



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

ANNUAL REPORT 2010



Working for a Safer, Fairer Ireland



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Contents

	Page no
Foreword by the Minister	3
Overview	4
Introduction by Secretary General	6
 High Level Goals	
1. Supporting An Garda Síochána and Tackling Crime	8
2. Developing Justice Services	16
3. Provision of Immigration and Related Services	20
4. <i>Promotion of a Caring, Integrated and Equitable Society*</i>	24
5. Promotion of a Secure and Peaceful Society	29
6. Law Reform	31
7. Business Delivery	35
<i>* to 31 May 2010 - see Overview</i>	

Appendices:

Appendix 1:	Organisation Chart 2010
Appendix 2:	Annual Output Statement 2010
Appendix 3:	Legislation Enacted
Appendix 4:	Asylum and Immigration Tables

FOREWORD BY THE MINISTER

This Annual Report for 2010 records the work of the Department of Justice and Law Reform in 2010.

It is my privilege, having been appointed Minister for Justice and Equality on 9 March 2011, to take forward the important work of Justice and Equality. The Programme for Government sets out an ambitious agenda in relation to the very broad remit of the Department – which ranges from policing to prisons, probation and courts to immigration and equality. Recent achievements and future challenges in all of these areas are set out in this Report.

As Minister, my top priority is to develop a robust system that will command the confidence of the Irish people, not only in relation to Justice and Security, but also in relation to the promotion of the values of Equality and Diversity, that are basic to the health of our society and our economy.

I know that I can count on the support and assistance of all those involved in the Sector as we work to achieve our goals on behalf of all the people of Ireland.

Alan Shatter, TD
Minister for Justice and Equality

June 2011

OVERVIEW

The mission of the Department is to help make Ireland a safer and fairer place in which to live and work, visit and do business. The remit of the Justice sector services stretches across a range of human concerns and touches on aspects of national life as diverse as the protection of life and property; the prevention and detection of crime; the provision of services for the buying and selling of property; the management of inward migration to the State and providing a Courts Service and other forms of investigative tribunals.

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

In March 2010, the Government decided to reconfigure the roles of some Departments and, in so doing, change their names to reflect their new functions. The changes made in respect of this Department involved the transfer of responsibility for equality, disability, integration and human rights to the new Department of Community, Equality and Gaeltacht Affairs. This transfer came into effect on 1 June 2010 at which time this Department became the Department of Justice and Law Reform.

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

- An Garda Síochána
- Immigration Related Services
- Civil Law Reform
- Courts Policy
- Crime, Mutual Assistance and Extradition, Security and Northern Ireland
- Equality and Disability (*to 31 May 2010*)
- EU/International Matters
- Human Resources, Corporate Affairs, Organisation Development, Finance, Internal Audit and IT
- Criminal Law Reform and Prisons and Probation Policy
- Reception and Integration Agency (RIA).

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

- Anti-Human Trafficking Unit
- Cosc – the National Office for the Prevention of Domestic, Sexual and Gender-based Violence
- Irish Prison Service
- Irish Youth Justice Service
- Office of the Minister for Integration (*to 31 May 2010*).

There were approximately 350 staff working in the Head Office areas of the Department at the end of 2010. In addition there were approximately 179 staff working in Financial Shared Services and approximately 616 staff working in the Irish Naturalisation and Immigration Service.

Across all its votes the Department was responsible for a budget of €2.49billion in 2010 which compares to a budget of €2.58billion in 2009.

Annual Output Statement 2010

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

1. Community Security, Law Enforcement, Crime Prevention by Support for An Garda Síochána
2. The Maintenance of Safe and Secure Custody for Offenders by Support for the Prison Service
3. Management of the Courts and Supporting the Judiciary
4. The Promotion of a Safe Society through the Provision of a Wide Range of Justice Services
5. *The Promotion of a Tolerant and Equitable Society (January-May 2010)*
6. The Provision of Asylum/Immigration and Related Services
7. The Provision of Probation Services
8. The Provision of a Coherent, Effective Youth Justice Service
9. The Provision of Property Registration Services

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

High Level Goal	Programme
1. Supporting An Garda Síochána and Tackling Crime	1. Community Security, Law Enforcement, Crime Prevention by Support for An Garda Síochána
2. Developing Justice Services	2. The Maintenance of Safe and Secure Custody for Offenders by Support for the Prisons Service 3. Management of the Courts and Supporting the Judiciary 7. The Provision of Probation Services 8. The Provision of a Coherent, Effective Youth Justice Service 9. The Provision of Property Registration Services
3. Provision of Immigration and Related Services	6. The Provision of Immigration Related Services
4. <i>Promotion of a Caring, Integrated and Equitable Society (until 31/5/2010)</i>	5. The Promotion of a Tolerant and Equitable Society
5. Promotion of a Secure and Peaceful Society	4. The Promotion of a Safe Society through the Provision of a Wide Range of Justice Services
6. Law Reform	Note – Civil Law Reform is included in Programme 5
7. Business Delivery	no equivalent programme

INTRODUCTION BY THE SECRETARY GENERAL

This Annual Report provides a brief summary of the achievements of the Department of Justice and Law Reform in 2010.

2010 was one of the most challenging years in recent history for the Department as, indeed, for all public sector bodies from the perspective of the public finances.

Against this background of severe economic pressure, a key concern of mine, as Secretary General, was to ensure that the Department and the Justice Sector generally continued to effectively deliver the State's framework of justice services.

It is a tribute to the collective efforts of management and staff at every level in the Department and in the Justice Sector organisations that our front-line services continued to be delivered to a very high standard that commanded continuing public respect in our communities. I am particularly pleased that the Output Statement (Appendix 2) records that our challenging objectives for the year were largely met.

This Annual Report provides an account of progress made during 2010 across the broad range of functions and policy areas which are the responsibility of the Department and which have already been set out in the Overview.

The challenge facing us in this Sector in the coming years is clear: to continue to provide justice and equality policies and systems to meet the evolving needs of the Irish people. To do this, we will have to work smarter with fewer resources.

As I clear my desk in anticipation of my retirement next month, I would like to assure all readers of this Annual Report that we can continue to count on the resourcefulness, integrity and commitment of my colleagues across the Justice Sector. I know they will persevere with our core mission: to deliver a safer, fairer Ireland for us all.

Seán Aylward
Secretary General
June 2011

HIGH LEVEL GOALS

1. Supporting An Garda Síochána and Tackling Crime

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

2. Developing Justice Services

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

3. Provision of Immigration and Related Services

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

4.* Promotion of a Caring, Integrated and Equitable Society

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

** Functions transferred to new Department of Community, Equality and Gaeltacht Affairs on 1 June 2010 following Government Decision.*

5. Promotion of a Secure and Peaceful Society

We will continue to promote a secure and peaceful society through the provision of a wide range of Justice services and support the devolved institutions in Northern Ireland.

6. Law Reform

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

7. Business Delivery

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

SUPPORTING AN GARDA SÍOCHÁNA AND TACKLING CRIME

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

POLICING MATTERS

Under the Garda Síochána Act 2005, the Minister may set policing priorities for An Garda Síochána. Following consultation with the Garda Commissioner, the Minister set priorities in six key areas. In addition to the fight against gangland crime, the Minister prioritised security, policing communities, customer service, roads policing and human trafficking. The policing priorities set by the Minister are reflected in An Garda Síochána's Policing Plan for 2010.

A report on training and development in An Garda Síochána published in May 2009 found significant strengths in the wide diversity of training provided. However, it also identified areas where the organisation, management and delivery of training could be further enhanced. The report made a number of key recommendations focusing on two core issues namely (i) a new training regime for recruits and (ii) improving and enhancing the in-service training of existing staff including civilians. Implementation of the recommendations began in 2010.

In June, the Regional Support Unit at Claremorris, Co. Mayo was launched. This Regional Unit is available as a dedicated resource to provide support to other Garda units engaged in frontline policing in the event of a critical incident. When required the Unit can respond with firearms and less lethal devices. There are two sections of the Regional Response Unit attached to Claremorris Garda Station comprising two Sergeants and twelve Gardaí. The Unit has already completed training and is operational.

In October, the Criminal Assets Bureau published its Annual Report for 2009. The Bureau will continue with the full support of the Government and the general public to prevent those involved in serious crime from benefiting from the proceeds of their illegal activity. A review of the Criminal Assets Bureau legislation is also underway.

In December, the Garda Inspectorate was asked to undertake two studies, one to examine frontline supervision in An Garda Síochána and the other to examine the allocation of Garda resources to crime investigation and prosecution. The request was made by the Minister in response to requests made to him earlier in the year by the Inspectorate, and following consultations with Garda management.

POLICING RESOURCES

At end 2010, Garda numbers stood at 14,377 members. While the moratorium on recruitment and appointments in the Public Service continues to apply to An Garda Síochána, there are provisions for exceptions following agreement with the Minister for Finance. The filling of approximately 280 vacancies by promotion was sanctioned in 2010.

The National Recovery Plan 2011-2014 was published in late 2010 and sets out a graduated reduction in the number of members of An Garda Síochána to 13,000 by the end of 2014.

At end 2010 there were 700 Garda Reserves with a further 83 in training. The moratorium on recruitment does not apply to the Garda Reserve as these members are unpaid volunteers.

Deputy Commissioner Martin Callinan was appointed Garda Commissioner in December on the retirement of Commissioner Fachtna Murphy.

There has been a significant increase in the number of civilians in An Garda Síochána over the last three years, from 1,688 at end 2007 to over 2,100 (whole time equivalent numbers) at end 2010. Civilian staff are now involved in the provision of vital support services in a wide range of administrative, professional, legal, technical and industrial areas including Human Resources, Training & Development, IT and Telecommunications, Finance and Procurement, Internal Audit, Communications, Research and Analysis, Accommodation and Fleet Management, Scene-of-Crime Support and Medical Services.

During 2010 the rollout of the National Digital Radio System continued very successfully and, by the end of the year, the system was operational in most Garda Divisions. The project is on schedule for completion in 2011 and, when the new system is fully in place, all front-line Garda personnel will be able to communicate more effectively and securely. The system will also open the way for the expansion of existing Garda technical facilities.

The Public Service (Croke Park) Agreement 2010-2014

In accordance with the Public Service Agreement Garda Associations formally signed up to a Transformation Agenda for the organisation in 2010. The Agenda is about enhancing efficiencies and effectiveness in An Garda Síochána to deliver real change. An Action Plan is in place to implement the reforms envisaged by the Transformation Agenda. (More details on the Garda Action plan are available at <http://implementationbody.gov.ie/sectoral-action-plans>). Developments in the implementation of the Agreement are monitored and assessed by the Garda Implementation Body under the chairmanship of Mr PJ Fitzpatrick. The membership of the Garda Implementation Body comprises representatives from both Staff Associations and Management.

COMMUNITY INITIATIVES

The operation of Joint Policing Committees in the 114 local authority areas was consolidated during 2010. The Committees are provided for in the Garda Síochána Act 2005 and provide a forum where An Garda Síochána and the local authority - the two organisations which make the most significant contribution to preventing and tackling crime - can come together, with the participation of members of the Oireachtas and community and voluntary interests, on matters affecting the area. The Act also provides for Local Policing Fora (LPFs), which enable engagement in a less formal manner with the community in a specific neighbourhood. LPFs are being established in those areas where Local Drugs Task Forces are established, in accordance with guidelines issued by the Minister.

WHITE PAPER ON CRIME

During 2010 work continued on the development of a White Paper on Crime. The White Paper is due for completion in 2011 and will set out a policy framework for future strategies to combat and prevent crime. In order to give structure to the project, the various issues arising are being addressed in a series of discussion documents, with corresponding consultative exercises. By the end of 2010, three of the four planned discussion documents had been published.

During 2010, the Department concluded the first two phases of the consultation process dealing with *Crime Prevention and Community Safety* and *Criminal Sanctions* respectively. Reports on the outcomes of these consultation phases have been published on the Department's website.

The third phase of consultations got underway in October 2010 with the publication of a discussion document dealing with *Organised and White Collar Crime*. This addresses organised crime as well as a range of so called 'non-street' crimes including cyber crime and intellectual property crime but also the area of white collar crime. As was the case with the earlier discussion documents, written observations were invited. The original closing date of the end of December 2010 was extended in response to requests from interested bodies. A consultation seminar was held in November and the outcome of the seminar and a summary of written submissions will be published on the Department's website.

In addition to consultations organised around the discussion documents, consultations were held in 2010 with groups representing victims (organised in conjunction with the Victims of Crime Office), with older citizens (in conjunction with the Office for Older People in the Department of Health and Children) and with young people under the age of 18 (in conjunction with the Office of the Minister for Children and Youth Affairs). The White Paper on Crime Unit is also meeting with various Joint Policing Committees across the country on an ongoing basis.

The Department's website includes all documentation relevant to the White Paper process and members of the public can register on-line for updates.

CRIME STATISTICS

Statistics on recorded crime in 2010 showed a welcome decrease in 9 of the 14 crime groups for which figures are available compared with 2009, with murder down 3.6%, manslaughter down 50% and dangerous driving leading to death down 17.9%. This reflects the continuing efforts underway to tackle criminal activity.

The number of cases of driving or being in charge of a vehicle while over the legal alcohol limit was down 22%, and the number while under the influence of drugs was down 38.8%. These reductions have contributed to the lowest ever recorded annual number of road fatalities in 2010 (212).

The increase of 97.1% in the number of recorded cases relating to the cultivation or manufacture of drugs is indicative of a high level of Garda activity in this area, as is the increase of 3.6% in the number of cases relating to possession of drugs for sale or supply. There was a decrease of 37% in the number of cases relating to the importation of drugs during the year.

There were decreases in burglary and related offences (down 5.8%) and theft and related offences (down 0.4%), which together made up by far the greatest proportion (97%) of property offences, although there was an unwelcome increase of 28.2% in robbery, extortion and hijacking offences (details can be seen on the Central Statistics Office website www.cso.ie).

In April, An Garda Síochána made its policy on the investigation of sexual crime, including child abuse, publicly available. As part of that policy, designated Gardaí have responsibility for ensuring that all sexual crime incidents are recorded and reviewed on the Garda PULSE system. The Commissioner emphasised the importance of combining professionalism with sensitivity and compassion in the investigation of such crimes.

DRUGS

Under the National Drugs Strategy 2009-2016 the Department, in conjunction with relevant agencies, continued to implement a range of actions to tackle the problem of drug misuse in our communities. The Department continued to actively participate in relevant international fora including expert groups established under the European Union and United Nation drug policy frameworks.

In August, the Criminal Justice (Psychoactive Substances) Act 2010 came into operation. The purpose of this Act is to combat the sale of unregulated psychoactive substances in ‘head shops’ and by other means, including the internet. The Act makes it an offence, punishable by up to five years imprisonment, to sell, supply, import or export for human consumption psychoactive substances which are not regulated under other legislation. This Act also gives appropriate powers to An Garda Síochána and the courts to intervene quickly to prevent outlets from selling such substances by way of prohibition notices and prohibition orders. The Act provides full search and seizure powers for the Gardaí and the Revenue Commissioners.

The Department continued to be represented on the National Steering Committee which is developing a new combined National Substance Misuse Strategy (Drugs and Alcohol).

ORGANISED CRIME

Emphasis on serious crime, in particular organised crime, remained a priority for An Garda Síochána in 2010. As a result of the Criminal Justice (Amendment) Act 2009 all organised crime offences will be tried in the Special Criminal Court unless the Director of Public Prosecutions directs otherwise. The Dáil has agreed to the renewal of provisions for trying certain crimes involving criminal gangs in the Special Criminal Court, unless the DPP directs otherwise, until end June 2011.

A new offence - directing or controlling a criminal organisation- has been created. It carries a maximum sentence of life imprisonment. The maximum penalty for the offence of participation or involvement in organised crime has been increased from 5 years to 15 years imprisonment.

ANTI-MONEY LAUNDERING

The Criminal Justice (Money Laundering and Terrorist Financing) Act 2010 commenced on 15 July 2010, establishing the Minister as a “competent authority”. The general functions of a “competent authority” are to effectively monitor the “designated persons” for whom he/she has responsibility and to take measures necessary to secure their compliance with the requirements of the Act.

- The Act places a number of obligations on certain businesses to guard against money laundering and terrorist financing and includes requirements to identify customers/beneficial owners, to report suspicious transactions to An Garda Síochána and the Revenue Commissioners and to have procedures in place to provide for the prevention of money laundering and terrorist financing.
- The Act contains provisions requiring persons to obtain authorisation from the Minister in relation to the business of a Trust or Company Service Provider (TCSP). In this regard
 - 202 applications for authorisation were received in 2010
 - 138 authorisations were granted
 - 64 applications were under process at year end
 - over 600 applications were received from persons associated with TCSP applications for authorisation to determine whether or not they met the requirements of section 89(1)(d) of the Act (including Garda vetting).
- The Act provides that any persons who direct private members’ clubs at which gambling activities are carried on must register with the Minister in respect of those activities. In this regard, 21 persons were placed on the register in 2010.

ANTI-HUMAN TRAFFICKING

The UN Convention against Transnational Organised Crime (known as the Palermo Convention) and the Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children was ratified in June. The UN Protocol came into effect for Ireland on 17 July 2010 and the Council of Europe Convention on 1 November 2010. A Special High Level Meeting on Transnational Organised Crime was held at the United Nations General Assembly to celebrate the 10th Anniversary of the adoption of the UN Convention and its additional protocols. Ireland’s instruments of ratification of the Convention and Protocol were deposited with the UN Secretary General to coincide with that Anniversary.

Awareness raising and training - Throughout 2010 public awareness of trafficking in human beings was raised through extensive training, public presentations, media interviews and contributions to a wide range of periodicals. To coincide with the designated EU Anti-Trafficking Day on 18 October 2010, a one day film festival aimed at informing those in attendance about the nature of human trafficking, the indicators of trafficking and the actions to be taken where there is a suspicion of human trafficking took place.

Streamlining services for victims of human trafficking - A Statement of Roles and Responsibilities, with input provided by all key Governmental, Non-Governmental and International stakeholders, was completed. This Statement outlines the roles and responsibilities of all groups that are involved in assisting potential and suspected victims of human trafficking.

Policing - An Garda Síochána identified human trafficking as a priority in the Garda Policing Plan for 2010. Sixty nine incidents of alleged human trafficking involving 78 potential victims were reported to An Garda Síochána in 2010. Over 495 operational Garda personnel have received detailed training to enable them identify and refer victims of human trafficking for support and to deal with prosecutions, if appropriate. A further 2,956 personnel have received awareness raising training as part of the final phase of their training

Partnership with civil society - Funding totaling €261,500 was provided by the Department of Justice and Law Reform in 2010 to NGOs to assist victims of human trafficking for sexual exploitation and labour exploitation.

Research and the development of best practice - In May 2010, a Report of Trafficking in Human Beings in Ireland for 2009 was released. The Report, the first to be produced by the State, provides an extensive overview of trafficking in human beings as it occurred in Ireland in 2009. Information was collected from a number of different sources which included the Garda National Immigration Bureau (GNIB), the Irish Naturalisation and Immigration Service (INIS) and several civil society organisations.

DOMESTIC, SEXUAL AND GENDER-BASED VIOLENCE

Cosc, in conjunction with a broad range of partner organisations, developed the National Strategy on Domestic, Sexual and Gender-based Violence for the five-year period from 2010 to 2014. The strategy was approved by Government on 9 February 2010 and published on 9 March 2010. Good progress was made during the year on implementing the Strategy.

At the core of the approach to the Strategy is action based on primary and secondary interventions. Primary intervention relates to the prevention of domestic, sexual and gender-based violence through increased understanding and recognition of the violence concerned and raising awareness of it. Secondary intervention deals with responding to the violence concerned by ensuring better provision of services to victims, improving co-ordination between service delivery organisations and dealing with the offending behaviour of perpetrators of the violence.

A Strategy Oversight Committee has been established to monitor implementation of the Strategy and to assist in identifying solutions to any high level difficulties or delays. The Committee is chaired by the Secretary General of the Department of Justice and Law Reform. In addition, progress on the implementation of the Strategy is being encouraged and monitored by Cosc on an ongoing basis. Further information on progress on implementation can be found at www.cosc.ie/en/COSC/Pages/RD10000029

VICTIMS OF CRIME

The new *Victims Charter and Guide to the Criminal Justice System* was launched in July. This Charter sets out in an accessible way the range of support services and helplines available to the public and places victims at the centre of the Justice system. It also –

- gives definitive commitments to the victim on behalf of one voluntary sector organisation (the Crime Victims Helpline) and eight criminal justice agencies (An Garda Síochána, the Courts Service, the Office of the Director of Public Prosecutions, the Probation Service, the Prison Service, the Legal Aid Board, Coroner and the Criminal Injuries Compensation Tribunal);
- gives clear contact points in each organisation so that a victim has someone to complain to if the organisation does not live up to the expectations of the victim;
- gives a brief overview of the role of each organisation from the point of view of the victim of crime;
- clearly sums up the law in relation to victims;
- provides an extensive list of useful contact details including website addresses;
- the English version has a 'Plain English' accreditation from the National Adult Literacy Agency making it more accessible to those with poor reading ability and lay people who do not have any legal training.

Copies of the Charter are available (in eight languages) at www.victimsofcrimeoffice.ie under "Victims Charter".

The 5th Annual Report of the Commission for the Support of Victims of Crime for the year 2009 was published in May. In 2009, €1,254,279 was allocated to 42 voluntary organisations which provided services and assistance to 9,640 victims. Commission funding includes support for the Crime Victims Helpline as a central point of contact for victims of crime (116 006 is the new EU reserved number for Victims of Crime Helplines). Other funded organisations provide court accompaniment services, emotional support, counselling and information to victims of domestic violence, sexual crimes, homicide, child victims and victims of general crime. The Commission continued to meet its funded organisations through a twice yearly Victims of Crime Consultative Forum. These meetings dealt with (i) the implementation of the Victims Charter (in conjunction with a number of the criminal justice agencies) and (ii) a pre-consultation on the discussion paper on individuals and the criminal justice system being drafted in the context of the White Paper on Crime.

In October, the Commission for the Support of Victims of Crime published research entitled *The Needs and Concerns of Victims of Crime in Ireland*. The research explored the views and perspectives of a sample of victims who used the services funded by the Commission (full report and stand alone summary available on www.csvc.ie under "publications").

FIREARMS AND EXPLOSIVES

Explosives

In 2010, the EU Directive concerning pyrotechnic articles was transposed into Irish legislation through the European Communities (Placing on the Market of Pyrotechnic Articles) Regulations 2010, as amended (S.I. No. 1 of 2010 and S.I. No. 416 of 2010). Essentially, the Regulations lay down certain conditions for the placing on the market of pyrotechnic articles, including fireworks. Furthermore, the sale, supply and possession of the more hazardous categories of pyrotechnic articles are restricted by the Regulations, whereas the sale to the general public of the least hazardous category of fireworks (Category 1 fireworks) is allowed. Age limits for the sale of pyrotechnic articles are also set out in the Regulations, which came into partial effect in July 2010.

Work on the formal drafting of an Explosives Bill, intended to replace outdated legislation dating back to 1875, advanced considerably through ongoing liaison with the Office of the Parliamentary Counsel. At the time of going to press it is almost ready for publication.

The Explosives Inspectorate continued to carry out its statutory functions (under explosives legislation) relating to the importation, manufacture, storage and sale of explosives and to the transport of explosives (under Carriage of Dangerous Goods by Road legislation). The Inspectorate participated in numerous EU Working Groups and technical committees. It also participated in EU/UN meetings on explosives directives and transport of dangerous goods as well as the EU Standing Committee of Experts on Explosive Precursors and the CEN Technical Committee on Pyrotechnic Articles Standards.

During 2010, approximately 460 licence applications for the importation of explosives (including commercial explosives, deemed substances and fireworks) were processed.

Firearms

In 2010, EU Directive 2008/51/EC concerning firearms was transposed into Irish law by the European Communities (Acquisition and possession of weapons and ammunition) (Amendment) Regulations) 2010. In the main, the Regulations lay down rules for the marking of firearms and ban the sale of firearms to persons under 18 years of age.

As at 31 December 2010, there were 329 firearms dealers on the Register of Firearms Dealers. Two hundred and thirty seven of these are registered to trade in firearms and ammunition (including 85 with authorisations to trade in restricted firearms) and a further 92 firearms dealers are registered to trade in ammunition only. In 2010, 1,177 applications for importation of firearms and ammunition were processed.

ROAD SAFETY

There were 26 fewer road deaths during the year, the number of which decreased from 238 in 2009 to 212 in 2010. The continuing implementation of the Road Safety Strategy 2007-2012 made a significant contribution to this outcome. Making our roads safer and improving the behaviour of all road users will continue to be a high priority for An Garda Síochána.

The rollout of the national safety camera network outsourced by An Garda Síochána to a private service provider commenced in November. Monitoring is taking place at identified collision-prone locations as determined by An Garda Síochána, with the aim of reducing speed and so reducing the number of fatalities and serious injuries on our roads. Information on the locations is available on the Garda website www.garda.ie.

INTERNET SAFETY AND AWARENESS

The Office for Internet Safety (OIS) of the Department (www.internetsafety.ie) has lead responsibility for internet safety in Ireland, particularly as it relates to children. The Safer Internet Ireland Project, which is coordinated by the OIS, was successful in its application for EU funding under the EU Safer Internet Programme Call for Proposals 2009. The Safer Internet Ireland Project is a consortium of industry, education, child welfare and Government partners that acts as a Safer Internet Centre in Ireland providing awareness, hotline and helpline functions and activities in the Republic of Ireland.

The 7th EU Safer Internet Day took place on 9 February 2010. Safer Internet Day is an international annual event which is organised by the European Internet Safety Network (INSAFE) and is co-funded by the European Commission's Safer Internet Programme. It takes place every February to promote safe and responsible use of the internet and mobile phone technologies, especially amongst children and young people. The Safer Internet Ireland Youth Advisory Panel (SIYAP) was formally launched and the OIS produced an information leaflet, bookmark and poster to highlight this year's theme "Think Before you Post".

The 2010 Annual Report of the Irish Internet Hotline covering the period January-December 2009 was launched in June. The report shows that fewer users were encountering content illegal under Irish law. The Report also illustrated the importance of public vigilance and the reporting of any content on the internet suspected to be illegal using the confidential www.hotline.ie service.

INTERNATIONAL CO-OPERATION IN THE FIGHT AGAINST CRIME

The Lisbon Treaty, which came into force in December 2009, created an Area of Freedom, Security and Justice under Title V of the Treaty of the European Union and brought with it some significant changes in how Justice and Home Affairs (JHA) matters are dealt with in the EU. Most notably, decisions on police co-operation and co-operation in criminal law matters are now generally made by qualified majority voting (rather than by unanimous decision) and by co-decision with the European Parliament.

Ireland, together with the UK, secured agreement to participate in JHA measures on a case by case basis under a specific Protocol to the Lisbon Treaty. This ensures that Ireland's common-law legal system and constitutional position can be safeguarded. The Irish Government made a Declaration on the Protocol, confirming its intention to participate in JHA measures to the greatest extent possible, particularly in the field of police co-operation. It was also decided that the operation of the Protocol would be reviewed after a three-year period, which will provide an opportunity to see how the new arrangements are working in practice.

Since the coming into force of the Lisbon Treaty, the greatest proportion of JHA proposals has so far been in the field of judicial co-operation in either criminal or civil matters. Ireland has opted into the majority of these proposals, which have included important initiatives on combating the sexual abuse and exploitation of children, on the right to information in criminal proceedings and on combating human trafficking.

The Stockholm Programme, the EU's current multi-annual JHA work programme, was adopted in December 2009 and a Commission Action Plan was initiated in June 2010. This Department will continue to actively participate in the implementation of the Programme and ensure that Ireland's concerns and priorities are reflected in developments over the five-year lifetime of the programme.

The 2009 Annual Report on the operation of the European Arrest Warrant Act 2003 was published in November. The European Arrest Warrant provides for a speedy extradition process within the European Union.

Ireland continued to be represented at the OECD Working Group on Bribery and remained committed to its obligations under the OECD Convention on Combating Bribery of Foreign Public Officials in International Business Transactions. The Prevention of Corruption (Amendment) Act 2010 was introduced in December to give fuller effect to the Convention. The Act strengthens the legislative provisions in relation to bribery and corruption and includes protection for whistleblowers and protection for employees who may be penalised for reporting in good faith suspected corruption offences.

DEVELOPING JUSTICE SERVICES

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

COURTS

In November 2010 the Government approved the scheme of the Criminal Justice (Legal Aid) Bill. The objective of the Bill is to transfer responsibility for the management and administration of the Criminal Legal Aid Scheme from the Department to the Legal Aid Board. The Board will have the responsibility for criminal and civil legal aid. The Bill also introduces reforms of the Criminal Justice (Legal Aid) Act, 1962, aimed at introducing improved management and administrative procedures along with appropriate verification and control procedures. Expenditure on the Criminal Legal Aid Scheme during 2010 amounted to €6.5 million, a 6% reduction on 2009 expenditure. A transition team has been set up to oversee the transfer of criminal legal aid to the Legal Aid Board.

The Department undertook a review of the Dublin Drug Treatment Court which was published in May 2010 and noted that participants have reduced rates of recidivism and improved health, education and social skills. However, it was also noted that participation and completion rates were very low. The review identified particular issues to be addressed in terms of management and operation of the court and made a number of recommendations including the establishment of a multi-agency Advisory Committee, which have since been implemented. The Committee will continue to monitor implementation and a further review will commence towards the end of 2011.

During the course of 2010, 23 new Rules of Court were introduced, including the Rules of the Superior Courts (Mediation and Conciliation) 2010. These rules provide that a judge can order the parties to engage in alternative dispute resolution with a view to minimising the cost of proceedings and ensuring that the time and other resources of the court are employed efficiently. Fifty two existing Rules were translated into Irish including the amalgamated Circuit Court Rules which was published on 8 February 2010.

In November 2010 the Government approved the drafting of the necessary legal provisions required to expand the range of adjudicative functions performed by County Registrars with a view to optimising existing resources and enhancing service delivery to court users.

A number of newly restored courthouses were opened during the year. In July 2010 the newly restored Kilmallock Courthouse in Co. Limerick was opened. The project, which cost €2.5 million, forms part of a new civil complex and won an award from the Royal Institute of Architects of Ireland for *Best Public Building*. In October 2010 Kilkenny Courthouse, dating originally from 1792, was officially reopened following extensive refurbishment and a major extension provided at a cost of €17 million.

Mr. Donal O'Donnell SC was appointed to the Supreme Court on 18 January 2010 along with Mr Justice Liam McKechnie on 5 July 2010. Mr. Gerard Hogan SC was appointed a Judge of the High Court on 14 October 2010. Two appointments were made to the Circuit Court and four appointments were made to the District Court.

The Department funded and participated in a collaborative project with the Law Reform Commission to consolidate and reform the existing legislative provisions, contained in pre-1922 and post-1922 statutes, on the jurisdiction of the courts. The Law Reform Commission published its report in November 2010 together with a comprehensive draft Courts (Consolidation and Reform) Bill.

PRISONS

In July, the Government approved the procurement of the first two prison blocks at the prison campus at Thornton. These two blocks will provide 400 high grade cells suitable to accommodate up to 700 prisoners. The campus will be developed on a phased construction basis ultimately providing 1,400 cells with a capacity for 2,200 prisoners. Phase 1 will see the delivery of the first 400 cells by 2014. (At the time of writing, the Minister established a committee to examine the need for a new prison accommodation and to advise by 1 July 2011 whether the work on the site at Thornton should proceed).

In addition to the significant capital investment in prisons in recent years, additional resources were provided for capital works in 2010. The newly refurbished Separation Unit opened in Mountjoy Prison in March and provides accommodation with in-cell sanitation for 50 prisoners. A new wing at Wheatfield Prison was opened in October and caters for up to 200 prisoners, thus bringing the overall capacity to 650 prisoners. Renovation works in Limerick's female prison were completed in September and have provided an additional 14 cells.

Work also began in December on a new 300-space block in the Midlands Prison complex and 70 additional spaces will be provided during 2011 in the Dóchas Centre.

PROBATION

The supervision of offenders in the community is the core business of the Probation Service which is enhanced through effective engagement with community stakeholders and partner agencies. Following through on an initiative commenced in 2009, the Probation Service continued to develop and roll out a framework of work and resource prioritisation in 2010.

The new €3.4 million Tivoli Centre which has been funded by the Department through the Probation Service was officially opened in July. Tivoli, established in 1984 and funded by the Probation Service with support from the VEC and FÁS, delivers an innovative range of programmes which assist the Probation Service in supervising and rehabilitating offenders in the community.

In 2010 the Government approved the drafting of new legislation aimed at encouraging greater use of Community Service Orders as an alternative to prison. The new Bill will amend the Criminal Justice (Community Service) Act 1983 whereby Courts will be required to consider imposing a community service order for minor offences where it would otherwise be appropriate to sentence the offender to imprisonment for a period of up to six months.

Following on from the Value for Money and Policy Review, the Probation Service developed a restructured model of service delivery and management for Community Service which was successfully piloted in the Dublin area and is being extended nationwide. The new model is structured to ensure increased efficiency and enhance value for money and provides direct benefits to communities. The Probation Service also extended the successful Graffiti Removal Community Service Project, piloted in the South County Dublin area, to Dun Laoghaire/Rathdown and the Cork/Munster region.

The inaugural Public Protection Advisory Group Seminar was hosted by the Probation Service in Dublin on 12 November. The seminar was held to showcase the wide ranging co-operation happening between the Probation Services North and South. The Seminar was attended by representatives from the Police, Prison and Probation Services and Government Departments in this State and Northern Ireland to consider ways of preventing offending and keeping communities safer. The event provided opportunities to share good practice and explore methods of increasing awareness of new initiatives.

YOUTH JUSTICE

The National Youth Justice Strategy 2008-2010 continued to be progressed at a national level in 2010 by the National Youth Justice Oversight Group. Significant progress has been made under each of the high level goals.

The second biennial Irish Youth Justice Service (IYJS) Conference took place on 25 February 2010 in Dublin Castle Conference Centre. The theme of the conference was "Young People and Crime - Where to Now?" which ties in with the expiration of the National Youth Justice Strategy in 2010. The IYJS also hosted the seventh "5 Nations Biennial Conference on Children, Young People and Crime" in Dublin on 5/6 June 2010. The Conference theme was "Prevention and Early Intervention". The Conference was supported by the Governments of the five jurisdictions in Ireland and the U.K.

In collaboration with the Garda Office for Children and Youth Affairs, new funding arrangements for projects were developed to allow IYJS to directly fund the community based organisations operating the projects nationwide. This reduces the administrative burden for Gardaí releasing them to concentrate on the performance of projects in crime prevention and crime reduction.

An initiative, working with five specially selected projects, which was designed to get the best crime reduction outcomes from existing resources, was rolled out during 2010. IYJS also developed an on-line forum to ensure that all projects can share tactics across the network of projects and access relevant research literature.

Finglas Child and Adolescent Centre (FCAC) closed on 31 March 2010 with the smooth transition of children, staff and services to the detention school facilities on the Oberstown campus. A number of staff availed of voluntary redundancy. In the three remaining children detention schools, the integration strategy for rationalisation of policies and services progressed with a number of services being centralised (payroll, laundry, household).

Planning for the future development of national detention facilities is well underway. The planning process was completed and detailed specifications are now being developed in order to tender for the construction phase of the project. Some advance works have recently commenced on site with a view to enabling the main works at a later date. Tendering for the construction of the facilities will be subject to Government approval and to the necessary funding being made available.

TRIBUNALS AND INQUIRIES

Dublin and Cloyne Commission of Investigation

On 15 December, the High Court set aside its direction of 15 October 2009 that certain specified passages in the Report of the Commission of Investigation into the Handling by Church and State Authorities of Allegations and Suspicions of Child Sexual Abuse Against Clerics of the Catholic Archdiocese of Dublin be not published until the Court otherwise directed. The passages were published on the Department's website www.justice.ie. Certain other passages in the Report have not yet been published, following a separate High Court direction (the Report had been published in 2009 with the exception of these passages).

The Commission of Investigation delivered its Report on the Handling of Allegations and Suspicions of Child Sexual Abuse by Clergy in the Catholic Diocese of Cloyne to the Minister in December. The Minister referred the Report to the Attorney General's Office, the DPP and the Garda Commissioner for advice to enable him to discharge his responsibilities under the Commissions of Investigation Act 2004 with regard to possible prejudice of any criminal proceedings that are pending or in progress.

The Smithwick Tribunal

This Tribunal was established by the Oireachtas to inquire into suggestions that members of An Garda Síochána or other employees of the State colluded in the fatal shootings of RUC Chief Superintendent Harry Breen and RUC Superintendent Robert Buchanan on 20 March 1989. The Tribunal continued its investigations during 2010. It has indicated its intention to commence public hearings in 2011.

The Morris Tribunal

In July, the Minister for Justice and Law Reform announced the establishment of an Advisory Committee on Garda Interviewing of Suspects following recommendations of the Morris Tribunal. The Committee will oversee policy on interviews in Garda custody on an ongoing basis, including recommending changes in law and practice. It will also keep under review the adequacy of the law, practice and procedure relating to the interviewing of suspects detained in Garda custody, taking into account evolving best international practice. The membership of the group during 2010 was as follows -

- The Honorable Mr Justice Esmond Smyth, Chairperson
- Mr Martin Callinan, Deputy Commissioner, An Garda Síochána
- Ms Ruth Fitzgerald, Office of the Attorney General
- Mr Patrick Gageby SC, Bar Council
- Ms Claire Loftus, Office of the Director of Public Prosecutions
- Mr John Lohan, Department of Justice and Law Reform
- Mr James MacGuill, Law Society of Ireland
- Mr Roger Sweetman SC, Irish Human Rights Commission

REVIEW OF GAMBLING REGULATION

In December, following the conclusion of a consultation exercise, the Government approved publication of *Options for Regulating Gambling*. This document explores a possible architecture for any future regulation of gambling. It takes as its starting point the Report of the Casino Committee, Regulating Gaming in Ireland which examined the case for regulating casino activities in the State, and developments at international level in best-practice gambling regulation. *Options for Regulating Gambling* is available for download on this Department's website at www.justice.ie.

CORONERS

Work is continuing with coroners to identify ways of improving the delivery of their service at local level in advance of the Coroners Bill being enacted. To this end, work began on the development of an interactive forum on www.coroners.ie. It is envisaged that, when the forum becomes active early in 2011, coroners will be able to share expertise, experience and knowledge with each other.

PROVISION OF IMMIGRATION AND RELATED SERVICES

The Department places major emphasis on the continued reform of our immigration law and operational systems. We focus particularly strongly on implementing a streamlined approach to accelerating the processing of all aspects of asylum applications and providing efficient reception and accommodation arrangements. We are also fully committed to ensuring, where possible, that the immigration system plays its part in contributing to the State's economic recovery.

POLICY DEVELOPMENTS

In September 2010 the Government published new guidelines for full time non-EEA students which largely came into force on 1 January 2011. The guidelines followed the recommendations of an interdepartmental committee on student immigration.

New immigration rules were also introduced for non-EEA doctors and for volunteers and religious workers.

LEGISLATION

The Immigration, Residence and Protection Bill 2010 was published in July 2010 and had reached Dáil Committee stage by the end of the year.

INTERNATIONAL

The Member States of the EU, in conjunction with the EU Commission, are continuing to review the implementation of the Directive 2004/38/EC on the right of EU citizens and their family members to move and reside freely in the EU. Ireland has highlighted the importance of ensuring that the Directive is not allowed to become a vehicle for abuse of the immigration system.

European Migration Network

The primary objective of the Network is to improve the range and quality of research concerning migration and asylum related matters at both the European and Member State level in order to support more coherent policy and decision making across the EU. In 2010 the Irish National Contact point (ESRI) published several research studies on topics including labour migration return, re-integration and international protection.

European Asylum Support Office

Ireland participated in the establishment of the European Asylum Support Office and the first meeting of the Management Board of the Office was held in November 2010. The Office has the functions of improving the implementation of the Common European Asylum System, strengthening practical cooperation among Member States on asylum and coordinating the provision of operational support to Member States subject to particular pressure on their asylum and reception systems.

GENERAL IMMIGRATION

General Permission to Remain in the State

The Department continued to deal with an increasing number of applications in the period. During 2010, 3,464 applications for General Permission to Remain in the State were received. A total of 1,494 applications were approved and 493 refused in 2010.

Family Reunification

INIS received a total of 608 applications for family reunification of refugees in 2010. The total number of decisions processed was 606 in 2010 of which 298 were approved.

EU TREATY RIGHTS

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

EU Treaty Rights Section received 2,539 applications for leave to remain in Ireland in 2010. During that period, 1,559 permissions were approved and 731 refused. A request for a review of a refusal decision was made in 385 cases. The top five applicant nationalities for EU Treaty Rights in 2010 were Pakistani at 17%, Nigerian at 13%, Brazilian at 9%, Indian at 6% and American (United States of America) at 4%.

NATURALISATION

Some 25,796 applications for a certificate of naturalisation were received in 2010. A total of 20,723 applications were processed during 2010 with 15,083 deemed to be invalid or ineligible.

Of the 5,669 eligible applications processed in 2010, 4,539 were approved and 1,101 were refused. 6,394 certificates of naturalisation were issued during the year.

VISAS

142,444 Irish visa applications were processed worldwide in 2010. Of this total, 64,504 applications were for re-entry visas. 64,493 re-entry visas were issued.

69,105 visas for initial entry were issued during the year, including 23,535 visas which were approved by Department of Foreign Affairs staff in Irish Missions abroad acting under delegated authority. 7,912 entry visa applications were refused.

ASYLUM APPLICATIONS

Some 1,939 asylum applications were received in the State in 2010 representing a 27.9% decrease on the corresponding figure of 2,689 in 2009.

The top five countries of origin for asylum seekers were:

- Nigeria 387 (20%)
- China 228 (11.8%)
- Pakistan 200 (10.3%)
- DR Congo 71 (3.7%)
- Afghanistan 69 (3.6%)

DIRECT PROVISION ACCOMMODATION

Through its reception function, the Reception and Integration Agency (RIA) was providing accommodation to 6,107 protection applicants at the end of 2010 – a decrease of 6% over the year. In 2010, expenditure in respect of RIA accommodation services amounted to €79.073 million, a decrease of 8.6% on the previous year.

A Value for Money (VFM) review of asylum seeker accommodation as operated by RIA was completed and a report laid before the Oireachtas in July. The full report is available on the RIA website www.ria.gov.ie. In line with the recommendations of the VFM report, and having regard to the reduction in demand for bed spaces generally, RIA has consolidated its accommodation portfolio over the year.

A total of 46 centres throughout the country were under contract to RIA at the end of 2010. During the year, RIA closed 5 accommodation centres, 2 self-catering centres and 1 reception centre. In addition, the contracted capacity of a number of centres was reduced. In total, over the 12 month period, RIA reduced overall capacity by 739 bed spaces, or 9.5 % of contracted capacity.

During 2010, 112 inspections of accommodation centres were carried out. In addition, 27 Inter-agency meetings and 93 information clinics were held. In addition, there is a clinic in Mosney every 4 weeks, and regular visits to Dublin centres.

EU ASSISTED RETURN SCHEME

During 2010, under a Government scheme, RIA made arrangements to assist 548 destitute nationals from certain EU states to return home voluntarily.

DEPORTATIONS AND REMOVALS

During 2010, 292 Deportation Orders were effected in respect of failed asylum seekers and illegal immigrants. A further 51 persons who were the subject of Deportation Orders removed themselves from the State on foot of those Orders.

142 non-EU nationals were transferred to other European States under the Dublin II Regulation.

461 failed asylum seekers and illegal immigrants who would otherwise have been removed from the State opted to be assisted to return voluntarily to their countries of origin.

When deportations, Dublin II Regulation transfers and voluntary returns are aggregated, a total of 946 persons were either assisted to return home voluntarily or were removed from the State in 2010.

24 persons were removed to other EU States in 2010 in accordance with the provisions of the European Communities (Free Movement of Persons) Regulations 2006 and 2008.

PERSONS GRANTED LEAVE TO REMAIN

188 persons were granted leave to remain following the consideration of their cases under Section 3 of the Immigration Act 1999 (as amended).

SUBSIDIARY PROTECTION

During 2010, decisions were made on 520 applications for Subsidiary Protection under the European Communities (Eligibility for Protection) Regulations 2006 with three applicants being granted Subsidiary Protection status while 517 applications were refused.

JUDICIAL REVIEWS

Despite the diminishing asylum applications, there are still a significant number of diverse legal challenges, including judicial reviews, being taken against the State in the immigration areas of the Irish Naturalisation and Immigration Service (INIS).

In the context of the Shared Services initiative to improve efficiency, the management of the legal challenges to the areas of visas, family reunification, EU treaty rights and repatriation within INIS were consolidated.

There were 250 cases on hand at the start of 2010. During the year a total of 374 new legal challenges were instituted bringing the total to 624 cases arising to be managed during 2010. At the end of the year, a total of 390 legal challenges were before the courts.

The volume and cost of legal challenges being taken continues to have significant resource implications (both from a staffing and financial perspective) for INIS and indeed for the State as a whole.

INFORMATION COMMUNICATIONS TECHNOLOGY INFRASTRUCTURE (ICT)

Work is at an advanced stage on the delivery of a number of major INIS ICT projects aimed, in particular, at improving customer service provision and protection of national security and border protection. Major projects underway in 2010 include:

A new case management system for INIS, with particular emphasis on the Immigration and Citizenship areas and with links to other systems such as those in the asylum areas is being developed which will substantially enhance customer service provision. The key modules in the system include:

- Case Management Systems
- Country of Origin and Library Information Systems
- File Tracking Systems.

A new electronic border control system, known as IBIS (Irish Border Information System) is being developed in conjunction with a number of other Departments. This system will facilitate the screening of passenger information collected by carriers against immigration, Garda, Customs and other watch-lists. In the event that a match occurs, the relevant agency would be alerted immediately, facilitating time to take appropriate measures to monitor, intercept, question, stop or arrest the individual concerned. A prototype system, which will inform a tendering process for the full scale system, is being developed using in-house resources.

In 2010, a six-month pilot test of capture of biometric data (electronic fingerprints) for visa applications was carried out in Nigeria. This pilot scheme proved effective in detecting and preventing fraudulent applications and consideration is now being given to the extension of the scheme to other locations.

BUSINESS TRANSFORMATION

The Irish Naturalisation and Immigration Service (INIS) developed and commenced a Business Transformation work programme at the end of 2010. This programme builds on the change management programme previously underway in INIS.

The aim of this Programme is to achieve efficiencies, cost savings, productivity improvement and improved service delivery across INIS and is in line with requirements under the Public Service Agreement 2010-2014 ('Croke Park Agreement'). Implementation of this programme will be a key priority for INIS in 2011.

PROMOTION OF A CARING, INTEGRATED AND EQUITABLE SOCIETY

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

*Responsibility for the areas of equality, disability, integration and human rights was transferred to the Department of Community, Equality and Gaeltacht Affairs on 1 June 2010. Following a decision of the new Government these functions were returned to the re-named Department of Justice and Equality with effect from 2 April 2011. For convenience of the reader, the information below covers the entire year 2010.

GENDER EQUALITY

A report on the progress made in implementing the National Women's Strategy during 2009 was presented to Government and published in 2010. Two Sub-Committees – *Women in Politics and Women in Decision-Making*- were established to examine the under-representation of women in these critical areas.

National Women's Strategy

The National Women's Strategy 2007-2016 (NWS) is the Irish Government's statement of priorities in relation to the advancement of women in Irish society and the achievement of gender equality in Ireland. The Strategy contains 20 key objectives and over 200 actions, aiming to:

- o Equalise socio-economic opportunity for women;
- o Ensure their well-being; and
- o Engage women as equal and active citizens.

While the NWS acknowledges the considerable progress made in relation to gender equality in Ireland, it also underlines the fact that women are under-represented across a range of areas, for example, in well-paid employment, as entrepreneurs and in decision-making roles. However, they are over-represented in lower-paid and part-time employment, as well as being at greater risk of living in poverty at all stages in their life cycle.

Implementation of the Strategy is overseen by the National Women's Strategy Monitoring Committee. The Monitoring Committee is representative of key Government Departments, relevant State Agencies and the Social Partners, including the National Women's Council of Ireland. The Monitoring Committee is chaired by the Minister of State with responsibility for Equality. An extensive three-year review of progress on the implementation of the Strategy took place during 2010 when the changing environment was considered with a view to amending the Strategy as necessary.

The National Women's Strategy Monitoring Committee established a Sub-Committee to examine the issues surrounding the low number of women in decision making positions in Ireland and to make recommendations as appropriate. The Sub-Committee will, *inter-alia*, examine the role of women in Ireland in public and private employment, in "Board positions" (both State Boards and Corporate Boards), in the diplomatic service and in the judiciary. The Sub-Committee, was chaired by the then Minister of State. An amount of the allocation for the Equality for Women Measure has been set aside for initiatives to support the findings of the Sub-Committee. However, it is likely that this will be allocated through targeted initiatives rather than an open call for project proposals. Also, with regard to decision-making within the political arena, the National Women's Strategy places the responsibility on the political parties to try and increase the number of women in politics. During 2010, meetings were held with the political parties and

chaired by the Minister of State to examine measures that could be agreed and adopted to increase the number of women in Irish politics.

Equality for Women Measure

The Equality for Women Measure (EWM) aims to promote equal opportunities for women in accordance with the National Women's Strategy. This programme focuses on addressing areas of inequality within the labour force, in enterprises and decision-making fora, and offers an opportunity to target women who are under-represented and experience discrimination across those areas. The EWM 2008-2013 receives European Social Funding support under the Human Capital Investment Operational Programme and Exchequer matching funds.

A new phase of the EWM was launched in May 2010. A total of 190 applications was received and appraised, with a total of 43 projects (to benefit approximately 1,900 women across Ireland) receiving funding of up to €50,000 each. Projects may have their funding renewed for one or more years depending on the achievement of agreed targets and a review of the programme. These projects are divided across three strands:

- Strand 1 - Access to Employment - this aims to provide women who are currently outside the labour market with the social skills and/or education and/or training to enable them to enter or return to the labour market;
- Strand 2 - Developing Female Entrepreneurship - aims to support the efforts of women who want to become entrepreneurs; and
- Strand 3 - Career Development in Employment - aims to support the provision of training and education to enable women who are in employment to advance their careers.

Addressing International Commitments on Gender Equality Issues

Gender Equality Division continued to contribute to Ireland's reports and briefing in relation to United Nations and Council of Europe conventions. During 2010 the Gender Equality Division continued to monitor all developments in relation to gender equality and related issues at the European Council, European Commission and European Parliament. The Division participated actively in 2010 in the work of the EU Advisory Committee on Gender Equality, contributed to the debate on gender issues at the Social Questions Working Group and represented Ireland on the Management Board of the European Gender Institute. It also reviewed and reported on issues relating to gender equality and women's economic engagement, which will impact upon the achievement of the goals of the Europe 2020 Strategy. The latter is designed to enhance EU growth potential and deliver high levels of employment, productivity and social cohesion.

DISABILITY EQUALITY

National Disability Strategy

Implementation of the National Disability Strategy (NDS) is the focus of disability policy. The NDS builds on existing policy and legislation; its key elements include the Disability Act 2005 ('the Act') and the Sectoral Plans of six Government Departments¹.

Ongoing progress is being made on the implementation of the NDS and this continues to be driven and monitored by the NDS Stakeholder Monitoring Group (NDSSMG), which comprises the:

- Senior Officials Group on Disability (SOGD), representing the 10 key Government Departments in terms of provision of services, facilities and funding;²
- Disability Stakeholder Group (DSG), representing the sector and its organisations;
- National Disability Authority, lead statutory agency for the sector;
- Social partners (SIPTU and IBEC).

¹ Health and Children; Social Protection; Enterprise, Trade and Innovation; Transport; Environment, Heritage and Local Government; and Communications, Energy and Natural Resources.

² the Sectoral Plan Departments plus Education and Skills, Finance, Taoiseach (Chair) and this Department (Secretariat).

The Department co-ordinates and administers the activities of the NDSSMG and produces the bi-annual reports of NDS progress being made, particularly in respect of the Sectoral Plans. In 2010, these reports were presented at meetings in March and October. A third meeting of the group was held in December.

The Renewed Programme for Government committed to ‘publishing a NDS Recession Implementation Plan’. To address this commitment, extensive consultation was undertaken with the SOGD and the DSG and development of a framework process is being advanced.

In accordance with a statutory requirement under Part 3 of the Act, reports of progress on the implementation of the Sectoral Plans, three years after their commencement, were completed, presented to the Government by the Department as a suite, and laid before the Houses of the Oireachtas on 5 February 2010.

Under another statutory requirement of the Act, a review of its operation was carried out for the Minister by the Department and completed in July 2010, i.e. five years after its commencement. The process included examination by Departments of the operation to date of the provisions of the Act, holding a consultation event for disability stakeholders on the operation of the Act on 13 April 2010 and examination of observations submitted from Departments, stakeholders and the National Disability Authority (a report on this examination was completed in July 2010 and is on the Department’s website).

The drafting by the NDA of a Code of Practice on the access provisions of the Act concerning Heritage sites, requested by the Minister for Disability and Mental Health, was significantly advanced in partnership with the Department in 2010 and is expected to be published in 2011.

Part 5 of the Act provides for a statutory target, currently set at 3%, for the recruitment and employment of people with disabilities in the public sector. The NDA Report on the compliance by the public service with the employment of people with disabilities in 2009 was completed in December 2010. The Report will be published in due course.

UN Convention

Ireland was in the first group of countries to sign, subject to ratification, the United Nations Convention on the Rights of Persons with Disabilities (UNCRPD) when it opened for signature on 30 March 2007. The ongoing implementation of the National Disability Strategy in many respects comprehends many of the provisions of the Convention. In addition, the Inter-Departmental Committee on the UNCRPD, under the chairmanship of the Department, has developed an ongoing work programme to address any other legislative or policy matters that need to be aligned with the Convention.

National Disability Authority

The NDA was funded by the Department to continue to fulfil its role as the independent State agency providing expert advice on disability policy and practice to the Minister and promoting universal design through its Centre for Excellence in Universal Design (CEUD).

Funding Provision/Awareness Raising

The Department continued to fund People with Disabilities in Ireland Ltd (PwDI) and the Vantastic Dial-a-Ride demonstration project on accessible transport for people with disabilities. To promote disability awareness raising, the Department part funded the Abara International Disability Film Festival. Due to the severe weather conditions in December 2010, the festival will now take place in 2011.

In 2010, the Department funded the completion of the Enhancing Disabilities Services Programme, which had been funded for a six-year period from 2005 and administered by Pobal. As a legacy of the programme a Guide was published in early 2011 which details the types of projects funded, the innovative methodologies utilised and the key learning emanating from individual projects. The Guide is available on www.pobal.ie.

EQUALITY IN EMPLOYMENT AND ACCESS TO GOODS AND SERVICES

During 2010 the Department continued to support the Equality Authority and the Equality Tribunal in their roles. Following several years of significant increases in the rate of new claims referred to the Tribunal, new referrals now appear to have levelled off at approximately 850-900 per year and arrears are being reduced. The most recent figures available indicate that the Tribunal, through its administrative efforts to ensure greater efficiency and rising productivity, increased the number of cases closed by 24% in 2010 over 2009, from 842 to 1,043 lead cases, resulting in a total of 1,745 lead cases remaining on hand at the end of the year. The target for 2011 is to achieve a further increase of at least 10% in closures of discrimination cases in the Equality Tribunal.

In May, the Minister of State for Equality, Integration and Human Rights opened the "Expanding Equality Protections in Goods and Services: Irish and EU Perspectives" Conference, launching a series of events during 2010 to mark the 10th anniversary of modern equality legislation in Ireland, organised by the Equality Authority in partnership with the Department and the Equality Tribunal. Other highlights included publication by the Equality Authority and the National Employment Rights Authority (NERA) of the Employment Rights Rule Book, incorporating guides for employees and employers to the equality and family leave legislation and on NERA's core functions.

Guidelines to analyse the impact on persons with disabilities of proposals submitted to Cabinet were prepared in 2010. These guidelines will be piloted in 2011 before being made available to all Government Departments.

Negotiations on a range of EU legislative proposals were undertaken in 2010. These included proposals with regard to maternity leave, parental leave and promoting equal treatment of persons irrespective of religion or belief, disability, age or sexual orientation other than in the field of employment and occupation. A scoping exercise was commissioned by the Department in 2010 to identify key issues and options to inform a formal review of the existing infrastructure and resources allocated to the State's equality, human rights and social inclusion functions. This exercise has now concluded and a report submitted for consideration of the incoming Minister.

INTEGRATION

The Office of the Minister for Integration continued to co-ordinate integration activities across the entire public service sector and to provide seed-funding in line with available finances. In 2010, the Office of the Minister for Integration paid grants of €1.2million to local authorities, €398,000 to sporting bodies and €787,000 to other national organisations for the purpose of promoting the integration of immigrants. In addition, the office is the responsible authority in Ireland for the European Refugee Fund and the European Fund for the Integration of Third-Country Nationals. Pursuant to an earlier call for applications made by Pobal, 23 projects under both Funds commenced and are ongoing.

Ministerial Council on Migrant Integration

A Ministerial Council was established in 2010 to advise the Minister of State for Integration on issues faced by migrants in Ireland. The Council consists of 74 members and four regional fora (i.e. Connacht/ Ulster, Dublin, Rest of Leinster and Munster). Advertisements seeking applications were placed in national and regional newspapers and just under 500 valid applications for appointment, from seventy six countries, were received. Members of the Council were selected by the then Minister of State for Integration and have been appointed for a period of five years. In making these appointments, the Minister took into account factors such as the need to have a balance between countries of origin, places of residence in Ireland and the desirability of having an appropriate gender balance. All appointments to the Council have now been finalised. The inaugural meetings of the regional fora took place in October/November 2010.

EU Developments

The then Minister of State for Equality, Integration and Human Rights attended the 4th Ministerial Conference on Integration which took place in Zaragossa in April 2010. The declaration approved at the conference was formally adopted by the EU Council in June 2010. Among other things, the Council has called on the Commission to develop a new European agenda on integration, including a co-ordination mechanism as proposed in the Stockholm Programme, and to launch a pilot project with a view to the evaluation of integration policies.

Resettlement.

The Resettlement Unit continued to provide support to the two receiving communities of Carlow and Monaghan (Monaghan Town and Carrickmacross) where two groups of refugees, originally from Burma and the Democratic Republic of the Congo respectively, had been resettled in June and November 2009.

During 2010, one family of three Burmese Karen refugees was admitted from Thailand and resettled in Killarney. Four families (16 persons) formerly from Iraq, with children whose medical needs could not be met except through resettlement, were resettled in the Greater Dublin area.

UNCERD

An Inter-departmental Committee was established to prepare for Ireland's forthcoming examination before the UN Committee on the Elimination of All Forms of Racial Discrimination (UNCERD) which was held in Geneva in February 2011.

HUMAN RIGHTS

During 2010 the Department continued to support the Irish Human Rights Commission in its role. Among the many activities undertaken by the Commission in 2010 was the launch of a Human Rights Guide for Civil and Public Servants. This Guide, developed by the Commission, will act as a reference point and a training tool for Civil and Public Servants. In addition to the Guide, additional information is provided on the Commission's website and training courses will be provided to Civil and Public Servants. All are free of charge.

The Department also commenced preparatory work in 2010 for Ireland's review under the Universal Periodic Review (UPR). In 2007, the United Nations Human Rights Council introduced this new procedure to monitor a State's human rights record. This process will look at the State's entire recent human rights record once every four years. Ireland's Review will take place in October 2011.

DIVERSITY AND TOLERANCE

Travellers

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

The Department continued to support the work of the National Traveller Monitoring and Advisory Committee (NTMAC) which was established in 2007, following on from a commitment in Towards 2016. The NTMAC presented its First Advisory Report to the Minister in April, 2010.

During 2010, the Department also supported a number of other positive communication measures including approaches to conflict resolution such as mediation and media communications.

PROMOTION OF A SECURE AND PEACEFUL SOCIETY

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

The devolution of policing and justice powers to the Northern Ireland Assembly took place on 12 April 2010. On 16 April the Minister for Justice and Law Reform and Northern Ireland Minister of Justice, Mr. David Ford MLA, met in Belfast. The meeting was also attended by Garda Commissioner Fachtna Murphy and PSNI Chief Constable Sir Matt Baggott and officials. The two police chiefs briefed the meeting on the security situation and ongoing cross-border co-operation across the range of policing activities.

The first formal Ministerial meeting under the Intergovernmental Agreement on Cooperation on Criminal Justice Matters was held in Carlingford on 9 July 2010. The Minister for Justice and Law Reform met Northern Ireland Justice Minister David Ford and discussed a range of issues of mutual interest, including cross border cooperation in relation to the management of sex offenders, forensic science services, youth justice, probation matters and support for victims of crime. The Ministers agreed a work programme setting out a series of key priorities for the following twelve months. A second Ministerial meeting was held in November in Dublin, at which the Ministers were updated on the progress in implementing the work programme.

In September the first trilateral meeting between the Minister for Justice and Law Reform and his counterparts in Northern Ireland and Scotland, Mr. David Ford MLA and Mr. Kenny MacAskill MSP, was held in Dundalk, Co Louth. The meeting focused on a number of issues of common interest including human trafficking, organised crime, forensic science, DNA databases, police training and approaches to reducing offending. The Ministers welcomed the co-operation taking place between the three jurisdictions and expressed their determination that this be continued and intensified.

The Independent International Commission on Decommissioning (IICD) completed the decommissioning of the arms of a number of paramilitary groups. The Commission's operational mandate ended with effect from 25 February 2010 and a final report will be delivered by it in 2011.

The Independent Monitoring Commission issued three Reports during 2010 -

- The 23rd Report was published in May. The Report made a further assessment of the level of paramilitary activity in respect of the period from 1 September 2009 to 28 February 2010. In addition to a number of violent attacks, the Report outlined a long list of other criminal activities undertaken by so-called dissident groups.
- The 24th Report of the IMC was published in September. The Report addressed the murder of Bobby Moffett in Belfast on 28 May 2010.
- The 25th Report of the IMC was published in November. The Report made a further assessment of the level of paramilitary activity in respect of the period 1 March to 31 August 2010. The Report detailed the violent and criminal activities of so-called dissident republican groups.

In publishing its 25th Report in November, the Irish and British Governments announced their intention to seek a final report from the Independent Monitoring Commission. Under the agreement establishing the IMC, the objective of the Commission was to carry out its functions with a view to promoting a peaceful society and stable inclusive devolved Government in Northern Ireland. The Governments accepted that the Commission had done everything possible to achieve this objective. A final report, reflecting the Commission's activities and experience over the last several years, will be delivered to the Governments in 2011.

The Independent Commission for the Location of Victims' Remains (ICLVR) recovered the remains of Charlie Armstrong, Gerard Evans and Peter Wilson in 2010. The Minister for Justice and Law Reform welcomed these successful operations and expressed his sympathy and that of the Government for the families of these victims of the conflict in Northern Ireland. Searches for other individuals who were murdered and secretly buried continued at a number of sites.

In October, the 8th Annual Cross Border Policing Seminar on Organised Crime took place in Belfast. The Seminar is jointly organised by this Department and Department of Justice (Northern Ireland). Seminar attendees included senior management of An Garda Síochána, the Police Service of Northern Ireland, Criminal Assets Bureau, Serious Organised Crime Agency, Revenue Commissioners (Customs) and Her Majesty's Revenue and Customs.

LAW REFORM

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

CRIMINAL LAW

Legislation Enacted

The Criminal Justice (Money Laundering and Terrorist Financing) Act 2010 came into effect on 15 July 2010. The Act transposes the requirements of the 3rd EU Money Laundering Directive and ensures compliance with certain recommendations of the Financial Action Task Force.

The Criminal Procedure Act 2010 was signed into law on 20 July and was commenced with effect from 1 September. The reforms introduced by the Act include providing that the family members of a victim of homicide may give victim impact evidence at the sentencing hearing of the offender and allowing acquittals to be re-opened on the basis of new and compelling evidence where the original trial was tainted or where the trial judge make an error in law. These re-trial procedures do not apply to acquittals dating from before the commencement of the Act. The re-opening of acquittals will only occur where exacting criteria have been met and judicial authorisation has been given.

The Prevention of Corruption (Amendment) Act 2010, came into operation in December 2010 and strengthens the legislation on corruption in both the public and private sectors. One of its key provisions is the protection it affords to "whistleblowers" who make reports in good faith in relation to suspected corruption offences.

The Fines Act 2010 was signed into law in May. This Act indexes all existing District Court maximum fines so that their monetary values are brought up to date, increases certain fines imposed by the higher courts and gives the courts power to take into account the capacity of a person to pay a fine. It also provides for the payments of fines by instalments and provides the courts with alternatives to imprisonment for default on payment of fines. The Act is being commenced on a phased basis.

The Criminal Law (Insanity) Act 2010 was enacted in December. The main purpose of this Act is to provide greater power to the Mental Health (Criminal Law) Review Board in relation to the conditional discharge of patients who are detained by order of a court in a designated centre (the Central Mental Hospital), having been found unfit to be tried or not guilty by reason of insanity. It provides for the enforceability of conditions specified by the Review Board where it orders the conditional discharge of a patient. The Act also improves the procedure for court referrals for examination in a designated centre of persons who may be unfit to be tried.

Legislation Published

The Criminal Justice (Forensic Evidence and DNA Database System) Bill 2010 was published in January. It completed Second Stage in Dáil Éireann on 4 March and is awaiting Committee Stage. A central element of the Bill is the establishment of a DNA database to assist in the detection of crime by providing An Garda Síochána with an enhanced intelligence capacity. The database will also be used to assist in tracing missing persons and identifying unknown human remains.

Most persons arrested and detained by the Gardaí in connection with the investigation of offences (for the most part offences carrying a penalty of 5 years imprisonment or more) will be liable to give a sample for entry on the database. The type of sample will be a mouth swab or a sample of plucked head hair. All those serving or subject to a sentence of imprisonment for a serious offence at the time of commencement as well as those on the Sex Offenders Register, whether in prison or not, will be required to provide samples for the database. Former offenders who meet certain criteria may also be required to provide a sample for the database. The Bill includes special arrangements for the taking of samples from children and persons who lack capacity due to, for example, mental illness. The Bill provides for independent oversight of the database.

The Criminal Justice (Public Order) Bill 2010 reforming the law on begging passed Committee Stage in the Dail on 24 November 2010. The Bill comes in the wake of a 2007 High Court's judgment that found the current law, dating from 1847, unconstitutional.

Two new offences of organised begging (section 5) and living off the proceeds of begging (section 6) were added at Committee Stage, while the level of fines in section 247 of the Children Act 2001 relating to child begging were also amended.

The Criminal Law (Defence and the Dwelling) Bill 2010 was published in July. This Bill deals with the issue of the use of justifiable force by an individual in the defence of the person and home in the context of a trespasser entering the home with criminal intent. The legislation which currently applies in relation to self defence generally is the Non Fatal Offences against the Person Act 1997. The new Bill will clarify criminal and civil law in relation to these particular circumstances.

CIVIL LAW

Legislation Enacted

The Civil Partnership and Certain Rights and Obligations of Cohabitants Act 2010 was enacted in July and the Commencement Order, bringing the legislation into effect on 1 January 2011, was signed on 23 December. The Act establishes a civil partnership registration scheme for same-sex couples, provides a range of rights, obligations and protections consequent on registration including maintenance obligations, protection of a shared home, pension rights and succession. An Order was also signed on 23 December, recognising certain categories of foreign registered relationship as entitled and obliged to receive the same treatment as civil partnerships registered under Irish law.

The Act also creates legal protections for “qualified cohabitants”. Where couples cohabit for five years or longer (reduced to two if they have a child), a financially dependent partner may apply for maintenance, or for a property or pension adjustment order at the end of the relationship. This applies equally to same-sex or opposite-sex couples. Formal recognition is also accorded to cohabitant agreements, regulating the financial affairs of a cohabiting couple.

The Multi-Unit Developments Bill 2009 completed its passage through the Dáil on 15 December 2010 (it was signed by the President on 24 January, 2011). This Act amends the law relating to the ownership and management of the common areas of multi-unit developments and provides for the fair, efficient and effective management of bodies responsible for the management of such common areas.

The Defamation Act 2009 (Press Council) Order 2010 (S.I. No 163/2010), made on 21 April 2010, declares the Press Council of Ireland as the “Press Council” for the purposes of the Defamation Act. The Order completed the final element outstanding from the passage of the Defamation Act 2009 which comprehensively reforms the law on defamation and replaces the previous legislation of 1961.

The Protection of Children (Hague Convention) Act 2000 Order (S.I. No 650/2010), made on 22 December 2010, commenced the Act on 1 January 2011. This Act gives the force of law to the 1996 Hague Convention on Jurisdiction, Applicable Law, Recognition, Enforcement and Co-operation in Respect of Parental Responsibility and Measures for the Protection of Children;

An Order under the Registration of Title Act 1964 (S.I. 516 of 2010) extending compulsory registration of ownership of land to the counties and cities of Cork and Dublin, with effect from 1 June 2011, was made on 2 November 2010. This means that compulsory first registration on the sale or assignment of a property will apply to all counties and cities in the country with effect from 1 June 2011.

Land and Conveyancing Law Reform Act 2009 (Section 100) Regulations 2010 (SI No. 653/2010), made on 30 December 2010, prescribe the form of notice to be used for the purposes of section 100 (Power of Sale) of the Land and Conveyancing Law Reform Act 2009.

Land and Conveyancing Law Reform Act 2009 (Section 103) Regulations 2010 (SI No. S.I. No 654/2010), made on 30 December 2010, prescribe the form of notice to be used for the purposes of section 103 (Obligations on Selling) of the Land and Conveyancing Law Reform Act 2009.

Land and Conveyancing Law Reform Act 2009 (Section 108) Regulations 2010 (SI No. 655/2010), made on 30 December 2010, prescribe the rate of commission that may be retained by a receiver, appointed under section 108 (Appointment of Receiver) of the Land and Conveyancing Law Reform Act 2009, out of any money received as remuneration and in satisfaction of all costs.

Legislation Published

The Immigration, Residence and Protection Bill was published on 29 June 2010 and was before the Dáil Select Committee on Justice, Defence and Women's Rights before the dissolution of the Dáil in January 2011. The Bill consolidates much of the existing immigration and refugee legislation dating from 1935 and codifies the current administrative immigration arrangements.

The Civil Law (Miscellaneous Provisions) Bill 2010 was published in August. The Bill provides for amendments to provisions across the range of civil and regulatory law including -

- the Civil Legal Aid Act 1995
- the civil liability of good samaritans and volunteers
- private security services
- codes of practice for sale of alcohol
- the Equality Acts
- the law on bankruptcy
- better enforcement of court orders in relation to maintenance and other matters.

OTHER MATTERS

The scheme of the Judicial Council Bill 2010 was published in August. This Bill provides a means of investigating allegations of judicial misconduct and provides options for dealing with misconduct where the nature of the misconduct warrants investigation and action but is not sufficiently serious to call for the removal of the Judge from office. It will establish a Judicial Council of all serving members of the judiciary which shall be independent in its functions and will promote -

- excellence in the exercise by judges of their judicial functions
- high standard of conduct among judges
- the efficient and effective use of judicial resources
- continued education among judges *and*
- respect for the independence of the judiciary.

Test Purchasing of Alcohol Guidelines were launched by the Minister on 21 September following commencement, with effect from 1 October 2010, of section 37C of the Intoxicating Liquor Act 1988 (as inserted by section 14 of the Intoxicating Liquor Act 2008) which permits test purchasing of alcohol products. The test purchasing scheme allows the Gardaí to send a person aged at least 15 but less than 18 years of age into licensed premises with a view to enforcing the law on the restrictions of the sale and supply of alcohol products to under-age persons. The Guidelines are available on www.justice.ie.

The Code of Practice on the Display and Sale of Alcohol in Mixed Trading Premises contains provisions requiring the separation of alcohol products from other products in supermarkets, convenience stores and other mixed trading outlets. The first Compliance Report on implementation of the Code of Practice was submitted by Mr Padraic White, Independent Chairperson of 'Responsible Retailing of Alcohol in Ireland' in September 2009. The Report contained details of an independent audit showing high levels of compliance with the Code across the mixed trading sector. Arising from these positive results, implementation of the statutory structural separation provisions in section 9 of the Intoxicating Liquor Act 2008 was deferred for the following year, i.e. October 2009 to September 2010. The first Compliance Report is available on www.justice.ie.

Property Services (Regulation) Bill 2009 - In March, a Work Group was established to look at the issue of information transparency in the area of commercial rent reviews. The Group focused particularly on the arbitration process and the adequacy of the information available to all parties in the context of commercial rent reviews. While the Group's recommendations are, in the main, a matter for adoption and implementation by the commercial rental sector, a significant recommendation for the establishment of a public database which would include relevant details of letting agreements and rent reviews is being implemented by way of amendment to the Property Services (Regulation) Bill 2009.

Amendments to the Property Services (Regulation) Bill 2009 are also intended to allocate the statutory function of publishing residential property sale prices and commercial lease data to the Property Services Regulatory Authority. The Bill was passed by in the Seanad on 3 June 2010 and completed Second Stage in the Dáil by 10 November 2010.

Criminal Legal Aid Scheme - On 1 April, new Regulations imposing a further cut of 8% in fees payable under the criminal legal aid scheme came into force. This cut equates to expenditure of approximately €4 million and follows previous cuts totalling 10.5% which applied to fees during the course of 2009. The Regulations apply to various fees payable to solicitors and counsel under the Criminal Legal Aid Scheme for appearances in the District Court, for appeals to the Circuit Court, in the fees payable in respect of essential visits to prisons and other custodial centres and for certain bail applications. The decrease will also apply to fees payable under the Ad-Hoc Garda Station and CAB Schemes, to payments to professionals engaged by the Defence as expert witnesses and to those providing translation/interpretation services. Fees payable to lawyers in the circuit and higher Courts also decreased from 1 April in line with the fees payable by the DPP to prosecution counsel. An 8% decrease will be applied to the fees payable in respect of appearances in proceedings under Section 6 of the Enforcement of Court Orders Act 1940 where a legal aid certificate has been granted by the court. Further reform is planned with legislation currently being drafted to strengthen means testing provisions and provide the basis for other initiatives in this area.

Criminal Justice (Community Service) Act 1983 - In November, the General Scheme of a new Bill to amend the Criminal Justice (Community Service) Act 1983, whereby Courts will be required to consider imposing a community service order for minor offences where it would otherwise be appropriate to sentence the offender to imprisonment for a period of up to six months, was published.

Criminal Procedure Bill - Also in December Government approval was granted (i) for the drafting of the Criminal Procedure Bill - this legislation will deal with white collar crime, improve certain procedural matters and strengthen important Garda investigative powers and (ii) for the preparation of a Scheme of a Criminal Justice (Corporate Manslaughter) Bill - this Bill will make corporate bodies criminally liable for deaths caused by gross negligence.

BUSINESS DELIVERY

The Department is committed to achieving its business objectives, driving improvements in service levels and output and managing internal administration as efficiently and positively as possible through the effective management of resources and the implementation of modernisation commitments in respect of Government strategies and initiatives.

BUSINESS DELIVERY OVERVIEW

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

Standing arrangements are in place to co-ordinate services in the Justice Sector and to seek to optimise cross-service co-operation. Arrangements were also put in place to oversee the development and implementation of action plans in the Department and Departmental Organisations under the Public Service (Croke Park) Agreement 2010-2014.

SUPPORTING THE PARLIAMENTARY PROCESS

In 2010 the Minister responded to 4,131 Parliamentary Questions.

BUSINESS PLANNING

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

RISK MANAGEMENT

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

POLICY PLANNING, RESEARCH AND DATA STRATEGY

The internal research unit of the Department is based in the Department's Organisation Development Unit. Its purpose is to promote research and analysis relevant to the strategic aims of the Department and to develop research capability. During the year, approved research projects received funding of €101,876.66 as follows:

- The Codification of Criminal Law Project - €85,385.84
- The Needs of Victims of Crime - €9,290.82.
- A contribution of €7,200 was made to the Association of Criminal Justice Research and Development (ACJRD) in relation to the data phase of a research project on offenders at St. Patrick's Institution.

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

CUSTOMER SERVICE

The present Customer Action Plan and Customer Charter cover the period 2009-2011. Both these documents were updated to reflect the reconfigured Department with effect from 1 June 2010. A new Customer Action Plan and Customer Charter will be prepared for the period 2012-2014.

DATA PROTECTION

The Report of the Data Protection Review Group was received by the Minister who broadly approved the recommendations and undertook to consider their implementation in the context of developments scheduled by the EU Commission in the area of Breach Notification.

INFORMATION TECHNOLOGY

IT Shared Services for approximately 1,800 customers in the core Department, associated agencies and the equality agencies of the Department of Community, Equality and Gaeltacht Affairs continued to be provided. Processes were in place to ensure that business application developments matched business requirements throughout the sector and that solutions were adapted and deployed as widely as possible both throughout the sector and, where appropriate, beyond.

FINANCIAL MANAGEMENT

Effective and efficient financial management is essential to the discharge of the Department's financial obligations. The transfer of budgets and assets of the Equality and Disability areas to the Department of Community, Equality and Gaeltacht Affairs took place during the year and the Value for Money Review Programme, on completing its review of Asylum Seeker Accommodation, commenced a review of the Legal Aid Board.

FINANCIAL SHARED SERVICES

The Department's Financial Shared Services (FSS) centre in Killarney provides financial services to the Department, An Garda Síochána, the Irish Prison Service, the Courts Service, the Property Registration Authority, the Department of Tourism, Culture and Sport, the National Library of Ireland, the National Museum of Ireland and the Department of the Taoiseach. Service delivery to each of these client organisations is governed by Service Level Agreements. The combined 2010 budgets amounted to approximately €2.8billion and the payment services included payroll, pensions, invoices, employee expenses, grants and criminal legal aid fees and expenses. A total of almost €1.25million pay and pension payments were made to 34,200 people in 2010, issuing on a weekly, fortnightly or monthly basis. In addition to this, 463,000 invoices, expenses and fees were paid in 2010.

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

PROCUREMENT STRATEGY

Substantial progress was made on implementing the Department's Procurement Strategy. A wide range of framework tenders were issued and there was close collaboration with the National Procurement Service and a range of other Departments and agencies with a view to achieving price and administrative savings.

PROMPT PAYMENT OF ACCOUNTS ACT 1997

In accordance with the Prompt Payment of Accounts Act 1997, the following information is provided in respect of the financial period ending 31 December 2010 –

(a) **Payment Practices**

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

(b) **Late Payments**

<i>Invoice Amount</i>	<i>No. of Invoices</i>	<i>Amount of Interest Paid</i>
Under €317	11	€79.49
Over €317	141	€3,030.83
Total	152	€3,110.32

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

- The overall percentage of late payments to total payments was 0.35%
- The total amount of interest paid with respect to late payments was €3,110.32

INTERNAL AUDIT

The Department of Justice and Law Reform is committed to the highest standards of Corporate Governance and established an Audit Committee in January 2004. The Committee comprises five members, four of whom are independent of the Department of Justice and Law Reform, and it has its own terms of reference and charter. The role of the Audit Committee includes advising the Secretary General on the adequacy and effectiveness of the systems and internal controls operating within the Department. An Audit Work Programme was approved by the Committee for 2010 and the majority of the planned work was completed. The audits carried out throughout the year provide assurance on the internal financial controls and make recommendations to strengthen systems and procedures. The Audit Committee met four times in 2010 and received a number of presentations from Senior Managers of the Department, the Prison Service and external Accounting Service providers. The presentations form an important contribution to the Committee's work and assist appropriate oversight of best practice throughout the Department.

FREEDOM OF INFORMATION

Every effort is made to maintain high quality decision making in responding to all Freedom of Information requests through the provision of ongoing training for appointed Deciding Officers and Appeals Officers of the Department.

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

A total of 598 requests were processed under the Freedom of Information Acts 1997 and 2003 of which 79% were for personal information from staff and clients of the Department and approximately 21% were from journalists, businesses and other groups.

ARCHIVES ADVISORY GROUP

During 2010 work continued on the examination of the Department's archive records relating to the years 1940 to 1943 with a view to releasing further records to the National Archives during 2011.

REGULATORY REFORM

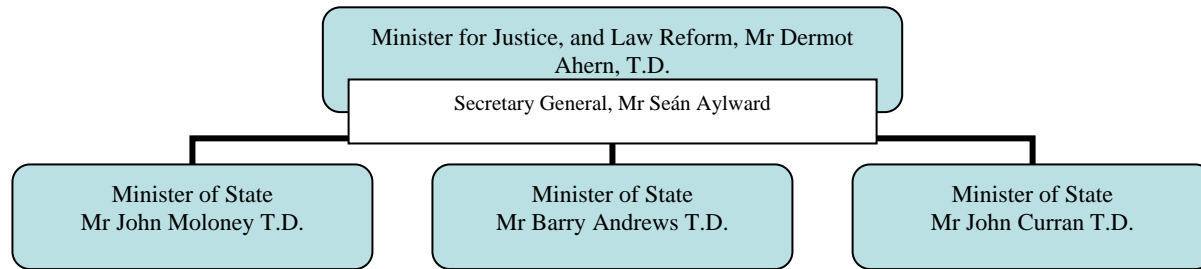
The Department is engaged in the ongoing process of review, modernisation and evaluation of effectiveness of law reform activity and participates in the interdepartmental Regulatory Impact Assessment (RIA) network. This network will promote and facilitate the use of Regulatory Impact Analysis within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

ENERGY SAVING MEASURES

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

APPENDICES

**Appendix 1-
Organisation Chart
2010**



Supporting An Garda Síochána and Tackling Crime	Developing Justice Services	Provision of Immigration and Related Services	<i>Promotion of a Caring Integrated and Equitable Society*</i>	Promotion of a Secure and Peaceful Society	Law Reform	Business Delivery
<ul style="list-style-type: none"> •Garda Division •Anti Money Laundering Compliance Unit •Crime 1 •Crime 2 (Drugs and Organised Crime) •Crime 4 (Firearms & Explosives) •Mutual Assistance & Extradition •Anti Human Trafficking Unit •International Policy Division •White Paper on Crime Unit 	<ul style="list-style-type: none"> •Prisons & Probation Policy •Courts Policy •Casino Gaming Control Section 	<ul style="list-style-type: none"> •Irish Naturalisation and Immigration Service <ul style="list-style-type: none"> ➤ Immigration ➤ Visa ➤ Citizenship ➤ Repatriation ➤ Asylum •Reception & Integration Agency 	<ul style="list-style-type: none"> •Diversity & Equality - Disability •Diversity & Equality - Law •Diversity & Equality - Travellers •Gender Equality 	<ul style="list-style-type: none"> •Crime 3 (Security & Northern Ireland) 	<ul style="list-style-type: none"> •Criminal Law Reform •Civil Law Reform 	<ul style="list-style-type: none"> •Corporate Services •Financial Shared Services Centre •Financial Management Unit •IT •Human Resources •Organisation Development Unit •Press & Communications •FOI •Internal Audit •Procurement Strategy Group •Coroners Service Implementation Unit
<ul style="list-style-type: none"> • An Garda Síochána Garda Síochána Complaints Board • Garda Inspectorate • Garda Síochána Ombudsman Commission • Cosc- the National Office for the Prevention of Domestic, Sexual and Gender-based Violence • Forensic Science Laboratory • Private Security Authority • State Pathology Service • Office for Internet Safety • Victims of Crime Office 	<ul style="list-style-type: none"> •Irish Prison Service •Courts Service •Probation Service •Irish Youth Justice Service •Parole Board •Mental Health (Criminal Law) Review Board •Legal Aid Board •National Property Services Regulatory Authority 	<ul style="list-style-type: none"> •Office of the Refugee Applications Commissioner •Refugee Appeals Tribunal •*Office of the Minister for Integration 	<ul style="list-style-type: none"> •National Disability Authority •Equality Tribunal •Equality Authority 		<ul style="list-style-type: none"> • Criminal Law Codification Advisory Committee 	<ul style="list-style-type: none"> •Irish Film Classification Office <ul style="list-style-type: none"> • Censorship of Publications Office • Office of the Data Protection Commissioner •Criminal Injuries Compensation Tribunal •Property Registration Authority

Justice Sector Group
Output Statement 2010

Introduction

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

At the beginning of 2010 the Justice Sector Vote Group was concerned with nine core areas of activity:

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

During the year, on 1 June 2010 functions relating to Equality, Integration, Disability and Human Rights covered under Programme 5, “The Promotion of a Tolerant and Equitable Society” transferred to the Department of Community, Equality and Gaeltacht Affairs. Full year achievements under that Programme will be reflected in that Departments Annual Report.

At the beginning of 2010 the output targets set for the Justice Sector were measurable and ambitious. We are pleased to report that overall these targets have been largely delivered. Where, in the minority of instances, full delivery has not yet been achieved significant progress has been made towards completion.

Justice Vote Group - Vote Summary 2010

Justice Vote Group	REV 2010 €million	Outturn 2010 €million	% Change On Budget
Net Voted Expenditure*	2,246.4	2,209.1	-2%
Appropriations in Aid*	211.3	250.7	19%
Gross Voted Expenditure*	2,457.7	2,459.8	0%
Non Voted			
Total Gross Expenditure	2,457.7	2,459.8	0%
<i>of which – Exchequer Pay</i>	1,395.4		
<i>No. of Public Service Employees</i>	24,586		

* As in Budget Estimates / Revised Estimates

Breakdown of Total Gross Expenditure by Programme

Justice	REV 2010 €million	Outturn 2010 €million	% Change On Budget
Programme 1	1,554.3	1,579.0	2%
Programme 2	354.4	337.4	-5%
Programme 3	225.4	231.8	3%
Programme 4	28.0	23.1	-17%
Programme 5	Transferred to the Department of Community, Equality and Gaeltacht Affairs (Vote 27) with effect from 1 June 2010.		
Programme 6	146.2	156.7	7%
Programme 7	52.4	46.2	-11%
Programme 8	56.8	48.1	-15%
Programme 9	40.3	37.0	-8%
Total Gross Expenditure	2,457.7	2,459.3	1%
Exchequer pay and pensions included in above gross total			
Number of associated Public Service employees and pensioners			

Programme 1 Justice Vote Group

Community Security, Law enforcement, Crime Prevention by support for An Garda Síochána*

Inputs			
Programme 1	Estimate 2010 €million	Outturn 2010 €million	% Change on Budget
Programme Expenditure			
Current	1,348.9	1,372.0	2%
Capital	30.0	36.8	23%
Administration and other support			
Pay	73.7	77.0	4%
- Non-Pay	101.7	93.2	-8%
Total Gross Programme Expenditure	1,554.3	1,579.0	2%
<p>Number of Staff employed on Programme (whole time equivalents) as at 31 December 2010, 17,758 of which:</p> <p>Civil Servants: 2,374.</p> <p>Other Public Servants: 15,384.</p>			
Outputs			
2010	2010		
Output Target	Output Achieved		
Resources targeted at organised crime including a review of the Proceeds of Crime legislation.	<p>Expert Group established to review the operation of the Proceeds of Crime legislation. The work of the Group commenced in 2010 and was at an advanced stage at the year end.</p> <p>Operation Anvil continues to result in increased activity against crime. At the end of 2010, there were increases of 26% in the number of arrests for murder, serious assaults, burglary, robbery offences and burglary; 22% in the number of searches for drugs and theft and in connection with offences under the Offences Against the State Acts; and 17% in the number of firearms seized and recovered. In 2010, the number of homicide offences decreased by 10%; of attempted murder by 14%; of controlled drug offences by 9%; of explosives offences by 13%; of discharging a firearm by 22%; and of dangerous driving causing serious bodily harm by 17%.</p>		
Roll out the outsourced provision and operation of safety cameras.	<p>Following a procurement process, a private sector consortium was contracted to provide and operate mobile safety cameras. Deployment of the cameras commenced on 15 November and is expected to be complete early in 2011, when the network will provide 6,000 hours of monitoring and 1,475 hours of surveying per month. Information on the locations where the cameras will be deployed are available on the Garda website www.garda.ie. The locations are those which have been identified as having a high incidence of speed related collisions.</p>		
Continue rollout of the National Digital Radio Service.	<p>All Divisions within the Dublin Metropolitan, Eastern, Southern, South Eastern and Western Regions are now fully operational. All rollout tasks scheduled for 2010, including training, programming of handsets and vehicle installations, were completed on time. Nationwide rollout is on schedule for completion with the</p>		

	Northern Region due to go live in March 2011.
The Garda Inspectorate will review and report in 2010 on "arrangements for Garda handling of complaints of sexual abuse against children."	<p>The Inspectorate's report on 'Resource Allocation' in the Garda Síochána was published in January, 2010.</p> <p>The Child Protection and Investigation of Child Sexual Abuse report was presented to the Minister in November, 2010.</p>
Ratification of the Council of Europe Convention on Action Against Trafficking in Human Beings. Ratification of the Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children. Implementation of aspects of the National Action Plan to Prevent and Combat the Trafficking of Human Beings in Ireland 2009-2012.	<p>Ireland ratified both the Protocol to Prevent, Suppress and Punish Trafficking in Persons especially Women and Children supplementing the UN Convention against Transnational Organised Crime and the Council of Europe Convention on Action against Trafficking in Human Beings. The former came into effect for Ireland on 17 July, 2010 and the instrument of ratification for the latter was lodged on 13 July, 2010 and the Convention came into effect for Ireland on 1 November, 2010.</p> <p>A very significant number of the issues set as a priority in the National Action Plan to Prevent and Combat the Trafficking of Human Beings in Ireland 2009-2012 for 2010 have been implemented.</p>
The Criminal Justice (Money Laundering and Terrorist Financing) Bill 2009 will establish a State Competent Authority, administered by the Department of Justice, Equality and Law Reform to implement new Money Laundering and Terrorist Financing controls for certain designated persons/businesses.	<p>The Criminal Justice (Money Laundering and Terrorist Financing Act) commenced on 15th July 2010.</p> <p>The Anti-Money Laundering Compliance Unit entered operational phase immediately following enactment.</p> <p>Public Notices placed and dedicated website launched.</p> <p>Trust or Company Service Provider Authorisations commenced on the 15th July 2010.</p> <p>Registration of persons directing private members gaming clubs at which gambling activities carried on commenced 15th July 2010.</p> <p>Compliance monitoring of designated persons commenced 3rd quarter 2010.</p>

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

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

Programme 2 Justice Vote Group

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

Inputs			
Programme 2	Estimate 2010 €million	Outturn 2010 €million	% Change on Budget
Programme Expenditure			
Current	313.2	309.8	-1%
Capital	30.1	16.5	-45%
Administration and other support			
- Pay	9.1	9.0	-1%
- Non-Pay	2.0	2.1	5%
Total Gross Programme Expenditure	354.4	337.4	-5%
Number of Staff employed on Programme (whole time equivalents) as at 31 December 2010: 3,649, of which: Civil Servants: 133 Other Public Servants 3,516			
Outputs			
2010 Output Target	2010 Output Achieved		
Thornton Hall Prison Development:- Appoint technical consultants for phase 1 works. Complete construction of access road. Appoint contractor for construction of perimeter wall. Appoint Technical Consultants for main prison project. Midlands Extension:- Finalise the design and procurement stages for the proposed new 150-cell extension to the Midlands Prison and commence construction phase. Opening of Separation Unit, Mountjoy Prison, additional accommodation in Dóchas Centre and Limerick Prison and new block in Wheatfield Prison. Progress plans for the new prison development at Kilworth, County Cork.	Thornton Hall Prison Development consultants appointed. Contractor appointed, Construction of the access road in progress. Scheduled for completion in February 2011. Midlands Extension: on schedule. Opening of Mountjoy Separation Unit: completed Additional accommodation in Dóchas Centre: May 2011. Redesigned to deliver 70 spaces with in-room sanitation. Additional female accommodation Limerick Prison: completed. Open new block in Wheatfield Prison – completed. Munster Region Prison (Kilworth):- project currently on hold.		
Further Implementation of Integrated Sentence Management Initiative (ISM) will be mainstreamed in all prisons during 2010. All new committals with a sentence greater than 12 months will take part in ISM.	As of November, ISM is in operation in ten prisons – Arbour Hill, Castlerea, Cork, Dóchas, Midlands, Mountjoy, Portlaoise, St. Patrick's, Training Unit and Wheatfield, for new committals serving sentences of one year and upwards. Approximately 850 prisoners have been engaged with ISM at some level and currently there are over 590 prisoners participating in ISM.		
A review of all posts and tasks within the Irish Prison Service will take place during 2010 with a view to improving efficiencies.	The review of all posts and task within prisons during 2010 was delayed pending the ratification of the Public Service Agreement 2010 – 2014, which did not occur until mid-year. However, following the ratification of that Agreement new prisoner accommodation was opened at Wheatfield Prison with new more efficient staffing levels.		

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

Prisons Service, Prisons Inspectorate, Parole Board

Programme 3 Justice Vote Group

Management of the Courts and supporting the Judiciary*

Inputs			
Programme 3	Estimate 2010 €million	Outturn 2010 €million	% Change on Budget
Programme Expenditure			
- Current	84.9	84.0	-1%
- Capital	41.5	42.8	3%
Administration and other support			
- Pay	26.7	26.2	-2%
- Non-Pay	72.4	78.8	9%
Total Gross Programme Expenditure	225.4	231.8	3%
<p>Number of Staff employed on Programme (whole time equivalents) as at 31 December 2010, 1,081, of which:</p> <ul style="list-style-type: none"> - Civil Servants 1,081. - Other Public Servants 0 			
Outputs			
2010	2010		
Output Target	Output Achieved		
<p>Introduction, with the approval of the Rules Committee and the Minister, of new orders on Alternative Dispute Resolution to the Superior Courts Rules Committee by the end of the first quarter 2010</p>	<p>Superior Court Rules (Arbitration) came into operation on the 17th August 2010</p> <p>Superior Court Rules (Mediation and Conciliation) were signed by the Minister on the 19th October 2010 and will come into operation on the 16th November 2010</p>		
<p>Expansion of Case Progression including review of the implementation to date of Family Law procedures</p>	<p>Circuit Court Rules (Case Progression) came into operation on the 1st January 2010.</p> <p>Review of Case Progression in Family Law procedures has commenced and will be completed during 2011</p> <p>Statistics in relation to family law case progression are currently being collected.</p>		
<p>Transforming Administration and Structures in the Courts (TASC)</p>	<p>The review was completed in December 2009 and a report with a range of recommendations was submitted to the Courts Service Board in February 2010. The Board approved the report for the purpose of consultation and consideration of any alternative proposals.</p> <p>The recommendations in the TASC report are very closely aligned with the Public Service Agreement and have informed the Courts Service Action Plan under the Agreement. Consultations and negotiations are underway</p>		

<p>The priority for the Legal Aid Board in 2010 is to introduce an IT based legal case management system, introduce and develop an "advice only" service to civil legal aid matters and prepare for the transfer of responsibility for criminal legal aid to the board</p>	<p>with stakeholders regarding the implementation of the Action Plan</p> <p>Legal Case Management System. A project group within the Board oversaw the development of the tender specifications setting out the Board's requirements and the subsequent procurement process for the selection of a software provider for the new system. The provider selected underwent a Software Performance Evaluation involving a series of practical tests of its capacity to deliver the Board's requirements, prior to the contract being formally awarded early in 2011. The Group also made considerable progress on the ongoing preparatory work required for a successful roll out of the new system.</p> <p>The target date for implementing the system in the Board is mid- 2012.</p> <p>"Advice Only Service" The advice only service was introduced on a pilot basis to assist the Board in delivering a timely service having regard to significant increases in demand for services. Its operation is being monitored on an ongoing basis and will be reviewed during 2011 to assess its impact and to determine if any changes to the manner in which it operates are required.</p> <p>Transfer of Responsibility for Criminal Legal Aid. The Board was actively engaged in preparatory work for the transfer, in liaison with the Department during 2010. A formal government decision on the transfer was taken towards the end of the year. The decision also included approval for the heads of a bill to update the legislative framework governing criminal legal aid. A "transition team" was subsequently established involving representatives from the Board, the Department and other bodies currently responsible for the various criminal legal aid schemes. The team is charged with overseeing the smooth transfer of responsibilities to the Board which is scheduled to take place in 2012.</p>
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***Offices/Agencies incorporated within this programme**

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

Programme 4 Justice Vote Group

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

Inputs			
Programme 4	Estimate 2010 €million	Outturn 2010 €million	% Change on Budget
Programme Expenditure			
- Current	22.8	17.8	-22%
- Capital	0.0	0.0	0%
Administration and other support			
- Pay	1.5	1.7	13%
- Non-Pay	3.7	3.6	-2%
Total Gross Programme Expenditure	28.0	23.1	-17%
<p>Number of Staff employed on Programme (whole time equivalents) as at 31 December 2010, 150, of which:</p> <ul style="list-style-type: none"> - Civil Servants 150 - Other Public Servants 0 			
Outputs			
2010 Output Target	2010 Output Achieved		
Enactment of the legislation to establish the Property Services Regulatory Authority on a statutory basis.	The Property Services (Regulation) Bill 2009 which provides for the establishment of the Property Services Regulatory Authority on a statutory basis is currently awaiting Committee stage in the Dail.		
Private Security Authority. The amended draft CCTV standard is at public consultation with the aim of commencing licensing in the first half of 2010.	The CCTV standard has been finalised and is ready for publication. Licensing was delayed due to consideration of a legal matter with regard to amendments required to the Private Security Services Act 2004.		
2010 will be a year of consolidation in an effort to further reduce the costs associated with the Irish Film Classification Office. Main targets will be (a) examination of an online classification system to run parallel with the existing DVD classifications (b) Incorporation of the PEGI Video Game rating classifications into our current legislation.	<p>As stated the main objective for the Irish film Classification Office 2010 was to minimise costs associated with the operation of the office. This target has been very successfully achieved and a final outturn with savings of at least 30% of original budget will have been achieved.</p> <p>The other two targets of examining online classification and incorporating PEGI video games classifications into our legislation are ongoing and will have to be examined in conjunction with an overall review of the efficacy of the Video Recordings Act 1989.</p>		
Publication in 2010 of a Government policy paper on gambling and the submission of draft heads of a	The consultation phase of the major review of gambling launched by the Minister last year has been completed. A		

Gambling Bill	<p>report incorporating a revised policy was submitted to the Minister.</p> <p>Subject to the will of the Government, arrangements will be made in the normal course to address the necessary legislative change. It is reasonable to expect that any new legislation that may arise, will be both complex and comprehensive.</p>
The FSS will implement any shared services projects assigned to it by Government under the Transforming Public Services Programme subject to the necessary resources being made available.	<p>No decisions have yet been made by Government on the future role of the Department's Financial Shared Services (FSS) centre in the context of shared services for the public sector</p>
Continued successful prosecution of SPAM offenders both in the premium rate text marketing sector and in the broader services sector	<p>To date in 2010 we have undertaken eleven successful prosecutions of SPAM offenders and other organisations failing to meet their obligations under the Data Protection Acts and related legislation.</p>

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

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

Programme 5 Justice Vote Group

The promotion of a tolerant and equitable society *

Inputs			
Programme 5	Estimate 2010 €million	Outturn 2010 €million	%Change on Budget
Programme Expenditure			
- Current			
- Capital			
Administration and other support			
- Pay			
- Non-Pay			
Total Gross Programme Expenditure			
Outputs*			
2010	2010		
Output Target	Output Achieved		

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

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

**Responsibility for this Programme transferred to the Department of
Community, Equality and Gaeltacht Affairs (Vote 27) with effect from 1 June
2010**

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

Inputs			
Programme 6	Estimate 2010 €million	Outturn 2010 €million	% Change on Budget
Programme Expenditure			
- Current	117.0	125.9	7%
- Capital	0.0	0.0	0%
Administration and other support			
- Pay	8.7	9.6	10%
- Non-Pay	20.1	21.2	5%
Total Gross Programme Expenditure	146.2	156.7	7%

Number of Staff employed on Programme (whole time equivalents) as at 31 December 2010, 767, of which:

- Civil Servants 767
- Other Public Servants 0

Outputs*	
2010	2010
Output Target	Output Achieved
Subject to the passage and enactment of the Immigration Residence and Protection Bill, the bringing into effect of the provisions of the Bill.	This Bill essentially retains the structures and objectives of the Immigration, Residence and Protection Bill 2008, which underwent extensive consideration in the Dáil. Given the large number of amendments for Report Stage, the Minister sought and received Government approval to publish the amendments by way of a new Bill. The new Bill was presented in June 2010 and had reached Committee Stage when the previous Government left Office.
Reception and Integration Agency will continue to ensure that full board and accommodation services are provided to those asylum seekers who require them.	This target has been achieved. All asylum seekers who sought accommodation from RIA in 2010 were so provided. At the end of 2010, RIA accommodated 6,107 persons in 46 accommodation centres across 19 counties at a (provisional) cost of €79.073 million.
Citizenship: We will finalise 6,000 applications in 2010 and will issue circa 5,000 certificates of naturalisation.	This target has been achieved, with circa 7,400 valid applications finalised and circa 6,700 certificates issued.

*Offices/Agencies incorporated within this programme

I.N.I.S., Asylum Seekers Task Force - Legal Aid, European Refugee Fund, Asylum Seekers Accommodation

Programme 7 Justice Vote Group

The provision of Probation Services *

Inputs			
Programme 7	Estimate 2010 €million	Outturn 2010 €million	% Change on Budget
Programme Expenditure			
- Current	40.2	33.8	-16%
- Capital	1.3	1.0	-20%
Administration and other support			
- Pay	5.4	5.6	4%
- Non-Pay	5.5	5.8	5%
Total Gross Programme Expenditure	52.4	46.2	-11%

Number of Staff employed on Programme (whole time equivalents) as at 31 December 2010, 497, of which:

- Civil Servants 105
- Other Public Servants 392

Outputs*

2010	2010
Output Target	Output Achieved
<p>We will develop and implement a work plan based on the recommendations of the Value for Money and Policy Review findings on the Community Service scheme, in conjunction with the Department of Justice Equality and Law Reform.</p>	<ul style="list-style-type: none"> • A new model of Community Service has been developed and implemented on a pilot basis between January 2010 and September 2010 in the Dublin area. The pilot has been successful in refining processes and informing the operation of the new model for national application during 2011. • Court referrals for Community Service and new Orders made to date in the Dublin area indicate that close to the target of 900 Orders will be achieved at the end of 2010. By September 2010 there had been an increase of 33% in Orders in the Dublin area in the year to date.
<p>We will develop systems for ongoing monitoring of Community Based Organisations in receipt of funding through the Probation Service to assess delivery of outputs in accordance with funding agreements, promote good governance and added value to the work of the Service.</p>	<p>A system of monitoring and review is in place for Community Based Organisations(CBOs) in receipt of funding through the Probation Service. This includes reviewing the achievement of objectives and targets agreed in their funding agreement in conjunction with the boards of management, on site inspection, external evaluation and audit. Support is provided to CBOs by the Community Programmes unit of the Probation Service.</p>

*Offices/Agencies incorporated within this programme

Probation Service

Programme 8 Justice Vote Group

The Provision of Coherent, Effective Youth Justice Service *

Inputs			
Programme 8	Estimate 2010 €million	Outturn 2010 €million	% Change on Budget
Programme Expenditure			
- Current	38.9	36.7	-6%
- Capital	8.2	3.3	-60%
Administration and other support			
- Pay	4.2	4.1	-2%
- Non-Pay	5.5	4.0	-27%
Total Gross Programme Expenditure	56.8	48.1	-15%
<p>Number of Staff employed on Programme (whole time equivalents) as at 31 December 2010, 366, of which:</p> <ul style="list-style-type: none"> - Civil Servants 42 - Other Public Servants 324 			
Outputs*			
2010	2010		
Output Target	Output Achieved		
<p>Delivery of a more effective youth justice system entailing a range of responses appropriate to the needs of children in trouble with the law and the community in general, with the emphasis on the development of improved detention school services in 2010.</p>	<p>The vast majority of the actions contained in the National Youth Justice Strategy have now been completed. Significant progress has been made in key areas but particularly in developing the capacity and operation of Garda Youth Diversion Projects and the integration of the children detention schools. The net effect of this has been to develop a more co-ordinated strategic approach, make better use of existing resources has led to improved outcomes in the youth justice sector. Improved service development for the children detention schools continues which will lead to a fully integrated service on the campus in Oberstown. The preparation of a successive National Youth Justice Strategy will continue into 2011.</p>		
<p>More effective responses to youth offending. Garda resources will be freed up to work more intensively with GYDPs on project outcomes when a streamlined funding mechanism between IYJS and service providers is put in place.</p>	<p>The mechanisms required to change financial management of projects from Garda run accounts in garda stations to community based organisations run accounts have been developed during 2010 through a consultative process with the major stakeholders. The new funding arrangements will come in to effect on 1st January 2011 and will remove An Garda Síochána from the financial administration burden to work more intensively with GYDPs on project outcomes.</p> <p>The Annual Planning format for projects aimed at enabling more effective responses to youth offending has been further developed in 2010. Projects are now obliged to demonstrate how their service will reduce crime locally and has been assisted by facilitating exchange of youth crime data between local garda management and youth services to enable projects to better identify their target audience. The reporting mechanism structured to measures performance against the Annual Plan has also been put in place for 2010. This process of providing more effective responses to youth offending has also been supported by a national programme of training provided to all staff in the projects in 2010 through IYJS.</p>		

	<p><i>GYDP Trial sites</i> Work continued in 2010 with the five Garda Projects taking part in a 'boot camp' type trial to improve their performance in reducing youth crime. The trial is supported by significant resources from the Analysis Service within An Garda Síochána and directly mentored by IYJS and GOCYA. The new models of practice for these projects are nearing completion for dissemination to all GYDPs in early 2011.</p> <p><i>Youth Justice Forum</i> A YJ forum was launched in July 2010. It is a closed on-line forum for staff of projects and Gardaí involved in garda youth diversion projects and with specific objectives a) to tap into organisational wisdom across the GYDP network by facilitating local projects to collaborate by solving local crime problems in on-line discussion and b) improving the research knowledge base across GYDPs by providing access to on-line criminological publications and leading discussions regarding the applicability of international research to local practice.</p>
<p>Ongoing consultation process with range of stakeholders including working groups and planning authorities. Tender process and award of construction contract will be subject to Government approval and the necessary finance being made available.</p>	<p>Sketch designs completed and Part 9 planning application approved. Site investigations undertaken and enabling works to commence on site in December 2010. Consultants appointed, following tender process, to continue to develop detailed specifications to enable the procurement of construction firm. A number of user groups established to ensure ongoing stakeholder input into the process. Refurbishment of Trinity House School (which will form part of new development) completed. Gas pipeline laid for connection to national grid and integrated IT network for campus completed.</p>

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

Youth Justice Service

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

Inputs			
Programme 9	Estimate 2010 €million	Outturn 2010 €million	% Change on Budget
Programme Expenditure			
- Current	33.4	30.2	-10%
- Capital	2.4	2.4	0%
Administration and other support			
- Pay	3.4	3.4	-0%
- Non-Pay	1.1	1.0	-9%
Total Gross Programme Expenditure	40.3	37.0	-8%

Number of Staff employed on Programme (whole time equivalents) as at 31 December 2010, 695, of which:

- Civil Servants 695
- Other Public Servants 0

Outputs	
2010 Output Target	2010 Output Achieved
Completion of a further 180,000 Legal Transactions . The core business of the Land Registry involves examining legal applications for registration with related documents and maps, interpreting the legal effect of such documents and recording their legal impact on the registers and maps.	It is expected that the stated target of 180,000 transactions will be somewhat exceeded. The total number of cases on hand was reduced from 178,000 to 130,000 during 2010.
The remaining 4 counties to be digitised in 2010, thus completing the Digital Mapping project. This project is critical to the provision of an electronic registration framework. On the completion of Digital Mapping, all of the Land Registry folios, maps and indices will be fully computerized on the electronic register and available over the Internet on the landdirect.ie service.	Complete and available to professional users and subscribers
Provision of an on-line facility for the registration of charges under the 'Fair Deal' Nursing Home scheme. This project will be another key milestone in the electronic registration programme and will also pave the way for the development of electronic registration of charges for financial institutions.	Complete. The number of registered owners who have benefited is 444. This innovation has delivered an outcome of value to elderly citizens and their families and has been achieved through shared governance and collaborative working with the HSE.

* Offices/Agencies incorporated within this programme

Property Registration Authority

Appendix 3

LEGISLATION ENACTED 2010

Criminal Justice (Money Laundering & Terrorist Financing) Act 2010 (No. 6 of 2010)

Fines Act 2010 (No. 8 of 2010)

Criminal Justice (Psychoactive Substances) Act 2010 (No. 22 of 2010)

Civil Partnership and Certain Rights and Obligations of Cohabitants Act 2010 (No. 24 of 2010)

Criminal Procedure Act 2010 (No. 27 of 2010)

Prevention of Corruption (Amendment) Act 2010 (No. 33 of 2010)

Criminal Law (Insanity) Act 2010 (No. 40 of 2010)

LEGISLATION PUBLISHED 2010

Criminal Justice (Forensic Evidence and DNA Database System) Bill 2010

Criminal Justice (Public Order) Bill 2010

Criminal Law (Defence and the Dwelling) Bill 2010

Immigration, Residence and Protection Bill 2010

Civil Law (Miscellaneous Provisions) Bill 2010

Appendix 4

ASYLUM / IMMIGRATION TABLES

Table 1 - Number of Deportation Orders made

Deportation Orders made 2006 – 2010	
2006	1,573
2007	418
2008	757
2009	1,077
2010	1,034

Table 2 - Number of Deportation Orders effected

Deportation Orders effected 2006 - 2010	
2006	301
2007	139
2008	161
2009	291
2010	*343

** includes 51 persons who removed themselves from the State on foot of a Deportation Order*

Table 3 – Dublin II Regulation Transfer Orders effected

Transfer Orders effected 2006 - 2010	
2006	294
2007	225
2008	271
2009	243
2010	142

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

Leave to Remain Granted under Section 3 of the Immigration Act 1999 (as amended) 2006 - 2010	
2006	215
2007	731
2008	1052
2009	457
2010	188

Table 5 - Applications for Subsidiary Protection

Subsidiary Protection Applications and Decisions 2006 - 2010			
Year	Applications Received	Applications Granted	Applications Refused
2006 #	185	0	0
2007	1340	2	97
2008	1498	7	472
2009	2,089	24	653
2010	1466	3	517

Subsidiary Protection Regulations came into force on 10 October, 2006

Table 6 - Voluntary Returns

Voluntary Returns 2006 - 2010			
Year	Facilitated through the Department of Justice and Law Reform	Arranged through IOM¹	Total
2006	63	175	238
2007	162	255	417
2008	75	454	529
2009	134	405	539
2010	85	376	461

¹ International Organisation for Migration

Table 7 - Removal Orders made and effected under the European Communities (Free Movement of Persons) Regulations 2006 and 2008

Removal Orders Made and Effected 2006 - 2010		
Year	Removal Orders Made	Removal Orders Effected
2006	0	0
2007	11	5
2008	140	40
2009	264	29
2010	77	24

