

DEPARTMENT OF JUSTICE  
AND EQUALITY

*Working for a Safe and Fair Ireland*



ANNUAL REPORT 2015

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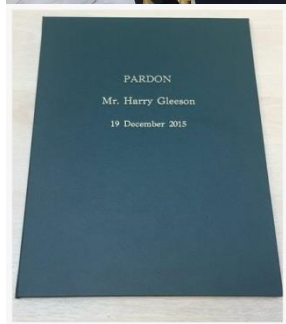
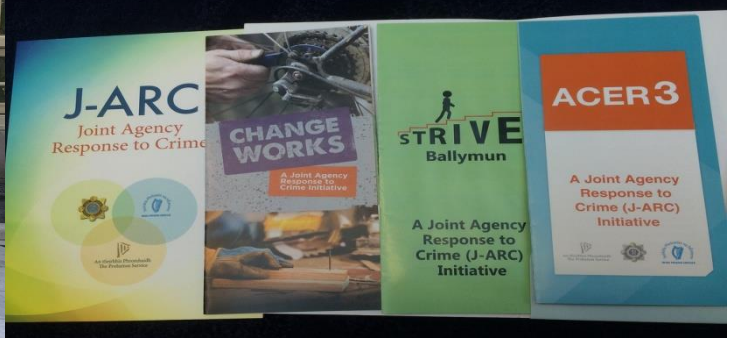
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## FOREWORD BY THE TÁNAISTE



**Frances Fitzgerald TD**  
**Tánaiste and Minister for**  
**Justice and Equality**

I am pleased to present the 2015 Annual Report for the Department of Justice and Equality. The Annual Report sets out progress achieved by my Department on the goals and objectives set in the Department's Strategy Statement 2015-2017. 2015 has been a very challenging and busy year. I am pleased to say that significant and important reforms and initiatives were progressed right across the Department of Justice and Equality and the sector during the year. We have delivered real changes and improvements to people's safety and security, to their access to justice, to rights and equality and to the services we provide. At E.U. level, it was also a busy year with the issues of migration and terrorism to the fore at Justice and Home Affairs Councils.

Personal highlights include the most extensive overhaul and modernisation of Irish family law in the areas of parentage, custody and guardianship and the amendment of the Constitution to provide for access to marriage for same sex couples. Other key achievements include the initiatives I introduced to deal with burglary including the targeting of prolific offenders, the launch of a long awaited state-of-the-art DNA Database System, and the increased focus on inter-agency co-operation across the sector and the significant reforms in policing oversight. I am also particularly proud of the developments in relation to the British-Irish visa scheme, the unprecedented volume of legislation progressed by my Department during the year and the enhancements made to the efficiency of the administration of justice including the decision to establish a second Special Criminal Court. In addition to these, a significant Programme for Change continued to be implemented within the Department during the course of 2015.

A handwritten signature in blue ink that reads "Frances Fitzgerald". The signature is written in a cursive, flowing style.

**Frances Fitzgerald T.D.**  
**Tánaiste and Minister for Justice and Equality**  
**July 2016**

## INTRODUCTION BY THE SECRETARY GENERAL



**Secretary General  
Noel Waters**

This Annual Report provides an overview of progress made during 2015 and our achievements over the course of the year across the broad range of functions that the Department of Justice and Equality is responsible for.

A significant body of criminal and civil law legislation was progressed during the year, including legislation to establish the Policing Authority and to enhance the powers of the Garda Síochána Ombudsman Commission and the Garda Inspectorate. Following the Marriage Equality Referendum in May 2015, legislation giving effect to the decision of the Irish people was drafted and the Marriage Act was signed into law in October 2015. The Court of Appeal became fully operational in 2015, taking on a significant body of cases pending before the Supreme Court. Clearly the Department's law reform programme is a major focus of our work; there are many other aspects of our activities which are important - whether at a policy and support level or in the direct delivery of services to members of the community. Our work in one way or another touches the lives of large sections of people who live in or come to our country.

The Department has continued to implement its comprehensive Programme for Change covering organisational culture, leadership, management and governance and significant achievements have been made in these areas. Good progress was also made in 2015 in improving services and outcomes through cross-organisational collaboration and cross-cutting projects.

Resources remain constrained and our aim has been to ensure that the resources we have are utilized to the best effect to deliver maximum value and optimised service provision to meet the needs of our customers and stakeholders. I want to take this opportunity to thank the staff of the Department and its agencies for their dedicated commitment to achieving our objectives in 2015.

A handwritten signature in dark ink that reads "Noel Waters". The signature is written in a cursive, slightly slanted style.

**Noel Waters  
Secretary General  
July 2016**

# 1 - STRATEGIC CONTEXT AND OVERVIEW

## OUR MISSION

*To maintain community and national security, promote justice and equity, and safeguard human rights and fundamental freedoms consistent with the common good*

The Strategy Statement 2015-2017 was developed in the context of the Department's Vision, Mission Statement and Values. It includes as one of its objectives a Programme for Change developed following the 2014 Independent Review of the Department's work and takes on board the recommendations in the Review.

The Strategy Statement contains strategic actions that will be taken over the lifetime of the strategy, grouped under six high level objectives:

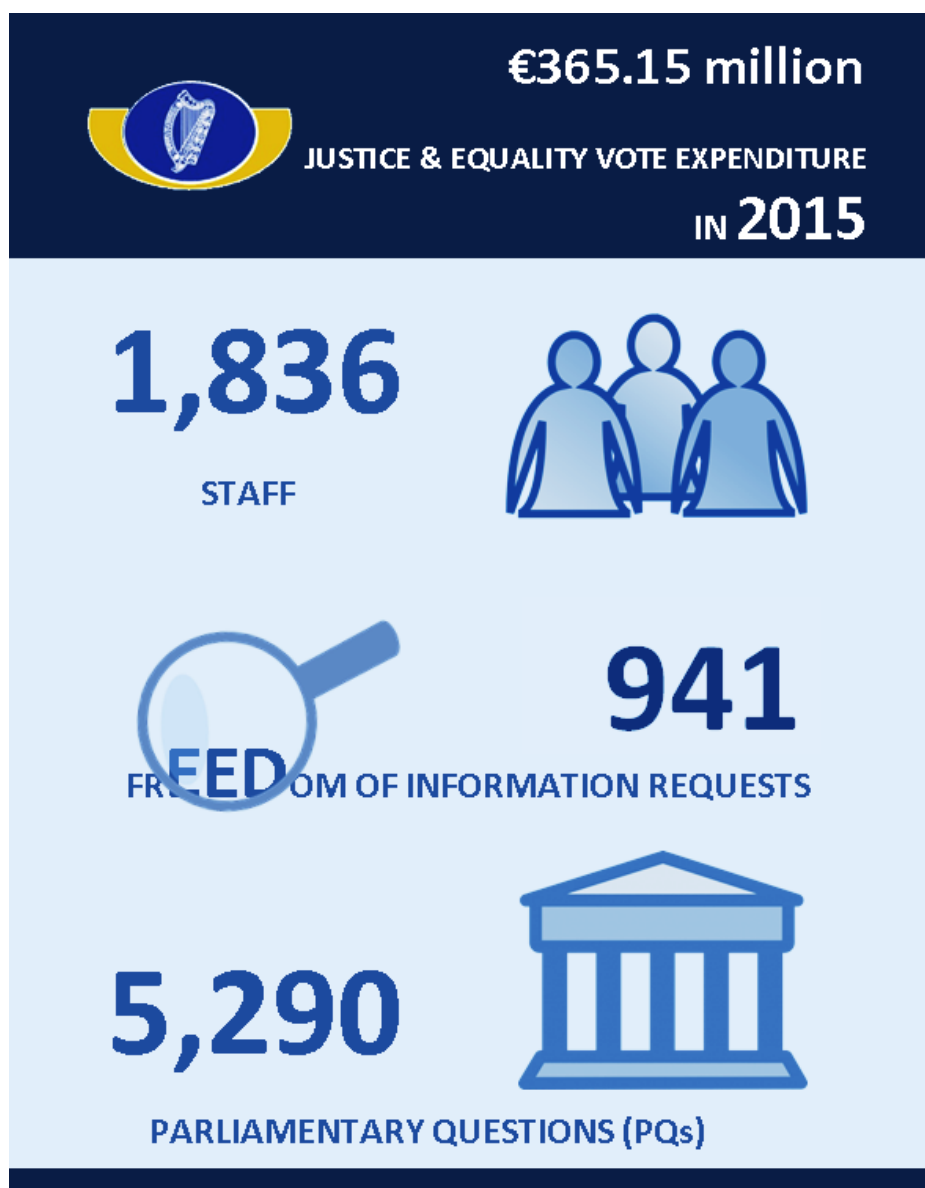


For 2015 an annual Strategic Business Plan was developed to draw together the major priorities and objectives to be delivered in 2015 across the Department. This was a new initiative to strengthen strategic and business planning and to give clarity around what the critical priorities are for the Department this year. The development

and implementation of the plan followed on from the recommendations in the Toland Report for clear identification of priorities, responsibilities and implementation milestones. It set out, at overall Departmental level, the key priorities and objectives for delivery, based on the commitments contained in the Department's three year Strategy Statement.

This annual report reports on progress on each of these programmes.

#### OVERVIEW OF THE DEPARTMENT IN NUMBERS:





## 2 - 2015 IN REVIEW

### Crime & Law Enforcement

#### Burglary/Prolific Offenders

Burglary is a persistent and highly damaging crime and the Government is committed to tackling it on a number of fronts including through management of prolific offenders, visible policing, crime prevention support for communities and legislative changes.

**Operation Thor** is a new multi-strand national Garda operation which involves a broad range of activities to tackle burglars, organised crime gangs and prolific offenders as well as working with communities to prevent crime. Significant additional resources – manpower, equipment and vehicles - have been made available by the Government to support this initiative.



**Operation Thor**  
New Anti-Crime and Burglary response by An Garda Síochána

- Operation Thor delivers on increased Government investment in policing
- New operation will tackle crime, particularly burglaries in both urban and rural communities nationwide
- Additional funding in excess of €5m provided to support Operation Thor
- Operation Thor and increased investment in An Garda Síochána to be supported by new laws to introduce tougher sentences and stricter bail for repeat offenders

Following an urgent review of the overall approach, the **Criminal Justice (Burglary of Dwellings) Bill** was published in September and was passed by both Houses of the Oireachtas in December. This legislation targets repeat burglary offenders through bail measures and provisions concerning the imposition of consecutive sentencing for repeat burglary offending. The new legislation will underpin the concerted drive which is now being made by An Garda Síochána against those involved in burglary and other property crimes which is coordinated under Operation Thor.



**Minister Frances Fitzgerald TD at the launch of JARC**

In November, the **Joint Agency Response to Crime (J-ARC)** was launched. This is a multi-agency approach between An Garda Síochána, the Probation Service and the Irish Prison Service to the management of crime, prioritising individual prolific offenders and developing specific initiatives to address their recidivist behaviour and reduce crime, thereby increasing community safety.

## **DNA Database**

In November, the long awaited DNA legislation was commenced and a new state-of-the-art DNA Database System became operational on 20 November. The database is based in Forensic Science Ireland and is an historic step in criminal investigation in Ireland. This high quality intelligence tool will be invaluable in the fight against 'volume crime', such as burglary and theft, and also in the investigation of serious offences against the person. The database will also assist in finding and identifying missing or unknown persons.

## **Terrorism**

The threat from international terrorism continues to be an evolving challenge as evidenced by the attacks in Paris. During 2015, the wide range of legislation already in place to deal with terrorism was supplemented by the introduction of laws to deal with specific features of international terrorism. The Criminal Justice (Terrorist Offences) (Amendment) Act created new offences of public provocation to commit terrorist offences, recruitment for terrorism and training for terrorism. In addition, the Criminal Justice (Mutual Assistance) (Amendment) Bill passed all stages in Dáil & Seanad in November and allows for Ireland to give assistance to other Member States in the form of Special Intervention Units to assist another state to deal with terrorist crises and also provides for the strengthening of the role of the EU's Eurojust agency in exchanging intelligence on criminal matters.

## **Border security and law enforcement**

The Minister also secured additional capital funding of €4 million for 2016 to allow Ireland to begin the development of the Schengen Information System (SIS II), a centralised secure database used by European countries for maintaining information (alerts) related to border security and law enforcement.

## **Criminal Law (Sexual Offences) Bill 2015**

In September, the Criminal Law (Sexual Offences) Bill 2015 was published. This important new Bill provides for wide ranging reform of our laws, including stronger sanctions, aimed at protecting children from sexual exploitation; child abuse material and online grooming.

## **Central Authorities for International Child Abduction and Maintenance Recovery from Abroad**

In November, the Minister released the 2014 annual figures on applications dealt with in her Department by the Central Authority for International Child Abduction. The applications dealt with by the Authority relate primarily to child abduction but also include applications for access

and the placement of children in care across jurisdictions. In 2014, the Central Authority dealt with a combined total of 342 applications, of which 184 were new applications.

## National Missing Persons Day



**Commemorative Roses in Farmleigh House for National Missing Persons day**

Ireland's national Missing Persons Day took place on 2 December 2015 and was marked with a commemorative ceremony at Farmleigh House, Dublin, hosted by the Minister and the Garda Commissioner. The Missing Persons Day ceremony was first held in 2013 and has since been developed into an annual campaign in partnership with community and nationwide organisations working in this area. The 2015 ceremony was attended by the families and friends of missing persons, as well as by many of

the organisations working on their behalf. Missing Persons Day complements the existing International Missing Children's Day and has a number of objectives. It commemorates those who have gone missing and recognises the ongoing suffering for their families and friends. It also serves to raise public awareness of open or unsolved missing persons cases, and provides a platform to highlight the support services available to people who have lost a loved one.

## Policing

### Reforms

Completing the delivery of the comprehensive Reform Programme aimed at enhancing the administration and oversight of policing was one of the key priorities in 2015. Significant reform was progressed including legislation to establish the new Policing Authority. This independent body's remit includes overseeing the performance of An Garda Síochána in relation to policing services in Ireland from 1 January 2016. It will provide oversight of all aspects of the delivery of policing services by An Garda Síochána, including in relation to strategy, resources, organisation, administration, personnel and finance. Ms. Josephine Feehily was appointed Chairperson of the Authority following an open appointment process through the Public Appointments Service. Eight ordinary members of the Authority and the Chief Executive were also appointed through similar processes.

A number of further reform measures have been advanced in the Justice system including:

- the strengthening of the powers and functions of the Garda Síochána Ombudsman Commission in relation to complaints, investigations and other procedures as provided for through the Garda Síochána (Amendment) Act 2015;
- two Deputy Commissioners appointed in 2015 by means of the first ever open competitions for such appointments.
- a Commission of Investigation (chaired by Mr. Justice Kevin O’Higgins) established to investigate certain matters relative to the Cavan/Monaghan Division of the Garda Síochána.

### Investment in An Garda Síochána



**Gardaí saluting at a passing out ceremony**

Funding was secured for 2016 including a Budget allocation of €1.5 billion for An Garda Síochána with over €67 million in additional funding to allow the recruitment of 600 new Gardaí. This is in addition to the 550 Gardaí recruited since the reopening of the Garda College in September 2014.

Between 2012 and 2015, the Government invested over €34 million in new Garda vehicles including patrol cars and high-powered vehicles. In addition, the Government’s Capital Investment Plan 2016-2021, announced in September 2015, makes provision for €46 million of investment in new Garda vehicles over the lifetime of the Plan.



The Plan also makes provision for an additional €205 million to be invested in Garda ICT infrastructure between 2016 and 2021. This major investment will allow An Garda Síochána to deploy the latest cutting edge technologies in the fight against crime and will facilitate progress on important reforms arising from the Garda Inspectorate’s report on Crime Investigation.

Taken together, this step-change in investment in policing will ensure that the Gardaí can be mobile, visible and responsive on the roads and in the community.

As part of the Capital Investment Plan, the Garda Building and Refurbishment

programme 2016-2021 was announced in October 2015. The Programme entails an investment of some €60 million in direct Exchequer funding as well as a public private partnership. Works under the Programme include:

- Building of new Garda Stations in Macroom, Clonmel and Sligo and property Exhibit Management Stores; and
- Redevelopment, refurbishment and upgrade of existing Garda Stations, including Custody Management Facilities.

Some 30 locations around the country will benefit from new projects. In addition, there will be cell refurbishments at some 15 Garda Stations.

These projects are in addition to the investment of some €100 million for the construction of 3 new Divisional Regional headquarters in Dublin (Kevin Street), Wexford and Galway. Work on these projects commenced in 2015 and is expected to be finalised in 2017.

## **Independent Review Mechanism**

The Independent Review Mechanism, consisting of a panel of counsel, examined 320 complaints alleging Garda misconduct or problems with investigating such misconduct. In June, the Minister commenced the issuing of decision letters to complainants. The Minister had appointed retired High Court Judge Roderick Murphy to oversee the preparation of these decision letters. Letters are continuing to issue to complainants and a summary report will be published in due course.

## **Victims**

In November, Ireland signed the Council of Europe Convention on preventing and combating violence against women and domestic violence, commonly referred to as the Istanbul Convention. This reaffirms the commitment of Government to foster a culture and to implement meaningful changes which can help reduce the incidence of domestic violence, better support victims and bring the perpetrators to justice. An Action Plan has been put in place with the implementing agencies.

The new Domestic Violence Bill, which is currently being drafted, will improve the protections available to victims of domestic violence, most critically for those victims in crisis situations and will also make the courts process easier for victims of domestic violence. A new Strategy on Domestic, Sexual and Gender-based Violence was agreed with the implementing agencies following consultation with the community and voluntary sector

In addition, the new Criminal Justice (Victims of Crime) Bill, which is being drafted, seeks to put victims at the heart of the Justice system and will introduce, for the first time, statutory rights for victims of crime.

## **Prisons and Probation**

### **Community Return**

Community Return is a joint Probation and Prison Service initiative whereby carefully selected prisoners are granted reviewable temporary release conditional on them performing unpaid community work. Officers of the Probation Service assess offenders as to suitability and motivation to complete the community work. The scheme is applicable to suitably assessed prisoners who are serving sentences of more than one and less than eight years. Those participating are granted renewable temporary release having served at, or after, the 50% stage of their sentence with a condition of their release to undertake Community Service supervised by the Probation Service. This innovative project led the way in enhancing ex-

prisoner resettlement and re-integration after custody through the sharing of data and practices across professional and agency boundaries. The work highlights clear positive outcomes and successful widespread stakeholder engagement, with results for the entire community. The Community Return Programme won a Civil Service Excellence Award in the category *Excellence in Innovation* at the first annual awards event in Dublin Castle in December 2015. Significantly this is a joint initiative and the award is a significant acknowledgement of the team work by both agencies in driving community safety through the planned re-settlement of ex-prisoners into society.

### **Recidivism Study**

The third Central Statistics Office Recidivism Studies for the Irish Prison Service and Probation Service was published in December 2015.

The Prison Recidivism Study reports on recidivism among 7,507 offenders released by the Irish Prison Service on completion of a custodial sentence in 2009, based on reoffending and reconviction data up to the end of 2012. The study's findings indicate that the recidivism or re-offending rate was 47.5% for the particular cohort of offenders released in 2009. When compared with the equivalent cohort from the 2008 study there is a fall in recidivism of 3.5%. This follows the 4% decrease that was seen for the 2008 cohort in the last Report published in December 2013.

The Probation Recidivism Study reports that close to 63% of offenders did not reoffend within a three-year period of being placed under Probation Service supervision. The re-offending rates were lower for females with almost 70% of females not reoffending in the period. When compared with the 2008 cohort the overall recidivism rate fell from 41.0% to 37.3% an absolute change of -3.8%.

### **Restorative Justice Scheme**

Following the publication of the Magdalen Commission Report of Mr Justice Quirke in May 2013, a Restorative Justice Scheme was established to make ex-gratia payments and offer supports to women who were admitted to and worked in the Magdalen Laundries, St Mary's Training Centre, Stanhope Street and House of Mercy Training School, Summerhill, Wexford. Progress continued on the implementation of the ex-gratia scheme during 2015 with a further 116 applicants receiving their lump sum payments at a cost of just under €5m. Under the ex-gratia scheme, a total of 606 applicants have received lump sum payments at a total cost of just under €23m. The Redress for Women Resident in Certain Institutions Act was commenced in July 2015. The primary purpose of this Act is to make provisions for a broad range of health services, which will be provided free of charge to the Magdalen Women.

## Courts and Legal

### **Court of Appeal**

Following the establishment of the Court of Appeal the Supreme Court transferred a large body of both civil and criminal cases to it – a total of 1,368 cases. In its first year of operation, the initial priority for the Court was to deal with the extensive backlog of criminal cases.

Significant inroads have been made in reducing waiting times in this area and attention is now focusing on the backlog in civil appeals.

### **Second Special Criminal Court**

A second Special Criminal Court was brought into existence by the appointment of seven judges by the Government in October. This confirms the Government's commitment to ensure that those who commit serious crimes affecting the security of the State or certain organised crime offences are brought swiftly to justice. There are further reforms underway to bring about greater efficiencies and streamline matters in the courts including proposals for a new system of Family Courts.

### **Increase in the number of High Court judges**

In December, the Courts Bill 2015 was enacted to increase the statutory number of ordinary judges of the High Court by two, from 35 to 37. The Government is committed to ensuring that there is an efficient and fair system of justice in place and providing for two additional High Court judges will lead to greater efficiency and result in reduced waiting times for cases to be heard across all areas of business.

### **Capital Investment in Justice Sector**

The need for a new state-of-the-art family law and children's complex in Dublin has been a key priority for the Minister. During the year, plans were announced for a new Public-Private Partnership to deliver on the Government's proposals for a dedicated and integrated Family Law and Children's Courts building, together with additional Court rooms for the Supreme Court and other Courts offices, at a site at Hammond Lane, in Dublin.

The Capital Framework announced in September provides for the construction of seven courthouses which are included in the existing Courts PPP building project. The locations are Mullingar, Limerick, Cork, Letterkenny, Drogheda, Wexford and Waterford. In addition, €10 million is provided in exchequer funding for Courts building refurbishment.



## Legal Services Regulation Act 2015

The Legal Services Regulation Bill, enacted in December 2015, delivers on the Programme for Government 2011 - 2016 commitment to '*Establish independent regulation of the legal professions to improve access and competition, make legal costs more transparent and ensure adequate procedures for addressing consumer complaints*'. The main areas of reform under the 2015 Act, which will be commenced on a phased basis, are: -

- a. **the establishment of the new and independent Legal Services Regulatory Authority** with oversight of both solicitors and barristers.
  
- b. **the provision of an independent complaints system** dealing with legal professional misconduct. There will also be a new and independent **Legal Practitioners' Disciplinary Tribunal**.
  
- c. **an enhanced legal costs regime** bolstered by more extensive transparency obligations on both solicitors and barristers to keep clients informed about legal costs. The new **Office of the Legal Costs Adjudicator** will assume the role of the existing Office of the Taxing-Master and keep a public register of its determinations.
  
- d. **a framework for new legal business models**. These new business structures will include public consultations and will offer greater choice to consumers and to lawyers who will be able to avail of them alongside the more traditional legal practice models.

## Equality/Disability

### Consultation Processes

During the year, consultation processes were launched to develop new and more effective Inclusion Strategies to address the needs of people with disabilities and Travellers and Roma. These provided a mechanism for interested parties and stakeholders to input into the new National Disability Inclusion Strategy and a revised National Traveller and Roma Inclusion Strategy. Phase 2 of the Disability Inclusion Strategy consultation process has been completed and Phase 2 of the Traveller and Roma Strategy will commence shortly. The intention in both cases is that Phase 3 will be completed in Q1 2016 and draft Strategies presented for Government approval as soon as possible thereafter.

### Gender Equality

The Minister noted and welcomed the findings of the 2015 EU Gender Equality Index and the World Economic Forum Global Gender Gap report 2015, which indicate that steady progress is being made.

A two-year EU-funded programme to support the achievement of gender balance in decision-making, undertaken by the Department with partners IBEC and the NWCI, concluded in December. The projects completed included development and pilot of the W-LEAD programme (Women in leadership, engagement, advancement and development), a best practice cross-departmental model for leadership development and mentoring aimed at female Principal Officers. A training module on addressing unconscious gender bias for the public and private sectors was developed and piloted by the NWCI. Also included was a major conference “Reversing the paradox - Promoting gender-balanced leadership” in May, co-hosted with Ibec for CEOs, senior executives and senior public sector officials.



**Minister Frances Fitzgerald TD and all speakers for the Gender Equality Conference**



**Minister Joan Burton TD and Minister of State Aodhán Ó'Riordáin TD and attendees at the Women and Girls in Sport conference hosted by the Department of Justice and Equality and the Department of Transport, Tourism and Sport.**

In October, gender equality in sport was highlighted in the conference "Women and girls in sport in Ireland - let's level the playing field", co-hosted with the Department of Transport, Tourism and Sport.

### **Introduction of a two week period of paternity leave and a paternity benefit scheme**

The Government approved the introduction of a period of two weeks paternity leave and the associated provision of a social welfare payment to be known as paternity benefit with effect from September 2016. Legislation giving effect to this decision will be enacted in 2016.

### **Equality Act Reform**

The Equality (Miscellaneous Provisions) Act 2015 was signed into law in December 2015. The Act protects LGBTI teachers and other employees in state-funded religiously-run institutions from arbitrary discrimination, while still allowing schools and other such institutions to protect their religious ethos. It also prohibits discrimination against persons in receipt of rent supplement or housing assistance payment in the provision of rented accommodation and introduces a number of other technical reforms to equality legislation.

## Integration Strategy

A Cross-Departmental Group on Integration was established in March, 2014 with a mandate to review the activities being undertaken by Government Departments and agencies directed to promoting the integration of migrants, preparing a Draft Integration Strategy taking account of the policies and actions already being implemented, and undertaking consultation with key stakeholders. A public consultation process was subsequently launched as part of the review. Over eighty submissions were received from stakeholders, a large number of whom met with the Cross-Departmental Group on Integration. The Group also held a number of thematic meetings focussing on key policy areas relevant to the integration of migrants, including education, access to public services and social inclusion, and the promotion of intercultural awareness and combating racism. Work on the development of the updated Integration Strategy is ongoing.

## PolskaÉire 2015

PolskaÉire 2015, the national Polish-Irish festival was held in March to coincide with the UEFA Republic of Ireland v. Poland qualifier, and was launched by Minister of State for New Communities, Culture and Equality, Aodhán Ó Ríordáin T.D., the Deputy Head of Mission of the Polish Embassy in Dublin and the CEO of the Football Association of Ireland. The week-long programme of events celebrated the diversity that Polish people bring to Ireland.

## Legislation

This year has been the most productive year yet on the legislative front with 17 Bills enacted – the highest number in the Department’s history.

### Thirty Fourth Amendment of the Constitution (Marriage Equality) Act

This was the legislation containing the proposed wording for the constitutional amendment and was prepared by the Department and passed by both Houses of the Oireachtas on 27 March 2015. This paved the way for the successful referendum on Marriage Equality held in May 2015.

### Marriage Act 2015

A very significant achievement during the year was the progression of the Marriage Bill which came into force on 16 November 2015. The Act gives effect to the Constitutional Amendment, approved by the People on 22 May 2015, that ***‘Marriage may be contracted in accordance with law by two persons without distinction as to their sex.’*** The passage of this legislation represents a resounding victory for equality and the first ever same-sex marriage took place in Ireland on 17 November.

The Department's Civil Law team which produced these two groundbreaking Acts won the Civil Service Excellence and Innovation Award for *Excellence in Policy* in December 2015.



**Taoiseach Enda Kenny TD, Minister Brendan Howlin TD and Robert Watt, Secretary General of the Department of Public Expenditure and Reform presenting the winning team for Excellence in Policy Award, for their project Modernising Family Law to Support Social Change 2015.**

### **Children and Family Relationships Act 2015**

The Children and Family Relationships Act 2015 provides a comprehensive reform of family law to bring it up to date with the realities of family life in Ireland. It is a child-centred act which addresses the rights of children to legal security, to the care of their parents and important adults in their lives, and to equality before the law. This is a landmark Act that will benefit many thousands of children and their families.

### **Insolvency (Amendment) Act 2015**

The Personal Insolvency (Amendment) Act 2015 represents a very significant milestone in the development of Ireland's insolvency regime. The Act makes provision to give Courts the power to review and approve insolvency deals, involving a family home, which have been rejected by creditors; increases the amount of debt which may be covered by a Debt Relief Notice from €20,000 to €35,000; and strengthens the powers and functions of the Insolvency Service of Ireland.

### **Bankruptcy (Amendment) Act 2015**

The Bankruptcy (Amendment) Act 2015 provides for key changes to bankruptcy law in Ireland, including a reduction in the normal duration of bankruptcy from 3 years to 1 year, a reduction in the normal duration of a Bankruptcy Payment Order (the payments a Court may direct the bankrupt person to make towards their creditors) from 5 years to 3 years, and re-vesting of a person's legal interest in their home within a 3 year period of adjudication, subject to certain exceptions. These significant changes will ease the impact of bankruptcy on the large majority of persons declared who have co-operated in an open manner with the bankruptcy process.

### **Civil Debt Procedures Act 2015**

This Civil Debt Procedures Bill, which was enacted in July 2015, provides for the introduction of two additional measures to the existing suite of measures currently available for the enforcement of debts. These new court-based options provide for the enforcement of debts of between €500 to €4000 in value by means of attachment of earnings or deductions from certain social welfare payments, where the debtor has capacity to repay the moneys owed. Consumer debts owed to financial institutions or licensed moneylenders and arising from loans are excluded from the scope of the legislation.

### **Assisted Decision Making (Capacity) Act 2015**

The Assisted Decision-Making (Capacity) Act 2015 focuses on enabling people with capacity difficulties to exercise their decision-making capacity to the greatest extent possible. The Act was signed by the President on 30 December 2015 and it is intended as a key element in enabling Ireland to ratify the UN Convention on the Rights of Persons with Disabilities. The Act reforms Ireland's Capacity legislation which has been in place since the 19th century by providing for the repeal of the Marriage of Lunatics Act 1811 and the Lunacy Regulation (Ireland) Act 1871.

The Act also establishes a modern statutory framework to support decision-making by adults who have difficulty in making decisions without help. It provides for the establishment of a Decision Support Service to support decision-making by and for adults with capacity difficulties. Three types of decision-making support options will be available to respond to the range of support needs that people may have in relation to decision-making capacity - Assisted decision-making; Co-decision-making; and appointment of a Decision Making Representative. With each of the three decision-making support options decisions can be made on personal welfare, property and finance or a combination of both.

The Act also provides for a modernisation of the law in relation to wardship. Each ward will be reviewed in accordance with the new system. A ward who is found to have capacity will be

discharged from wardship. A ward who continues to have capacity needs will be discharged from wardship and offered the support option most appropriate to his or her needs.

### **Prisons Act 2015**

The Prisons Bill was enacted in December 2015. Its main purpose is to facilitate the complete closing of St Patrick's Institution.

### **Choice of Court (Hague Convention Act) 2015**

The purpose of the Act, which was signed into law in November 2015, is to make provision for the measures which are required to ensure that the Hague Convention of 30 June 2005 on Choice of Court Agreements can function effectively within the Irish legal system. The Act is short and technical in nature but it is of significance in terms of enabling us to fulfill our EU obligations. It is also of significance because the Convention to which it relates has the potential, over time, to create a more predictable legal environment for companies which do business with third countries. That predictability should, in turn, encourage companies to be more confident in terms of expanding their trading relationships with such countries.

## **Immigration**

### **Irish Refugee Protection Programme**

During the year, we witnessed the unprecedented flows of migrants into Europe and the critical humanitarian challenge that resulted. The Government has worked hard to develop a comprehensive approach to ensure that Ireland is in a position to contribute effectively to meeting the European Union's challenge of protecting those in need. We continue to work proactively with our colleagues in Europe, we also sent naval ships to carry out vital rescue missions in the Mediterranean and we decided that Ireland will accept up to 4,000 persons overall under EU Resettlement & Relocation Programmes.

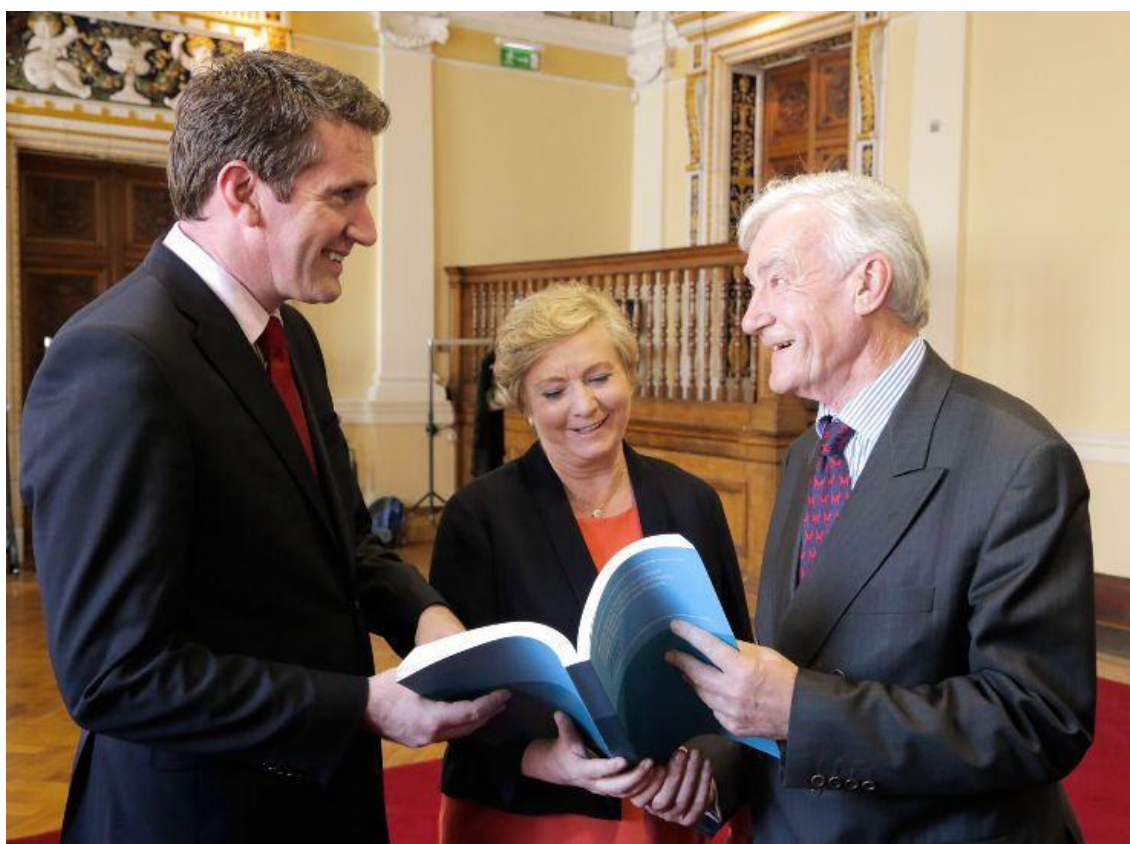
The Minister has chaired meetings of the newly established cross-Departmental and inter-Agency Irish Refugee Protection Programme Taskforce (IRPP) which will deal with the operational and logistical aspects of the Programmes. The Taskforce is adopting a whole of Government approach and includes representatives of Government Departments, the HSE, the local authorities, the Red Cross and UNHCR in order to implement the Government's response to this crisis. The Government is committed to ensuring that all persons arriving in Ireland are provided with all appropriate support.

## **Citizenship**

In 2015 almost 13,000 applications for a certificate of naturalisation have been received while over 13,500 persons have been granted Irish citizenship. During the year 16 citizenship ceremonies were held. The processing time target for naturalisation applications was achieved throughout 2015, with more than 70% of all applications being processed within a 6 months timeframe.

## **Direct Provision/International Protection Act 2015**

Together with Minister of State O'Riordáin, the Minister initiated the process to conduct a root-and-branch review of the direct provision system. The Report of the Working Group on the



**Minister of State Aodhán Ó'Riordáin TD and Minister Frances Fitzgerald TD and Dr. Bryan McMahon, retired High Court judge who chaired the Working Group on the Protection Process including Direct Provision.**

Protection Process was published in June and gives a clear perspective and valuable recommendations about improving the current systems and processes. The Government recommended, when approving the publication of the Report, that it should in the first instance be the subject of a detailed discussion at the Cabinet Committee on Social Policy and Public Service Reform. An analysis on the legal, financial and practical implications of the Report's recommendations has been prepared for the Cabinet Committee.



The report of the Working Group reaffirms that the excessive length of time in the protection system is the most significant issue facing those in direct provision. Accordingly, one of the key priorities was to enact the International Protection Bill without further delay. It completed all stages in December. The Act reforms the system for determining applications for international protection in Ireland through the introduction of a single applications procedure. The introduction of a single application procedure will bring Ireland in line with the arrangements for the processing of protection applications in all other EU Member States and will significantly streamline and speed up our processing of protection applications.

### **Border Control - Civilianisation**



**New Screens in Dublin Airport providing information on immigration queuing times**



**Minister Frances Fitzgerald TD reviews new civilian immigration and border control arrangements**

There was considerable progress on the civilianisation project at Dublin Airport during 2015, with civilian staff now undertaking all immigration frontline checks on a 24/7 basis in Terminal 1 and in the Transit area of Terminal 2 of Dublin Airport. Due to the large increase in passenger numbers since 2011, the marked increase in the caseload from CTA commitments and the increase in the level of passengers of interest as reflected, for example, in refusal of permission to enter numbers, the resource requirements are higher than originally anticipated.

This project is part of a wider programme of change in the immigration area with the overall objectives of releasing approximately 125 Gardaí to core policing duties and providing a more cost effective and customer-focused immigration service

## **British-Irish Visa Scheme**

In February, the Minister announced the extension of the British-Irish Visa Scheme to India, following on from a very successful launch of the scheme for China in October 2014. This scheme facilitates nationals requiring a short-stay visa to travel freely within the Common Travel Area using a single visa issued by either Ireland or the UK. It means that tourists, business visitors and other eligible visitors from India are able, for the first time, to visit both the UK and Ireland, including moving freely between north and south of the island of Ireland on a single visa. The scheme has opened up marketing opportunities such as organised holiday packages to Britain and Ireland from China and India and joint promotions by Tourism Ireland and Visit Britain have already taken place. For Irish short stay visas there was a major increase in visitor visas issued to Chinese and Indian nationals, compared to 2014.

## **Visas**

A diplomatic visa waiver agreement between Ireland and China was formally commenced in September. In addition, the Minister also announced that she had decided to extend the maximum duration of multiple entry visas for Chinese business travellers with a good travel history to 5 years from the previous maximum of 3 years. This will greatly assist in improving opportunities for business development between Ireland and China by extending the duration of visas issued for short stays for business purposes.

A new on-line appointments service for re-entry visas was introduced on 11 November, 2015 allowing applicants to make appointments prior to attending the Public Office in Burgh Quay. Applicants wishing to apply in person for a re-entry visa now make an appointment on-line, and are seen at the confirmed date and time. There is no need for people to queue for this service.



## 3 - PROGRESS ON STRATEGY STATEMENT 2015-2017

### 3.1 - IMPLEMENTATION OF A PROGRAMME OF FUNDAMENTAL AND SUSTAINED ORGANISATIONAL CHANGE

The Strategy Statement 2015 - 2017 objectives and actions relating to the change programme are:

**To build an organisation that meets the visions set out in the Civil Service Renewal plan and in the Report of the Independent Review Group on the Department of Justice and Equality (Toland Review)**

- >> Implement the Programme for Change
- >> Publish an annual corporate business plan that sets clear priorities and objectives
- >> Implement the Department's Communications, Information, Records and Data blueprint, in liaison with Office of Government Chief Information Officer (OGCIO)
- >> Integration of risk and management processes

**To staff and resource each functional area as effectively as possible**

- >> Develop workforce planning, HR and processes to align responsibilities, resources and priorities

**To develop and implement ongoing professional development**

- >> Introduce training programmes for continuous professional development

**To deliver the change internally which we are aiming to deliver externally**

- >> Develop leadership internally that will lead change externally



## Implement the Programme for Change

The Department of Justice & Equality has committed to the implementation of a significant, ambitious and ongoing Programme of Change. One of the keys to implementing this programme is an ongoing process of consultation and engagement with staff of the Department both internally and within the broader Justice group and with external stakeholders.

- **Civil Service Renewal**

The Renewal Plan represents a fundamental new vision and direction for the Civil Service published in October 2014. The Renewal Plan focuses on driving practical change through 25 specific actions in four key areas:

1. **Unified** – Managing the civil service as a single unified organisation
2. **Professional** – Maximising the performance and potential of all civil service employees and organisations
3. **Responsive** – Changing our culture, structure and processes so that we become more agile, flexible and responsive
4. **Open and Accountable** – Continuously learning and improving by being open to external ideas, challenge and debate.

Many of the actions in this Civil Service-wide Plan had already been commenced or were being planned for by the Department of Justice and Equality and we have therefore been a lead Department in relation to the Renewal Plan, particularly in relation to responsiveness, openness and accountability. In the wider context some key Actions have been delivered, including:

- Establishment of an Accountability Board that brings together Civil Service, Ministerial and external perspectives to oversee Civil Service performance.
- Establishment of a Civil Service Management Board (CSMB) that brings together all Heads of Departments and major Offices into a cohesive whole-of-Government executive management team. The Secretary General sits on the CSMB which meets monthly to oversee implementation of the Plan.
- Introduction of performance review process for Secretaries General from 2016.
- Drafting of a revised Disciplinary Code, which is subject to the normal consultation processes.
- Holding of open recruitment campaigns for Principal, Assistant Principal, Administrative Officer, Executive Officer, and Clerical Officer grades in the Civil Service.
- In the autumn the first ever Civil Service-wide Staff Engagement survey was carried out with results published in early 2016.



- **Public Service Reform**

The Department is committed to meeting the objectives of the Public Service Reform Plan 2014 - 2016, launched by the Department of Expenditure and Reform in January 2014. The Department's high level integrated reform delivery plan outlines the key Departmental and sectoral reforms being implemented, as well as cross-cutting elements of the Government's reform agenda. In particular, a joint project with the Office of the Government Chief Information Officer (OGCIO) to develop essential systems, including eSubmissions for Ministerial and Secretary General's papers, and related policies is proceeding and the eSubmissions system (for Minister's and Secretary General's papers) was at Pilot stage at the end of the year.

#### Senior Management Changes

There have been a considerable number of senior management changes. As noted above, a Deputy Secretary General was appointed in April 2015, with the consequential Assistant Secretary vacancy leading the Crime and Security area filled in October 2015 through lateral mobility under the Senior Public Service scheme. Three new Assistant Secretaries were appointed - two in early 2015 and one in April 2016 - following open competitions run by the Public Appointments Service on behalf of the Top Level Appointments Committee. Internal mobility transfers have also been implemented at Assistant Secretary level.

#### Open Policy Debates

The Department hosted an Open Policy Debate on Proposals for a Criminal Justice Inspectorate which was attended by the Minister and a wide range of stakeholders. Part of the Civil Service Renewal, these debates aim to promote a culture of innovation and openness through involving greater external participation and consultation in policy development. The potential establishment of a Criminal Justice Inspectorate had received some attention, including a recommendation for such a body by the Joint Oireachtas Committee on Justice, Equality and Defence. The Debate also included discussion on the Optional Protocol to the UN Convention on Torture

- **Conduct a climate survey of staff, analyse results and put in place a plan of action to address findings.**

The Department commissioned the Link Research Institute, Dublin City University (DCU), to undertake an Employee Survey on Work, Management and Change in April 2015, the



primary objective of which was to gain an understanding of employee's perspectives on a number of different aspects of work, management and of the Organisation. The findings were presented to the Management Board in June and circulated to staff. The Department has been taking necessary steps to address areas identified in the Report by DCU as requiring intervention as well as seeking to build on the identified strengths in an ongoing drive to iteratively improve capability and effectiveness.

- [Review business planning and risk management processes and develop a new Strategy Statement \(2015-2017\) in consultation with stakeholders and an annual Plan setting out key priorities. Monitor progress on an ongoing basis.](#)

The Department critically reviewed its business planning and risk management processes to ascertain that they adequately met the organisation's requirements and there was ongoing oversight of the processes during the year by the Risk Committee. In November revised terms of reference for the Risk Committee and a new risk management policy were approved by the Management Board.

A new Strategy Statement covering the period 2015 to 2017 was published on 17<sup>th</sup> April 2015 and the Department agreed its 2015 Strategic Plan setting out its key priorities for the year. There was ongoing monitoring by Division Heads as well as regular Management Board reviews of progress on achieving strategic priorities. The 2015 Plan and the mid-year and end-year review were published on [www.justice.ie](http://www.justice.ie).

- [Develop an Integrated Reform Delivery Plan for 2015 that draws together the major reforms across the justice and equality sector and monitor and report on implementation](#)  
In parallel with the Department's Strategic Plan, an Integrated Reform Delivery Plan (IRDP) was developed covering major sectoral and cross-sectoral reform projects. There was ongoing monitoring of progress and quarterly reports on implementation of the plan were submitted to the Department of Public Expenditure and Reform. The Plan was also published on [www.justice.ie](http://www.justice.ie).

- [Establish new structures for engagement with agencies - Criminal Justice Strategic Committee and the Network of Civil Agencies](#)

Two new structures were established in 2015 to deepen engagement with Justice and Equality agencies and improve coherence, communications and governance across the sector, one on the criminal justice side and the other covering the civil justice area.

An initial work programme for the Criminal Justice Strategic Committee was agreed at the Committee's second meeting in July 2015 and subgroups on a range of issues were



established to take the programme forward. At its third meeting in December 2015, the Strategic Committee agreed on an expanded Work Programme for 2016. Under this programme, the Committee agreed that a total of nine dedicated inter-agency subgroups would be tasked with advancing a variety of commitments that are of strategic significance to the criminal justice sector. These include: developing proposals for enhanced data exchange and analysis; the development of a criminal justice leadership programme; implementation of the EU Victims' Directive; introducing new efficiencies in the criminal courts; a review of alternatives to prosecution; and a review of international co-operation arrangements. Work on these projects is ongoing.

The Network of Civil Agencies is a leadership network that meets a number of times each year. Its aim is to provide a strategic focus towards improving performance and results for the sector as a whole as well as promote collaboration in resolving issues, improve effectiveness and establish sub-groups to oversee cross-cutting projects. The network met twice in 2015, in May and November.

- [Develop and launch a new improved website for the Department and strengthen communications both externally and internally](#)

A new contemporary and user friendly website for the Department was launched in June 2015. The website gives a comprehensive but accessible and up to date overview of the work of the Minister and Department. It also provides easy access to relevant documents including Annual Reports, Strategy Statements, Plans as well as replies to Parliamentary Questions as published in the Oireachtas Official Report. It also includes latest news, an online gallery and access to the Department's Twitter feed.

- [Develop and consult on a new cultural model](#)

Changing the culture of an organisation requires the active engagement and participation by all members of the organisation both as a collective and as individuals. Real change only becomes embedded through harnessing the commitment and energy, the ideas and suggestions, of the staff of the Department and those who engage with the Organisation.

Following the Employee Survey on Work, Management and Change, in order to further explore and develop the survey results an internal engagement team held 10 focus group meetings involving staff throughout the country during June/July to elicit their views on the current culture of the Organisation and their views on what the future culture of the organisation should be. 125 staff members attended, representing almost every grade in the Department and from across all areas of the Organisation.



Common themes emerged which resulted in the identification of core values that could underpin the future culture of the organisation. These are: Customer Focused; Professional; Trusted & Accountable; Proactive; Open & Transparent; and Engaged & Valued Staff.

The Report of the focus groups was circulated to all staff and presented to the Management Board. The Report is part of a broader examination and discussion of the desired culture of the organisation, which will include the Management Board and other stakeholders.

The culmination of this process is the development of a new Culture and Values Charter for the organisation, launched in February 2016.

### Publish an annual corporate business plan that sets clear priorities and objectives

The Department's annual strategic business plan was published for the first time in 2015 in a move towards greater transparency. The plan specified the priorities and objectives for the year in included implementation timeframes. The plan and six monthly progress updates are available on the Department's website.

### Develop leadership internally that will lead change externally

The Department's Management Advisory Committee (MAC) was re-constituted into a Management Board with larger membership reflecting its important and central role in leading, directing and governing the Department and wider justice and equality sector. The Board has been undergoing a process of significant change as part of the reforms to enhance the strategic oversight of the Department and its agencies and to facilitate more effective management and governance. As part of this reform the vision, purpose and responsibilities of the Management Board have been clearly defined in a terms of reference document. The Board meets weekly to review current/emerging issues and once per month for strategic discussions. 44 meetings of the Management Board were held in 2015.

### Protected Disclosures

The Management Board of the Department of Justice and Equality approved a Protected Disclosures policy in March 2015 designed to facilitate and encourage all workers to raise internally genuine concerns about possible wrongdoing in the workplace to allow these concerns to be investigated in a manner appropriate to the circumstances of the case.





Responsibility for organising the investigation of disclosures under the policy was assigned to the Head of Internal Audit.

**Table 1 - Summary of Disclosures Received 2015**

<b>Status of Disclosure</b>	<b>No</b>	<b>Upheld</b>
Received in 2015	5	
Not relating to Department of Justice and Equality	3*	
Closed	2	1**

\* One relates to a matter before the courts

\*\* One was technically upheld

To date, five reports have been submitted to Internal Audit that either refer specifically to the Protected Disclosures legislation, or can be inferred to refer to it. Of these, one report was deemed a protected disclosure and upheld. Two reports did not relate to the Department of Justice and Equality or to any area under the remit of the Minister. One report related to an ongoing court case so could not be dealt with under the Act. After a preliminary examination, one was not deemed to come within the scope of the Act.

#### **Recommendations made in relation to 2015 disclosures**

Regardless of whether a disclosure is deemed to be protected, an issue of concern or compliance may arise and an audit recommendation may be appropriate. Three such recommendations were made in 2015 and their implementation is tracked by the Internal Audit Unit and reported to the Management Board.



## 3.2 - LEADERSHIP IN AND OVERSIGHT OF JUSTICE AND EQUALITY POLICY AND DELIVERY

The Department provides leadership and strategic direction on Justice and Equality matters and aims to ensure effective corporate governance in the Justice and Equality sector and also ensure that Justice and Equality services to the public are delivered effectively within available resources.

### To support our Ministers

- >> Provide effective support for Government, parliamentary and public responsibilities
- >> Influence the policy of other Government Departments in relation to Justice and Equality Matters

### To provide leadership and strategic direction on Justice and Equality matters

- >> Define direction through consultation, collaboration and communication with all Agencies
- >> Monitor progress through reporting on key metrics

### To ensure Justice and Equality services to the public are delivered effectively within available resources

- >> Customer focussed approaches to service delivery
- >> Lead reform through the Integrated Reform and Delivery Plan prepared annually<sup>1</sup>
- >> Allocate and manage financial resources and maintain the balance between responsibilities and resources
- >> Keep functions of the Department under review

### To ensure effective corporate governance in the Justice and Equality sector

- >> Structured and formal engagement with bodies under the aegis of the Department and within the Department itself
- >> Support agencies in fulfilling their mandate

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<sup>1</sup> The IRDP is included in the Programme for Change

**PROGRESS MADE IN THIS AREA DURING 2015**

Provide effective support for Government, parliamentary and public responsibilities. Influence the policy of other Government Departments in relation to Justice and Equality Matters.

The key organisational structures supporting the Minister and supporting the corporate governance and management of the Department are as follows:

Structure	Frequency
<i>Formal Meetings</i>	
Minister/Management Board Meeting	Monthly
Management Board (senior management team)	Weekly
Departmental Audit Committee	Quarterly
Risk Management Committee	Quarterly
Financial Management Committee	Monthly
ICT Governance Group	Quarterly
Directorate/PO meetings	Monthly
Civil Service Management Board	Monthly
<i>Less Formal meetings</i>	
Divisional meetings	Monthly
Divisional Business Review meeting	Quarterly

The structures can be summarised as follows:

1. The **Minister** decides policy and is legally the corporation sole<sup>2</sup> of the Department.
2. The **Secretary General** is the senior civil servant and non-political head of the Department. The Secretary General is responsible for the overall management, strategic planning and leadership of the Department. The Secretary General is the Accounting Officer for the Department of Justice and Equality (Vote 24) and the Irish Prison Service (Vote 21) and in this regard has responsibility for safeguarding the funds under the control of the Department and for ensuring economy and efficiency in the running of the Department.
3. The **Deputy Secretary** is the second most senior Civil Servant and deputises for the Secretary General as and when required. The Deputy Secretary is responsible for the implementation of crime, security and policing policies and, in particular, for matters relating to the criminal justice system.

There is significant ongoing engagement and interaction at various levels with other Departments and bodies at national and EU Level in relation to Justice and Equality policy and operational matters and in influencing the policy of other Government Departments with regard to Justice and Equality matters.

<sup>2</sup> Minister and Secretaries Act 1924 - 2011



## Define direction through consultation, collaboration and communication with all Agencies. Monitor progress through reporting on key metrics.

The Department published its Strategy Statement 2015-2017, following consultations, in April 2015. During the year, the Department reported on progress on its 2015 Strategic Implementation Plan at the mid-year and end-year stages – see [www.justice.ie](http://www.justice.ie).

## Customer focussed approaches to service delivery

The Department has committed to implementing major service delivery improvements including improvements in application processing times and technology enhancements such as facilities to make online applications and online payments, in relation to which good progress was made during 2015.

## Allocate and manage financial resources and maintain the balance between responsibilities and resources

The Justice Vote Group consisted of 6 Votes- the Department of Justice and Equality, An Garda Síochána, Irish Prison Service, Courts Service, Property Registration Authority and the Irish Human Rights and Equality Commission. The total gross expenditure for the group in 2015 was €2.342 billion of which €2.241 billion relates to current expenditure and the balance of €101 million is capital expenditure. The Secretary General of the Department is the Accounting Officer for the Department's Vote and the Prisons Vote – see 4.3 Financial Tables.

## Structured and formal engagement with bodies under the aegis of the Department and within the Department itself. Support agencies in fulfilling their mandate

The Department has responsibility for over 30 associated bodies, both statutory and non-statutory. A list of the Justice Sector Organisations is attached at Appendix 1.

The Department is involved in holding all of the bodies under its aegis to account on behalf of the Minister. This includes evaluating the bodies' budgets against those set down by the Minister and plans (including strategy statements, corporate plans, key risks), as well as monitoring their performance in meeting objectives and targets (including financial targets).

The Department has introduced structured arrangements to manage the relationships with its agencies with a view to enhanced accountability and driving better performance across the sector. Annual Performance Delivery Agreements or Agency Governance Frameworks are in place with the majority of Agencies. Formal governance meetings are held at least twice annually between the member of the Management Board with responsibility for the Agency and the relevant head of each Agency.



### **3.3 - A SAFE, SECURE IRELAND**

The Strategy Statement 2015-2017 set out an ambitious programme of legal, strategic and operational reforms and actions to be implemented to achieve the following goals.

#### **To provide policy and legal frameworks to reduce and prevent crime, tackle reoffending and develop more secure communities**

- >> Ensure coherent crime policy and legislative frameworks are in place, which are kept under review and which prioritise the critical reforms necessary
- >> Develop cross sectoral and inter-agency partnership approaches to preventing crime and the harms caused by crime
- >> Efficient and timely processing of commitments on the Government legislative programme
- >> Deliver enhanced youth justice services through targeted interventions to support better outcomes for young people coming into contact with the criminal justice system

#### **To promote national security. To enhance North/South cooperation to counteract terrorist or organised criminal activity.**

- >> Active engagement with other Government Departments, North and South, and relevant agencies
- >> Develop programmes to improve responses to threats
- >> Regular bilateral meetings with Northern Ireland and UK Government

#### **To enhance international cooperation in the Justice and Equality areas**

- >> Ensure that arrangements in place governing international criminal cooperation are adequate to meet the challenges of borderless crime and change where necessary
- >> Uphold international standards and cooperation in tackling serious and borderless crime
- >> Support and develop measures to improve security and equality



### **To reform governance and accountability processes for and in An Garda Síochána**

- >> Implement a programme of reforms including the Policing Authority Bill, enhancing GSOC and Garda Inspectorate.
- >> Review of An Garda Síochána under the Haddington Road Agreement

### **To support the development of competent, caring and efficient services to victims of crime. To promote a culture of recognition and prevention of domestic, sexual and gender-based violence. To ensure greater effectiveness of policy and service planning in relation to domestic, sexual and gender-based violence**

- >> Provide financial support to voluntary sector organisations supporting victims of crime
- >> Support implementation by criminal justice agencies and voluntary sector in implementing EU Victims Directive 2012/29/EU
- >> Develop a new National Strategy on Domestic, Sexual and Gender-based Violence

### **To implement recommendations of Strategic Review of Penal Policy**

- >> Ensure a whole of Government approach in addressing offender behavior including reducing reoffending
- >> Develop proposals for reform of sentencing policy
- >> Improve the standard of accommodation in Mountjoy, Cork, Limerick and Portlaoise Prisons
- >> Increase the use of open prisons and pursue such options for female offenders
- >> Expand the Community Return Programme and Community Support Scheme
- >> Establish the Parole Board on a statutory footing
- >> Implementation of the Fines (Payment and Recovery) Act 2014

### **To enhance independent oversight of the prison system**

- >> Progress the Inspection of Places of Detention Bill

### **To enhance the protection of society from criminality by reforming the criminal law**

- >> Develop proposals for Criminal Law reform following Government direction and EU and international commitments



## PROGRESS MADE IN THIS AREA DURING 2015

### Investment in Policing

- Recruitment

There was continued Garda recruitment with 250 new recruits being appointed in addition to the 300 appointed towards the end of 2014.

- Instigated a review of effectiveness of Garda CCTV systems.

Having regard to the value that communities, especially rural communities, place on CCTV as a means of deterring crime and assisting in the detection of offenders, a review of the effectiveness of the previous Community CCTV Scheme was instigated in conjunction with the Garda authorities. The outcome of the review will inform future decisions in relation to Community CCTV systems.

- Funding for Crimestoppers and Community Alert was doubled to €397,000 for 2016

Additional funding was secured in 2015 for this area in recognition that community solidarity, mutual support and vigilance is an important deterrent and helps to reduce the level of crime as part of the community policing strategy.

### Ensure coherent crime policy and legislative frameworks in place, which are kept under review and which prioritise the critical reforms necessary

- Supported coordination of Minister's initiative in relation to burglary crime: launch of Operation Thor

An Garda Síochána's new multi-strand national anti-crime and anti-burglary operation was launched during the year. Operation Thor provides increased investment in policing and is supported by the Criminal Justice (Burglary of Dwellings) Act 2015, which provides for consecutive sentences and stricter bail for repeat offenders. It tackles crime, particularly burglaries in both urban and rural communities nationwide. Additional funding in excess of €5m was provided to support Operation Thor, including increased Garda overtime. Operation Thor builds on previous and current Garda operations and entails a broad range of activities to tackle burglars, organised crime gangs and prolific offenders as well as working with communities to prevent crime.



- **Commenced operation of Ireland's new DNA database.**

A new state-of-the-art DNA Database System, underpinned by enactment of legislation became operational in November 2015. It is operated by Forensic Science Ireland (FSI) and it is a hugely significant development in assisting An Garda Síochána in the investigation of crime. The database will be populated with unidentified DNA profiles from crime scenes – these ‘cold case’ profiles can then be matched with DNA profiles uploaded from individuals under criminal investigation, convicted and former offenders, with a view to solving these crimes, including burglaries, and securing convictions.

- **Fixed Charge Processing System**

The Department is co-chair of the Criminal Justice (Fixed Charge Processing System (FCPS)) Working Group. The Working Group made its 2nd Progress Report to Ministers in 2015. The Garda Professional Standards Unit (GPSU) Report on the operation of the fixed charge processing system (penalty points) was published. In response the Minister for Justice & Equality appointed Judge Matthew Deery, former President of the Circuit Court, to the new position of Independent Oversight Authority for the fixed charge processing system.

## Develop cross sectoral and inter-agency partnership approaches to preventing crime and the harms caused by crime

- **Joint-Agency Response to Crime (J-ARC) interagency initiative to reduce reoffending.**

J-ARC is a joint strategy between the Garda Síochána, the Probation Service and the Irish Prison Service. The J-ARC strategy aims to implement a multi-agency approach to the management of crime, prioritise certain prolific offenders and develop specific initiatives which will address their behaviour and reduce crime thereby increasing community safety. J-ARC provides the framework for the programmes that will be part of Operation Thor to help reduce re-offending by prolific offenders.

- **Joint Strategy between the Irish Prison Service and the Probation Service**

The second Joint Strategy was launched in May and sets out a three year interagency strategic plan for how the two organisations will continue to develop and co-ordinate their joint working, in conjunction with statutory and community and voluntary sector partners, to further improve outcomes and to help create a safer and fairer Ireland.





- **Restorative Justice Projects/Programmes**

The Probation Service continued during 2015 to build capacity and capability in the development and delivery of Restorative Justice projects/programmes. Actions included completion of training for the Victim Offender Mediation group and working in partnership with Community Based Organisations (CBO) to further develop Restorative Justice. Additional funding of €114,000 was allocated to two CBOs for 2015. Presentations were delivered on Restorative Justice at the Confederation of European Probation (CEP) conference in Prague and from a Victim perspective at University of Limerick.

- **Children First**

The Department chairs the Children First (Justice Sector) Implementation Committee, which is tasked with overseeing the sectoral implementation of Children First guidance and planning for the implementation of relevant provisions of the Children First Act 2015 (upon commencement). This Act sets out a statutory framework of risk assessment, controls, monitoring and reporting, with the purpose of better protecting children from the risk of abuse.

## Efficient and timely processing of commitments on the Government Legislative Programme

- **Enacted the Criminal Justice (Burglary of Dwellings) Act 2015**

This legislation provides for the denial of bail and consecutive sentences for repeat burglars and is part of a multi-faceted approach to address this issue.

- **Enacted the Criminal Justice (Terrorist Offences) (Amendment) Act 2015**

This Act amended the Criminal Justice (Terrorist Offences) Act 2005 to create three new offences of Public Provocation to commit a Terrorist Offence, Recruitment for Terrorism and Training for Terrorism. These offences can carry sentences of up to 10 years imprisonment. The Act also provides for Ireland to ratify the Council of Europe Convention on the Prevention of Terrorism in due course.

- **Enacted the Prisons Bill to legally provide for the closure of St. Patrick's Institution**

This Act legally provided for the closure of St. Patrick's Institution



- **Enacted the Criminal Justice (Mutual Assistance) (Amendment) Act 2015**

The purpose of this Act was twofold. The first was to amend the Criminal Justice (Mutual Assistance) Act 2008 to give effect to certain international instruments which have been ratified by the Oireachtas and which provide for mutual legal assistance with other EU member states and the second to provide for certain related amendments to a number of other Acts, namely the Criminal Justice Act, 1994, the International War Crimes Tribunal Act 1998, the Criminal Justice (Joint Investigation Teams) Act 2004, the Garda Síochána Act 2005 and the Criminal Justice (Mutual Assistance) Act, 2008.

### Deliver enhanced youth justice services through targeted interventions to support better outcomes for young people coming into contact with the criminal justice system

- Garda Youth Diversion Projects were extended to 10 new locations.
- The Irish Youth Justice Service, European Social Fund (ESF) claim for 2014 in respect of expenditure on Garda Youth Diversion Projects and Young Persons Probation Projects was completed and submitted to the ESF.
- Funding was also secured under the Dormant Accounts Disbursement Scheme 2013 – 2016 to support IYJS Community Programmes in 2015.
- After a pilot project and trial period, a new risk assessment and case management tool was rolled out to GYDPs in 2015. This tool helps to identify a young person's individual needs and the appropriate interventions for him or her and provides a basis for evaluation of outcomes both in relation to the individual and diversion projects.
- The 'Greentown Study' was completed in 2015. This evidence based research examined links between youth offending and organised crime in an anonymised Garda Sub-District located outside of Dublin. This study and follow-up research to be carried out in this regard will help to inform policy development in the youth justice area.



- A new service delivery model for addressing youth crime reduction was launched in the Kerry Garda Division in 2015. 'Kerry Empowering Youth – KEY', is Ireland's first Garda Divisional Model of Youth Justice programmes delivery. The model, which realigns resource allocations to address youth crime needs, has facilitated the extension of youth justice services to the entire county as opposed to the traditional GYDP catchment areas. It has also enabled the project provider (Kerry Diocesan Youth Service - KDYS) in partnership with Kerry Divisional Gardaí to reach over 100 people so far who would not have otherwise received support from trained Youth Justice Workers. The model provides a template for reorganising GYDP services in other regions.

### Active engagement with other Government Departments, North and South, and relevant Agencies. Regular bilateral meetings with Northern Ireland and UK Government

- Supported the development and implementation of proposals to address the legacy of the troubles, in particular, through the Independent Commission for the Location of Victims Remains (ICLVR) and the Stormont House Agreement

The talks leading to A Fresh Start - The Stormont House Agreement and implementation Plan included a focus on tackling cross-Border organised crime as part of the series of measures to support a culture of lawfulness and bring an end to paramilitarism in Northern Ireland. The Agreement includes a new structure to enhance and intensify North-South co-operation in tackling cross-Border organised crime, including that linked to paramilitarism. The Agreement establishes a Joint Agency Task Force to enhance efforts to tackle cross-Border organised crime and to facilitate the investigation and prosecution of those involved in it. The Joint Agency Task Force proposal was designed by the parties to the Agreement to build on the excellent North-South law enforcement co-operation that is taking place already. A trilateral ministerial meeting was held on 21<sup>st</sup> December to finalise it.

In addition, there was ongoing North/South cooperation on security and criminal justice matters and a series of bilateral meetings were held during the year.

### Develop programmes to improve responses to threats

- Established new cross-border Joint Agency Crime Taskforce.  
The cross-jurisdiction force aims to tackle criminal gangs operating across the border - including paramilitarism.



## Support and develop measures to improve security and equality

- €4 million was allocated to commence development of the Schengen II information sharing system, to improve security and border control.

This is a major multi-year project to improve data sharing between Ireland and other EU member countries and will assist in meeting our obligations to support and enhance EU security.

## International Obligations

- 2015 was an exceptionally busy year for the Minister and Department in discharging our EU responsibilities and in communicating and defending Ireland's interests at Justice and Home Affairs Councils. In addition to the scheduled six Councils held in 2015, an



**Minister Frances Fitzgerald TD discusses the issues of the day with German Interior Minister Thomas de Maizière**

additional five Extraordinary meetings were dedicated to addressing the migration and humanitarian crisis in Europe (April, July, September and November) while one was convened as an emergency response to the terrorist attacks in Paris in November. In November, the Minister represented the Taoiseach at a Heads of State and Government Summit on the Refugee Crisis in Valletta.

- International Policy Division coordinates all EU matters with the Justice and Home Affairs Team based at the Irish Permanent Representation to the European Union in Brussels. The Department currently services almost 100 international bodies, working groups and conventions and this represents a huge commitment across all Divisions. With terrorism and the refugee crisis centre stage in Europe for the last few years, the requirement to provide briefing for the Taoiseach and other Ministers has also grown considerably



## Implement a programme of reforms including the Policing Authority Bill and enhancing GSOC and the Garda Inspectorate

- Enacted legislation to establish the new independent Policing Authority.  
The Garda Síochána (Policing Authority and Miscellaneous Provisions) Act 2015 established the Policing Authority and provides an extensive range of functions for the Authority, including functions which were previously carried out by Government or the Minister for Justice and Equality.
- Enacted legislation to reform and strengthen the role and remit and operation of the Garda Síochána Ombudsman Commission (GSOC).  
The Garda Síochána (Amendment) Act 2015 makes provision for:
  - bringing the Garda Commissioner within the remit of GSOC for the first time;
  - extending GSOC's powers of investigation in relation to complaints involving suspected criminal behaviour;
  - ensuring that the Garda Síochána provides information sought by GSOC for an investigation as soon as practicable; and
  - providing greater autonomy for GSOC in examining the Garda Síochána's practices, policies and procedures.
- In September 2015 High Court Judge Mary Ellen Ring was appointed as the Chairperson of GSOC.



**Secretary General Noel Waters, Ms. Justice Mary Ellen Ring and Minister Frances Fitzgerald TD. High Court Judge Mary Ellen Ring receives her warrant of appointment as chairperson of GSOC.**

- **Established inquiry under section 109 of the Garda Síochána Act 2005**  
The inquiry was established to examine the conduct of designated officers of the Garda Síochána Ombudsman Commission in relation to its investigation into the contact of members of An Garda Síochána with the victim of a road traffic incident on 1 January 2015 shortly prior to the incident in which the victim was fatally injured. The establishment of the inquiry arose following the tragic death of a Garda Sergeant who had been the subject of the GSOC investigation. Mr. Justice Frank Clarke of the Supreme Court was appointed to conduct the inquiry
- **Completed the Independent Review Mechanism for consideration of allegations received by Government.**  
The Independent Review Mechanism, consisting of a panel of counsel, has examined 320 complaints alleging Garda misconduct or problems with investigating misconduct. Letters are continuing to issue to complainants and a summary report will be published.

- A Commission of Investigation established to investigate certain matters relative to the Cavan/Monaghan Division of the Garda Síochána.

Following a report from Mr Sean Guerin SC in relation to complaints against members of the Garda Síochána, mainly related to the operation of Bailieboro Garda District, the Government established a Commission of Investigation into certain matters relative to the Cavan/Monaghan Division of the Garda Síochána. Mr. Justice Kevin O'Higgins was appointed as the Commission's sole member. The Commission commenced its work on 10 February 2015.

- Two Deputy Commissioners were appointed in 2015 by means of the first ever open competitions for such appointments. The recruitment competition was advertised internationally and had attracted applicants from outside of An Garda Síochána. Two successful candidates came through the open recruitment and selection process, which was organised by the Public Appointments Service and was a first for the selection of persons to the rank of Deputy Commissioner.

#### Provide financial support to voluntary sector organisations supporting victims of crime

- The Department provided financial support to more than 50 organisations supporting victims of crime.



## Support implementation by criminal justice agencies and voluntary sector in implementing EU Victims Directive 2012/29/EU

- The Department worked closely with statutory agencies and victims advocacy groups to progress implementation of the EU Victims Directive and published the heads of the Criminal Justice (Victims of Crime) Bill following extensive consultation with statutory agencies and victim's advocacy groups.

The Bill will fulfil a Programme for Government Commitment to enact legislation to strengthen the rights of victims of crime and their families. The Bill will place victims and their needs at the heart of the justice process. It provides that rights to information, advice and other appropriate assistance will be met effectively and efficiently. The Bill will also transpose into Irish law EU Directive 2012/29/EU establishing minimum standards on the rights, support and protection of victims of crime.

- Supported the establishment of dedicated Victim Support Offices in every Garda division. Victim Support Offices were established in all 28 Garda divisions in 2015 and are a key part of placing victims at the centre of police and justice reforms. The offices provide information and supports to victims and can track their cases through the criminal justice system. The offices ensure that a consistent, high quality and timely service is provided to victims.
- Oversaw the process leading to the granting of a Posthumous Pardon to Harry Gleeson. On the 19<sup>th</sup> December 2015 President Michael D. Higgins signed a posthumous pardon exonerating Harry Gleeson, who was executed in 1941 after being convicted of the murder of Mary McCarthy. Mr. Gleeson was granted this pardon in April after the re-examination of a large amount of information relating to his case.

## Develop new National Strategy on Domestic, Sexual and Gender-based violence

- Ireland signed the Council of Europe Convention Preventing and Combating Violence Against Women and Domestic Violence (the Istanbul Convention) and published an Action Plan on implementation of the Istanbul Convention in Ireland. The Convention requires comprehensive and co-ordinated policies to tackle these issues. It is the obligation of the State to fully address such violence in all its forms and to take measures to prevent it, protect its victims and prosecute the perpetrators.





- **New strategy on Domestic, Sexual and Gender-based Violence was developed in 2015**  
The Strategy envisages a range of actions, both legislative and administrative, to be implemented by State, voluntary and community sector organisations aimed at preventing and responding to domestic, sexual and gender-based violence.
- **Published heads of comprehensive new Domestic Violence bill.**  
This Bill is to bring about some reform and to consolidate legislation in this area

### Improve the standard of accommodation in Mountjoy, Cork, Limerick and Portlaoise Prisons

- **Additional capital funding was secured for the elimination of slopping out in the prisons estate, the completion of Limerick Prison and refurbishment work at Portlaoise.**  
The funding is being provided to the Irish Prison Service to complete the elimination of slopping out in the prisons estate, with funding provided for essential building works, including the completion of Limerick Prison and refurbishment work at E Block in Portlaoise. This outlay supports the priorities in the IPS Strategic Plan and fulfils a key commitment in the Programme for Government.
- **Construction of a new Cork Prison was completed in December.** The 169 double cell prison in Cork opened in Feb 2016 and replaces an old medium security prison housed in a former Victorian army building, which has been closed. It was constructed over 20 months on six acres and cost just over €43 million. The new prison includes high support cells as well as disabled-accessible cells and observational cells.



**The interior of Cork Prison**



- Publication of the landmark report of the Inspector of Prisons entitled “Culture and Organisation in the Irish Prison Service – A Road Map for the Future”.

This report was published in November 2015 and offers a road map for the future organisational and cultural development of the Irish Prison Service.

### Implementation of the Fines (Payment and Recovery) Act 2014

- The Department supported the implementation of the Fines Act 2014 by the Courts Service.

The legislation provides that where a person fails to pay a fine by the due date the Court may make an attachment order to earnings as a means of recovering an unpaid fine. The Act further provides that the appointment of a receiver to recover an unpaid fine will be an option available to the Court. Where a recovery order or an attachment order has been imposed but where the fine or a portion of the fine remains outstanding, a community service order may be made as an alternative to prison. Implementation of the measures required changes to IT and administrative systems as well as tendering requirements in implementing the Act. The Act was commenced in January 2016.





### 3.4 - ACCESS TO JUSTICE FOR ALL

The Department's objectives under this Programme for 2015-2017 as set out in its Strategy Statement are:

#### **To ensure the Court systems and structures are appropriate to meet demands**

- >> The Court of Appeal up and running
- >> Develop new family courts structure

#### **To ensure through legislative reform and development that judicial system meets the highest standards**

- >> Reform and update judicial appointment procedures
- >> Establish Judicial Council

#### **To ensure effective cross-agency collaboration through joined up policy programmes and actions, and where necessary, legislation**

- >> Keep the efficiency of administration of justice under review by working closely with Courts Service, An Garda Síochána, Prison Service, Probation Service, Legal Aid Board and DPP
- >> Continue to provide legal aid and ensure, in collaboration with the Legal Aid Board and other relevant stakeholders, that the administration of the schemes is efficient, effective and supported by new legislative framework

#### **To support the Courts Service and ensure effective corporate governance**

- >> To support the Courts Service and ensure effective corporate governance
- >> Work with Courts Service on organisational change and development including technology improvement such as eJustice etc
- >> Provide financial resources to Courts Service



## PROGRESS MADE IN THIS AREA DURING 2015

### The Court of Appeal up and running

- The Court of Appeal operating successfully

On Thursday, 26<sup>th</sup> November, Minister Fitzgerald attended the official opening of the new Court of Appeal building. The Court of Appeal was established following the enactment of the Court of Appeal Act 2014. President Michael D. Higgins officially opened the new Court of Appeal building.



**Mr. Justice Sean Ryan, President of the Court of Appeal, Minister Frances Fitzgerald TD, President Michael D. Higgins, Mrs. Justice Susan Denham, Chief Justice, Brendan Ryan, Chief Executive of the Courts Service, and Mr. Justice Nicholas Kearns, President of the High Court, visiting the new Court of Appeal.**

- Second Special Criminal Court

The Government appointed seven serving judges on 28 October 2015 to establish a Second Special Criminal Court, comprising 3 High Court, 2 Circuit Court and 2 District Court judges. The first Special Criminal Court was established in 1972 under Section 38 (1) of the Offences Against the State Act 1939 and has 13 members, comprising 5 judges of the High Court, 3 judges of the Circuit Court and 5 judges of the District Court.



- [Increased statutory number of ordinary judges of the High Court](#)

The Courts Act 2015 introduced an amendment to Section 9 of the Courts and Court Officers Act 1995 to increase the statutory number of ordinary judges of the High Court by two, from 35 to 37. The increase in the number of High Court judges will permit the assignment of an additional judge in the Central Criminal Court so as to enable 5 judges to work in this area.

### Develop new family courts structure

- [New Courts Complex at Hammond Lane](#)

A new Public-Private Partnership was established in 2015 to deliver on the Government's proposals for a dedicated and integrated Family Law and Children's Courts building, together with additional Court rooms for the Supreme Court and other Courts offices, at a site at Hammond Lane, in Dublin.

### Keep the efficiency of administration of justice under review by working closely with Courts Service, An Garda Síochána, Prison Service, Probation Service, Legal Aid Board and DPP

- [The Report of the Working Group on Efficiency Measures in the Criminal Justice System - Circuit and District Courts 2013-2014 was published in 2015.](#)

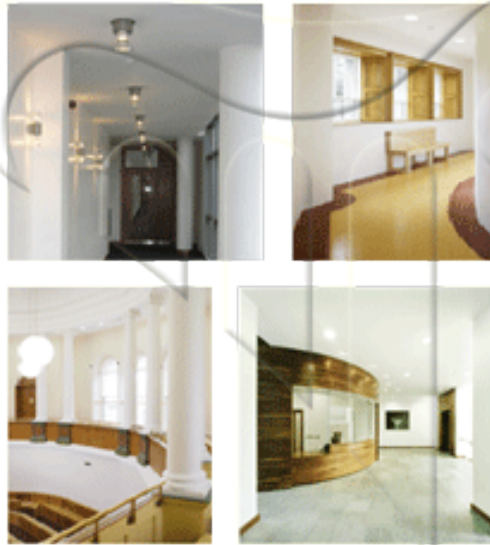
The report outlined the developments and measures adopted across the criminal justice system in the period 2013 -2014. The report is focused on initiatives directed at delivering greater efficiencies and cost reductions at District and Circuit Court level where the relevant Justice agencies interact.

There was continued roll-out of Garda Court Presenters and the use of Video Links between Courtrooms and prisons. Currently, the Court Presenters programme is progressing in the three divisions (Limerick, Wexford & Thurles) with plans underway to extend it to a further eight. Under this programme a dedicated member of An Garda Síochána is based in the Court and presents evidence in multiple cases, instead of different Gardaí presenting in each case.

The Working Group report indicated that video link technology was employed in 1,879 court cases in 2014. This reduced the need to provide escorted transfers for prisoners to Court, particular for minor hearings.



## Provide financial resources to Courts Service



- The Courts Service resources for 2015 amounted to €107 million, including €11.1 million in capital expenditure.

- **Courts Bundle Public-Private Partnership (PPP) Project**

This project will see the construction or redevelopment of seven regional Courthouses. Total project costs will be around €135 million and it is anticipated that around 700 new jobs are to be created during the period of construction.

Four new courthouses are to be built in Drogheda, Letterkenny, Limerick and Wexford. Substantial refurbishment and extension works are planned for existing courthouses in Cork, Mullingar and Waterford.



## 3.5 - AN EQUAL AND INCLUSIVE SOCIETY

The Department's objectives under this Programme for 2015-2017 as set out in its Strategy Statement are:

### **To raise awareness of and coordinate efforts to promote equality and human rights in society**

- >> Support the work of the Irish Human Rights and Equality Commission
- >> Coordinate Ireland's participation in international procedures and mechanisms concerning domestic human rights issues
- >> Review section 37 of the Employment Equality Act with a view to protecting LGBTI people from discrimination in posts in religious-run educational and medical institutions funded by the tax payer

### **To promote gender equality in Irish society**

- >> Oversee the implementation of the National Women's Strategy 2007-2016 and gender-related commitment in the Programme for Government
- >> Progress the Family Leave Bill

### **To promote equality and inclusion in Irish society of the Traveller and Roma communities**

- >> Renew implementing structures at national and local levels to allow for meaningful dialogue and engagement with both the Traveller and Roma communities
- >> Renew the 2011 National Traveller and Roma Integration Strategy to serve the distinct needs of both the Traveller and Roma communities, as well as having due regard to European Commission country-specific recommendations

### **To promote equality for and inclusion of people with disabilities in Irish society**

- >> Policy coordination across Departments and agencies and effective consultation and participation by people with disability and relevant stakeholders in the policy process
- >> Review and restructure engagement with stakeholders in advancing national disability policy to ensure ongoing, appropriate and representative consultation



- >> Support the work of the National Disability Authority, particularly in relation to strengthening the role in providing independent policy advice to the Minister and Government, and to ensure effective corporate governance
- >> Progress ratification of UN Convention on the Rights of Persons with Disabilities (CRPD) by coordinating work of all relevant Departments in making relevant legislative amendments

### **To support and facilitate the integration of legally resident immigrants into Irish society**

- >> Review Ireland's approach to the integration of immigrants and develop a new integration strategy.
- >> Anti-racism measures and measures to improve integration of immigrants developed

### **To continue reform of civil law, including family law, promoting equality and social rights**

- >> Progress the Children and Family Relationships Bill
- >> Progress the Legal Services Regulation Bill
- >> Support Government commitment on a referendum on marriage equality and any relevant decisions of the Constitutional Convention
- >> Deliver legislative priorities undertaken at Government and international level

### **To develop the arrangements in place relating to personal insolvency**

- >> Implement such measures as are necessary following review of the Insolvency Service of Ireland
- >> Insolvency Service of Ireland discharging its functions in respect of personal insolvency and bankruptcy matters





## PROGRESS MADE IN THIS AREA DURING 2015

Review section 37 of the Employment Equality Act with a view to protecting LGBTI people from discrimination in posts in religious-run educational and medical institutions funded by the tax payer

- Enacted the Equality (Miscellaneous Provisions) Act 2015 to protect LGBTI teachers and other employees in state-funded religiously-run institutions from discrimination


Oversee the implementation of the National Women's Strategy 2007-2016 and gender related commitment in the Programme for Government

- Progress the implementation of the National Women's Strategy 2007 - 2016 and preparations for a successor strategy. Minister Ó Ríordáin T.D headed the Irish delegation attending the 59<sup>th</sup> session of the Commission on the Status of Women at the United Nations, marking the 20<sup>th</sup> anniversary of the Beijing Declaration and Platform for Action, the most progressive blueprint for advancing women's rights, which was adopted in 1995. Minister Ó Ríordáin T.D. highlighted the progress achieved in the last 20 years on gender equality and women's empowerment. A new Gender Equality Index places Ireland 8th across EU. The full report is available on the EIGE web site ([www.eige.europa.eu](http://www.eige.europa.eu)).

The Department is implementing a range of initiatives to increase gender balance in decision-making roles in Ireland. Funding for these initiatives is being provided by the European Union under its PROGRESS programme.

One such initiative is the W-LEAD Women in the Lead – Leadership, Engagement, Advancement and Development programme, a pilot cross-Departmental mentoring and leadership development programme for female Principal Officers in the Civil Service. Each of the 16 Government Departments has participated in the pilot programme, with each participant receiving executive coaching, mentoring and leadership development training. The programme has been developed around the competencies required at the Assistant Secretary grade.

Under the National Women's Strategy 2007-2016, targets for female representation at the Assistant Principal and Principal Officer grades were set at 33% and 27% respectively. Both targets have been exceeded with women representing 42% of Assistant Principals and 36% of Principal Officers at the end of 2014.



Data recently published by the Department of Public Expenditure and Reform show that women comprise 27% of Assistant Secretary and 20% of Secretary General posts. Further detail on the initiatives being implemented by the Department to increase gender balance in decision-making roles in Ireland can be found at [www.genderequality.ie](http://www.genderequality.ie)

### Renew implementing structures at national and local levels to allow for meaningful dialogue and engagement with both the Traveller and Roma communities

- [Report of the first Annual Traveller Inter-Agency Process Conference.](#)

A review of the inter-agency process, which was established in 2006 to improve Traveller access to services and to provide more integrated service delivery to achieve that, found that it was not operating effectively. Taking into consideration the new local Government structure, the Department hosted the first Annual Traveller Inter-Agency Process Conference which was held on 18 and 19 May in Athlone. Following the conference, the Minister Ó Ríordáin T.D. received the conference report which provides real recommendations for the way forward, both long-term and short-term. The Minister pledged his support to progressing the recommendations as quickly as possible. The Department is implementing the practical solutions arising, including the provision of funding to stimulate renewed Traveller Inter- Agency Group (TIG) activity in the short-term.

### Renew the 2011 National Traveller and Roma Inclusion Strategy to serve the distinct needs of both the Traveller and Roma communities, as well as having due regard to European Commission country-specific recommendations

- [A comprehensive consultation process took place during 2015 with a view to putting in place a revised National Traveller and Roma Inclusion Strategy.](#)

The Department, together with the National Traveller and Roma Inclusion Strategy Steering Group chaired by Minister Ó Ríordáin T.D., undertook the consultation process, which allowed interested parties to make submissions in key areas such as anti-discrimination and anti-racism, cultural identity, accommodation, health, employment, education, family and children and political participation. Following from the consultation a revised National Strategy is being developed and will run from 2016 to 2020.



## Review and restructure engagement with stakeholders in advancing national disability policy to ensure ongoing, appropriate and representative consultation

- A comprehensive consultation process took place during 2015 with a view to putting in place a new National Disability Inclusion Strategy.

The Department, together with the National Disability Authority and the National Disability Strategy Implementation Group chaired by Minister Ó Ríordáin, undertook the consultation process which allowed interested parties to make recommendations in key areas such as service provision, accommodation, health, employment, and education.

The Department, with assistance from the National Disability Authority completed Phase 2 of the consultation process. A revised National Strategy, covering the next implementation phase which will run from 2016 to 2019 is now being developed.

- A Comprehensive Employment Strategy for People with Disabilities covering the period 2015 to 2024 was launched by An Taoiseach, Enda Kenny T.D. at an event in Farmleigh House. The strategy requires a cross-government approach that brings together actions by different departments and state agencies in a concerted effort to address the barriers and challenges that impact on employment of people with disabilities.
- Accessibility to Public Buildings: Section 25 of the Disability Act 2005, which became law on 31 December 2005, came into force in 2015.

The Section provides that all public buildings that were public buildings at that time must be brought into compliance with Part M of the 1997 Building Regulations by 31 December 2015. The section also provides that such public buildings shall be brought into compliance with any subsequent amendment to Part M not later than 10 years after the amendment comes into effect. Part M contains a set of minimum requirements to make public buildings accessible to people with disabilities.



## Progress ratification of UN Convention on the Rights of Persons with Disabilities (CRPD) by coordinating work of all relevant Departments in making relevant legislative amendments

- A roadmap to Ireland's ratification of the United Nations Convention on the Rights of Persons with Disabilities (CRPD), which outlines legislative changes to be undertaken to enable Ireland to ratify the Convention, along with the estimated timeframe involved was published in 2015. The drafting of an omnibus bill was approved to progress miscellaneous legislative amendments necessary to proceed to ratification, the Equality/Disability (Miscellaneous Provisions) Bill, the General Scheme of which will be published shortly, with enactment by the end of 2016. [Roadmap to Ratification of the United Nations Convention on the Rights of Persons with Disabilities \(UNCRPD\)](#)
- The Assisted Decision-Making (Capacity) Act 2015 was signed by the President on 30 December 2015. The Act reforms Ireland's Capacity legislation which has been in place since the 19th century. It establishes a modern statutory framework to support decision-making by adults who have difficulty in making decisions without help

## Progress the Children and Family Relationships Bill



**Minister Frances Fitzgerald TD and attendees at the Children and Family Relationships Bill information seminar**



- [The Children and Family Relationships Act 2015.](#)

The Bill was enacted in April 2015 and key provisions of the Act were commenced in January 2016. The Act provides crucial legal support and protection for children in their relationships with those parenting them. This may include married or unmarried parents, a parent's partner, grandparents or relatives. The Act protects and clarifies relationships for children living in diverse families, making a child's best interest the paramount consideration for a court in family law cases. It enables grandparents and other relatives to have access more easily to children in the context of relationship breakdown, and to apply for custody if there is no parent willing or able to take responsibility for caring for the child. Statutory provisions covering children who have been born through donor assisted human reproduction (AHR) will be commenced in due course by the Minister for Health.

### Progress the Legal Services Regulation Bill

- [Completion of all stages of the Legal Services Regulation Bill in the Oireachtas.](#)

Following its passage by the Houses the bill was sent to the President for his signature in accordance with the Constitution.


### Support Government commitment on a referendum on marriage equality and any relevant decisions of the Constitutional Convention.

- [The Marriage Equality referendum was held in May 2015.](#)

The Irish people chose decisively to extend the right to marry to same-sex couples.

On the 10<sup>th</sup> of November 2015 the Minister signed the commencement order for the Marriage Act 2015. The Commencement Order brought the provisions of the Marriage Act 2015 into effect from Monday 16 November 2015.

The commencement order gave effect to the will of the people, as expressed in the referendum on 22 May, that marriage should be available to same-sex couples. From Monday 16 November, same-sex couples, including couples who are already in civil partnerships, are able to give notice of their intention to marry.



The Marriage Act 2015 sets out the provisions which give effect to the right to be inserted into the Constitution as the 34<sup>th</sup> amendment, which enables two persons to marry in accordance with law without distinction as to their sex. It also removed the impediments in the Civil Registration Act 2004 which prevented same-sex couples from marrying. It also set out the transitional arrangements that apply where civil partners wish to get married. It outlines the final dates for registration of civil partnerships.

## Deliver Legislative priorities undertaken at Government and international level

- **Civil Debt (Procedures) Act 2015**

The Civil Debt (Procedures) Bill 2015 completed all stages in the Seanad, which completed the passage of the Bill through the Oireachtas. The Act introduces two additional measures to the existing suite of measures currently available for the enforcement of debts. These new court-based options will provide for the enforcement of debts of between €500 and €4,000 in value by means of attachment of earnings or deductions from certain social welfare payments where the debtor has capacity to repay the moneys owed. Consumer debts owed to financial institutions or licensed moneylenders and arising from loans are excluded from the scope of the legislation.

The provisions of the Act apply to creditors such as small or sole traders, sub-contractors and other small businesses who have supplied goods and services and provide them with new avenues to get paid what is owed to them by those who can afford to pay.

Importantly, the Bill will also make provision for the abolition of imprisonment of debtors except in the case of maintenance arising from family law proceedings. This will implement one of the key recommendations of the Law Reform Commission in this area.

## Insolvency Service of Ireland discharging its functions in respect of personal insolvency and bankruptcy matters

- **The Personal Insolvency (Amendment) Act 2015 includes new measures to support mortgage holders.**

The Act increases the ceiling for a Debt Relief Notice (DRN) (from €20,000 to €35,000), (The purpose of a DRN is to give relief from debt to people who are in debt and have little or no disposable income or assets which they could use to repay



what they owe. The DRN process enables eligible insolvent debtors to write off their debts where they can prove they are not in a position to repay them and it is unlikely their financial situation will improve in the next 3 years.) The Act provides strengthened powers for the Insolvency Service and introduces an amending provision to ensure that a borrower who has entered a mortgage restructure is not excluded from applying for a Personal Insolvency Arrangement, should the restructure not succeed in returning the borrower to solvency. It also makes technical changes to clarify the rules for approval by creditors of a proposed Personal Insolvency Arrangement or Debt Settlement Arrangement.

Under the new provisions, a borrower can apply for review by the Courts, if creditors such as the mortgage lender refuse the borrower's proposal for a Personal Insolvency Arrangement to deal with unsustainable debts which include the mortgage on their home. The Court can examine the proposal refused by the creditors, subject to certain conditions, and if it considers the proposal fair and sustainable, using the tests set down in the legislation, will have power to impose the proposal on creditors who voted against it.

Under the Government Framework to Strengthen Support for those in Mortgage Arrears, in quarter 4 of 2015 the Money Advice and Budgeting Service (MABS) and the Insolvency Service had courthouse information stands at all repossession hearings, to provide independent information and assistance to householders trying to resolve their mortgage arrears.

- [The Bankruptcy \(Amendment\) Act 2015 was signed into law on 25<sup>th</sup> December 2015.](#)

The Act provides for a reduction in the normal duration of bankruptcy from 3 years to 1 year, a reduction in the normal maximum duration of orders requiring payments to creditors from any income of the bankrupt person, from 5 years to 3 years, an extended bankruptcy term (up to 15 years in serious cases), and extended duration of payments to creditors, if the bankrupt person, attempts to mislead the ISI as to the true value of their income or conceals assets via transfers to 3rd parties, or does not co-operate with the bankruptcy process. A bankrupt person will regain their ownership of their home, subject to any mortgage, after 3 years, if steps have not been taken to sell it for the benefit of creditors within that period, The Act also includes some key reforms to modernise and streamline bankruptcy procedures, and remove unnecessary delays and costs to the parties and the taxpayer.



### **3.6 - AN EFFICIENT, RESPONSIVE AND FAIR IMMIGRATION, ASYLUM AND CITIZENSHIP SYSTEM**

The Department's objectives under this Programme for 2015-2017 as set out in its Strategy Statement are:

#### **To maintain the integrity of the immigration system**

- >> New immigration and residence legislation
- >> Continued rigorous control of Ireland's borders and immigration procedures to combat immigration abuse
- >> Coordinate with relevant Government Departments

#### **To maintain the integrity of and implement improvements to the protection and direct provision systems**

- >> A Protection Bill to provide for a Single Procedure for Protection applicants with the aim of reducing processing times and, as a result, the length of time spent in the Direct Provision System
- >> Working Group to recommend to the Government what improvements should be made to the State's existing Direct Provision and protection process

#### **To provide immigration related services to applicants in an efficient and cost effective manner**

- >> Civilianise frontline immigration controls at Dublin Airport and other major ports of entry
- >> Rationalise and civilianise registration function around a small number of hubs
- >> Continue to deliver decisions on citizenship applications within a six month timeframe
- >> Continue citizenship ceremonies
- >> Process visa and immigration applications in a timely manner

#### **To maintain and enhance the Common Travel Area with the United Kingdom**

- >> Rollout of British-Irish Visa Scheme (BIVS) commencing with applications from India and China
- >> Exchange of immigration information and intelligence with our UK partners
- >> Ongoing cooperation with the United Kingdom Government





## PROGRESS MADE IN THIS AREA DURING 2015

### Continued rigorous control of Ireland's borders and immigration procedures to combat immigration abuse

- Operation Vantage established on the 10 August 2015, by the Garda National Immigration Bureau (GNIB) with the objective of investigating illegal immigration with a particular focus on marriages of convenience as defined under the Civil Registrations Act 2014.

This multi-agency operation involved INIS, the Department of Social Protection, the Office of Director of Corporate Enforcement, the Workplace Relations Commission and the Revenue Commissioners. Operation Vantage is ongoing and forms part of the overall response of the Department to prevent marriages of convenience from taking place.

The commencement of new legislation introduced by the Tánaiste and Minister for Social Protection, gave Marriage Registrars extensive new powers to prevent the abuse of the institution of marriage for immigration purposes. The new powers took effect from 18th August, 2015.

The new legislation will make 'marriages of convenience' an impediment to marriage and will allow a Registrar the right to investigate and to form an opinion, based on the information presented by the two parties, of the veracity of the application to marry. Ultimately, they can refuse to issue a marriage registration form and are empowered to inform and make enquiries of the Irish Naturalisation and Immigration Service of the Department of Justice & Equality. In that regard, the General Registration Office, the immigration services and the Garda National Immigration Bureau have and will continue to work closely to prevent such marriages taking place and to ensure no immigration advantage is gained as a result.

- Reforms to the student immigration system for international education, in response to concerning practices within certain parts of the sector and a number of English language college closures.

Jointly announced by the Minister and her colleague the Minister for Education and Skills Jan O'Sullivan T.D., the reforms are designed to drive real, lasting change in the sector and will tackle abuse of the immigration regime and labour market, improve the overall quality of offering to international students, and improve protection for learners, whilst



safeguarding the strong international reputation of high-quality Irish education providers in line with the goals of Ireland's International Education Strategy. The new regulations and the schedule for implementation are set out in the Policy Statement "Reform of the International Education Sector and Student Immigration System".

### Irish Refugee Protection Programme

- The Irish Refugee Protection Programme was established on the 10<sup>th</sup> of September 2015 as part of the Government's response to the migration and refugee crisis in central and southern Europe, to provide safe haven for persons seeking international protection. The main feature of this programme is the provision of international protection for up to 4,000 persons overall under the EU Resettlement and Relocation Programmes. The resettlement of 520 people mainly coming from Lebanon and predetermined as refugees by the UNHCR commenced with 176 arriving in 2015.

Approximately 2,600 of the overall total of 4,000 will be admitted from Greece and Italy under the EU Relocation Programmes. A new cross departmental Taskforce, chaired by the Minister has been established to deal with the operational and logistical aspects of the support programme. There will be engagement with the general public and volunteer groups on their pledges of support. The Irish Red Cross is leading this task. A network of Emergency Reception and Orientation Centres for the initial reception of those arriving under the relocation programme is being established. Asylum applicants will be processed expeditiously by the Office of the Refugee Applications Commissioner. A programme office has been established in the Department to oversee the implementation of the IRPP and to support the work of the taskforce.

### A protection Bill to provide for a Single Procedure for Protection applicants with the aim of reducing processing times and, as a result, the length of time spent in the Direct Provisions System

- **The International Protection Act 2015**  
This is another important reforming step in delivering the Government's undertaking to reduce the length of time asylum applicants spend in the protection process, including the direct provision system by establishing a single applications procedure for international protection as provided for under the Statement of Government Priorities 2014-2016.



Signed into law by the President on 30 December 2015, it will simplify and streamline existing international protection (asylum) arrangements and provide applicants with a final decision on their protection application in a more straightforward and timely fashion and, as a consequence, reduce the length of time that applicants spend in the direct provision system. The new Act, in providing for the introduction of a single application procedure, brings our protection system into line with other EU Member States.

Under the single procedure, an applicant will only have to make one application, and will have all grounds for seeking international protection and to be permitted to remain in the State examined and determined in one process.

The Act also includes a small number of key amendments to immigration legislation relating to entry to and removal from the State.


It is essential, in the context of the wider migration crisis in the EU that humanitarian measures for those in need of protection are balanced by an effective returns programme for those who have no basis to be in the State.

### Working Group to recommend to the Government what improvements should be made to the State's existing Direct Provision and protection process

The Report of the Working Group on the Protection Process including Direct Provision and supports to asylum seekers was presented to Government and published on June 30th.

The Report marks the culmination of nine months intensive work by the Group established by the Minister and the Minister of State in October 2014 and chaired by retired High Court Judge, Dr. Bryan McMahon. Membership of the Group was drawn from a range of interests in the international protection area including UNHCR, non-governmental organisations, the protection seeker community, academia, and relevant Government Departments and Offices.

The Report contains a total of 173 recommendations many of which have implications for a number of Government Departments and services.



Following publication, the Report was referred by Government to the Cabinet Committee on Social Policy and Public Service Reform for their consideration. Since the publication of the Report, a number of important recommendations have been implemented, including:

- **Persons in the protection system for more than 5 years** - A total of 1,384 persons were granted permission to remain in 2015 having spent at least 5 years in the international protection system.
- The **International Protection Act 2015**, which provides for the introduction of a single applications procedure, one of the key recommendations of the Working Group. The Act responds to 26 of the Working Group recommendations.
- **Increase to the Direct Provision Allowance for children from January 2016.**
- **Pilot scheme for school leavers who are in the protection system** (other than at deportation stage) for the 2015/2016 academic year which grants access to student support in line with the current Student Grant Scheme on a pilot basis.
- **Exemption from prescription charges for Direct Provision residents.**
- **Transition Taskforce** – a taskforce, chaired by the Minister of State, was established under the direction of the Cabinet Committee on Social Policy and Public Service Reform to examine the mechanisms and supports for the transitioning of persons granted status from the Direct Provision system.

### Civilianise frontline immigration controls at Dublin Airport and other major ports of entry

- **Civilianisation of frontline immigration control procedures at Dublin Airport**

The civilianisation of passport checks and immigration booths to free up Gardaí for other frontline policing work was progressed in 2015 with Phase one being completed. A new uniformed border management unit was established by the Irish Naturalisation and Immigration Service of the Department of Justice and Equality and over 80 civilian immigration officers have assumed responsibility for border checks in Terminal 1 on a 24/7 365 basis. In addition, a new 'e-gate' facility has been introduced, with 17,500 persons a week using the facility at peak times. Passengers are provided with information on expected queuing time, while average queuing times for most passengers are approximately 3 minutes.

Garda numbers at Dublin Airport have now been reduced from more than 120 in 2008 to just over 60, with these Gardaí freed up for other core policing duties. The Gardaí remaining at the airport have been redeployed to policing and intelligence aspects of Border Control.



## Continue citizenship ceremonies

- **16 Citizenship Ceremonies were held in 2015**  
16 ceremonies were held over 6 days during the year. In January 2015 a milestone was reached when the one hundredth citizenship ceremony took place. Since the implementation of the far-reaching reforms to the citizenship process in 2011, decisions have been made in over 100,000 applications and the processing time for the vast majority of standard applications has been reduced from 31 months to less than 6 months, despite a significant increase in valid application volumes in the intervening period.

## Rollout of British-Irish Visa Scheme (BIVS) commencing with applications from India and China

- **On the 9<sup>th</sup> February 2015 the extension of the British-Irish Visa Scheme to India was announced.** The British-Irish Visa Scheme facilitates nationals requiring a short-stay visa to travel freely within the Common Travel Area using a single visa issued by either Ireland or the UK.

This will mean that tourists, business visitors and other eligible visitors from India will be able, for the first time, to visit both the UK and Ireland, including moving freely between north and south of the island of Ireland on a single visa.

The British-Irish Visa Scheme is a unique opportunity for the tourism promotion bodies on both islands to jointly promote tourism travel to Ireland and the UK. With that objective Tourism Ireland and Visit Britain are working together to market the British-Irish Visa Scheme in China and India.

## Exchange of information and intelligence with our UK partner

- **Sharing of immigration data between Ireland and the United Kingdom**  
The collection of biometrics as part of the Irish visa application process was extended during 2015 and systems have been put in place to facilitate the automated and



seamless sharing and cross-checking of information. In its first full year of operation in 2015 there was a 27% increase in visas granted to Chinese and Indian citizens travelling for tourism or business purposes.

- The enhancement of intelligence gathering capability and exchange of information with the aim of enhancing traveler security and migration control is an ongoing priority for the Department with a number of long term projects being worked on.

• **Immigration in Numbers:**

**Residence: Living in Ireland for Work, Study or Family Reasons**

**Non-EEA citizens resident in Ireland**

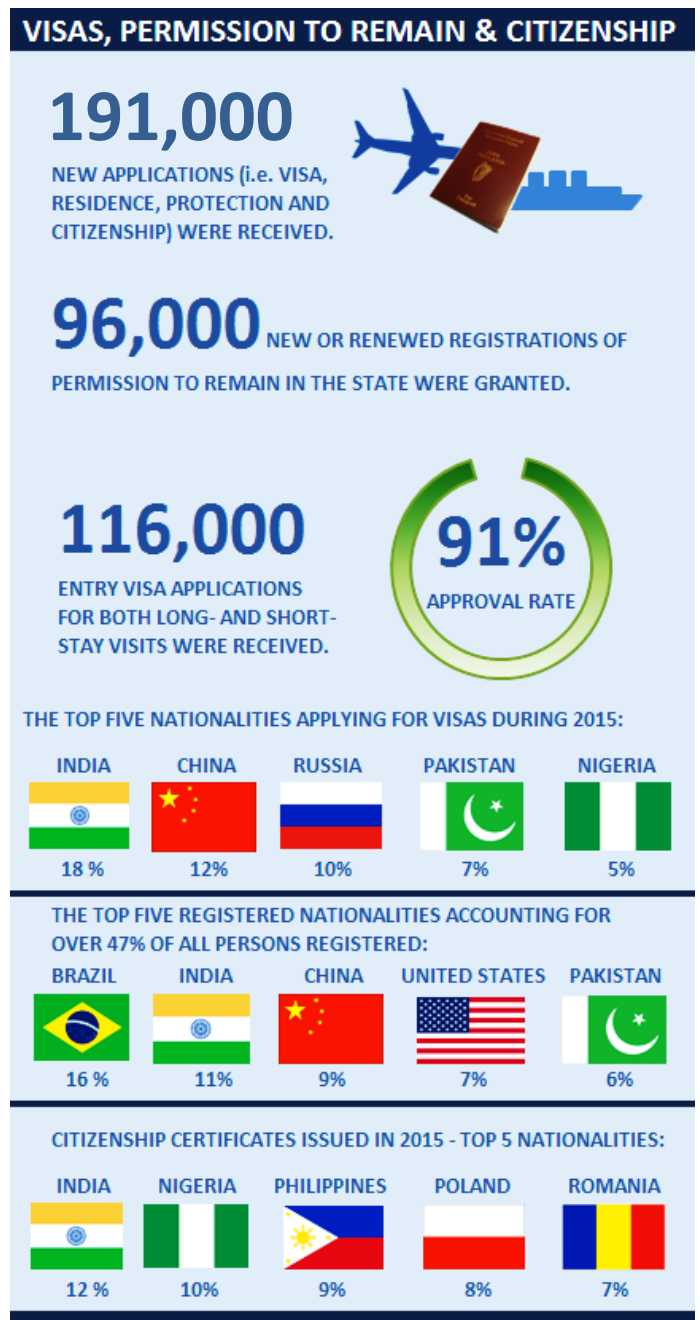
All non-EEA nationals living in the State for longer than 90 days are required to register with An Garda Síochána. The number of non-EEA nationals with permission to live in Ireland is approximately 114,000, compared to 105,000 at the end of 2014. The majority of persons with permission to remain in the State are here for work or study purposes.

**Applications to INIS for permission to live in the State**

Certain types of application to live in the State need to be made to the Minister through INIS. Once their permission is granted, these people must register with An Garda Síochána as a legal resident. The Residence Division of INIS received approximately 17,400 such applications in 2015.

**VISA Applications**

The volume of applications received in 2015 increased by 14% over 2014, and cumulatively by 39% since 2011.



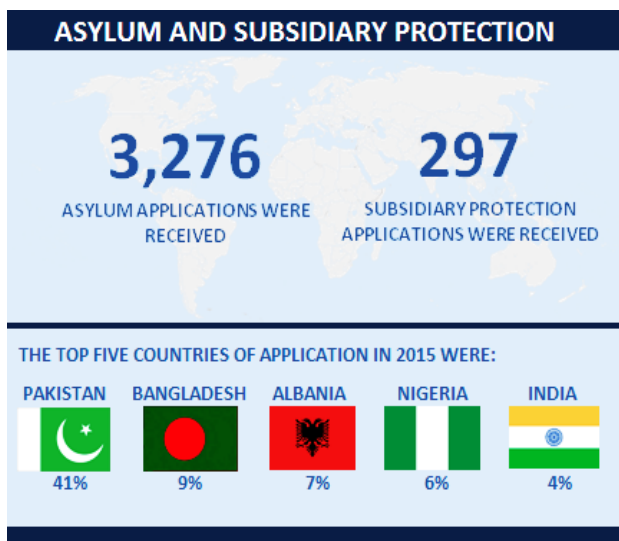


## Improvements in customer service - <http://reentryvisa.inis.gov.ie>

In November 2015, an online booking system was launched for the re-entry visa service. This allows customers to book a time for their re-entry visa application at Burgh Quay, and it replaces the old ticketing system. Customers may use this service in addition to applying by registered post. There is no need for anyone to queue for a re-entry visa.

## Citizenship application processing

Over 13,500 citizenship certificates were issued in 2015, while some 13,000 applications were received.



### Asylum applications

3,276 asylum applications were received in 2015 as compared to 1,448 in 2014 (127% increase). This continues the reversal of the trend of recent years when application numbers were decreasing year on year.

### Subsidiary Protection

Responsibility for the processing of almost 3,800 existing Subsidiary Protection

applications transferred from the Department to the Office of the Refugee Applications Commissioner on 14th November 2013. By the end of 2015 only 375 of the original number remained to be processed. Of these cases remaining, there are only 40 live cases. A further 183 cases, received between 14 November 2013 and the end of December 2014, were also processed during 2015. Some 297 new cases were received in 2015 of which 113 were processed to completion during 2015.



### Deportations/Removals from the State

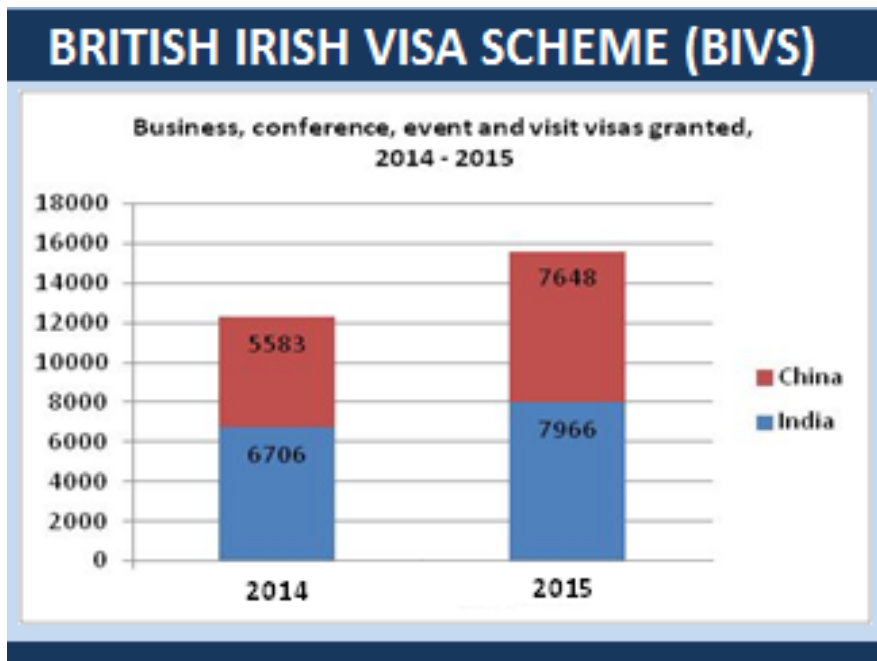
3,790 persons were deported/removed from the State in 2015, comprising 3,451 persons who were refused entry into the State at ports of entry and were returned to the place from where they had come. In addition, 251 failed asylum seekers and illegal migrants were deported from the State, 69 EU nationals were returned to their countries of origin on foot of an EU Removal Order and 19 asylum seekers were transferred under the Dublin Regulation to the EU member state in which they first applied for asylum.



## Voluntary Returns

Provisional figures show that a total of 132 persons chose to return home voluntarily in 2015. Of that number, 110 were assisted by the International Organisation for Migration (IOM).

**The British-Irish Visa Scheme (BIVS)** is an historic initiative to boost tourism and business visitors to Ireland by facilitating visa-required nationals to travel freely between Ireland and the UK using a single visa issued by either country. After its first full year of operation in 2015 INIS has noted a 27% increase in visas granted to Chinese and Indian citizens travelling for tourism or business purposes.





## 4 - CORPORATE INFORMATION

### 4.1 - Staffing levels

The figure below is the total number of staff managed by or through the Department. It includes, amongst others, staff in the Office of the State Pathologist, Forensic Science Ireland, the Probation Service, Office of the Data Protection Commissioner, Insolvency Service of Ireland and headquarters staff in the Irish Prison Service.

### 4.2 - Staffing at 31 December 2015

Department of Justice and Equality and associated Offices and Agencies Staffing at 31 December 2015		
Grade level	Grade/Title	Number
Secretary General	Secretary General (Acting)	1.0
Deputy Secretary	Deputy Secretary	1.0
	State Pathologist	1.0
Assistant Secretary	Assistant Secretary	7.0
	Director General of the Irish Prison Service	1.0
	Director General of the Irish Naturalisation & Immigration Service (Acting)	1.0
	Deputy State Pathologist	2.0
	Data Protection Commissioner	1.0
	Director Probation Service	1.0
	Director of Insolvency Service Ireland	1.0
	Chief Inspector, Garda Inspectorate	1.0
	Inspector of Prisons	1.0
	Director Forensic Science Ireland	1.0
Principal Officer	Principal Officer	82.7
Assistant Principal	Assistant Principal	155.8
	Forensic Scientist	32.5
	Professional Accountant	12.0
	Senior Probation Officer	52.5
Administrative Officer	Administrative Officer	10.3
	Forensic Scientist	21.0
	Laboratory Analyst	8.0
	Probation Officer	209.8
Higher Executive Officer	Higher Executive Officer	213.8
Executive Officer	Executive Officer	332.0
Staff Officer	Staff Officer	23.1
Clerical Officer	Clerical Officer	573.4
Service Officer	Service Officer	47.9
Community Service Supervisors	Community Service Supervisors	41.4
<b>TOTAL</b>		<b>1836.2</b>

## 4.3 - Financial Tables

### Justice Vote Group Provisional Outturn 2015 and 2016 Budget

#### Gross Expenditure Current

<b>Vote</b>	<b>2015 Provisional Outturn € ,000</b>	<b>2016 Budget € ,000</b>
Garda Síochána	€1,444,713	€1,421,084
Prisons	€301,959	€303,728
Courts Service	€96,019	€76,809
Property Registration Authority	€29,514	€30,484
Justice and Equality	€365,150	€409,440
Irish Human Rights and Equality Commission	€3,892	€5,606
<b>Total</b>	<b>€2,241,247</b>	<b>€2,247,151</b>

#### Gross Expenditure Capital

<b>Vote</b>	<b>2015 Provisional Outturn € ,000</b>	<b>2016 Budget € ,000</b>
Garda Síochána	€58,755	€93,440
Prisons	€29,244	€28,330
Courts Service	€11,093	€32,863
Property Registration Authority	€410	€560
Justice and Equality	€1,186	€1,855
Irish Human Rights and Equality Commission	€11	€700
<b>Total</b>	<b>€100,699</b>	<b>€157,748</b>

#### Appropriations in Aid

<b>Vote</b>	<b>2015 Provisional Outturn € ,000</b>	<b>2016 Budget € ,000</b>
Garda Síochána	€128,485	€112,976
Prisons	€15,922	€13,407
Courts Service	€48,097	€46,003
Property Registration Authority	€1,125	€610
Justice and Equality	€64,225	€60,879
Irish Human Rights and Equality Commission	€106	€116
<b>Total</b>	<b>€257,960</b>	<b>€233,991</b>

## Net Expenditure (Current and Capital)

<b>Vote</b>	<b>2015 Provisional Outturn €,000</b>	<b>2016 Budget €,000</b>
Garda Síochána	€1,374,983	€1,401,548
Prisons	€315,281	€318,651
Courts Service	€59,015	€63,669
Property Registration Authority	€28,799	€30,434
Justice and Equality	€302,111	€350,416
Irish Human Rights and Equality Commission	€3,797	€6,190
<b>Total</b>	<b>€2,083,986</b>	<b>€2,170,908</b>

### Prompt Payments

This information is set out on the Department website.

### Overview of Energy Usage in 2015

This section sets out the energy usage in the Department of Justice and Equality for 2015. Returns are made to the Sustainable Energy Authority of Ireland (SEAI) on an annual basis, and the performance scorecard, based on these returns is outlined below.

In general, Agencies of the Department are responsible for reporting their own energy consumption to the SEAI, and their consumption is not included in these figures.

In 2015, the offices included in this report consumed the following levels of energy:

	<b>Electricity</b>	<b>Gas</b>	<b>Oil</b>	<b>Diesel</b>
<b>2015</b>	<b>3,658,573 kWh</b>	<b>2,059,010 kWh</b>	<b>29,141 Litres</b>	<b>1,395 Litres</b>
	<b>Electricity</b>	<b>Gas</b>	<b>Oil</b>	<b>Diesel</b>
<b>Compared with 2014</b>	<b>3,847,118 kWh</b>	<b>1,643,883 kWh</b>	<b>32,656 Litres</b>	<b>1,716 Litres</b>

### Initiatives Taken During 2015

A number of buildings within the Department are part of the OPW Optimising Power @ Work campaign, and quarterly meetings were held with the Aramark representative to assess the results of their monitoring programme, and take advice on how best to further reduce energy consumption

#### **4.4 - Department Governance as at 31<sup>st</sup> December 2015**

##### **Members of the Management Board**

Noel Waters, Secretary General (Acting)

Ken O'Leary, Deputy Secretary General

Michael Donnellan, Director General, Irish Prison Service

Michael Flahive, Assistant Secretary, Criminal Law

Jimmy Martin, Assistant Secretary, International Policy and Prisons & Probation Policy

Peter Mullan, Assistant Secretary, Crime and Security

Conan McKenna, Assistant Secretary, Civil Law Reform and Courts Policy

Oonagh McPhillips, Assistant Secretary, Corporate Affairs

John O'Callaghan, Assistant Secretary, Policing Division

Vacancy, Assistant Secretary, Head of Asylum Services, Integration and Equality

Michael Kirrane, Acting Director General, Irish Naturalisation and Immigration Service

Vivian Geiran, Director, Probation Service

Marion Walsh, Director, Crime and Security

Eugene Banks, Vice Chair, PO Forum

Tom Maguire, Principal Officer, Reform and Development Unit

Andrew Munro, Chair, PO Forum

Dale Sunderland, Head of Communications & Corporate Secretariat

Michael Walsh, Personnel Officer

Secretary to the Board: Bernadette Phelan, Assistant Principal, Corporate Secretariat  
Division

### **Members of the Audit Committee**

The Audit Committee's remit extends to Votes 24 (Justice) and 21 (Prison Service). The Committee is a key part of the Department's governance framework and is tasked with providing independent advice to the Accounting Officer regarding the suitability and robustness of the internal control systems and procedures within the Department of Justice and Equality. The Committee's role is advisory rather than supervisory.

Con Haugh (External Chair)

Carol Bolger (External)

Richard Cashell (External)

Brian Duffy (External)

James Martin (Department)

### **Members of the Risk Committee**

The Risk Management Committee is representative of different functional areas within the Department. Its role is to oversee the risk management process primarily to ensure that it is operating as intended, to review the content of the risk registers and report on the process to the MAC.

John O'Callaghan, Assistant Secretary, Policing Division (Chair)

Aisling Brennan, Information Access Unit

Alec Dolan, Chief Information Officer

Michael Donnellan, Director General, Irish Prison Service

Maura Hynes, Principal Officer, Corporate Services

Walter Johnston, Principal Officer, Internal Audit

Tom Maguire, Principal Officer, Reform and Development Unit

Oonagh McPhillips, Assistant Secretary, Corporate Affairs

Deaglán Ó Briain, Principal Officer, Equality Division

Fergus O' Callaghan, Principal Officer, Criminal Law Reform

Madeleine Reid, Principal Officer, Civil Law Reform

John Roycroft, Principal Officer, Irish Refugee Protection Programme

Ben Ryan, Principal Officer, Irish Naturalisation and Immigration Service

Dermot Woods, Principal Officer, Crime and Security

## **Members of the ICT Governance Group**

The ICT Governance Group is responsible for managing the implementation of the Department's Communications, Information, Records management and Data (CIRD) Blueprint, which is one of the key elements of the Department's programme for reform. It also assesses the business cases for ICT expenditure and approves and monitors expenditure to ensure it meets business needs. The Group oversees developments to increase ICT consolidation and integration within the Justice and Equality Sector, to support the Public Sector ICT Strategy and to improve communications and security.

Oonagh McPhillips, Assistant Secretary, Corporate Affairs (Chair)

Alec Dolan, Procurement Strategy (Deputy Chair)

Siobhán Barron, National Disability Authority

Seamus Clifford, Financial Shared Services

Una Doyle, Probation Service

Anne Barry, Policing Division

Eric Brady, Irish Prison Service

John Kennedy, Head of ICT Division (ex-Officio)

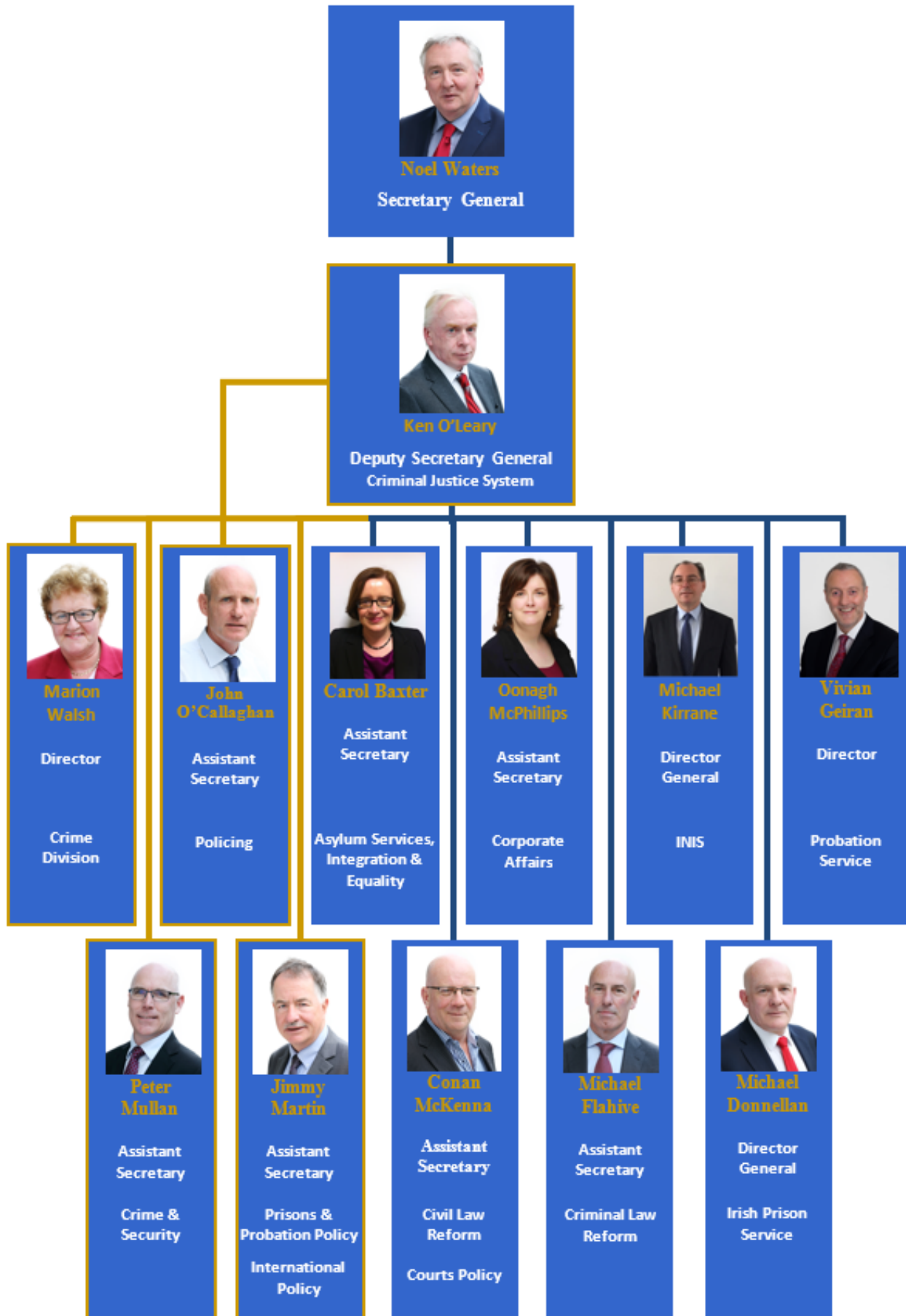
Mary O'Regan, Irish Naturalisation and Immigration Service

Doncha O'Sullivan, Crime Division

Tom Maguire, Reform and Development Unit

Secretary to the Group: David Spratt, ICT Division

# APPENDIX 1: ORGANISATION CHART



## APPENDIX 2 - BODIES UNDER THE AEGIS OF THE DEPARTMENT

	Body	Function	Established	Line Division
<b>INVESTIGATIVE BODIES (STATUTORY): These are bodies with an investigative function established by law.</b>				
1	Garda Síochána Ombudsman Commission	To receive complaints made by members of the public concerning the conduct of member of An Garda Síochána, exercise power in relation to these complaints, issue guidelines, report results of investigations to the Garda Commissioner and DPP as appropriate, draw up protocols	Garda Síochána Act 2005	Policing Division
2	Office of the Data Protection Commissioner	Standards, inspections, investigation and enforcement of personal data protection	Data Protection Act 1988	Civil Governance Unit
3	Office of Refugee Applications Commissioner	To investigate applications from persons seeking refugee status, investigate applications by refugees to allow family members enter and reside in the State and investigate applications for subsidiary protection	Refugee Act 1996	Asylum Policy/INIS
<b>REGULATORY BODIES (STATUTORY): These are bodies with a regulatory function established by law.</b>				
4	Censorship of Publications Board	Power to prohibit from publication books or periodicals found by the Board to be obscene.	Censorship of Publications Act 1929	Civil Governance Unit
5	Charities Regulatory Authority	Regulation of Charities Sector	Charities Act 2009	Civil Governance Unit
6	Irish Film Classification Office	Examination and certification of films, videos and DVDs	Censorship of Films Act 1923 as amended	Civil Governance Unit
7	Private Security Authority	Regulation and licensing of the private security industry in Ireland	Private Security Services Act 2004	Crime Division
8	Property Services Regulatory Authority	Operation of a licensing system, enforcement of standards, investigation and adjudication of complaints and management of compensation fund	Property Services Regulation Act 2011	Civil Governance Unit
<b>APPELLATE BODIES (STATUTORY): These are bodies with an appeal function established by law.</b>				
9	Censorship of Publications Appeal Board	To consider appeals against Prohibition Orders issued by the Censorship of Publications Board	Censorship of Publications Act 1946	Civil Governance Unit
10	Classification of Films Appeal Board	Appeals in relation to classification decisions made by IFCO	Censorship of Films Act 1923 as amended	Civil Governance Unit
11	Private Security Appeal Board	Consideration of appeals by members of the security industry against licensing decisions made by the PSA	Private Security Services Act 2004	Crime Division
12	Property Services Appeal Board	To hear and determine appeals against certain decisions made by the Authority	Property Services (Regulation) Act 2011	Civil Governance Unit
13	Refugee Appeals Tribunal	Consider appeals against first instance asylum decisions by the Refugee Applications Commissioner	Refugee Act 1996	Asylum Policy/INIS
14	Valuation Tribunal	To deal with appeals against decisions of the Commissioner of Valuation on the valuation of commercial properties for rating purposes	Valuation Act 1988	Civil Governance Unit
<b>NON STATUTORY AGENCIES: These are bodies established on an administrative basis by the Minister.</b>				
15	Commission for Support of Victims of Crime	Assist with the development of strategies and policies to support the victims of crime	Established March 2005	Victims of Crime Unit
16	Criminal Injuries Compensation Tribunal	Considers compensation applications from or on behalf of people who have suffered injury or death as a result of violent crime	Established 1974	Corporate Services Division



17	Forensic Science Ireland	Assist the investigation of crime providing scientific analysis and expert advice	Established 1975	Policing Division
18	Irish Prison Service	Provision of safe, secure custody for people committed to prison by the courts and the management of custodial sentences	Prisons Acts 1826-2007	Prisons and Probation Policy
19	Office of the State Pathologist	Provide independent advice on matters relating to forensic pathology and to perform post-mortem examinations in cases where foul play is suspected		Prisons and Probation Policy
20	Parole Board	Recommendations on the sentence management of prisoners	Est. administratively April 2001	Prisons and Probation Policy
21	Probation Service	Provision of probation supervision, community service, community return, offending behaviour programmes and specialist support services	Probation of Offenders Act 1907	Prisons and Probation Policy
<b>EXECUTIVE OFFICES (NON STATUTORY DEPARTMENTAL BODIES): These are bodies established on an administrative basis within the Department</b>				
22	Anti Human Trafficking Unit	Co-ordinates the Irish response to trafficking in human beings	Established February 2008	N/A
23	Cosc	Prevention of domestic, sexual and gender-based violence	Established 2007	N/A
24	Irish Youth Justice Service/Youth Crime Policy and Programmes Division	The IYJS has responsibility for leading and driving reform in the area of youth justice. It also funds the Garda Youth Diversion Programme and other IYJS community programmes.	Established December 2005	N/A
25	Office for Internet Safety	Promote internet safety, particularly in relation to combating child pornography	Established March 2008	N/A
26	Victims of Crime Office	To improve the continuity and quality of services to victims of crime	Established September 2008	N/A
27	Anti-Money Laundering Compliance Unit	To authorise Trust or Company Service Providers (TCSPs), register Private Member Clubs and monitor money laundering compliance of High Value Goods Dealers, TCSPs and Private Member Clubs.	Criminal Justice (Money Laundering and Terrorist Financing) Act 2010	N/A
<b>STATUTORY BODIES: These are bodies established by law.</b>				
28	An Garda Síochána	Policing and national security in the State	Garda Síochána Acts 1924-2005	Policing Division
29	Courts Service	Manage the Courts, support the judiciary and provide high quality and professional services to all users of the courts.	Courts Service Act 1998	Courts Policy
30	Criminal Assets Bureau	To target the assets, wherever situated, of persons which derive or are suspected to derive, directly or indirectly, from criminal conduct	Criminal Assets Bureau Act 1996	Crime Division
31	Garda Síochána Inspectorate	To carry out inspections or inquiries in relation to any particular aspects of the operation and administration of An Garda Síochána	Garda Síochána Act 2005	Policing Division
32	Insolvency Service of Ireland	Operation of personal insolvency debt solutions. Authorisation and supervision of Personal Insolvency Practitioners and Approved Intermediaries	Personal Insolvency Act 2012.	Civil Governance Unit
33	Irish Human Rights and Equality Commission	To protect and promote human rights and equality in Ireland	Irish Human Rights and Equality Commission Act 2014	Equality Division

34	Irish Legal Terms Advisory Committee	To provide expert advice in relation to the preparation and publication of forms and precedents of legal instruments and documents in the Irish language	Irish Legal Terms Act 1945	Corporate Services Division
35	Legal Aid Board	Provision of civil legal aid and advice	Civil Legal Aid Act 1995	Corporate Services Division
36	Mental Health (Criminal Law) Review Board	Review of detention of patients in the Central Mental Hospital	Criminal Law (Insanity) Act 2006	Prisons and Probation Policy
37	National Disability Authority	Provision of advice on disability policy and practice	National Disability Authority Act 1999	Equality Division
38	Ordnance Survey Ireland	Creation and maintenance of the definitive mapping records of the State.	Ordnance Survey Ireland Act 2001	Civil Governance Unit
39	Office of the Inspector of Prisons	Inspection of prisons, advisory	Prisons Act 2007	Prison and Probation Policy
40	Policing Authority	Overseeing the performance of An Garda Síochána in relation to policing services in Ireland	Garda Síochána (Policing Authority and Miscellaneous Provisions) Act 2015	Policing Division
41	Property Registration Authority	Management and control of the Land Registry and the Registry of Deeds, promotion and extension of the registration and ownership of land	Registration of Deeds and Title Act 2006	Civil Governance Unit
42	Valuation Office	State property valuation agency – the provision of accurate, up-to-date valuations of commercial and industrial properties.	Valuation (Ireland) Act 1852; Valuation Act 2001	Civil Governance Unit
<b>Other statutory office</b>				
43	Coroners	To look into the circumstances of a sudden, unnatural, unexplained, violent or unnatural death	Coroners Act 1962	Prison and Probation Policy

