed by the Minister on 15 July and 9 December, 2005 respectively. An Establishment Order for the Garda Síochána Ombudsman Commission was also signed by the Minister on 12 December, 2005.

Effective management of policy regarding certain civilian staff in the Garda Síochána

- Civilianisation of appropriate administrative work continued within the context of Government policy on public service numbers. Following a review of staffing needs at the Garda College 14 new civilian posts were created to support the accelerated recruitment programme of An Garda Síochána. An additional Physician post has also been created. These posts will be filled during 2006 following competitions to be held by the Public Appointments Service (PAS). Approval was also obtained for the appointment to a permanent position of a civilian Director of Finance, this position was filled in 2005. A new Human Resource Manager (civilian) for the force was also recruited in 2005 and this appointment will be finalised in early 2006.

Police Co-operation Working Group

- The Department was represented at EU and other international meetings on the Police Co-operation Working Group.

Garda Child Protection Vetting

- During 2005, the implementation of the practical recommendations of the *Report of the Working*

Group on Garda Vetting was progressed within a multi-agency Implementation Group on Garda Vetting. The Report, published in 2004, sets out a comprehensive strategy for the expansion in the vetting service of the Garda Síochána in respect of all persons working in a full-time, part-time or voluntary capacity with children and vulnerable adults.

In particular, the human resource complement of the Garda Central Vetting Unit (GCVU) was more than doubled to prepare for the extension of the Garda vetting service on a phased basis. Moreover, under the Government's Decentralisation Programme, the GCVU was successfully decentralised to Thurles, Co. Tipperary, in November 2005.

Since the GCVU's decentralisation, significant changes have been made in the work processes of the Unit in order to streamline the processing of vetting applications, as an aid to phased expansion, commencing in 2006.

Garda Air Support Unit (GASU)

- A Garda Air Support Unit Inter-Departmental group involving Department of Justice, Equality and Law Reform, Department of Defence, An Garda Síochána and the Air Corps met on several occasions and convened to arrange purchase of a 2nd EC135 helicopter to replace Squirrel helicopter. The procurement process was completed and contract negotiations were begun to achieve delivery of the Helicopter in early 2007.

2.2 Courts Objective

- The Courts Service continued to upgrade service levels and fully exploit new technology. The Central Criminal Court sat outside Dublin in a number of locations in 2005. Waiting time was reduced to 1 year or less. As regards the Special Criminal Court, waiting time was 4 months (legislative provision has been made for establishment of second court, if required).

- Following an examination of the Pilot Drug Treatment Court in the second half of 2005, a Report was presented which made a number of recommendations to enable the Drug Court develop and reach its potential including the recommendation that arrangements and resources should be put in place to extend the catchment area to include the entire Dublin Metropolitan District. The Minister was satisfied that the Court would provide a very worthwhile and innovative service and he will provide it with every support going forward.
- The Criminal Legal Aid and Advice Systems continue to provide free legal aid and advice to persons of insufficient means in criminal proceedings. There was ongoing liaison with the Bar Council, Law Society and Courts Service to ensure their continued successful operation. The gross cost of the Schemes in 2005 was €40.134m.
- The development process of a Criminal Courts Complex was on schedule. Contract to be signed in 2006.
- Judicial Council Bill: Work continued on the drafting of the Bill.
- Finalise report on legal costs: Report of the Legal Costs Working Group was submitted to the Minister in November 2005 and brought before Government in December 2005.

2.3 Prisons Objective

- The Civil Service Arbitration Board findings on a number of financial issues in the Irish Prison Service became available in January 2005. The agreement reached on the operational aspects of the change under discussion together with the findings of the Civil Service Arbitration Board was combined in a single package of proposals

- Proposal for Organisational Change in the Irish Prison Service.

- A ballot of staff in April 2005 resulted in the comprehensive rejection of the Proposal. However, a formula was eventually arrived at in discussions involving a modest cost neutral adjustment to the Proposal thereby facilitating a second ballot in August, 2005. The outcome of the second ballot was an overwhelming acceptance of the deal bringing the negotiations process to a satisfactory conclusion.

The agreement involved major organisational change including:

- the introduction of an additional hours attendance system based on the concept of annualised hours
 - elimination of overtime working
 - the introduction of new rosters
 - development and roll-out of the necessary IT systems to support the new agreed attendance arrangements
 - more cost-efficient prisoner transport arrangements through the introduction of a Prisons Service Escort Corps
 - restructured prison maintenance and procurement/stores functions involving staff redeployments
 - introduction of a new entry-level Recruit Prison Officer Grade
 - greater use of electronic locking systems and CCTV to release prison staff for other duties.
- The new additional hours system was in the process of being rolled out at the end of 2005.
 - Construction of a 138 place cell block including education and medical facilities at Portlaoise Prison is underway.
 - A 60 hectare (150 acre) site at Thornton Hall, North County Dublin, was purchased in September, 2005,

for the replacement of the four prison institutions on the existing Mountjoy complex. The new prison complex will be procured under a value for money Public Private Partnership (PPP) model on a design, build, finance and maintain basis.

- A proposal for construction of a new prison complex on Spike Island to replace the existing Cork Prison is at an early stage. The construction of the new prison will involve the construction of a bridge to the Island.
- New safety and closed supervision cells to replace padded cells were completed and commissioned in a number of prisons in 2005. Work on the remaining two prisons is nearing completion and it is expected that the programme will be completed in 2006.
- A new support services block is under construction at Limerick Prison. The new four storey block will provide enhanced education facilities, gymnasium and medical facilities for prisoners.
- Participation in Prison Education continues to be greater than 50% which is high by international standards. At end 2005, the participation rate was 51%. More than half of the participants (i.e. 27% of the total prison population) were attending classes for more than 10 hours per week.
- Literacy work continues to be a priority element of the Prison Education Service curriculum. A number of significant initiatives commenced or were strengthened which paralleled efforts to address adult literacy problems in the community. Among these initiatives were the fuller use of negotiated learning plans, involvement with the new FETAC level 1 and 2 courses, and the introduction of the National Adult Literacy Agency's assessment framework, Mapping the Learning Journey.

- The Proposal for Organisational Change agreed with the Prison Officers' Association provides for a significant shift of resources into vocational training programmes. Since the conclusion of the Agreement, good progress is being made in filling Industrial Manager and Industrial Supervisor posts. Further competitions to fill other work and training posts are ongoing.
- New workshops have been developed in a number of institutions and a refurbishment and equipment replacement programme implemented in other workshops. E-College, a FAS distance learning delivery programme was piloted in the Training Unit and it is planned to extend the programme to other institutions in 2006.
- A work training database was piloted and subsequently rolled out to six institutions, to facilitate the tracking of prisoner's participation and progress in work and training activities and courses during the course of their time in custody.
- The Report of the Scoping Group on Integrated Sentence Management was finalised in 2005 and two new working groups established to examine information flows and assessment processes.

2.4 Probation and Welfare Objective

- Work commenced in 2005 to review the structure of the Probation and Welfare Service in consultation with the new Director of the Probation & Welfare Service (appointed in September, 2005) and to examine the future direction of the Service.

Children Act, 2001

- Work continued in 2005 to put the necessary measures in place to provide for the implementation of the provisions of the Children Act coming under the remit of the PWS.

Parole Board

- A total of 119 Prisoners had their cases referred to the Parole Board for review during 2005. Monthly Board meetings were attended by representatives from the Department. Recommendations from the Parole Board in 51 cases were received and processed during 2005.

Office of the Inspector of Prisons

- Six individual inspection reports of the Prisons and Places of Detention and the Second and Third Annual Report of the Inspectorate were published in 2005. Observations were sought and received from the Irish Prison Service and the Probation and Welfare Service on issues identified.

Transfer of Sentenced Persons Arrangements

- 20 "inward" applications were received from sentenced persons abroad wishing to complete their sentence in Ireland and 14 "outward" applications from sentenced persons in Ireland wishing to complete their sentence in another state were received in 2005. 5 inward and 3 outward transfers were completed in 2005. Each application was processed as speedily as possible, while complying with all legal and other procedures.

Processing of requests from persons from the Central Mental Hospital

- The processing of requests from persons from the Central Mental Hospital, Administration of the detention of persons found "guilty but insane" or "unfit to plead" was ongoing. There were 25 cases dealt with in 2005. Most cases involved a number of applications for temporary release.

Petitions

- Section 23 of the Criminal Justice Act, 1951, confers on the Government, except in capital cases, the power to commute or remit, in whole or in part, any punishment imposed by a court exercising criminal jurisdiction, subject to such conditions

as they may think proper. The Government has delegated this power to the Minister for Justice, Equality and Law Reform and it is exercised by the Minister in relation to fines, having regard to a 1995 High Court Judgement which stated that the power of the Minister to mitigate penalties must be used sparingly and only for special reasons. 45 applications to open petitions in 2005 were submitted to the Minister within 10 days of receipt of relevant material.

Peace Commissioners

- 45 Peace Commissioners were appointed in 2005. There are currently over 7000 Peace Commissioners, appointed in Garda sub-districts throughout the country.

Child Sex Abuse Claims

- The Residential Institutions Redress Board set a deadline of 15 December, 2005 for receipt of applications for compensation from survivors of institutional abuse. The Department had 1,109 litigation files and as and when requests for information were submitted on behalf of victims of childhood abuse they were dealt with promptly.

The Commission to inquire into Child Abuse (Ryan Commission) served a Discover Order on the Secretary General on 7 October, 2005. The Order which was in respect of an Institution known as Marlborough House was complied with on 2 December, 2005.

Asylum, Immigration and Citizenship

High Level Goal 3

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.

3.1 Asylum and Immigration Objective:

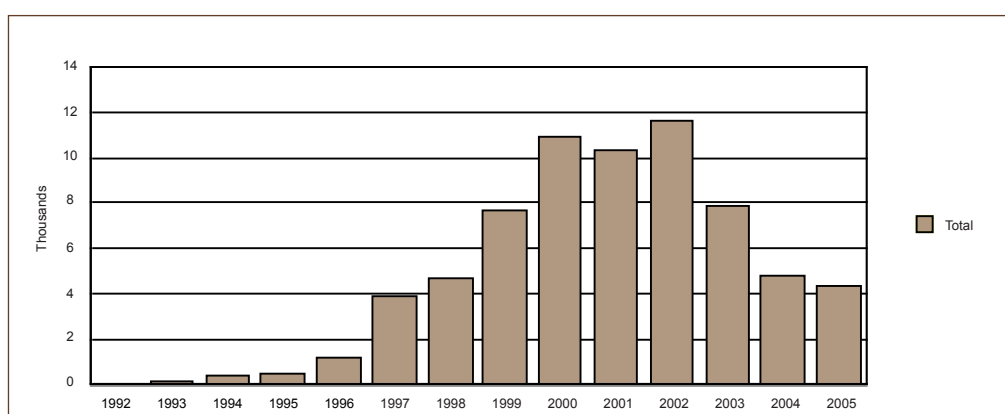
To ensure asylum and immigration services are delivered efficiently and effectively

3.1 Asylum and Immigration Objective

- The number of asylum applications received in 2005 was down 9% on 2004

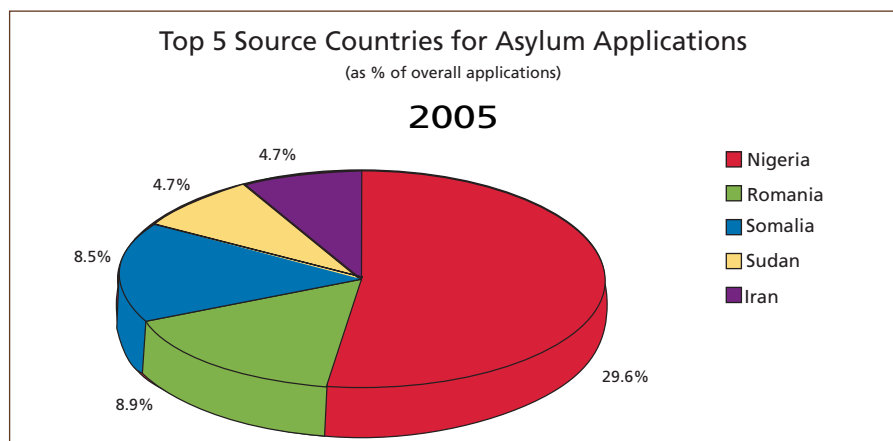
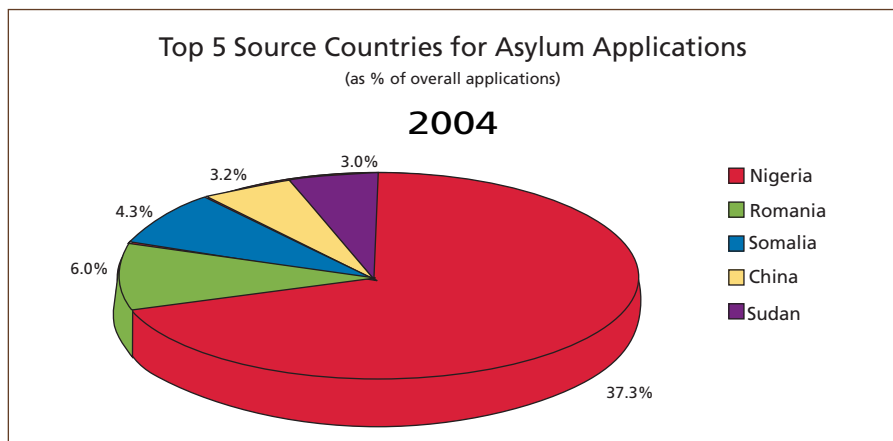
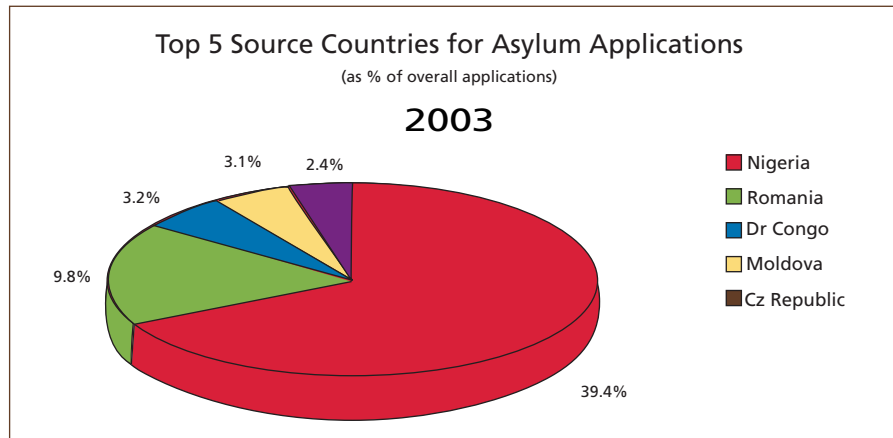
Table 1

ASYLUM APPLICATIONS RECEIVED PER YEAR



- The top five source countries for asylum applications for 2003, 2004 and 2005 are shown in the pie charts below:

Table 2



- Accelerated asylum processing arrangements were put in place in the Office of the Refugee Applications Commissioner (ORAC) and the Refugee Appeals Tribunal (RAT), a 3 week turnaround time for each agency respectively, for five prioritised countries of origin with timescales met and sometimes exceeded.

Table 3

DETAILS OF ASYLUM APPLICATIONS RECEIVED AND CASES PROCESSED IN 2005 (FIRST INSTANCE) BY THE ORAC

Number of applications received	4,323
Number of interviews scheduled	5,423
Number of interviews held	4,140
Number of no-shows	667
Number of cancellations	616
Number of applicants granted refugee status	455
Number of applicants refused refugee status of which:	4,787
- Recommendation to refuse applicant a declaration to be a refugee following interview – S13 of the Refugee Act, 1996	41
- Recommendation that an application is manifestly unfounded – S12 (1) of the Refugee Act, 1996	0
- Recommendation to refuse – S11(9) of the Refugee Act, 1996	0
- Recommendation to refuse – S13(4)(b)	2,369
- Recommendation to refuse – S13(5)	1,542
- Recommendation to refuse – S13(2) withdrawn	191
- Recommendation to refuse – S13(2) deemed withdrawn	644
Dublin Regulation Cases	439
Cases outstanding for more than six months approximately	175
Total cases finalised	5,682

Table 4

OUTCOME OF APPEALS IN 2005**Appeals granted/refused/withdrawn in 2005 (as at 31/12/2005)**

2005	Granted/Set Aside	Refused/Affirmed	Withdrawn	Total Decisions
Substantive	72	177	19	268
Manifestly Unfounded	3	3	0	6
Dublin Convention	9	0	0	9
Substantive 15-Day	358	1844	77	2279
Accelerated	81	1384	11	1476
Dublin II Regulation	8	217	0	225
Total	531	3625	107	4263

A comprehensive work programme was undertaken and a series of developments took place in the areas of asylum and immigration during 2005 including the following:

- Following Government approval, the Irish Naturalisation and Immigration Service (INIS) was established in 2005 in order to provide a one stop shop for immigration related services.
- Asylum applications in 2005 amounted to 4,323 as compared to some 4,766 for 2004 a reduction of some 9%.
- Faster scheduling of interviews was introduced from November 2005 in ORAC with all applicants offered an interview within 20 days and within 9-12 days for prioritised cases.
- The number of cases over six months in the ORAC and RAT at the end of December 2005 was 433 as compared to some 6,500 such cases in September 2001.
- Tenders were received and were evaluated in respect of a new, fully electronic fingerprinting system for the asylum and immigration areas.
- The number of applications for asylum from unaccompanied minors continued to fall in 2005 with liaison with relevant agencies undertaken through regular meetings of the Unaccompanied Minors Working Group. The Department continued the operation of the Voluntary Returns Programme for unaccompanied minors undertaken in co-operation with International Organisation for Migration and new proposal agreed with IOM at end- 2005 for submission to European Refugee Fund for another programme.
- Ongoing review of the operation of the EU Dublin Regulation resulted in the number of transfer orders effected rising from 65 in 2004 to 209 in 2005. Full participation in review of the Dublin II Regulation was undertaken by the European Commission in late 2005.
- A proposal was drafted and Government approval granted for the increase in the State's annual refugee resettlement quota from 40 persons to 200 persons.
- Visa processing times have substantially decreased. In December 2004 the processing time for a visa application was 4 to 6 weeks from the date of receipt in the Department's Dublin office. By December 2005 the turnaround time was less than a week. All backlogs were cleared by year-end.
- Proposals were prepared for the introduction of a new status of long-term resident and work on the revision of classification of residence status was commenced with Garda National Immigration Bureau (GNIB).
- A dedicated visa office was established in New Delhi and all staff were in situ by end 2005. This Office will deal with all visa applications from India, Nepal, Sri Lanka and Bangladesh.
- Improvements to customer services in the visa area during the year included the establishment of a dedicated customer service unit, and investigations/international liaison unit, the publication of decisions, new student visa guidelines and enhanced liaison with schools and the publication of an information leaflet on Family Reunification in respect of persons recognised as refugees.
- Development of the GNIB Information Systems was underway to facilitate improved electronic data capture and support the charging of a fee for registration cards issued to non-nationals.

Activities pursuant to the provisions of the Immigration Act, 1999 (as amended)

- Below are details of the numbers of Deportation Orders signed (**Table 5**), and effected (**Table 6**) in 2005 as well as the number of persons granted temporary Leave to Remain in the State (**Table 7**) pursuant to the provisions of the Immigration Act, 1999 (as amended). Comparative figures are also included in each case for each year since 2001. Tables 8, 9 and 10, respectively, set out details of the numbers of Deportation Orders signed in 2005, the numbers of such Orders effected and the numbers of persons granted permission to remain in the State in 2005, by nationality. Table 11 sets out the number of persons, by nationality, who were deemed to be evading their deportations as at 31 December 2005. It should be noted that this figure includes details of those persons evading deportation orders signed in all years and not just in 2005.

Table 5

Number of Deportation Orders signed 2001 - 2005

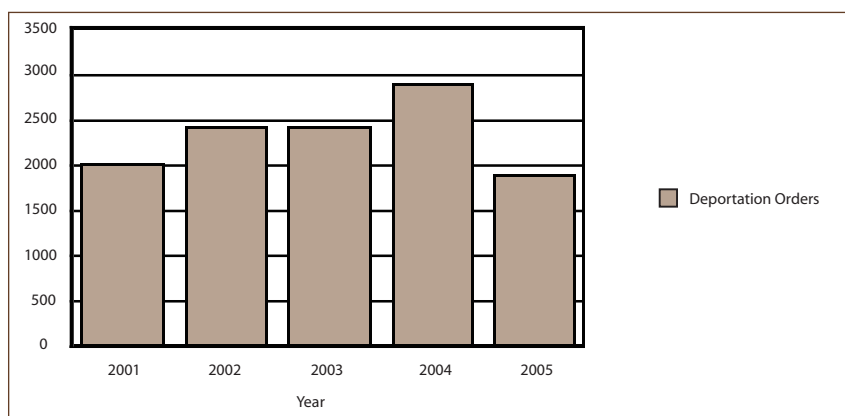


Table 6

Number of Deportation Orders effected 2001 - 2005

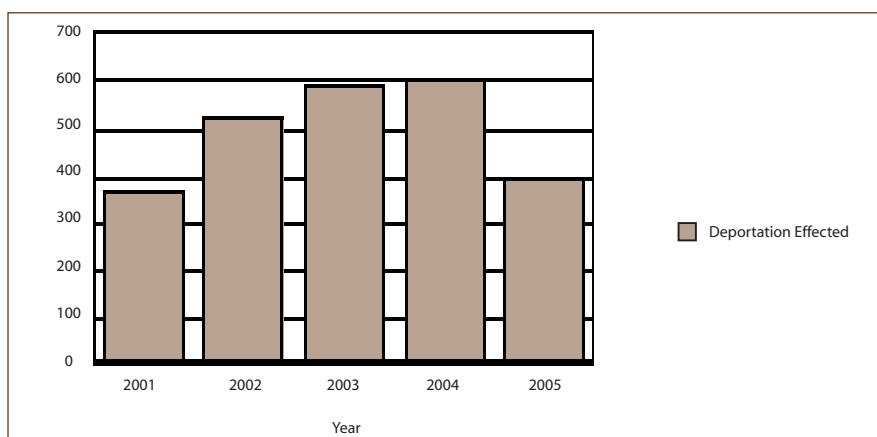


Table 7

Number of persons granted temporary Leave to Remain 2001 - 2005

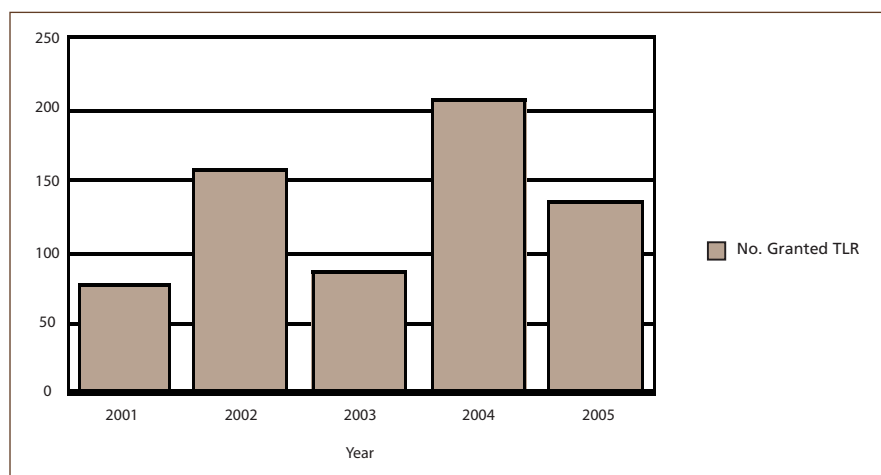


Table 8

Nationalities of those in respect of whom Deportation Orders were signed in 2005

Nationality	Frequency	Nationality	Frequency	Nationality	Frequency
Afghanistan	1	Georgia	26	Nigeria	978
Albania	29	Ghana	14	Pakistan	5
Algeria	20	Guatemala	1	Romania	412
America	3	Guinea	2	Russia	15
Angola	17	India	4	Senegal	1
Armenia	3	Iran	2	Serbia	2
Azerbaijan	1	Israel	1	Sierra Leone	8
Bangladesh	1	Ivory Coast	4	South Africa	49
Belarus	2	Jamaica	4	St. Helena	1
Benin	1	Kenya	9	Stateless	1
Bosnia	2	Kosovo	14	Sudan	1
Brazil	17	Lithuania	2	Syria	2
Bulgaria	16	Malaysia	1	Thailand	1
Cameroon	6	Mali	1	Togo	2
China	119	Moldova	29	Turkey	3
Croatia	49	Mongolia	4	Ukraine	4
DR Congo	3	Morocco	1	Vietnam	1
Egypt	1	Namibia	1		
Ethiopia	1	Niger	1		
Total Nationalities of those in respect of whom Deportation Orders were signed = 1899					

Table 9

Countries to where Deportations were effected in 2005

Nationality	Frequency	Nationality	Frequency	Nationality	Frequency
Albania	3	India	1	Pakistan	1
Algeria	11	Israel	1	Romania	122
Bosnia	3	Ivory Coast	1	Russia	1
Brazil	13	Jamaica	1	Serbia	1
Bulgaria	6	Kosovo	10	South Africa	17
China	18	Lebanon	2	Turkey	1
Croatia	17	Macedonia	1	Ukraine	3
DR Congo	1	Moldova	15	Vietnam	1
Egypt	4	Mongolia	2		
Georgia	4	Nigeria	135		
Total Number of Deportations Effected in 2005 = 396					

Table 10

Numbers and nationalities of persons granted temporary Leave to Remain in 2005

Nationality	Frequency	Nationality	Frequency	Nationality	Frequency
Afghanistan	1	Eritrea	1	Pakistan	3
Albania	5	Ghana	1	Romania	18
Algeria	5	Iraq	1	Russia	2
Angola	5	Kazakhstan	1	Sierra Leone	1
Armenia	2	Kosovo	8	Somalia	2
Bahrain	1	Latvia	1	South Africa	3
Belarus	2	Liberia	1	Stateless	1
Bulgaria	3	Libya	1	Ukraine	8
Cameroon	1	Malawi	1	Zaire	6
Croatia	6	Moldova	3		
DR Congo	6	Nigeria	37		
Number of Temporary Leave to Remains Granted in 2005 = 137					

Table 11

Nationality of those deemed to be evading deportation as at 31/12/2005

Nationality	Frequency	Nationality	Frequency	Nationality	Frequency
Afghanistan	17	Hungary	4	Pakistan	70
Albania	103	India	26	Palestine	11
Algeria	207	Iran	10	Poland	193
America	2	Iraq	38	Romania	1747
Angola	48	Israel	1	Russia	171
Armenia	8	Ivory Coast	44	Rwanda	15
Azerbaijan	4	Jamaica	2	Serbia	4
Bangladesh	8	Jordan	1	Sierra Leone	104
Belarus	64	Kazakhstan	14	Slovakia	25
Benin	2	Kenya	54	Somalia	54
Bosnia	3	Kosovo	166	South Africa	92
Brazil	7	Kyrgyzstan	1	Sri Lanka	33
Bulgaria	78	Latvia	33	St. Helena	1
Burundi	6	Lebanon	16	Stateless	14
Cameroon	38	Liberia	12	Sudan	11
Canada	1	Libya	5	Syria	3
Chechnya	1	Lithuania	68	Tajikistan	4
China	291	Macedonia	16	Tanzania	1
Columbia	1	Madagascar	1	Thailand	1
Congo	21	Malawi	4	Togo	15
Croatia	19	Malaysia	3	Tunisia	2
Czech Rep.	84	Mali	2	Turkey	8
DR Congo	95	Mauritania	2	Turkmenistan	1
Egypt	3	Mauritius	1	Uganda	3
Eritrea	1	Mexico	1	Ukraine	129
Estonia	9	Moldova	233	United Kingdom	1
Ethiopia	2	Mongolia	5	Uzbekistan	8
Gabon	2	Montenegro	2	Vietnam	3
Gambia	23	Morocco	9	Yugoslavia	23
Georgia	86	Niger	4	Zaire	4
Ghana	77	Nigeria	1883	Zambia	1
Guinea	7	North Korea	1	Zimbabwe	12
Total Number Deemed Evading Deportation Orders = 6744*					

*It should be noted that these figures relate to persons who have evaded their deportations to date

Use of charter flights to effect deportations

- As is the case with most States, the Department of Justice, Equality and Law Reform uses charter flights to effect deportations as this is the most efficient and cost effective means of undertaking returns. To this end, in early 2005, the Department of Justice, Equality and Law Reform, following an EU wide tender competition, agreed a contract with a UK based service provider to provide charter flight facilities as required.

Activities pursuant to the provisions of the Dublin II Regulation

- The Dublin II Regulation, Council Regulation (EC) No. 343/2003, is intended to prevent the phenomenon of 'asylum shopping' across Europe and sets out criteria for determining which Member State is responsible for examining an asylum application where such applications have been lodged in more than one jurisdiction. At the same time it guarantees applicants that one State will process their application, thereby preventing the creation of 'refugees in orbit', a situation which had pertained in Europe prior to the introduction in 1995 of its predecessor, the Dublin Convention. Under the Dublin II Regulation, the Office of the Refugee Applications Commissioner can, on the basis of the relevant criteria, request another State to accept responsibility for an asylum application and have it processed in that other State. Where such a determination is made, a Transfer Order is served on the person concerned, requiring him/her to be transferred to that other State on an appointed date.

Table 12 sets out details of the number of Transfer Orders signed and effected in 2004 and 2005. **Table 13** details the Transfer Orders signed in 2005, by nationality of the persons who are the subject of such Orders. **Table 14** sets out details of the EU States to which persons were transferred in 2005. **Table 15** provides a breakdown of the numbers of persons transferred by air and by ferry in 2005.

Table 12 a & b**12a Number of Dublin II Regulation Transfer Orders signed 2004 & 2005**

Year	Dublin II Regulation
2005	426
2004	238

12b Numbers transferred under Dublin II Regulation

Year	Dublin II Regulation Transfers
2005	209
2004	65

Table 13

Nationalities of those in respect of whom Dublin II Regulation Transfer Orders were signed in 2005

Nationality	Frequency	Nationality	Frequency	Nationality	Frequency
Afghanistan	22	Ghana	5	Romania	11
Albania	5	Guinea	2	Russia	5
Algeria	8	Iran	39	Rwanda	3
Angola	19	Iraq	15	Sierra Leone	2
Armenia	4	Ivory Coast	1	Somalia	102
Azerbaijan	1	Kenya	3	Sri Lanka	1
Belarus	3	Kosovo	2	Sudan	44
Burundi	2	Kuwait	4	Syria	3
Cameroon	4	Lebanon	5	Togo	1
China	5	Liberia	7	Turkey	4
Congo	1	Moldova	3	Uganda	4
DR Congo	20	Morocco	3	Ukraine	2
Eritrea	15	Nigeria	25	Uzbekistan	2
Ethiopia	3	Pakistan	1	Yemen	1
Georgia	8	Palestine	5	Zimbabwe	1
Total Number of Dublin II Regulation Orders Signed = 426					

Table 14

Numbers transferred to each Member State under Dublin II Regulation in 2005

Member State	Transferred	Member State	Transferred	Member State	Transferred
Austria	5	Italy	12	Spain	1
Belgium	9	Luxembourg	3	Sweden	6
Finland	1	Malta	8	United Kingdom	144
France	5	Netherlands	8		
Germany	5	Norway	2		
Total Number transferred to all Member States = 209					

Table 15

Numbers transferred on Commercial Flight and Numbers transferred by ferry under Dublin II Regulation in 2005

By Air	195
By Ferry	14
Total	209

Voluntary Returns

- One of the options open to persons faced with the prospect of having a Deportation Order issued in respect of them is that they can seek to return voluntarily to their country of origin. The clear benefit of such an arrangement is that it enables such a person to return to the State at a future date if they establish a legal basis for doing so whereas a person who is the subject of a Deportation Order is legally obliged to leave the State and thereafter remain outside the State.

Persons who agree to return voluntarily to their countries of origin can obtain financial assistance towards doing so through the International Organisation for Migration (IOM) who normally pay the return airfare of such persons and can also assist the persons concerned re-integrate in their

countries of origin by advising on training and employment opportunities etc. The Department of Justice, Equality and Law Reform also directly assists persons who wish to return voluntarily to their countries of origin by providing administrative and other supports to persons requesting such assistance.

Table 16 sets out the numbers of persons who have been assisted to return voluntarily to their countries of origin each year since 2001, broken down by reference to those assisted through IOM and directly through the Department of Justice, Equality and Law Reform. **Table 17** sets out details, by nationality, of the persons who returned voluntarily to their countries of origin in 2005.

Table 16**Total Number of Voluntary Returns 2001 – 2005**

Year	Dept. of Justice, Equality and Law Reform assisted	International Organisation for Migration assisted	Total
2005	125	210	335
2004	218	393	611
2003	361	401	762
2002	396	110	506
2001	353	3	356

Table 17

Nationalities of all Voluntary Returns in 2005

Nationality	Frequency	Nationality	Frequency	Nationality	Frequency
Albania	5	Georgia	5	Philippines	3
Algeria	11	India	5	Romania	45
America	3	Iran	2	Russia	4
Argentina	1	Iraq	4	Serbia	3
Armenia	1	Israel	11	South Africa	10
Bangladesh	1	Jordan	1	Sri Lanka	1
Belarus	2	Kosovo	1	Sudan	1
Brazil	17	Lithuania	1	Tanzania	1
Bulgaria	1	Malawi	2	Togo	1
Burundi	1	Malaysia	2	Turkey	1
Canada	1	Moldova	23	Ukraine	6
China	24	Mongolia	1	Venezuela	1
Croatia	79	Morocco	3	Zimbabwe	1
Cuba	1	Nigeria	40		
DR Congo	2	Pakistan	6		
Total number of Voluntary Returns for 2005 = 335					

Judicial Review

- Judicial Review (JR) is an examination by the High Court of the procedures followed in making a decision to ensure that the relevant authority acted correctly, fairly and in accordance with law. In most cases the decision that is being reviewed by the Court is the decision of the Minister to sign a deportation order.

Volume of Cases

- The Minister commenced the making of deportation orders under the terms of the Immigration Act 1999 in November, 1999. Since then over 1,000 deportation orders have been challenged in the High Court by way of judicial review. The caseload of 'live' judicial reviews has increased significantly - e.g. end 2004 to end 2005 shows an increase in cases outstanding from 309 to 356, an increase of 15.2%.
- "Article 40" cases involving failed asylum applicants who are in detention are also dealt

with by the Department. This relates to enquiries by the High Court into a person's detention under Article 40 of the Constitution. There have been a total of 139 such cases since November 1999, with 25 cases in 2005. At end 2005 there were a total of 15 such cases outstanding.

Reception and Integration Agency

- In December, 2004 the Minister announced that this Department would consider applications for leave to remain in the State from non national parents of Irish Born Children (IBC), subject to them satisfying certain criteria. As a result a significant number of asylum seekers who had previously been accommodated by the RIA and had abandoned that accommodation subsequently sought to be re-accommodated in direct provision while they lodged their applications for leave to remain. The RIA had 6521 asylum seekers accommodated in its accommodation centres at the beginning of December, 2004 but this number rose to 8080 by

the end of April, 2005. As a result of this major increase in numbers, which the RIA was obliged to accommodate, a number of new centres were opened (providing 875 bed spaces) to fulfil the short term emergency needs.

- As asylum seekers left centres having successfully obtained leave to remain, the RIA has been left with an excess of supply beyond requirement which is in the process of being reduced so as to balance supply with demand. However, other factors which must also be taken into account in this regard include the requirement for dispersal (which inter alia, ensures access to services); the need to ensure a proper mix of accommodation (e.g. family, single male, single female) and the requirement to balance the need for accommodation in Dublin (arising from accelerated processing arrangements and reception) against the availability of accommodation in Dublin and outside Dublin.
- In conjunction with the Department of Health and Children, the RIA has developed healthy infant feeding guidelines (which includes promotion of breastfeeding). The RIA has also developed a child protection policy for accommodation centres in line with the Children First National Guidelines. Three regional seminars were held in Galway, Cork and Dublin during October/November, 2005 where the guidelines were launched for implementation across all accommodation centres commencing in January, 2006. A key priority is the roll out and implementation in its centres of the above policies into 2006.
- A transition support team has been put in place for Separated Children Seeking Asylum (SCSA). This project is managed by an inter-agency committee chaired by the RIA.

- 16 Projects were selected for funding under European Refugee Fund (ERF) 2004 and grant agreements were drafted and signed between RIA (as the responsible authority) and the individual beneficiaries. All beneficiaries were issued with their initial allocations and upon receipt and analysis of interim reports, all were issued with their second allocations.
- RIA hosted an information exchange with the Polish ERF Authority in March 2005.
- RIA is responsible for the administration of the European Refugee Fund (ERF) in Ireland.
- The Annual ERF Programme for 2005 and the Multi-Annual Programme 2005-2007 were prepared and submitted to the European Commission.
- A discussion document "Immigration and Residence in Ireland – Outline policy proposals for an Immigration and Residence Bill" was published in April 2005. Over 130 submissions were received and presentations were made to interested bodies including ICTU, National Economic and Social Council (NESC) and NCCRI.
- Assisted by a multi-agency staff complement from Departments representing the education, health and environment areas, the RIA continues to coordinate the integration of refugees and those with leave to remain. The activities include:

Information

- Operation of a comprehensive website with information and advice
- Organisation of country-wide seminars and information events

Education

- Liaison with schools and school management to ensure appropriate educational integration measures for all RIA clients

- Effective engagement with education providers, NGOs and other voluntary groups
- Continued support and co-ordination of the various language training initiatives for adult refugees
- Cooperation with the Department of Education and Science (DES) in all education areas including liaison with a special DES internal forum focussed on newcomer issues.

Research

- Promotion and carrying out research in the area of integration and related issues
- Full study of refugee needs in Limerick funded by the Agency and results presented to the Limerick City Development Board in December 2005 to be used as an action plan to inform future strategies for service delivery in Limerick City.
- Similar study initiated for the Cork City Development Board.

Integration linked to NAPR

- Continued contribution to the National Action Plan against Racism (NAPR)
- Senior member of Department staff appointed to NAPR Steering Group

Liaison with service providers

- Participation in meetings of service providers (local authorities, schools, health boards etc.) in communities in which refugees are being permanently settled. These meetings create awareness of client needs and assist in the coordination of the delivery of services.

Completion of MORE Project

- In April 2005 the MORE Project, a joint refugee resettlement initiative between the RIA and the Finnish Ministry of Labour was completed.

- The final outcome document "Shaping our Future – A practical Guide to the Selection, Reception and Integration of Resettled Refugees" was produced and continues to be a good source of information for those working in resettlement and integration.
- An information booklet called "The Beginners Guide to Ireland" was also produced and will be translated into other relevant languages.
- A version will also be provided to service providers for their information.

Resettlement Programme

- In June 2005 the Government agreed to increase Ireland's resettlement quota from 10 cases (40 persons) to 200 persons per year. The programme is coordinated by the RIA. The Government Decision also provided for the establishment of an Inter-Departmental Working Group on Refugee Resettlement and Integration to assist in the coordination of integration services. A total of 116 persons were accepted from eight different countries during 2005. Those admitted during 2005 were resettled in Roscommon, Carrick-on-Shannon and Dublin.
- Services for resettlement refugees include
 - ⇒ support for up to 18 months after arrival
 - ⇒ new arrivals linked directly to service providers and local NGO's
 - ⇒ orientation programmes organised for both new arrivals and receiving communities
- Models of good practice for resettlement refugee integration developed in collaboration with Roscommon County Partnership Company and Co. Leitrim Partnership Company.

Outreach Information Programme

- Participation by RIA during 2005 in an information exchange outreach programme in partnership with the UNHCR to provide information to asylum seekers, refugees, service providers and members of the public on matters related to the rights and entitlements of asylum seekers and refugees.

Small Grants Scheme

- The RIA continues to operate a Small Grants Scheme to fund projects which assist asylum seekers to settle into local areas and to promote intercultural activities between asylum seekers/refugees and the local community.
- Funding of up to €6,000 is provided for individual projects.

Commemorative ceremonies

- As part of a policy of special integration events, RIA organised a commemoration ceremony in Waterford for persons who have been granted refugee status. The event followed on from similar events held in Cork and Limerick during 2004 and was greeted very positively by the refugees themselves, local service providers, local support groups and local media.

International dimension

- The RIA continues to participate in international fora on integration policy issues in the European Union
- As part of a series of EU seminars on integration issues, the RIA organised an international conference in October, 2005 on 'Mainstreaming – a critical tool for successful integration'. The findings of the seminar will be included in a handbook on integration which is being produced by the EU Commission.

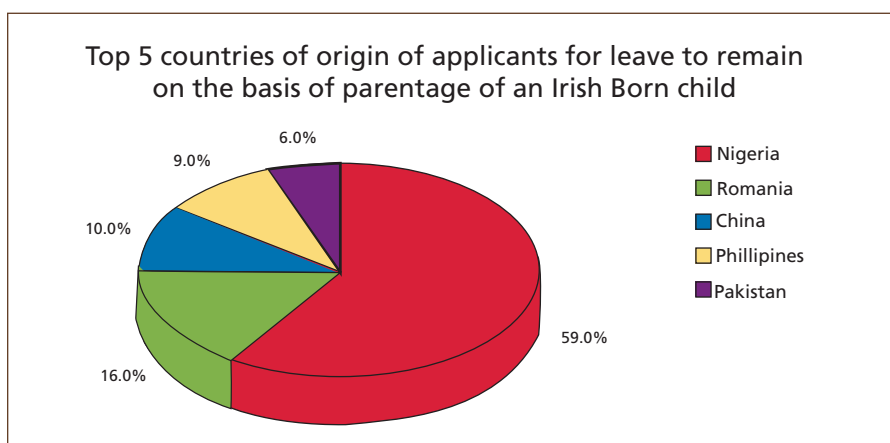
Irish Born Child Scheme:

- On 15 January 2005 the Minister for Justice, Equality and Law Reform announced new procedures for the consideration of applications for leave to remain in the State from the non-national parents of Irish born children born in the State before 1 January 2005. The closing date for receipt of applications was 31 March 2005. A total of 17,917 applications were received in time and 16,693 applicants were given leave to remain for an initial period of two years.

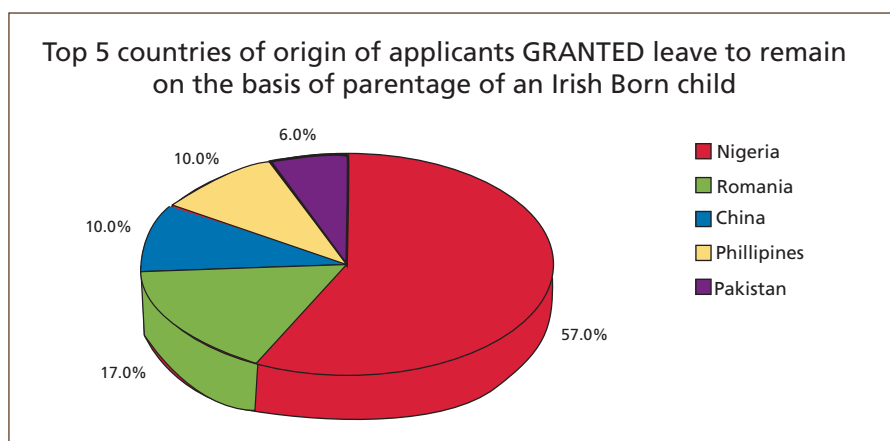
Applicants for the scheme had to apply on a prescribed application form and support this with evidence of their identity and nationality, evidence that their child had been born in the State before 1 January 2005 and that the parent or parents had been continuously resident in the State in the period since the birth of their Irish born child.

Unsuccessful applications were rejected for a variety of reasons, mainly because the required identity/nationality documentation (for example, a National Passport) had not been submitted, that continuous residency requirement had not been met or the persons in question had not met the 'good character' criteria.

The country of origin of applicants (top 5) is as follows:-



The country of origin of those given leave to remain (top 5) is as follows:-



The Irish Born Child Unit was established in the Department to carry out this work and closed down in early 2006. The Unit was staffed by people on two year assignments from their parent Departments. The majority of staff in the Unit have now returned to their parent Departments but a small number have been retained within INIS.

International Organisation of Migration (IOM)

- Three programmes operated by the IOM for the Department in 2005 were:
 - Voluntary Return and Reintegration for nationals of Sub-Saharan Africa,
 - Voluntary Return for non-EEA nationals, and
 - Voluntary Return for Unaccompanied Minors.

- 209 individuals returned under these programmes in 2005. Since 2001 over 1,000 individuals have availed of IOM voluntary return options.
- Discussions held with IOM to develop new programmes for 2006 including:

A new Voluntary Assisted Return and Reintegration Programme,

- An Information project to promote Voluntary Return,
- Voluntary Assisted Return Programme for Unaccompanied Minors, and
- A Preparatory Action Programme under the EU Return Fund.

Immigration and Residence Bill

- A discussion document "Immigration and Residence in Ireland – Outline policy proposals for an Immigration and Residence Bill" was published in April 2005. Over 130 submissions were received. Presentations were made to interested bodies including ICTU, NESC and NCCRI. Work progressed in cooperation with Civil Law Reform Division to develop a scheme for the Bill.

Permission to Remain

- The Department dealt with an increased number of applications for permission to reside in the State. The following details reflect the very significant increases in the number of applications received in 2005
 - General Permission to Remain: up 700% since 2003
 - Family Reunification: up 500% since 2001
 - EU Treaty Rights: up 344% since 2001

Naturalisation

- 4,525 applications for naturalisation were received in 2005, up 11% on the 2004 figure
- 1,451 certificates of naturalisation were issued, up 9% on the previous year
- 1,867* applications refused, up 150% on 2004
- 1,301 applications deemed ineligible (procedure started on 1 April 2005)
- *Backlog of refusals cleared during 2005.

Post Nuptial Citizenship

- 4,080** declarations of post-nuptial citizenship were received in 2005, up 44% on the 2004 figure.
- 2,622 declarations were finalised, up 7% on the 2004 figure
- ** the increase can be largely attributed to the ending of the post-nuptial process on 29 November 2005. The figure of 4,080 is the actual number of declarations received in the

Department. The Department of Foreign Affairs, who process declarations lodged by persons residing outside Ireland, estimate that there are about 6,000 declarations awaiting process in their Dublin office and in missions around the world.

Working Group with UK on Immigration issues within the Common Travel Area (CTA)

- Meetings were held (September and November 2005) in London and Dublin at senior official level in relation to immigration matters generally within the Common Travel Area.

Establishment of INIS

- In March 2005 the Minister announced that the Government had approved the establishment of the Irish Naturalisation and Immigration Service (INIS) as an executive office within the Department of Justice, Equality and Law Reform.
- The INIS provides a "one-stop-shop" approach to migrants. In addition to providing a single access point and thus improving the service to customers, it enables the State's mechanisms to respond in a more efficient and timely manner to market demands.
- The INIS incorporates the Department of Justice, Equality and Law Reform's structures for dealing with asylum, immigration and citizenship. Arrangements were put in place for the transfer of the Visa Office of the Department of Foreign Affairs to the Department of Justice, Equality and Law Reform from 1 January 2006 and the integration of this service with other visa functions. Responsibility for the provision of visa services at diplomatic and consular missions abroad remains with the Department of Foreign Affairs.
- The INIS is tasked with developing a cohesive system for the issuing of work permits and visas through a virtual link between the

work permit system in the Department of Enterprise, Trade and Employment and the INIS. The overall effectiveness of these arrangements is to be reviewed within 2 years. The economic migration policy function remains with the Minister for Enterprise, Trade and Employment.

- The INIS will also include a new Immigrant Integration Unit to promote and co-ordinate social and organisational measures across the whole spectrum of Government, for the acceptance of lawful immigrants into Irish economic and cultural life.

Promoting a Fair, Tolerant and Caring Society

High Level Goal 4

We will promote the development of a caring, tolerant and fair society through the implementation of appropriate policies

4.1 Gender Equality Objective:

To promote equality of opportunity between women and men through the development, implementation, and monitoring of appropriate policies

4.2 Employment Equality Objective:

We aim to enhance the existing statutory foundation for equality in employment and to support the reconciliation of work and family responsibilities

4.3 Disability Objective:

We will develop the legal framework in line with Government policy to support the equal participation in society of people with disabilities

4.4 Support Diversity and Tolerance Objective:

We will work towards advancing equal opportunities in the area of provision of and access to goods, facilities and services and we will promote respect for diversity and cultural differences by implementing policies in particular to combat racism and discrimination

4.5 Childcare Objective:

To continue to deliver the Equal Opportunities Childcare Programme 2000 to 2006, develop proposals for a successor to the present Programme, and work with the childcare sector and other social partners to develop the sector to meet the childcare needs of parents who are in employment, education and training

4.1 Gender Equality Objective

- An Inter-Departmental Committee and Consultation Committee of Experts was established in early 2005 to prepare the new National Strategy for Women. Extensive research and consultation took place throughout 2005. A framework for the Strategy was agreed by the Inter-Departmental Committee in Autumn 2005.
- In January 2005, the Government decided that external bodies which make nominations to state Boards should be required to submit the names of persons of each sex to the Minister to support the gender balance of the Board and Government Departments were advised accordingly. A report was recently submitted to Cabinet on the situation with regard to State Boards in 2005 showing that there has been some improvement in female representation.
- The first phase of the Equality for Women Measure which includes positive actions across a range of issues drew to a close and will inform future positive actions and policy. A second phase of the Equality for Women Measure was launched in 2005 and it focuses on initiatives for women in RAPID (Revitalising Areas by Planning, Investment and Development) areas.

- The Department reviewed the progress on the implementation of the National Development Plan (NDP) commitments on gender equality.
- The Department continued to provide an advisory, information and technical support service to the Managing Authorities and Implementing Bodies of the NDP Plan 2000 – 2006, with a particular emphasis on those Operational Programmes which had identified gender as a key horizontal principle following the Mid-Term Review.
- A National Delegation, led by Minister of State, Frank Fahey, T.D. presented Irish developments over the previous four year period on the elimination of discrimination against women to a United Nations Committee of Experts in July 2005 under the UN Convention on the Elimination of all forms of Discrimination Against Women. The UN response was positive and the recommendations are being considered for implementation where appropriate.
- The Department actively engaged in the work of the United Nations Commission for the Status of Women, the European Union and the Council of Europe in relation to gender equality and gender mainstreaming.
- The Department has contributed to the national debate on gender issues, including contributions to the National Employment Action Plan, National Action Plan against Poverty (NAPS) and also to the National Reform Programme (in preparation for the successor to the 2000 – 2006 National Development Plan).
- Two major pieces of research were published: the first looked at the Gender Pay Gap among recent graduates; and the second was the first Time Use Study undertaken in Ireland. Each of these will inform future policy across a range of Departments.

4.2 Employment Equality Objective

- The Parental Leave (Amendment) Bill 2004 completed all Seanad stages on 16 February, 2005. The Bill completed Dáil second stage on 10 November, 2005 and was awaiting Committee Stage consideration at the end of 2005.
- The Department researched the transposition into national law of the Directive 2004/113/EC implementing the principle of equal treatment between men and women in the access to and supply of goods and services by way of amendment to the Equal Status Acts 2000 to 2004.
- A review of the operation of the Employment Equality Acts 1998 and 2004 was completed in mid 2005.

4.3 Disability Objective

- The Disability Bill completed all stages in the Oireachtas and was signed into law on 8 July, 2005. The Minister signed a Commencement Order for all parts of the Disability Act 2005 (except Part 2 which is the responsibility of the Minister for Health and Children) on 28th July, 2005.
- The National Disability Authority (NDA) was established in June 2000 and its remit includes functions in advising the Minister on disability policy as well as promoting good practice in service provision. The Department provided funding of over €4.555 million to the NDA in 2005.
- To assist public bodies in making their services and information more accessible in compliance with the Disability Act, 2005, the National Disability Authority (NDA) were asked to draw up a code of practice for approval. This Department assisted the NDA in drawing up this code which has now been submitted to the Department.

- The Department supported the National Disability Authority in developing best practice guidelines to improve accessibility to public services as well as an accompanying audit tool and awards scheme – the Excellence through Accessibility Awards Scheme. The awards scheme was launched by President McAleese on 5 October, 2005.
- National Information Days on Disability have been held in Ireland since 1997. The Department held the ninth National Information Day on Disability on 8 December 2005. The Day was marked by a prize-giving ceremony for the winners of the National Primary Schools Essay Writing Competition “*I Can You Can*”.
- In 2005, the Department supported a number of initiatives in the area of awareness, including the award-winning TV programme *ThreeSixty*, disability-specific items on RTE’s *About the House* series, and the O2 Ability Awards organised by the Aisling Foundation.
- The Department continued to participate in a number of Interdepartmental Committees and in European Union, Council of Europe and other international fora which have an impact on disability equality policy. Work continued in connection with a proposed UN Convention on the protection and promotion of the rights and dignity of people with disabilities and a Council of Europe Disability Action Plan.
- The Department continued to support People with Disabilities in Ireland Ltd. (PwDI), which is a non-profit making independent body providing a representative structure for people with disabilities, their families, carers and advocates. PwDI operates through a national office in Dublin and through 30 Disability Networks at county level. PwDI has an elected Board drawn from the county networks. PwDI received funding from the Department of €1,386 million in 2005.
- The Department chairs the Monitoring Committee in relation to the 3% target for the employment of people with disabilities in the public sector (excluding the Civil Service, which is monitored by the Department of Finance). The Disability Act 2005 places the 3% employment target on a statutory footing. The National Disability Authority assumed the responsibility of monitoring compliance with this target at the end of 2005.
- In May 2005 the Enhancing Disability Services Project Funding which is a new and distinctive multi-annual investment programme was announced. The funding will total 15 million over five years and is intended to support once-off projects which demonstrate an innovative, efficient, collaborative and cost effective approach to service provision for people with disabilities. In November, 2005, 21 projects were recommended for funding under this initiative. The projects selected for funding for 2005-2006 focus on improving services for people with disabilities from a number of different perspectives. The projects will:
 - ⇒ Promote the development of collaborative approaches and innovative linkages between existing infrastructure and new needs;
 - ⇒ Improve coordination between disability organisations, and
 - ⇒ Enhance existing structures and develop operational capacity.

4.4 Support Diversity and Tolerance Objective

- The Adoptive Leave Bill 2004 was signed into law on 2 November, 2005 and the majority of its provisions were commenced on 28 November, 2005.
- Preliminary work on the Restatements of the Maternity Protection Acts 1994 and 2004, the Employment Equality Acts 1998 and 2004 and

the Equal Status Acts 2000 to 2004 were well advanced by end 2005.

- The Department provided Secretariat functions to the Equality Proofing Working Group and oversaw the drafting of the Group's Report on their work during the "learning phase" on Equality Proofing which is to be published early in 2006.
- The National Action Plan Against Racism (NPAR) was launched on 27 January, 2005 by the Taoiseach and the Minister for Justice, Equality & Law Reform. In line with the agreed measures in the NPAR, the Department advises the Minister on the role of the expert group on managing cultural change which is to advise Government on strategic issues and integrated approach to such issues.
- The Department provided secretariat functions to the High Level Group on Traveller Issues and coordinated the production of the Group's draft report.
- The Department monitored the work of eight pilot projects on the development of an interagency approach to the delivery of traveller related supports and services, including the development of mechanisms for distributing funding for local projects.
- The Department provided secretariat functions to the Traveller Monitoring Committee and coordinated its work during 2005, including the publication of the Committee's Second Progress Report on the implementation of the 1995 Report of the Task Force on the Travelling Community.
- Work in relation to promoting tolerance and understanding was ongoing in consultation with other Departments and agencies and Traveller representatives. A consultative seminar was held to help develop ideas for further work in this regard.
- Funding for the Traveller Mediation service was maintained in accordance with the existing contract.
- The Department participated in various cross-departmental committees relating to Traveller issues, including the Department of Environment, Heritage and Local Government's National Traveller Accommodation Consultative Committee.
- The Department participated in the Council of Europe MGS-ROM advisory group in relation to issues affecting Travellers.
- Requests for reports to the European Commission on the transposition of the Race Directive (2000/43/EC), Framework Equality Directive (2000/78/EC) and the Gender Equal Treatment Directive (2002/73/EC) into national law were completed within the specified timeframes.
- The Department was represented on the Committee for the Community Action Programme to combat Discrimination (2001-2006).
- The Department actively participated on the EU Social Questions Working Group leading to agreement on proposals regarding the 2007 European Year of Equal Opportunities for All and the Recast Directive on gender equality issues.
- Research was carried out into the question of ratification of Protocol 12 to the European Convention on Human Rights and drafting of consultation paper is underway.
- The Department supported the Department of Foreign Affairs in facilitating the monitoring by the Council of Europe of the implementation of the Framework Convention on National Minorities. This included participation in a national consultative seminar in July and in finalising Ireland's Second National Report to the Council of Europe.

- The Department participated in the work of the RAPID National Monitoring Committee and all relevant issues were progressed. Considerable progress has been achieved by the Department in 2005 in implementing the RAPID programme as follows:

- In conjunction with the Department of Community, Rural and Gaeltacht Affairs co-funding of proposals relating to Probation and Welfare projects were approved to the amount of €122,620.
- The Community based CCTV scheme grants were 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 end 2005, funding of €110 million has been committed to RAPID areas.
- Grants amounting to €7 million were approved in 2005 under Phase 2 of the Equality for Women measure of the NDP to fund the development of 58 projects located in RAPID areas which support equality for women.
- In November 2005 the Garda authorities held, with Departmental participation, a seminar for all Garda representatives on Area Implementation Teams with the aim of further developing and enhancing the role and participation of Gardaí in the RAPID programme.

4.5 - Childcare Objective

- 2005 saw the continued roll-out of the Equal Opportunities Childcare Programme (EOCP), with further spending commitments and reviews of key aspects of its operations taking place. The Programme provides capital grants to community/ not for profit and private childcare providers; it provides staffing grants for voluntary and community groups offering childcare services to disadvantaged parents; and it funds quality improvement measures in the sectors.
- Total funding for the EOCP is €499.3m. By end of 2005, over €277m had been committed to capital projects (including €120.7m allocated in 2005) and €171m had been committed to staffing grant assistance (including €59.1m allocated in 2005).
- During 2005, an up-date of the report entitled "Developing Childcare in Ireland" was published. This outlined the progress under the childcare measures to the end of 2004 and was circulated to members of the Oireachtas, the chairs of the Regional Assemblies, City/County Childcare Committees and other interested parties.
- Following approval of their 2005 Action Plans, funding totalling €7.6m was provided to the various County and City Childcare Committees (CCCs) in 2005 to fund their activities. Additionally, the Childcare Directorate continued to provide ongoing support and guidance to the CCCs.
- The overall commitments made under the EOCP in the period to December 2005 will create over 41,000 new centre-based childcare places. The year 2005 saw the total number of new places actually created under the Programme rise to over 29,000. Almost 24,000 existing places were also being supported under the EOCP at end of 2005.

- In terms of numbers of facilities, 657 new facilities were established under the EOCP by end of 2005, while 1,263 facilities were upgraded.
- Staffing grants supported some 2,400 staff providing services for disadvantaged parents.
- A portion of EOCP funding provides supports to childminders through the CCCs. €1m in total was made available in additional funding in 2005 to the CCCs to deliver this work. By end of 2005, 2,915 childminders had completed a Childminding Quality Awareness Programme delivered by the CCCs.
- In June 2005, the Childcare Directorate published the Report of a Working Group of the National Childcare Co-ordinating Committee entitled "School Age Childcare in Ireland". The Report makes a number of recommendations for the development of School Age Childcare to support the childcare needs of parents, including the use of school premises (where appropriate) as a location to develop a quality school age childcare service. It also lays down guidelines for the delivery of a quality service. Funding was made available to the CCCs to enable them to publicise the Report locally and to identify School Management Authorities interested in developing a service to complement and link with their school.
- Following on from this, a seminar for the CCCs was held in September 2005 to outline the next steps in publicising the supports available and a national media campaign involving the CCCs was undertaken in October 2005.
- The Childcare Directorate facilitated the preparation and publication of "Quality Childcare from a Social Partnership Perspective", a joint report by IBEC and ICTU prepared in the context of Sustaining Progress.
- The Childcare Directorate supported the planning process which led to the announcement in December 2005 of a new Childcare Strategy 2006-2010. It was decided to relocate responsibility for policy and services for children, including the new Strategy, into the new Office of the Minister for Children under the Department of Health and Children.
- A key element of the strategy is the new National Childcare Investment Programme 2006-2010, which has an investment fund of €575m over the term of the Programme. In light of the new Strategy, the Childcare Directorate took initial steps to provide for an expanded and more proactive role for the CCCs in December 2005.

Contributing to a Secure and Peaceful Society

High Level Goal 5

We will contribute to securing a lasting settlement to the Northern Ireland conflict and achieving a secure and peaceful society

5.1 Peace Objective:

Contribute to the resolution of outstanding issues in the Peace Process, principally through securing an end to all forms of paramilitarism on the island of Ireland and the restoration of democratic representative institutions in Northern Ireland

5.2 Anti-Terrorism Objective:

To combat the threat to the security of the State or to the international community posed by terrorism

5.3 Emergency Planning Objective:

To ensure an appropriate departmental response in the event of a national emergency

5.1 Peace Objective

- The Department continued to participate fully in the 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 participated fully in the institutions established under the Good Friday Agreement, such as the British Irish InterGovernmental Conference (BIIGC).
- The Department continued to liaise closely with the Independent International Commission on Decommissioning (IICD). A significant breakthrough in the decommissioning of paramilitary arms was made in September 2005 when the IICD reported to both Governments that the IRA had placed all its arms completely and verifiably beyond use.
- The Independent Monitoring Commission (IMC), whose role is to report on paramilitary activity, security normalisation and participation in the political institutions of the state, was supported by the Department. The IMC produced its 4th, 5th, 6th and 7th reports to both Governments under

Articles 4 and 7 of the International Agreement establishing the Commission in 2005. The 5th and 7th reports encompassed the activities of paramilitary groups in the widest sense and dealt with all forms of criminality engaged in by paramilitaries. The 4th Report dealt specifically with the robbery at the Northern Bank premises, Belfast in December 2004 and the 6th report concentrated on a feud between the UVF and the LVF.

- In 2005, the Remembrance Commission received 101 applications under the Scheme of Acknowledgement, Remembrance and Assistance for Victims in this Jurisdiction of the Northern Ireland Conflict. 70 applications were completed and €1,014,834 was paid to victims and to the surviving family members of the Northern Ireland conflict and a further €171,150 was paid to victim support groups in the jurisdiction. The costs of administering the Scheme amounted to €176,653 in 2005.

- The Department assisted the Joint Oireachtas Committee on Justice, Equality, Defence and Women's Rights consideration of the Report of the Independent Commission of Inquiry (Barron Inquiry) into the Dublin Bombings of 1972 and 1973.
- The Department also assisted the Commission of Investigation, established by the Government, into the Dublin and Monaghan bombings of 1974. The need for the Commission arose from a recommendation of the Joint Oireachtas Committee on Justice, Equality, Defence and Women's Rights following its consideration of the Report of the Independent Commission of Inquiry (Barron Inquiry) into the 1974 bombings.
- A Tribunal of Inquiry was established into suggestions that members of the 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. Mr Justice Peter Smithwick, former President of the District Court, was appointed as Sole Member of the Tribunal. The need for the Tribunal arose from the recommendations of the Cory collusion inquiry process and in accordance with commitments made under the Weston Park Agreement of 2001.
- In 2005, the Department negotiated with the Northern Ireland Office on an International Agreement between Ireland and the United Kingdom on North-South cooperation on criminal justice matters. The Agreement, which was signed by Minister McDowell and NIO Criminal Justice Minister David Hanson M.P., at Stormont in July, will provide a vehicle for implementing the recommendations of the Northern Ireland Criminal Justice Review in relation to North-South cooperation. Ministers also agreed a work programme for the first year of the international agreement. The first meeting of senior officials under the Agreement was held in Dublin in November 2005. Three projects on North-South cooperation in relation to registered sex offenders, public protection, and forensic science were established. These projects bring together experts from the Department of Justice, Equality and Law Reform, the Northern Ireland Office, An Garda Síochána, the Police Service of Northern Ireland, and probation and forensics experts to cooperate in a more structured fashion.
- In February, 2005 the Garda Commissioner and the Chief Constable of the Police Service of Northern Ireland (PSNI) signed protocols to allow for the implementation of a programme of Secondments and Personnel Exchanges between the two police services, as provided for under the Intergovernmental Agreement on police co-operation in 2002.
 - Agreement was reached with the Garda Representation Associations in the Garda Conciliation Council regarding the terms and conditions for personnel exchanges.
 - Discussions with the Associations regarding the terms and conditions for secondments were ongoing at the end of 2005.
 - First personnel exchange between the Garda Síochána and the PSNI took place in November 2005 at Superintendent level.
 - Consultation between the Department, the Garda Síochána, Northern Ireland Office (NIO), Policing Board of Northern Ireland and the PSNI in relation to the implementation of the Inter-Governmental Agreement on Police Co-operation was on-going at the end of 2005, in relation inter alia, expanding the programme of personnel exchanges to include a wide range of policing areas at a number of different ranks.

5.2 Anti-Terrorism Objective

- In 2005, the Department, in consultation with the Garda Síochána, continued to keep the

Minister and the Government advised on the nature and extent of the threat posed by terrorist organisations to the security of the State and the wider international community.

- Work on the development of a statutory regime governing the retention of and access to telecommunications traffic data was provided for through enactment of the Criminal Justice (Terrorist Offences) Act 2005.
- The Department assessed the necessity for legislative change arising from the adoption of an EU instrument on information exchange in 2005.
- The Criminal Justice (Terrorist Offences) Bill 2002 was enacted (including Data Retention provision) in March 2005.
- The Criminal Justice (Mutual Assistance) Bill formerly referred to as the Criminal Justice (International Co-operation) Bill was published on 5 December, 2005 and was awaiting Second Stage in the Seanad.

5.3 Emergency Planning Objective

- In 2005, the Department prepared a strategic emergency planning document that sets out its strategic emergency planning roles and functions, in accordance with the generic guidance of the Office of Emergency Planning.
- During the year, the Department also continued its active involvement in and contribution to the Government Task Force on Emergency Planning, Inter-Departmental Working Group on Emergency Planning, and Inter-Departmental Standing Committee on Public Health Emergency Planning, of which the latter focused on preparedness in the event of an influenza pandemic.

- Finally, the Department actively contributed to the inter-departmental and inter-agency review of the Framework for Co-ordinated Response to Major Emergencies, which continued into 2006.

Other Developments

Participation in Europol

- In association with An Garda Síochána, the Department represented Ireland on the Europol Management Board.

CEPOL (European Police College)

- Returned to post-EU Presidency level of activity. Effective liaison was maintained and briefs were provided as required.

Participation in Peacekeeping Missions

- The Department obtained Government approval for a change in configuration of the Garda contingent in the United Nations Force in Cyprus (UNFICYP), increased involvement in European Union Police Mission (EUPM) (Bosnia) and involvement in the new EU Police Mission in the Palestinian Territories (EUPOL COPPS).

Co-ordinate Oireachtas scrutiny of EU business in the JHA area

- During 2005, 41 proposed measures were submitted on behalf of the Minister to the Oireachtas and reviewed by the Oireachtas Sub-Committee on European Scrutiny. Of these proposals, five were deferred for scrutiny at a later date, six were deemed not to require further scrutiny, 30 were referred to the Joint Committee on Justice, Equality, Defence and Women's Rights, two of which were referred to the Joint Committee on Enterprise and Small Business and one of which was referred to the Joint Committee on Social and Family Affairs.

Service and participation in relevant Interdepartmental groups

- Representatives from the Department attended and participated in the Interdepartmental Co-ordination Committee on EU Affairs (ICCEUA) on all 11 occasions throughout 2005. Material for the Key Activity Report on EU issues was provided to D/Taoiseach on each occasion.
- Department officials attended each Senior Officials Group (SOG) meeting throughout 2005.
- Representatives from the Department attended and effectively participated in the Interdepartmental Co-ordinating Committee on Financial Perspectives, in the Interdepartmental Committee on the Services Directive and the Interdepartmental Group on Enlargement as required throughout 2005.
- The list of Statutory Regulations made in 2005 include the Decommissioning Act 1997 (Decommissioning) (Amendment) Regulations 2004 and the Decommissioning Act 1997 (Decommissioning) (Supplementary) (Amendment) Regulations 2004 (S.I. Nos. 86 and 87 of 2005): these regulations extended to 25 February 2006 the expiry date of the Decommissioning Act 1997 (Decommissioning) Regulations 1998 and the Decommissioning Act 1997 (Decommissioning) (Supplementary) Regulations 2001 respectively, thus continuing in force the legislative basis for decommissioning.
- Resolutions were passed by both Houses of the Oireachtas in June 2005 extending the operation of sections 2 to 12, 14 and 17 of the Offences Against the State (Amendment) Act 1998 for a 12-month period ending 30 June, 2005, thus continuing those provisions that were enacted in the aftermath of the Omagh Bomb.

Civil Law Reform

High Level Goal 6

We will continue to reform our civil laws and provide for improved regulatory systems where required.

6.1 Civil Law Reform Objective:

To complete the programme of civil law reform contained in the Government's Legislative Programme and to continue to keep the civil law under review

6.2 Private Security Services Objective:

To ensure that the Private Security Industry introduces positive fundamental change to the security industry so as to instil industry and public confidence in the multifaceted business and to do so in a way that is sensitive to the needs of the market

6.1 Civil Law Reform Objective

- The Tribunals of Inquiry Bill 2005 was published.
- The Coroners (Amendment) Act 2005 (No.33 of 2005 – Private Member's Bill) was enacted.
- Government approval was obtained for drafting the Coroners Bill.
- Government approval was obtained for drafting the Sale of Alcohol Bill. This Bill will repeal the Licensing Acts 1833 to 2004, as well as the Registration of Clubs Acts 1904 to 2004, and replace them with provisions more suited to modern conditions.
- The Auctioneering/Estate Agency Review Group completed its work and presented its report to the Minister in July 2005. In October 2005, the Minister secured Government approval for the publication of the report and for the establishment of a National Property Services Regulatory Authority to assume responsibility for the licensing and regulation of all auctioneers, estate agents, property letting and property management agents, as recommended by the Review Group. Work on preparation of the necessary legislation, recruitment of a CEO and securing of premises for the new Authority has commenced under the supervision of an implementation group which is being serviced by the Department.
- Government approval was obtained for drafting the Defamation Bill.
- Government approval was obtained for drafting the Civil Law (Miscellaneous Provisions) Bill.
- The following Regulations and Orders were made
 - ⇒ Irish Nationality and Citizenship Regulations 2005 (S.I. No.1 of 2005)
 - ⇒ Immigration Act 1999 (Deportation) Regulations 2005 (S.I. No.55 of 2005)
 - ⇒ Immigration Act 2003 (Removal Places of Detention) Regulations 2005 (S.I. No. 56 of 2005)
 - ⇒ Civil Liability and Courts Act 2004 (Bodies Prescribed under Section 15) Order 2005 (S.I. No.168 of 2005)
 - ⇒ Civil Liability and Courts Act 2004 (Section 17) Order 2005 (S.I. No. 169 of 2005)

- ⇒ Civil Liability and Courts Act 2004 (Bodies Prescribed under Section 40) Order 2005 (S.I. No.170 of 2005)
- ⇒ Courts and Court Officers Act 2002 (Register of Reserved Judgments) Regulations 2005 (S.I. No.171 of 2005)
- ⇒ Civil Liability and Courts Act 2004 (Bodies Prescribed under Section 15) (No. 2) Order 2005 (S.I. No.336 of 2005)
- ⇒ Civil Liability and Courts Act 2004 (Section 40(3)) Regulations 2005 (S.I. No.337 of 2005)
- ⇒ Civil Liability and Courts Act 2004 (Section 40(4)) Order 2005 (S.I. No. 338 of 2005)
- ⇒ Civil Liability and Courts Act 2004 (Matters prescribed under section 40) Order 2005 (S.I. No.339 of 2005)
- ⇒ Courts and Court Officers Act 2002 (Register of Reserved Judgments)(Amendment) Regulations 2005 (S.I. No. 409 of 2005)
- ⇒ Registration of Title Act 1964 (Compulsory Registration of Ownership) (Longford, Roscommon and Westmeath) Order 2005 (S.I. No.605 of 2005)
- ⇒ Land Registration Rules 2005 (S.I. No.643 of 2005)
- ⇒ European Communities (European Enforcement Order) Regulations 2005 (S.I. No. 648 of 2005).

Promote research and consultation

- Activities in relation to research and consultation included the following:
 - ⇒ Participation in Law Reform Commission (LRC) group on reform of landlord and tenant law;
 - ⇒ Participation in LRC groups on e-conveyancing;
 - ⇒ Participation in Working Group examining possible legislative initiative in relation to privacy.

Keep law under review

- Apart from those already mentioned, other areas under review during 2005 included:
 - ⇒ Legal costs
 - ⇒ Legal capacity/wards of court
 - ⇒ Civil partnerships
 - ⇒ Trust law; and
 - ⇒ Statute law revision (in cooperation with the Department of the Taoiseach and the Statute Law Revision Unit in the AG's Office).
- The Scheme of the Judicial Council Bill is at an advanced stage of development, and consultations are in train with relevant stakeholders. The intention is that the Bill will set up a council of all judges serving in Irish courts and will have, among other things, responsibility for establishing a code of ethics and for disciplinary investigations of judicial misconduct allegations.
- Resolutions/Scrutiny of EU Business
Both Houses of the Oireachtas approved, in accordance with Article 29.4.6 of Bunreacht na hÉireann, the exercise by the State of the option, provided by Article 3 of the fourth Protocol set out in the Treaty of Amsterdam, to take part in the adoption and application of –
 - the proposal for a Directive of the European Parliament and of the Council concerning certain aspects of mediation;
 - the proposal for a Regulation of the European Parliament and of the Council creating a European small claims procedure;
 - the proposed Decision of the European Parliament and of the Council establishing, for the period 2007-2013, the specific programme "Civil Justice" as part of the general programme "Fundamental Rights & Justice".
- European Instruments under negotiation in 2005
Negotiations continued on the –
 - Regulation creating a European order for payment procedure

- Directive on certain aspects of mediation
- Regulation on the Law Applicable to Non-Contractual obligations (Rome II).

Negotiations commenced on the –

- Regulation creating a European small claims procedure
- Regulation amending Regulation No. 1348/2000 on the service in the Member States of judicial and extrajudicial documents in civil or commercial matters
- "Civil Justice" funding programme as part of the general programme "Fundamental Rights and Justice".

Reform and Modernisation of Land and Conveyancing Law

- The reform and modernisation of land and conveyancing law is the subject of an innovative, joint law reform project between the Law Reform Commission and this Department. The Law Reform Commission Report "Reform and Modernisation of Land Law and Conveyancing Law", which the Minister launched in July 2005, contained the text of a draft Land and Conveyancing Bill. With the agreement of the Attorney General, the Minister wrote to the President of the Law Reform Commission late in 2005 suggesting that finalisation of the Bill for publication and presentation could best be achieved through the good offices of the Commission and the continued involvement of those most closely associated with its preparation. The Law Reform Commission readily agreed to this.
- Relaxation of 'In Camera' Rule in Family Law cases
It is important for our society and for our legal system that we know how family law is applied in practice. The in camera rule has been an obstacle to acquiring this knowledge as we are missing out on valuable information when reviewing family law. A system is now in place, subject to safeguards, to facilitate the placing in the public

domain of details of family law judgements. The Civil Liability and Courts Act 2004 already gives access to family law cases to barristers and solicitors, whether practicing or non-practising, for the purpose of drawing up and publishing a report. As the Minister favours giving access to some other categories in the community, he specified in Regulations (S.I. 337 of 2005) the following additional classes of persons who may attend family law cases in order to draw up and publish reports:

- Family mediators accredited to the Mediators' Institute Ireland and nominated by the Family Support Agency and approved by the Minister;
- Persons engaged in family law research who are nominated by the Law Reform Commission, the Economic and Social Research Institute, or the academic institutions listed in the Regulations and approved by the Minister; and
- Persons engaged by the Courts Service to prepare court reports of proceedings.

At 31 December 2005, 2 persons had applied and 1 had been approved by the Minister for Justice, Equality and Law Reform to attend family law cases in order to draw up and publish reports.

- Legal Capacity/wards of court

The Department is considering the Law Reform Commission Consultation Paper on Vulnerable Adults and the Law.

- Other International Matters

Meetings of The Hague Conference on Private International Law saw agreement being reached on the Hague Convention on choice of court agreements.

6.2 Private Security Services Objective

- The Private Security Authority (PSA), established in October 2004 is the regulatory body for the private security industry in Ireland. The Board of the PSA is chaired by Ms. Michelle Doyle, and consists of representatives of the legal profession, private security employees and employers, An Garda Síochána, security training bodies and relevant government departments and agencies.
- Ms. Geraldine Larkin was appointed Chief Executive Officer of the Authority in January 2005. Ms. Larkin's background is as a civil servant where she has experience in a number of key posts in the Department of Justice, Equality and Law Reform, including areas such as Courts Policy, International Policy, Security and Northern Ireland, and Human Rights. Prior to her appointment, she was involved in a major review of the criminal law as a Principal Officer in the Criminal Law Division.
- In October 2005, the PSA commenced licensing for contractors providing services in the security guarding and door supervisor sectors of the security industry and licenses will become mandatory for companies in those sectors of the industry in April 2006. Licensing of companies in other sectors will be commenced on a phased basis as appropriate standards to support the relevant sectors are developed jointly by the PSA and the National Standards Authority of Ireland.
- In September 2005, the Minister commenced further sections of the 2004 Act (S.I. Number 637 of 2005). Three further PSA regulations relating to the licensing of installers of intruder alarms and security guards (monitoring centres) were also signed in December 2005 by the Chairperson and Chief Executive and consented to by the Minister for Justice, Equality and Law Reform. Licenses become mandatory for operators in those sectors in August 2006.
- The PSA initiated a public consultation process on the Event Security sector of the industry in October 2005. Submissions were received from key stakeholders and interested parties. A sub committee of the Board of the Authority, established to devise a licensing framework for the sector, met with those parties that made submissions in the first of two consultation fora in December 2005. A second meeting will take place in January 2006 with a view to licensing of this sector.

Business Delivery and Modernisation

High Level Goal 7

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

7.1 Business Delivery and Modernisation Objective:

To effectively manage our organisation and resources so as to support the implementation of the Department's business objectives

7.1 Business Delivery and Modernisation Objective

- Coherence on strategic planning advanced through consultation with our sectoral organisations on the development of the Department's new Strategy Statement 2005-2007 which was published in 2005.
- The Department's Annual Report 2004 was prepared and published in 2005 and incorporated a progress report on the implementation of Strategy Statement Objectives.
- Progress reports on the Department's Modernisation Action Plan and business priorities were prepared and submitted to the CSPVG in 2005 (April and October). The CSPVG decided on each occasion that payment of the relevant pay increase(s) due under Sustaining Progress was warranted to all Department staff.
- Progress Reports by the sectoral organisations were co-ordinated and submitted to the JES PVG in 2005 (March and September). The JES PVG decided that payment of the relevant pay increase(s) due under Sustaining Progress was warranted to all staff in the sector (initially deferred making decision in relation to 1 June increase to the Prison Officer Association (POA) grades).

Social Inclusion

- It was decided to centralise co-ordination of social inclusion matters. The objective of the centralisation is to provide enhanced linkage of social inclusion work across the department. In addition, the Department was represented at various IDGs and consultative fora (14 different fora).

Customer Service

- A Customer Charter was finalised and published on the Department's website.
- A Draft of Department's Inaugural Irish Language Scheme was submitted to Department of Community Rural and Gaeltacht Affairs, with a view to the scheme being launched in first half of 2006.
- The Accessible Services Committee was established and Accessible Services Plan was prepared, in anticipation of new obligations under Disability Act 2005.
- The Archives Advisory Group was established, comprised of prominent academics, with a view to providing advice on access for bona fide researchers to Departmental records more than 30 years old but withheld from release in accordance with the terms of the National Archives Act, 1986.

Business Support Functions

- New office accommodation was secured and a programme of works underway so as to relocate majority of Head Office staff to a number of adjacent and central Dublin locations.
- An Electronic File Tracking System was launched on a pilot basis with a view to enhancing file management and retrieval and to support archival functions.

Financial Management

- The Financial Shared Services centre under its new corporate logo was officially launched in Killarney on the 10th June 2005 by the Minister and the Secretary General. The launch included the signing of a new Service Level Agreement between the FSS and the Department of Arts, Sports and Tourism (DAST) with the Minister and Secretary General of that Department also in attendance. The full range of financial services for DAST commenced in April 2005 incorporating a payroll only service for the National Museum and National Library.
- The Financial Shared Services formally reviewed the operation of its Service Level Agreements (SLA's) with the Department of Justice Equality & Law Reform, An Garda Síochána, the Irish Prison Service and the Courts Service in 2005. In general, satisfaction was expressed by the client organisations with the level of service provided by the FSS.
- Priority service delivery performance targets have been agreed with the Client Organisations and regular reporting by the FSS on the achievement of these targets commenced in 2005. The reports indicate a high level of compliance with the standards established in the SLA's.
- A new Customer Service Unit was established in Financial Shared Services in April 2005 incorporating a new helpdesk which commenced

operation on a pilot basis on 13th June, 2005. An Access database has been designed in-house to manage customer usage and requirements.

- An electronic interface between the time and attendance system in the Irish Prison Service and the payroll system in the FSS was completed in June 2005. The interface was successfully amended in November 2005 to reflect the agreement for changed working arrangements (annualised hours) in the IPS. The roll out of the on-line payslip facility was completed in May 2005 for the Department and in December for the Probation and Welfare Service.
- During 2005 significant progress was made in developing databases for the receipt of Payroll input (stops, starts, promotions, work-pattern changes, etc.) from the Client Organisations. Input is now received electronically to an email database in the FSS from the Irish Prison Service, Courts Service, Justice, Land Registry and DAST pay groups facilitating improving the speed, accuracy, auditability and management of this work.
- A replacement Criminal Legal Aid payment system was developed, implemented and went live in September 2005 using the existing financial management system, Oracle Financials.

Expansion of FSS

- A business case proposing the expansion by the FSS of its services to other Government Departments and Agencies was submitted to the Department of Finance for consideration. Following a series of meetings, CMOD have recently indicated that they are not in a position at the moment to work with the FSS on this initiative.
- Independently of the discussions with CMOD, a number of Government Departments/Agencies have approached the FSS regarding the provision of financial services and bilateral discussions are taking place with these organisations.

Prompt Payment of Accounts Act 1997

- In accordance with the Prompt Payment of Account Act, 1997, the following information is provided in respect of the financial period ending December 31st 2005:

(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	45	540.46
Over €317	322	9,801.24
Total	367	10,341.70

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

The overall percentage of late payments to total payments was 0.6%

The total amount of interest paid with respect to late payments was €10,341.70.

Internal Audit

- Internal Audit continued to identify areas for audit on the basis of risk assessment. 47 audits were conducted and the results communicated to local management. A procedure was developed to ensure follow-up on recommendations where required.
- In 2005 Internal Audit operated for the first time on the basis of a detailed audit plan broken down into audit days.

- 29 procurement reviews were carried out under the terms of Circular 40/02 during 2005.

Human Resources

- Work progressed on the development of a HR Strategy designed to align HR policies with the Department's business objectives.
- Personnel Division continued to provide a human resource and industrial relations service to management and staff of the Department and its Agencies in 2005.
- Five dedicated business units dealing with recruitment; pay and pensions; HR administration; policy and co-ordination; and performance and development, were established in the Department's Personnel Division to ensure a more streamlined and efficient service.
- Significant progress towards the implementation of the Department's Decentralisation Programme was recorded. The Garda Central Vetting Unit transferred to Thurles in October 2005. The planned decentralisation of the Data Protection Commissioners Office to Portlington (December 2006) and the Irish Prison Service to Longford (May 2007) advanced considerably.
- The first moves at Principal Officer level under the Department's planned mobility programme commenced in 2005.
- Term Time scheme was extended in 2005 to incorporate an 8-week pattern. (134 staff availed of term time in 2005).
- The Department took part in a successful pilot project to employ graduates with disabilities during summer, 2005.
- The integration of Performance Management and Development System (PMDS) with Human Resources proceeded and a number of information and training seminars on the new system were held.

- An annual training programme, aimed at meeting the Department's strategic objectives as well as individual staff development needs was developed and delivered in 2005. Individual tailored programmes in Justice Studies and leadership were developed in 2005. The first grade-specific training programme in the Department was developed for Assistant Principals and was put in place in 2005.

Partnership

- Partnership structures are now in place in all of the Department's independent offices. A full review of Partnership in the entire Justice Sector will be held in spring 2006.

Freedom of Information (FOI)

- The Department has endeavoured to maintain a high quality of decision making in responding to all Freedom of Information requests.
- The Department has maintained and developed a high standard of decision making through the provision of ongoing training for appointed deciding officers and appeals officers of the Department.
- The Department's continued participation in the Civil Service Users Network group (CSUN), a group of FOI Officers in Civil Service Departments, is an invaluable tool in the exchange of information when dealing with inter-departmental FOI requests. The Department's membership of this group, has assisted in the processing of common requests in a unified and efficient manner.
- In 2005 the Department received a total of 433 requests under the Freedom of Information Acts, 1997 and 2003. 74% of requests received this year were for personal information from staff and clients of the Department with approximately 12% of requests coming from journalists. The Department is committed to the full implementation of the Acts

and in the provision of full training and assistance to decision makers in the execution of their duties under the Acts.

Industrial Relations

- Staff were consulted on all significant work place initiatives during 2005 both informally and via Departmental Council and its various sub-committees such as those on the Garda Act, Decentralisation, and Property Registration Authority. Under the Garda Síochána Act 2005, 1,200 staff are due to transfer from the Minister for Justice, Equality and Law Reform to the Garda Commissioner.

Regulatory Reform

- In relation to the progress on Statute Law Reform, the Department accounts for up to one third of the Government's total legislative output and manages comprehensive criminal law reform and civil law reform programmes. The Department is engaged in an ongoing process of review, modernisation and evaluation of effectiveness of law reform activity. In 2005 the Department allocated a significant level of research funding on projects to overhaul Land Law and Conveyancing Laws.
- The Department continued to contribute in 2005 to the work of the High Level Group on Regulation, established in the aftermath of the OECD's report "Regulatory Reform in Ireland", to develop and co-ordinate the 'Better Regulation' agenda.

New Technology

- During 2005 there was extensive development of e-working and remote access for staff improving the capacity to work away from the office. There were a number of projects to upgrade the network and server infrastructure and very high levels of availability were sustained. Security was kept under active review.

- Customer base was expanded by adding approximately 200 staff to the infrastructure that was previously served in other ways. Centrally developed shared systems were deployed, such as eCabinet, wherever available. Extensive use was made of newly developed capacities to share hardware procurements with other agencies.
- A new document library was deployed, incorporating scanning and email management capacity to all Divisions of the Department. The first phase of a new file tracking system went live at the end of the year. We delivered approximately 20 new Divisional systems and upgrades for another 15.
- Many broad policy issues now have an IT element. Contributions were made to a number of them including the Modernisation Agenda, Management Information Framework, Policy Planning Research Unit, Secure Authentication Framework Environment programme (SAFE) and draft Identity Protection policy and elements of the implementation of the Information Society Action Plan.
- In the context of the development of INIS, the Department has taken on responsibility for supporting Visa staff, development of a new Automated Visa system and during 2005 prepared and published a detailed Request for Tender for a strategic set of systems to support INIS. The Criminal Justice Integration project made substantial but slower than expected progress as complex business, legal and technical issues emerged and are being addressed. This pilot is now due for completion during 2007. Due mainly to restructuring in the Department, work on internal linkages has been deferred into 2006.
- A substantial amount of design work was done on a complete redevelopment of the Department's website and the creation of a site for INIS. The

design has been accepted but for procurement reasons the development of the site was deferred and will resume in late 2006. Developments on the Department's staff portal, online awareness have begun to open up new lines of communication within the Department and offer prospects of closer working with other Departments and agencies as staff become more familiar with them.

Procurement

- Central Procurement Unit was in place and operational in 2005. Purchasing procedures and procurement planning processes were developed.
- A Supplier performance management program was developed and internal procurement process efficiency was benchmarked in 2005.

Policy Planning and Research

- 11 new proposals were submitted to the Policy Planning Research Unit (PPRU) for funding; 10 were approved and 1 refused (1 of the approved projects was subsequently withdrawn). The titles of the projects which were approved are:
 - Child Detention Centre(s), "The Children Act 2001 – 16-18 year olds in Custody"
 - Courts Act Codification Project
 - Family reunification for non-nationals resident in Ireland: economic and social consequences
 - Illegal migrants in Ireland: an assessment of the scale of the illegal migrant population in Ireland and the implications for the public policy making
 - National Integrity System Country Study (NIS) Ireland
 - Nationwide Children Court Research Project
 - New Approaches to Promote Tolerance and Understanding between the Settled and Travelling Communities
 - Research of the Irish and Nordic Prison Systems

- Review of the Equality Initiatives in the Justice and Equality Sector
- International Self-Reported Delinquency Study

16 projects were provided with funding in 2005 and 6 of these projects were completed. €389,000 was spent on research projects in 2005 (allocation €526,000).

Accommodation

- During 2005 Corporate Services Division continued to work to meet the increasing accommodation needs of the Department and its associated Offices and Agencies. Due to the Department's Head Quarters being sold, the Division is in the process of seeking other suitable accommodation sites around the city.

Energy Saving Measures

- The Office of Public Works is currently rolling out a staff energy awareness pilot study with the staff in 10 large state buildings in early 2007.
- Web based energy monitoring units have now been installed in over 150 large state buildings and the remainder will be completed in early 2007. This Department will shortly be asked to nominate an Energy Officer for each of its buildings who will be responsible for an energy awareness campaign and for the monitoring and targeting of energy use in their particular building.
- This Department uses various different paper products. The Department's policy is to use products which are 100% recycled, partly recycled or made by way of the forest control method using 100% pulp with chlorine free bleach.

part three

Appendices

Appendix 1

Appendix 1

Tánaiste Michael McDowell, T.D.					Frank Fahey, T.D. Minister of State				
Brian Lenihan, T.D. Minister of State					Secretary General Mr Sean Aylward				
Crime, Security & Northern Ireland Mutual Assistance and Extradition	An Garda Síochána	Prisons Probation & Welfare	Civil Law Reform Equality Disability Courts Policy	Criminal Law Reform Human Rights	International Policy	Asylum Immigration Citizenship	Reception & Integration Agency	Childcare & Youth Justice	Business Support
<ul style="list-style-type: none">• Crime 1• Crime 2 (Drugs and Organised Crime)• Security & Northern Ireland• Firearms & Explosives Administration• Mutual Assistance & Extradition	<ul style="list-style-type: none">• Garda 1 (Administration)• Garda 2 (Planning)• Garda 3 (SMI, Conciliation and Arbitration & Compensation)	<ul style="list-style-type: none">• Prisons, Probation & Welfare Policy• Garda Accountability	<ul style="list-style-type: none">• Civil Law Reform• Disability Equality• Gender Equality• Diversity and Equality Law• Courts Policy	<ul style="list-style-type: none">• Criminal Law Reform• Human Rights	<ul style="list-style-type: none">• International Policy• Permanent Representation -Brussels	<ul style="list-style-type: none">• Citizenship• Repatriation• Irish Born Child Unit• Immigration Policy• Asylum Policy• Ministerial Decisions Unit• Irish Naturalisation & Immigration Service (INIS)	<ul style="list-style-type: none">• Reception & Integration Agency	<ul style="list-style-type: none">• *Childcare Directorate• Irish Youth Justice Service	<ul style="list-style-type: none">• Corporate Services• Financial Shared Services Centre• IT• Personnel• Organisation• Development Unit• Project Development• Press & Communications• Freedom of Information (FOI)
<ul style="list-style-type: none">• National Crime Council• Private Security Authority	<ul style="list-style-type: none">• An Garda Síochána• Garda Síochána Complaints Board• Garda Inspectorate	<ul style="list-style-type: none">• Irish Prison Service• Probation & Welfare Service• Parole Board	<ul style="list-style-type: none">• Courts Service• Equality Tribunal• Equality Authority• National Disability Authority• Ombudsman Commission			<ul style="list-style-type: none">• Office of the Refugee Applications Commissioner (ORAC)• Refugee Appeals Tribunal (RAT)			<ul style="list-style-type: none">• Office of the Film Censor• Censorship of Publications Office• Office of the Data Protection Commissioner• Criminal Injuries Compensation Tribunal• Forensic Science Laboratory• State Pathology Service• Legal Aid Board• Interim National Property Services Regulatory Authority• Land Registry / Registry of Deeds

*The responsibility of Childcare was transferred from this Department to the Department of Health and Children in December 2005

Assistant Secretary Areas

Divisions of Department

Associated Bodies

Appendix 2 – List of abbreviations

AG	Attorney General
AGS	An Garda Síochána
ADM	Area Development Management Ltd
AISIP	Asylum Immigration IT System
APG	Agreed Programme for Government
C&A	Conciliation and Arbitration
C&AG	Controller and Auditor General
CCC	County Childcare Committee
CCTV	Closed Circuit Television
CDPC	European Committee on Crime Problems
CEDAW	Committee on Elimination of Discrimination Against Women
CERD	Convention on the Elimination of all Forms of Racial Discrimination
CIF	Capital Investment Framework
CLR	Criminal Law Reform
CMF	Change Management Fund
CMOD	Centre for Management, Organisation & Development
COE	Council of Europe
CSF	Community Support Framework
CSO	Central Statistics Office
CTA	Common Travel Area
DAST	Department of Arts, Sport and Tourism
DCMNR	Department of Communications Marine and Natural Resources
DCR&GA	Department of Community, Rural & Gaeltacht Affairs
DEHLG	Department of Environment, Heritage and Local Government
DES	Department of Education and Science
DIG	Decentralisation Implementation Group
DJELR	Department of Justice, Equality and Law Reform
DPP	Director of Public Prosecutions
EAW	European Arrest Warrant
ECHR	European Convention for the Protection of Human Rights
ECRI	European Commission Against Racism and Intolerance
EEA	European Economic Area
EOCP	Equal Opportunities Childcare Programme
ERDF	European Regional Development Fund
ERF	European Refugee Fund
ESF	European Social Fund
ESRI	European and Social Research Institute
EU	European Union
EUPM	EU Peacekeeping Mission

FÁS	Foras Áiseanna Saothair
FATF	Financial Action Task Force
FOI	Freedom of Information
FSS	Financial Shared Services
GASU	Garda Air Support Services
GLEN	Gay and Lesbian Equality Network
GNIB	Garda National Immigration Bureau
GRECO	Group Estates Against Corruption
HIP	Health Information Programme
HLG	High Level Goal
HQ	Headquarters
HR	Human Resources
HSE	Health Services Executive
IAB	Internet Advisory Board
IASD	Irish Association for the Study of Delinquency
IBC	Irish Born Child
ICCEUA	Interdepartmental Coordination Committee on EU Affairs
ICTU	Information and Communication Technology Unit
IDC	Inter Departmental Committee
IFSRA	Irish Financial Services Regulatory Authority
IICD	Independent International Commission on Decommissioning
IMC	Independent Monitoring Commission
INIS	Irish Naturalisation and Immigration Service
IOM	International Organisation for Migration
IPD	International Policy Division
IPS	Irish Prison Service
IR	Industrial Relations
IRA	Irish Republican Army
IS	Information Systems
IT	Information Technology
JELR	Justice, Equality and Law Reform
JHA	Justice Home Affairs
JR	Judicial Review
LRC	Labour Relations Commission/ Law Reform Commission
LDTF	Local Drugs Task Forces
MIF	Management Information Framework
MOU	Memorandum of Understanding
NAPS	National Action Plan against Poverty
NCCA	National Council for Curriculum and Assessment
NCCRI	National Consultative Committee on Racism and Interculturalism

NDA	National Disability Authority
NDP	National Development Plan
NGOs	Non-Governmental Organisations
NIO	Northern Ireland Office
NPAR	National Plan Against Racism
NPPPU	National Public Procurement Policy Unit
NUIG	National University of Ireland Galway
NVCO	National Voluntary Childcare Organisation
NWS	National Women's Strategy
OECD	Organisation for Economic Cooperation and Development
ODEI	Office of Director of Equality Investigations (Equality Tribunal)
ODU	Organisation and Development Unit
OPW	Office of Public Works
ORAC	Office of the Refugee Applications Commissioner
P&WS	Probation and Welfare Service
PAIB	Prisons Authority Interim Board
PAS	Public Appointment Services
PI	Performance Indicator
PMDS	Performance Management & Development System
PPP	Public Private Partnerships
PSA	Private Security Authority
PSNI	Police Service of Northern Ireland
RAPID	Revitalising Areas by Planning, Investment and Development
RAT	Refugee Appeals Tribunal
RCNI	Rape Crisis Network Ireland
RDC	Refugee Documentation Centre
RDTF	Regional Drugs Task Forces
RFT	Request for Tender
RIA	Reception and Integration Agency
SAFE	Secure Authentic Framework Environment
SMG	Strategic Monitoring Group
SMI	Strategic Management Initiative
SOG	Senior Officials Group
SPIRASI	Spiritan Asylum Services Initiative
SSC	Shared Services Centre (now FSS- Financial Shared Services)
TD	Teachta Dála
UCD	University College Dublin
UN	United Nations
UNHCR	United Nations High Commissioner for Refugees
VARP	Voluntary Return Programme
VPN	Virtual Private Network