



An Roinn Dlí agus Cirt
Department of Justice

Briefing document for the Minister

May 2023

Contents

MANAGING THE MANDATE	8
<i>Overview of the Department</i>	8
<i>Our strategic goals</i>	9
<i>Our values</i>	9
DEPARTMENT STRUCTURE	10
OVERVIEW OF PILLARS AND FUNCTIONS	11
<i>Civil Justice Pillar</i>	11
<i>Criminal Justice Pillar</i>	12
<i>Functions within Civil Justice and Criminal Justice Pillars</i>	13
<i>Central Functions</i>	15
<i>Senior Management Structures</i>	17
<i>Corporate Structures</i>	18
PRIORITIES BY FUNCTION	19
<i>Strategic Objectives</i>	19
Financial Allocations	22
KEY ISSUES: Civil Justice Pillar	26
<i>Civil Justice: IMMIGRATION SERVICE DELIVERY</i>	27
<i>Civil Justice: POLICY AND LEGISLATION</i>	40
Civil Justice Policy	41
Civil Justice Legislation	44
<i>Civil Justice: GOVERNANCE</i>	49
KEY ISSUES: Criminal Justice Pillar	57
<i>Criminal Justice: POLICY</i>	58
Strategic Policy and Planning	60
Penal and Policing Policy	61
Community Safety Policy	61
Economic, Transnational and Organised Crime Policy	67
Cyber policy	69
<i>Criminal Justice: LEGISLATION</i>	70
Priority legislation	71
Transposition of EU instruments – managing infringements	72
Other important legislation	77
<i>Security and Northern Ireland</i>	79
<i>Criminal Justice: GOVERNANCE</i>	82

Governance agreements.....	84
<i>JUSTICE SERVICE DELIVERY.....</i>	<i>87</i>
KEY ISSUES: Central Pillar.....	93
<i>CORPORATE.....</i>	<i>93</i>
<i>FINANCE.....</i>	<i>95</i>
TRANSPARENCY.....	97
<i>CHANGE, TECHNOLOGY AND INNOVATION.....</i>	<i>99</i>
<i>EUROPEAN AFFAIRS.....</i>	<i>102</i>
<i>Appendix 1: Justice Sector Organisations.....</i>	<i>104</i>
<i>Appendix 2: Boards and Governance Groups.....</i>	<i>105</i>
<i>Appendix 3: Management Board and contact details.....</i>	<i>116</i>
<i>Appendix 4: Contact Details for Principal Officers.....</i>	<i>117</i>
<i>Appendix 5: Tribunals, Inquiries and Commissions of Investigation.....</i>	<i>127</i>
<i>Appendix 6: Transposition of EU Measures and Table of Infringements.....</i>	<i>130</i>
<i>Appendix 7: Lead Programme for Government Commitments for the Department of Justice.....</i>	<i>141</i>
<i>Appendix 8: Department of Justice buildings.....</i>	<i>146</i>
<i>Appendix 9: Items to be signed by Minister or by officials on Minister’s behalf.....</i>	<i>147</i>

MANAGING THE MANDATE

Overview of the Department

MISSION AND PURPOSE OF THE DEPARTMENT

The Department's mission of working for a safe, fair and inclusive Ireland carries with it enormous responsibility, but also a great sense of purpose and pride in the contribution that our organisation makes to the delivery of a just and democratic society.

We have lead responsibility for public policy in respect of the security of the State and public safety, including the prevention and detection of crime, the administration of justice, the management of inward migration and international protection processes, the provision of important regulatory services and ongoing reform of civil and criminal law.

The Department directly employs over 2,600 staff with 29 organisations operating under our aegis. The Department also has an international reach, with almost 40 officers posted in 11 Irish embassies and missions across 4 continents, working on a broad range of immigration services and international justice issues.

The Department's budget for 2023 is €545 million. The total budget for the Justice Group of votes is €3.304 billion for 2023 (Department, An Garda Síochána, Prison Service, Courts Service, Policing Authority and the Data Protection Commission)

Our strategic goals



Our values

Our values - Collaborative, Professional and Open - guide us in the way we work now and in the future.

Values	Our Commitment	How
Collaborative	We will work together with others in trust and partnership	We will engage with people in a respectful, inclusive and meaningful way, valuing their perspectives and insights and finding shared solutions
Professional	We will be impartial, accountable and ethical	We will do our work with compassion, integrity and pride, focused on objective analysis and informed decision making for the public good
Open	We will be responsive and informative, communicating to make meaningful connections	We will exchange ideas and problem solve; communicating and sharing information proactively to build partnerships and to meet the needs and expectations of the public we serve.

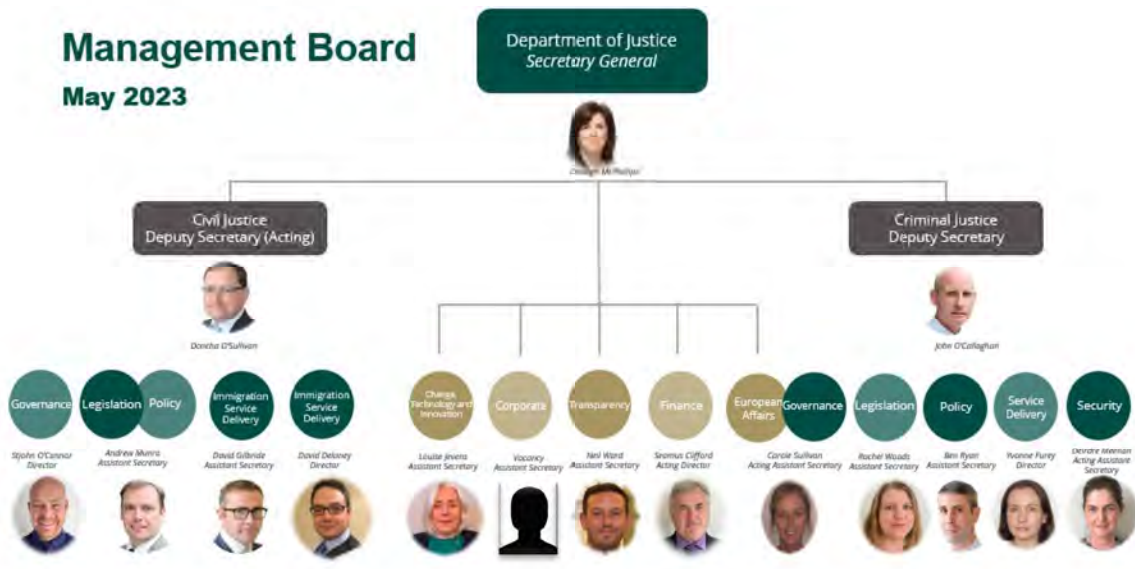
DEPARTMENT STRUCTURE

The Department is aligned under two policy pillars, Civil Justice and Criminal Justice, each led by a Deputy Secretary. Each pillar contains the following functions: Governance, Legislation, and Policy. Supporting the work of both pillars are the enabling functions of Corporate, European Affairs, Change, Technology and Innovation, and Transparency.

The large Immigration Service Delivery function in the Civil Justice pillar manages the delivery of immigration and international protection services for the Department and the State whilst maintaining an ongoing focus on the identification of opportunities for continuous improvement of services to customers

The Justice Service Delivery function located in the Criminal Justice pillar manages the delivery of efficient, robust and customer-centric non-immigration frontline services covering a range of issues from criminal legal aid to mutual legal assistance and extradition.

This functional structure is unique to the Department and is designed to facilitate flexibility and responsiveness, better service to our customers, greater transparency and accountability, and evidence-led strategic planning and policy development. Upholding our values while remaining loyal to the traditional civil service values of independence, integrity, impartiality and respect.



OVERVIEW OF PILLARS AND FUNCTIONS

Civil Justice Pillar



As Acting Deputy Secretary for the Civil Justice Pillar, **Doncha O'Sullivan** supports and deputises for the Secretary General and is responsible for:

- Directing a programme of reform and modernisation in civil justice, with the aims of promoting access to justice, taking forward the Government's legislative programme, meeting international obligations, and developing and advising on policy in the civil justice and immigration area generally.
- Overseeing the development of strategic and legislative measures to promote a fair and balanced responsive immigration system, working closely with a wide range of Government and civil society actors.

Criminal Justice Pillar



As Deputy Secretary for the Criminal Justice pillar, **John O'Callaghan** supports and deputises for the Secretary General and is responsible for:

- Setting a clear vision for the Criminal Justice sector through the development of strategy with particular focus on effective collaboration across the criminal justice system and with other partners across Government Departments and agencies, while upholding the independence and accountability of individual stakeholder organisations.
- Overseeing the Department's implementation of the radical change set out in the 2018 report of the Commission for the Future of Policing in Ireland.
- National security and NI/UK/European/international cooperation on criminal and security matters.

Functions within Civil Justice and Criminal Justice Pillars

The functions within the pillars are as follows:

Policy

The Policy function develops long term, evidence-based policy through research and analysis of information and data from multiple sources. It takes a proactive and strategic view of justice policy formulation and review, and enables the Department to provide the best possible advice to the Minister and Government in the long-term interest of all citizens. The Policy function is split into two main areas.

The Strategic Policy and Planning area establishes the Department's broad policy agenda, advises on cross-cutting policy priorities and oversees the policy lifecycle. The team is also responsible for managing project collaborations, policy tracking and administrative requirements of the policy function.

The Subject Matter Resource and Applied Policy teams lead the development of policy on specific policy themes. The teams draft, consult on and manage applied policies, grouped thematically by team. These teams work collaboratively across the Policy function and across the Department, providing knowledge on specific policies and representing the Department externally and at EU/International level, where appropriate.

Legislation

The legislation function is responsible for drafting both primary and secondary legislation and creating and moving Bills through the Attorney General's Office and the Oireachtas. Through consultation with relevant stakeholders, the legislation function deals with both Irish law and the transposition of EU and International law.

It advises and works closely with other functions to ensure that relevant implications are considered at all stages of the legislative process

Governance

The Governance functions have the primary oversight responsibility for bodies/agencies operating under the aegis of the Department. Working collaboratively, the Governance functions aim to ensure that bodies/agencies have a clear strategy, manage their resources appropriately and meet agreed standards of performance, transparency, governance and accountability. The Governance functions seek to exercise appropriate oversight of the body/agency's activities, to support them in performing effectively, and to apply a consistent governance approach based on recognised standards which can be tailored to each body/agency as appropriate.

A list of the statutory and non-statutory Bodies under the Department's aegis is at Appendix 1.

Justice Service Delivery (Criminal Pillar)

Service Delivery is a core function within the Department which delivers non-immigration frontline services for the Department. The Service Delivery team manages the delivery of efficient, robust and customer-centric frontline services for the Department, including services in the area of criminal justice international cooperation, supervision of certain bodies under the Criminal Justice (Money Laundering and Terrorist Financing) Act, Firearms and Explosives Licensing and Inspection, criminal legal aid and compensation schemes, including the criminal injuries compensation scheme. The function also reviews submissions from the IPS regarding prisoner sentence management and prisoner transfer prior to submitting to the Minister for decision.

Immigration Service Delivery

The purpose of the Immigration Service Delivery function in the Civil Justice Pillar is to manage the delivery of efficient, robust and customer-centric frontline immigration and international protection services for the Department and the State, whilst maintaining an ongoing focus on the identification of opportunities for continuous improvement of services to customers.

The function enables staff to focus on enhancing outputs and outcomes for customers, while ongoing collaboration with other functions ensures that service design and customer experience improvements are at the heart of immigration services.

Central Functions

The central functions of Corporate, European Affairs, Transparency and Change, Technology and Innovation, and Finance support and enable the strategic and operational goals of the Civil Justice and Criminal Justice pillars.



Corporate

Corporate drives and manages organisation-wide activities to enable the Department to achieve its strategic goals and deliver effective, responsive Department processes and services. The Corporate area develops and implements the approach, solutions and infrastructure across a number of diverse areas: technology, financial and people planning, procurement, legal, corporate governance, data and records, compliance and audit controls, research and analytics.

European Affairs

European Affairs is responsible for co-ordinating and monitoring the Department's European and some international business, particularly cross-cutting issues which may involve a number of functions and departments. It supports the Minister at Justice and Home Affairs (JHA) Council of Ministers meetings. In addition, the function works with other areas of Government to shape Ireland's strategic approach to the Future of Europe and the EU Leader Agenda, and plays an active role in encouraging greater engagement and collaboration with European counterparts on relevant Justice issues. While the team members are based in Dublin, they work closely with staff in Brussels seconded to Ireland's Permanent Representation to the EU, the Justice Attaché seconded to Ireland's Permanent Representation to the Council of Europe in Strasbourg and, the Justice and Home Affairs Counsellor in the Irish Embassy, London. The function also supports both the Minister and the Department in discharging the Department's EU and Council of Europe responsibilities and in communicating and representing Ireland's interests internationally.

Transparency

The Transparency function is responsible for sourcing, assessing and communicating all information required by the Minister and the senior management of the Department, as well as ensuring consistent standards of internal and external communications. The function integrates information, analysis and communications from across the Department to create coherent narratives on Justice themes. It proactively determines where there is a need for information to be communicated or published, as well as responding in an agile way to incoming requests.

The Transparency function uses a variety of channels to ensure the Ministers uphold their responsibility of democratic accountability to citizens, the Oireachtas, the media and other stakeholders.

Change, Technology and Innovation

Recognising the crucial role of technology in the work of the Department and the achievement of its goals, in 2021, a Chief Information Officer was recruited, at Assistant Secretary level, to drive the ambitious programme of work set out in the Department's Digital Strategy. Within CTI, the IMT Infrastructure, Architecture and Development and teams are responsible for the day to day delivery of IT equipment and Services along with the design and development and maintenance of computer systems.

The Business Operations area supports the Department in achieving its strategic objectives in relation to the delivery of digital customer facing services. It comprises the Project Management Office (PMO), the Programme and Project Management (PPM) team, and the Process & Service Design teams. These teams are responsible for planning, risk management, project governance and change management across the Department. The teams also focus on supporting the delivery of innovative and efficient customer-centric services for the Department. Operations also facilitates continuous improvement within the Department, and across the Justice Sector, through consultation with relevant stakeholders to identify opportunities for enhancing service delivery.

Considerable progress has been made to date, including commencement of work to digitise Immigration Service Delivery, with the support of the Business Process and Customer Insights teams, who have been working with ISD to define efficient and user-focused operating models. The Department's internal project management capability has been strengthened and all projects are now being overseen through a single Project Management Office, which brings greater consistency to the Department's approach and provides a centralised overview of all work underway.

Senior Management Structures

Senior management roles, responsibilities, structures and monitoring and review arrangements within the Department can be summarised as follows:

The **Minister** decides policy and is legally the corporation sole¹ of the Department.

The Department advises the Minister on matters of policy for decision and subsequently implements these decisions.

The **Secretary General** is the Administrative Head of the Department and the Accounting Officer for the Department.

The **Deputy Secretaries** are the next most senior civil servants and deputise for the Secretary General as required.

The **Management Board** meets weekly and comprises the Secretary General, Deputy Secretaries, Heads of Functions (Assistant Secretaries/Directors), the Chair and Vice-Chair of the Principal Officer Network, the Ministerial Liaison Officer and the Minister's special adviser.

The **MinMAC** meets monthly and comprises the Minister, Minister(s) of State, the Management Board and the Directors of the IPS and Probation Service, the Ministers' special advisers and private secretaries.

The **Senior Management Team** meets bi-monthly and includes the members of the Management Board and all Principal Officers (approx. 84).

¹ Minister and Secretaries Act 1924 - 2011

Corporate Structures

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

Structure	Frequency
Formal Meetings; Boards	At Least
Management Board	Weekly
Minister/Management Board Meeting (MinMac)	Monthly
Formal Meetings: Committees and Governance Groups	
Portfolio, Programme & Project (P3) Governance Committee	Quarterly
Risk Committee	Quarterly
Financial Management Committee	Monthly
Management Board Agency Sub-Group	As Required
Audit Committee	Quarterly
Equality, Diversity and Inclusion and Public Sector Duty Committee	As Required
Management Board Culture Sub-Group	As Required
Senior Management Team	Bi-Monthly
Capital Projects Governance Committee	Quarterly
Less Formal Meetings	
Functional Meetings	Quarterly
Functional Team Meetings	Monthly

Detailed information about the boards and governance groups is at **Appendix 2**.

Contact information for Management Board members is at **Appendix 3**.

PRIORITIES BY FUNCTION

Much of the work within and across pillars is the result of close working and collaboration between different functions.

The Department's priorities for 2023 are set out in the [Justice Plan 2023](#), the Department's action plan in line with our 3-year Statement of Strategy.

The Department's commitments under the Programme for Government are listed in **Appendix 7**.

Strategic Objectives



Goal 1 Strategic Objectives

1. Developing a leading edge and accountable policing service through the implementation of A Policing Service for our Future
2. Deliver a comprehensive programme to improve the operation of the criminal justice system
3. Combat cybercrime, support online safety and prepare for the challenges posed by Artificial Intelligence through stronger policies and legislation
4. Strengthen measures to tackle terrorism and other serious and organised crime through domestic action and international cooperation
5. Reform, review and modernise criminal law and procedure to enhance and support the efficient and effective operation of the criminal justice system
6. Ensure strong governance in all bodies across the criminal justice sector; and provide challenging yet supportive oversight to these bodies



Goal 2 Improve access to justice and modernise the courts system

Goal 2 Strategic Objectives

1. Modernise the courts and legal system to improve the fair and speedy conduct of court proceedings
2. Establish a Family Court and a transformed family justice system
3. Modernise the operation of the judiciary to enable it to work more effectively; and reform the process for appointing judges
4. Support the reduction of legal costs and the length of legal proceedings and tackle the high cost of insurance
5. Support our economy and society through regulatory, licensing and civil law reform
6. Support the Dublin Coroner to commence the Stardust Inquests in 2021 and all coroners to do their jobs during the pandemic
7. Provide challenging yet supportive oversight of the civil justice bodies under our aegis and ensure that appropriate governance structures and relationships are in place across these bodies



Goal 3 Strengthen community safety, reduce reoffending, support victims and combat domestic, sexual and gender based violence

Goal 3 Strategic Objectives

1. Drive community participation in a new approach to make communities safer, and work across government and with State agencies to support this goal
2. Combat domestic, sexual and gender based violence and support victims of crime
3. Implement Supporting a Victim's Journey: A plan to help victims and vulnerable witnesses in sexual violence cases
4. Divert young people away from crime and anti-social behaviour
5. Establish the Parole Board on a statutory footing to take better account of the concerns of victims and survivors
6. Reduce re-offending rates for those convicted of crime
7. Deliver restorative justice safely and effectively
8. Publish the legislation to implement the Optional Protocol to the Convention Against Torture

9. Lead the development and implementation of strategies and actions to reduce offending and bring greater coherence and shared purpose to the criminal justice sector



Goal 4 Deliver a fair immigration system for a digital age

Goal 4 Strategic Objectives

1. Develop a fully digital, customer-centric immigration service
2. Protect the fairness and enhance the efficiency of our immigration system through new strategic policies and legislative proposals
3. Communicate effectively with our service users, recognising and understanding their diversity and supporting them to engage effectively with us
4. Restructure our immigration services to better serve our customers and our country
5. Ensure that effective controls are exercised at our borders in line with our international obligations and to maintain our national security
6. Eliminate processing backlogs across all immigration application types



Goal 5 Accelerate innovation, digital transformation and climate action across the justice sector

Goal 5 Strategic Objectives

1. Dramatically increase digital services throughout the justice sector to support the modernisation of An Garda Síochána, the Courts Service, and the Department of Justice itself, including our immigration services
2. Integrate digital messaging systems across the justice sector to enable greater sharing of information and increased cooperation
3. Implement plans and policies across the sector – including the management of vehicle fleets and estates - to support the achievement of Climate Action Plan goals
4. In re-designing our services, incorporate a focus on sustainability, digital solutions and reducing our carbon footprint
5. Ensure the user is at the centre of every service we develop across the justice sector
6. Develop innovation and leadership strategies for the justice sector.

Financial Allocations

Summary

- Gross Budget **€3.429 billion** in 2023
- 6 Votes, of which Garda accounts for 65.4%

The Justice Vote Group currently consists of 6 Votes:

- An Garda Síochána
- Department of Justice
- Irish Prison Service
- Courts Service
- Data Protection Commission
- Policing Authority.

The breakdown between the votes is as follows:

Vote	Current €0	Capital €0	Total €0	Staff numbers by end 2022
Garda	2,066,610	183,000	2,249,610	17,465
Justice	532,588	14,129	546,717	3,149
Prisons	392,083	29,500	421,583	3,493
Courts	112,722	66,871	179,593	1,224
Data Protection Commission	26,907	0	26,907	203
Policing Authority	4,213	0	4,213	38
Total	3,135,123	293,500	3,428,623	25,572

*In addition an amount of €5.055 million has been carried forward from 2022 to 2023 under the capital carryover provisions.

Agency Budgets within the Department of Justice Vote

Agency	2023 Budget €,000	Staff numbers May 2023 (FTE)
Forensic Science Ireland	31,063 (includes €4,1m capital for new laboratory)	192
Office of the State Pathologist	1,553	11
Probation Service	53,588	424
Criminal Injuries Compensation Tribunal (non- statutory)	13,016	7
Criminal Assets Bureau	11,223	78
Garda Síochána Inspectorate	1,420	12
Garda Síochána Ombudsman Commission	16,670	161
Inspector of Prisons	2,394	11
Mental Health (Criminal Law) Review Board	439	3
Parole Board	2,200	15
Private Security Authority	4,220	50
Judicial Council	1,775	0
Legal Aid Board	53,060	494
Insolvency Service of Ireland	8,322	78
International Protection Appeals Tribunal	5,999	49
Irish Film Classification Office	728	6
Legal Services Regulatory Authority	1,001 (repayable funding ultimately self-funding from levy on legal profession)	
Property Services Regulatory Authority	3,403	40
Gambling Regulatory Authority	1,774	3
Judicial Appointments Commission	704	0

Justice Group expenditure end April 2023

There is a net underspend at group level of €53 million. This is made up of:

- Gross Underspend of €37 million:
 - Of which €18.7 million is current and €18.5 million is capital expenditure.
 - When broken down by Vote. Justice - €25 million, An Garda Síochána (AGS) - €9 million, Courts - €2 million, and Data Protection Commission (DPC) - €1.3m
- Surplus receipts of €15.6 million – primarily Justice (€8m) and AGS (€6m).

Individual Vote updates:

- AGS: the actual costs relating President Biden's have yet to feed through the various systems. Once processed AGS overtime will exceed profile.
- Prisons: currently ahead of profile and likely to remain so.
- Courts and PA: tracking broadly in line with profile
- DPC: Payroll significantly behind profile

Department of Justice – April update:

Pay: €6.7m underspend on profile

Underspend is primarily driven by an underspend of €2.3m in Administration Salaries.

Underspend on pay are present across multiple of the pay subheads, with the largest savings being Legal Aid Board €2.1m; Coroners Service €0.5m and Probation Service €0.5m. These are primarily due to vacancies and delays in recruitment.

Non-Pay: €13.8m underspend on profile

While Legal Aid - Criminal is spending €7.4m more than expected.

Expenditure on ICT external service provision to end April is €2.3m with significant underspend from profile of €3.2m.

The Financial Management Unit (FMU) is following up with the relevant business units in relation to this large overspend and requesting them to provide estimated outturn figures for 2023.

Capital Projects Update

There is a €5.3m underspend on capital expenditure, which primarily relates to

- Office Equipment & External IT Services – ICT Capital €4.2m.
- Forensic Science Ireland- Capital, €1.2m: This is due to timing differences arising from delays in completion of this project and a consequent delay in making a 50% retention payment to the contractor. Completion of the FSI Laboratory is expected in June 2023.

A-in-A: €8.0m above profile

The position in relation to A-in-A is a surplus, primarily due to additional receipts in Immigration Registration Fees of €6.9m and Nationality & Citizenship Certificates Fees of €1.1m.

FMU is following up in relation to this additional income and overall income projections for 2023.

KEY ISSUES: Civil Justice Pillar



Civil Justice: IMMIGRATION SERVICE DELIVERY



David Gilbride

Assistant Secretary
Immigration Service
Delivery

Principal Officers



Vacancy
Registration



Jenni Barrett
Domestic
Residence &
Registration
(temp)



Eileen Leahy
Border
Management Unit



Brendan Eiffe
Repatriation



**William
O'Dwyer**
Visa



**Darragh
Brennan**
Citizenship



Joanne King
EU Treaty Rights



David Delaney

Director
Immigration Service
Delivery

Principal Officers



**Kenneth
Kavanagh**
International
Protection Office



Emer Mullins
International
Protection Office



Vacancy
Ukraine



Deborah White
Legal Services
Support Unit



Richard Dixon
Modernisation,
Business
Development and
Coordination Unit

ISD overview

The Department's Immigration Service Delivery (ISD) function (formerly the Irish Naturalisation and Immigration Service, INIS) is responsible for administering the statutory and administrative functions of the Minister for Justice in relation to international protection, immigration (including visas), repatriation and citizenship.

The roles of the various Divisions in ISD are as follows:

Border Management Unit: Maintains border control and implements immigration controls at Dublin Airport, to ensure that persons entitled to enter the State are processed without delay while those who are refused leave to land have their case considered in a fair manner, taking all factors into account. The Unit leads on border management policy, working closely with the Garda National Immigration Bureau (GNIB) in relation to other ports of entry, and in terms of engagement with the UK Home Office on measures to support the operation and security of the Common Travel Area.

Citizenship Division Citizenship and Family Reunification Division is responsible for processing applications for a number of schemes. The Citizenship unit processes Naturalisation applications which are assessed individually in accordance with the relevant legislative provisions of the Irish Nationality and Citizenship Act 1956, as amended. The granting of Irish citizenship through naturalisation is a privilege and an honour which confers certain rights and entitlements, not only within the State but also at European Union as well as international level. The Division also process applications for Family reunification under the IPA 2015.

Domestic Residence and Permissions: Process applications from various eligible categories of non-EEA nationals seeking permission to reside or work in the State, in their own right or based on a relationship with an Irish or Non EEA person who is already residing legally in the State. Responsible for the implementation and processing of the Regularisation of Undocumented Migrants Scheme.

EU Treaty Rights: Processes applications for residence in Ireland under their EU Treaty Rights from EEA Nationals who exercise their free movement rights within the territory of the Member States of the EU and from their Non EEA family members. The EUTR Division is driving a centralised customer service helpdesk in line with a view to rolling this out across ISD.

International Protection Office (IPO): Processes applications for international protection under the International Protection Act 2015. It also considers, as part of a single procedure process, whether applicants should be given permission to remain. The number of applications received has increased significantly over the past year resulting in a significant increase in financial support at the last budget.

Legal Services Support Unit (LSSU): Provides legal support services across Immigration Service Delivery (ISD) and defends Judicial Reviews and other general court cases taken against ISD. The Unit places equal importance on process improvement on foot of settled/lost cases by liaising and assisting decision-making Units within Immigration Service Delivery. LSSU also has a dedicated “on demand” legal helpdesk service having moved to a proactive approach to minimising numbers of Judicial Reviews, where possible.

Modernisation and Coordination Division:

This Unit acts as a coordination function among ISD Divisions and assists in business development. MCD’s purpose works to:

- deliver the ISD Modernisation programme;
- ensure ISD strategic priorities, including change management and digital initiatives, are progressed and are on target;
- drive cross-cutting projects in ISD;
- inform high-level oversight in the area of internal resource allocation to maximize efficiencies across ISD through their strategic deployment;
- co-ordinate requests for information;

The Modernisation team has developed an overarching ISD modernisation strategy, which will result in

- a complete view of our customer engagement with ISD on a single platform (with all legacy platforms and database replaced);
- A much improved customer experience which will be digital first, built around a secure portal for self-service management by our customers. Restructured operations with teams focused on functional areas of expertise rather than permission types. The modernisation programme will be supported by a comprehensive training and change management initiative.

Registration Office: The Registration Office is responsible for registering non-EEA nationals involving the collection of millions in fees. Customers who reside in the Dublin area must register that permission in ISD’s public office in Burgh Quay, Dublin 2 while customers living outside Dublin must register with the Garda National Immigration Bureau through their local Garda station. The Registration Office also renews immigration permissions online and provides re-entry visas. The College Regulation section within the Registration Office regulates, approves and inspects language schools and third level colleges who offer courses to non-EEA national students. The team works closely with the Department of Further and Higher Education, Research, Innovation and Skills. The Registration Office is working with the Modernisation and Coordination Division to pilot Business Process Automation for the purpose of automating aspects of case processing.

Repatriation: Repatriation Division is responsible for considering and making decisions on cases of people illegally present in the State who have been served with a notification of intention to deport, in accordance with the provisions of Section 3 of the Immigration Act, 1999 (as amended) or a Deportation Order under the International Protection Act 2015. In addition, Repatriation Division makes practical arrangements for the deportation of persons issued with a Deportation Order or a Removal Order and for the transfer to another State of persons issued with a Dublin III Regulation Transfer Order. Repatriation Division works in close cooperation with the GNIB in the arrangement of deportation and Dublin III Regulation transfers. The Division is also responsible for matters pertaining to the management of individuals who wish to voluntarily return to their states of origin and works closely with the UN International Organisation for Migration and for the issue of travel documents to refugees and other eligible persons.

Ukrainian Response Unit: The Unit was established following the commencement of the war in Ukraine. Initially based in Dublin Airport, it is now based in Citywest. The team processes all applicants for temporary protection under EU Directive EC 3022/282. It maintains a comprehensive real-time record of applications for Temporary Protection and decisions made along with the registration of displaced persons already arrived.

Visas: The Visa Division enables visitors, tourists and long-term applicants to travel to the State whilst ensuring relevant controls are maintained. It also liaises with the Dept. of Foreign Affairs and Trade and its embassies that process visa applications under delegated sanction of the Minister for Justice. The Division has a role in supporting the wider economy via the Atypical Worker Scheme (AWS).

Migration overview

According to *Migration in Ireland: Challenges, Opportunities and Policies*, a 2016 OECD publication, the Irish labour market is exceptionally open to international migration flows with a large proportion of both [inward] immigration and [outward] emigration being highly qualified. The paper also noted that this pattern of ‘brain exchange’ can contribute to reducing skills mismatches.

Net migration between the 2016 and 2022 censuses was +190,333. Migration by citizens of non UK/EEA (i.e. those who use immigration services) accounted for a quarter of this increase.

Table 1: inward and outward migration, non UK / non EEA nationals

Year	Immigration	Emigration	Net
2006	16.4	6.2	10.2
2007	19.0	8.2	10.8
2008	18.6	9.0	9.6
2009	14.1	11.0	3.1
2010	6.0	9.3	-3.3
2011	12.4	9.9	2.5
2012	17.7	10.7	7.0
2013	19.8	10.9	8.9
2014	19.0	10.2	8.8
2015	21.9	8.8	13.1
2016	23.6	11.4	12.2
2017	29.4	13.7	15.7
2018	30.9	10.0	20.9
2019	30.6	11.2	19.4
2020	30.4	11.4	19.0
2021	14.1	15.4	-1.3
2022	63.0	18.5	44.5

The “year” refers to the twelve months to April in each year. The figure for 2022 will therefore include ca. 17,000 Ukrainians who arrived in the State to the end of March.

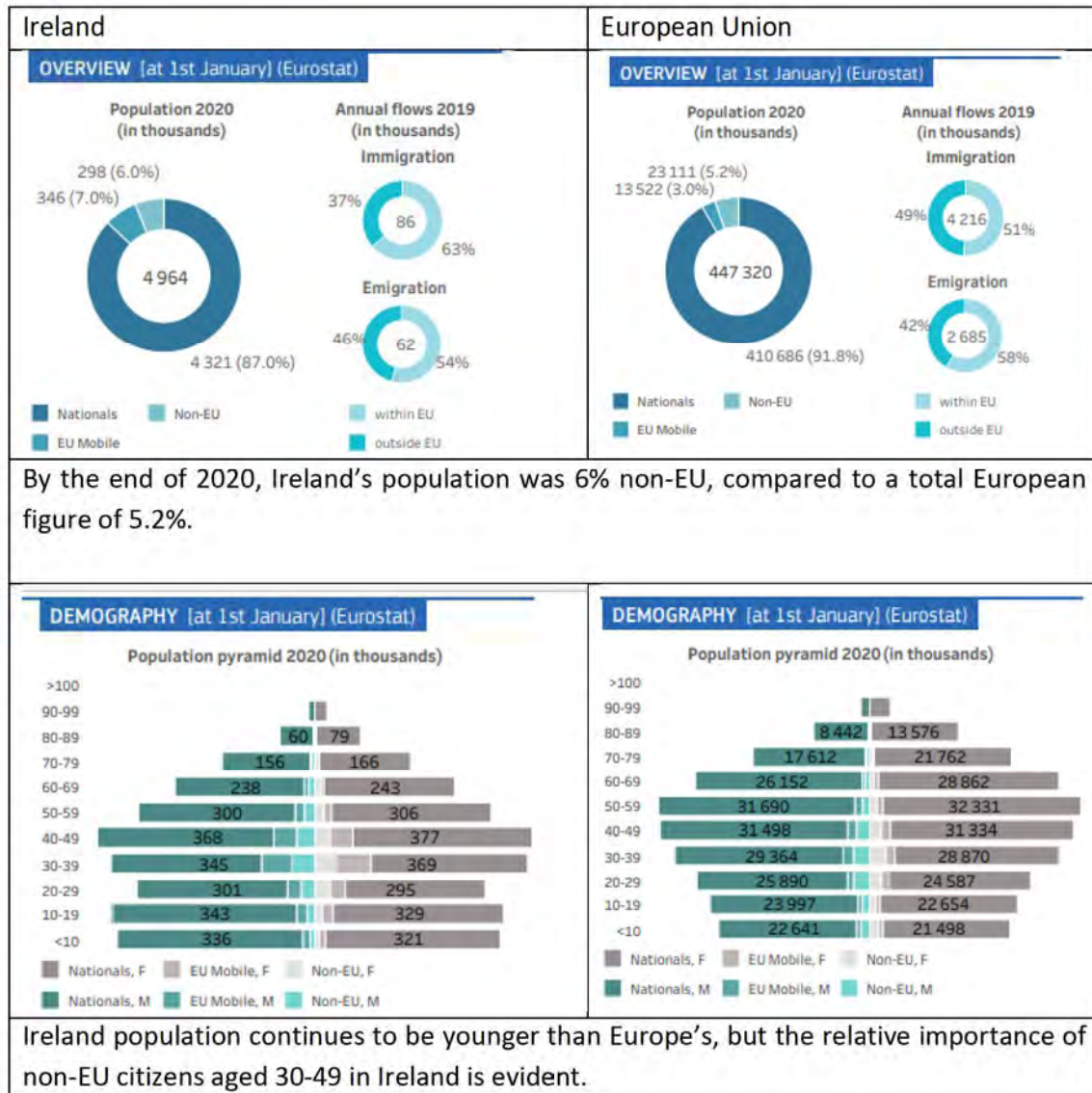
To May 14, 2023, Temporary Protection was granted to 82,414 people fleeing the conflict in Ukraine.

Benefits of immigration

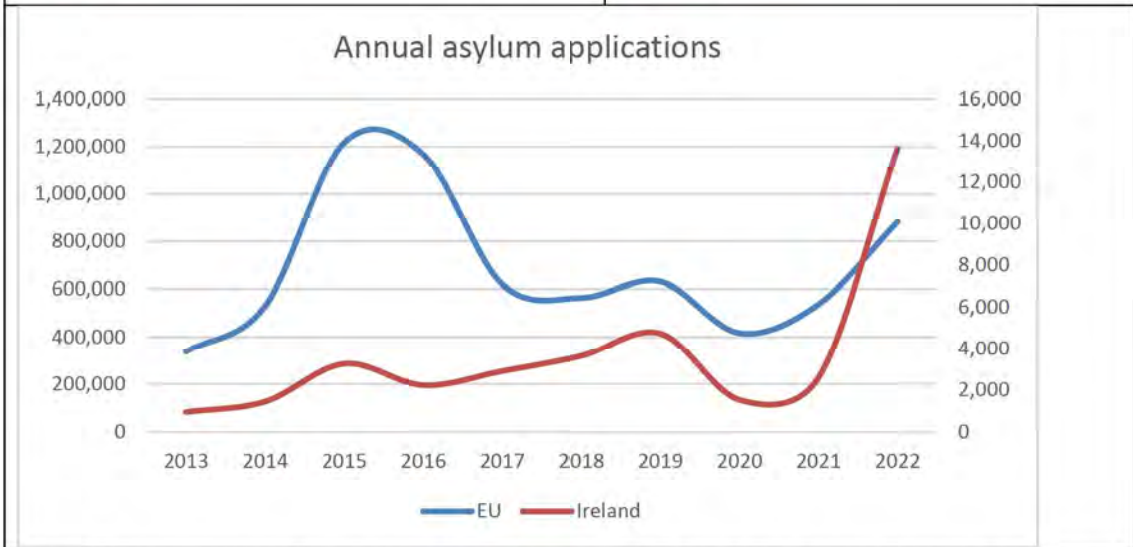
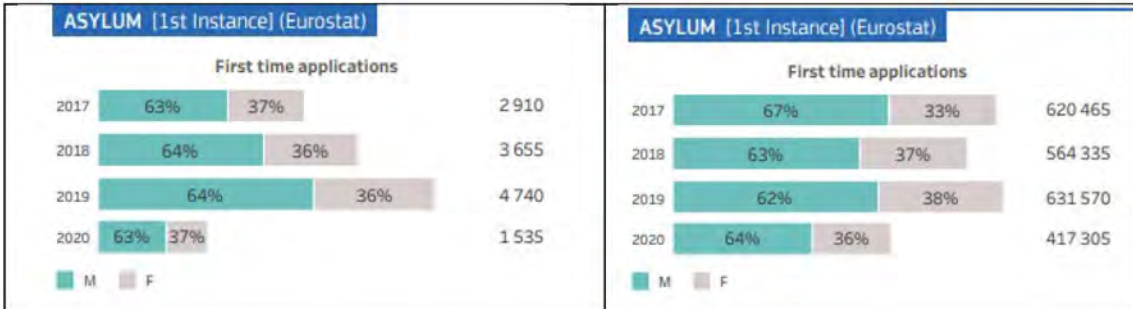
The importance of inward migration for the labour market is evident when considering Ireland’s demographics: there is a population bubble who will be retiring in 15-25 years (those currently aged 40-49). To that end, Ireland’s 2019 National Risk Assessment² notes that increased immigration can have a positive effect on our demographic structure, increasing the number of people in the Irish workforce in years to come and (for example), by extension, support the payment of future pensions (for further information, see the work of the Pensions Commission and their paper on population and labour force projections).

Within Ireland, third country nationals (excluding EU and UK) accounted for 6% of the population at end of 2021. This compares to an EU average of 5.3%.

The European experience



² [fff14682a27943fbbdce8922124b5e05.pdf](https://assets.gov.ie/fff14682a27943fbbdce8922124b5e05.pdf) (assets.gov.ie)



Ireland’s recent experience in asylum applications (the chart above shows International Protection applicants only, not Temporary Protection) is not entirely dissimilar to Europe’s over the past decade.

In 2023, to end of April, Ireland received 3,628 applications for international protection, an increase of 147% on the same period in 2019 when 1,467 applications were received. The COVID-19 pandemic which paused international travel means numbers in 2021 and 2022 are not comparable.

Significant recent developments

2022 has seen immigration related activity return to, and in some instances exceed, pre-Covid-19 levels. For example, the chart below shows demands for visas and the number of people presenting at Dublin Airport border management.



	2019	2020	2021	2022
VISA APPLICATIONS	146,725	43,672	52,159	134,092
DUBLIN AIRPORT	15,172,081	3,636,256	4,118,027	13,930,041

The growth in demand has continued into 2023: visa applications in Q1, 2023 are 45% higher than the same period in 2022; while Border Management traffic at Dublin Airport is up 58%.

Recent years have seen an increase in the number of asylum seekers: from 2008-2021, there were just under 34,000 asylum applications in Ireland. In 2022, 13,651 applications were made in total (for comparison, in 2019, 4,780 applications were received) while in 2023, to end of April, Ireland received 3,628 applications for international protection, an increase of 147% on the same period in 2019 when 1,467 applications were received. Within the International Protection Office, there has been a renewed focus on productivity and an increase in human and financial resources.

Approximately €19m was allocated in Budget 2023 to the International Protection Office (IPO) and International Protection Appeals Tribunal (IPAT) to scale up processing. This budget will help deliver the strategy, which centres on four pillars: human resources, infrastructure, technology and process engineering.

Current initiatives to increase effectiveness include the introduction in November 2022 of English-language only questionnaires for customers, and a planned legislative change to the International Protection Act 2015 to allow for legal documents to be served electronically.

A new accelerated process was introduced on 8th November 2022 on foot of a new Statutory Instrument in tandem with reforms to the application, interview and decision-making process. These steps are intended to ensure that most nationals from safe countries will, since that date, receive a first instance decision in less than three months, which is a significant reduction from a norm of 17 to 24 months earlier in the year. Designated countries include Georgia, Albania and South Africa, among others.

Under this process, applicants complete a preliminary interview and a questionnaire regarding their application and the reasons they are looking for protection on the day they make their initial application at the IPO. The International Organisation for Migration (IOM) provides translation and support to applicants. The accelerated process means applicants receive their substantive interview date on the day they apply for international protection, which significantly reduces their interview waiting time to a matter of weeks.

The current median time to interview for this cohort is 32 days, while the median time from interview to determination was 50 days. As of April 30 2023, 863 interviews were scheduled and 762 interviews went ahead. As part of the first-instance decision-making process, which includes refugee status, subsidiary protection and permission to remain (PTR), dedicated teams focusing on fast decision-making issued 548 decisions by April 30. A total of 68%, or 370 cases, were determined in under three months.

There has been a significant reduction in Median Processing Times in 2022 down to 10 months in Q4 from a norm of 22-26 months earlier in the year.

The IPO had 206 staff in January 2023, which increased to 299 in April 2023 with most expected to be in place by the end of May. From a medium-term perspective, the IPO requires over 400 staff in 2023 to continue growth in processing. An external digital marketing campaign is underway to recruit an extra 160 panel members. To absorb current and future growth in personnel a second processing location became operational at 85-93 Mount Street in January 2023 and a third location in Tallaght commenced operations on 17th April 2023. The IPO is currently developing a digital storage facility for new applications to enable the office to begin its move towards becoming paperless. A digital customer portal for new applications will be in place by Q1 2024.

The Department has recommenced deportations, which had been paused throughout the pandemic and is working with carriers to implement measures aimed at reducing the number of persons arriving with false documents (in Q1, 2022: some 814 people were refused leave to land at Dublin Airport. This increased to 1,561 (Q2); 1,332 (Q3) and 1,257 (Q4). By Q1 2023 the number had fallen to 782).

The likelihood of beneficiaries of temporary protection (BOTP) returning to Ukraine might be considered in the context of the Bosnian experience. There were 1.2m recorded refugees from Bosnia and Herzegovina between 1992 and 1995. 40% repatriated between 1996 and 2005 while the remainder either stayed in their first host country or changed to a different country. While the legal basis under which temporary protection is being offered was a result of the Balkan experience, we should not assume that all Ukrainians will wish to immediately return home if and when the conflict ends.

In line with the 2020 Programme for Government, a scheme to regularise long-term undocumented migrants and their eligible dependents where specific criteria are met was implemented over the past year. On the date the scheme opened for applications, eligible applicants must have a period of four years' (three years for those with children) residence in the State without an immigration permission. The scheme closed on the 31 July 2022 and there were 6,548 applications in respect of 8,311 applicants received. Citizens of Brazil, China, Pakistan and Philippines accounted for over half of the applications. Of the decisions issued to 16 May 2023, 83% were positive, 15% negative and 2% of applications withdrawn. The majority of refusal decisions are due to applicants holding a permission during the defined period and as such not meeting the criteria of the Scheme. 83% of applications made to the scheme have received a decision to date. The dedicated Undocumented unit closed at the end of March and remaining complex cases are being processed by staff from Domestic Residence Unit A and the Repatriation Division. 463 appeals have been received to 16 May 2023 (63 of these on the International Protection scheme), and are being processed by the Domestic Residence Division.

A parallel strand within the scheme allows for applications from those with an outstanding application for international protection and had been in the international protection process for a minimum of two years. This scheme opened for applications on 7 February 2022 and, like the main Scheme, had a six month application window, with a closing date of 7 August 2022. Over 3,240 international protection applicants applied under this stream and by 30 April 2023, decisions had been made in all but 121 of those applications. By that date, some 2,659 Scheme applicants had been issued with an immigration permission, either under this scheme itself or by way of an equivalent, or higher order of, permission, under the statutory international protection process. That figure broke down into 1,565 scheme-based permissions and 1,094 equivalent permissions. By that date also, some 460 refusal decisions had been issued, all of whom were advised of the right of appeal.

The level of applications under both strands of the scheme is lower than that expected – especially among those with deportation orders. An inference which may be drawn is that there are a significant number who have left the jurisdiction.

IMMEDIATE PRIORITIES AND UPDATES:

- Communicate effectively with our service users, recognising and understanding their diversity and supporting them to engage effectively with us
 - We plan to maintain the 25% increase in core processing achieved in 2022. In addition, we expect to see an increase in excess of 25% in the IPO.

- Develop a fully digital, customer-centric immigration service
 - The ISD Modernisation Programme was established towards the end of 2022. A team has been put in place, a strategy finalised and appropriate governance arrangements made, including the formation of a Programme Board, chaired by the Secretary General. [REDACTED]
 - The Programme is expected to be completed by 2026. It will deliver
 - A complete view of our customer’s engagement with ISD on a single database
 - Restructured operations, with teams built around functional areas of expertise.
 - Much improved customer services, with customers able to use a secure portal for self-service management by our customers. A single customer service function has been established and will provide services to five ISD units by the end of 2023

 - In 2022, 85% of appropriate applications were completed online and this is expected to increase in 2023 with the introduction of e-Vetting, digital travel document application forms, the movement of the Citizenship application process online among others.

*Redacted under
Section 30 of FOI Act
2014 (Functions and
Negotiations of
public body)*

- Ensure that effective controls are exercised at our borders in line with our international obligations and to maintain our national security
 - **Maintain the integrity of border controls at Dublin Airport:** A panel of Immigration Control Officers was established in Q4 2022 and arrangements are underway for staff intake to ensure that there are adequate staff in situ and trained in advance of peak summer operations.
 - **Hold two meetings of joint Department of Justice / Home Office Common Travel Area Forum (CTAF):** A CTAF meeting is scheduled for 1st June 2023 hosted by Ireland. Subgroup was been established to deal with digitisation matters and initially focused on what measures could facilitate an exemption on the ETA requirement for Irish (non-citizen) legal residents. The Home Office recently agreed to the exemption and guidelines for its implementation will be developed by the Home Office.
 - **Review the policy of holding immigration detainees in prisons:** The Department is working to progress a review of the policy of holding immigration detainees in prisons. Due to the impact of transfer of resources to the Ukraine response team, progress on this review was paused in early 2022 but resumed in Q4. A final draft is expected to be concluded in Q2 2023.

- Protect the fairness and enhance the efficiency of our immigration system through new strategic policies and legislative proposals
 - **Reduce backlogs and achieve a first instance decision time of less than six months, in line with timeline for new accommodation system outlined in White Paper, including improved efficiencies in case processing and registration:**

The Catherine Day Report was based on the assumption of 3,500 International Protection applications per year. In 2022, a total of 13,651 applications were made while in 2023, to end of April, Ireland has already received 3628 applications for international protection. This year the expected number of International Protection applications will be approximately 13,000. This number does not include any of the Ukrainian applications. Despite procedural and infrastructural efficiencies and in the context of the significant increase in those applying for asylum, this target is exceptionally challenging.

The IPO is committed to further increasing outputs in 2023, while significantly accelerating certain categories of cases, and continually improving the quality of decision making. The IPO leadership team recognises the need for a high performing team to deliver these results and continues to invest in staff training and development.

The IPO overall strategic plan utilises a methodology of Key Objectives and Key Results (OKRs). IPO Key Objectives and Key Results for 2023/2024 are set out below:

Objective

- Increase output in 2023, while significantly accelerating certain categories of cases and improving quality of decision making

Key Results

- KR1 – close/finalise 1,000 first instance cases per month in Q1 2024, which will require a steady increase in output throughout 2023
- KR2 – process accelerated/priority cases in less than 3 months by Q3 2023
- KR3 – enhanced quality control system with transparent and effective feedback loop by Q4 2023
- KR4 – Build a high performing team

○ **Implement actions to ensure a fair and balanced rules based International Protection system:**

- **Identify additional measures that can be put in place to prevent travel (working with relevant stakeholders) by those with no permission to enter Ireland:** Joint operations are continuing with GNIB to identify points of embarkation for undocumented passengers. Meetings with airlines were held in January and March and there is a continued rollout of 'train the trainer' programme to airline ground staff.
- Restructure our immigration services to better serve our customers and our country
 - A change strategy is being finalised and a tender process to support the delivery of a comprehensive change programme will be published by mid-year.
 - A roadmap for the transfer of Registration and Border Management functions will also be available by mid-2023.

Civil Justice: POLICY AND LEGISLATION



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Assistant Secretary
Head of Civil Justice
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Principal Officers: Policy



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Migration Policy
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Justice



Tracy O'Keeffe
Legislation:
Family Justice



Ciara Kennedy
Legislation:
Law Reform



Juliet Dwyer
Legislation:
Sale of
Gambling

Civil Justice Policy

IMMEDIATE ISSUES AND PRIORITIES:

Establish IDG with DETE and progress opt-in, transposition and implementation of Single Permit Directive

The Government agreed in principle in December 2022 that a single application procedure for employment permits and immigration permissions should be developed and that an Inter-Departmental Working Group (IDWG) should be established to develop an implementation plan for consideration by Government. This reform was prompted by the proposal for a Directive (recast) for a single application procedure for third country nationals to reside and work in an EU Member State. The IDWG, established in March 2023, is chaired by the Department of Justice, and meets regularly. Work is progressing and a report and implementation plan are being prepared for Government, in the coming months, to also allow Government to consider opting-in to the recast Directive at a future date.

Progress negotiations on CEAS/Migration Pact

The EU Migration Pact (published in 2016 and revised in 2020) is a suite of legislative measures aimed at further strengthening and streamlining asylum processes across Member States. Negotiations are continuing and Ireland is participating, the main outstanding challenge is the balance between responsibility and solidarity. Building on the gradual approach initiated by the French Presidency and the Czech Presidency, the Swedish Presidency has focussed on making compromises in the spirit of progressing the Pact. Negotiations must be concluded by February 2024 if measures are to be finalised within this legislative mandate.

The Voluntary Solidarity Mechanism that Ireland signed in June 2022 is nearing the end of the first year of implementation. Ireland pledged to relocate 350 international protection applicants from the Med 5 MS under the mechanism which has not been possible to date, largely due to accommodation pressures. It is expected that 8 transfers will be effected in June. Consideration will now be given to making financial contributions to Med 5 MS.

Family Justice Strategy

The Family Justice Strategy was published on 16 November 2022. The Strategy – to run for three and a half years – contains nine goals and over 50 actions to lay the foundation for a reformed family justice system. It will put children at the centre of the system, emphasise a less adversarial approach including greater information and awareness raising of supports and services, and encourage greater use of mediation and enhanced digitalisation, amongst other things. (See also related Family Court Bill).

The Strategy has led to the establishment of a Family Justice Implementation Group (FJIG). This Group is charged with overseeing implementation of the actions in the Strategy over its lifetime. It meets quarterly and is chaired by the DSG Civil Justice.

The Strategy also proposed the establishment of the Family Justice Development Forum, to be chaired by the Minister, to support the rollout of the actions it contains, and facilitate engagement with the range of stakeholders in the system. Planning is underway for the first meeting of the Forum in the summer.

Ukraine and Temporary Protection

As the Temporary Protection Directive has been extended to March 2024 (and may be further extended to March 2025), Ireland is still seeing steady levels of arrivals of persons seeking temporary protection in the State although not at the same level as last year. Civil policy is engaging domestically and internationally in relation to Ireland's implementation of the Temporary Protection Directive and is supporting cross-Governmental efforts in this area. Civil policy has begun preparatory work on long-term planning for supporting beneficiaries of temporary protection once the Temporary Protection Directive comes to an end and are awaiting further indications from the European Commission about a European approach to same. This will be a whole of Government issue and will be subject to consultations with all affected Departments.

Support reform of IP system with any necessary legislative changes

In addition to the recent introduction of accelerated procedure for international protection applications from safe countries of origin, Migration Policy is engaging with Immigration Service Delivery to identify opportunities for streamlining of the international protection process so it can respond effectively to increased pressure across the system.

*Redacted under
section 29 of FOI Act
2014 (Deliberative
Process*

Continue to work with partners across Government to prioritise the reform of the insurance sector

The Discount Rate Expert Group

Following the Minister's approval for the establishment of an Expert Group to advise on the appropriate discount rate, the Chair has agreed to take up the position. Selection and appointment of other members of the Group is underway. It is intended that the Group will report to the Minister within 3 months of its formal establishment. On receipt of the Group's report, the Minister will be in a position to set the discount rate by way of Regulations under section 24 of the Civil Liability and Courts Act 2004.

The Government has approved the drafting of amendments to the **Occupiers' Liability Act 1995** in regard to the actions required of an occupier to meet the common duty of care, and in relation to the voluntary assumption of risk by visitors. These were introduced as Committee Stage amendments in the Courts and Civil Law (Miscellaneous Provisions) Bill 2022.

Contribute to the drafting of the Human Tissue Bill 2022

We are working with the Department of Health [REDACTED]

*Redacted under
Section 29 of FOI Act
2014 (Deliberative
Process)*

Personal Insolvency Review

Work is ongoing to complete the Review of the Personal Insolvency Act. Major Supreme Court decisions on the treatment of farm debt and whether there is a requirement for a creditor to prove debts in a Personal Insolvency Arrangement are expected in June. These decisions will likely require to be reflected in the Review.

Data Protection

The Data Protection Commission issued a decision on 22 May Commission in relation to Meta's EU-US data transfers, levying a €1.2BN fine and requiring that the transfer of data to the US from the EU on the basis of Standard Contractual Clauses should cease within 6 months.

Once the EU-US Data Privacy Framework is in force, European entities will be able to transfer personal data to participating companies in the US, without having to put in place additional data protection safeguards.

Officials will continue to participate in the Commission's Working Groups on data protection matters in particular the Article 93 GDPR Committee. The Article 93 Committee will hold a series of meetings on the EU-US Data Privacy Framework, before making a recommendation to the Commission as to whether or not it should be adopted. It is envisaged that the new framework will be concluded in September.

Civil Justice Legislation

IMMEDIATE ISSUES AND PRIORITIES:

Sale of Alcohol Bill

The General Scheme of the Sale of Alcohol Bill was approved by Cabinet on 25 October. Pre-legislative scrutiny was conducted on 24 and 31 January. Following publication of the PLS report, the Bill was referred for drafting in March. The new Bill is intended to lead to one modern piece of legislation to regulate the sale of alcohol and aims to support the development of the night-time economy. This is a large and complex piece of legislation and, as such, further engagement with various sectoral groups including those representing parts of the licensed trade as well as local communities is continuing.

Gambling Regulation Bill

This Bill will provide for a modern approach to the licencing of gambling activities and to establish a gambling regulator. The Bill completed 2nd stage in the Dáil in December 2022. Committee Stage has been provisionally scheduled in July. Further work in conjunction with D/Finance and Revenue is required on amendments and to develop transitional arrangements for moving from the current licensing system to the new system.

Referendum on Gender Equality

The Taoiseach and the Minister for Children, Equality, Disability, Integration and Youth announced on 8 March that a referendum will be held in November 2023 to amend the Constitution as recommended by the Citizens' Assembly on Gender Equality and the Joint Oireachtas Committee on Gender Equality.

The Joint Oireachtas Committee on Gender Equality, responding to the recommendations of the Citizens' Assembly on Gender Equality, recommended that a referendum be held:

- (i) to insert a gender equality and non-discrimination principle into Article 40.1 of the Constitution;
- (ii) to remove the 'women in the home' reference in Article 41.2 of the Constitution and to replace it with language that is not gender-specific, and which provides recognition for care; and
- (iii) to amend Article 41 of the Constitution to protect family life, with the protection afforded to the family not limited to the marital family.

An Inter-Departmental Committee (IDC) has been formed to consider and identify policy recommendations to be proposed to Government. Civil Justice Legislation represents this Department on the IDC. [REDACTED]

*Reacted under Section
29 of FOI Act 2014
(Deliberative Process)*

[Redacted text block]

Support cross-department work on issues relating to international surrogacy and donor-assisted human reproduction

The final report of the Joint Committee on International Surrogacy was published on 6 July. The Committee recommended that provisions for future and retrospective court orders assigning parentage in international surrogacy arrangements should be brought forward in the Health (Assisted Human Reproduction) Bill.

Following the publication of the Final Report of the Oireachtas Joint Committee on International Surrogacy, an Interdepartmental Working Group was established. This group reviewed the Report’s recommendations, along with other relevant matters, with the aim of determining an agreed policy paper and, as appropriate, legislative proposals for submission to Government.

In December 2022, the Government approved a policy direction and draft outline legislative proposals in respect of both the regulation of international surrogacy and the recognition of certain past domestic and international surrogacy arrangements.

The intention is to insert the new legislative provisions in respect of international surrogacy and past surrogacy arrangements into the Health (Assisted Human Reproduction) Bill 2022 at Committee Stage. The drafting of the provisions is at an advanced stage.

The European Commission published in December 2022 a proposal for a Council Regulation on recognition of parenthood, which seeks to ensure that parenthood established in a Member State is recognised in all other Member States.

[Redacted text block]

*Redacted under
Section 31 of FOI
Act 2014 (Legal
Privilege)*

The Department is participating actively in the negotiations on the text of the proposed Regulation. This is with a view to a potential future opt-in after the regulation is finalised and will be kept under ongoing review.

Family Courts Bill to create a new dedicated Family Court within the existing court structures

On 16 November, Minister McEntee secured Government approval for the Family Courts Bill 2022, which was published on 1 December and completed Second Stage in the Seanad in February 2023.

This Bill will establish a dedicated Family Court as a separate division within the existing court structures and provide for court procedures that are more supportive, are faster, and promote a less adversarial resolution of disputes. The aim is to develop a system that puts the family at the centre of its work and that protects vulnerable parties throughout proceedings.

[Redacted text block]

*Redacted under
Section 30 of
FOI Act 2014
(Functions and
Negotiations of
public body)*

Criminal Legal Aid Bill

The purpose of the General Scheme of the Criminal Legal Aid Bill is to transfer responsibility for the administration and operation of the criminal legal aid scheme from the Department to the Legal Aid Board, to make the necessary provision for this in law, and to update the criminal legal aid eligibility requirements, and otherwise to make provision for improved governance and accountability for the system. The General Scheme of the Bill will be brought to Government in the coming weeks for approval.

Judicial Appointments Commission Bill

This Bill will reform and modernise the way in which judges are appointed by establishing a new Judicial Appointments Commission to replace the Judicial Appointments Advisory Board. *(See related material on establishment of Judicial Appointments Commission on page 44).*

The Bill was passed by the Dáil in 2022 and is currently at Report Stage in Seanad Éireann, and it is intended to bring the legislation to enactment in 2023.

Courts Act 2023

The Bill was signed by the President on 19 May 2023 and will increase the statutory maximum numbers of judges by 21 – 2 additional judges in the Court of Appeal, 6 in the High Court, 5 in the Circuit Court and 8 in the District Court .

Defamation (Amendment) Bill

This Bill will update aspects of defamation law, following the Report of the statutory Review of the Defamation Act 2009, which was published on 1 March 2022.

The General Scheme was approved by Government for priority drafting, and published, on 28 March 2023. Drafting work is progressing with a view to publication of the Bill during Q4/2023, in accordance with the Justice Plan. The

The General Scheme also takes account of related developments at EU level: the adoption of the Digital Services Act re online defamation, and ongoing negotiations on the proposed anti-SLAPP Directive A draft Council Common Position on the proposal is expected to be presented for agreement on 9th June during the JHA Council, with trilogues for a first-reading agreement beginning under the forthcoming Spanish presidency.

Courts and Civil Law (Miscellaneous Provisions) Bill

This Bill will implement wide ranging reform across a number of legislative frameworks including occupiers' liability, bankruptcy, legal services, data protection, court officer and offices, citizenship and naturalisation.

The Bill was passed by Dáil Éireann on the 1 March 2023 and completed Second Stage in Seanad Éireann on the 27 April.

A small number of Committee Stage amendments have been approved for drafting.

Committee Stage in Seanad Éireann is expected to take place in June, with a view to having the Bill enacted and the key reform measures commenced, in July.

Review of Administration of Civil Justice (Kelly Review)

In May 2022, the Department published the Civil Justice Efficiencies and Reform Implementation Plan, which sets out the actions and timeframes to give effect to the recommendations of the Report of the Review of the Administration of Civil Justice (Kelly Report). Work is under way on their delivery with some measures being included in the Courts and Civil Law Miscellaneous Provisions Bill currently before the Seanad. Preparatory work in regard to a Civil Reform Bill has also begun along with development of Judicial Review Legislation. A final report is also expected shortly from Indecon on legal costs.

The Civil Justice Review (Kelly) Implementation Group is meeting quarterly (next meeting scheduled for 6 June) and [REDACTED]

*Redacted under
Section 30 of FOI
Act 2014
(Functions and
Negotiations of
public body)*

Civil Justice: GOVERNANCE



Stjohn O'Connor

Director
Head of Governance

Principal Officers



Eamonn Waters

Performance



John Garry

Governance



Donal D'Arcy

Coroners Service
Operations

The Civil Governance Function is the oversight function for the Civil Justice Bodies under the aegis of the Department.

The aegis Bodies are a mix of statutory and non-statutory entities, some governed by Boards and others by their Senior Management Teams. There is an annual programme of work to ensure that the relevant bodies have the appropriate Oversight Agreements, Performance Delivery Agreements and Corporate Governance Assurance Agreements in place and can meet their performance targets.

IMMEDIATE ISSUES AND PRIORITIES:

Supporting the Judiciary through Judicial Appointments and HR

Civil Governance coordinates the appointment procedures for members of the Judiciary and oversees the cycle of appointments of Chairs and Members of the respective State Bodies.

The final report of the Judicial Planning Working Group recommended that 24 additional judges be appointed immediately, with a further 20 judges to be appointed once an assessment of the impact of the first tranche is complete. Three Circuit Court judges have already been appointed to support the implementation of the Assisted Decision Making Act, A further 21 judges (2 Court of Appeal; 6 High Court; 5 Circuit Court and 8 District Court) are scheduled to be appointed over the rest of 2023.

It is expected that the Government will make further nominations to the Courts later in May 2023. This may include filling one vacancy in the Supreme Court and two additional positions in the Court of Appeal. It could also include filling additional posts in the High Court, Circuit Court and District Court. There will be 4 further scheduled retirements in 2023 and 7 scheduled retirements in 2024.

Modernise the operation of the judiciary to enable it work more effectively; and reform the process for appointing judges

- Establish the Judicial Appointments Commission (JAC) following enactment of the JAC Bill and make arrangements for relevant appointments including Director and Lay Members.
- Oversee and monitor the implementation of the Judicial Planning Working Group (JPWG) recommendations (approved by Government on 24 February 2023).
- The Judicial Planning Implementation Group has been established and is due to meet shortly.
- A Working Group has been established with the Courts Service to research the current lack of available data, and to develop key performance indicators to measure and report on the impact of additional judge and support staff allocated to the Courts Service. The legislation for the JAC Bill has yet to complete its passage through the Oireachtas.

Establishment of a new Division of the High Court dealing with planning and environmental issues

On 2nd November 2022, the Cabinet approved the establishment of a dedicated Planning and Environment division of the High Court. The Practice Direction (HC 119) necessary for its establishment was signed by the President of the High Court on 29th March 2023 following on from a 3 week public consultation undertaken by the Courts Service. The Practice Direction contains a significant overhaul of the procedures to be applied in the new, renamed, “Commercial, Planning and Environment List” and came into effect on 17th April 2023.

Once the recommended additional judge is appointed in respect of the Commercial, Planning and Environment List, the range of cases which will be dealt with by that court will be further expanded and the Practice Direction has been prepared in a way which will enable this to happen seamlessly and quickly. It is estimated that the new Court will be fully established by Q2 2023.

Data Protection Commission

The Government’s decision to appoint two additional commissioners to the Data Protection Commission is expected to be implemented by the end of 2023.

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*Redacted under
Section 29 of FOI
Act 2014
(Deliberative
Process)*

Stardust Inquest (Operational Support)

- Following support from the Courts Service and the Dublin County Registrar, a jury was sworn in by the Coroner for the Stardust inquests on April 17 2023.
- The Stardust inquests began on April 25 with 'pen portraits'. Pen portraits provide each of the Stardust victims' families an opportunity to speak of the person that they lost and talk of the impact that this loss has had on their respective families.
- Pen Portraits are expected to continue until the end of May, after which witnesses will begin to be called.
- It is estimated that the inquests will continue until the end of 2023.
- The Department continues to support the Coroner in terms of staff, facilities, ICT support, Audio/Visual support and budget,
- The Coroner is fully independent in her duties.

Coronial Matters

- **Provision of sufficient coroners in the Dublin District for period after February 2024**

From February 2024, the Dublin Coronial District will revert to one Coroner and one Deputy Coroner, who, under existing legislation, are not allowed to act contemporaneously. This will exacerbate the current backlog of inquests.

Dublin currently has 1 full-time Senior Coroner who is working on the Stardust Inquests and 3 full-time coroners, appointed on a temporary basis. The temporary appointments can only be renewed until end February 2024.

[REDACTED]

*Redacted under
Section 29 of FOI
Act 2014
(Deliberative
Process)*

- **Ensuring the delivery of a coherent and robust pathology service to Coroners, in particular by reviewing the fee paid to pathologists.**

The provision of pathology services by employees of the HSE to Coroners nationwide is done on a grace and favour basis i.e. there is no contractual obligation on the Pathologists to provide this service. A Pathologist who carries out a Post Mortem and / or attends an Inquest at the behest of a Coroner is paid on a fee basis. The Irish Hospital Consultants Association has requested a very significant fee increase to carry out work at the Coroners' behest. Fees for pathology services provided to assist in coronial post-mortems were established by the Minister for Justice in S.I. 155 of 2009 (Coroners Act 1962 (Fees and Expenses) Regulations). [REDACTED]

*Redacted under
Section 29 of FOI Act
2014 (Deliberative
Process)*

A Standing Committee has been established to address the challenges associated with provision of pathology services, and talks with the Irish Hospital Consultants Association (IHCA) are ongoing regarding its demand to significantly increase fees paid to pathologists.

- **Coronial Reform**

The Department intends to launch an open consultation process in 2023 in relation to its long standing intention to reform the Coroner service. [REDACTED]

*Redacted under
Section 29 of FOI
Act 2014
(Deliberative
Process)*

Censorship of Publications Board review

Justice Plan 2023 contains a commitment to bring to proposals to Government regarding the future of censorship of publications board and Censorship of Publications Appeal Board. A cross-functional group in the Department is preparing proposals to be submitted to the Minister at the end of June.

Sheriff Review

The Department of Justice and the Office of the Revenue Commissioners have established a Joint Review Group to examine the role of Sheriffs in respect of State work. The Review Group is independently chaired by Mr Noel Waters, former Secretary General of this Department, and comprises of representatives from the Office of the Revenue Commissioners, the Courts Service, the Departments of Justice, Housing and Finance, as well as an external representative from the Insolvency Service of Ireland. The Review Group is examining the future role of Sheriffs, with a view to establishing if the nature of the role is currently in line with best international practice, or if there is a more efficient and cost effective system of debt collection. The review is well advanced with the target date for finalisation of the report early July 2023.

Establish the Gambling Regulatory Authority of Ireland

The Gambling Regulation Bill was published in December 2022. The CEO designate was appointed in September 2022 and work is underway to enact the legislation in Q4 2023 and to establish the Gambling Regulatory Authority by Q1 2024.

The process to appoint Authority members will commence upon enactment. A business case on appointment of Authority Members will be submitted Q2 2023. Preparation of the appointments process with PAS will take place in Q3 2023.

The Authority will be regulating a complex financial industry so tenders were sought for a contractor to provide financial modelling services to support the establishment of the Authority. The successful tenderer (KPMG) was appointed in May 2023 and work has commenced. A detailed business plan will be submitted to D/PENDPDR in July 2023 as part of the Estimates 2024 process, with the initial outputs from the financial modelling exercise included.

D/PENDPDR have given sanction to recruit two Heads of Function. The Director of Licencing and Director of Technology and Digital posts are to be advertised by PAS in May 2023. Engagement with D/PENDPDR is ongoing regarding other key staffing sanction requests.

Appointments/Reappointments to State Boards and Office Holders

- PAS have advised that 60 part-time member candidates for the International Protection Appeals Tribunal were successful in the interview process and preparations are underway to organise their appointment.
- A number of County Registrar competitions are underway through PAS, names of suitable candidates have been received with regard to the Louth and Mayo/Roscommon roles, and it is expected appointments will be made to these positions shortly. A Memorandum for Government is scheduled for 23 May with regard to the Mayo/Roscommon appointment.
- Competitions are ongoing through PAS with regard to County Registrar vacancies in Waterford and Clare/Limerick.
- Preparations are underway to run an open competition through PAS to fill a vacancy arising for a Legal Costs Adjudicator. The position has become vacant as of 18 April 2023.
- The term of appointment of the one remaining lay board member of the Judicial Appointments Advisory Board (JAAB) will expire on 6 June 2023. An eSubmission has been approved by the Minister recommending her reappointment in order to facilitate the ongoing functioning of the JAAB and pending enactment of the Judicial Appointments Commission Bill.

Strategic Review of *Abhaile*, the National State Funded Mortgage Arrears Scheme

On 29 November 2022 the Government approved an extension of the *Abhaile* scheme to the end of 2023. The strategic review currently being finalised will inform plans for the scheme in the longer term beyond 2023. The outcome of the strategic review is expected to be detailed in a Memorandum to Government in Q2 or early Q3 2023.

[Redacted text block]

*Redacted under
Section 30 of FOI
Act 2014
(Negotiations of
Public Body)*

Mediation Council

Efforts to establish a Mediation Council culminated with the holding of a Plenary meeting of the sector on 7 February 2023 which was convened by the then Legal Aid Board CEO, Mr. John McDaid, and attended by Civil Governance officials from the Department. [REDACTED]

[REDACTED] The number of mediation practitioners working full time is estimated at 200, with a further 750 working part-time.

Redacted under Section 29 of FOI Act 2014 (Deliberative Process)

[REDACTED]

Redacted under Section 29 of FOI Act 2014 (Deliberative Process)

Codes of Practice for the mediation sector

As a further factor, section 9 of the Mediation Act 2017 makes provision for the Minister to either prepare codes of practice setting standards for the conduct of mediation or to recognise codes of practice prepared by another person or body. [REDACTED]

[REDACTED]

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[REDACTED]

KEY ISSUES: Criminal Justice Pillar



Criminal Justice: POLICY



Ben Ryan

Assistant Secretary
Head of Criminal Justice
Policy

Principal Officers



Vacancy
Strategic Policy
and Planning



Mary O'Regan
Penal and
Policing Policy



Deaglán Ó Briain
Community Safety
Policy



Gerry O'Brien
Transnational
and Organised
Crime Policy



Patrick Forsyth
Cyber Security
Policy

The Criminal Justice Policy function consists of a Strategic Policy and Planning team, as well as four subject matter resource and applied policy teams.

Team	Purpose
Strategic Policy and Planning	Establishes the Department’s policy agenda, advises on policy priorities and oversees the policy lifecycle. The Project Collaboration, Tracking and Administration team supports cross functional, inter-Departmental and EU/International working. They manage logistics for the Policy function-led working groups, track policy development and allocate administrative resources across the function.
Applied Policy: Penal and Policing	Prisons, probation, restorative justice, offender management, sentencing, policing powers/safeguards and European JHA interoperability.
Applied Policy: Community Safety	Domestic, sexual and gender-based violence; child abuse; victims (including victims of DSGBV, terrorism, human trafficking etc.); youth justice; hate crime; anti-social behaviour; drug possession for personal use; road safety enforcement.
Applied Policy: Economic, Transnational and Organised Crime Policy:	Corruption, proceeds of crime, money laundering, organised crime, drug trafficking, people smuggling, human trafficking, extradition & mutual legal assistance, fraud – Insurance Reform Action Plan, Interpol/Europol/Eurojust, international criminal justice co-operation.
Applied Policy: Cyber	Cybercrime, cyber security, takedown of illegal content, firearms/explosives policy, private security policy, security of elections, artificial intelligence, E-evidence, radicalisation.

IMMEDIATE PRIORITIES AND ISSUES

Strategic Policy and Planning

Local Community Safety Partnerships (LCSPs)

The Community Safety Policy is based on the recommendations of the Commission on the Future of Policing in Ireland (CoFPI) report, which proposed national and local level structures that bring together Departments and State agencies involved in harm prevention to promote community safety.

Integral to this policy is the development and roll out of Local Community Safety Partnership structures, which will replace the current Joint Policing Committee (JPC) structures. This new LCSP structure will bring all services and the community together at local authority level to serve as a forum for discussion and decisions on community priorities.

There are currently three pilot LCSPs in Dublin's North Inner City, Waterford, and Longford which are subject to a robust independent evaluation. Learnings from these pilots will inform national roll out and also feed into the development of the Policing, Security and Community Safety Bill.

The Strategic Policy and Planning Team supports the work developing the Policing, Security and Safety Bill through feedback from the LCSP pilots to assist in the drafting. [REDACTED]

[REDACTED]

*Redacted
under Section
30 of FOI Act
2014
(Functions and
Negotiations
of Public Body*

Penal and Policing Policy

Review of Prison and Penal Reform 2022-2024

Delivering on the PfG commitment to review policy options for prison and penal reform, the Minister for Justice published the Review of Policy Options for Prison and Penal Reform 2022-2024 in August 2022.

The review sets out 21 key actions and seeks to find the balance between ensuring that people who commit serious crimes receive a punishment and a period of incarceration proportionate to that crime, while at the same time acknowledging that sometimes community based sanctions are more appropriate in diverting offenders from future criminal activity. These proposals do not change the fact that sentencing is a matter solely within the discretion of the trial judges; they are intended to strengthen the options available to judges when they are considering cases, to facilitate the effective and efficient use of community sanctions by the courts, and to ensure that the courts have a wide range of appropriate options for dealing with people who have committed minor offences.

The immediate focus is on progressing a number of policy measures detailed in the review, some of which are completed or well advanced.

High Level Review Group on the role of AGS in the public prosecution system

The High Level Review Group (HLRG) completed its work in December 2022. The Final Report is to be submitted to Government shortly for consideration. Completion of the Review is a deliverable under a Policing Service for the Future (APSF).

Community Safety Policy

Domestic, Sexual and Gender Based Violence (DSGBV) and Victims of Crime (VOC)

3rd DSGBV Strategy

The €363 million Third National Strategy on Domestic, Sexual and Gender-based Violence (DSGBV) was launched on 28 June 2022 and is built on the four pillars of the Istanbul Convention framework – Prevention, Protection, Prosecution and Policy Co-ordination. It is a cross-Government Strategy and the accompanying implementation plan contains 144 detailed actions for implementation during 2022 and 2023 which are assigned to relevant lead departments and / or agencies. Implementation will be ensured by strong oversight and coordination at central Government level.

The Strategy provides for the establishment of a statutory DSGBV agency under the aegis of the Department of Justice which will drive this work and bring the expertise and focus needed. Other actions to be delivered across government include:

- Updated secondary school curricula at junior and senior cycle to include consent, domestic violence, coercive control and safe use of the internet.

- Improved training for professionals and support staff.
- Removing the legal barriers that prevent individuals experiencing sexual or domestic violence remaining at home where it is safe to do so.
- Introduction of statutory domestic violence leave this year.
- Increasing the maximum sentence from five years to ten years for assault causing harm, one of the most common charges in cases of domestic abuse.
- Engagement with the judiciary to consider the creation of specialised judges for DSGBV cases.

DSGBV Legislation

Government approved the publication of the Criminal Justice (Miscellaneous Provisions) Bill 2022 which is currently before the Houses. This new legislation will double the maximum sentence for assault causing harm, make stalking and non-fatal strangulation standalone offences, and expand the existing harassment offence.

The new Incitement to Violence and Hatred and Hate Offences Bill is also before the Houses. It will introduce new, specific aggravated offences with enhanced penalties for crimes motivated by prejudice against certain characteristics, including gender.

The Department also intends to enact the Sex Offenders Bill which will strengthen the management and monitoring of sex offenders in the community.

The General Scheme of the Criminal Justice (Sexual Offences and Human Trafficking) Bill 2022 received Government approval on 27 July and it will implement various O'Malley recommendations including -

- Extending victim anonymity to further categories of victims
- Providing for extended anonymity for accused persons
- Updating the definitions of 'published' and 'broadcast'
- Exclusion of the public
- Repealing provisions for sentences to be delivered in public
- Legal representation for victims in certain circumstances

The Department of Justice will enact the Garda Síochána (Digital Recording) Bill 2022, which will provide both new and strengthened powers for An Garda Síochána to operate recording devices including body worn cameras. The availability of body-worn cameras will assist members of An Garda Síochána to gather evidence separate to a victim's testimony.

An Garda Síochána will trial the use of body-worn cameras by Q2 2023 in key districts in advance of a nationwide rollout once the Garda Síochána (Digital Recording) Bill 2022 has been enacted.

Refuge spaces

The Third National DSGBV Strategy commits to doubling the number of refuge places. This will be the fastest ever expansion of refuge spaces. By the end of the strategy there will be over 280 refuge spaces and additional safe house and step down accommodation will be delivered.

24 Refuge Units currently underway in Wexford, Dundalk and Navan will be delivered by 2024 and there will be 98 Refuge Units in priority locations delivered by 2025, along with a further 19 additional and upgraded Units by the end of the Strategy.

DSGBV Agency

A Memorandum of Understanding is in place between this Department, the Department of Children, Equality, Disability, Integration and Youth (DCEDIY), and Tusla to ensure the orderly transition of Domestic, Sexual and Gender Based Violence services to this Department. The MOU became effective on 26 June 2022 and will remain in place until 1 January 2024, by which date the Department anticipates the new DSGBV agency will be established.

A DSGBV Strategic Change Programme is underway to:

- 1) Establish a statutory DSGBV agency by January 2024 under the remit of the Department of Justice (DoJ);
- 2) Manage the transition of DSGBV services currently provided by The Child and Family Agency (Tusla); and
- 3) Progress the recommendations of the Inter-Departmental Group (IDG) on the Provision of Domestic Violence Accommodation during the transitional period.

Government approval to publish the General Scheme of the DSGBV Agency Bill was secured on 6 March, 2023. The General Scheme was then referred to the Justice committee for pre-legislative scrutiny on 18 April 2023. After the report of the Committee is received, work on finalising the Bill will be prioritised so that it can be published and progress through the Houses before the end of the year.

Civil Legal Aid

The DSGBV Strategy maintains that the Civil Legal Aid Act be amended to provide free legal advice to victims of sexual offences and to extend the range of offences to which it applies. It also includes an action to look at providing legal advice, in appropriate circumstances, to a parent, guardian or other responsible adult where the victim in such cases is a child or a person with a mental illness or intellectual disability. The relevant legislative Heads have been prepared, with consultations having been conducted with the Legal Aid Board and a Criminal Justice (Legal Aid) Bill General Scheme will be submitted to Government for approval shortly.

Awareness Raising

Changing societal attitudes to domestic, sexual and gender-based violence will require campaigns that challenge existing myths, misconceptions and established beliefs, with inclusivity as a central feature.

The Department is developing a number of campaigns, including a continued focus on the bystander approach in the run up to Christmas, and also a focus on positive masculinity, as the Strategy aims to engage with boys and men to end violence against women and gender-based violence.

A successor to the 'Still Here' campaign, which was effective in showcasing the pathways to safety available to victims of DSGBV during the pandemic, is also being developed, as is a new phase of the intimate image abuse campaign, this time focusing on the threat to share intimate images, something that can be a feature in coercive control and domestic abuse cases.

The Dublin Rape Crisis Centre (DRCC) are also working closely with the Department of Justice on the issue of consent. DRCC are researching how best to approach a campaign to develop a shared understanding of the meaning and importance of consent in sexual relationships – a topic of huge significance across a range of areas, including in education.

Familicide

The Study on Familicide & Domestic and Family Violence Death Reviews was submitted to the Department of Justice last year and due to the gravity of the subject matter and impact on victims' families, thorough examination of the report is necessary before publication. Minister Harris met with family members of victims who have contributed to the report on 10th and 15th May in advance of its publication due to the sensitivities and vulnerabilities which they may be exposed to on publication. The families have also received a draft version of the report and now welcome full publication.

The Department will now bring the review to cabinet to note the recommendations contained therein and seek approval for publication. The Department will issue a press release at the time of publication and disseminate to DSGBV NGOs and stakeholders including members of the monitoring committee of the DSGBV strategy for information.

The Department will then convene a cross functional Interdepartmental Group (IDG) to examine how to bring forward, if suitable, any recommendations contained in the study through implementation of the Third DSGBV Strategy. The Strategy is a 'living document' which will have actions added to it on an ongoing basis where necessary and where more resources become available such as with the establishment of the new DSGBV agency in 2024.

Part 4 - Criminal Law (Sexual Offences) Act 2017 Review

In July 2020, a review of Part 4 of The Criminal Law (Sexual Offences) Act 2017 was commissioned which will examine criminal changes as to the purchase of sexual services. Part 4 of the Act introduced two new offences - paying for sexual activity with a prostitute and paying for sexual activity with a trafficked person while also removing those who offer their services as a prostitute from the offence of soliciting for the purpose of prostitution. One of the purposes of these measures was to provide additional protection to persons involved in prostitution, especially vulnerable persons and victims of human trafficking. These measures allow persons working in prostitution to provide information to the Gardaí on, for example, violence towards them by clients, without risking prosecution for selling sexual services.

In relation to the delay in finalising the report, the study lead was also working to complete another study (Familiicide & Domestic and Family Violence Death Reviews) which has been finalised and submitted to the Minister and it is understood that their attention has now returned to the Part 4 review. The Minister has also instructed his officials to provide additional support to the study lead, if needed, to assist with the finalisation of the report, while of course respecting the independence of the review and the autonomy of the study lead.

[Redacted text block]

*Redacted under
Section 30 of FOI
Act 2014 (Functions
and Negotiations of
Public Body*

Human Trafficking

The General Scheme of the Criminal Justice (Sexual Offences and Human Trafficking) Bill 2022, published in July 2022, will put a revised National Referral Mechanism (NRM) on a statutory footing, making it easier for victims of trafficking to come forward, be identified, and access support.

The NRM is the framework through which the State fulfils its obligations to protect and promote the human rights of trafficking victims, working in partnership with civil society.

The proposed new NRM was approved by Government in May 2021 and is a key component in combatting human trafficking. It is a clear demonstration of Ireland's commitment to identifying and supporting victims of this abhorrent crime and it will strengthen our international reputation in this area.

Under the new NRM, it is proposed that a number of agencies will become competent authorities for the identification of victims of human trafficking. Some NGOs will also be designated as 'trusted partners' and will be able to make referrals to the competent authorities.

Pre-legislative scrutiny was carried out on the General Scheme of the Criminal Justice (Sexual Offences and Human Trafficking) Bill on 6 December 2022. The report of the Committee was published on 8 March 2023. Work to develop a new National Action Plan on human trafficking is advanced. This whole of Government plan sets out how the multi-agency work to combat this criminal activity and support victims will be taken forward. As part of development, a consultant has produced a short and focussed analysis of the current position in relation to human trafficking in Ireland which includes a research review, a synopsis of the extent of trafficking in Ireland and a summary of issues to address. It is expected the new Action Plan will be finalised and submitted to Government shortly for approval to publish.

Youth Justice

The Youth Justice Strategy 2021 – 2027 sets out a programme for the development of Youth Diversion Projects (YDPs) and related services.

The Youth Justice Strategy will seek to achieve full national coverage within two or three years, principally by extending the operating area of the existing 106 projects, but a small number of new projects will be required.

A call for expressions of interest from community groups for establishment of a number of new YDPs in areas that currently are not covered issued on 30 November and a number of expressions of interest have been received with full applications due before end of Q2 2023. This will meet a key commitment of the Youth Justice Strategy – that the service will be available to every child/young person who requires it regardless of where they reside in the State.

The Department are also in discussion with other relevant departments and agencies in the Youth Justice and community-based services sector to examine if there is sufficient interest in a joint commissioning approach to implement the *no wrong door principle* in selected areas as demonstration projects.

Economic, Transnational and Organised Crime Policy

Cooperation with the European Public Prosecutor's Office (EPPO)

The European Public Prosecutor's Office (EPPO) is in charge of conducting criminal investigations and prosecutions for crimes against the EU budget. Due to legal concerns at the time, Ireland did not participate in the enhanced cooperation measure which established EPPO and is, consequently, not bound by it. As a non-participating Member State, Ireland remains fully committed to cooperating with EPPO to the greatest extent possible. Legislation to facilitate co-operation as a non-participating Member State is being progressed by Criminal Justice Legislation.

In addition, an Inter-Agency Working Group (IAWG) has been established to examine Ireland's potential future participation in EPPO and to advise the Minister on same. The EPPO IAWG will [REDACTED]

*Redacted
under Section
33(1)(d) of FOI
Act 2014
(International
Relations)*

Convention on International Cooperation in the Investigation and Prosecution of the Crime of Genocide, Crimes against Humanity, War Crimes, and other International Crimes (MLA Initiative)

The MLA Initiative advocates for the adoption of a multilateral treaty providing for international cooperation mechanisms, including mutual legal assistance (MLA) and extradition, to facilitate the investigation and prosecution at the national level of genocide, crimes against humanity, war crimes and other international crimes. It operates as a stand-alone process, outside of the UN, and is open to all States. The MLA Initiative is supported by 77 States around the globe, including Ireland and all EU member states.

A diplomatic conference to negotiate the convention will take place from 15 to 26 May 2023 in Slovenia. Ireland will be represented by officials from DoJ and DFA, supported by a Working Group composed of representatives from DoJ, DFA, Department of Defence, An Garda Síochána / EU Genocide Network, the Irish Prison Service, the Defence Forces, Eurojust, the Office of the Director of Public Prosecutions, and the Attorney General's Office.

Ireland's broad priorities in the negotiations will be to [REDACTED]

*Redacted under
Section 29 of FOI
Act 2014
(Deliberative
Process)*

[REDACTED] Assuming a final text can be agreed, Government decisions will be required to authorise the State's signature and ratification of the convention, and legislative measures may also be required depending on the obligations imposed by the new convention. The convention will be opened for signature at a later date.

Advisory Council against Economic Crime and Corruption

The establishment of the Advisory Council against Economic Crime and Corruption was one of the recommendations made in the Review of Structures and Strategies to Prevent, Investigate and Penalise Economic Crime and Corruption in December 2020. The Advisory Council against Economic Crime and Corruption was established on 30 May 2022 and held its first meeting on 21 July 2022. It has held three meetings to date.

The Advisory Council will be responsible for developing the national multi-annual strategy to combat corruption. Preparations for the drafting of the strategy are in the initial stages. A sub-group of the Council was established to look at working definitions and the parameters for the Council's work. Discussions are underway within the Department of Justice to plan a public consultation which will take place in Q3 2023 and which may include both online and in-person engagement. It is anticipated that the first draft of the strategy will be complete by the end of 2023. Once finalised and approved by the Minister, a memo will be brought for government approval.

One of the civil society representatives appointed to the Council has stepped down from her role, so a call for expressions of interest to find a suitable replacement was launched in March 2023. A shortlist of the most suitable candidates will be presented to the Minister for the appointment of a new member in due course.

Cyber policy

Illegal online content – child sexual abuse

Represent Ireland in negotiations on new draft Regulation on Child Sexual Abuse. This instrument would compel service providers to take action to ensure that their services are not used for the facilitation of child sexual abuse. Ireland would be expected to play a major role in the implementation of the Regulation arising from the large number of service providers based here.

Illegal online content – terrorist content

Implementation of the Terrorist Content Online Regulation (TCOR) through: enactment of legislation amending Online Safety and Media Regulation Bill to give responsibility for oversight and sanctions elements of TCOR to the Media Commission (once established); and secondary legislation to designate An Garda Síochána and a further entity as competent authorities in respect of removal orders and scrutiny of cross-border removal orders.

eEvidence package

Represent Ireland in eEvidence negotiations with a view to reaching a satisfactory agreement with the European Parliament in the coming weeks. Prepare for implementation of the eEvidence package, particularly by establishing an implementation group comprising relevant Departmental colleagues and agencies.

Criminal Justice: LEGISLATION



Rachel Woods

Assistant Secretary
Head of Criminal Justice

Principal Officers



Paul O'Farrell
Legislation



Brendan Bruen
Legislation



Dan Kelleher
Legislation



Sarah Sheppard
Legislation



Lisa Doherty
Legislation



Rosaleen Killian
Legislation

IMMEDIATE PRIORITIES AND ISSUES

Priority legislation

Criminal Justice (Incitement to Violence and Hatred and Hate Offences) Bill

A Bill to introduce new aggravated offences for hate crime and update incitement to hatred laws. The Bill was published on 27 October 2022 and completed passage through the Dáil on 26 April. It is currently scheduled for Second Stage in Seanad Éireann on 13 June.

Criminal Justice (Miscellaneous Provisions) Bill

The Bill creates new stand-alone offences of stalking and non-fatal strangulation, introduces civil orders to address stalking behaviour at an early stage, increases the maximum penalty available for conspiracy to murder to life, and for assault causing harm to 10 years and addresses a range of other criminal justice issues. The Bill was published in July 2022. It has passed all Stages in the Dáil and is scheduled for Second Stage in the Seanad on 23 May. A number of additional issues will be introduced into the Bill by way of Seanad amendments including an increase in the penalty for the offence of assault of a peace officer from 7 years to 12 years.

Garda Síochána (Recording Devices) Bill

Draft legislation for the deployment of body worn cameras and extended use of CCTV and ANPR technology for AGS. The Bill was published in August 2022 and completed Second Stage in the Dáil in February. [REDACTED]

*Redacted under
Section 29 of FOI
Act 2014
(Deliberative
Process)*

Sexual Offences and Anti-Human Trafficking Bill

A Bill to deliver reforms to sexual offences legislation arising from the O'Malley report and the recommendations of the Law Reform Commission on reasonable belief in consent. The Bill will also provide a statutory basis for the National Referral Mechanism for victims of human trafficking and facilitate the State's ratification of the Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography. Drafting of this Bill is progressing and is at an advanced stage. [REDACTED]

*Redacted under
Section 29 of FOI
Act 2014
(Deliberative
Process)*

[REDACTED] It is expected the Bill will be ready for publication before the Summer recess.

Transposition of EU instruments – managing infringements

The Department recognises the significant reputational and financial risk resulting in failure to transpose EU legislation and therefore prioritises the timely transposition of EU instruments.

Background

All EU measures include a date by which the measure has to be implemented, which includes in the case of Directives, in particular, transposition into national law. There is a requirement on Member States to formally notify the Commission that the measure has been given effect to in the Member State concerned. Failure to meet these requirements can lead to the Commission initiating infringement proceedings against a Member State which can result in significant financial penalties and could have a negative impact on the State's reputation.

The Commission can initiate infringement proceedings in the following instances:

- i. failure to notify the Commission (even if the measure has been implemented);
- ii. failure to implement the measure on time;
- iii. failure to transpose properly (this can arise at any time, Ireland may be of the view that the measure has been properly implemented but the Commission after study or in response to a complaint may be of a different view.

Infringement proceedings

The process is governed by Article 258³ of the TFEU.

1. The Commission issues a Formal Notice to the Member State stating why it considers a Member State has failed to meet its obligation and inviting the observations of the State within a set period.
2. The Commission issues a Reasoned Opinion, giving the State a set period to comply and failing that it may initiate proceedings before the European Court of Justice (ECJ).
3. The Commission may specify to the ECJ the penalty that should be applied if the State fails to comply. It is now the policy of the Commission to seek a lump sum payment

³ If the Commission considers that a Member State has failed to fulfil an obligation under the Treaties, it shall deliver a reasoned opinion on the matter after giving the State concerned the opportunity to submit its observations. If the State concerned does not comply with the opinion within the period laid down by the Commission, the latter may bring the matter before the Court of Justice of the European Union.

(€1.685m+) and a daily fine of €1,700 multiplied by the coefficient of its seriousness (1-20) and duration (1-3).

Once it has initiated court proceedings, the Commission will not withdraw the case even if the Member State has complied (but the daily fine for non-compliance would not apply).

Mitigation Measures

In late 2020, following a €2 million fine issued for the late transposition of the fourth Anti-Money Laundering Directive, European Affairs undertook a review of the Department's monitoring of active EU infringements. Following this review, a process document was developed and implemented across the Department with a view to mitigating the risk of future infringements leading to fines. A Departmental Working Group, chaired by the Principal Officer of European Affairs was also established and meets quarterly. The meetings of this group ensure that there is continued monitoring of the progress being made on the necessary actions taken to close active infringements. A monthly report of developments is provided to the MinMac.

In addition, work in this area will expand in 2023, as part of the work of the Strategic Review of EU Engagement, to review EU Measures that Ireland participates in which have not been fully transposed with the aim of reducing the risk of infringement proceedings being initiated in the first instance.

The Department currently has 7 active infringement cases which compares to 14 in December 2020. The following table gives an executive summary. Detailed tables of active and closed infringements are at Appendix 6.

DEPARTMENT OF JUSTICE EU INFRINGEMENTS

	INFRINGEMENT NO.	MEASURE	INFRINGEMENT STATUS	TRANSPOSITION STATUS	ASSIGNED / RAG
1	2018/2063	Mutual Recognition of Custodial Sentences	Referred to ECJ on 3 December 2020. Judgement received on 24 March 2022.	CJ (Mutual Recognition of Custodial Sentences) Act 2023 was signed into law on 1 March 2023 and commenced on 3 May 2023.	Criminal Legislation / Brendan Bruen
2	2018/2065	Mutual Recognition of Supervision Measures	Referred to ECJ on 3 December 2020. Judgement received on 24 March 2022.	CJ (Mutual Recognition of Supervision Measures) Act 2020 was commenced on 5 February. Amendments to the Act were introduced as part of the Criminal Justice (Mutual Recognition of Custodial Sentences) Act 2023.	Criminal Legislation / Brendan Bruen
3	2016/0538	Counterfeiting	Reasoned Opinion issued on 3 December 2020.	The Counterfeiting Act 2021 was signed into law on 5 July 2021 and commenced on 3 August 2021. The Commission has been notified.	Criminal Legislation / Brendan Bruen
4	2020/2072	European Arrest Warrant	Letter of Formal Notice issued 22 Feb 2021	The European Arrest Warrant (Amendment) Bill 2022 has completed all Dáil stages and Seanad Second Stage. Drafting of amendments is ongoing and Committee Stage in the Seanad will be scheduled in Q2 2023.	Criminal Legislation / Brendan Bruen
5	2021/0441	Directive (EU) 2019/1153 laying down rules facilitating the use of financial and other information for the prevention, detection, investigation or prosecution of certain criminal offences	Reasoned Opinion issued on 29 September 2022.	Regulations to transpose Directive 2019/1153 were signed by the Minister for Justice on 2 February 2023. The D/Finance bank account register has been operational since February 2023. The Commission has been notified.	Criminal Legislation / Brendan Bruen

	INFRINGEMENT NO.	MEASURE	INFRINGEMENT STATUS	TRANSPOSITION STATUS	ASSIGNED / RAG
6	2019/2235	Directive 2011/93/EU on combating child sexual abuse	Letter of Formal Notice issued on 15 July 2022	The Department are engaging with the Commission to take the necessary actions to ensure Ireland are in full compliance with the Directive. It may be necessary to seek legal advice and agreement on the options available.	Criminal Legislation / Lisa Doherty
7	2022/2121	Regulation (EU) 2021/784 of the European Parliament and of the Council of 29 April 2021 on addressing the dissemination of terrorist content online	Letter of Formal Notice issued on 26 January 2023.	On 26 January 2023, the Commission issued a Letter of Formal Notice in relation to the Regulation (EU) 2021/784 referred to as the Terrorist Content Online Regulation or TCOR. A response to the LFN issued on 23 March 2023.	Criminal Policy / Paddy Forsyth

European Arrest Warrant - EU infringement proceedings

European Arrest Warrant (Amendment) Bill: In late 2020, the Commission issued a letter of formal notice (first step in the infringement process) in respect of the transposition of EU law on the European Arrest Warrant into Irish law. On foot of legal advice, a Bill was prepared to amend the European Arrest Warrant Act 2003 to ensure it is fully in line with EU law. The Bill was published in January 2022, and completed second stage in Seanad Éireann in October 2022, having completed passage through the Dáil. A small number of amendments are being prepared for inclusion at Committee Stage, some of which relate to case-law issues that have emerged since the Bill was published. Early enactment of the Bill is a priority to prevent the infringement proceedings progressing to the European Court of Justice and the Department is keeping the Commission informed of progress at all stages due to the infringement.

Transpose outstanding EU criminal justice measure on mutual recognition of custodial sentences

The Criminal Justice (Mutual Recognition of Custodial Sentences) Act was signed into law on 1 March 2023 and commenced on 3 May 2023. The Act provides for the transfer of prison sentences between EU Member States so that a person convicted abroad can serve his or her sentence in their home country. The Act will transpose an overdue EU Framework Decision which is currently subject to infringement proceedings and the European Commission has been notified of enactment.

To note, amendments introduced at Committee Stage amended a similar mechanism under a Council of Europe Convention for the transfer of sentenced persons. Transfers under that Convention with the UK have been suspended for a number of years following a Court judgment and the Committee Stage amendments will facilitate the resumption of such transfers.

Transpose EU Regulation on Terrorist Content Online

In September 2018, the EU Commission proposed the EU Regulation on addressing the dissemination of terrorist content online to ensure the swift removal of terrorist content online and to establish one common instrument for all Member States to this effect. The EU Regulation came into force on 7 June 2022. The Regulation has direct effect but requires Member States to designate competent authorities for a number of purposes, namely issuing take down orders, reviewing incoming orders from other States and enforcement matters.

It is proposed that An Garda Síochána be designated as the competent authority for issuing take down orders and the Department has prepared Regulations to that effect which are currently being drafted by the OPC. Regulations to designate a person, by order of the Minister, for review of incoming orders are also in preparation. It has been agreed by Government that Media Commission will be designated in respect of enforcement matters and legislation will need to be introduced to provide for this after the enactment of the Online Safety and Medial Regulation Bill.

Criminal Justice (Terrorist Offences) Bill allowing Ireland to opt in to EU Directive on combating terrorism. Approved for drafting in September 2020. It was referred to the Justice Committee for pre-legislative scrutiny (PLS) in January 2021 and the Committee confirmed in December 2021 that PLS is not required on the General Scheme.

Transpose EU Restructuring Directive EU (2019)1023

(Civil Legislation)

This Directive covers personal insolvency, bankruptcy and corporate insolvency: Justice is the lead Department. We coordinated transposition work across Departments and agencies (D/Justice, D/ETE D/Finance, Courts Service, ISI, Companies Office, Central Bank) and returned a comprehensive and detailed transposition table to the European Commission on all aspects, in advance of transposition date (17 July 2022.) Transposition is complete, including via Bankruptcy Acts; except for one element (removing historic bankruptcy disabilities), notified to Commission, where work is continuing to transpose via EC Regulations.

Other important legislation

Criminal Justice (Engagement of Children in the Commission of Offences) Bill: to deal with adults who groom children into criminal activity. Pre-legislative scrutiny has been completed. The Bill was published in January and is provisionally scheduled for Second Stage in Dáil Éireann on 31 May.

Communications (Data Retention and Disclosure) Bill: urgent legislation was enacted in July 2022 to amend the 2011 Act to take account of the rulings of the Court of Justice of the European Union [REDACTED] on the retention of traffic and location data for the purpose of criminal investigations. Work is ongoing with service providers and other stakeholders and commencement of the Act is expected in the coming weeks.

*Redacted under
Section 37 of FOI
Act 2014 (Personal
Information)*

Further legislation is required to provide more comprehensive reform of data retention issues. The General Scheme of a new Bill is currently being prepared.

Criminal Justice (Protection, Preservation and Access to Data on Information Systems) Bill: to provide for production and preservation orders necessary for the ratification of the Council of Europe Cybercrime Convention and transposition of some aspects of the EU eEvidence package, subject to the agreement of the latter at EU level. This Bill is likely to be the legislative vehicle for the amendments to the Online Safety and Media Regulation Act necessary to transpose aspects of the EU Terrorist Content Online Regulation (as mentioned above).

Criminal Justice (Delay in Court Proceedings) Bill: to respond to the McFarlane v. Ireland judgment of the European Court of Human Rights by putting in place a remedy for delays in Court proceedings. The General Scheme of the Bill was approved by Government in July 2021 and the Bill was published in February. The Bill is scheduled for Second Stage in Dáil Éireann on 25 May.

Criminal Justice (Inspection of Places of Detention) Bill: to ratify and implement the Optional Protocol to the Convention Against Torture (OPCAT). The General Scheme of the Bill was published in June 2022 and is currently being drafted. The Joint Committee on Justice carried out pre-legislative scrutiny on the Bill on 18 October, the report of which was published on 8 March.

Garda Síochána (Powers) Bill: to codify Garda powers of search, arrest and detention, implementing a recommendation in the Report of the Commission on the Future of Policing. The General Scheme of the Bill was published in June 2021 and pre-legislative scrutiny has been completed. The Bill is currently being drafted by the OPC.

Security and Northern Ireland



Deirdre Meenan
Acting Assistant
Secretary
Head of Security

Principal Officer



Anne Barry
Security and
Northern
Ireland

Key immediate issues

INDEPENDENT REVIEW OF THE OFFENCES AGAINST THE STATE ACTS

The Independent Review Group to examine the Offences Against the State Acts established in March 2021 has concluded its work. The Chairperson presented a majority report and a minority report to the Minister on 16 May 2023. It is intended that the reports would be brought to Government and published in the coming weeks in advance of the tabling of the resolutions on the renewal of certain provisions of the OAS Acts (see below).

RENEWAL OF CERTAIN PROVISIONS OF THE OFFENCES AGAINST THE STATE ACTS AND CRIMINAL JUSTICE ACTS

Certain provisions of the OASA (Amendment) Act 1998 and the Criminal Justice Acts considered essential by An Garda Síochána, are in force until 30 June 2023. Oireachtas resolutions are required annually in order to renew the provisions. Government approval was obtained on 23 May 2023 for the moving of the necessary resolutions.

DATA RETENTION - APPLICATION TO HIGH COURT FOR NATIONAL SECURITY PURPOSES

Preparations are at an advanced stage for the commencement of the Communications (Access to Data) (Amendment) Act 2022. It is expected that the commencement order will be signed before end May 2023 with an operative date in or around 12 June. A key feature of the new regime is the Minister's power to apply to the High Court for an order requiring service providers to retain data on a general and indiscriminate basis for national security purposes for a defined period. As the continued retention of traffic and location data and the ability of An Garda Síochána and the Defence Forces to access such data for national security purposes is dependent on the granting of such an order it is advisable that any application be made as close in time as possible to the commencement of the Act.

COFPI RECOMMENDATIONS ON NATIONAL SECURITY

The Commission on the Future of Policing in Ireland (CoFPI) made a number of recommendations for the future development of the National Security Framework.

The main consideration for the Commission is to ensure that the intelligence arrangements for the State are fully integrated and are appropriately organised to meet the modern security challenges. Amongst the recommendations made by the Commission are a number of key recommendations for this Department to progress as part of the policing reform programme and new security legislation, most notably –

- In the context of the changing threat environment, that the capabilities and resources of An Garda Síochána in the area of security and intelligence should be augmented.
- The establishment of the role of an Independent Examiner for security legislation to provide oversight of national security legislation and its operation. The legislative provisions are included in the Policing, Security and Community Safety Bill.
- A review of the legal framework within which State agencies operate in the area of national security.

This last recommendation is being implemented through a number of discrete projects, most notably the independent and comprehensive review of Offences against the State legislation (see above) and in bringing into operation the new Communication (Retention of Data) (Amendment) Act 2022 (see above). In relation to the latter the Minister committed

to introducing a new consolidated Data Retention Bill in 2023 to address issues such as targeted retention of data in respect of individuals and critical infrastructure, and to comprehensively address modern means of communication. The immediate priority is the commencement of the 2022 Act after which work on the consolidation of the legislation in this area will be initiated.

A further project is the development of new interception legislation. The nature of communications has changed significantly since the enactment of the Interception of Postal Packets and Telecommunications Messages (Regulation) Act 1993, which regulates the State's operations in this sensitive area.

The current legislation has not kept pace with the pace of advancement in communications technology and there are concerns around a "going dark" scenario, where the capacity to lawfully access communication is affected due to changes in methods of communications, encryption and other security protections. A review is underway to identify the scope and nature of the amendments necessary to completely modernise the interception framework.

SUPPORTING EU AND INTERNATIONAL EFFORTS TO COUNTER TERRORISM

The national security environment that Ireland faces now is more dynamic and varied and more linked to international influences. International efforts to counter terrorism are high on the agenda of many of the international bodies of which Ireland is a member. The significantly increased threat to Europe arising from the conflict in Ukraine and from international terrorism related to instability in the Middle East and North Africa remains a major source of concern at EU level. Participation in these bodies and efforts to further international co-operation in this area is a key priority.

Additional resources to enhance capacity to prevent and to respond to threats from international terrorism given the evolving nature of that threat, the requirements of the EU-level response and developing requirements in respect of key medium/long term issues will be the subject of review.

Criminal Justice: GOVERNANCE



Carole Sullivan

Assistant Secretary
Head of Criminal
Justice Governance

Principal Officers



Vacancy
Governance
Standards

Gail Malone
Criminal Justice
Performance and
Compliance



Andrew Jones
Policing
Performance and
Compliance



Mary McKenna
Human
Resources and
Appointments



Emily Jordan
Irish Passenger
Information
Unit



Vacancy
Financial and
Capital Resources



Louise Sandom
PSCS Bill
Implementation



**Layla DeCogan
Chin**
Domestic, Sexual
and Gender-Based
Violence

Team	Purpose
Governance Standards	. The Governance Standards Unit is responsible for developing consistent approaches to agency oversight and performance measurement, putting in place meaningful governance agreements and performance targets, and advising on and/or developing specific governance structures for new or existing bodies.
Policing Performance and Compliance	The Policing Performance and Compliance Unit leads for the Function in managing the governance relationship between the Department and An Garda Síochána (AGS). Its key responsibilities include: supporting senior-level engagement; monitoring delivery of the annual policing plan and driving forward Garda reform; ensuring
Criminal Justice Performance and Compliance	. The Criminal Justice Performance and Compliance Unit leads for the Function in monitoring and supporting the compliance of agencies (other than AGS) with their corporate governance obligations and their progress on achieving agreed performance objectives.
Financial and Capital Resources	The Finance and Capital Resources Unit oversees the use of the financial resources provided to Criminal Justice agencies. These resources, include but are not limited to, exchequer funds provided as part of the estimate process, the supplementary process and the National Development Plan. It also works with FSS, FMU and DPER colleagues in completing the annual estimates process, managing large capital projects, reviewing business cases and overseeing ICT investments.
Human Resources and Appointments	. The Human Resources and Appointments Unit deals with a range of Garda HR and industrial relations matters, along with Ministerial or Government appointees to agencies and boards.
PSCS Bill Implementation	The PSCS Bill Implementation Unit manages the programme for the implementation of the Policing, Security and Community Safety Bill
Domestic, Sexual and Gender-Based Violence	The DSGBV Governance Unit has lead responsibility for the establishment of a new statutory Agency to address domestic, sexual and gender-based violence (DSGBV). The team will also oversee the transitional governance arrangements with DCEDIY and Tusla for the delivery of DSGBV services pending their envisaged transfer to the new agency.

Team	Purpose
Irish Passenger Information Unit (IPIU)	To collect and process Passenger Name Record data received from air carriers operating 'extra-EU' flights to and from the State, for the purpose of the prevention, detection, investigation and prosecution of terrorist offences and serious crime. The IPIU provides this data to Irish National Competent Authorities (An Garda Síochána, Revenue, Defence Forces, Departments of Justice, and Social Protection). The IPIU is a multi-agency unit which operates on a 24 x 7 x 365 basis.

Governance agreements

The governance agreements between the Department and its aegis bodies provide the foundation of the governance relationship with each body. Since its establishment, Criminal Justice Governance has introduced a new generation of governance agreements which more clearly set out respective roles and responsibilities and more robust and consistent monitoring/reporting arrangements. Key changes include:

- The agreements have been standardised as far as practicable, with various additional compliance and reporting obligations either introduced or articulated for the first time.
- The former 'Corporate Governance Assurance Agreements' with certain criminal justice bodies have been phased out, with Oversight Agreements (within the meaning of the Code of Practice for Governance of State Bodies) now in place for all such bodies. In addition (and again in line with the Code of Practice), Performance Delivery Agreements (PDAs) are now in place with several bodies where no such agreements were in place pre-Transformation.
- The majority of new Oversight Agreements now run for three years (rather than one year as was typically the case before), with separate but interrelated PDAs being developed annually. By agreement with the Department's Finance Directorate, Governance Standards has also taken over the practice of directly engaging with relevant agencies on the development of performance targets for the annual Revised Estimates (REVs), thus integrating the REV and PDA processes.
- PDAs have been made much more meaningful and challenging, with a greater focus on strategically significant SMART targets that are within the control of the agencies.

Governance meetings and other engagement

An increased number of formal governance meetings – and more clarity on what such meetings will cover – are provided for in the current Oversight Agreements with AGS, IPS and the Probation Service. All other Oversight Agreements provide for a minimum of two formal governance meetings per annum in line with the Code of Practice. Additional meetings can be called at the request of either party.

In 2022 Criminal Governance held 32 formal governance meetings with criminal justice bodies under its remit. These meetings cover a wide range of issues including operational performance against targets, risk management and internal control, financial and ICT management, capital projects, HR and IR issues, major legal actions, data protection/governance and communications. These formal meetings are, of course, in addition to the continuous engagement (formal and informal) that takes places with bodies on matters such as board and senior executive appointments, sanction requests (for staffing, ICT, other capital projects), annual reports, strategic plans, development of performance targets among many other issues.

IMMEDIATE PRIORITIES AND ISSUES

- Publication and early enactment of the Policing, Security and Community Safety Bill
- Delivery of the implementation programme designed to support early commencement of the Policing, Security and Community Safety Bill following enactment
- Delivery of the Domestic, Sexual and Gender Based Violence change programme, incorporating establishment of a new DSGBV agency, transitional arrangements and MoU with Tusla, and progressing the recommendations of the interdepartmental group on refuges
- Provide an ongoing programme of governance oversight and engagement with the criminal justice agencies, including through formal Oversight and Performance Delivery Agreements, a scheduled series of governance meetings, regular liaison, and informal support and relationship building
- Driving continued delivery of *A Policing Service for our Future (APSFF)* and monitoring key priorities in the Policing Plan, including rollout of the new Garda Operating Model and SIS
- Support workforce modernisation and planning within An Garda Síochána, including and recruitment of Garda, civilian and reserve staff to the organisation
- Support Garda management in strategic IR matters, including implementation of Building Momentum and roster reform
- Oversee and monitor key capital projects within the criminal justice sector, including investment in technology, as well as Garda and Prisons estates
- Ongoing monitoring of agency expenditure and resource requirements

JUSTICE SERVICE DELIVERY



Yvonne Furey

Director
Head of Justice Service

Principal Officers



Catherine MacEnri
Criminal Legal Aid,
Firearms and
Explosives, Central
Authorities, Garda
Compensation



John Seery
Anti-Money
Laundering
Compliance, Criminal
Injuries Compensation
Scheme



Vacancy
Criminal Justice
Cooperation &
Prisoner / CMH
Reviews

IMMEDIATE PRIORITIES AND ISSUES

Garda Compensation Scheme

- The Garda Síochána (Compensation) Act 2021 came into force on 24 October 2022. The Scheme is a complete overhaul of the current Garda compensation scheme which has been in operation since the 1940s. The Scheme is to compensate members of An Garda Síochána who have personal injuries maliciously inflicted on them in the performance of their duties. The main objective is to reduce the length of time it takes for compensation claims to be dealt with by using the Personal Injuries Assessment Board (PIAB) to assess the claim on an independent and impartial basis rather than having all claims assessed by the High Court as is currently the case. The Act commenced with effect from 6 April at which point the management of the Scheme transferred from the Department of Justice to the Garda Commissioner. There is ongoing engagement between the Department and AGS to support the transition to the new scheme.

Criminal Legal Aid Oversight

- A Criminal Legal Aid Oversight Working Group chaired by Service Delivery to support the development of new criminal legal aid legislation (led by Civil legislation) has been established. The legislation will overhaul the existing criminal legal aid system, place all criminal legal aid schemes on a statutory basis, transfer the administration of the criminal legal aid scheme from the Department to the Legal Aid Board and improve accountability for expenditure, management and control in line with Audit requirements. In parallel with the development of the legislation cross organisational groups will work to improve operational efficiency through greater automation and review of the fee structure.

Parole & Prisoner Transfers

- The Parole Act 2019 commenced with effect from July 2021. Under the Act, the statutory Parole Board makes decisions on the parole of prisoners serving life sentences who have served more than 12 years of that life sentence. The Board is independent in the discharge of its functions. The Board is required to inform the Minister of any decision to grant a parole order to an individual. These notifications are submitted to the Minister via Service Delivery.
- For prisoners not serving life sentences (i.e. prisoners with determinate sentences), the Irish Prison Service (IPS) will make decisions on temporary release, transfers between prison including transfers from a closed to open prison, and section 39 (Prisons Act 2007) applications (escorting of a prisoner by a prison officer to a location outside the prison).
- For all high profile prisoners, all applications for temporary release or transfer to an open centre and whose cases are likely to attract significant political or media

attention will be submitted to the Minister for information, and in exceptional circumstances, for decision.

- The exception to the above arrangements are cases involving subversives and sex offenders who will be dealt with under an existing process already agreed previously at Ministerial level and contained in a 2018 Temporary Release Directive. These will require the decision of the Minister in relation to any form of temporary release.
- Any recommendations made by the new Parole Board in relation to the sentence management of a prisoner involving temporary release, transfer between prisons, or section 39 release will be submitted to the Minister to agree, disagree or modify as considered appropriate.
- Ireland is party to the Council of Europe Convention on the transfer of sentenced persons which has been given effect through the Transfer of Sentenced Persons Act 1995 and 1997. Under the Act, Irish nationals serving a sentence abroad can seek to be transferred to this State to serve their sentence. Equally, persons serving a sentence in this State who are a national of another State (also party to the Convention) can seek to be transferred to their home state to serve the remainder of their sentence. Any requests for transfer must meet a number of conditions before being agreed including that both the sending and receiving States agree to the transfer. The Minister is responsible for the decision in relation to all cases and has discretion in the decision to grant or refuse an application.
- All submissions requiring a decision of the Minister in relation to the movement or release of a prisoner are prepared by the IPS and submitted to the Minister via the Service Delivery Function in the Criminal Justice Pillar.

Anti-Money Laundering: Review of enforcement tools

- The Department's Anti-Money Laundering Compliance Unit (AMLCU) has responsibility for the supervision of a range of designated non-financial businesses including Trust or Company Service Providers (TCSPs) not supervised by the Central Bank or Prescribed Accounting Bodies, High Value Goods Dealers (e.g. car and boat dealers, jewellers etc.), High Value Art Traders, Private Members Clubs at which gambling is carried on, Gambling Service Providers (on course, online, retail bookmakers), and tax advisors and accountants not otherwise supervised by an Accounting Body. Supervision includes inspections to ensure businesses have in place the measures required under the legislation to prevent their business being used for money laundering and terrorist financing. The Minister has delegated the Minister's competent authority functions under the Act to the AMLCU.
- A review of the regulatory enforcement toolkit under the Criminal Justice (Money Laundering and Terrorist Financing) Act 2010 as amended, was undertaken in the last half of 2021. This work was undertaken by a cross/agency & cross-Departmental

working group led by the Department's Anti Money Laundering & Compliance Unit (AMLCU).

- This review took forward an agreed action of the 2021 EU Council Implementing Decision on Ireland's National Recovery and Resilience Plan (NRRP). The action was one of four actions agreed by Ireland with the European Commission in order to address the 2020 country specific recommendation addressed to Ireland on money laundering, namely to *ensure effective supervision and enforcement of the anti-money laundering framework as regards professionals providing trust and company services*. The other agreed actions were a TCSP AML/CFT Risk Assessment⁴⁴ and that 120 inspections of TCSPs be carried out by the AMLCU in 2021 (which was achieved.) The final action is set out under.
- The Working Group recommended that AMLCU should be given powers to impose administrative fines for strict liability offences under the Act.
- Government approved the recommendation of the working group in December 2021.

[Redacted text block]

Redacted under Section 33 of FOI Act 2014 (Security, Defence and International relations)

Review of Criminal Injuries Compensation Scheme

- The Criminal Injuries Compensation Tribunal administers the Criminal Injuries Compensation Scheme which is supported by the Service Delivery Function. The Tribunal, which is formed under paragraph 16 of the Scheme, consists of 14 practising barristers and solicitors who provide service on a part-time basis. They make decisions on files and hear appeals. The Department provides the secretariat to the Tribunal.
- The Scheme is a non-statutory scheme which operates on an administrative basis. The Tribunal must make decisions in accordance with the Scheme's published Terms and Conditions, which contain a number of exclusions and limitations. It was originally introduced in 1974 (backdated to 1972). It was amended in 1986 to remove compensation for general damages (i.e. pain and suffering) and

⁴⁴ Trust or Company Service Providers Risk Assessment: Update of Ireland's National Anti-Money Laundering/Countering the Financing of Terrorism Risk Assessment

compensates only for vouched expenses incurred by victims of violent crime. In 2004, the EU introduced a Directive requiring Member States to have a scheme of compensation for victims of violent intentional crime (Directive 2004/80/EC) and the Scheme was notified to the EU as fulfilling those obligations.

- The Scheme was amended again in April 2021 (including by increasing number of Tribunal members) further to a Government Decision and the revised Scheme laid before the Oireachtas. At the time of the Scheme amendment, the Minister acknowledged that the amendments were a first step and that additional reforms were required. The Minister announced that in principle Government had agreed the Scheme would be placed on a statutory basis. She also announced that a Working Group would be set up to examine further reforms including to revert to her within six months on appropriate upper limits that could be introduced in respect of material and non-material losses (i.e. pain and suffering). She also asked the working group to examine in the medium term the appropriate body that should run the Scheme into the future.
- The Scheme currently operates as a cash-limited grant scheme. Since 2021, the Scheme has a budget of approximately €11 million. Prior to 2021, the Scheme had an annual allocation of €4m for many years and the increase was agreed to with a view to tackling backlogs arising from a number of issues. These primarily relate to the fact that that the current Scheme has no upper limits and refers to awards being on the basis of the Civil Liabilities Act. As such, a small number of large awards in any year could see the budget used up and the cash-limited nature meant no funds could be expended until further money was voted by the Oireachtas. €13m has been included in the 2023 budget in view of expected further amendment to the Scheme.
- The cross-Departmental/agency working group considering reforms has completed the requested recommendations report on upper limits that could be introduced in respect of material and non-material losses. [REDACTED]

*Redacted under
Section 29 of
FOI Act 2014
(Deliberative
Process)*

The Scheme is the subject of active litigation (23 cases), particularly in relation to the non-provision of compensation in respect of pain and suffering. On foot of a recent High Court judgment, the Minister has agreed to introduce transitional provisions to the compensation scheme which will allow late applications to the scheme to be considered for admission.

- Proposals for longer term reforms, such as putting the elements to be included in the statutory Scheme and identifying an appropriate body to manage the Scheme in the future are still under consideration.
- Separately, at the request of the Department, the Law Reform Commission are completing a review of the Criminal Injuries Compensation Scheme and their report is expected in the coming months. The recommendations arising from that report – insofar as they relate to the Scheme – will be considered by the Working Group.

Peace Commissioners

- Peace Commissioners are appointed (and may be removed from that appointment) by the Minister for Justice under Section 88 of the Courts of Justice Act 1924. This is a unique role as it is an honorary one for which there is no remuneration. Persons may nominate themselves or others for the position and there are no qualifying criteria for the position save that the applicant is of good character and not involved in the criminal justice system.
- The role and appointment process for Peace Commissioners has not been reviewed for a considerable length of time. The Justice Plan 2022 contains a commitment to submit reform proposals with an implementation plan to the Minister for approval.
- Work has begun on the review and reform of the Peace Commissioner appointment process and, also clearly detail what the Peace Commissioner's role in the community is and outline what functions they can perform.

Role of the Minister in certifying an incoming request for extradition

- When a request for extradition is received in the Department, it is forwarded to the Office of the Attorney General for advice on whether it complies with the requirements of the Extradition Act 1965 ("the Act").
- When the Office of the Attorney General advises that an extradition request is in order, the Department of Justice arranges for the formal submission of the request for extradition to the Minister for Justice. Under the Act the Minister is empowered to seek further information from the requesting country in certain circumstances or to refuse extradition if he/she is of the opinion that the case is one where extradition is prohibited under the Act.
- When satisfied that a request complies with the Act, the Minister certifies that the request has been made. That certificate is produced to a judge of the High Court by means of an application made on behalf of the Attorney General. The warrant of arrest is transmitted to An Garda Síochána who are responsible for securing the arrest of the person concerned.

KEY ISSUES: Central Pillar

CORPORATE



Principal Officers



Corporate

At the centre of our organisation, colleagues in enabling functions are committed to continuous improvement in support of the Department. They are working to effectively deploy resources to develop our operational, regulatory and technical capacity, ensuring we are equipped to deliver our strategic priorities.

The Corporate Function has twelve distinct areas of work all of which are critical to the effective functioning of the Department. The priorities for the function are closely bound to the priorities of the other functions in the Department.

Providing the resources, both financial and staffing, is a key priority to enable the Department to effectively deliver services to Government and the public. The ongoing crisis associated with Ukraine and International Protection is putting significant pressure on staffing resources in what is a very tight labour market and the recruitment funnel through the Public Appointments Service is unable to deliver staffing resources at the pace required.

The Data and Analytics team in the Corporate function continues to prioritise work with other organisations, including the Central Statistics Office, to provide the Senior Officials led by the Department of the Taoiseach and other groups responding to the Ukraine crisis with important data.

The Corporate function is also prioritising three key areas linked with Government commitments and these are Energy, Climate and effective use of office space and work is ongoing across these three priorities.

FINANCE



Seamus Clifford

Director (Acting)
Head of Finance

Principal Officers



**Aonghus
O'Connor**
Finance Officer



Rory O'Rua
Financial
Management
Unit



**Frank Maher
(Acting)**
Head of
Operations, FSS

Head of Finance: Manages the end to end financial function of the Department and provides leadership and coordination to the broader Justice Sector Vote Group particularly in relation to all aspects of the Estimates process and financial reporting to DPER.

The Department's Financial Shared Services Unit, based in Killarney Co. Kerry has two main functions;

- (i) It is responsible for the Financial Accounting and Reporting for the Department and co-ordinates the end to end Estimates process for the Justice Sector Vote Group, Appropriation Account preparation for Justice and Prisons Votes and management and coordination of the C&AG audit process. This function is mainly led by Aonghus O' Connor, Finance Officer.

- (ii) It provides agreed financial services to the Department, its agencies* and a number of other Government Departments**, including;
 - Supplier payments of and the associated banking procedures,
 - General ledger maintenance, fixed asset and suspense account processing
 - Criminal Legal Aid Scheme payment to Solicitors and Barristers
 - Various expense payments.
 - Administer services pertaining to pension calculations under the original Garda Síochána pension scheme.
 - Corporate Services, IT Unit and System Support teams for the Killarney operations.
 - Project management of the Migration to the NSSO Financial Shared Services operating model.

* An Garda Síochána, Irish Prison Service, Courts Service, Property Regulatory Authority, Data Protection Commissioner, Policing Authority,

** Departments of the Taoiseach, Rural and Community Development, Tourism, Culture, Arts, Gaeltacht & Social Media and National Museum of Ireland

This function is mainly led by Frank Maher, Head of Operations FSS .

The Department's Financial Management Unit, based in Dublin, is responsible for:

- Managing, controlling and monitoring the Department's budget and expenditure
- Developing relevant and appropriate financial policies and procedures
- Safeguarding and managing fixed assets
- Overseeing major Justice Sector Capital and PPP construction projects
- Managing EU funding under the European Social Fund (ESF+) 2021-2027 programming period and submitting claims to the EU to draw down this funding
- Department's Procurement Unit, which provides procurement support and advice and monitors compliance with national and EU procurement rules.

This function is led by Rory O' Rua.

TRANSPARENCY



Neil Ward

Assistant Secretary
Head of Transparency

Principal Officers



Eamon O'Halloran

Coordination and
Management
Support



Áine Griffin

Communications
and Engagement



Conor Cleary

Civil Justice &
Corporate Content
& Events



Anthony Doyle

Criminal Justice
Content & Events –
Crime and Policing



Antoinette Doran

Criminal Justice
Content & Events –
Penal Policy and
Victims' Rights

Press Officer and Ministerial Liaison Officer



**Charlotte
Smith**
Press Officer



Yvonne Phillips
Ministerial Liaison
Officer

IMMEDIATE AND MEDIUM-TERM PRIORITIES AND ISSUES

- Contribute to and support the fulfilment of actions across the functions.
- Oversee support arrangements to Ministers in delivery of their duties via a high quality Ministerial briefing process, the Private Offices, an effective ministerial liaison service and a wider Transparency function that provides a high-quality service through the delivery of factual, quality and timely content for the Minister, the Department and the Public.
- Oversee the development and delivery of an Internal Communications Plan.
- Work with key functions to update policies and identify technologies to store, retrieve, manage and share records, data & information; develop a comprehensive records management policy for the Department.
- Maintain the Department's Corporate Governance framework; carry out annual review.
- Lead the proactive external publication of Justice sector data and information in the public interest. Expand the Department's Publication Scheme.
- Develop and launch public awareness campaigns as set out in the Third National DSGBV Strategy, including campaigns focusing on: prevention; signposting victims of DSGBV to supports; combatting intimate image abuse; developing a shared understanding of the meaning and importance of consent, and promoting the rights that victims of crime have.
- Oversee the cross functional development of the Department's input to the Decade of Centenaries Inter-Departmental Working Group.
- Review the Oireachtas email service for immigration queries.

CHANGE, TECHNOLOGY AND INNOVATION



Louise Jevens
Assistant Secretary
Chief Information
Officer

Principal Officers



Juan Perez-Camacho
Programme and
Project
Management



Carol Crotty
Project
Management
Office



Martin Sage
IM&T
Operations



Fiona Kelly
IM&T Strategy
and Architecture



Derek Coffey
IM&T
Development



Paul Rooney
Process and
Service Design

Within CTI, the IMT Infrastructure, Architecture and Development and teams are responsible for the day to day delivery of IT equipment and Services along with the design and development and maintenance of computer systems.

The Business Operations area supports the Department in achieving its strategic objectives in relation to the delivery of digital customer facing services. It comprises the Project Management Office (PMO), the Programme and Project Management (PPM) team, and the Process & Service Design teams. These teams are responsible for planning, risk management, project governance and change management across the Department. The teams also focus on supporting the delivery of innovative and efficient customer-centric services for the Department. Operations also facilitates continuous improvement within the Department, and across the Justice Sector, through consultation with relevant stakeholders to identify opportunities for enhancing service delivery.

IMMEDIATE PRIORITIES AND ISSUES

Implement the IMT Strategy

The key overall priority for CTI is to implement the IMT Strategy, which is a programme of work to enhance the capability and capacity of the CTI function to deliver on the objectives of the Department's strategy, in particular, goals 4 and 5.

ISD Modernisation

Work with Immigration Services Division to scope the overall modernisation programme. This includes identifying all core functions, assessing suitable technologies, agreeing on the appropriate approach to effectively delivering the system. The outputs of this phase will include process maps, service designs, an initial roadmap and tender documents to procure technology and implementation partner.

Define Enterprise and Cloud Architecture

CTI have engaged a number of technical architects who are documenting the current capability of the IT architecture. This will be followed by the drafting of a new technical, enterprise, solutions and data architecture. This will standardise and rationalise the Department's approach to IT Service delivery ensuring it is aligned with best practice.

The Department has agreed its approach to cloud adoption. The objective here is to design and implement secure access to the cloud which will allow us to harness the opportunities presented by cloud and digital service delivery.

Progress Lotus Notes

This programme has established the prioritised programme of work to move from Lotus Notes to more modern technologies. Work is in progress with a number of Lotus Notes Databases already moved to new technologies such as OGCIOS build to share platform eDocs, Microsoft Outlook and more recently Microsoft Power Apps. This is a 5 year programme which will ultimately see Lotus Notes removed completed. This phase includes an upgrade to Lotus Notes, required to ensure we remain in support over the course of the programme. An archive strategy has also been agreed for this platform.

Cyber Resilience programme

Work is underway to enhance the cyber resilience of our network and systems. [REDACTED]

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

*Redacted under
Section 30 of FOI
Act 2014
(Functions and
Negotiations of
Public Body)*

Microsoft PowerApps Programme

There are currently over 20 Lotus Notes applications in progress in this programme. Following the successful delivery of a solution to support ISD in issuing TP to those arriving from Ukraine, Ms PowerApps has been selected as a strategic platform for the Department. Solutions have been provided using this technology for internal apps such as Air Travel and also to support the IPO in processing increased case numbers.

IPO Modernisation

A programme has been established to support the IPO clearing existing cases and in the processing of increased numbers of applicants. This programme will deliver a new case management solution in the medium term with business process and one off technical solutions being delivered in the short term to support IPO in achieving efficiencies in the mean time

EUROPEAN AFFAIRS



Carole Sullivan

Assistant Secretary
Head of European
Affairs

Principal Officers



John Laffan
European Affairs



Brien Henderson
Permanent
Representation
(Brussels)



Martin McDermott
Justice Attaché
(London)

IMMEDIATE PRIORITIES AND ISSUES

- Coordination of Departmental responsibilities in the field of Justice and Home Affairs, including support to Ministerial participation at JHA Ministerial Councils (the EU Council Presidency is held by Sweden and Spain respectively during 2023)
- Monitoring of EU-UK Trade and Co-operation Agreement in judicial and law enforcement cooperation matters (Part Three of the TCA), including matters arising from the work of the Specialised Committee on Law Enforcement and Judicial Cooperation established under the TCA
- Active oversight and coordination of EU infringements, including risk mitigation measures
- Undertake a strategic review of EU engagement within the Department
- Bring forward proposals to Government for a review of the operation of Protocol 21 (Ireland's opt-in on the area of freedom, security and justice under the Lisbon Treaty)

Appendix 1: Justice Sector Organisations

Criminal Justice

 An Garda Síochána	 Criminal Assets Bureau	 GARDA INSPECTORATE Garda Síochána Inspectorate	 Garda Síochána Ombudsman Commission
 AN tAIDICÉAD PÓILÍNEACHA Policing Authority	 Mental Health (Criminal Law) Review Board	 THE PROBATION SERVICE An tSeirbhís Póilíníochta	 The Parole Board An tAidicéad Póilíníochta
 Oifig An tÚinéir Príosún Office of the Inspector of Prisons	 Criminal Injuries Compensation Tribunal	 Forensic Science Ireland	 Office of the State Pathologist
 Seirbhís Príosúin na hÉireann Irish Prison Service	 The Private Security Authority The State	 Private Security Appeals Board	

Civil Justice

 Censorship of Publications Board	 Censorship of Publications Appeal Board	 An tSeirbhís Chúirseanna Courts Service
 Oifig Chúinéir na hÉireann Dublin District Coroner's Court	 INSOLVENCY SERVICE OF IRELAND	 International Protection Appeals Tribunal
 Judicial Council	 An Bord Um Chúnadh Díthíocht Legal Aid Board	 LSRA An tAidicéad Rialaithe Seirbhísí Leithleáil Legal Services Regulatory Authority
 An Coimisiún um Chosaint Sonraí Data Protection Commission	 IFCO Irish Film Classification Office	 Property Services Appeal Board
 Judicial Appointments Advisory Board	 Property Services Regulatory Authority	

Appendix 2: Boards and Governance Groups

In addition to the Department Board, the following Boards support the governance and management of the Department:

MinMac

MinMAC	
Minister	Helen McEntee, T.D.
Minister of State	James Browne, T.D.
Secretary General (Chair)	Oonagh McPhillips
Deputy Secretary (Acting), Civil Justice	Doncha O’Sullivan
Deputy Secretary, Criminal Justice	John O’Callaghan
Director, Probation Service	Mark Wilson
Director General, Irish Prison Service	Caron McCaffrey
Head of Policy and Legislation, Civil Justice	Andrew Munro
Head of Legislation, Criminal Justice	Rachel Woods
Head of Immigration Service Delivery	David Gilbride
Director of Immigration Service Delivery	David Delaney
Head of European Affairs (Acting)	Carole Sullivan
Head of Governance, Criminal Justice (Acting)	Carole Sullivan
Head of Corporate (Acting)	Vacancy
Head of Policy, Criminal Justice	Ben Ryan
Head of Transparency	Neil Ward
Chief Information Officer, Head of Operations & IM&T	Louise Jevens
Head of Justice Service Delivery	Yvonne Furey
Head of Civil Governance	Stjohn O’Connor
Ministerial Liaison Officer	Yvonne Phillips
Head of Security (Acting)	Deirdre Meenan
Head of Finance (Acting)	Seamus Clifford
PO Network Chair	Emer Mullins
PO Network Vice-Chair	Andrew Jones
Ministerial Advisers	
Ministerial Private Secretaries	

Management Board

Chair – Secretary General

Objectives

- Monitor the Department’s performance against corporate plans, budgets and targets, risk management and KPIs
- Leading and overseeing the process of change, including cultural change, encouraging and driving innovation, building the Department’s capacity to meet current and future needs
- Consider and discuss cross-cutting and other issues from executive boards
- Provide collective leadership to the Department and staff consistent with the Department’s culture and values
- Provide advice to the Minister, Ministers of State and the Government
- Consider and discuss periodic updates from relevant committees that support the Management Board
- Such other matters as the Chair decides

Members

- Secretary General (Chair)
- Deputy Secretary, Criminal Justice
- Deputy Secretary, Civil Justice
- Heads of Function

- Chair and Vice Chair of PO Network (Observers)
- Special Adviser
- Ministerial Liaison Officer

Frequency

- Weekly

Management Board Agency Subgroup

Chair – Deputy Secretary, Civil Justice

Objective

- Conduct the Agency Annual Overview process for Bodies under the aegis of the Department subject to the Corporate Governance Standard for Justice Bodies, and report on any key issues arising and or matters of concern to the Management Board
- As part of the annual overview process in respect of each Body, the Subgroup will consider the Oversight Agreement or Performance Agreement in place between the Department and the Body, as well as any issues that have arisen from the Governance and Performance meetings between the Department and the Body
- Monitor the ongoing implementation of the Corporate Governance Standard for Justice Bodies and make recommendations for any amendments in light of experience
- As considered appropriate make recommendations on any other matter relating to the Department's governance and oversight of Bodies under its aegis

Membership

- Head of Civil Justice Governance
- Head of Criminal Justice Governance
- PO HR
- PO Financial Shared Services
- PO European Affairs
- PO Corporate, Audit
- PO Criminal Justice Policy
- PO Civil, ISD

Secretariat

Governance Pillars to rotate responsibility

Management Board Culture Sub Group

Chair – Secretary General

Objective

- To support the Management Board in developing initiatives to further evolve the organisation's culture in support of our vision of a safer, fairer, more inclusive Ireland
- To develop and drive a renewed focus on culture, involving staff at all levels, with a view to implementing a range of measures to support and sustain a positive organisational culture
- To examine and refresh the current Culture and Values Charter
- To work closely with Management Board and SMT colleagues in driving and embedding change and to get input and feedback from staff across the Department

Membership

- Head of Corporate
- Head of Criminal Governance
- Head of Transparency
- Head of Civil Justice Legislation
- Head of Justice Service Delivery

Secretariat

Organisation Design and Development

GOVERNANCE GROUPS

Portfolio, Programme and Project (P3) Oversight Committee

Chair – A/Sec Transparency

Objective

- To oversee the entire Portfolio of the Department, including all Projects and Programmes
- To ensure alignment of Programmes and Projects with strategy
- To make recommendations to the Management Board on the prioritisation of Programmes and Projects in line with available resources
- To oversee and integrate the work of the three Project Management Offices, ensuring the development of the maturity of these offices

Members

- Head of Corporate Affairs
- Chief Information Officer
- External members (Niamh Corby, Deirdre McDonnell)
- Governance POs
- Chairs of Technical and Finance Sub Groups (ex-officio)

Secretariat

- PMO

Subgroups

- **Technical Subgroup** – to consider alignment of ICT-related projects to overall ICT strategy and architecture
- **Finance Subgroup** – to validate funding availability and procurement compliance for proposed projects, and to ensure appropriate assurance over all ICT expenditure (including non-project expenditure)
- **MB Subgroup** – the Heads of Transparency, Corporate Affairs and the CIO may meet more frequently to approve project proposals of a smaller scale, where no technical or finance issues arise

Risk Committee

Chair – A/Sec Criminal Policy

Objective

- Assist the Secretary General and Management Board fulfil their risk management and control responsibilities
- Assessing the identification, evaluation and management of significant risks arising from business plans
- Preparing and submitting the Corporate Risk Register to the Management Board
- Considering the effectiveness of the internal control systems for managing risk, including assessment of possible failures and weaknesses
- Assessing the effectiveness of risk management policy

Members

- Heads of Functions
- PO Civil Justice Governance
- PO Civil Justice Legislation
- PO Justice Service Delivery
- PO Criminal Justice Governance
- PO Criminal Justice Legislation
- PO Corporate
- PO Transparency
- PO Legal Unit
- Data Protection Officer
- Head of Audit

Secretariat

- PMO

Financial Management Committee

Chair – Director of Finance

Objective

The primary purpose of the Group is to provide high level governance, oversight and management in relation to voted expenditure across the Vote Group.

- To review monthly expenditure and emerging trends at individual vote and vote group level
- To provide updates on the estimates process including Budget Day and Revised Estimates, any supplementary estimates and other related aspects of the budgetary process such as Current and Capital Expenditure reviews
- To review progress in relation to Value for Money Reports

The secondary purpose is to utilise the group as a forum to discuss matters of mutual financial interest across the vote group with the objective of sharing knowledge and promoting best practice across the group.

- Developments in shared services
- Preparation and audit of appropriation accounts
- Compliance with requirements of the Public Spending Code and other financial circulars
- Any other topical issues in relation to financial matters which are included on the agenda

Membership

- PO Financial Shared Services
- PO Financial Management Unit
- Head of Finance Irish Prison Service
- Head of Finance Court Services
- Head of Finance An Garda Síochána
- Head of Finance Policing Authority
- Head of Finance Data Protection Commission
- PO Civil Governance
- PO Criminal Governance

Secretariat - Finance Division

Capital Projects Governance Committee

Chair – Deputy Secretary, Criminal Justice

Terms of Reference:

Without prejudice to the role of individual Accounting Officers, and the Project Boards in place with respect to each capital project, the Committee will:

- Provide high level strategic oversight in the management of the capital envelope for the Justice Sector and across the Justice Vote Group to facilitate reporting on capital projects within the Justice Sector to the Department of Public Expenditure and Reform;
- Provide a forum for discussion of capital programme planning and prioritisation within and across the Justice Sector;
- Review capital expenditure and analyse emerging trends at project, Vote and Vote Group level;
- Provide a forum to discuss matters of mutual interest and learning across the Justice Vote Group with the objective of sharing knowledge and promoting best practice in the management of capital projects in the Justice Sector.

Membership

Department of Justice:	Head of Criminal Governance PO Criminal Governance, Financial and Capital Resources Head of Civil Governance PO, Governance Head of Finance PO, Financial Management Unit Head of Change, Technology and Innovation
Forensic Science Ireland:	Director General, FSI
Courts Service:	Head of Corporate Services & Accountant of the Courts of Justice Head of Estate Management
An Garda Síochána:	Executive Director, Finance and Services
Irish Prison Service:	Director of Finance and Estates
Secretariat:	Financial Management Unit

Equality, Diversity and Inclusion and Public Sector Duty Committee

Chair – D/Sec Civil

Objective

To oversee public sector duty and to devise, oversee and promote equality, diversity and inclusion for DoJ and the justice sector

Membership

- PO Corporate, Organisation Design and Development
- Change Technology & Innovation, Programme and Project Management
- Change Technology & Innovation, IM&T Operations
- PO Transparency
- PO Civil Justice Policy
- PO Civil Justice Governance
- PO Civil Justice Legislation
- PO Criminal Justice Policy
- PO Criminal Legislation
- PO Criminal Justice Governance
- PO Immigration Service Delivery
- Head of HR

Broader membership to be invited as work of the Committee develops

Secretariat

Organisation Design and Development

Senior Management Team

Objective

- To provide a forum for discussion of key cross-Departmental matters, and to solicit input, advice and expert opinion from SMT members on same.
- To share key information and internal communications, for cascade to other Department staff
- To provide a focus on developing the key leadership role that this group plays
- To create a suitable environment for networking and sharing of information between senior colleagues

Membership

Membership of the SMT comprises the Secretary General, Deputy Secretaries General, Heads of Function . DoJ staff at PO level based in agencies and bodies under the aegis of the Department are also invited to attend in a personal capacity.

While no quorum is defined, all members are expected to attend. Sufficient notice (at least 2 weeks) should be given to facilitate attendance by as many members as possible.

Agenda

Agenda for the SMT are set by the Department Board (Secretary General, Deputy Secretaries, Head of Corporate, Head of Transparency and Head of CTI), with input from the Management Board and SMT members. Agenda items should be linked to the achievement of the Department's strategic objectives or other organisational development priorities.

Support for the planning and execution of SMT meetings is provided by the Organisational & Transformation Support team in Corporate. In planning the schedule and content, consideration should be given to ensure alignment with the Department's PO Network. Supporting materials and outputs from each SMT will be circulated to members as appropriate.

Frequency

The SMT should meet at least four times per year. Additional meetings may be held at the discretion of the Management Board. At least one of these meetings should be in an 'offsite' format, with a greater focus on leadership development.

Secretariat

Organisation Design and Development team, Corporate

Audit Committee

Objective

The Audit Committee provides independent advice and assurance to the Accounting Officer regarding the suitability and robustness of the organisation's internal control systems and procedures within the Department of Justice. The Audit Committee's remit extends solely to Votes 24 (Justice) and 21 (Prison Service), and responsible bodies under their aegis. The Committee also have a role in promoting good accounting and management practices, better and more informed decision-making and continued focus on regularity, propriety and value for money throughout the Department.

The Committee is not responsible for any executive functions and is not vested with any executive powers but shall exercise an advisory role in relation to its duties and functions.

Membership

Clare McGrath (Chairperson) (retired senior Public Servant)

Andrew Munro, Assistant Secretary Civil Policy and Civil Legislation

Tony Graham, (retired ICT consultant)

Lesa McDonagh (Senior Director of Finance & Strategy, EMEA for Salesforce and a Chartered Accountant).

Professor Barbara Flood (Professor of Accounting in Dublin Business School and a Chartered Accountant)

Secretariat

Internal Audit Unit

Appendix 3: Management Board and contact details

Department of Justice Secretary General

Management Board

May 2023



Caoilín Ó Fhailghe

Civil Justice
Deputy Secretary (Acting)



Donóise Ó'Sullivan

Criminal Justice
Deputy Secretary



John O'Callaghan



MB Member	Area of Responsibility	Divisions/Sections in this area	Contact Address	Telephone Number	Email
Oonagh McPhillips Secretary General	Department of Justice		51 St Stephen's Green Dublin 2 D02HK52	[REDACTED]	obmcpillips@justice.ie
Doncha O'Sullivan Deputy Secretary (Acting)	Civil Justice		51 St Stephen's Green Dublin 2 D02HK52	[REDACTED]	dfosullivan@justice.ie
John O'Callaghan Deputy Secretary	Criminal Justice		51 St Stephen's Green Dublin 2 D02HK52	[REDACTED]	jjocallaghan@justice.ie
Andrew Munro Assistant Secretary	Civil Justice Policy and Legislation	Strategic Policy and Planning	Bishop's Square Redmond's Hill Dublin 2	[REDACTED]	amunro@justice.ie
		Applied Policy: Migration			
		Applied Policy: Access to Justice, Regulation and Reform Legislation			
Stjohn O'Connor Director	Civil Justice Governance	Performance	Bishop's Square Redmond's Hill Dublin 2	[REDACTED]	stoconnor@justice.ie
		Governance			
		Coroners Service Operations			
David Gilbride Assistant Secretary	Immigration Service Delivery	Domestic Residency and Permissions	13/14 Burgh Quay Dublin 2	[REDACTED]	dagilbride@justice.ie
		Registration Office			
		Visa			
		Citizenship			
		EU Treaty Rights			

MB Member	Area of Responsibility	Divisions/Sections in this area	Contact Address	Telephone Number	Email
		International Protection Office Repatriation Border Management Unit Legal Services Support Unit Business Development and Continuity Unit			
David Delaney Director	Immigration Service Delivery (Chief International Protection Officer)	International Protection Office	13/14 Burgh Quay Dublin 2	[REDACTED]	dmdelaney@justice.ie
Ben Ryan Assistant Secretary	Criminal Justice Policy	Strategic Policy and Planning Applied Policy: Penal and Policing Applied Policy: Community Safety Applied Policy: Transnational and Organised Crime Applied Policy: Cyber Security Security and Northern Ireland	51 St Stephen's Green Dublin 2 D02HK52	[REDACTED]	bpryan@justice.ie
Rachel Woods Assistant Secretary	Criminal Justice Legislation	Legal Research and Management Support Legislation Governance Standards	Bishop's Square Redmond's Hill Dublin 2	[REDACTED]	rawoods@justice.ie
Carole Sullivan Assistant Secretary(Acting)	Criminal Justice Governance	Policing Performance and Compliance Prisons Performance and Compliance Financial and Capital Resources	51 St Stephen's Green Dublin 2 D02HK52	[REDACTED]	csullivan@justice.ie

MB Member	Area of Responsibility	Divisions/Sections in this area	Contact Address	Telephone Number	Email
		Human Resources and Appointments Policing Legislative Framework PSCS Bill Implementation Domestic, Sexual and Gender-Based Violence Irish Passenger Information Unit Criminal Legal Aid, Firearms and Explosives, Garda Compensation			
Yvonne Furey Director	Justice Service Delivery	AML/CTF Compliance, Criminal Injuries Compensation Scheme Criminal Justice Cooperation & Prisoner / CMH Reviews	51 St Stephen's Green Dublin 2 D02HK52	██████████	yefurey@justice.ie
Deirdre Meenan Assistant Secretary (Acting)	Security	Security and Northern Ireland	51 St Stephen's Green Dublin 2 D02HK52	██████████	dameenan@justice.ie
Louise Jevens Assistant Secretary	Change, Technology and Innovation	Customer Insights, Service Design Project Management Office Programme and Project Management IM&T Operations IM&T Development IM&T Strategy, Governance and Programmes Internal Audit Corporate Services & EU Funds	6-7 Hanover Street, Dublin 2	██████████	lfjevans@justice.ie
Vacancy	Corporate				

MB Member	Area of Responsibility	Divisions/Sections in this area	Contact Address	Telephone Number	Email
		Data Protection Support and Compliance Business Continuity Management Human Resources Organisation Design and Development Legal Unit Research Data Analytics	51 St Stephen's Green Dublin 2 D02HK52		
Seamus Clifford Director (Acting)	Finance	Financial Shared Services Financial Management Unit	Deerpark Road, Killarney, Co. Kerry Ely Place, C/O 51 SSG	██████████	smclifford@justice.ie
Neil Ward Assistant Secretary	Transparency	Corporate Content, Coordination and Management Support Civil Justice Content and Events Criminal Justice Content and Events – Crime and Policing Criminal Justice Content and Events – Penal Policy and Victims' Rights Communications and Engagement Ministerial Liaison	51 St Stephen's Green Dublin 2 D02HK52	██████████	nxward@justice.ie
Carole Sullivan Assistant Secretary (Acting)	European Affairs	European Affairs Permanent Representation (Brussels) Justice Attaché (London)	51 St Stephen's Green Dublin 2 D02HK52	██████████	cjsullivan@justice.ie

MB Member	Area of Responsibility	Divisions/Sections in this area	Contact Address	Telephone Number	Email
James Campbell Assistant Principal	Secretary to the Management Board and MinMAC		51 St Stephen's Green Dublin 2 D02HK52	[REDACTED]	jmcampbell@justice.ie

Redacted under
Section 37 of FOI Act
2014 (Personal
Information)

Appendix 4: Contact Details for Principal Officers

Function	Contact Address	Divisions/Sections	Principal Officers	Telephone Number	Email Address
Civil Justice Policy and Legislation	Bishop's Square, Redmond's Hill, Dublin 2 D02TD99	Strategic Policy and Planning	Brendan McNamara		bmacnamara@justice.ie
		Applied Policy: Migration	Maeve Kenny		makenny@justice.ie
		Applied Policy: Access to Justice, Regulation & Reform	Liam Coen		lxcoen@justice.ie
		Legislation: Regulation and Reform	Madeleine Reid		mhreid@justice.ie
		Legislation: Access to Justice	Kevin Condon		kacondon@justice.ie
		Legislation: Migration	Tracy O'Keefe		tnokeeffe@justice.ie
		Legislation: Migration	Ciara Kennedy		czkennedy@justice.ie
		Legislation: Gambling	Clare Brosnan		clbrosnan@justice.ie
		Legislation: Sale of Alcohol	Joanne King		jxking@justice.ie
Civil Justice Governance	Bishop's Square, Redmond's Hill, Dublin 2 D02TD99	Performance	Eamonn Waters		eawaters@justice.ie
		Governance	Gerry McDonagh		gamcdonagh@justice.ie
		Coroners Service Operations	Donal D'Arcy		dbdarcy@justice.ie

Immigration Service Delivery	13/14 Burgh Quay Dublin 2	Domestic Residence	Jenni Barrett	jkbarrrett@justice.ie
		Border Management Unit	Eileen Leahy	exleahy@justice.ie
		Repatriation	Brendan Eiffe	bjeiffe@justice.ie
		Visa	William O'Dwyer	wjodwyer@justice.ie
		Citizenship	Darragh Brennan	Dabrennan@justice.ie
		EU Treaty Rights	Joanne King (from Dec 2022)	jxking@justice.ie
		International Protection Office	Emer Mullins	exmullins@justice.ie
		Ukraine	Kenneth Kavanagh	knkavanagh@justice.ie
		Legal Services Support Unit	Douglas Kelly	Dokelly@justice.ie
		Modernisation, Business Development and Coordination Unit	Deborah White	dcwhite@justice.ie
		Strategic Policy and Planning	Richard Dixon	rxdixon@justice.ie
		Applied Policy: Penal and Policing	Maeve Brett	mxbrett@justice.ie
		Applied Policy: Community Safety	Mary O'Regan	mxoregan@justice.ie
Applied Policy: Transnational and Organised Crime	Deaglán Ó Briain	dsobriain@justice.ie		
Criminal Justice Policy	51 St. Stephen's Green, Dublin 2 D02HK52	Gerry O'Brien	grobrien@justice.ie	

		Applied Policy: Cyber Security	Patrick Forsyth	pdforsyth@justice.ie
Criminal Justice Legislation	Bishop's Square, Redmond's Hill, Dublin 2 D02TD99	Legislation, Legal Research and Management Support Legislation	John Garry Dan Kelleher Brendan Bruen Sarah Sheppard (on mat. Leave) Lisa Doherty Rosaleen Killian	jgarry@justice.ie dakelleher@justice.ie bpbruen@justice.ie stsheppard@justice.ie lxdoherthy@justice.ie rxkillian@justice.ie
Criminal Justice Governance	51 St. Stephen's Green, Dublin 2 D02HK52	Governance Standards Policing Performance and Compliance Prisons Performance and Compliance Financial and Capital Resources Human Resources and Appointments Policing Legislative Framework PSCS Bill Implementation Domestic, Sexual and Gender-Based Violence Irish Passenger Information Unit	Paul O'Farrell Andrew Jones Paul Gunning Donal Kerr Mary McKenna Anne Barry Louise Sandom Carole Sullivan Emily Jordan	pmofarrell@justice.ie adjones@justice.ie pxgunning@justice.ie dxkerr@justice.ie mcmckenna@justice.ie axbarry@justice.ie Lpsandom@justice.ie cjsullivan@justice.ie empjordan@ipiu.gov.ie

Justice Service Delivery	51 St. Stephen's Green, Dublin 2 D02HK52	Criminal Legal Aid, Firearms and Explosives, Garda Compensation	Catherine MacEnri			cxmacenri@justice.ie
			Una Dixon			uxdixon@justice.ie
			Marie Mimihan			mrxmimihan@justice.ie
Corporate	51 St. Stephen's Green, Dublin 2 D02HK52	Criminal Justice Cooperation & Prisoner / CMH Reviews	Marie Mimihan			mrxmimihan@justice.ie
		Head of Data Analytics	Gurchand Singh			gurchandsingh@justice.ie
		Head of Research	Alice Wainwright			axwainwright@justice.ie
		Internal Audit	Walter Johnston			wcjohnston@justice.ie
		Organisation Design and Development	Siobhan Barron			sbarron@justice.ie
		Corporate Services and EU Funds Admin	Aidan O'Brien			aobrien@justice.ie
		Data Protection Support and Compliance	Tara Storey			tmstorey@justice.ie
		Business Continuity Management	Eric Brady			exbrady@justice.ie
		Human Resources	Roisin Down			rxdown@justice.ie
		Legal Unit	Nicholas Donnelly			ntdonnelly@justice.ie
Finance	Ely Place, Dublin 2	Financial Management Unit	Rory O'Rua			rorua@justice.ie
	Ely Place, Dublin 2	Finance Officer	Aonghus O'Connor			aonoconnor@justice.ie
	Deerpark Road, Killarney	Financial Shared Services, Head of Operations	Frank Maher			fpmaher@justice.ie

Change, Technology and Innovation	Hanover Street	IMT Development	Derek Coffey	djcoffey@justice.ie
		IMT Operations	Martin Sage	mxsage@justice.ie
		IMT Strategy and Architecture	Fiona Kelly	fikelly@justice.ie
		Programme and Project Management	Juan Perez-Camacho	jjperezcamacho@justice.ie
		Project Management Office	Vacancy	
Transparency	51 St Stephen's Green Dublin 2 D02HK52	Customer Insights and Service Design	Vacancy	
		Corporate Content, Coordination and Management Support	Layla de Cogan Chin	Lrdecoganchin@justice.ie
		Civil Justice Content and Events	Conor Cleary	cacleary@justice.ie
		Criminal Justice Content and Events – Crime and Policing	Anthony Doyle	anjdoyle@justice.ie
		Criminal Justice Content and Events – Penal Policy and Victims' Rights	Antoinette Doran	acdoran@justice.ie
European Affairs		Communications and Engagement	Áine Griffin	azgriffin@justice.ie
		European Affairs	John Laffan	jglaffan@justice.ie
		Brussels: Permanent Representation	Brien Henderson	Brien.henderson@dfa.ie
		London: Counsellor (Justice)	Martin McDermott	martin.mcdermott@dfa.ie

Redactions under
Section 37 of FOI
Act 2014, (Personal
Information)

Appendix 5: Tribunals, Inquiries and Commissions of Investigation

These are managed by Legal Unit.

	Name	Subject Matter	Commencement Date
1	Tribunal of Inquiry into protected disclosures made under the Protected Disclosures Act 2014 and certain other matters	<p>To investigate allegations that certain Garda members were targeted or discredited as a result of having made protected disclosures.</p> <p>The Tribunal's first module examined specific allegations relating to the treatment of Sergeant Maurice McCabe and Garda Keith Harrison. This module concluded on 11 October 2018.</p> <p>The Tribunal's second module which recently concluded provided for a consideration of any other complaints by a member of the Garda Síochána who has made a protected disclosure alleging wrong-doing within the Garda Síochána and who feels they were targeted or discredited as a result. This module produced reports concerning Garda Nicholas Keogh, retired Sergeants William Hughes and Paul Barry.</p> <p>On 20th April 2023 the Tribunal published its 6th and final report.</p>	Established by Instrument made by the Minister for Justice under the Tribunals of Inquiry (Evidence) Act 1921, on 17 February 2017, as amended on 7 December 2018.
2	Section 42 Inquiry Shane Tuohey (deceased)	<p>An inquiry into the conduct and adequacy of the investigations conducted by the Garda Síochána into the death of Mr. Shane Tuohey in February 2002 in Clara, County Offaly -conducted by his Honour Judge Michael Coghlan.</p> <p>Judge Coghlan's most recent update of 12th April 2023 stated that <i>'the vast bulk of the component parts of the report have now been drafted. Judge Coghlan has further advised that the report is lengthy and requires a considerable amount of proofing and editing and he is hopeful that he will be in a position to supply the Minister with a final report in early course'</i>.</p>	15 May 2017

3	Section 42 Inquiry Patrick Nugent (deceased)	<p>An inquiry into the adequacy of the Garda Síochána investigations and disciplinary inquiries that took place between 1984 and 1986 following the death of Mr. Patrick Nugent in County Clare on 11 February 1984 - conducted by Judge Patrick Clyne.</p> <p>Judge Clyne completed his inquiry on 31 October 2020 and the Minister received Judge Clyne's report on 3 November 2020.</p> <p>On 14 October 2021, the solicitor for the family was provided with a redacted copy of the report on foot of an undertaking given on behalf of the Nugent family not to disclose the contents of the report or any portion thereof to any third parties.</p> <p>Currently a Fresh investigation is being undertaken by An Garda Síochána into matters that the Judge identified.</p> <p>[REDACTED]</p>	<p>15 May 2017</p> <p><i>Redacted under Section 37 of FOI Act 2014 (Law Enforcement and Public Safety)</i></p>
4	Section 42 Inquiry Frank Mulcahy	<p>An inquiry into Garda Síochána investigations into the accusations of financial irregularity made in 1999 against Mr. Frank Mulcahy, formerly of the Irish Small and Medium Enterprises Association (ISME) - conducted by Judge Patrick McMahon.</p> <p>The report was published on the Dept's website in January 2022.</p>	15 May 2017
5	O'Farrell Scoping Exercise	<p>Judge Haughton was appointed to conduct a scoping exercise to advise the Minister what further investigations, if any, were required in the Shane O'Farrell case. If he was to recommend a further inquiry, what form should it take, and the draft terms of reference.</p> <p>Upon receipt of the final report, the advice of the Attorney General was sought in relation to the issue of publication and other matters arising. On 27 July 2022 a copy of the final report was provided to the O'Farrell family on a confidential basis.</p> <p>At the Cabinet meeting of 25 April 2023, the Government noted the final report of the scoping exercise prior to it being laid before the Houses of the Oireachtas and prior to its publication by the Minister.</p>	11 February 2019

6	South East Commission (formerly known as the Hickson Commission of Investigation)	<p>The South East Commission of Investigation was established in November 2018 in response to complaints or allegations of child sexual abuse made against Bill Kenneally and related matters. This Commission was to establish what, if any, level of knowledge of the offences committed by Bill Kenneally was held by a number of organisations including An Garda Síochána, the Roman Catholic Diocese of Waterford, the South Eastern Health Board, Basketball Ireland and certain political figures in the relevant time period. Hearings commenced in 2019.</p> <p>The work of the Commission is ongoing. While the taking of certain evidence had been delayed due to criminal proceedings against Bill Kenneally – he has entered a guilty plea and the remaining work of the Commission can now proceed. The work of the Commission is expected to conclude in 2024.</p>	5 November 2018
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Appendix 6: Transposition of EU Measures and Table of Infringements

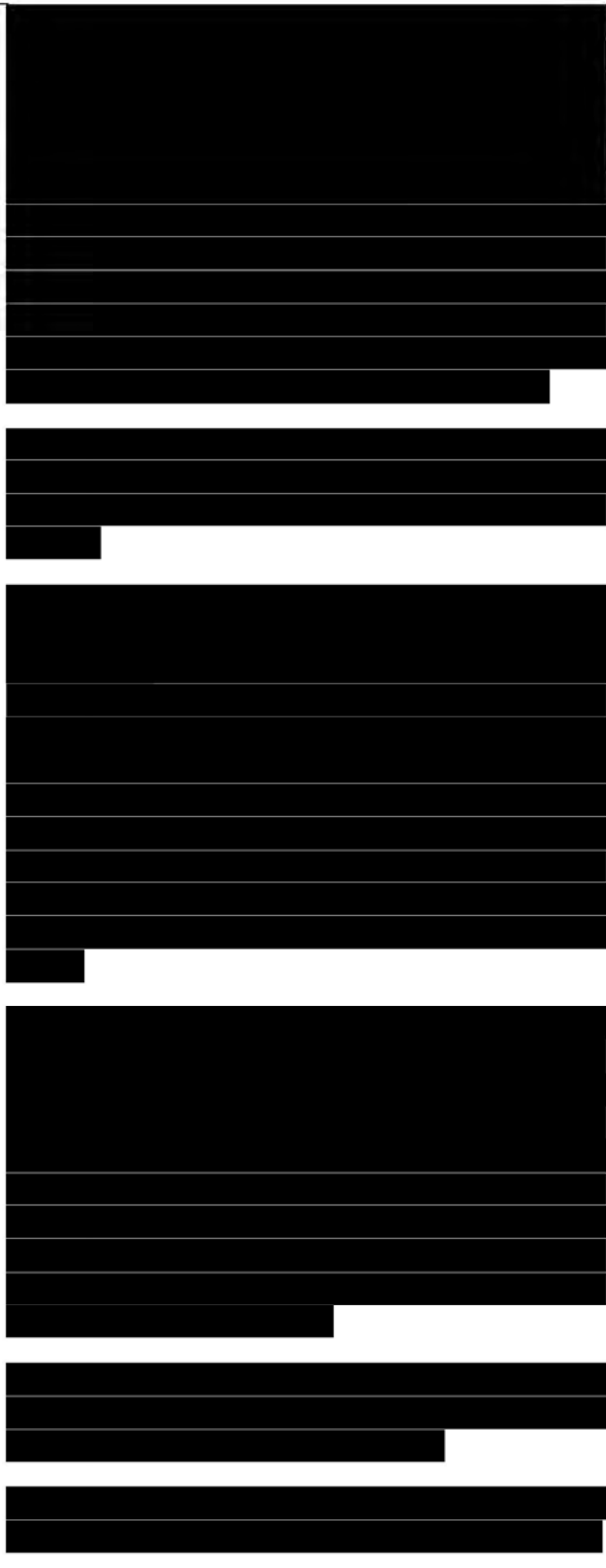
	INFRINGEMENT REF NUMBER	EU MEASURE	CURRENT STATUS	IE LEGISLATION	RAG/ OWNER SHIP
	Reasoned Opinion received on 3 December 2020 and replied to in February 2021.	counterfeiting by criminal law, and replacing Council Framework Decision 2000/383/JHA	[REDACTED]	[REDACTED]	Redacted under Section 29 of FOI Act 2014 (Deliberative Process)
4	2020/2072 Formal Notice 30 October 2020	Council Framework Decision 2002/584/JHA on the European arrest warrant and the surrender procedures between Member States	[REDACTED]	[REDACTED]	[REDACTED]
5	2021/0441 Reasoned Opinion received on 29 th September 2022.	Directive (EU) 2019/1153 laying down rules facilitating the use of financial and other information for the prevention, detection, investigation or prosecution of certain criminal offences	[REDACTED]	[REDACTED]	[REDACTED]

INFRINGEMENTS CLOSED IN 2023



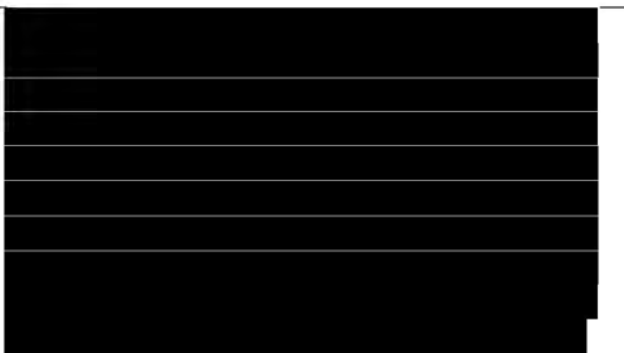






INFRINGEMENT NUMBER	EU MEASURE	TRANSPOSITION PROCESS
1 2021/2099	Directive 2012/13/EU on the right to information in criminal proceedings	<p>As of Jan 2022, summonses issued by An Garda Síochána are now accompanied by a “letter of rights”. The Statutory Instrument formalising the Letter of Rights was laid before the Houses of the Oireachtas on Thursday, 9 November 2022.</p> <p>The Commission formally closed the infringement on 18 April 2023.</p>
2 2020/0203	Commission Implementing Directive (EU) 2019/69 of 16 January 2019 laying down technical specifications for alarm and signal weapons under Council Directive 91/477/EEC on control of the acquisition and possession of weapons	<p>Regulations to transpose the Directive were signed by the Minister on 12 April 2022.</p> <p>The Commission formally closed this infringement on 25 January 2023.</p>
3 2020/0063	Directive (EU) 2017/853 of 17 May 2017 amending Council Directive 91/477/EEC on control of the acquisition and possession of weapons (now codified as Directive (EU) 2021/555)	<p>Regulations to transpose Article 4.4 were signed by the Minister on 27 April 2022 and are now in force.</p> <p>In relation to Article 4(5) it was agreed that the Department would take on a data-filing role in respect of firearms dealers with a view to resolving the infringement. AGS would remain responsible for implementing data-filing in respect of licensed firearms holders. The Commission were informed of this approach on 9 February 2023. The Commission formally closed this infringement on 15 February 2023.</p>

EU PILOT CASES

PILOT CASE NO.	EU MEASURE	CURRENT STATUS

1	EUP (2016) 8426	Directive 2006/123/EC on services in the internal market and Directive 2005/36/EC on recognition of professional qualifications	
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*Redacted
under Section
29 of FOI Act
2014
(Deliberative
Process)*

2	EUP (2016) 8280	Directive 2004/38/EC of the European Parliament and of the Council of 29 April 2004 on the right of citizens of the Union and their family members to move and reside freely within the territory of the Member States	 
3	EUP (2015) 7327	Asylum Procedures Directive	 
4	EUP (2021) 9854	Directive 2013/33/EU on laying down standards for the reception of applicants for international protection	    

Redacted under Section 29 of FOI Act 2014 (Deliberative Process)

			[REDACTED]
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Redacted
under Section
29 of FOI Act
2014
(Deliberative
Process)

ADDITIONAL INFRINGEMENTS

	EU MEASURE	CURRENT STATUS
1	Directive 2014/52/EU on the assessment of the effects of certain public and private projects on the environment	[REDACTED]

Appendix 7: Lead Programme for Government Commitments for the Department of Justice

1. Publish and begin to implement a reform programme to reduce the costs associated with access to the legal system in Ireland.
2. Introduce the necessary reforms to our personal insolvency legislation and ensure that sufficient supports are in place for mortgage holders with repayment difficulties.
3. Tackle insurance costs by considering changes to the Occupiers Liability Act and the Civil Liability Act (duty of care) to strengthen waivers and notices to increase protections for consumers, businesses, sporting clubs and community groups.
4. Tackle insurance costs by considering the need for a constitutional amendment to enable the Oireachtas to set down guidelines on award levels.
5. Get tough on insurance fraud by seeking to increase coordination and cooperation between An Garda Síochána and the insurance industry. We will seek to expand the Garda Economic Crime Bureau which deals with fraud. Under new structures, it will train and support Gardaí in every division to ensure expertise and skill is diffused across the State.
6. Get tough on insurance fraud by reviewing and increasing the penalties for fraudulent claims.
7. Get tough on insurance fraud by placing perjury on a statutory footing, making the offence easier to prosecute. We will broaden the scope of the Perjury and Related Offences Bill, ensuring that the maximum penalty for indictment should be harmonised with the equivalent maximum penalties for largely similar offences in the Civil Liability and Courts Act 2004.
8. Get tough on insurance fraud by ensuring that fraudulent claims are forwarded to the Director of Public Prosecutions (DPP).
9. Get tough on insurance fraud by publishing insurance fraud data.
10. Tackle insurance costs by strengthening the Solicitors (Advertising) Regulations of 2002.
11. Legislate against the coercion and use of minors in the sale and supply of drugs.
12. Continue to fund the Mortgage Arrears Resolution Service, Abhaile.
13. Create new pathways for long-term undocumented people and their dependents, meeting specified criteria to regularise their status within 18 months of the formation of the Government, bearing in mind EU and Common Travel Area commitments.
14. Enact legislation that encompasses relevant EU measures and the UN Protocol against the smuggling and trafficking of migrants.
15. In the short term, act on interim recommendations from the Chair of the Expert Group to improve conditions for asylum seekers currently living in the system. This includes vulnerability assessments, the right to work, the ability to apply for driver licences and bank accounts, an independent inspection process, measures to reduce the length of time in processing decisions, mental health services, and the training of managers of Direct Provision Centres.
16. Publish a White Paper by the end of 2020, informed by the recommendations of the Expert Group, which will set out how this new [International Protection accommodation] system will be structured and the steps to achieving it.
17. Develop new models of community engagement, to ensure that the establishment of new accommodation is done in an inclusive and welcoming fashion.
18. Commit to an annualised capital and current investment programme to action these measures.
19. Implement the measures identified by the Expert Group, to ensure that international protection applications are dealt with and brought to finality as quickly as possible, while always ensuring fair procedure and a human-rights-based approach.
20. Publish a new national Action Plan against Racism.

21. Committed to ending the Direct Provision system and will replace it with a new International Protection accommodation policy, centred on a not-for-profit approach.
22. Develop and implement a new Migrant Integration Strategy.
23. Introduce a scheme for the expunging of criminal records for gay men convicted of historical offences.
24. Legislate to provide for adoptive leave and benefit for male same-sex adoptive couples.
25. Review the National Traveller and Roma Inclusion Strategy 2017-2021 and ensure that the successor strategy has a stronger outcomes focused approach.
26. As part of this, we will develop a comprehensive Traveller and Roma Training, Employment and Enterprise Plan.
27. Legislate to require publication of the gender pay gap in large companies.
28. Implement the National LGBTI+ and the LGBTI+ Youth Strategy, to create a safe, supportive, and more inclusive Ireland.
29. Amend the gender ground in equality legislation, to ensure that someone discriminated against on the basis of their gender identity is able to avail of this legislation.
30. Develop and implement a new National Strategy for Women and Girls.
31. Respond to each recommendation of the Citizens' Assembly on gender equality.
32. Informed by the work of the Citizens' Assembly, consider whether there should be a referendum on Article 41.2 of the constitution.
33. We will examine the introduction of a new ground of discrimination, based on socio-economic disadvantaged status to the Employment Equality and Equal Status Acts.
34. The legislation will improve protections for people with disabilities against hate crime and hate speech.
35. Raise awareness of the lived experience of people with disabilities.
36. The legislation will implement a consultation and participation model, in line with the UNCRPD, to enable people with disabilities to participate in the policy development process.
37. Strengthen rights through the UN Convention on the Rights of People with a Disability (UNCRPD).
38. The legislation will develop an implementation plan to coordinate implementation of the UNCRPD.
39. Develop programmes promoting awareness, among the general public, of the lived experience of people with disabilities.
40. The legislation will remove outdated references to 'persons of unsound mind' from the Statute Book.
41. The legislation will commence the Assisted Decision-Making (Capacity) Act 2015 to abolish wardships.
42. The legislation will ratify the Optional Protocol to the UNCRPD after the first reporting cycle.
43. Enable increased remote, flexible and hub-working arrangements to support families in their parenting and childcare choices, while also supporting enterprise. We will support the higher participation of women in the workplace, less commuting, and greater regional balance. Such changes will give long-term resilience to our economy and society.
44. Extend paid parental leave for parents, to allow them to spend more time with their baby during its first year.
45. Rapidly implement the Report of the Commission of the Future of Policing, while ensuring that there remains a strong and independent public external accountability mechanism for the Garda Commissioner and Garda Leadership Team.
46. Continue to train new [AGS] recruits annually.
47. Prioritise visible policing in both rural and urban communities.

48. Remove Gardaí from administrative, technical, and other non-core duties, to allow them to focus on policing matters.
49. Increase the diversity within An Garda Síochána, prioritising the identification and removal of barriers to recruiting and retaining people from diverse and minority backgrounds.
50. Introduce a new Policing and Community Safety Bill to redefine the functions of An Garda Síochána.
51. Codify the Garda powers for search, arrest, and detention.
52. Extend the powers governing Garda use of CCTV and Automated Number Plate Recognition to help prevent crime and prosecute those involved in criminal activity.
53. Externally review the legal and organisational framework governing community CCTV.
54. Annually renew the provisions of the Offences Against the State Act 1998 and the Criminal Justice (Amendment) Act 2009.
55. Support and consolidate the reform and strengthening of the Department of Justice.
56. Ensure full implementation of the Parole Act 2019, including the establishment of an independent statutory Parole Board as early as possible.
57. Legislate to provide for preliminary trial hearings to expedite the administration of justice in white-collar crime cases.
58. Amend the Criminal Justice (Corruption Offences) Act 2018 to make the prosecution of white-collar crime more manageable and efficient.
59. Enact a Family Court Bill to create a new dedicated Family Court within the existing court structure and provide for court procedures that support a less adversarial resolution of disputes.
60. Build a new Family Law Court building in Dublin and ensure that court facilities across the country are suitable for family law hearings, so that these hearings can be held separately from other cases.
61. Enact the Judicial Appointments Commission Bill within the first six months of Government. However, we will engage with stakeholders to make appropriate amendments to the current Bill, to ensure that it enjoys broad support. These would include ensuring that the Chief Justice is the ex-officio chairperson of the body.
62. Legislate to introduce a statutory offence of perjury, to make this crime easier to prosecute
63. Establish a working group to consider the number of and type of judges required to ensure the efficient administration of justice over the next five years.
64. Introduce the necessary legislative reforms of the personal insolvency system
65. Modernise the law on the administration of oaths in judicial and other proceedings
66. Implement reforms to the administration of civil justice in the State covering matters such as the more efficient and effective deployment of court and judicial resources. This will be guided by the report of the group chaired by the former President of the High Court, Mr. Justice Peter Kelly.
67. Independently examine the option of a dedicated system of public defenders.
68. Clarify and strengthen contempt of court sanctions for violations on social media.
69. Set up a special expert forum on antisocial behaviour, to consider the effectiveness of existing legislation and propose new ways forward, including new powers for An Garda Síochána and additional interventions to support parenting of offenders.
70. Examine increasing the age limit for the application of the Garda Youth Diversion Programme to 24 years old.
71. Implement a new Youth Justice Strategy, drawing on learnings for the Icelandic model and emphasising prevention, early intervention, and inter-agency collaboration.
72. Continue to support the work of An Garda Síochána in tackling and interrupting organised crime.
73. Criminalise adults who groom children to commit crimes.

74. Work with all criminal justice agencies to build capacity to deliver restorative justice, safely and effectively
75. Extend the pilot schemes of the Joint Agency Response to Crime to more areas to target prolific repeat and vulnerable offenders aged 16 -21.
76. Enhance powers available to An Garda Síochána to limit the use of scramblers and quads by those engaged in antisocial behaviour and enact legislation to add to those powers, if needed
77. We will establish a gambling regulator focused on public safety and wellbeing, covering gambling online and in person, and the powers to regulate advertising, gambling websites and apps
78. Ratify and implement the Optional Protocol to the Convention against Torture within 18 months of the formation of the Government.
79. Establish a high-level cross-departmental and crossagency taskforce to consider the mental health and addiction challenges of those imprisoned, and primary care support on release.
80. Take a comprehensive approach to the development of the next Irish Prison Service's Capital Strategy, ensuring the availability of modern detention facilities with adequate capacity.
81. Review the existing functions, powers, appointment procedures and reporting processes for prison-visiting committees.
82. Review the Criminal Justice (Spent Convictions and Certain Disclosures) Act 2016 to broaden the range of convictions that are considered spent.
83. Establish a Penal Policy Consultative Council to advise on penal policy.
84. Introduce Hate Crime legislation within 12 months of the formation of the Government. This legislation will create specific offences, to ensure that those who target victims because of their association with a particular identity characteristic are identified as perpetrators of hate crime. This legislation will be on the basis of an aggravated offences model. It will be supported by training across the criminal justice system, as well as victim supports
85. In order to ensure that those who seek to encourage and incite others to hate minority groups can be prosecuted, we will revise and update Incitement to Hatred Act 1989, taking account of the public consultation conducted in 2019.
86. Develop the third National Strategy on Domestic, Sexual and Gender Based Violence, which will place a priority on prevention and reduction and will include a National Preventative Strategy.
87. Conduct an immediate audit, to be concluded within nine months of the formation of the Government, of how responsibility for domestic sexual and gender-based violence is segmented across different government agencies, and develop proposals on what infrastructure is needed to ensure that the issue is dealt with in the most effective manner possible. This audit will be undertaken in conjunction with NGOs and service providers.
88. Investigate the provision of paid leave and social protection provision to victims of domestic violence.
89. Learn from the UK model, where the crime of coercive control has been successfully prosecuted since 2015. We will invest in a comprehensive training programme for professionals who may have contact with a victim of coercive control, including An Garda Síochána, legal professionals, and courts services personnel, to ensure that there is a clear understanding of the nature of this relatively new offence.
90. Legislate to introduce Domestic Homicide Reviews
91. Update the Sex Offenders Act 2001, to ensure that convicted sex offenders are effectively managed and monitored.
92. Enact the Harassment & Harmful Communications Bill (as amended), in order to outlaw image-based sexual abuse and to prevent the abusive sharing of intimate images online.

93. Implement the findings of the O'Malley Review of supports for vulnerable witnesses in sexual violence cases to support victims.
94. Adopt and implement a comprehensive strategy to combat trafficking of women and girls.
95. Fully implement the revised Victims' Charter and establish a system to monitor its implementation
96. Fully implement the EU Victims of Crime Directive, including the full provision of victim liaison officers.
97. Modernise our licensing laws and application processes
98. Support the Community Sponsorship Ireland programme to support the integration of refugees.
99. Work with the Executive and the UK Government to deepen multi-agency cross-border cooperation on crime, including information-sharing between the Police Service of Northern Ireland and An Garda Síochána.
100. Maintaining strong and deep law enforcement and judicial cooperation.
101. Review and reform defamation laws, to ensure a balanced approach to the right to freedom of expression, the right to protection of good name and reputation, and the right of access to justice.
102. We recognise the domestic and international importance of data protection in Ireland. We will support the Data Protection Commission, to ensure that Ireland delivers on its responsibilities under the General Data Protection Regulation (GDPR).

Appendix 8: Department of Justice buildings

	Location	Function/Unit
1	51 St. Stephen's Green, Dublin 2 D02 HK52 (Department HQ)	Criminal Justice Policy, Governance, Service Delivery Transparency Corporate - Corporate Services, Data Protection Support and Compliance, Data/Research, Legal
2	7 Ely Place, Dublin 2	Criminal Justice Service Delivery Corporate - FMU, IAU, HR
3	Bishop's Square, Redmond's Hill, Dublin 2 D02 FT96	Civil Justice Policy, Governance, Legislation, Criminal Justice Service Delivery (Criminal Injuries Compensation Tribunal) Criminal Justice Legislation
4	Deerpark Road, Killarney, Co. Kerry	Corporate – Financial Shared Services
5	6-7 Hanover Street East, Dublin 2 D02 W320	Change, Technology and Innovation Immigration Service Delivery International Protection Appeals Tribunal
6	13/14 Burgh Quay, Dublin 2 D02 XK70	Immigration Service Delivery
7	26-30 Chapter House, Abbey Street Upper, Dublin 1 D01C7W6	Immigration Service Delivery
8	Timberlay House, 79/83 Mount Street Lower, Dublin 2 D02 ND99	Immigration Service Delivery - International Protection Office
9	Rosanna Road, Tipperary E53 HY05	Immigration Service Delivery
10	Birchgrove House, Roscrea, Co. Tipperary E53 HY05	Immigration Service Delivery
11	Border Management Unit, Dublin Airport	Immigration Service Delivery - BMU

Appendix 9: Items to be signed by Minister or by officials on Minister's behalf

Items requiring Minister's signature/approval

	Division/Function	Note	Statutory basis
Commencement Orders	ALL		
SIs	ALL		
S&NI Warrants	S&NI		
Temporary Release	S&NI	TR of subversive prisoners	
Remission of minors, Oberstown		Min. CEDIY sends to Min. Justice for approval	This is done as a result of a High Court judgment in <i>Byrne (A Minor) v Director of Oberstown</i> [2013] IEHC 562 and through the delegation of powers to the Minister under S 23A of the Criminal Justice Act 1951.
Rules of Court (changes)	Civil Legislation / Policy		Court Rules Committees make rules on exercise of powers conferred on them by relevant provisions of the Courts Acts and do so with the concurrence of the Minister for Justice.
Exclusion Orders	ISD		
Peace Commissioners (Warrants)	Criminal Service Delivery		
Signature of warrant appointing members to the Criminal Injuries Compensation Tribunal	Criminal Service Delivery		
Signature of bye laws under the Explosives Act 1875	Criminal Service Delivery		Explosives Act 1875

Appointments to Prison Visiting Committees	Criminal Governance		
Extension of Garda Retirement	Criminal Governance	The Garda Commissioner, with the consent of the Minister, may extend the age of retirement of a Garda member where this is in the interests of the efficiency of the Garda Síochána	Garda Síochána (Retirement)(No. 2) Regulations 1951 [S.I.335/1951]
Extension of Garda Probation	Criminal Governance	Extension of probation for a member of AGS beyond 3 years with the consent of the Minister	Regulation 12(13) of the Garda Síochána (Admissions and Appointments) Regulations 2013
Warrant of Appointments under Section 15 of the Prison Act 2007	Criminal Governance	These warrants are for appointment to the Prison Appeal Tribunal	S15, Prison Act 2007
Referral of S42 inquiries	Legal Unit	By SI	S42 Garda Síochána Act 2005

Examples of documents **authenticated by officials on behalf of the Minister** include the following:

Criminal Governance

Exercise of functions in Garda Commissioner's absence - Section 32 Garda Síochána Act, 2005

Section 32 of the Garda Síochána Act 2005, as amended, provides for the Minister to authorise a Deputy Garda Commissioner or in certain circumstances, an Assistant Garda Commissioner to perform the functions of the Garda Commissioner during an absence, incapacity or suspension from duty of the Garda Commissioner.

Such requests mainly occur when the Commissioner is on leave or abroad on business. To date in 2020 there have been 3 requests and in 2019 there were 8 requests.

The process is managed at official level. A Section 32 Order is created and signed by either an Assistant Secretary or Deputy Secretary and then issued. The Policing Authority is also informed that such an authorisation has been given.

Deeds associated with the Garda Representative Association and the Prison Officer Association - Additional Voluntary Contribution pension funds which require the Ministerial seal and an authorised signature

The Garda Representative Association and the Prison Officers Association have each set up AVC Additional Voluntary Contribution (AVC) Pension Funds on behalf of their members. These are set up by Trust Deed, registered with the Revenue Commissioners, and administered entirely by independent trustees. The Minister for Justice, as the 'Principal Employer' of both Garda members and Prison Officers, has a role in these AVCs. Specifically, the Minister is required from time to time to 'retire' outgoing trustees, and assign new trustees in their place. To do this, a Deed of Retirement and Assignment of Trustees is drawn up, signed by an authorised officer on behalf of the Minister, and sealed with the Ministerial seal. This process which happens rarely, is managed at official level. A copy is then forwarded to Revenue for their information, as these AVCs benefit from favourable tax treatment. No further action by the Minister or Department is required.

Justice Service Delivery

Ministerial Orders under the Extradition Act 1965

It is the practice to make submissions to the Minister on all matters pertaining to extradition which involve a Ministerial function and it is only on rare occasions when the Minister is not available that an appropriately delegated official will be asked to perform a function normally reserved for the Minister. Generally the use of officials occurs where there is an urgency attaching to the process or it is time-bound in some manner and, from an extradition perspective that is most likely to be the case where the signing of an extradition order under section 33 is concerned. For example, where a person has given their consent to be extradited, it is open to that person to withdraw that consent up to such a time as the Order is signed. In other circumstances, where a person is committed to prison to await his surrender, the State has one month to execute that surrender. It is considered

best practice not to delay the signing of the Order and if it is the case that the Minister is not available to do so for an extended period of time, a relevant official will be so requested. If required, arrangements can be made to inform the Minister of each instance when these powers are resorted to.

Temporary Release from Central Mental Hospital

Under Section 14 of the Criminal Law (Insanity) Act 2006, the clinical director of a designated centre (currently the Central Mental Hospital) may, with the consent of the Minister, direct the temporary release of a patient on such conditions and for such period or periods as the clinical director deems appropriate. The role of consenting to such periods of release is generally delegated to the Director of Criminal Justice Service Delivery. The purpose of such periods of release is generally to assist in the therapeutic treatment of the patient. Any period of release is fully risk assessed by the hospital and leave may be accompanied or unaccompanied depending on the mental state of the patient.

Competent Authority under the Criminal Justice (Money Laundering and Terrorist Financing) Act 2010

Under the legislation, the Minister is responsible for supervising certain designated non-financial businesses and professions. The Minister has delegated the role of the Minister under chapters 8 and 9 of the Act to the PO and AP in the AMLCU. This is an ongoing delegation so there is no action required by the current Minister.

Garda Compensation Acts 1941-1945

Under the Garda Compensation Acts 1941-45, the Minister has delegated functions to the deciding officer. This is an ongoing delegation.

Civil Governance

Warrants of Appointment

A submission is approved by the Minister before the warrant is signed. Appointees to the Legal Aid Board and for Irish Film Classification Office Assistant Classifiers are examples of such appointments.

Appointment of judicial nominees to the District Court Rules Committee

A submission is approved by the Minister before a warrant is signed. At that point, either the Minister may sign as part of the submission request or an authorised person may sign the warrant following approval of the submission by the Minister. In recent years, the latter option has been utilised most often.

Corporate (A)

Funding Agreements

Funding agreements where the Department has agreed to fund community groups, NGOs and local authorities. Submissions are put to Minister with the outcome of funding calls prior to signing agreements with community groups and NGOs.

Immigration Service Delivery

Deportation Orders – Section 3 Immigration Act, 1999 and Section 51 International Protection Act, 2015

This process is managed by officials with the exception of any contentious or politically sensitive matters which would be brought to the Minister's attention prior to sign off.

Revocation Orders – Section 3 (11) Immigration Act, 1999

This is a positive action in that it is in effect the 'deletion or cancelling' of a Deportation Order. The process is managed by officials.

Refusal to grant citizenship – Irish nationality and Citizenship Act 1956 as amended by the Irish nationality and Citizenship Act 2004.

This process is managed by officials with the exception of any contentious or politically sensitive matters which would be brought to the Minister's attention, prior to sign off.

Appointment of Immigration Officers – Section 3 - immigration Act, 2004

This process is managed by officials and involves the statutory appointment of a civil service staff member as an Immigration Officer for statutory roles such as passport checks at Dublin airport or granting immigration permissions e.g. student permissions, visas.

Irish Prison Service

A number of Orders are signed on behalf of and without prior notification to the Minister by designated officials in the Irish Prison Service such as Temporary Release, production orders for Courts, Hospital or inter prison transfers with the exception of any contentious or politically sensitive matters which would be brought to the Minister's attention prior to sign off.

A submission is prepared seeking the Minister's approval in all of the following cases:

- Parole Board cases
- Manslaughter or dangerous driving causing death
- Subversives
- Sex Offenders
- High profile prisoners
- Compassionate release
- Transfer of Sentenced Person cases where a person is transferring into or out of the country to serve the remainder of their sentence

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