

FREEDOM OF INFORMATION GUIDE

**DEPARTMENT OF JUSTICE, EQUALITY AND LAW
REFORM**

FREEDOM OF INFORMATION

Guide to the Function and Records of the Department

Freedom of Information Act, 1997 (as amended)

Section 15 Reference Book

2008 EDITION

**Department of Justice, Equality and Law Reform
Pinebrook House
71 – 74 Harcourt Street
Dublin 2**

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INTRODUCTION

The Freedom of Information (FOI) Acts, 1997 and 2003 establishes three statutory rights:

- ✓ a legal right for each person to access information held by public bodies
- ✓ a legal right for each person to have official information relating to him/herself amended where it is incomplete, incorrect or misleading
- ✓ a legal right to obtain reasons for decisions affecting oneself.

The Acts assert the right of members of the public to obtain access to official and personal information to the greatest extent possible consistent with the public interest and the right to privacy of individuals.

This reference book has been prepared and published in accordance with the requirements of Section 15 of the FOI Act, 1997. Its purpose is to facilitate access to official information held by this Department. It does this by outlining the structure and functions of the Department; the services provided and how they may be availed of, the classes of records held; and how a request to the Department under the FOI Act, of 1997 can be made.

Routinely Available Information

At present the Department of Justice, Equality and Law Reform makes a range of information available to the public in relation to its functions, activities and schemes. Such information will continue to be made available without the need to use the FOI Act. In general, information leaflets are available free of charge from any of the Department's offices.

This reference book highlights, in relation to each of the Department's activities, where information of this nature is available. The Department's website at <http://www.justice.ie> also contains a large range of general information. Copies of these reports are available on the Department's website.

Information on EU legislation/Directives is available at <http://www.europa.eu.int/eur-lex>.

The Freedom of Information Acts are designed to allow public access to information held by public bodies which are NOT routinely available through other sources. Access to information under these Acts is subject to certain exemptions and involves specific procedures and time limits. Information on making a request under this Act is set out in Chapter 1.

PREFACE

How to use this Reference Book

This Reference Book supersedes the 2004 Edition and has been prepared and published in accordance with the requirements of Section 15 of the Freedom of Information Act, 1997.

Section 15 of the FOI Act provides for a publication containing 'a general description of the public body's structure and organisation, functions, powers and duties, any services it provides for the public and the procedures by which any such services may be availed of by the public'; a general description of the classes of records held by it giving such particulars as are reasonably necessary to facilitate the exercise of the right of access'

To achieve the maximum benefit from this Reference Book, it is worthwhile spending some time looking through the contents pages, the different chapters, the glossary and the general index to get an idea of the book's scope.

If any assistance is required in using this reference book, or on any aspect of the Freedom of Information Act, please contact the FOI Unit at 01-6028417 or at the Department's Lo Call number 1890 221 227 ext. 8408 or 8417.

Freedom of Information Act – Rights of Access - Chapter 1

Chapter 1 outlines the rights of access to information under the FOI Act. This includes details on the procedures to follow when requesting information under the Act, rights of review of decisions, appeal procedures and reviews to the Information Commissioner. This chapter also outlines any fees that may be charged on foot of an FOI request.

General Information on the Department - Chapters 2 & 3

Chapters 2 & 3 outlines the main functions of the Department and the Department's Mission Statement and the structure of the Organisation respectively. The overall structure, including the number of personnel, is outlined in Chapter 4.

Services Provided by the Department - Chapter 4

Chapter 4 gives a comprehensive and detailed description of each Division broken using the following categories:

- ◆ Role of the Division
- ◆ Structure of the Division (including location and number of staff)
- ◆ How the services are delivered and to whom
- ◆ Information available
- ◆ Classes of records held.
- ◆ Each Division has also provided an address at which further information can be requested.

Glossary/other information - Chapter 5 & Appendices

Chapter 5 consists of a glossary of terms. A brief description of the terms are given in the context in which they are used in the Department.

Appendix 1 contains A Freedom of Information Request Application Form for this Department. A copy of this form is available from the FOI Unit at the number given below. Please note that in order to access information it is not necessary to use this form. A letter outlining the request and specifying that the information that is being requested under the FOI Act, 1997, as amended is sufficient. However, this form may be of benefit in setting out what information is being sought and in what areas of the Department the information may be available.

Appendix 2 lists the offices and agencies which are associated with the Department, and highlights those which come within the scope of the Act. Addresses and contact numbers are given for each body.

If you have any queries or concerns, or need any advice on making a FOI request, please contact the FOI Unit at 01-6028408 or at the Department's Lo Call number 1890 221 227 ext. 8417 or 8408

Appendix 3 displays the Departments Organisation Chart

Availability of this Book

Copies of this publication are available free of charge on request from the Freedom of Information Unit, Department of Justice, Equality and Law Reform, Pinebrook House, 71-74 Harcourt Street, Dublin 2. Telephone 01-6028408 Fax 01-6028652, E-mail: foi@justice.ie. An up-to-date version is maintained on the Department's website at <http://www.justice.ie>

1. HOW TO ACQUIRE INFORMATION UNDER THE FREEDOM OF INFORMATION ACT, 1997 & 2003(AS AMENDED)

Applications under the Freedom of Information Act

The Department is disposed to conduct its business in as open and transparent a manner as possible. In keeping with this, it will attempt to make available information to the public outside the formal procedures of the Freedom of Information (FOI) Act, if this is the preferred option of the person seeking information, subject to the general scope of exemptions in the Act.

Under the FOI Act, anyone is entitled to apply for access to information not otherwise publicly available.

Each person has a right to:

- ◆ access to records held by the Department;
- ◆ correction of personal information relating to oneself held by the Department where it is inaccurate, incomplete or misleading;
- ◆ access to reasons for decisions made by the Department directly affecting oneself.

The following records come within the scope of the Act:

- all records relating to personal information held by the Department irrespective of when created;
- all other records created from the date the FOI Act came into effect on 21 April 1998;
- any records necessary to the understanding of a current record even if created prior to 21 April 1998.

Requests for information under the FOI Acts, 1997 and 2003 should be addressed to:

Ms Aisling Brennan,
Freedom of Information Officer,
Department of Justice, Equality and Law Reform,
Pinebrook House,
71-74 Harcourt Street,
Dublin 2.

Phone : (01) 6028202/Lo-Call 1890 221 227 exts 8408/8417/8473
E-mail: FOI@justice.ie - Fax: (01) 6028652

How to make an application

Applications must be in writing and should indicate that the information is sought under the Freedom of Information Act. If information is desired in a particular form (such as a photocopy, computer disk, etc.) this should be specified in the application. Requests should be as detailed and specific as possible to enable the information sought to be identified. If difficulty is experienced in identifying the records required, the staff of the FOI Unit will be happy to assist in the formulation of the request. A copy of the FOI Application Request

Form is outlined at Appendix 2 can also be used and is available on request from the FOI Unit. The Department is obliged to respond to FOI requests within 20 working days. Requests will be acknowledged within 10 working days and the applicant will be informed of the name of the person handling the request.

To obtain further information about making a request under the FOI Act, contact Ms Aisling Brennan at the address, telephone number or e-mail address quoted at 1.1 above.

Rights of Review of Decisions and Appeals

The FOI Act sets out a series of exemptions to protect sensitive information where its disclosure may damage key interests of the State or of third parties. Where the Department/Office invokes these provisions to withhold information, the decision may be appealed by the requester. Decisions in relation to deferral of access, charges, forms of access, etc. may also be appealed. Details of the appeals mechanisms are set out in the following paragraphs.

Internal Reviews

You may seek an internal review of the initial decision, and this review will be carried out by an official at a higher level if:

- ⇒ You are dissatisfied with the initial response received, e.g. refusal of information, form of access, charges, etc., or
- ⇒ You have not received a reply within 20 working days of the initial application. This is deemed to be a refusal of the request and allows you to proceed to internal review.

A request for an internal review must be submitted in writing within 20 working days of the initial decision to:

Freedom of Information Officer,
Department of Justice, Equality and Law Reform,
Pinebrook House,
71-74 Harcourt Street,
Dublin 2.

The Department must complete the review within 15 working days. An internal review must normally be completed before an appeal may be made to the Information Commissioner.

Review by the Information Commissioner

Following completion of the internal review, if you are still dissatisfied, you may seek an independent review of the decision from the Information Commissioner. Alternatively, if a reply is not received from the Department within 15 working days, this may be deemed to be a refusal and an appeal for a review may be made to the Information Commissioner.

Appeals must be made in writing to the Information Commissioner at the following address:

Office of the Information Commissioner.
18 Lower Leeson Street,
Dublin 2.
Phone: (01) 6395689
Lo-Call 1890 22 30 30
Fax: (01) 6610570
E-mail. foi@ombudsman.irlgov.ie

Fees

Freedom of Information (Fees) Regulations 2003

Regulations have been made by the Minister for Finance prescribing fees for the purposes of Section 47(6A) of the Freedom of Information Act 1997, as amended. These fees are effective from 7 July, 2003.

The following fees will apply to FOI requests under Section 7 of the FOI Act (requests for access to records) and applications under Section 14 (internal review) and 34 (review by Information Commissioner) received on or after 7 July 2003:

Requests for records

A standard application fee of €15 must accompany an FOI request under section 7 for a record or records containing non-personal information.

A reduced fee of €10 applies if the person making such a request is covered by a medical card.

The following requests/applications are exempt:

- (a) a request under Section 7 for a record or records containing only personal information related to the requester.
- (b) an application under Section 17 (right of amendment of records relating to personal information).
- (c) an application under Section 18 (right of person to information regarding acts of public bodies affecting the person).

Internal Review

A standard fee of €75 must accompany an application for internal review under section 14.

A reduced fee of €25 applies if the person bringing the application is a medical card holder or a dependant of a medical card holder.

An internal review fee will not be imposed where a reply from the body concerned has not issued within 20 working days as provided for in the Act.

The following internal review applications are exempt:

- (a) an application in relation to a decision concerning records containing only personal information related to the applicant.
- (b) an application in relation a decision under Section 17 (right of amendment of records relating to personal information).
- (c) an application in relation to a decision under Section 18 (right of person to information regarding acts of public bodies affecting the person).
- (d) an application in relation to a decision to charge a fee or deposit, or a fee or deposit of a particular amount.

Review by the Information Commissioner

A standard fee of €150 must accompany applications to the Information Commissioner for review of decisions made by public bodies under Section 34.

A reduced fee of €50 applies if

- (a) the person bringing the application is a medical card holder or a dependant of a medical card holder or
- (b) the person is specified in Section 29(2) i.e. a third party with the right to apply directly to the Information Commissioner where a public body decides to release their information on public interest grounds.

The following applications to the Information Commissioner are exempt:

- (a) an application concerning records containing only personal information related to the applicant.
- (b) an application in relation to a decision under Section 17 (right of amendment of records relating to personal information)
- (c) an application in relation to a decision under Section 18 (right of person to information regarding acts of public bodies affecting the person).

(d) an application in relation to a decision to charge a fee or deposit exceeding €25.00 under Section 47 in respect of search and retrieval and photocopying of records (decisions in relation to the charging of fees or deposits for search and retrieval and/or photocopying of less than €25 are not subject to review by the Information Commissioner).

(d) an application in relation to a decision to charge a fee under Section 47(6A), or a fee of a particular amount under Section 47(6A), on the grounds that the records concerned do not contain only personal information related to the requester or the requester is not a medical card holder or a dependant of a medical card holder.

Summary of Fees

Type of Request/Application	Standard Fee*	Reduced Fee **
Request for a record		
Initial Request	€15	€10
Internal Review	€75	€25
Review by Information Commissioner	€150	€50
Request for a record or containing personal information	No charge	No charge
Application under section 17 for amendment of a record containing incorrect, incomplete or misleading personal information	No charge	No charge
Application under section 18 for the reasons for a decision affecting the individual	No charge	No charge

* Fee will not apply where a person appeals a decision to charge a fee or deposit, or a fee or deposit of a particular amount under section 47 of the FOI Act

** Reduced fee will apply in respect of third parties who appeal a decision of a public body to release their information on public interest grounds

In addition to the application fees applicable for FOI requests the following additional charges may apply:

- ◆ In respect of personal records, no fees are charged in respect of the cost of copying the records requested unless a large number of records are involved;
- ◆ In respect of other (non-personal) information, fees may be charged for the time spent in efficiently locating and copying records based on a standard hourly rate. This process is known as search and retrieval as provided for in section 47(2)(a) and (b) of the Act;
- ◆ No charges will apply in respect of the time spent by the Department in considering requests;
- ◆ A deposit may be payable where the total fee is likely to exceed €50.79 (£40). In these circumstances, the Department will, if requested, assist in amending the request so as to reduce or eliminate the fee.

Charges may be waived in the following circumstances:

- where the collection and related costs would exceed the amount of the fee;
- where the information is of particular assistance to the understanding of an issue of national importance;
- in the case of personal information, where such charges would not be reasonable having regard to the means of the applicant.

Charges

Search and Retrieval - €20.95 per hour

Photocopying - €0.04 per copy

3 1/2" Computer Diskette - €0.51

CD-ROM - €0.16

Radiograph - €6.35

2. Mandate of Department

Our Mandate

Our Mission Statement and Values reflect a Department with a mandate which crosses many significant and varied areas of public sector policy and administration.

Mission Statement

To maintain and enhance community security and promote a fair society through the development of a range of policies and high quality services which underpin:

- § the protection and assertion of human rights and fundamental freedoms consistent with the common good;
- § the security of the State;
- § an effective and balanced approach to tackling crime;
- § progress towards the elimination of discrimination;
- § the promotion of equal opportunities and tolerance.

Values

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

- § ensure access to justice;
- § apply fair and equal standards of treatment to all groups in society;
- § demonstrate accountability for our actions;
- § show courtesy, integrity and openness in our dealings;
- § provide excellent services to the public and
- § respect and value the individual with whom we engage in whatever situation we encounter him or her.

3. DEPARTMENT STRUCTURE

The Department is structured around twelve areas comprising one or more Divisions, each headed by a member of the Management Advisory Committee.

- Asylum, Immigration & Citizenship (INIS)
- Civil Law Reform, Courts Policy, Equality & Disability
- COSC – Office for the Prevention of Domestic Violence
- Crime, Security, Northern Ireland, Mutual Assistance & Extradition
- Criminal Law Reform and Human Rights
- EU/International Matters
- Garda Siochana
- Human Resources, Corporate Services, Organisation Development, Project Development, Finance, Internal Audit and Information Technology
- Irish Prison Service
- Prisons and Probation Policy
- Reception & Integration Agency (RIA)
- Youth Justice

Appendix 2 lists the offices and agencies associated with the Department, including addresses and contact numbers. Those offices/agencies that come within the scope of the Freedom of Information Acts, 1997 and 2003 are highlighted.

A chart outlining the structure and organisation of the Department is set out in Appendix 3.

4. INFORMATION ABOUT THE STRUCTURAL DIVISIONS OF THE DEPARTMENT AND THE RECORDS HELD

This chapter gives more detailed information about the Divisions of the Department, their functions and activities. It also describes the categories of information held and the ways in which this information can be accessed, either through existing publications or through the procedures set out in the Freedom of Information Act, 1997 & 2003 (as amended).

Further Information

Further information about any of the Divisions of the Department or the publications or activities mentioned may be obtained from the Division in question or from:

**Freedom of Information Unit
Department of Justice, Equality and Law Reform,
Pinebrook House,
71 – 74 Harcourt Street,
Dublin 2.**

Phone: (01) 6028202

or

Lo call number 1890 221 227 Ext 8404

Fax: (01) 6028652

E-mail: FOI@justice.ie

4.1 CENTRAL PROCUREMENT DIVISION

Role of the Division

The primary role of the Central Procurement Division is the advancement and refinement of procurement and purchasing practices/activities within the Department, towards best practice.

The main functions of the Division are:

- the ongoing development of procurement policies and procedures and practices for the Department with the objective of achieving enhanced value for money from procurement effort
- continuing to develop the use of procurement as a strategic/tactical implementation tool
- raising the level of compliance in relation to best procurement practice within the Department
- the formulation and promotion of the Corporate Procurement Plan
- the provision of accurate, relevant and timely procurement advice
- the fostering of strategic collaborative opportunities across the Justice Family
- directing the evolution of the procurement function within the Department
- the processing of purchase order requests

Structure of the Division

Accountant

Higher Executive Officer

Executive Officer

Clerical Officers x 3

Classes of Records Held

- Purchase Orders
- Requisitions
- Goods Received Notes

Further Information

Requests for further information about any matters in relation to this Division should be addressed to:

**Central Procurement Division
Department of Justice, Equality and Law Reform
Pinebrook House
71 – 74 Harcourt Street
Dublin 2**

4.2 CORPORATE SERVICES DIVISION

Role of the Division

Corporate Services Division provides the support services to ensure that the Department and its associated offices operate as efficiently and effectively as possible. In so doing, it is responsible for procurement of non-IT equipment and stationery, provision and maintenance of accommodation, telecommunications, etc for the headquarters of the Department and some of the associated offices which do not have a local purchasing office of their own. (The offices and agencies associated with the Department are listed at Appendix 2).

It is also responsible for the provision of file registry, information resources, messenger services, including postal services and the telephonist service for the Department. The Division also oversees the security and health and safety functions in the Department's head office. The Division also arranges the official travel requirements for staff of the Department and some associated offices.

Corporate Services is responsible for administering the functions of the Minister and the Department as contained in a wide range of legislation, as listed in our Section 16 Reference Book, and acts as a liaison between head office and the following associated bodies/agencies:

- Criminal Injuries Compensation Tribunal
- Forensic Science Laboratory
- Legal Aid Board
- National Property Services Regulatory Authority
- Office of the Censorship of Publications Board
- Office of the Data Protection Commissioner
- Office of the Film Censor
- Property Registration Authority
- State Pathology Service

The Division also co-ordinates the Department's responses to (a) Government memoranda, (b) Parliamentary Questions, (c) representations/correspondence and requests for briefing material where two or more line Divisions of the Department are involved and (d) Ombudsman's queries.

Corporate Services Division manages the Department's customer service policy, including our responsibilities as set out in the Disability and Official Languages Acts.

Structure of the Division

The Division which is located in Pinebrook House, 71-74 Harcourt Street, Dublin 2 comprises – 41.5 people working to an Assistant Secretary as follows:-

Principal Officer (x 1.5)

Assistant Principal Officer (x 2)

Higher Executive Officer (x 4)

Executive Officer (x 5)

Staff Officer (x 2)
Clerical Officer (x 15)
Service Officers (x 11)
Irish Translator (x 1)

Delivery of Service

The Division's main customers are the staff of the Department and associated bodies/agencies. They have daily contact with these customers on a one-to-one basis in providing them with the support services they require to operate effectively.

They also provide a public service by answering queries etc.:-

- Upon request in writing or by telephone from members of the public;
- From members of the Oireachtas (including the drafting of replies to Parliamentary Questions and representations); and
- Press Queries.

Information Available

- (i) Department's Customer Charter
- (ii) Department publications
- (iii) Health and Safety Statement

Where the Information is Available at Present

The Department's publications are available on request from 94 St. Stephen's Green, Dublin 2. They can also be sourced on the Department's website (www.justice.ie). Copies of the Department's Customer Charter, Customer Service Action Plan and Health and Safety Statement are also available from the Department and via our website. The Department can also be contacted by calling on **1890-221-227** for the price of a local call.

Classes of Records held

- Paper files
- Electronic files
- Department publications

Further Information

Requests for further information about any matters in relation to this Division should be addressed to:

**Corporate Services Division,
Department of Justice, Equality and Law Reform,
Pinebrook House,
71-74 Harcourt Street,
Dublin 2.**

4.3 Cosc

The National Office for the Prevention of Domestic, Sexual & Gender-based Violence

Role and functions of Office

Cosc - The National Office for the Prevention of Domestic, Sexual and Gender-based Violence was established in June 2007. Cosc is a dedicated, resourced office at Government level, with the key responsibility to ensure the delivery of a well co-ordinated "whole of Government" response to domestic, sexual and gender-based violence.

The remit of the office covers:

- (i) domestic and sexual violence against women,
- (ii) domestic and sexual violence against men and
- (iii) domestic and sexual violence against older people.

Cosc collaborates closely at a national level with the service providers who support victims and treat perpetrators. Cosc has also agreed to work with the Office of the Minister for Children where issues in relation to domestic and sexual violence against children arise.

Cosc's focus on domestic, sexual and gender-based violence includes the following tasks:

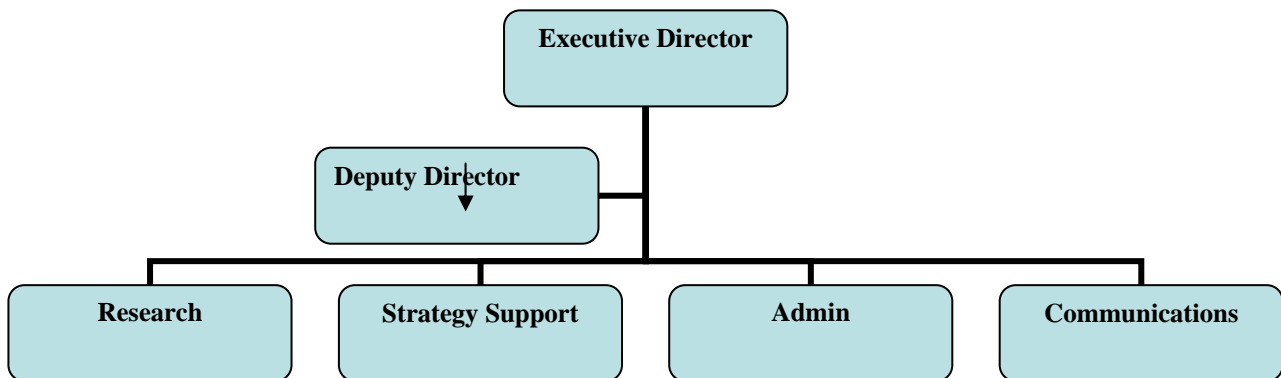
- Working with organisations in the sector to ensure the delivery of a well co-ordinated service to support victims;
- Developing and delivering awareness raising strategies to ensure that victims are aware of the availability of services in their locality and that society is made aware of the extent and impact of behaviours and crimes concerned;
- Developing and implementing strategies and service standards in line with best international practice;
- Further developing standards for service delivery and for training programmes;
- Putting in place strategically based positive actions which work with perpetrators of domestic violence;
- Providing leadership and support to the National Steering Committee on Violence against Women;
- Continuing to implement the recommendations of the 1997 Task Force on Violence against Women;
- Working to establish a body of research to inform future policy directions;
- Representing Ireland at international fora.

Cosc is also expected to propose legislative and policy change.

Structure of Office

Cosc is an Executive Office of the Department of Justice, Equality and Law Reform headed by an Executive Director reporting directly to the Secretary General and the Minister.

The structure of the office is:



Delivery of Service

- Coordinating the development and implementation of policy on the State's response to domestic, sexual and gender-based violence.
- Leading the development of a National Strategy on Domestic and Sexual Violence.
- Facilitating the resolution of key immediate difficulties to address domestic and sexual violence.
- Developing and implementing research programmes, through commissioned and in-house research.
- Disseminating research.
- Leading the development and implementation of awareness campaigns to improve general public and practitioner knowledge of domestic and sexual violence.
- Allocating funding to local, regional and national organisations for awareness raising projects.
- Commissioning awareness raising campaigns at a national level.
- Representing the Department at national and international fora in matters relating to its remit.
- Leading the development of Perpetrator Programmes.
- Allocating funding for the provision of intervention programmes for perpetrators of domestic violence.
- Providing secretarial support and leadership to the National Steering Committee on Violence against Women.
- Ensuring the effective implementation of financial and procurement procedures.
- Ensuring timely responses to PQs and requests for briefing.
- Meeting the requirements of FOI and other legislation.

Classes of Records held

Administration records
Correspondence files
Research reports
Annual reports of various organisations
Financial records
Records on meetings and conferences
Press cuttings
Policy documents
Information publications
Documents relating to national and international legislation, standards and programmes.

These records are maintained on registered paper files, on computer and in the office library.

Further information:

Cosc – The National Office for the Prevention of Domestic, Sexual and Gender-based Violence
Department of Justice, Equality and Law Reform
Floor 2
Montague Court
Montague Street
Dublin 2

Telephone: 01 – 4768680 Fax: 01 – 4768619 Email: cosc@justice.ie

4.4 COURTS POLICY DIVISION

Role of the Division

The role of Courts Policy Division is to co-ordinate and integrate the policy objectives of the Minister and the Government across the wider criminal justice system with the courts system. The Division also discharges ministerial functions in relation to the Courts, including all constitutional and legislative matters related to judicial appointments/salaries, the making of Rules of Court and the preparation of material in relation to the Minister's accountability to the Dáil on court issues.

The Division is also responsible for policy underlying Courts related legislation and the Department's liaison with the Courts Service regarding financial and staffing matters and major court development programmes in the IT and buildings areas. The Division also monitors the effectiveness of the Courts Service and ensures that it is publicly accountable for its activities and provides value for money.

In addition, Courts Policy Division is responsible for the administration of the Criminal Legal Aid Scheme in the areas of policy, preparation of legislation, Estimates and accountability to the Dáil. It is also responsible for the administration of the Ad - Hoc Legal Aid Scheme (CAB), the Garda Station Legal Advice Scheme and the Attorney General's Scheme.

Courts Policy Division is responsible for the following;

(i) Judiciary

- constitutional and legislative matters related to judicial and quasi-judicial appointments/retirements/salaries.
- Rules of Court.
- Court Fees Orders.

(ii) Ministerial Support

- in relation to Oireachtas matters.
- other matters such as legislation impacting on the courts.
- Government policy relating to the courts e.g. Drug Courts

(iii) Courts Service

- funding of the Courts Service Vote, through Estimates process.
- monitor implementation of Administrative Budget Agreement entered into between this Department, Department of Finance and Courts Service.
- monitor effectiveness of services delivered by the Courts Service by reference to performance indicators.

(iv) Legal Aid

- management of the Criminal Legal Aid Scheme and the Ad-Hoc Legal Aid Scheme (CAB)
- management of the Garda Station Legal Advice Scheme.
- administration of the Attorney General's Scheme

Structure of the Division

Courts Policy Division is located at Pinebrook House, 71 – 74 Harcourt Street, Dublin 2 and comprises 13 staff as follows:

Principal Officer
Assistant Principal Officers x 2
Administrative Officer 1
Higher Executive Officers x 2
Executive Officers x 4
Two fulltime & one half-time Clerical Officers

The Division is broken down into two sub-sections. One sub-section deals with the discharge of ministerial functions in relation to the Courts, including all constitutional and legislative matters related to judicial appointments/salaries, rules of court and the preparation of material in relation to the Minister's accountability to the Dáil on court issues and the policy underlying Courts related legislation.

The other sub-section deals with the administration of the Criminal Legal Aid Scheme in the areas of policy, legislation, finance and accountability to the Dáil, the administration of the Ad-Hoc Legal Aid Scheme (CAB) and the Garda Station Legal Advice Scheme and the Attorney General's Scheme and liaison with the Courts Service regarding financial and staffing matters, the courts building and IT programmes and the monitoring of the effectiveness of the delivery of court services. The Division reports to the Assistant Secretary who has responsibility for a number of other areas.

Delivery of Service

The Division provides services to the Minister, the Judiciary, the Courts Service, other Government Departments and International Bodies. The Division also seeks to respond to any queries received directly from the public relating to Courts Policy administration matters for which it has responsibility. The Division also liaises with the legal profession in matters relating to the legal aid/advice schemes.

Information Available

Courts Legislation as set out in Section 16 reference book*
Statutory Instruments including Court Rules*
Iris Oifigiuil Notices* Estimates*
Information supplied for official publications.
Dail/Seanad Debates on Court related matters.
Press Releases/Information/Queries.

Where this Information is available

* These items are available from the Government Publications Office. All other items listed above are available from the Press Office of the Department or Courts Policy Division. Court Information Leaflets are available from the Courts Service. **Information concerning criminal legal aid is available on the Department's website www.justice.ie**

Classes of Records Held

Judicial
Financial
Criminal Legal Aid
Garda Station Legal Advice Scheme
Legislation and Rules of Courts
Courts Policy Administration/Planning
Courts Service Liaison
Miscellaneous

Further Information

Requests for further information in relation to this Division should be addressed to:

**Courts Policy Division,
Department of Justice, Equality and Law Reform,
Pinewood House,
71 – 74 Harcourt Street,
Dublin 2.**

4.5 CRIME I DIVISION

Role of the Division

The Division is responsible for the development and formulation of crime policy in its broad sense, but excluding drugs and organised crime and issues relating to national security. In co-operation with other Divisions in the Department, and in consultation with other relevant State agencies, the Division has responsibility for contributing to the development of a comprehensive strategy to tackle crime, and for ensuring that all relevant public agencies deal with crime in a cohesive way. This involves the development of objectives, and the formulation and promotion of policy initiatives, to assist the Garda Síochána and other agencies in tackling crime with maximum effectiveness. The Division has a significant, and developing, role in the area of crime prevention and related policies. The Division also has responsibility for policy issues in the areas of road traffic law enforcement.

In contributing to the development of a comprehensive strategy to tackle crime, the Division is responsible for the preparation and implementation of plans to achieve delivery outputs, within specific time frames in relation to set objectives.

The role of the Division includes the preparation of:

- i. Draft Memoranda and other briefing material for Government
- ii. Briefing material for the Minister
- iii. Replies to:
 - Parliamentary Questions
 - Oireachtas proceedings, such as Private Members Business, Adjournment Debates and Motions
 - Representations from Members of the Oireachtas
 - Requests from other public agencies for observations on proposals
 - Correspondence and queries from members of the general public
 - Press Queries
 - FOI requests

The compilation of necessary material can involve consultation with other Divisions within the Department, with other public agencies and, to a significant degree, liaison with An Garda Síochána.

The Division is involved in contributing to the development of inter-agency and integrated policies with a view to ensuring that crime policy is addressed in the context of social and economic initiatives undertaken by the State. This involves representation on the National Crime Council as well as on a number of interdepartmental committees and boards which are concerned with the problems of social exclusion and disadvantage.

The Division is represented on other inter-agency committees and advisory panels, as appropriate, such as advisory panels for the Road Safety Authority and the CSO (in relation to crime statistics).

The Division also represents the Department in the European Crime Prevention Network (EUCPN) as well as at meetings of international fora, as appropriate, including EU, Council of Europe and UN.

The efficient administration of the Division involves the effective management of the workload, the preparation and maintenance of work process documentation and the effective use of resources.

Structure of the Division

Crime I Division is located at 94 St. Stephen's Green, Dublin 2, and comprises nine personnel:

Principal Officer (x1)
Assistant Principal Officer (x 3)
Higher Executive Officer (x 2)
Executive officer (x 2)
Clerical Officer (x 1)

Broadly speaking, the Division has three main areas of work:

- Crime and criminal law enforcement policy
- Road traffic law enforcement policy
- Crime prevention policy

With regard to crime and criminal law enforcement policy, the Division administers a wide range of functions, including the development of policy, and the provision of advice, factual data and other information to the Minister. The Division provides information regarding crime to other Divisions within the Department and to other public agencies, as necessary. The Division also deals with a significant number of representations received by the Minister, general correspondence regarding general crime issues and Parliamentary Questions.

In relation to road traffic issues, the Division liaises closely with other stakeholders in the area of road safety, principally An Garda Síochána, the Department of Transport and the Road Safety Authority with a view to strengthening inter-agency co-operation for the purpose of promoting measures to reduce death and serious injury on the roads and observance of road traffic laws generally. In particular, the Division liaises closely with the Garda National Traffic Bureau in Garda Headquarters.

The RAPID (Revitalising Areas by Planning, Investment and Development) Programme targets the most concentrated areas of disadvantage in the State by ensuring that priority attention is given to these areas by Government Departments and State Agencies dealing with disadvantage and local development in the widest sense. 25 target areas in cities and towns have been selected and, in addition, 20 towns for priority investment and frontloading of funding under the National Development Plan 2007-2013. The Division acts as the Department's representative on the RAPID National Monitoring Committee and co-ordinates and supports the implementation of the RAPID Programme by the Garda Síochána, Probation Service and relevant Divisions of the Department.

Crime prevention responsibilities include participation in, and funding of, the National Crime Council, and funding and monitoring of a range of social and situational measures, such as Community Alert and Neighbourhood Watch.

The Division is an active participant in the European Crime Prevention Network which was established by the EU to provide a mechanism whereby information on crime prevention strategies

could be disseminated among Member States. The work of the Network includes exchanges of examples of best practice initiatives from Member States in specific areas of crime prevention.

The Garda Síochána Act 2005 provides for the establishment of a joint policing committee in each local authority administrative area. The purpose of the committee is to provide a forum where the local authority and the senior Garda officers responsible for the policing of that area, with the participation of Oireachtas members and community interests, can consult, discuss and make recommendations on matters affecting the policing of the area. The Division is responsible for the monitoring of the committees in accordance with guidelines issued by the Minister after consultation with the Ministers for the Environment, Heritage and Local Government and Community, Rural and Gaeltacht Affairs.

Division's Delivery of Service

- Directly to the public in correspondence or by phone
- Parliamentary Questions
- Responses to Oireachtas proceedings
- Representations from members of the Oireachtas
- Press queries
- Responses to other public agencies and the Garda Síochána
- Boards and Inter-Departmental committees
- Contribution to EU, Council of Europe and international fora

Information available

As well as the wide body of legislation and reports which impact on the general administration and operation of the criminal justice system, the following specific reports are relevant to the work of the Division (in addition to a number of research reports on specific issues).

Reports

- Annual Reports of Garda Commissioner
- CSO statistical releases
- Reports of the National Crime Council
- National Road Safety Strategy
- Guidelines for Joint Policing Committees
- Garda Síochána Policing Plan

Where the information is available

Copies of the reports can be purchased directly from Government Publications Sales Office, Molesworth Street, Dublin 2, or may be accessed on the relevant Government websites.

Classes of Records Held

Records may be classified under the following headings:

- General Administration of the Division
- General Policy Issues
- Parliamentary Questions and other Oireachtas matters
- Ministerial briefings, queries etc
- General Correspondence
- Files relating generally to crime and traffic issues
- Files relating to Interdepartmental Committees
- Media material
- Working papers concerning the EUCPN and other international fora

Further Information

Requests for further information about any matters in relation to this Division should be addressed to:

**Crime I Division,
Department of Justice, Equality and Law Reform,
94 St. Stephen's Green,
Dublin 2.**

4.6 CRIME II DIVISION

Role of the Division

The Unit was established in August 1996 to develop the Department's policy response to the problems of drugs, money laundering and organised crime. The role of the unit in relation to these areas of responsibility includes :-

- Developing the Department's policy advice in relation to local, national and international issues. This is achieved by reviewing existing policy in the context of its effectiveness, identifying areas which require further new policy initiatives and identifying and evaluating options, in consultation with An Garda Síochána.
- Ensuring the implementation of and monitoring the progress of the Government's drugs/crime packages.
- Contributing to the development of multi agency, integrated policies to deal with the drugs problem at international, national and local level.
- Contributing to the development and implementation of policies to deal with other organised crime phenomena.
- Facilitating the effective operation of the Criminal Assets Bureau by reviewing the powers and resources it requires to achieve its objectives and seeking additions as necessary.
- Participating in meetings of the United Nations, European Union, Council of Europe and other International Bodies to ensure the optimal co-ordinated international policy response, to keep up to date with international developments and to maximise co-operation with other countries in dealing with the considerable international aspects of drugs, money laundering and organised crime (this also includes negotiating and concluding bi-lateral agreements on the issues of drugs and organised crime with other countries).
- Contributing to the development and implementation of multi-agency, integrated policies to deal with the human trafficking at an International, national and local level. Participation on policy development relating to Operation Pentameter II and trafficking in general
- The preparation of :-
 - (i) Draft Memoranda/Aide Memoire for Government
 - (ii) Briefing and speech material for the Minister and other Government Departments as required
 - (iii) Replies to :-
 - Parliamentary Questions
 - Adjournment Debates etc.
 - Representations from members of the Oireachtas
 - Representations from the public
 - Internal Departmental queries
 - Phone queries from other Departments, members of the public etc.
 - Questionnaires both National and International concerning the Divisions' areas of responsibility
 - Press Queries
 - Requests made under the Freedom of Information Act

This work involves compilation of material through consultation with other Divisions within the Department, other Government Departments/Offices, Garda Management and other Statutory Agencies as necessary.

- The Division represents the Department on a wide range of working groups which are in place under the Government's drug policy framework of the National Drugs Strategy.

- Administration of Division, ensuring adequate resources to fulfil the role of the Division, personnel matters, management and control of the workload.

Structure of the Division

Crime II is located at 94 St Stephen's Green, Dublin 2 and has 8 members of staff.

1 Principal Officer
3 Assistant Principal Officers
2 Higher Executive Officers
1 Executive Officer
1 Clerical Officer

Classes of Records held

The information held by the Crime II Division is related to issues/policies and personal material held, if any, is usually only incidental. All files are paper based with electronic records also being held. Records held by Crime II relate to the entirety of the work of this Unit and may be classified as follows:-

- Internal Administration of Unit
- Drugs General / National Drugs Strategy
- Criminal Assets Bureau
- Money Laundering
- Organised Crime
- P.Q's, Speeches, Briefing Material, Adjournment Debates, Press Cuttings
- Representation on and documentation regarding Committees, Working Groups, Steering Groups (Irish and International)
- Bilateral Agreements
- Seminars and Conferences (Irish and International)
- Human Trafficking
- OECD Bribery and Corruption

Delivery of Service

- Directly to the public upon request in writing or by phone/e-mail.
- Representations from members of the Oireachtas
- Parliamentary Questions
- Press queries via the Press Office
- Inter-Departmental Committees
- Working Groups and Steering Groups (Irish & International)
- National Drugs Strategy Team and its related structures
- To other Government Departments and Agencies.

Information Available

Reports :-

The Division holds copies of reports produced by the Department and other Agencies/Departments which concern its areas of work – drugs/organised crime/human trafficking. Some examples of this would include the following: Garda Síochána Annual

Reports, Criminal Assets Bureau Annual Report, National Crime Forum Report, Ministerial Task Force Report on Drugs, Tackling Crime Discussion Paper, National Drugs Strategy 2001-2008. Local and Regional Drugs Task Forces documentation.

The Division also holds copies of all legislation relevant to its work programme.

Where the information is available at present

Published Reports and Copies of Legislation can be purchased :-

- (a) directly from the Government Publications Office, Sun Alliance House, Molesworth Street, Dublin 2.
- (b) By mail order from Government Publications, Postal Trade Section,4/5 Harcourt Road, Dublin 2. (Phone 01 6613111 Extension 4040/4045: Fax 01 4752760).
- (c) Through any Bookseller.
- (d) A number of these reports are also directly available from the Departments website at www.justice.ie

Further Information

Requests for any further information on the Division should be addressed to:

**Crime II Division,
Department of Justice, Equality and Law Reform,
94 St. Stephens Green,
Dublin 2**

4.7 CRIME IV DIVISION

Role of the Division

Crime IV Division has primary responsibility for the administration of the Firearms Acts 1925 to 2007 and the Explosives Act 1875, and related legislation.

This Division also has responsibility for the Department's role in the Proposal for a Council Framework Decision on the protection of personal data proceeded in the framework of police and judicial co-operation in criminal matters. It also has responsibility for the Department's role in the GRO Initiative (Graffiti Removal Operation). Furthermore, it will have a role in preparing vetting legislation.

Structure of the Division

The Division is located at 94 St. Stephen's Green, Dublin 2 and comprises 16 personnel:

Principal Officer

Assistant Principal Officer (2.6)

Higher Executive Officer (1.6)

Executive Officer (x 2)

Staff Officer

Clerical Officer (x 4)

Three Government Inspectors of Explosives are assigned to the Division. They hold a statutory appointment under the Explosives Act, 1875 and advise the Minister on technical matters relating to explosive substances. Two of the Inspectors are additionally appointed as Inspectors under Section 6 (2) of the Carriage of Dangerous Goods by Road Act, 1998 and so carry out the Minister's responsibilities as a Competent Authority under the Carriage of Dangerous Goods by Road Regulations. The third inspector holds the position of Firearms Range Inspector and his duties include the examination of applications for the authorisation of rifle/pistol shooting ranges, and the inspection of rifle/pistol shooting ranges

The main functions of the Division are as follows:

(a) Register of Firearms Dealers

In accordance with the provisions of the Firearms Acts, firearms dealers are registered in the Register of Firearms Dealers. Registration must be renewed annually.

(b) Firearms/Ammunition

Processing of applications for:

- (i) Importation Licences;
- (ii) Export Licences;
- (iii) Transfer authorisations for export to EU States

(c) Explosives

The Division has responsibility for the development of legislation and policy in the area of explosives. Also, the processing of applications relating to explosives under the following headings:

- (i) Importation;
- (ii) Storage;
- (iii) Manufacture;
- (iv) Transportation;
- (v) Bye Laws for the conveyancing, loading and unloading of explosives in Ports.

(d) Graffiti Removal Project

This Department, in conjunction with the Department of Environment, Heritage and Local Government and the Department of Community, Rural and Gaeltacht Affairs embarked on a pilot project, the GRO initiative, aimed specifically at combating graffiti in Dublin City, Galway City and Bray, Co. Wicklow. The project commenced in August 2006.

(e) Framework Decision on Data Protection

The Division has responsibility for negotiation of the EU Proposal for a Council Framework Decision on the protection of personal data processed in the framework of police and judicial co-operation in criminal matters. This proposed Framework Decision provides for specific safeguards against the improper processing of personal data in the context of the sharing of information and intelligence between law enforcement agencies within the EU.

(f) Vetting Legislation

The Division will be involved in preparing legislation.

(g) Liaison with Department of Foreign Affairs, Department of Transport and the Department of Communications, Marine and Natural Resources

The Department of Foreign Affairs, regarding;

- (i) landings and over flights of military aircraft*,
- (ii) landings and over flights of military aircraft carrying munitions of war and /or dangerous goods,
- (iii) research cruises and routine and informal visits of Naval vessels*,
- (iv) wearing of foreign military uniforms e.g. weddings/funerals,

The Department of Transport regarding;

- (i) landings and over flights of civilian aircraft carrying munitions of war and/or dangerous goods,

The Department of Communications, Marine and Natural Resources regarding;

- (i) onshore and offshore drilling,
* visits by VIPs are handled by another Division.

(h) The work of the Division also includes the preparation of:

- (i) Draft Memoranda and other briefing material for Government;
- (ii) Briefing material for the Minister;
- (iii) Draft replies to:-
 - Parliamentary Questions
 - Oireachtas proceedings, such as Adjournment Debates and Motions;
 - Representations from Members of the Oireachtas;
 - Correspondence and queries from members of the general public;
 - Press Queries

The work involves consultation with other Divisions within the Department, the Garda Síochána, other Government Departments, Local Authorities, and Customs.

The Division is represented at meetings of international fora, as appropriate, including E.U., Council of Europe and the U.N.

The efficient administration of the Division involves the effective management of the workload, the preparation and maintenance of work process documentation and the effective use of resources.

Delivery of Service

- Directly to the public in correspondence or by phone
- Parliamentary Questions
- Responses to Oireachtas proceedings
- Representations from Members of the Oireachtas
- Press Queries
- Responses to other public agencies and the Garda Síochána
- Inter-Departmental Committees
- Contributions to E.U. and other international fora

Further Information

Requests for further information about any matters in relation to this Division may be addressed to:

**Crime IV Division
Department of Justice, Equality and Law Reform,
94 St. Stephen's Green,
Dublin 2.**

4.8 CRIMINAL LAW CODIFICATION SECRETARIAT

Role of the Secretariat

The role of the Criminal Law Codification Secretariat is to provide administrative support to the Criminal Law Codification Advisory Committee to assist it in its work. The Advisory Committee is a statutory body established under Part 14 of the Criminal Justice Act 2006 to oversee the development of a programme for the codification of the criminal law.

Structure of the Secretariat

Director (Principal Officer)
Assistant Principal Officer
2 Interns (Temporary assignments)
Executive Officer
Clerical Officer

Delivery of Service

The main service delivered by the Criminal Law Codification Secretariat is the provision of administrative support for the Criminal Law Codification Advisory Committee.

Information Available

- Part 14 (Criminal Law Codification Advisory Committee) of the Criminal Justice Act 2006.
- Report of the Expert Group on the Codification of the Criminal Law (November 2004).
- Work Programme of the Criminal Law Codification Advisory Committee.
- Annual Reports of the Criminal Law Codification Advisory Committee.
- Consultation papers on specific issues related to codification of the criminal law.

This information is available on the Advisory Committee's website www.criminalcode.ie

Classes of Record Held

The Secretariat holds records and files on:

- the administration of the Criminal Law Codification Advisory Committee
- the work programme of the Advisory Committee

- the internal administration of the Secretariat
- codification research
- consultation papers
- submissions
- draft legislation.

Further Information

Requests for further information should be addressed to:

**Criminal Law Codification Secretariat
UCD School of Law
Roebuck Castle
University College Dublin
Belfield
Dublin 4**

4.9 DISABILITY EQUALITY DIVISION

Role of the Division

The role of the Disability Equality Division is to develop the legal framework in line with Government policy to support the equal participation in society of people with disabilities. It was established in 1997 arising out of a recommendation by the Commission on the Status of People with Disabilities in their report of 1996.

As well as monitoring the implementation of disability mainstreaming policy in public services, the unit also administers funding for the National Disability Authority (NDA). The responsibilities of the NDA are to:

- advise and assist with disability equality policy development;
- undertake relevant research; and
- support the development of standards in services for people with disabilities.

The NDA was established in June 2000 under the National Disability Authority Act 1999.

The Disability Equality Division also contributes to and monitors progress in the development of international equality policy at European Union, Council of Europe and United Nations levels and strives to raise awareness of disability equality access issues.

Structure of the Division

Principal Officer
Assistant Principal Officer x 2.5 (includes 3 work sharing APOs)
Administrative Officer x 2
Executive Officer x 1
Clerical Officer x 1.

Classes of Records Held

The Division holds files on the development of policy and legislation on each of the subjects referred to hereunder. The Division also has general instructions/guidelines. Relevant EU directives and other instruments are also held as are European Court of Justice judgements.

- Accessibility
- Disability Awareness
- Legislation
- Funding Programmes
- Policy in Ireland
- International Policy
- National Disability Authority
- People with Disabilities in Ireland

Information Available

Disability Act 2005

Further Information

Requests for further information should be addressed to :

**Disability Equality Division,
Department of Justice Equality & Law Reform,
Floor 2,
Bishops Square,
Redmond's Hill,
Dublin 2.**

4.10 DIVERSITY & EQUALITY LAW DIVISION

Role of Division

The Diversity & Equality Law Division encompasses three policy areas under the management of two Principal Officers.

- 1) Equality Law
- 2) Travellers
- 3) Anti-Racism

Equality Law is responsible for developing the policy and the legal framework to advance equal opportunities and to promote the development of a more equal society:

- In the area of (1) employment and (2) maternity and parental leave
- In the access to goods, facilities and services (3)

The Division has particular responsibility for issues around race and membership around the Travelling Community.

The Division works to promote greater respect for the person and for diversity, equality and cultural difference, primarily through legislative and administrative mechanisms.

Structure of the Division

Principal Officer x 2
Assistant Principal Officer x 3
Higher Executive Officer x 2
Administrative Officer 1
Executive Officer x 4
Clerical Officer x 2

Delivery of Service

In the area of employment and family friendly policies the role of the Division is to develop policy and law to promote equal opportunities in employment. The Division's services are delivered by development of proposals for legislation and for other equality initiatives, by interaction with other Government Departments and the Attorney General's Office, by representation at national and international meetings dealing with equality issues; by contact with relevant interest groups; by chairing and servicing relevant committees; and by preparation of required reports.

In the access to goods, facilities and services the role of the Division is pursued through institutional, administrative and legal steps and reforms. The Division's services are delivered by interaction with the Oireachtas and the Government Departments; representation of the Department at domestic and international meetings dealing with equality/diversity issues; by contacts with relevant interest

groups; by chairing and servicing relevant committees; and by preparation of required reports. The Division is fundamentally a policy area and does not provide services directly to the public. However, if members of the public contact the Division, staff will assist in guiding callers to the appropriate services.

Information Available

- Employment Equality Act, 1998 -2007 - Explanatory Booklet
- Equality Infrastructure - Explanatory Booklet
- Maternity Protection Act, 1994 and 2004 - Explanatory Booklet
- Adoptive Leave Act, 1995 - Explanatory Booklet
- Parental Leave Act, 1998 - Explanatory Booklet
- Equal Status Legislation, enactment of;
- Equal Status Acts 2000 and 2004;
- Equality Proofing; Partnership 2000 Working Group Report on Equality Proofing
- Consolidated Text of the Employment Equality Acts 1998 and 2004
- Consolidated Text of the Equal Status Acts 2000 to 2004
- Traveller Issues, including follow-up to: the report of the Task Force on the Travelling Community (1995);
- The Report of the High Level Group on Traveller Issues (2006)
- National Anti-Racism Awareness Programme, Know Racism (2001 -2003);
- Programmes for Government;
- World Conference Against Racism and follow up actions
- National Action Plan Against Racism (2005 – 2008)
- National Consultative Committee on Racism and Interculturalism
- First National Report by Ireland to the United Nations Committee on the Elimination of All Forms of Racial Discrimination

The Division also has general instructions/guidelines. Files relating to relevant EU directives; other international instruments (Council of Europe and United Nations) and international bodies (e.g. European Commission, European Commission Against Racism and Intolerance (ECRI), the European Fundamental Rights Agency and the United Nations Committee on the Elimination of all Forms of Racial Discrimination) are also held.

Publications available from the Government Publications Sales Office, Molesworth St. Dublin 2:

Changes in Maternity & Adoptive leave, S.I. No's 51 and 52, 2006

Changes in Adoptive Leave, S.I. No. 724, 2005

Commencement of Section 24 of the Maternity Protection (Amendment) Act 2004, S.I. No 131, 2005

First National Report by Ireland to the United Nations Committee on the Elimination of All Forms of Racial Discrimination

Report of the Task Force on the Travelling Community July 1995

1st Progress Report of the Committee to Monitor and Co-ordinate the implementation of the Task Force on the Travelling Community December 2000

2nd Progress Report of the Committee to Monitor and Co-ordinate the implementation of the Task Force on the Travelling Community December 2005

Publications available on the Department of Justice, Equality and Law Reform website
www.justice.ie

Parental Leave Act 1998 and
Parental Leave (Amendment) Act 2006

Adoptive Leave Act 1995
Changes in Adoptive leave S.I. No 724 of 2005

Maternity Protection Acts 1994
Changes in Maternity and Adoptive Leave S.I. 51 and 52 of 2006

Equal Status Acts 2000 -2004

Employment Equality Acts 1998 -2007

Report of the Working Group on Insurance Related issues in the Gender non-employment Directive

1st Progress Report of the Committee to Monitor and Co-ordinate the implementation of the Task Force on the Travelling Community December 2000

2nd Progress Report of the Committee to Monitor and Co-ordinate the implementation of the Task Force on the Travelling Community December 2005

Towards a National Action Plan Against Racism in Ireland March 2002

Value for Money Management Audit of the Citizen Traveller Campaign and the Preparation of a Report on the Financial Position October 2002

Diverse Voices: Summary of the Outcomes of the Consultative Process and a Proposed Framework for the National Action Plan Against RACISM July 2003

Planning for Diversity - The National Action Plan Against Racism

Further information is available from the Equality Authority Website: www.equality.ie

Further information is available on the Diversity Website: www.diversityireland.ie

Classes of Records Held

- Employment Equality Legislation
- Maternity Protection Legislation
- Adoptive Leave Legislation
- Parental Leave Legislation
- Corporate Governance of Equality Infrastructure
- European Court of Justice Case Law
- Equality Files relating to dealings with International Organisations and Instruments – EU; ILO; OECD.
- Issues relating to employment equality

Further information

Requests for further information can be forwarded to:

**Diversity and Equality Law Division
Department of Justice, Equality & Law Reform,
Bishop's Square,
Redmond's Hill,
Dublin 2.**

4.11 FINANCIAL MANAGEMENT DIVISION

Role of the Division

The primary role of the Financial Management Division is the management of the financial resources available to the Department and associated agencies.

The main functions of the unit are:

- Planning and controlling of budgets within the Department and associated agencies
- Implementation of the core features of the Management Information Framework (MIF) throughout the Department and associated agencies
- Developing and implementing structures in regard to Resource Allocation and Business Planning (RABP) and production of the Annual Output Statement
- Co-ordination of Value for Money (VFM) activities in relation to the Department and associated agencies
- Monthly management information reporting
- Ongoing development of the departmental financial management system
- Ensuring custody and control of Department assets

Structure of Division

**Accountant
Administrative Officer
Staff Officer
Clerical Officer**

Classes of records held

- Financial estimates and other budgetary details
- Financial Reports
- Budget Management Reports
- Financial Requests and Correspondence

Further Information

Requests for further information should be addressed to:

**Financial Management Division
Department of Justice, Equality and Law Reform
Pinebrook House
71 – 74 Harcourt Street
Dublin 2**

4.12 FINANCIAL SHARED SERVICES CENTRE

Role of Centre

The Financial Shared Services Centre of the Department of Justice, Equality and Law Reform is responsible for the provision of an accounting service to the Department and its associated Agencies in that it:-

- Maintains records of expenditure for the provision of statutory required accounts on both cash and accrual basis. These accounts are presented to the Comptroller & Auditor General each year and are subsequently published.
- Maintain and utilise systems to produce salary payments for members of the Garda Síochána, the Prison and Courts Services, Property Registration Authority, National Museum and National Library, Department of Justice, Equality & Law Reform and Departments of the Taoiseach and Arts, Sport and Tourism. These payments are made on a weekly and fortnightly basis.
- Processes both statutory and non-statutory deductions from pay and effects the relevant payovers to the various bodies concerned.
- Calculates and effects payment of both the pensions and gratuities for retired members of the Garda Síochána. Pension payments are made monthly.
- Calculates pensions and gratuities for retired unestablished civilian staff and effects payment of gratuities.
- Produces payments for all invoices received. These payments are processed on a daily basis and are subject to the provisions outlined in the Prompt Payment of Accounts Act, 1997.
- Processes payment of fees and expenses to both Barristers and Solicitors who provide their services under the Criminal Legal Aid Scheme and the Attorney General's Scheme.
- Monitors and controls various Imprest accounts and processes all claims from staff for reimbursement of expenses incurred while on official business.
- Accepts and brings to account all Departmental receipts.
- Co-ordinates, submits, and negotiates the Department's annual estimated expenditure requirements with the Department of Finance.
- Operates financial controls and provides financial reports and information to help ensure proper financial management.

Structure of the Centre

Assistant Principal Officer (x5)
Higher Executive Officer (x17)
Executive Officer (x39)
Staff Officer (x9)
Clerical Officer (x100)
Services Officer (x3)
Services Attendant (x1)
Accountants (x3)

Delivery of Service

The Financial Shared Services Centre deals directly with members of the public in that it processes payments of invoices for goods or services supplied to the Department as a whole and it is subject to the Prompt Payment of Accounts Act, 1997 in this regard. In administering this function various phone calls/correspondence are entered into for the purpose of clarification.

The remaining customers are direct or indirect employees of the Department engaged on a permanent, temporary or contract basis and service relates to the payment of salaries in these cases. In administering this function various phone calls/correspondence are entered into for the purpose of clarification.

Information available

The Financial Shared Services Centre produces an Annual Report on the Garda Síochána Superannuation Schemes under the provisions of the Pensions Act, 1990 and the Occupational Pensions Scheme (Disclosure of Information) (No. 2) Regulations 1998. The Financial Shared Services Centre also supplies material for inclusion in the following published volumes which are available from the Government Publications sales Office:-

- Annual Report of the Comptroller & Auditor General and Appropriation Accounts – *The Comptroller and Auditor General*.
- Annual Estimates for the Public Services (Abridged Version) & Summary Public Capital Programme – *The Department of Finance*.
- Annual Revised Estimates for the Public Service – *The Department of Finance*.
- Annual Report of State Investment in Science & Technology – *Forfas*.
- Annual Report of the Criminal Assets Bureau.
- Annual Report of the Office of the Data Protection Commissioner.
- Annual Report of the Courts Service.
- Strategy Statement of the Department of Justice, Equality & Law Reform.
- Annual Report of the Department of Justice, Equality & Law Reform.

Classes of Record Held

Records are held in both electronic and paper form as follows:-

Personal Information

- Details of expenses paid to staff in respect of official travel.
- Payroll information e.g. Name, date of birth, incremental date, rate of payment, cumulative pay to date, tax details and other deductions from pay, are held electronically.
- Details of sick leave, annual leave, infringements and applications for special leave for staff in Financial Shared Services Centre are held on paper file.
- Salary, pension and deduction details on both paper and electronic files in Personnel number order.
- Electronic file index system for Garda Pensioners by Garda Number.
- Information on Withholding Tax deductions in the case of payment to professional customers are held electronically.
- Details of awards made as a result of compensation court cases.
- Paper files on Departmental credit card holders and bank signatories.
- Claims for fees and expenses incurred by Barristers and Solicitors operating under the Criminal Legal Aid Scheme and Attorney General's Scheme contain information as to the name of defendant, alleged offences on paper file.
- Claims from witnesses (Psychiatrists, Doctors) involved in Criminal Legal Aid, may include limited details regarding nature of examinations carried out e.g. mental status etc. on paper file.
- Name of defendants and indicators as to whether offence is murder related or not under the Criminal Legal Aid system are held electronically.
- Earnings of Barristers and Solicitors operating under the Criminal Legal Aid Scheme and Attorney General's Scheme are held electronically.

Non - personal Information

- Notification of salary increases, overtime and sanction to pay allowances are held on paper files.
- Statistical information on allowances and recommendations on paper files.
- Central list of Department of Finance sanctions both electronically and on paper.
- Standard rates (e.g. Mileage, subsistence, withholding tax etc.) are held both electronically and on paper.

- Details of payments (e.g. Invoices, authorisation forms etc.) are held both electronically and on paper for 7 years in payment date order.
- Paper files outlining details of amounts paid over to various bodies on foot of deduction at source facilities on each payroll.
- Computer listings of various types outlining, the validation and calculation steps of payrolls, details of payable order amounts and payees for the Pay Master General (PMG).
- Fee structure of District and Circuit Court appearances and prison visits are stored electronically.
- Informal paper files are held containing correspondences with DPP's Office, Courts Division and the Attorney General's Office regarding clarification of fees sought and requesting interpretations on the Criminal Legal Aid Scheme regulations.
- Informal paper files with statistical information on payments and management of the Criminal Legal Aid Scheme and Attorney General's Scheme are held.
- Unusual precedents and non-standard payments are retained on both electronic and paper file.

Further Information

Requests for further information should be addressed to:

**Financial Shared Services Centre,
Department of Justice, Equality and Law Reform,
Killarney,
Co. Kerry.**

4.13 FREEDOM OF INFORMATION DIVISION

Role of the Division

The Freedom of Information Unit is the first point of contact for persons seeking information under terms of the Freedom Information Act, as amended. It is responsible for ensuring that all FOI requests submitted to the Department are processed in accordance with time limits set out in the Acts.

Structure of the Division

Assistant Principal Officer

Executive Officer

Clerical Officer

Delivery of Service

The FOI Unit provides a service to all individuals who make a request, or seek guidance on any aspect of the Freedom of Information Acts, 1997 and 2003. For further information on how to make an application under the Act, please see Chapter 1.

The Unit also has contact with Divisions within the Department in the co-ordination and processing of FOI requests.

The FOI unit provides statistics to the Central Policy Unit (CPU), Department of Finance which has overall responsibility for the operation of the FOI Act, and provides guidance to all Departments on Freedom of Information policy matters.

The Unit works closely with the Information Commissioner's Office, who provides an independent review of decisions reached within each Department where appropriate under the provisions of Section 34 of the Act.

Information Available

- Department of Justice, Equality & Law Reform Section 15 & Section 16 Reference Books;
- Freedom of Information Request forms;
- Freedom of Information leaflets;
- Information Commissioners leaflets;
- List of bodies which come within the scope of the Act;
- Short guide to the Freedom of Information Act;
- Department of Justice, Equality & Law Reform information booklets.

Classes of Records Held

Non Personal

- ◆ Minutes of the Freedom of Information InterDepartmental Working Group which consists of members of each Department. The role of the group is to co-ordinate the implementation of the FOI and provide advice on policy;
- ◆ Minutes of the Freedom of Information Civil Service User's Network (CSUN) which consists of members from each Department. The role of the network is to ensure best practises are observed by sharing and co-ordinating information, and promote best practises. The CSUN focuses on practical issues in the implementation of the FOI;
- ◆ High Court Rulings regarding FOI Requests appealed to the High Court;
- ◆ Decisions on appeals to the Information Commissioner;
- ◆ Statistical information on FOI Requests dealt with by the Department;
- ◆ Information regarding the training of decision makers ;
- ◆ Guidance Notes on FOI Act;
- ◆ Training courses for staff ;
- ◆ Ministerial Certificates (Sec 25(7) provides for the Minister to declare a record exempt).
- ◆ Secretary General Certificates (Sec 20 provides for the Secretary General to declare a record exempt).

Personal

- Details of requests and decisions made are held on both paper and computer.

Further Information:

Information can also be obtained by contacting:

FOI Division,

Department of Justice, Equality & Law Reform,

Pinebrook House

71-74 Harourt Street

Dublin 2.

Lo Call Number: 1890-221227, ext. 8408/8417, e-mail: FOI@Justice.ie

Further information is also available on the Department's website www.irlgov.ie/Justice

4.14 GARDA DIVISION

Role of the Division

One of the principal functions of the Department of Justice, Equality and Law Reform is the preservation of law and order and the security of the State through the development of policy and the provision of resources for the Garda Síochána. The Garda Síochána Acts 2005 to 2007 provide a role for the Minister and the Department of Justice, Equality and Law Reform in setting the strategic direction for the Garda Síochána and in holding the force to account for implementing strategy.

Structure of the Division

Garda Division is made up of four separate units

- Finance & Resources
- Human Resources Policy
- Accountability
- Governance & Performance Policy

Each unit is headed by a Principal Officer who reports to the Assistant Secretary in charge of Garda Division. All units are located at Pinebrook House, 71-74 Harcourt Street, Dublin 2.

4.14.1 GARDA ACCOUNTABILITY DIVISION

Role and Functions of the Division

The Garda Accountability Unit is responsible within Garda Division for

- dealing with civil actions taken against the State in respect of certain actions of the Garda Síochána
- managing claims for compensation from members of the Garda Síochána under the Garda Síochána Compensation Acts 1941-1945
- the provision of support for and policy advice in relation to the work of the Morris Tribunal of Inquiry, the Rossiter Inquiry and the Expert Group on the Assessment of the fitness of suspects to be interviewed established in conjunction with the Dean Lyons Commission of Investigation
- managing the ex-gratia scheme for the payment of legal fees for members of the Garda Síochána,
- providing support for and policy advice in relation to the non financial aspects of Garda Síochána Ombudsman Commission and the Garda Síochána Complaints Board, and
- dealing with serious complaints and allegations to the Minister against the Garda Síochána.

Structure of the Division

1 Principal Officer
2 Assistant Principal Officers
3 Higher Executive Officers
2 Executive Officers
2 Clerical Officers

Civil Actions taken against An Garda Síochána

Civil actions may be taken against the Minister and / or (since 2006) the Commissioner in respect of the Garda Síochána. These actions may arise from non-malicious injuries to Gardaí, injuries to civilians on Garda premises, legal actions taken by Gardaí and legal actions arising from acts or omissions by the Garda Síochána and traffic accidents involving Garda vehicles.

Such cases were handled by the Department up until 2000. At that time, the role of the National Treasury Management Agency was extended to provide for the establishment of a State Claims Agency and other services. The Claims Agency handle claims against the State for compensation or damages for loss of life or personal injury, or loss of or damage to property. In respect of claims relating to the Gardaí, the Agency handles claims relating to personal injury only, including damaged property & hearing loss claims. All other actions are handled directly by the Department. There are also a number of cases predating the setting up of the Agency which are still managed by the Department.

Compensation claims relating to An Garda Síochána

The Garda Síochána (Compensation) Acts, 1941 and 1945 provide for a scheme of compensation for members of An Garda Síochána who are maliciously injured in the course of their duty or in relation to the performance of their duties as members of An Garda Síochána and for the dependants of members who have died from injuries maliciously inflicted on them.

In accordance with the provisions of section 6 of the 1941 Act, a member of the Garda Síochána who has been maliciously injured, may apply for compensation under the Acts only by an authorisation issued by the Minister for Justice, Equality and Law Reform. Decisions on amounts awarded in non minor cases authorised by the Minister are made by the High Court.

The processing of an entitlement to compensation under the Acts commences upon receipt of the completed Form 2 application signed by the member. Under section 5 (b) of the 1941 Act, the statutory time allowable for receipt of the application is three months.

Delivery of Service

In relation to the administration of Civil actions, customers of the Unit are as follows:

Internal Customers

Financial Shared Services Section

External Customers

Solicitors acting on behalf of Plaintiffs

Chief State Solicitor's Office

Attorney General's Office

Counsel

Garda Síochána Headquarters

Department of Finance

State Claims Agency

In relation to the operation of the Garda Síochána (Compensation) Acts, 1941 and 1945, customers of the Unit are as follows: -

Internal Customers

Financial Shared Services Section

External Customers

Solicitors acting on behalf of applications under the Acts,

Chief State Solicitor's Office

Garda Síochána Headquarters

Department of Finance

Counsel

Applicants under the Acts

Other customers of the Unit include the Garda Síochána Ombudsman Commission, the Garda Síochána Complaints Board, the Morris Tribunal, the Rossiter Inquiry and members of the public.

Classes of Records Held

Records held by Garda Accountability Unit are in both paper and electronic form. Paper records are held on centrally registered files under the following series:

- Individual files opened in relation to civil actions against the Garda Síochána.
- Individual files opened on members of the Garda Síochána seeking compensation under the Garda Síochána (Compensation) Acts, 1941 and 1945
- Files opened in relation to the administration of the Morris Tribunal, Rossiter Inquiry, the Dean Lyons Inquiry and the Expert Group on interviewing of vulnerable suspects.
- Files opened in relation to correspondence with the Garda Síochána Ombudsman Commission and the Garda Complaints Board
- Files opened in relation to correspondence regarding serious complaints and allegations made to the Minister against the Garda Síochána

Electronic Records

Electronic records for Garda Accountability Section are held on five dedicated databases:

(1) Garda Section Document Management Library

This database, operative from June, 2006, holds records of the work of Garda Section to date.

(2) Garda Section File Registry

This database, operative from June, 2006, records the category, sub-category and subject of matters pertaining to the work of Garda Section.

(3) Garda Accountability File Registry

This database, operative from November, 2003, records the category, sub-category and subject of matters pertaining to the work of Garda Accountability Section to June, 2006.

(4) Garda Compensation Database

This contains details of applications made under the Garda Síochána (Compensation) Acts, 1941 and 1945 including details of injury, award and legal costs in each case.

(5) Garda Civil Claims Database

This database, introduced in 2002 for the purpose of recording civil actions taken against members of An Garda Síochána, contains case details, case totals and total amounts paid per year.

Older electronic records for the Unit are held on four old databases as follows;

(1) Garda Accountability Document Management Library

This database, operative from November, 2003, holds records of the work of Garda Accountability Section to June 2006.

(2) Garda 3 Document Management Library

This database, operative from November, 2003, holds records of the work of the Garda 3 Section to June, 2006.

(3) Garda 3 File Registry

This database, operative from November, 2003, records the category, sub-category and subject of matters pertaining to the work of Garda 3 Section to June, 2006.

(4) 'Old' Garda 3 Document Library

This database holds records created prior to November, 2003

Information Available

A list of current information sources relevant to the Division's area of responsibility follows:

- Annual Reports of the Department of Justice, Equality and Law Reform;
- Annual Reports of An Garda Síochána;
- Discussion Paper on Ireland's Involvement in International Police Missions (1999);
- Report of The Garda Síochána Physical Competence Test Review Group;
- Report of the Steering Group on the Efficiency and Effectiveness of the Garda Síochána (Department of the Taoiseach, November 1997);
- Notes for Candidates for Recruitment to An Garda Síochána;
- Annual Abridged Estimates Volume (Department of Finance);
- Annual Estimates Volume (Department of Finance);
- Annual Appropriation Accounts (Department of Finance);
- Value for Money Examination on Garda Transport (Comptroller and Auditor General, August 1995);
- Official Journal of the European Communities;
- Report of the Garda Síochána Act 2005 Implementation Review Group;
- An Garda Síochána Policing Plan 2007;
- Annual Report of the Garda Síochána Ombudsman Commission;
- Reports of the Advisory Group on Garda Management and Leadership Development;
- Reports of the Garda Inspectorate;
- Strategic Management Initiative (An Garda Síochána) and
- Policing the New Ireland (A Progress Report) – Report of the Department of Justice, Equality and Law Reform.
- Purchasing of Tyres by the Garda Síochána (Comptroller and Auditor General, November, 2001);
- Annual and Triennial Reports of the Garda Síochána Complaints Board;
- Criminal Justice Act, 1984 (Electronic Recording of Interviews) Regulations, 1997;
- Criminal Justice Bill, 2007.

Notes for Candidates for Recruitment to An Garda Síochána are available from Garda Headquarters and www.publicjobs.ie. All of the other documents listed above are available from the Government Publications Sales Office or the European Parliament Office both of which are located at Molesworth Street, Dublin 2.

The Official Journal of the European Communities (OJEC) is published monthly and contains the text of any legal instruments adopted by the Justice and Home Affairs Council.

Further information is also available on the Department's web-site www.justice.ie and on the Garda Síochána's website www.garda.ie.

Further Information

Requests for further information about any matters in relation to the Garda Accountability Unit should be addressed to:

Garda Accountability Unit
Department of Justice, Equality and Law Reform
Pinebrook House,
71-74 Harcourt Street
Dublin 2

4.14.2 FINANCE AND RESOURCES UNIT

Role of the Division

The primary function of the Garda Division's Finance & Resources Unit is to ensure that the Garda Síochána is adequately resourced in terms of accommodation and equipment to address their mandate in an efficient and effective manner. The Unit has responsibility for policy and implementation in relation to Garda computerisation and telecommunications as well as Garda Building and Station Maintenance Programme(s). In this regard, the Unit is involved in the monitoring of expenditure under the Garda Vote, the co-ordination of the annual Estimate for the Vote, the procurement process for various types of equipment and the Garda Building and Maintenance Programme. It provides support for the administration of the Garda Síochána Complaints Board, the Garda Síochána Ombudsman Commission and the Garda Síochána Inspectorate which are independent in the discharge of their functions.

Structure of the Division

The Unit comprises 8 full-time and 2 job-sharing personnel (Executive Officers) as follows:

Principal Officer
Assistant Principal Officer (x 2)
Higher Executive Officer (x 2)
Executive Officer
Clerical Officer (x 3)

Functions of the Division

The Division has responsibility for the following areas:-

- Garda Síochána Information Technology and Telecommunications policy;
- Monitoring the Garda Building and Maintenance Programmes;
- Resources/financing/budgetary control/efficiency/cost-effectiveness;
- Monitoring procurement of equipment, supplies and operational supports for the Garda Síochána;
- Liaise with the Department of Finance viz. funding for the Garda Síochána, the Garda Síochána Complaints Board, the Garda Síochána Ombudsman Commission and the Garda Síochána Inspectorate.
- Representing the Department on the Audio/Video Steering Committee on Garda Questioning of Suspects;
- Garda matters associated with the Report of the Council of Europe Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT);
- Representing Ireland at EU Level on Information Technology aspects of the Schengen Convention;
- Various policing initiatives, e.g. CCTV;
- Garda transport – allocation of the Garda fleet including Ministerial cars, fleet inventory, special requests for the use of State cars, efficiency of the Garda garage;

Delivery of Service

Given its responsibilities, the Unit's main customer is the Garda Síochána. In the main, the execution of these responsibilities takes the form of analysis of Garda proposals, discussions with the Garda authorities, internal discussions in the Division/Department, the submission of proposals/recommendations to the Minister/Department of Finance, preparation of memoranda for Government and implementation of Ministerial/Government decisions.

The Unit has very little interaction with members of the public and does not provide services of a type which could be described as being generally available to them. The Unit co-ordinates responses, by and on behalf of the Minister, to Parliamentary Questions, queries and representations received by the Minister from public representatives, members of the public and other entities, on Garda matters. The other contexts in which the Unit has any contact with the public are as follows:

Procurement of Goods and Services for the Garda Síochána

The Unit is responsible for overseeing the procurement of equipment, including IT and Telecommunications goods and services, supplied by the private sector and related tendering arrangements for An Garda Síochána as well as the Garda Síochána Complaints Board, the Garda Síochána Ombudsman Commission and the Garda Síochána Inspectorate. In this regard, the Division is responsible for ensuring that all such arrangements are conducted in compliance with Government Procedures and guidelines and, where they apply, EU Procurement Directives. (For further information, see Section 16 Reference Book contribution)

Classes of Records held

The Unit has an extensive list of files relating to the work areas already identified in the category above 'Functions'. All of the records held, both in hardcopy and electronic format, are entirely related to the work areas identified and can be categorised as set out hereunder:

Garda Síochána Information Technology and Telecommunications policy

Records relate to:

- Garda IT Systems;
- Purchase of computer equipment
- Data protection in the IT area;
- Garda access to EU and International networks in the Justice area;
- Training courses for Garda members;
- Staffing matters associated with the Garda IT area;
- Garda IT Strategy and Garda projects (i.e. PULSE, Fixed Charge Penalty System);
- Integration with other systems in Criminal Justice areas.

Radio Communications

Records relate to:

- Garda communication networks, facilities, frequencies and equipment;
- Correspondence/representations to the Minister;
- Correspondence with Department of Public Enterprise and the Office of Telecommunications Regulation concerning frequency allocations and payment of licence fees;
- Staffing matters associated with Garda Telecommunications Section;

- Purchase of radio and telecommunications related goods and services;
- Use of Garda radio mast/sites by commercial operators;
- Provision of confidential telephone link to Garda Síochána for use by members of the public;
- Engagement of consultants;
- Radio contracts.

Electronic Recording of Garda Interviews with Suspects

Records relate to:

- Pilot scheme at selected Garda stations;
- Minutes of Steering Committee and Scientific Analysis Sub-Committee meetings;
- Details of schemes and research conducted in other countries;
- Tenders received in respect of scientific analysis study of electronic recording;
- Technical and equipment arrangements at pilot scheme stations;
- Drafting of Criminal Justice Act, 1984 (Electronic Recording of Interviews) Regulations, 1997 and drafting of new regulations;
- Correspondence with OPW/Garda authorities/Steering Committee members.

Garda Station Building and Maintenance

An individual Garda station file is opened once works of any description are to be carried out at the Station/Garda premises in question. Records on such files relate to:

- Notes of site meetings, meetings with the Office of Public Works (OPW) etc.;
- Correspondence with OPW and Garda Housing Officer;
- Building briefs of requirements;
- Site maps and plans (where appropriate);
- Representations to Minister/PQ's, correspondence with county councils/local authorities, etc.;
- Fines-on-the-Spot Office Accommodation;
- Over holding of married quarters attached to Garda stations by ex-Garda members;
- Provision of shelters for protection duties.

Council of Europe Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT)

Records relate to:

- Reports of the above Committee on Ireland and the Government's replies
- Committee's report on Garda cell accommodation;
- Material for inclusion in Governments Response to CPT Reports.

Garda Specialist Units

Records relate to:

- Garda Air Support Unit;
- Garda Mounted Unit;
- Garda Water Unit;
- Garda Dog Unit.

Policing Initiatives

Records relate to:

- CCTV - Details of the expansion of the Garda CCTV Programme;
- Monitoring the operation of Community-based CCTV Schemes.

Garda Transport

Records relate to:

- Purchase and allocation of cars in the Ministerial Fleet;
- Quarterly returns of kilometres travelled by vehicles in the Ministerial fleet;
- Allocation of the Garda Fleet;
- Special requests for the use of State cars.

Financial Administration

Records relate to:

- Appropriation Accounts and Public Accounts Committee briefing papers;
- Estimates and Ministerial briefing papers;
- Monitoring of expenditure under subheads for which the Unit has responsibility;
- Monthly profiles of expenditure in relation to subheads for which the Unit has responsibility;
- Accrual accounting and multi-annual budgeting profiles.

Parliamentary Questions and Representations

Records relate to

- Copies of replies prepared to PQ's appropriate to the work of the Unit;
- Copies of all replies to correspondence/representations received from the public.

Procurement

Records relate to:

- Advertisements placed in European Journal;
- EU and national procurement procedures, statistical returns to Department of Finance.

Strategic Management Initiative and Organisation Development

Records relate to:

- Correspondence with Organisation Development Unit concerning Divisional strategy plans, internal working groups on human resource management, customer service and communications and various other issues associated with SMI and organisational development;
- Reports of Divisional workshop;
- Descriptions of all work processes within the Division.

Miscellaneous

Records relate to:

- Various reports on Crime;
- Management reports/reviews/research on the Garda Síochána;
- Freedom of Information Act requests and replies;
- Material relating to Schengen information system (Representations at EU level, briefing material etc.)

Further Information

Requests for further information about any matters in relation to the Division should be addressed to:

**Garda Division Finance and Resources Unit
Department of Justice, Equality and Law Reform
Pinebrook House
71-74 Harcourt Street
Dublin 2**

4.14.3 Governance & Performance Policy Division

Role of the Division

The primary function of the Governance & Performance Unit is to advance the structural and service reforms of An Garda Síochána to enable that organisation implement its mandate in the most efficient and effective way possible. This Unit is primarily responsible for co-ordinating the implementation of key elements of the Garda Síochána Act 2005 relating to the governance and performance of the force.

The Unit is responsible for developing a Performance Management Framework for An Garda Síochána. This involves consultation with almost every Division of the Department and with external Departments and Agencies, and with An Garda Síochána itself.

It is also responsible for the coordination of the Minister's role in relation to the determination of the priorities for the Garda Síochána in performing its functions and establishing levels of performance to be aimed at in seeking to achieve the objectives of each priority.

The Unit also has a liaison/coordinating role with the Garda Síochána Inspectorate on its work programme and advises the Minister on his role as per Section 117 of the Garda Act 2005.

The Unit also participates in the Garda Reserve Project Board and plays a central role in ensuring that Reserve members are recruited in line with Section 15 of the Garda Act 2005.

Structure of the Division

Principal Officer
Assistant Principal Officer
Administrative Officer

Delivery of Service

The principal customers of the Unit are the Minister for Justice, Equality and Law Reform and the staff of the Department, the Government, the Garda Commissioner, the Garda Síochána Inspectorate, Garda management, members of the Garda Síochána and public representatives. The Unit's role in relation to the provision of services to the general public is limited. While the Unit provides a service to the public at large it does not have regular contact with members of the public.

The execution of the Unit's responsibilities take the form of analysis of Garda proposals, discussions with the Garda authorities, internal discussions in the Division/Department, the submission of proposals/recommendations to the Minister/Department of Finance, preparation of memoranda for Government and implementation of Ministerial/Government decisions. The Unit is also responsible for the coordination of Garda Síochána reports.

The Unit also co-ordinates responses, by and on behalf of the Minister, to Parliamentary Questions, queries and representations received by the Minister from public representatives, members of the public and other entities, on matters relating to its remit.

Classes of Records held

Records held by the Unit are in both paper and electronic form relating to the following:

Garda Inspectorate

- the establishment of the Garda Inspectorate;
- reports of the Inspectorate;
- general correspondence between the Inspectorate and the Department.

Garda Reserve

- establishment of the Garda Reserve
- Garda Síochána (Reserve Members) Regulations 2006

Implementation of Garda Act 2005. Files relating to:

- sub-group on Garda Inspectorate
- sub-group on Accounting Officer Role
- sub-group on Civilianisation
- sub-group on Priorities, Performance Targets
- sub-group on Joint Policing Committees
- sub-group on Discipline Regulations
- general correspondence

Garda Performance Management

- development of a Performance Management Framework for An Garda Síochána
- consultations with Garda Síochána and other divisions.

Appointments to Garda Promotion Boards

- establishment of a panel of civilians to participate in Garda Interview Boards

Other files are held in the Unit relating to the following:

- Garda Act Implementation Review Group
- Advisory Group on Garda Management and Leadership Development
- Recruitment of Foreign Police Officers
- Appointments to Boards of Inquiry and Appeal Boards
- Garda Professional Standards Unit
- Garda Síochána Annual Reports

Further Information

Requests for further information about any matters in relation to the Governance & Performance Policy Unit should be addressed to:

Governance & Performance Policy Unit
Garda Division
Department of Justice, Equality and Law Reform
Pinebrook House
71 -74 Harcourt Street
Dublin 2

4.14.4 Human Resources Policy Division

Role of the Division

Garda Division, HR Policy Unit, assists in the formulation and implementation of human resource policy in An Garda Síochána. It works with An Garda Síochána to ensure implementation of Government commitments in respect of Garda numbers and deployment and assist in the provision of any additional manpower necessary.

In addition, it is responsible for the administration of the Garda Síochána Conciliation and Arbitration Scheme. The purpose of the Scheme is to provide a means acceptable to the Government and to the Garda representative bodies for the determination of aims and proposals relating to conditions of service of members of the ranks they represent and to secure the fullest co-operation between the State, as employer, and the members, as employees, for the better discharge of the functions of the Garda Síochána.

The following Garda staff associations have a statutory entitlement to represent specified ranks in the Garda Síochána in matters concerning pay and conditions of service: -

Associations

Garda Representative Association (GRA)

Association of Garda Sergeants and Inspectors (AGSI)

Association of Garda Superintendents (AGS)

Association of Chief Superintendents (ACS)

The Unit also attends meetings of the Police Co-Operation Working Party under the JHA pillar of the EU.

Structure of Division

Principal Officer
Assistant Principal Officer (x 2)
Higher Executive Officer
Administrative Officer
Executive Officer (x 2)
Clerical Officer (x 2)

Delivery of Service

In relation to its area of responsibility the unit is involved in analysis of Garda proposals, discussions with the Garda authorities, internal discussions in the Division/Department, the submission of proposals/recommendations to the Minister/Department of Finance, preparation of memoranda for Government and implementation of Ministerial/Government decisions.

The Unit's role in relation to the provision of services to the general public is limited. It handles correspondence and telephone enquiries from members of the public concerning such issues as the eligibility criteria for recruitment to the Garda Síochána and manpower levels at Garda stations around the country. The Unit also co-ordinates responses by and on behalf of the Minister to Parliamentary Questions, queries and representations received by the Minister from public representatives, members of the public and other entities, on Garda matters.

Classes of Records

Personal information is held on centrally registered paper files and in electronic information holdings and relates to the following:

(a) Garda dismissals

Where dismissals from the Force require the consent of the Minister, an individual file is opened when a request to dismiss is received from the Garda Commissioner.

(b) Gardaí serving abroad

Copies (the Garda authorities hold the originals) of the CVs of Gardaí serving abroad are kept in informal paper files and are shredded as members complete tours of duty.

Non-personal information

Non-personal information is maintained in various registered file series and electronically and can be summarised under the following broad categories:

- Recruitment/training/discipline;
- Garda strength and organisation of the Force;
- Garda deployment;
- Garda specialist units;
- Human Resource Policy;
- Garda involvement in EU and UN peacekeeping missions and other foreign postings, UN requests for police contingents, the logistical aspects of UN missions,
- Implications for the Garda Síochána of any proposed legislation;
- Garda Reward Schemes/Memorials.

Administration of the Garda Conciliation Scheme

In relation to Garda Conciliation and Arbitration matters, the Division provides a service to the staff, management and staff association representatives of the following areas: -

Internal Customers

Department Headquarters,
94 St. Stephen's Green,
Dublin 2

Finance Division,
Killarney

External Customers

Garda staff associations
Commissioner, Garda Síochána
Department of Finance

Information Available

- Scheme of Conciliation and Arbitration for the Garda Síochána

- Agreed Reports of the Conciliation Council
- Garda pay and allowance scales

Classes of Records Held

- Files opened on claims submitted to the Garda Conciliation Council
- Files relating to the establishment of Garda associations
- Files relation to Witness Expenses
- Files relating to Appropriation Accounts

Electronic records for HR Unit are currently held on three dedicated databases:

- (1) Garda Division Document Library
- (2) C&A Document Library
- (3) Registry Document Library

Older electronic records for the unit are held in three databases – Garda 3 File Registry, Garda 3 Document Library and ‘old’ document library.

Information available

Information may be obtained from the Division which is located at

**Human Resources Policy Unit
Garda Division
Pinebrook House
71-74 Harcourt Street
Dublin 2**

4.15 GENDER EQUALITY DIVISION

Role of the Division

The role of the Gender Equality Division is to promote equality of opportunity between women and men through the development, implementation and monitoring of appropriate policies and positive action measures in the context of the Department's High Level Goal of "Promoting a Fair, Tolerant and Equal Society".

It is responsible for:

- The provision of advice to the Minister and Minister of State and to other Government Departments in relation to gender equality, including Ireland's international commitments on the issue;
- Negotiation of EU proposals for instruments providing direction and guidance in relation to gender equality, with a particular emphasis on gender equality to stimulate economic growth and promote social inclusion;
- Participation in meetings of the United Nations, Council of Europe, EU and OECD in relation to gender equality from both economic and human rights perspectives;
- The implementation of the National Women's Strategy 2007 – 2016, an all of Government Strategy which aims to enhance all aspects of lives of women in Ireland;
- The implementation of the Equality for Women Measure within the National Development Plan 2007 – 2013, to include a range of innovative positive action to support the role of women in different facets of Irish society; and
- The promotion of gender mainstreaming at all levels of decision-making throughout the public policy mechanisms in Ireland.

Structure of the Division

The structure of the Division is set out below.

In addition, a Central Gender Mainstreaming Unit will be established in early 2008 to promote gender mainstreaming across all Government Policy areas and all Government Departments. This will build upon the work achieved to date by the NDP Gender Equality Unit which addressed mainstreaming in the 2000 – 2006 National Development Plan.

Principal Officer (Gender Equality Division)

Gender Equality Division

2.5 Assistant Principals
3 Higher Executive Officers
1 Administrative Officer
1 Executive Officer
2 Clerical Officers

Central Gender Mainstreaming Unit

1 Head of Unit (Assistant Principal)
1 Expert
1 Executive Officer
1 Clerical Officer

Delivery of service

The service, provided by the Gender Equality Division, addresses the needs of Government, the Minister and Minister of State, the Department and other Departments and the general public, with a particular, but not an exclusive, focus on women.

This includes the following range of services:

- Preparing and implementing policy proposals to achieve true gender equality;
- Ensuring that Ireland meets its international commitments to achieve gender equality
- Preparing proposals for and ensuring the delivery of positive action interventions to promote gender equality;
- Implementing the National Women's Strategy 2007 - 2016
- Representing Ireland at international fora in relation to gender equality such as the EU, United Nations, OECD and Council of Europe
- Ensuring that other Government Departments are briefed in relation to developments in these fora;
- Preparing responses to Parliamentary Questions;
- Preparing responses to requests for information, briefing material, etc. from other areas of the Department, other Departments, members of the Oireachtas, members of the public and the media;
- Preparing briefing material and draft speeches for the Minister and Minister of State;
- Attending with the Minister and Minister for State at Dáil, Seanad and EU meetings;
- Monitoring Ireland's progress towards international goals established to address deficits in gender equality.

Gender Equality Division – Information Available

- National Women's Strategy 2007 – 2016; April 2007
- Degrees of Equality: Gender Pay Differentials among Recent Graduates: November 2005
- CEDAW : Concluding Comments and General Conclusions: July 2005
- Ireland's combined Fourth and Fifth periodic reports under the United Nations Convention on the Elimination of All Forms of Discrimination Against Women 2003
- Annual Reports on the Equality for Women Measure for individual years 2001 – 2004 inclusive
- Developing Sectoral Strategies to Address Gender Pay Gaps - February 2003 - DTZ Piedad Consulting.

- Study of the Gender Pay Gap at Sectoral Level in Ireland - December 2002 - prepared for the PPF Consultative Group on Male/Female Wage Differentials by Indecon International Economic Consultants.
- The Report to Government of the PPF Consultative Group on Male/Female Wage Differentials - November 2003 - PPF Consultative Group.
- Aspirations of Women Collected in the Course of the Consultation Process on the National Plan for Women 2002: Towards a National Women's Strategy.
- Ireland – Report to the United Nations on the National Plan for Women on the implementation of the Beijing Platform for Action (2002)
- How Unequal? Men and Women in the Irish Labour Market [ESRI General Series Paper No. 176 - October 2000 - A. Barrett, T. Callan (Ed.) A. Doris, D. O'Neill, H. Russell, O. Sweetman, J. McBride]

NDP Gender Equality Division – Information Available

- Steps to Gender Equality (2006)
- Time use in Ireland 2005- A Survey report (2005)
- Gender Mainstreaming: Partnership in practice (2004)
- Gender relevance sheets (2004)
- Women and Men on Farms in Ireland: their activities, attitudes and experiences (July 2004)
- Women and Men in Ireland: their modes of transport and their housing tenure (Aug 2004)
- Women and Men in Ireland as Entrepreneurs and Business Managers (2003)
- A Woman's Model for Social Welfare Reform (2003)
- Conference report of the Gender Mainstreaming in UK and Ireland structural funds on 13 May 2002
- Housing Disadvantage (2003)
- Put more women in the picture (2002)
- Irish politics – Jobs for the boys (2002)
- Gender Proofing Handbook (May 2002)
- Guidance pamphlets called “Gender Equality in”
 - Environment and waste management
 - Urban development
 - Arts and culture
 - Transport
 - Peace and Reconciliation programme (peace II)
 - Youth services and facilities
 - Housing

Classes of Record Held

- Paper files in relation to
 - Projects which were funded
 - Policy discussions
 - Preparation of publications
 - Research

- Personal information - very limited and incidental to work outlined above

Further Information

Further information can be obtained from:

Gender Equality Division
Department of Justice, Equality and Law Reform
Floor 2
Bishop's Square
Redmond's Hill
Dublin 2

4.16 HUMAN RESOURCES DIVISION

Role of the Division

Human Resources Division is responsible for all aspects of human resource management and the implementation of Civil Service Personnel Policy in the Department. It has overall responsibility for staff in the Department's Headquarters and associated offices, the Financial Shared Services Centre in Killarney, and the Probation and Welfare Service. The Division administers the Civil Service Conciliation and Arbitration Scheme in relation to departmental matters.

The Corporate Learning Unit provides for the training and development needs of staff.

The Employee Assistance Service provides a confidential support service to all staff in the Department.

Structure of the Division

Human Resources Division is headed up by an Assistant Secretary and the Personnel Officer. The Division has eight sections as follows;

Internal Resources
External Recruitment
Pay and Pensions
HR Administration
Corporate Learning Unit
HR Policy
Industrial Relations
Decentralisation

The Department's Employee Assistance Officers is also attached to HR Division.

The following organisation chart sets out the structure of the Division.

Principal Officer (x 2)
Assistant Principal Officer (x 5)
Higher Executive Officer (x 1 - Employee Assistance Officer)
Higher Executive Officer (x 8)
Executive Officer (x 9)
Staff Officer (x1)
Clerical Officer (x 14)

Delivery of Service

Human Resources Division

In the main the customers of the Division are other Divisions/Offices within the Department, the Department's employees, former employees and their families. Our service to employees is delivered in person, in meetings, by mail, e-mail, fax, and by telephone.

The Division's contact with the public is by way of responses to enquiries, including requests for employment, by letter, telephone and e-mail. On occasion it is necessary to direct callers to other Divisions within the Department or to other Government Offices/Agencies to deal with a particular enquiry.

The Division also provides a service for other Government Departments/Offices/ Agencies and deals with representations and Parliamentary Questions from members of the Houses of the Oireachtas.

Employee Assistance Service

The Employee Assistance Service is available to employees and retired personnel of the Department.

Corporate Learning Unit

The services provided include a range of courses and seminars for staff at all levels. The courses are advertised and circulated regularly.

Information Available

The Personnel Code is a compendium of Department of Finance circulars and letters setting out the conditions of employment of Civil Servants. The Personnel Code is available on www.codpearsanra.ie

Legislation and Department of Finance publications governing the employment of Civil Servants is available from the Government Publications Sales Office or on www.finance.gov.ie

Class of Records Held

The records held in Human Resources Division relate to all aspects of personnel administration and personnel policy and are maintained in both electronic and paper form.

Electronically held data

1. The Human Resources Management System (HRMS) is the computer system used to maintain personnel records. An individual HRMS record is set up for each employee. The system has been in use since 2003 and a record has been created in respect of employees serving at that time and recruited since then. Employees are entitled at any time to a copy of the information on file which includes matters such as: name and address, date of birth, career history including the nature of the post, leave and salary details and medical history etc.
2. The Human Resources Database contains a document library which holds all documents created within the Division.
3. Flexitime recording system: A separate record is maintained for each officer in a grade which participates in the scheme of flexible working hours. The system is essentially one of time recording

and records are maintained in respect of officers currently participating in the scheme. Officers are entitled at any time to a copy of recorded information.

Written data

1. An individual file is maintained in respect of each employee. These personal files generally contain records relating to appointment to the Civil Service, assignments to particular posts, salary, increment forms, promotion, transfer, leave and other issues arising during the career of an officer.

2. Files are held on individual topics in a series of registered files.

Employee Assistance Service

Material/Records held by Employee Assistance officers;

— personal case notes as appropriate

— reference material (National Social Services Board Information files - a variety of leaflets/brochures on welfare related topics, information leaflets/brochures on the Employee Assistance Service.

Corporate Learning Unit

Records are held on paper and electronically. These are generally held in alphabetical order by name for persons seeking refunds of fees paid in respect of educational courses and under course title for those attending courses.

Further Information:

Requests for further information about any matters in relation to this Division should be addressed to:

Human Resources Division
Department of Justice, Equality and Law Reform
Pinebrook House
71-74 Harcourt Street
Dublin 2

4.17 INFORMATION TECHNOLOGY DIVISION

Role of the Division

The primary role of the Division is the provision and support of information technology solutions and services to the Department and to a number of agencies and decentralised offices as a shared service. It delivers the Department's IT infrastructure and supports its innovation efforts with new systems. IT Division also gives advice on IT matters and aims to promote joined-up systems.

Some areas of the Justice sector such as the Garda Síochána, the Courts Service and the Irish Prisons Service have their own IT Units and they manage their own IT affairs. They are not under the direct control of the Head Office of the Department. However, there remains a high level of contact at senior level between these IT Units and the Department to try and ensure maximum integration of information.

Many of the other agencies and offices of the Department have joined the shared IT service offered by the IT Division of the Department. These include the Office of the Data Protection Commissioner, Private Security Authority, Criminal Injuries Compensation Tribunal, Office of Censorship of Publications, Casino Regulation Committee, Garda Síochána Complaints Appeal Board, Reception and Integration Agency, Remembrance Commission, Irish Youth Justice Service, National Property Service Regulatory Authority, Commission of Investigation into the Death of Gary Douch, National Crime Council, Parole Board, Office of the Refugee Appeals Tribunal and INIS. Other agencies and offices of the Department have agreed in principle to join. There will be some who will opt to remain outside the scope of the shared services offered by the IT Division of the Department.

The main systems in Head Office are predominantly document management and communications, with a number of case tracking systems. With the establishment of INIS, an integrated suite of asylum-related applications is being developed. Additionally, a visa tracking application is due to be deployed shortly.

The existing justice backbone infrastructure (providing technology, email and a secure virtual private network to the justice sector agencies) is soon to be migrated to the Government Network infrastructure.

In all operations the Division strives to follow the following guidelines:

- regular communication with users at all levels use of, and support for, commonly available hardware and software components and project management methods
- maximum use of available support and expertise and of common civil service systems
- maximum use of competitive tendering
- maximum identification, and early delivery of, benefit from IT
- maximum integration of systems within and between elements of the Justice system
- maximum specific benefit to organisation for expenditure
minimum critical dependencies

Structure of the Division

Principal Officer
Assistant Principals (x 3)
Higher Executive Officers (x 6 – including 1 job sharer)
Administrative Officer (x 1)
Executive Officers (x 9)
Clerical Officer (x 2)

Delivery of Service

By the very nature of the service that the section provides, by far the majority of the *direct* customers of the Division would fall within the ambit of the Minister for Justice, Equality and Law Reform. Customers defined as falling within this category would include:

- staff and management in the Head Office area of the Department
- staff and management in associated agencies of the Department
- other Government Departments such as the Department of Finance and the Revenue Commissioners

In terms of the provision of services directly to members of the Public the Division's main interaction in this regard would be:

- with suppliers of goods and equipment
- with contractors who would provide advice, expertise and consultancy on areas of an IT nature.

Information Available

The agenda of legal, administrative and policy reform laid out in this Department's current Strategy Statement has significant implications for the work of the Information Technology Division. The publications of this Department, including its Strategy Statement and Annual Reports, can be found on the Department's website, www.justice.ie. There are also publications and other information available on the websites of its Agencies.

In all dealing with outside interests, be they individuals, consultants, companies or other Departments, the Division follows, and is bound by, rules and procedures in common with other Government Departments. In particular the management of tendering procedures for both goods and services is governed by:

Public Procurement Guidelines - Competitive Process(NPPPU - Dept. of Finance, 2004); Guidelines for the Engagement of Consultants and other External Support by the Civil Service(NPPPU - Dept. of Finance, 2006); Directive2004/18/EC of the European Parliament and of the Council of 31 March 2004 on the coordination of procedures for the award of public works contracts, public supply contracts and public service contracts (European Parliament Office Molesworth Street, Dublin 2).

General legislation which governs the operation of the section is to be found in the Prompt Payments of Account Act, 1997 and the Ethics in Public Office Act, 1995.

Classes of Records Held

Information is held by the Division in both electronic form and in paper format. Where data is held electronically it is primarily held on behalf of other Divisions of the Department and those Agencies availing of Shared IT Services. Paper based records relate to the processes of procurement and policy development. This includes information supplied by parties in response to tenders issued for goods and services by the Division.

Other information held includes the agendas and minutes of meetings attended by staff of the Division, both within the Department and outside the Department, copies of invoices and details of payments made to suppliers, information relating to the preparation of financial estimates and budgets for the forthcoming year and information relating to the general administration of the section.

Further Information

Requests for further information about any matters in relation to this Division should be addressed to

**Information Technology Division
Department of Justice, Equality and Law Reform
Pinebrook House
71-74 Harcourt Street
Dublin 2**

4.18 INTERNAL AUDIT UNIT

Role of Unit

The Internal Audit Unit is an independent managerial function which reports directly to the Secretary General.

Functions of Internal Audit

- To provide an efficient internal audit function for the Department.
- To support the Audit Committee
- To examine the adequacy and reliability of systems of financial, operational and management control and their operation in practice.
- To advise managers on the efficiency of internal control mechanisms.
- To provide advice on systems enhancement and performance and to ensure that controls offer adequate protection against error, fraud and loss of all kinds.
- To examine the acquisition and accounting of assets and to ensure value for money is achieved.
- To provide assistance and support to divisions of the Department in areas relating to procedures, controls and governance.
- To seek best practise to be carried out across the department
- To assist in the selection of areas for Value for Money reviews, to review terms of reference and reports in conjunction with the Financial Management unit.
- To follow-up and review what action has been taken to remedy weaknesses identified in previous audits.
- To examine the expenditure to ensure that value for money is being achieved

In addition to these functions, Internal Audit has to satisfy the Audit Committee, independently of line management that there is a robust system of internal control within the Department and its Agencies.

Structure of Unit

The Division has two offices. The headquarters is located in Dublin and the other office is located in Killarney, Co. Kerry. The Unit comprises 6 people working as follows:-

Principal Officer (x 1)
Higher Executive Officer (x 5)
Shared clerical services

Delivery of Service

Internal Audit deal directly with the Department and its Divisions. No service is provided to the public.

Classes of Records Held

- Audit working files containing audit working papers and reports.
- Investigations files containing investigation working papers and reports.
- Administration files containing general financial and procedural information.
- Correspondence files.

Further Information

Requests for further information about any matters in relation to this Unit should be addressed to:

**Internal Audit Unit,
Department of Justice, Equality and Law Reform,
71-74 Pinebrook House
Harcourt Street
Dublin 2**

4.19 INTERNATIONAL POLICY DIVISION

Role of the Division

- ◆ To develop and represent the national position within the framework of the Treaty establishing the European Community and the Treaty on European Union, in particular in relation to Title VI (provisions on police and judicial co-operation in criminal matters) of the Treaty on European Union and Title IV (visas, asylum, immigration and other policies related to free movement of persons) of the Treaty establishing the European Community and in the Council of Europe and other international fora in conjunction with the various line Divisions in the Department;
- ◆ co-operate in the formulation, development and implementation of EU policy, particularly with regard to Title VI and Title IV issues as part of Ireland's obligations as a Member State of the European Union;
- ◆ participate in work arising from the proposed new EU Reform Treaty which amends the Treaties of the European Union and the European Communities, and in relation to the enlargement of the European Union.

International Policy Division has responsibility for the co-ordination and formulation of Justice and Home Affairs policy and policy in relation to Equality matters in co-operation with line Divisions in the Department. The Division is primarily responsible for the representation of that policy in meetings at all levels of the EU up to and including the European Council (Heads of State). This central task involves liaison with the European Institutions, liaison with line Divisions of the Department on multidisciplinary or horizontal issues, liaison with other Government Departments on cross-pillar issues and liaison with other international bodies.

Structure of the Division

Assistant Secretary
Principal Officers x 2
Assistant Principal Officers x3
Higher Executive Officer
Administrative Officers x 2
2 Clerical Officers x 2

The following staff are assigned to the Permanent Representative, Brussels

Principal Officer
Assistant Principals x 2
Higher Executive Officer
Clerical Officer

The following staff are assigned to the Permanent Representative, Strasbourg (Council of Europe)

Assistant Principal

Delivery of Service

The immediate purpose of the representation of the national position in the field of Justice and Home Affairs and in the Equality area is to serve the interests of the citizens of Ireland as a whole. In the wider context of our participation in measures in the EU to create a more secure Europe, the promotion of the interests of the citizens of Europe is an objective which we share with other Member States of the Union. The provision of a domestic service directly to the public does not arise. Our external customers include other Government Departments, the European institutions and Non Government Organisations (NGOs)

Information Available

Information relating to activities of the European Union in the area of Justice and Home Affairs and Equality is available from the EUROPA website at www.europa.eu.int

When instruments are concluded, their final texts are published by the European Communities in the Official Journal. Copies are available from the offices of the European Commission, Molesworth St., Dublin 2. Conventions and other international agreements in general are concluded by the Department of Foreign Affairs. The Treaties of the European Communities and of the European Union are also negotiated and concluded by the Department of Foreign Affairs.

Classes of Records Held

Records held, both electronic and hard-copy relate to the function and operation of the Division and may be classified under the following headings:

Internal Administration

- Memos concerning the internal organisation of work processes in the Division and allocation of staff tasks
- General office duties such as the management of manual and electronic files and documentation

Main function

- ◆ Justice and Home Affairs Council documents related to the function of the EU Working Groups.
- ◆ Reports of Council meetings.
- ◆ Agendas, calendars and work programmes for the Presidencies of the European Union.
- ◆ Documentation relating to Justice and Home Affairs aspects of other international fora such as UN, Council of Europe, etc.

Further Information

Requests for further information about matters in relation to International Policy Division should be addressed to:

**International Policy Division,
Department of Justice, Equality and Law Reform,
Montague Court,
7-11 Montague Street,
Dublin 2.**

4.20 Irish Naturalisation and Immigration Service

(INIS)

4.20.1 ASYLUM POLICY DIVISION

The role of the Asylum Policy Division is as follows:

- Development and administration of legislation from a policy perspective and of general policy in relation to asylum seekers and ensuring that the procedures to give effect to such legislation and policy are clear, fair, transparent and consistent;
- Ensuring that this country's arrangements on asylum-related policy issues are developed in harmony with our partners in the EU, council of Europe and other relevant international groupings;
- Participation at EU and other international meetings;
- General administration, including preparation of briefing material, dealing with correspondence (including ministerial representations), Dáil Question, responding to requests under the Freedom of Information Act etc.
- Co-ordinating the INIS Change Management Programme;
- AFIS Project;
- Allocation of Staff within the Irish Naturalisation and Immigration Service (INIS).

Structure of the Division

Principal Officer
Assistant Principal Officers (x 4)
Higher Executive Officers (x 2)
Executive Officers (x 4)
Clerical Officers (x 2)

Classes of records held

- Paper records in the form of departmental files on various issues for which the Division is responsible.
- Computer records in the form of documents created relating to the various issues for which the Division is responsible.
- Various documents and publications relating to asylum issues published by the EU and other national and international organisations.

Further information

Requests for further information in relation to this Division should be addressed to:

Asylum Policy Division,
Irish Naturalisation and Immigration Service,
4th Floor,
13-14 Burgh Quay,
Dublin 2.

4.20.2 IMMIGRATION AND CITIZENSHIP (OPERATIONS) DIVISION

Role of the Division

The Immigration and Citizenship Division is responsible for the administration of the law and policy as they affect non-nationals in relation to admission to the State, residency in the State, removal from the State and Irish citizenship.

Immigration Section is responsible for:

- determining the criteria to be applied by Irish Embassies and the Department of Foreign Affairs when issuing visas under delegated sanction;
- deciding on certain categories of visas applications not dealt with by Irish Embassies and the Department of Foreign Affairs under delegated sanction arrangements;
- deciding on applications from non-EEA nationals for permission to remain in the State including;
 - applications for business permission from persons seeking to reside in the State in order to operate a business here,
 - applications for permission to remain as the spouse of an Irish national and
 - applications referred from Garda Registration Offices via the Garda National Immigration Bureau.
- processing applications for family reunification in respect of persons with Refugee Status in the State;
- processing applications for travel documents in respect of certain categories of non-nationals who are unable to obtain travel documents from their own authorities;
- processing change of name licenses;
- processing applications for residence permits from EEA nationals and their dependants as well as deciding upon applications for permission to remain from their non-EEA dependant family members;
- dealing with reported non-compliance with the law regarding the admission and residence of non-nationals, in co-operation with the Garda Síochána, as appropriate.

Citizenship Section is responsible for processing:

- applications for certificates of naturalisation;
- post-nuptial declarations of Irish citizenship (in co-operation with the Department of Foreign Affairs, where declarants are resident abroad);
- requests for certificates of nationality;
- renunciation of citizenship;
- declarations of intention to retain Irish citizenship from naturalised citizens who have taken up permanent residence abroad.

Repatriation Section is responsible for:

- To consider the cases of persons served with a notice of intention to deport under Section 3 (a) of the Immigration Act, 1999, for leave to remain in the State or deportation in accordance Section 3(6) of the Immigration Act, 1999.
- To arrange the transfer of persons whose application for asylum is been transferred under the Dublin Convention to a convention country for examination pursuant to Section 22 of the Refugee Act, 1996.
- Liaise with GNIB and other third parties in the effecting of Deportation Orders
- Dealing with judicial challenges to the deportation laws.
- Facilitating persons to return home voluntarily who might otherwise face deportation

Structure of the Divisions

The Division is located at 13 - 14 Burgh Quay, Dublin 2 and currently comprises 130 personnel as follows:

2 Principal Officers

Immigration		Citizenship		Repatriation	
2	APO	1	APO	6	APOs
3	HEOs	5	HEOs	1	HEO
6	EOs	9	EOs	14	EOs
2	SO				
28	COs	30	COs	46	COs

(APO - Assistant Principal Officer; HEO - Higher Executive Officer; EO - Executive Officer; SO - Staff Officer; CO - Clerical Officer)

Delivery of Service

The Minister for Justice, Equality and Law Reform has overall responsibility for immigration and citizenship matters.

The Division's main customers are non-nationals seeking admission to, residence in or citizenship of the State. The service is delivered directly by the Division or through the Department of Foreign Affairs consular services (visas, some declarations of post-nuptial citizenship) and An Garda Síochána (controls pre and post entry to the State, permission to remain, etc.).

The Garda National Immigration Bureau, established in May, 2000, has a key role to play in the delivery of immigration services. The Bureau's role includes provision of a non-national registration service and co-ordination of activities leading to the execution of deportation orders. It also has responsibility for Immigration Officers at the principal points of entry to the State and for enforcement of immigration law generally.

An Garda Síochána are also involved in respect of enquiries related to applications for citizenship.

There is regular consultation between the Division and the Garda National Immigration Bureau on all of the above matters.

The Garda National Immigration Bureau is based at 13/14 Burgh Quay, Dublin 2.

Information available

Immigration

A visa helpline operates on Monday, Wednesday and Friday between the hours of 10am and 12:30pm: telephone (01) 6167700

A general immigration helpline is available Monday to Friday between the hours of 9:30am and 1:00pm and from 2:00pm to 5:00pm: telephone (01) 6167700

Written material

The following information leaflets are also available from the Division:

- General Overview of Immigration System;
- Registration Requirements
- Business permission;
- E.E.A. nationals and their dependants;
- List of countries whose nationals do not require visas
- Student Visa guidelines;

Information on these subjects is also available on the Department's website and the Division has also provided relevant briefing material to other Government Departments and State agencies in relation to the Immigration system and how it might impact and interact with their particular functions, for incorporation in their own public information services.

Citizenship

A helpline, (Lo-call 1890 551500) is available between the hours of 10am and 12.30pm, Tuesday and Thursday, when applicants can enquire about the status of their application and persons can seek general information on any matter related to Irish citizenship.

Written material

An explanatory leaflet on Irish citizenship is available on request.

Application forms are available from the Departments web site at www.inis.gov.ie.

Application forms are prefixed by a document to assist applicants completing the forms, as well as detailing the various documents required in support of the application.

The Division also prepares replies to public representatives in reply to representations and parliamentary questions and to general written correspondence.

Classes of Records:

Immigration

Personal information is held primarily on paper files; certain information is also maintained electronically. Such information is based on applications for entry visas, permission to remain etc.. The bulk of this information is provided by the individual applicant concerned. The documentation includes all information provided by the person in relation to the specific application made, standard Garda reports (where appropriate), a record of the decision taken and any correspondence related to the application.

Citizenship

Individual paper files are maintained for each application for naturalisation. Declarations of post-nuptial citizenship from persons normally resident outside Ireland are processed by the Department of Foreign Affairs, through its embassies and consular offices.

Each naturalisation file contains the application, all supporting documentation, reports arising from Departmental enquiries into aspects of the application, a standard evaluation or submission form and the Minister's decision.

Computerised records of successful applicants' personal details are created as a basis for the printing of citizenship certificate and for the purpose of reconciling fees received against certificates issued.

Repatriation

Personal information is held both on paper files and electronically. The paper files opened by the Immigration Division in relation to a non national, or the Office of the Refugees Applications Commissioner in the case an asylum seeker refused asylum who has been served with a notice of intention to deport, are continued with in the Repatriation Unit in the interests of continuity and completeness. Such files contain details of the person's case since they entered the State, in so far as it is known to the Minister. The documentation includes all information provided by the person in relation to any asylum or immigration application made, records of decisions made including appeals, if any, correspondence with the person or their legal representative including representations for leave to remain and Garda reports , where appropriate. The electronic record contains a summary of the person's details as they appear in the paper file and is used for tracking and managing the progress of the case.

Further Information

Further information about the work of Immigration and Citizenship Division may be obtained from the following staff members:

**Higher Executive Officer,
Citizenship Section,
Immigration and Citizenship Division,
Department of Justice, Equality and Law Reform
13-14 Burgh Quay,
Dublin 2.**

**Higher Executive Officer
General Immigration Section,
Immigration and Citizenship Division
Department of Justice, Equality and Law Reform
13 - 14 Burgh Quay,
Dublin 2.**

**Higher Executive Officer,
Repatriation Section,
Immigration and Citizenship Division,
Department of Justice, Equality and Law Reform,
13-14 Burgh Quay,
Dublin 2.**

4.20.3 MINISTERIAL DECISIONS DIVISION

Role of the Division

The role of the Ministerial Decisions Unit is to make a decision on the basis of the Refugee Act, 1996 (as amended) on behalf of the Minister, on each asylum application based on the recommendation of the Refugee Applications Commissioner or the recommendation of the Refugee Appeals Tribunal. The Unit also deals with judicial reviews of Ministerial decisions relating to asylum applications.

Structure of the Division

Assistant Principal Officer
Higher Executive Officer
Executive Officer (x 2)
Clerical Officer (x 5)

Delivery of Service

The Refugee Act, 1996 (as amended) provides the framework within which the Unit operates. Under the Refugee Act, 1996 (as amended), each application is dealt with:

At first instance by the Refugee Applications Commissioner

At appeal (if one is made) by the Refugee Appeals Tribunal

And finally, based on the recommendations of the Refugee Applications Commissioner or the Refugee Appeals Tribunal, a decision will be taken by the Minister.

If the Refugee Applications Commissioner or the Refugee Appeals Tribunal makes a recommendation to the Minister that an applicant should be declared to be a refugee then the Minister, by virtue of Section 17 of the 1996 Act, (or a person duly authorised by the Minister) will give the applicant a declaration in writing stating that he/she is a refugee and setting out the refugee's rights in the State. If the Minister considers that in the interest of national security or public policy it is necessary to do so, he or she may by order provide that sections 3, 9 and 18 of the Refugee Act shall not apply to a person specified in the order and require the person to leave the State.

If the Minister receives a recommendation from the Refugee Applications Commissioner or the Refugee Appeals Tribunal that an applicant should not be given a declaration as a refugee then the Minister, by virtue of Section 17 of the 1996 Act, (or a person duly authorised by the Minister) may refuse to give such a declaration. The applicant is informed, in writing, of the decision to refuse the declaration, that the period of his/her entitlement to remain in the State has expired and that the Minister proposes to make a deportation order under section 3 of the Immigration Act, 1999 requiring the applicant to leave the State. Where the Minister proposes to make a deportation order, the applicant is given three options -

- i. to make representations to the Minister within 15 working days setting out why he/she should be allowed to remain in the State
- ii. to leave the State before the Minister decides the matter and inform the

- Minister of the arrangements made for this purpose
- iii. to consent to the making of the deportation order within 15 working days.

The Unit also deals with judicial reviews of Ministerial decisions relating to asylum applications. This involves corresponding with the Chief State Solicitors Office in such cases.

Information Available

The basis for decisions taken in the Ministerial Decisions Unit are

- Refugee Act, 1996 (as amended by Section 11(1) of the Immigration Act, 1999 and Section 9 of the Illegal Immigrants Trafficking Act, 2000, and the Immigration Act, 2003)
- Convention relating to the status of refugees done at Geneva on the 28th July, 1951 and the protocol relating to the status of refugees done at New York on the 31st January, 1967.

Classes of Records Held

Records in the MDU are held in a number of formats.

A. Computer

A record of every decision letter is maintained in a database. Computer records are, of course, subject to the provisions of the Data Protection Act, 1988.

B. Files

The files of the applicants received from the Refugee Applications Commissioner and the Refugee Appeals Tribunal are held in the Unit pending issue of the decision letters. These files contain all correspondence on the asylum application.

C Judicial Review Files

Records relating to judicial review applications are maintained in the Unit. These paper files include correspondence with the CSSO and associated legal papers.

Further Information

Requests for further information in relation to this Unit should be addressed to:

Ministerial Decisions Unit
Department of Justice, Equality and Law Reform
13/14 Burgh Quay
Dublin 2

4.20.4 REPATRIATION DIVISION

Role of the Division

Repatriation Division is responsible for considering the cases of failed asylum seekers and illegal immigrants under Section 3(6) of the Immigration Act, 1999 for Leave to Remain in the State or repatriation to their countries of origin. It is also responsible for actively encouraging voluntary repatriation to the country of origin. The Division is responsible for giving effect to the transfer of persons under the EU Dublin Regulation to the appropriate EU State for their asylum applications to be determined there and for giving effect to the implementation of a bilateral readmission agreement with Nigeria.

The Division liaises with the Garda National Immigration Bureau in the effecting of Deportation Orders made by the Minister under Section 3 of the Immigration Act, 1999. The Division also liaises with other interested third parties e.g. the Department of Social and Family Affairs, Customs Service, Work Permits Section, Department of Enterprise, Trade and Employment. The Division also responds to Judicial Review and Court proceedings on behalf of the Minister.

Structure of the Division

The Repatriation Division comprises of 5 teams;

These teams are as follows;

- Arrangements/Deportations team
- Dublin II Regulation team
- Voluntary Returns team
- Acknowledgements team
- Subsidiary Protection team

Role and Functions of the Arrangements team:

- To serve deportation orders;
- To liaise with and support the Garda National Immigration Bureau in the enforcement of deportation orders;
- To book flights for deportees/transferees and their Garda escorts;
- To liaise with the Finance Unit, DJELR, Killarney in the payment of invoices for charter operations and commercial flights re. deportations and Dublin II removals/transfers;
- To liaise with the Judicial Review Unit as required prior to the enforcement process;
- To deal with all incoming correspondence pertaining to served deportation orders;
- To provide a list of served deportation orders to the Reception and Integration Agency;
- To collate and maintain statistics re. flight and ferry costs.

Role and Functions of the Acknowledgements team:

- To open the post addressed to INIS and date stamp it;
- To acknowledge all correspondence received;
- To pass the acknowledged correspondence to the section dealing with same;
- To file acknowledged correspondence on any files which are currently filed in Registry;
- To prepare status letters for persons who have been refused refugee status;
- To record address changes on the database;
- To acknowledge faxes where an urgency exists and to distribute other faxes to the relevant section dealing with the case.;
- To file faxes on any files which are currently files in Registry.

Role & Functions of the Dublin II team:

- To serve transfer orders;
- To liaise with and support the Garda National Immigration Bureau in the enforcement of transfer orders;
- To prepare submissions and transfer orders;
- To liaise with 3rd countries by providing information of transfer arrangements and to apply for extensions of time if clients evade or seek judicial review;
- To deal with all incoming correspondence re. Dublin II cases;
- To prepare a weekly list of transfers for third parties i.e Office of the Refugee Applications Commissioner and Reception and Integration Agency.

Role & Functions of the Voluntary Returns team:

- To assist persons who have been refused refugee status, and those who are otherwise illegally present in the State, with voluntary returns to their countries of origin, either self managed or with assistance from the International Organisation for Migration;
- To deal with correspondence, telephone callers and callers by appointment in connection with voluntary returns;
- The provision of monthly voluntary returns statistics.

Role & Functions of the Subsidiary Protection team:

- To examine all incoming Subsidiary Protection applications to ensure they comply with the form as set out in the Regulations;
- To provide all applications which comply with the Regulations to Repatriation Case Processing teams for consideration;
- Maintenance of an Excel spreadsheet which holds records of all Subsidiary Protection applications received;
- Updating the Repatriation Case Tracking database with details of new applications received;
- Acknowledging all new applications received and raising queries, where necessary.

Further Information

Further information can be obtained from:

Repatriation Division

Department of Justice, Equality and Law Reform

13/14 Burgh Quay

Dublin 2

4.21 IRISH YOUTH JUSTICE SERVICE

Background

In December 2005, the Government agreed a programme to implement youth justice reforms. These reforms included the establishment of the Irish Youth Justice Service (IYJS) as an executive office of the Department of Justice, Equality and Law Reform; and a number of legislative amendments to the Children Act 2001. These reforms are aimed at changing the way in which responsibility for youth justice matters was previously spread across a number of Departments. It is now co-ordinated and focused by a single body, the Irish Youth Justice Service.

Role of the Irish Youth Justice Service

The Irish Youth Justice Service (IYJS) has been established with Ms. Michelle Shannon appointed as the National Director. The Service is an executive office of the Department of Justice, Equality and Law Reform and funds organisations providing services, including Garda and Probation Projects, to young people aged less than 18 years who find themselves in conflict with the law. These children may be involved with An Garda Síochána, the Probation Service and the Courts Service.

The main responsibilities of the Irish Youth Justice Service are to:-

- Develop a unified youth justice policy;
- Devise and develop a national strategy to deliver this policy and service;
- Link this strategy where appropriate with other child related strategies;
- Manage and develop children detention facilities;
- Manage the implementation of provisions of the Children Act 2001 which relate to community sanctions; restorative justice conferencing and diversion;
- Co-ordination of service delivery at both national and local level;
- Establish and support consultation and liaison structures with key stakeholders including at local level to oversee the delivery of this service and response;
- Develop and promote information sources for the youth justice sector to inform further strategies, policies and programmes.

Office of the Minister for Children (OMC)

In December 2006, the Government established the Office of the Minister for Children to bring greater coherence to policy making for children. The OMC focuses on harmonising policy issues that affect children in areas such as early childhood care and education, youth justice, child welfare and protection, children and young people's participation, research on children and young people and cross-cutting initiatives for children.

The Irish Youth Justice Service operates within the strategic environment of the OMC to ensure that youth justice issues are viewed in the wider context of childrens' services generally.

Structure of the Irish Youth Justice Service (IYJS)

Headed by its National Director, the IYJS is currently located in Montague Court, 7-11 Montague Street, Dublin 2. It presently comprises 28 personnel including a range of clerical, administrative and professional support staff. Organisational responsibility is spread across three main functional areas; corporate affairs, detention school services and community programmes.

Information available

Information in relation to the Irish Youth Justice Service is available on the Department of Justice, Equality and Law Reform website www.justice.ie and the website of the Office of the Minister for Children www.omc.gov.ie. A dedicated Irish Youth Justice Service website will be developed in 2008.

Copies of the Children Act 2001 and the Annual Reports of An Garda Síochána can be purchased directly from the Government Publications Sales Office in Molesworth Street, Dublin 2.

The Children Act 2001 is available on: www.justice.ie, www.oireachtas.ie and www.omc.gov.ie

Annual Reports of An Garda Síochána are available on www.garda.ie.

The Report on the Youth Justice Review and Garda Youth Diversion Project Guidelines are available on www.justice.ie and www.omc.gov.ie

Classes of Records Held

Records may be classified under the following headings:

- Corporate Affairs
- Community Programmes
- Detention School Services.

Further Information

Requests for further information should be addressed to:

The Irish Youth Justice Service
Montague Court
7-11 Montague Street
Dublin 2

4.22 IRISH PRISON SERVICE

4.22.1 CORPORATE SERVICES DIRECTORATE

Role of the Directorate

The Corporate Services Directorate has a wide range of responsibilities which includes strategic development areas such as business planning and strategy statements, business support services, e.g. payment of invoices and control of supplies. The Directorate also supports the Director General and the Prisons Authority Interim Board and has a co-ordination role in relation to parliamentary questions, Freedom of Information Act requests.

Corporate Services is also responsible for promoting Partnership structures at both Headquarters and institutional level.

Structure of the Directorate

The Directorate comprises 12 people:

Director
Assistant Director
Manager x 2
Assistant Manager x 3
Clerical Officer
Service Officers x 4

Delivery of Service

Corporate Services Division provides a service in relation to a wide range of issues. The Directorate's main customers are the Director General, Prisons Authority Interim Board, media, staff and the Department of Justice, Equality and Law Reform and associated offices.

We also provide a public service by answering queries etc.:-

- Upon request in writing or by telephone;
- From members of the Oireachtas, e.g. parliamentary questions, adjournment debates;
- Freedom of Information requests, and
- Press Queries

Information available

- Annual Reports of the Irish Prison Service
- Irish Prison Service Strategy Statements
- Irish Prison Service website, www.irishprisons.ie
- various reports published by the Irish Prison Service

Where information is currently available

The Prison Service Annual Reports are available from Corporate Services Directorate, Irish Prison Service HQ, IDA Business Park, Ballinalee Road, Longford, Co. Longford and are available on the Prison Service website (www.irishprisons.ie). Our website also includes details of each institution, statistical data and general information about the service, as well as publications and press releases.

The public can also access the Irish Prison Service for information through the Press Office on info@irishprisons.ie, telephone (043) 35100, or fax (043) 35101.

Classes of Records Held

Records/ files are maintained in relation to the functions of the Directorate. All of the records held, both hard copy and electronic, relate to the areas of the work identified hereunder:-

(i) Parliamentary Questions

Any member of Dáil Éireann can put a Parliamentary Question to the Minister for Justice, Equality and Law Reform. Parliamentary Questions are received almost on a daily basis during the sitting term of the Dáil and are usually for answer within four or five working days. They can refer to any of the Directorates areas of responsibilities and therefore require replies which are co-ordinated from information received from the directorates of the Prison Service. Corporate Services is responsible for PQ Management and co-ordination. On receipt of a Parliamentary Question, the Corporate Services Directorate e-mails it to the relevant Directorate for attention. Where the subject matter of the question spans the work of two Directorates, Corporate Services will e-mail the Parliamentary Question to the Directorate to which the substantial part of the PQ relates. That Directorate will have responsibility for preparing the draft reply and obtaining / incorporating material from the other Directorates involved. Where the PQ relates to the work / responsibilities of several Directorates, Corporate Services will seek material for reply from each of them. Corporate Services will then prepare the draft reply based on material received. A tracking system is in place to record the details and processing of Parliamentary Questions.

Records include:

- Replies to Parliamentary Questions

(ii) Procurement Procedures and Purchasing

Corporate Services is responsible for the procurement of non-IT equipment, stationery, services and telecommunications, etc. for the Irish Prison Service Headquarters. Details of the procedures used in relation to procurement are set out in the Irish Prison Service Section 16 reference manual.

Records include:

- Correspondence / requests from staff for supplies, services and telecommunications;
- Information relating to the provision of supplies;
- Correspondence with suppliers and the telecommunications industry;
- Submissions re tenders, etc.,
- Payment Records

(iii) Customer Service

Corporate Services Directorate administers the Irish Prison Service Customer Service Policy through the publication of the Irish Prison Service Customer Service Action Plan which sets out the strategy for reaching the highest standards in the delivery of services.

Records include:

- Customer Service Action Plan

(iv) Partnership

Records would include General Council Reports, Internal Memoranda, General Correspondence, Office Notices and Documents prepared for meetings of the Central Prison Service Partnership Committee and the Partnership Sub-Committee for Staff Working in Prison Service Headquarters.

Speeches

Corporate Services Directorate is responsible for providing speech material for the Director General for various engagements on any of the issues relating to the Directorates area of responsibility. The Directorate is also responsible for the co-ordination of speech material when the subject matter of the speech involves contributions from two or more Directorates of the Irish Prison Service.

Press Office

Corporate Services Directorate retain copies of press releases, newspaper cuttings and selected transcripts of radio/TV news items relating to prisons and prison management.

Further Information

Requests for further information about any matters in relation to this Directorate should be addressed to:

**Corporate Services Directorate
Irish Prison Service
IDA Business Park
Ballinalee Road
Longford
Co. Longford**

4.22.2 ESTATE MANAGEMENT DIRECTORATE

Role of the Directorate

Estates Directorate is responsible for the development and implementation of policy in relation to the provision of additional prison accommodation and the maintenance, refurbishment etc. of existing Prison stock.

Structure of the Directorate

Estates Directorate comprises nine personnel, viz.:

Manager x 2
Deputy Manager x 2
Assistant Manager x 1
Clerical Officer x 2

Functions of the Directorate

The Directorate has responsibility for the following areas:-

- Management of the Accelerated Prisons Building Programme
- Management of the Maintenance/Refurbishment Programme for the existing prisons
- Provision of and maintenance of the Prisons radio communications equipment
- Provision of security / CCTV / videoconferencing equipment and maintenance of same
- Maintenance of all infrastructure support services within the prison, e.g. Kitchens / catering, recreation areas, staff quarters, etc.
- Maintenance service contracts
- The acquisition / disposal of land and / or buildings for prison use

The Directorate may utilise the professional services of the Office of Public Works and / or the technical support services of the Governor Works, Building Services Division, in planning, designing and supervising activities in the above listed areas of responsibility.

External consulting may also be used in this regard on occasion.

Delivery of Service

- The Directorate's main interaction with the public is with appointed private sector Consultants, Contractors and other agencies who provide goods and services to the prisons in relation to building, maintenance and refurbishment. The Procurements of Goods and Services from the private sector is done mainly through a tendering process. In this regard, all tendering arrangements are conducted in compliance with Government Contracts Procedure and, where they apply, EU Works / Procurement Directives. From time to time goods and services are procured by way of a single tender system, for security reasons or the fact that there may be only one supplier of the goods or service;

- Provision of facilities within the prisons for various visitors to prisoners including families, professionals, chaplains, etc.
- The Directorate also interacts with the public in its compliance with the relevant Local Government (Planning and Development) Regulations. The Division is responsible for the preparation and display / placement of public notices / advertisements, making building plans available for public inspection and having due regard to any resultant views or observations lodged by the public (and the local authority).
- The Directorate is also responsible for organising security clearance for all members of the public requiring to enter prisons in regard to prisons building and maintenance works.
- The Directorate processes representations to the Minister or the Department regarding the Prisons Building / Maintenance / Refurbishment programme.
- The Directorate initially reviews the use of new products (including security products) in the telecommunications, audio-visual and building areas.
- The Directorate is also responsible for the installation of mobile phone inhibitor equipment in prisons.

Information available

Copies of Press Releases and Ministerial Speeches are available from the Press Office, Irish Prison Service or from the Press Officer, Department of Justice, Equality and Law Reform.

Classes of Records Held

The Directorate has an extensive list of files relating to the work areas identified in paragraph 2. All of the records held, both in hardcopy and electronic format, are entirely related to the work areas identified and can be categorised as set out hereunder.

New Prison Building Projects (Accelerated Prisons Building Programme)

Files in relation to each project are opened once planning of the works commences. Details on the files would include:

- Minutes of planning meetings, meetings with the Office of Public Works and Governors and Governor of Works staff
- Documentation relating to Government Memoranda and Government decisions
- Press Releases and Minister's speeches
- Minutes of site meetings
- Correspondence with the Office of Public Works and Governors and Governor of Works staff
 - Building briefs of requirements
 - Site maps and plans
 - Representations to Minister / PQ's, correspondence with County Councils / Local Authorities, etc.
 - Accounts of fees and invoices

Maintenance / Refurbishment Programme

Records relate to:

- Minutes of planning meetings
- Communication / letters to consultants
- correspondence with the Governor / Governor of Works and with the Office of Public Works
- Site maps and plans
- Brief of requirements for various projects
- Minutes of site meetings, where applicable
- Representations to Minister / PQ's
- Accounts, fees and invoices

Security / CCTV / Videoconferencing

Records relate to:

- The purchase of security / CCTV / videoconferencing systems
- Tenders / submissions received in respect of systems
- Minutes of meetings with Governors and Consultants

Security Contracts

Records relate to:

- The review of the Annual Service Contracts in relation to the maintenance of prison buildings and services in consultation with the Governor of Works.

Office Administration

Records relate to:

- Appropriation Accounts and Public Accounts Committee briefing papers
- Preparation of Annual Estimates and Ministerial Briefing papers
- Monitoring of expenditure under subheads for which the Directorate has responsibility
- Monthly profiles of expenditure in relation to the subheads for which the Directorate has responsibility
- Accrual accounting and multi-annual budgeting profiles

Procurement

Records relate to:

- Advertisements placed in European Journal, national newspapers and submissions to the Government Contracts Committee

Strategic Management Initiative and Organisation Development

Records relate to:

- Correspondence with Organisation Development Unit concerning Divisional strategy plans, internal working groups on human resources management, customer service and communications and various other issues associated with SMI and organisation development.

Appointment of Consultants

Consultants are appointed from lists held in this Directorate or a list held by the Office of Public Works.

This Directorate's list is compiled from Consultants who write and ask to be placed on the list or who become known to the Directorate through successful projects. Any consultant is entitled to put his name forward for consideration for work.

Within the security constraints of prison work, it is the Directorate's policy to involve as wide a range of Consulting Architects, Engineers and Quantity Surveyors and other specialists as possible.

Miscellaneous

Records relate to:

- Various reports on the Prison system
- Management reports / reviews / research on the Prison system

Further Information

Requests for further information about any matters in relation to this Directorate should be addressed to:

**Estate Management Directorate
Irish Prison Service
IDA Business Park
Ballinalee Road
Co. Longford**

4.22.3 FINANCE DIRECTORATE

Role of the Directorate

The Finance Directorate has responsibility for the following areas:

- Financial reporting and control, including the production of annual financial statements in respect of the Service;
- Developing and implementing financial controls and procedures that comply with best accounting practice, EU regulations and national legislation and guidelines;
- Administer, operate and maintain the new financial management information system;
- Financial management and planning, including the provision and interpretation of financial management information;
- Introducing devolved budgetary control and delegation of financial authority to local management;
- Central Purchasing Unit for the Prison Service;
- Management of civil compensation claims initiated against the Irish Prison Service.
- Management of Civil Escort Scheme.

Structure of the Finance Directorate

The Finance Directorate, which is located at the Irish Prison Service Headquarters, IDA Business Park, Ballinalee Road, Longford, comprises of the following staff:

Director
Assistant Director x 1
Manager x 2
Deputy Manager x 4
Assistant Manager x 4 1/2
Staff Officer x 2
Clerical Officer x 2 1/2

The Directorate is divided into four sections as follows:

Financial Control
Central Purchasing Unit
Civil Claims Compensation
Implementation of new financial systems

Delivery of Service

Most contacts with the Directorate are via Prison Governors, Prison staff, representatives of the Prison Officers' Association as well as from other Divisions within the Irish Prison Service, the Department of Justice, Equality and Law Reform and other state agencies.

Information available

Annual Reports of the Prison Service
Government Contracts Procedures
EU Public Procurement Guidelines

Classes of Records Held

Internal financial information and estimates
Reports on prison expenditure
Reports on budgets
Tender documents

Further Information

Requests for further information about any matters in relation to this Directorate should be addressed to:

**Finance Directorate
Irish Prison Service
IDA Business Park
Ballinalee Road
Co Longford**

4.22.4 HUMAN RESOURCES DIRECTORATE

Role of the Directorate

The Human Resources Directorate is responsible for developing and implementing Human Resource policies for the Irish Prison Service on such issues as recruitment, training and development, staffing, welfare of staff, change management, industrial relations, control of absenteeism and overtime, discipline, etc.

Structure of the Directorate

The Directorate, which is located in the Irish Prison Service Headquarters at IDA Business Park, Ballinalee Road, Longford, Co. Longford comprises a total of 28.5 staff, as follows:

Director
Deputy Director x 3
Manager x 4
Deputy Manager x 7
Assistant Manager x 7.5
Staff Officer x 3
Clerical Officer x 5.5

Functions of the Directorate

Recruitment and Development

Recruitment
Transfers and Assignments of Staff
Promotions and Promotion Structures and Assessment Review
Pay Scales
Staff Health and Safety
Removal/Travel and Subsistence Expenses
Business Planning
Intercultural-ism
Miscellaneous HR issues and Projects

General HR issues

Absenteeism Control
Annual Leave/Special Leave/Career Breaks
Maternity/Paternity/Adoptive Leave
Job Sharing
Temporary Transfers
Medical Expenses
Disciplinary Matters
Dismissals
Dispute Settlement Procedures
Probationary Services
Employee Assist. Programme
Code of Discipline
Criminal Injuries
Pensions
Resignations

Retirements
Merit Awards Scheme for Prison Staff
Medals/Long Service/Bravery
Bullying and Harassment Policy

STEP

Industrial Relations and Conciliation and Arbitration
Negotiations on Change Agenda
Change Implementation Planning
Staff Deployment
Attendance Patterns/Rosters
Financial Profiling/Costings/Estimates
Payment of Allowances

Staffing and Development

Medical/Psychology/Chaplaincy Services
Human Resource Management System
Performance Management and Development System
Increments
Maintaining Core Staffing Levels
IPS Headquarters Staffing Issues
Staffing Reports
Staff Training and Development incl. refunds of educational fees to staff

Delivery of Service

Most contact with the Directorate is via Prison Governors, prisons staff, staff representatives as well as from other Directorates within the Irish Prison Service and other state agencies.

Information available

Strategy Statement
Annual Reports of the Prisons and Places of Detention

Procedures followed by the Section may be accessed under the publication requirements mandated by Section 16 of the Freedom of Information Act (1997).

Classes of Records Held

1. Personal information consisting of staff files

Personal information is held on centrally registered paper files and on stand alone PCs and the IPS computer network

Personal information is managed on the file relating to the individual officer. The limited computerised personnel system is capable of generating summary information in relation to service, sick leave, applications for transfer etc.

A new HR computer system is currently being developed which will generate more detailed information in relation to sick leave statistics and all HR information required.

2. Non-Personal information consisting of:

- Industrial relations correspondence
- Information about prison staffing arrangements
- Policy submissions on prisons staffing/management/industrial relations issues
- Code of Discipline
- Employment Equality
- Grievance/Dispute Procedures
- Papers relating to Conciliation and Arbitration Claims
- Internal administration
- Correspondence with Governors

These are held on centrally registered files and on the Department's computer network.

Further Information

Requests for further information about any matters in relation to this Directorate should be addressed to:

**Human Resources Directorate
Irish Prison Service Headquarters
IDA Business Park
Balinalee Road
Co Longford**

4.22.5 HEALTHCARE DIRECTORATE

Role of the Directorate

The Healthcare Directorate is responsible for the co-ordination and organisation of healthcare services provided to all prisoners.

Functions of the Directorate

- Advice in relation to the structure of Healthcare (including psychiatric, nursing, dental and ancillary) services.
- Strategic planning of new developments including medical, structural and personnel issues. Included in this area would be direct involvement in areas of medical and related recruitment together with involvement in matters of medical industrial relations. In addition, significant input is required on an on-going basis in relation to the management of both drug abuse and associated communicable diseases in the prison context.
- Provision of operational policy and professional guidance relating to the provision of Healthcare services.
- Monitoring of financial expenditure on medical services and evaluation of effectiveness.
- Responding to complaints from prisoners regarding standards and services available. Such response may be in writing or by direct meeting with the prisoner if so requested.
- Contribution to the Annual Reports published by the Irish Prison Service.
- Consultation and advice in relation to health information for prisoners and staff.
- Liaison with Department of Justice, Equality and Law Reform, Prison management, medical staff, external medical agencies (Department of Health and Children, Health Boards, Hospitals, etc) in relation to the organisation and provision of healthcare services.
- Participation in inter-departmental and inter-agency groups where the health status of prisoners is an issue.
- Maintenance of an adequate knowledge base through contact and communication with other services and jurisdictions.
- Advice in relation to queries from press and other sources, both national (Visiting Committees etc.) and international (EU, CPT etc.) regarding healthcare services.
- Advice in relation to PQs regarding various aspects of healthcare and related matters.
- Co-ordination of medical reports and information in relation to the Transfer of Sentenced Prisoners.
- Assessment of requests made under the terms of the Freedom of Information Act for either personal or non-personal healthcare related information and the provision of information where appropriate.

Structure of the Directorate

The staff of the Directorate consists of the

**Director of Prison Healthcare Services,
Co-ordinator of Prison Nursing Services,
Prison Pharmacist,
Executive Officer (1)
Clerical Officer (1)**

Delivery of Service

As outlined under Role above, the core remit of this Directorate consists of providing information and advice on a variety of medical and medically related issues to other sections of the Irish Prison Service. Other customers would include:

- Department of Justice, Equality and Law Reform
- Prisoners and their families, either through direct telephone contact or written communication
- Prison Management and Staff
- Prison Medical Staff
- Prison Visiting Committees
- External Doctors, Hospitals and other medical and para-medical agencies
- Other Government Departments

Information Available

- Irish Prison Service Healthcare Standards
- Irish Prison Service Healthcare Mission Statement
- The Report of the Group to Review the Structure and Organisation of Prison Healthcare (2001)
- Irish Prison Service Annual Reports
- Visiting Committee Annual Reports
- Hepatitis Studies (TCD)
- Healthcare Studies (NUIG)

Classes of Records Held

Records held by the Prison Healthcare Directorate, in both electronic and paper form, relate to the entirety of work of the Directorate as outlined in the role above. The vast bulk of information held is non-personal.

Personal Information

- Informal or sectional paper files dealing with correspondence to and from individual prisoners
- Data or self-injury incidents involving prisoners reported by individual prison establishments
- Medical reports supplied for transmission to other jurisdictions pursuant to obligations arising under the terms of the Convention on the Transfer of Sentenced Persons.

Non-personal Information

- Various strategic policy and advisory documents and reports concerning the provision of healthcare to prisoners.
- Policy and advisory documents and reports concerning medical, para-medical and other healthcare staffing within the Prison system.

Further Information

Requests for further information about any matters in relation to this Directorate should be addressed to:

**Healthcare Directorate
Irish Prison Service Headquarters
I.D.A. Business Park,
Ballinalee Road,
Co.Longford**

4.22.6 OPERATIONS DIRECTORATE

Role of the Directorate

The Operations Directorate is responsible for directing and co-ordinating the general operation of the 14 prison institutions to ensure safe, secure and humane custody of prisoners consistent with the rule of law and government policy.

This includes, for example:-

- (a) Control/management of prisoner numbers
- (b) General sentence management
 - (i) Review meetings
 - (ii) Case conferences
 - (iii) Temporary releases
 - (iv) Transfer of prisoners within the prison system
 - (v) Production of prisoners at Court
 - (vi) Transfer of prisoners to hospitals
 - (vii) Maintaining prisoner records
 - (viii) Offenders reviewed by the Interim Parole Board
- (c) Monitoring long term sentenced offenders on reviewable temporary release
- (d) Victim Liaison
- (e) Mitigation of fines
- (f) Security procedures
- (g) Responding to legal challenges
- (h) Parliamentary Questions
- (i) Representations
- (j) Press Queries
- (k) Queries from members of the public
- (l) Freedom of Information requests

List of the 14 Prison Institutions

Mountjoy Prison, North Circular Road, Dublin 7
The Dóchas Centre (Mountjoy Female Prison), North Circular Road, Dublin 7
St Patrick's Institution, North Circular Road, Dublin 7
The Training Unit, Glengarriff Parade, Dublin 7
Arbour Hill Prison, Arbour Hill, Dublin 7
Wheatfield Prison, Cloverhill Road, Clondalkin, Dublin 22
Cloverhill Prison, Cloverhill Road, Clondalkin, Dublin 22
Cork Prison, Rathmore Road, Cork
Limerick Prison, Mulgrave Street, Limerick
Castlerea Prison, Harristown, Castlerea, Co Roscommon
Portlaoise Prison, Dublin Road, Portlaoise, Co Laois
Midlands Prison, Dublin Road, Portlaoise, Co Laois
Shelton Abbey Place of Detention, Arklow, Co Wicklow
Loughan House Place of Detention, Blacklion, Co Cavan

Structure of the Directorate

Operations Directorate comprises 21 personnel:

Director
Governor
Manager x 4
Deputy Manager x 4
Assistant Manager x 2
Staff Officer
Clerical Officer x 8

Delivery of Service

The Operations Directorate provides a service on a daily, weekly or occasional basis, orally or in written form to a wide range of customers including:-

- (a) the general public;
- (b) prisoners;
- (c) the family and friends of prisoners;
- (d) the Prisons, through the Governor and staff of each institution;
- (e) victims of crime;
- (f) members of the Oireachtas and other public representatives through the Office of the Minister for Justice, Equality and Law Reform;
- (g) the media through the Prison Service Press Office;
- (h) the Probation Service;
- (i) the Garda Síochána;
- (j) the Courts;
- (k) legal representatives of offenders;
- (l) National, Foreign National, European and International Organisations;
- (m) the Minister and Department of Justice, Equality and Law Reform;
- (n) other Government Departments and Offices;
- (o) Non-Government organisations and voluntary bodies, e.g., Alcoholics Anonymous, Prisoners Aid through Community Effort (PACE), Coolmine Therapeutic Community, Cuan Mhuire and Merchants Quay Project.

Information available

All legislation governing this work area is available from the Government Publications Sales Office, Sun Alliance House, Molesworth Street, Dublin 2 (tel. (01) 661 3111). Other publications available from there include Prison Service Annual Reports, which are also available on the Irish Prison Service website (www.irishprisons.ie) and Corporate Services Directorate, IPS HQ, IDA Business Park, Ballinalee Road, Longford.

Legislation

The general body of criminal justice legislation including:-

Primary Legislation

The Constitution;
Adaptation of Enactments Act, 1922 (No. 22 of 1922);
Lunatics (Ireland) Act, 1821;
The Prisons (Ireland) Act, 1826;
Criminal Lunatics (Ireland) Act, 1838;
Central Criminal Lunatic Asylum (Ireland) Act, 1845;
The Prisons (Ireland) Act, 1846;
The Prisons (Ireland) Act, 1856;
The Prison Officers Superannuation (Ireland) Act, 1873;
Lunatic Asylums (Ireland) Act, 1875;
The General Prisons (Ireland) Act, 1877;
Trial of Lunatics Act, 1883;
The Prison Service (Ireland) Act, 1883;
The Prisons (Ireland) Amendment Act, 1884;
Prisons Act, 1898;
Fines of Imprisonment (Ireland and Scotland) Act, 1899;
The Prisons (Ireland) Act, 1907;
Children Act, 1908;
Prevention of Crime Act, 1908
Criminal Justice Administration Act, 1914;
Prisons (Visiting Committees) Act, 1925;
Prisons Act, 1933;
Offences Against the State Act, 1939;
Enforcement of Court Orders Act, 1940;
Children Act, 1941;
Prisons Act, 1956;
Criminal Justice Act, 1951;
Criminal Justice Act, 1960;
Prisons Act, 1970;
Prisons Act, 1972;
Prisons Act, 1974;
Prisons Act, 1977;
Prisons Act, 1980;
Transfer of Sentenced Persons Acts, 1995 and 1997;
Bail Act, 1997;
Children's Act, 2001;
Sex Offenders Act, 2001;
Criminal Justice (Temporary Release of Prisoners) Act, 2003;
Criminal Law (Insanity) Act, 2006;
Criminal Law (Sexual Offences) Act, 2006;
Criminal Justice Act, 2006;
Prisons Act, 2007;
Criminal Justice Act, 2007;
Criminal Law (Sexual Offences)(Amendment) Act, 2007.

Rules and Regulations

General Prisons Board (Transfer of Functions) Order, 1928;
St. Patrick's Institution Regulations, 1960 (S.I. No. 224 of 1960);
Detention of Offenders (Loughan House) Regulations, 1973 and 1983 (S.I. No. 60 of 1973 and S.I. No. 132 of 1983);
Detention of Offenders (Training Unit) Regulations 1975 (S.I. No. 251 of 1975);
Detention of Offenders (Shelton Abbey) Regulations 1976 (S.I. No. 293 of 1976);
Detention of Offenders (Restrictions on Privileges) Regulations, 1997 (S.I. No. 116 of 1997);
Prisons (Temporary Release) Rules, 1960 (S.I. No. 167 of 1960);
Prisons Act, 1972 (Military Custody) Regulations, 1972 (S.I. No. 138 of 1972);
Prisons (Visiting Committees) Order, 1925 (Vol XVIII 805, June 3rd 1925);
Prisons (Visiting Committees) Order, 1972 (S.I. No. 217 of 1972);
Rules of the Superior Courts;
Rules of the Circuit Court;
Rules of the District Court;
Prison Rules, 2007 (S.I. No. 252 of 2007).

European Conventions and Standards

European Prison Rules;
European Convention on the Transfer of Sentenced Persons;
European Convention on the Prevention of Torture and Inhuman or Degrading Treatment or Punishment;
European Convention on Human Rights;
Universal Declaration of Human Rights;
Vienna Declaration of Human Rights;
International Convention on Civil and Political Rights;
UN Convention on the Rights of the Child.

Classes of Records held:

Personal Information

Paper Files

Both a Prison file and an Operations Directorate file are normally created in respect of each person committed to a prison. Directorate files are not always created for remand prisoners or those serving very short sentences.

The prison file may contain all or some of the following records : -

- (a) Committal warrants (originals);
- (b) Transfer orders (originals);
- (c) Hospital orders (originals);
- (d) Certification orders (copies);
- (e) Production orders (originals);
- (f) Formal and informal reports from the prison authorities;
- (g) Half sheets (i.e. written requests from a prisoner) together with relevant comments and a record of any decision(s) (originals);
- (h) Disciplinary reports (originals);
- (i) Restraints/padded cell reports (copies);
- (j) Committal details form (original);

- (k) Prisoner profiles (originals);
- (l) Sentence calculation details (original);
- (m) Records relating to monies/valuables/property;
- (n) Temporary release forms (originals);
- (o) Court orders (body warrants, summonses, court results, etc.) (originals);
- (p) Court applications (bail applications, notices of appeals, etc.);
- (q) Prisoner photographs (originals);
- (r) C63 forms (reports from An Garda Síochána on prisoner background) (originals);
- (s) Section 42 warrants (when prisoner is arrested in the prison and taken for questioning in relation to a different offence) (copy);
- (t) Correspondence to Governor on behalf of the prisoner and subsequent replies (originals);
- (u) Internal memos, e.g. Officer reports;
- (v) Requests from An Garda Síochána to interview prisoners;
- (w) Correspondence from legal representatives.

The Directorate's file may contain copies of some or all of the above records plus the following : -

- (a) notes of views expressed by An Garda Síochána and sometimes Garda and witness statements;
- (b) representations to the Minister for Justice, Equality and Law Reform together with replies to same (originals);
- (c) Parliamentary Questions and responses thereto;
- (d) newspaper articles;
- (e) Prisoner Details Report (contains relevant sentence management details such as length of sentence, offence details, release date, previous sentence details, sentence management decisions, etc.);
- (f) correspondence to the Prison Service regarding the prisoner and subsequent replies (originals);
- (g) reports prepared from the therapeutic services in the Prison (including the Psychology Service, Education Service, Probation Service and Psychiatrists);
- (h) submissions to Minister on prisoner and Ministerial decisions (originals);
- (i) Review meeting notes and comments (originals).

Electronic Information Holdings

There are two computer systems in use at present as follows:

- (a) Prisoner Records Information System (PRIS), and
- (b) Lotus Notes Systems.

(a) Prisoner Records Information System (PRIS)

The majority of data is entered by staff in the General Office of each Institution. The level of information captured and maintained varies from prisoner to prisoner. Information is held on the system under the following headings:

- (i) Prisoner No.
- (ii) Prisoner Name (and aliases)
- (iii) Prisoner address (and previous addresses)
- (iv) Date of birth
- (v) Current prison (Mountjoy, Cork, etc.)
- (vi) Gender

- (vii) Home telephone number
- (viii) Local Garda Station
- (ix) Committal status (sentenced, on remand)
- (x) Current status (sentenced, on temporary release, etc.)
- (xi) Most serious offence
- (xii) Length of sentence
- (xiii) Legal status (adult, juvenile)
- (xiv) Location of prisoner in prison (which wing)
- (xv) Cell number
- (xvi) Security class (A,B,..)
- (xvii) Prisoner Features - Complexion
- (xviii) Prisoner Features - Skin Colour
- (xix) Prisoner Features - Eye Colour
- (xx) Prisoner Features - Hair length
- (xxi) Prisoner Features - Hair colour
- (xxii) Prisoner Features - Facial hair
- (xxiii) Prisoner Features - Marital status
- (xxiv) Prisoner Features - Weight (Kg)
- (xxv) Prisoner Features - Height (Cm)
- (xxvi) Prisoner Features - Spectacles (Y/N)
- (xxvii) Prisoner Features - Contact lenses (Y/N)
- (xxviii) Prisoner Features - Previous psychiatric history (Y/N)
- (xxix) Occupation Type
- (xxx) Occupation Status
- (xxxi) Nationality
- (xxxii) Ethnic Origin
- (xxxiii) Language
- (xxxiv) Religion
- (xxxv) Read (Y/N)
- (xxxvi) Write (Y/N)
- (xxxvii) Place of birth
- (xxxviii) Level of education
- (xxxix) Age left school
- (xl) Solicitor forename
- (xli) Solicitor surname
- (xlii) Solicitor telephone no.
- (xliii) Marks and scars - location, type, tattoo (type), description
- (xliv) Armed forces history - service, rank, last stationed, serving (Y/N)
- (xlv) Next of kin details - forename
- (xlvi) Next of kin details - surname
- (xlvii) Next of kin details - relationship
- (xlviii) Next of kin details - address
- (xlix) Next of kin details - town/area
- (l) Next of kin details - county/city district
- (li) Next of kin details - country
- (lii) Next of kin details - telephone 1
- (liii) Next of kin details - telephone 2
- (liv) Next of kin details - local Garda station
- (lv) Prisoner photograph - date taken, taken by
- (lvi) Fingerprint history - date taken, taken by
- (lvii) Prisoner remission date - sentence start date, sentence end date, rate of remission
- (lviii) Prisoner reference I.D. - PPS number

- (lix) Prisoner reference I.D. - Garda Criminal Records Office number
- (lx) Prisoner reference I.D. - previous file reference
- (lxi) Prisoner reference I.D. - court defendant
- (lxii) Prisoner reference I.D. - Pulse number
- (lxiii) Prisoner reference I.D. - merged prisoner number
- (lxiv) Warrant details - number, type, date signed, date lodged
- (lxv) Legal details - court, court date, legal status, hearing i.d., Judge forename, Judge surname, record number, Garda charge sheet number
- (lxvi) Warrant- sentence details - sentence number, start date, years, months, weeks, days, confirmed (Y/N)
- (lxvii) warrant no. type, date sentenced, court
- (lxviii) sentence details - sentence number, start date, years, months, weeks, days, type, status, notes, review date, remand to date, remand to time
- (lix) Appeal details - date lodged, appeal date, appeal date decision
- (lxx) sentence/offence enquiry - code, offence, foreign (Y/N), counts (1,2,...), start date, end date, offence i.d., Garda station, notes
- (lxxi) Release Dates - remission date, sentence expiry date (SED), remission available, remand date
- (lxxii) Credit/Debit Days - no. of cr/dr debit days, warrant no., warrant type (sentenced/remand), date signed, Garda charge sheet no., hearing ID, court date, court, bail start date, bail end date, linked warrants
- (lxxiii) Summary Related Sentence/Offence - sentence no., type, offence, foreign jurisdiction (Y/N), offence count, start date, end date, Garda station, offence ID
- (lxxiv) Appeal History - warrant no., sentence no., appeal date, results, status
- (lxxv) Related Warrants - warrant 1 no., link (consecutive/concurrent), warrant 2 no.
- (lxxvi) Warrant Summary - fine, costs, compensation, confirm (Y/N), start date, sentence type, legal status, years, months, days, weeks
- (lxxvii) Related Sentences - warrant no., warrant type, length of sentence, sentence 1 no., type 1, link (concurrent/consecutive), sentence 2 no., type 2, Euro €
- (lxxviii) Security Category History - security category, date/time assigned, date of review, assigned by
- (lxxix) Misconduct's and Punishments - report no., report date, incident date, establishment, legal rep. forename(s), legal rep. Surname, summary misconduct, reporting officer, remarks, witness (Y/N), misconduct's
- (lxxx) Punishment Details - date, punishment, days lost, remission, days lost privileges, amount awarded, start date, end date, awarding Governor, lost remission restored
- (lxxxii) Restoration Details - restored lost remission, reason, date, Governor
- (lxxxiii) Prisoner Intelligence - date, location, time, description, intelligence type, intelligence class, further info.
- (lxxxiii) Linked Prisoners - Pris no., name, relationship, date
- (lxxxiv) Garda View - date requested, date received, and Garda information relating to offence and previous criminal activity
- (lxxxv) External Movements - movement no., reason, departure date, departure time, from establishment, arrival date, to establishment, release (Y/N), out of state (Y/N), narrative, complete (Y/N)
- (lxxxvi) Add/Update External Movements - date of birth, alias, reason, from establishment, date, time of departure, depart user ID, plan user ID, to establishment, date, time of arrival, arrival user ID, out of state (Y/N), release (Y/N), notes
- (lxxxvii) Court Appearance - appearance no., case no., court, start date, source, hearing type, cancellation reason, last updated by, date last updated
- (lxxxviii) Record Court Appearance - appearance no., case no., start date, time, prisoner attendance (Y/N), end date, source, hearing type, special marker

- (lxxxix) Cancellation Details - cancel appearance (Y/N), cancellation reason
- (xc) Court Results - appearance no., case no., court, start date, seq. no., reason, result ID, result date, last updated by, date last updated
- (xci) Print Escort Card
- (xcii) Temporary Absence - no., establishment, reason, date out, planned departure time, actual departure time, expected date in, expected time in, actual date in, actual time in, destination address, absence in progress (Y/N), reason back early, non-appearance reason
- (xciii) Future Movement - date from, date to, movement type, movement reason, moved to establishment, jurisdiction, date applied, address 1, address 2, address 3, town/area, city/county, country
- (xciv) Parole/Sentence Review - review date, review type, decision, conditions, parole start date, prior actions, after actions, recommendations, future review date, historic
- (xcv) Previous Convictions - conviction date, court, warrant no., sentence no., sentence type, offence description, sentence start date, years, months, weeks, days, for Juris. (Y/N), release date, fine imposed, costs imposed, compensation imposed, appeal result, sex offender (Y/N), notification expiry date, SO (Y/N), SO expiry date, custodial periods served
- (xcvi) Most Serious Offence - warrant, sentence, sentence type, offence code, offence, most serious offence (Y/N)
- (xcvii) Prisoner Grievance - grievance no., level, type, action, action date, next requested action date, issued to
- (xcviii) Prisoner in/out - start date, end date, establishment, warrant number, admission date, legal status, release date, not det. (Y/N), absence date out, actual date in, reason, not det. (Y/N)
- (xcix) Merge Prisoner Records - merge from new : prisoner no., prisoner surname, old prisoner no., old prisoner surname
- (c) Fine Summary - warrant no., warrant type, sentence no., start date, years, months weeks, days, fine imposed, fine paid, fine payment date, costs imposed, costs paid, costs payment date, compensation, compensation paid, compensation payment date, mitigation amount, confirmed (Y/N)
- (ci) Fine Payment - details
- (cii) Fine Details - fine imposed, fine outstanding, fine paid, costs imposed, costs outstanding, costs paid, compensation imposed, compensation outstanding, compensation paid, total amount due, payment amount, payment date
- (ciii) Fine Payment Details Confirmed (Y/N)
- (civ) Mitigation Details - amount, forename(s), surname
- (cv) Paid By - forename(s), surname, relationship, address, town/area, county/city, country
- (cvi) Visits - prisoner no., prisoner surname, date of visit, time of visit, duration of visit, type of visitor, name of visitor, relationship, firm, escort, supervising officer, address, town/area, county/city, country, children, visit status, special visit, notes
- (cvii) Banned/Approved Visitors - prisoner no., prisoner surname, visitor name, ban/approved no., banned/approved date
- (cviii) Prisoner Correspondences - prisoner no., prisoner surname
- (cix) Correspondence Type : In - date in, person sending in, address, Garda station, distribution status, source, type, contents, value, currency, recording user
- (cx) Correspondence Type : Out - date out, no. of items, cost of stamps, receiving person, address, Garda station, distribution status, source, type, recording user
- (cxi) Correspondence Type : Prohibited - prohibited individual, address, Garda station, date prohibited, date sanctioned, recording user
- (cxii) Court Applications - Prison no., prisoner surname, app. no., date lodged, case no., court, type, status, last updated by, date last updated

- (cxiii) Court Results
- (cxiv) Assessment Reports - Prison no., prisoner surname, date requested, date received, report type, reference, last updated date, last updated by
- (cxv) Assessment Report Details - prisoner no., prisoner surname, report type, date requested, date received, report reference, report location, report comments, last updated by, last updated date
- (cxvi) Sentence management decisions made

(b) Lotus Notes Systems

Material kept on the Lotus Notes Systems would consist entirely of soft copies of documents such as notes, letters (including replies to representations), submissions, reports, etc. The systems are used to create, print, mail and store these documents. The documents could and do contain personal information relating to prisoners.

In addition to the documents above, some of the data from the Prisoner Records Information System (PRIS) may be replicated in the Lotus Notes Systems.

Non-Personal Information

Centrally Registered Records

There are no centrally registered records and each record is instead filed locally at the Operations Directorate of the Irish Prison Service.

Electronic Information Holdings

Documents relating to non-personal or policy type issues are generated and maintained on the Lotus Notes Document Library. These include such records as correspondence issued, briefing notes for information and submissions, answers to Parliamentary Questions, replies to representations to the Minister for Justice, Equality and Law Reform or the Director General of the Prison Service and policy documents such as those relating to the implementation of business plans and strategy statements.

Paper Folders

Documents relating to specific tasks or aspects of the management of the prisoner population are held on informal files which are located within the Directorate. These include files relating to general policy issues such as drug treatment, prison incidents, hunger strikes, the management of disruptive prisoners, temporary release guidelines, etc.

Access to records held

Requests may be made by prisoners or former prisoners seeking access to their personal files or from the media or other interested parties seeking access to records relating to policy issues. Such requests should be addressed to the Freedom of Information Officer, Department of Justice, Equality and Law Reform.

Further Information

Requests for further information about any matters in relation to this Directorate should be addressed to:

**Operations Directorate
Irish Prison Service Headquarters
IDA Business Park
Ballinalee Road
Co Longford**

4.22.7 REGIMES DIRECTORATE

Role of the Directorate

The role of Regimes Directorate is to facilitate the adoption of a multi-faceted approach to helping prisoners to develop their sense of responsibility and encouraging those attitudes and skills which will assist them to return to society with the best chance of leading law-abiding and self-supporting lives after release.

A key role of the Directorate is to develop and improve policy to contribute to the Service's commitment to the re-balancing of the custodial and care/rehabilitation functions. This is to be achieved through co-ordinating and supporting the multi-disciplinary team of general service, prison service and professional grades, responsible for psychology, education, work and training, chaplaincy, prisoner programmes, drug treatment and living conditions of prisoners.

In particular the Directorate is responsible for:

- Developing appropriate regimes for prisoners including particular regimes for specific prisoner groups;
- Ensuring proper living conditions for prisoners based on defined care standards in areas such as accommodation, hygiene, laundry and catering;
- Ensuring that prisoners have available to them appropriate education, work, training, psychology, welfare and chaplaincy services;
- Developing Integrated Sentence Management involving a new prisoner-centred approach to service delivery and improved linkages with community-based services in the provision of pre and post release supports;
- Developing and implementing prisoner programmes and ensuring that programmes operate in accordance with best practice and are subject to ongoing review and periodic evaluation;
- Developing effective partnerships with statutory and non-statutory bodies to facilitate the successful integration of prisoners into the wider community.

The role of the Directorate in relation to these areas of responsibility includes :-

(a) Developing and improving the Service's policy in relation to prisoner care and rehabilitation issues. This is achieved:

- through research into international best practice
- by reviewing the effectiveness of existing policy and practice
- the preparation of proposals for improvement in services and interventions where appropriate, and,
- the identification and implementation of new policy initiatives in consultation with other Directorates.

(b) Progressing the implementation of relevant Government commitments to prisoner rehabilitation and social inclusion.

(c) Facilitating the effective operation of programmes and interventions for prisoners by reviewing the resources required to achieve their objectives and seeking additional resources as necessary.

(d) Liaising with Governmental and community and voluntary sector organisations so as to maintain and maximise co-operation with these agencies and to facilitate a co-ordinated and targeted approach to the care, rehabilitation and integration of prisoners.

(e) Preparation of:-

(i) Advice material, speech material and briefing material to Director General or Minister as required.

(ii) Replies to:-

- Parliamentary Questions
- Adjournment Debates
- Representations from members of the Oireachtas
- Representations from the public
- Phone queries from other Departments, members of the public, etc.
- Questionnaires on prison regimes, etc. national and international
- Press queries.

This involves compilation of material through consultation with other Directorates within the Service, Prison Management and other Departments and Statutory Agencies.

(f) Administration of Directorate, ensuring adequate resources to fulfil the role of the unit, personnel matters, management and control of the workload, preparation and maintenance of work process documentation for the Directorate.

Structure of the Directorate

Regimes Directorate administrative staff are located in the Irish Prison Service Headquarters in IDA Business Park, Ballinalee Road, Longford and comprise of the following:

Director
Deputy Director x 3
Manager x 2
Deputy Manager x 3
Assistant Manager x 1
Clerical Officers x 3

The Directorate is, in addition to the administrative staff, comprised of 4 main services:

- Psychology Service
- Education Service
- Chaplaincy Service
- Work and Training Service.

Separate sections for each of these work areas are contained in this manual.

Delivery of Service

Directly to the public in written correspondence or by phone.
Parliamentary Questions.

Responses to Oireachtas proceedings.
 Representations from Members of the Oireachtas.
 Press Queries.
 Responses to other public agencies.
 Inter-Departmental Committees.

Information Available

All legislation governing this work area is available from the Government Publication Sales Officer, Sun Alliance House, Molesworth Street, Dublin 1 (tel. (01 6613111)). Other publications available from there include Irish Prison Service Annual Reports and the following: -

Title	Year
Management of Offenders (A Five Year Plan)	1994
Tackling Crime	1997
Report of the Advisory Committee on Communicable Diseases in Prison	1993
Report of Prisons Hygiene Policy Group	1996
Towards an Independent Prisons Agency	1997
A Study of Irish Female Prisoners	1996
National Economic and Social Forum (NESF)	
Report No. 22 - Reintegration of Prisoners	2002
The Development of a new Multi-disciplinary Sex Offender Rehabilitation Programme for the Irish Prison Service by Dr Francesca Lundstrom	2002
Keeping Drugs out of Prisons – IPS Drugs Policy and Strategy	2006
Report of the Advisory Group on Prison Deaths	1991
Report of the National Steering Group on Deaths in Prisons	1999

Legislation

The general body of criminal justice legislation including: -

Primary Legislation

The Constitution;
 Adaptation of Enactments Act, 1922 (No. 22 of 1922);
 The Prisons (Ireland) Act, 1826;
 The Prisons (Ireland) Act, 1846;
 The Prisons (Ireland) Act, 1856;
 The Prison Officers Superannuation (Ireland) Act, 1873;
 General Prisons (Ireland) Act, 1877;
 Prison Service (Ireland) Act, 1883;
 Prisons (Ireland) Amendment Act, 1884;
 Prisons Act, 1898;
 Fines or Imprisonment (Ireland and Scotland) Act, 1899;
 The Prisons (Ireland) Act, 1907;
 Criminal Justice Administration Act, 1914;
 Prisons (Visiting Committees) Act, 1925;
 Prisons Act, 1933;
 Offences Against the State Act, 1939;
 Enforcement of Court Orders Act, 1940;
 Prisons Act, 1956;

Criminal Justice Act, 1951;
Criminal Justice Act, 1960;
Prisons Act, 1970;
Prisons Act, 1972;
Prisons Act, 1974;
Prisons Act, 1977;
Prisons Act, 1980;
Transfer of Sentenced Persons Acts, 1995 and 1997;
Prisons Act, 2007.

Rules and Regulations

General Prisons Board (Transfer of Functions) Order, 1928;
St. Patrick's Institution Regulations, 1960 (S.I. No. 224 of 1960);
Detention of Offenders (Shanganagh Castle) Regulations, 1970 (S.I. No. 313 of 1970);
Detention of Offenders (Loughan House) Regulations, 1973 and 1983 (S.I. No. 60 of 1973 and S.I.No. 132 of 1983);
Detention of Offenders (Training Unit) Regulations 1975 (S.I. No. 251 of 1975);
Detention of Offenders (Shelton Abbey) Regulations 1976 (S.I. No. 293 of 1976);
Detention of Offenders (Wheatfield) Regulations 1989 and 1990 (S.I. No. 135 of 1989 and S.I. No.218 of 1990);
Detention of Offenders (Unit A Castlereagh) Regulations 1996 (S.I. No. 361 of 1996);
Temporary Release of Offenders (Unit A Castlereagh) Rules (S.I. No. 360 of 1996);
Detention of Offenders (Restrictions on Privileges) Regulations, 1997 (S.I. No. 116 of 1997);
Prison Rules, 2007;
Prisons (Temporary Release) Rules, 1960 (S.I. No. 167 of 1960);
Rules of the Superior Courts;
Rules of the Circuit Court;
Rules of the District Court.

European Conventions and International Standards

European Prison Rules (Strasbourg 1987);
European Convention on the Transfer of Sentenced Persons (Strasbourg 1983);
European Convention on the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (Strasbourg 1987);
European Convention on Human Rights (Strasbourg 1950);
Universal Declaration of Human Rights, 1948;
Vienna Declaration of Human Rights, 1993;
International Convention on Civil and Political Rights;
UN Convention on the Rights of the Child.

Classes of Records Held

Records held in both paper and electronic format relate to the matters set out above under Role of the Division. This includes records in relation to:

Psychology Service
Education Service
Chaplaincy Service
Work and Training Service
Probation Service
Reintegration

Homelessness
Accreditation
Drug Treatment
Sex Offender Programme
Deaths in Custody/suicide/self-harm
Financial Management
Security Clearances
Catering
Laundry

These records are comprised of working papers, management reports and general correspondence.

Further Information

Requests for further information about any matters in relation to this Directorate should be addressed to:

**Regimes Directorate
Irish Prison Service
IDA Business Park
Ballinalee Road
Co Longford**

4.22.8 PSYCHOLOGY SERVICE

Role of the Service

The role of the Psychology Service is set out in Part 14 of the Prison Rules 2007. The Psychology Service applies psychological research, principles and skills to the needs of the Irish Prison Service. In doing this, it fulfils a wide variety of roles including the following:

- **The provision of mental health care services to offenders**
On an individual or group programme basis. Individual work with offenders includes - longer-term therapeutic work, supportive counselling, motivational counselling and crisis counselling. Programmes include anxiety management and Dialectical Behaviour Therapy (DBT).
- **The provision of offence-focused interventions to offenders**
On an individual or group programme basis. Programmes include;
 - Sex offender programme
 - Anger management programmes
 - Cognitive skills programmes.
- **The provision of services to drug misusers**
This includes motivational and relapse prevention work on an individual and group basis.
- **Risk assessment and management**
This involves work with longer term offenders and those involved in the Parole Board process.
- **Staff training and development**
Training staff for programme delivery and operational issues such as managing critical incidents.
- **Development of prison regimes/multidisciplinary work**
Psychologically informed policy development at local prison level and at central management level.
- **Research**

Structure of the Service

There are seventeen Psychologists working in the service - one Head of Service, five Senior Psychologists, nine Psychologists and two psychologists in Clinical Training (2007 figures). The Head of Service reports to the Director of Regimes of the Irish Prison Service.

Delivery of Service

The service is delivered by Psychologists working in a variety of ways including:

- one to one clinical sessions
- group work
- training programmes
- committee work
- written documents.

Information available

- Irish Prison Service Annual Reports

Classes of Records Held

The records held by the Psychology Service of the Irish Prison Service, in both written and electronic form, relate to the range of functions described above. The bulk of records contain personal information in the form of clinical case notes on offenders.

A) Personal Information

- i) Clinical case notes held on offenders seen by the members of the Service.
- ii) Personnel files held on psychologists working in the service

B) Non-personal Information

- i) Annual Reports of the Psychology Service
- ii) Strategic, policy and advisory documents and reports relating to the range of functions carried out by the service

Further Information

Requests for further information about the work of the Psychology Service should be addressed to:

**Head of Psychology Service
Irish Prison Service
Block 5
Belfield Office Park
Clonskeagh
Dublin 4**

4.22.9 EDUCATION SERVICE

Role of the Service

The Irish Prison Service Prison Education Service provides co-ordination of the provision of education for prisoners. This involves setting policy and standards, supporting developments, allocating appropriate resources in respect of educational activities and monitoring their implementation.

The co-ordination function also entails liaising with a range of educational bodies throughout Ireland, in particular VECs, Public Library Services, the Open University, the Arts Council, NCAD, etc., as well as the Department of Education and Science.

Structure of the Service

The Prison Education Service consists of a partnership between the Irish Prison Service and a range of educational agencies. Ten Vocational Education Committees make the largest contribution to, and are the mainstay of, the Prison Education Service. The Service also incorporates important partnerships with the Open University, Public Library Services, the Arts Council, several third-level Colleges and a number of other bodies.

Overall co-ordination of these services is the responsibility of the Co-ordinator of Education who works in conjunction with Governors and Teachers in the prisons.

The Co-ordinator convenes the Prison Education Council, involving Head Teachers and other senior prison education staff.

Delivery of Service

The Service is delivered to offenders through education staff working in prisons throughout Ireland. The provision of the Education Service in prisons is defined in Part 12 of the Prison Rules, 2007.

Information available

- Annual Reports of the Co-ordinator of Education, Head Teachers, etc.
- Annual Directory of Prison Education
- Strategy Statements of the Prison Education Service
- Prison Education in Ireland: a Review of the Curriculum (2004).

Classes of Records Held

The records in respect of the Service held at Belfield Office Park relate to educational matters and issues and comprise minutes of meetings, working papers, management reports and general correspondence. No personal information relating to individual persons is held.

Further Information

Requests for further information about any matters in relation to the Service should be addressed to:

Co-ordinator of Education

Irish Prison Service

Block 5

Belfield Office Park

Beaver Row

Dublin 4

4.22.10 CHAPLAINCY SERVICES

Role of the Service

One of the primary functions of the Chaplaincy Service is to make religious services available to offenders. The major aim is to respond to the spiritual and pastoral needs of the prison community in a holistic way. Chaplains offer support to offenders and assistance in their human and spiritual development. The work involves close liaison with the other services in the prisons, with parochial clergy, offenders' families and outside agencies, and attendance at meetings in the prisons to review individual prisoners' cases.

Chaplains minister to the whole prison community and are available to offenders and prison staff.

Part 15 of the Prison Rules, 2007 contain provisions on the duties of chaplains and on the parameters on the provision of a chaplaincy service in a prison.

Structure of the Service

A chaplaincy service is available in each Prison and Place of Detention, comprising ordained priests and lay chaplains; 20 full-time and 5 part-time chaplains work in the Chaplaincy Service (2007 figures).

Chaplains of churches such as the Church of Ireland and Presbyterian Church attend the prisons on either a part-time or visiting basis as necessary. The religious and spiritual needs of Muslim prisoners are provided by local Muslim religious leaders.

Information Available

Annual Reports of the Catholic Prison Chaplaincy.

Classes of Records Held

Records held in both paper and electronic format relate to the matters set out above under Role of the Service. These records are comprised of working papers and general correspondence.

Further Information

Requests for further information about any matters in relation to this Service should be addressed to:

**Head of Chaplaincy Service
Irish Prison Service
Wheatfield Prison
Cloverhill Road
Clondalkin
Dublin 22**

4.22.11 WORK AND TRAINING SERVICES

Role of the Service

To provide co-ordination of the provision of Work and Vocational/Industrial Training for prisoners. This involves setting policy and standards and allocating appropriate resources in respect of these activities and monitoring their implementation.

The co-ordination function also entails liaising with appropriate bodies, both within Ireland and in other jurisdictions, in relation to vocational and pre-vocational training for offenders.

Structure of the Service

The service is managed by the Co-ordinator for Work and Training assisted by the Assistant Governor - Work and Training - in the Prison Service. They work in conjunction with Governors and Work and Training Managers in the prisons and also in conjunction with the Education Service for prisoners.

Delivery of Service

The service is delivered to offenders through the work and training programmes at the prisons. The provision of Work and Training is set out in Part 13 of the Prison Rules, 2007.

Information available

- Annual Reports of the Prisons.

Classes of Records Available

The records in respect of the Service held at headquarters level relate to Work and Training policy matters and issues and comprise working papers, management reports and general correspondence. No personal information on individual persons is held.

Further Information

Requests for further information about any matters in relation to this Service should be addressed to:

Co-ordinator of Work and Training
Regimes Directorate
Irish Prison Service
IDA Business Park
Ballinalee Road
Longford

4.23 LAW REFORM DIVISIONS (CRIMINAL & CIVIL)

Role of the Divisions

The Department's Law Reform Programme includes both criminal (Criminal Law Reform Division) and civil law (Civil Law Reform Division) apart from those specialist aspects which are the responsibility of other Government Departments. The Divisions are responsible for the following matters:

- The preparation of schemes for reform of the criminal and civil law in accordance with the Government's legislative programme.
- The provision of advice to the Minister on issues concerning criminal and civil legislation.
- Follow-up measures after the enactment of legislation (e.g. drawing up Statutory Instruments to bring Acts or sections of Acts into operation, arranging for the publication of Statutory Instruments, etc.).
- Negotiation of EU proposals for instruments providing for judicial co-operation in criminal and civil matters. Arranging for the necessary Oireachtas approval for agreement to proposals in accordance with Article 29.4.6 of the Constitution. Arranging necessary consultation with the Oireachtas on EU proposals, and preparation of legislation to give effect to proposals when adopted.
- Participation in meetings of the Council of Europe, OECD, FATF, UN, The Hague Conference on Private International Law and other international bodies in relation to relevant criminal or civil law matters.
- Participation in bi-lateral meetings with other countries with a view to drawing up treaties, agreements etc. on matters of mutual interest relevant to the enforcement of the criminal and civil law.
- Promoting where appropriate research into areas of the criminal and civil law.
- Administration of the Central Authorities for Child Abduction and Maintenance Recovery (Civil Law Reform Division only).

Structure of the Divisions

Criminal Law Reform Division
Assistant Secretary
Principal Officers (x 6)
Assistant Principal Officers (x 9)
Administrative Officers 3 vacancies – check the number
Higher Executive Officer
Clerical Officer (x 2)

Civil Law Reform Division

Assistant Secretary
Principal Officers (x 5)
Assistant Principal Officers (x 5)
Higher Executive officer
Executive Officer
Clerical Officer (x 2)

Delivery of Service

The service provided by the Law Reform Divisions is for Government, the Minister, the general public, other Divisions within the Department and other Government Departments and Offices. The Divisions are involved in the delivery of the following services:

- Preparation of schemes for reform of the law.
- Consultation with Parliamentary Counsel on drafts of Bills.
- Preparation of memoranda for Government.
- Preparation of replies to Parliamentary Questions.
- Responses to requests for information, briefing material etc. from other areas of the Department and from other Departments.
- Responses to enquiries from members of the Oireachtas, members of the public and FOI requests.
- Providing material for replies to press queries.
- Briefing material and draft speeches for the Minister.
- Attendance with Minister at Dáil and Seanad during passage of legislation, debates on motions etc.
- The Central Authority for Child Abduction provides assistance to persons seeking the return of children and/or the recognition and enforcement of custody/access orders under the Child Abduction and Enforcement of Custody Orders Act, 1991.

The Central Authority for Maintenance Recovery provides assistance to persons seeking recovery of maintenance abroad under the Maintenance Act, 1994.

Information available

- Statements made by the Minister on legislative proposals.
- Discussion papers published to facilitate public consultation on specific issues where reform of the law is under consideration.
- Reports prepared for presentation to the Oireachtas on the operation of a section or sections of an Act in the context of resolutions or orders to continue the section or sections in force.
- Reports of Research Commissioned on specific topics

Copies of Bills and Acts are available from the Government Publications Sales Office, Sun Alliance House, Molesworth Street, Dublin 2 or by mail order from Government Publications, Postal Trade Section, 51 St. Stephen's Green, Dublin 2.

Classes of Record held

Internal Administration

Paper files relating to the following:

- circulars issued internally and by the Department of Finance;
- Parliamentary Questions, press queries and other enquiries'
- correspondence with central authorities, legal practitioners and applicants.
- other internal administration files.

Electronic records are held on work processes.

Policy

Records relating to policy issues are held in relation to proposals and memoranda for changes in the law and the work of committees and working groups for which the Divisions are responsible.

Legislation

These are mainly paper files concerning legislation prepared in the Divisions.

Personal Information

With the exception of the Central Authorities for Child Abduction and Maintenance Recovery, personal information held within the Divisions is of a very limited nature and arises incidental to matters with which the Divisions deal. It arises mainly in representations made to the Minister where some personal information may be contained. In addition some personal details (e.g. C.V.) can be maintained in relation to membership of working groups etc. Insofar as the Central Authorities are concerned personal information in relation to both applicants and respondents are maintained as follows:

Name, home address, marital status, nationality and date of birth of Applicants/Respondents

Court Orders relating to the parties which contain personal information about them.

Details of applicants/respondents financial situation and employment record (in maintenance recovery cases only).

Further Information

Requests for further information about any matters in relation to these Divisions should be addressed to:

**Criminal Law Reform Division
Department of Justice,
Equality and Law Reform,
Montague Court,
Montague Street,
Dublin 2**

**Civil Law Reform Division
Department of Justice,
Equality and Law Reform,
Floor 2, Bishop's Square,
Redmond's Hill,
Dublin 2**

4.24 MINISTER'S OFFICE

Role of the Office

The primary role of the Minister's Office is to support and assist the Minister in his role as political head of the Department. Among the duties carried out are:

- Administrative support for the Minister as regards Government and Ministerial Business;
- Distribution and co-ordination of Parliamentary Questions, Adjournment Motions, Private Notice Questions as well as administrative support for other parliamentary functions such as the passage of legislation through both Houses of the Oireachtas and any other parliamentary business that may arise;
- Acknowledging and processing correspondence and queries relating to the various areas of the Department;
- Liaising between the Minister and the Secretary General of the Department and other officials of the Department;
- Assisting the scheduling of Legislation in both Houses of the Oireachtas;
- Dealing with queries from members of the Dáil/Seanad;
- Scheduling the Minister's official diary.

Structure of the Office

The Office of the Minister is located at 94 St. Stephen's Green , Dublin 2 and comprises of a total of 15 staff, including constituency staff, the Minister's Special advisor and Personal Secretary.

Special Advisor

Minister's Private Secretary (HEO)

Acting Higher Executive Officer (x1)

Executive Officer (x2)

Clerical Officer (x 8)

Delivery of Service

The Minister's Office has a broad range of customers, both internal and external. A sample of the customers include:

- Members of the public;
- Members of the Government;
- Members of the Oireachtas;
- Diplomatic Corps;
- Staff Association Representatives;
- Representatives of Interest Groups, other Government Departments;
- Senior Gardaí.

Information available

The Minister's Office acts as a conduit for information/documentation relating to the Minister from the rest of the Department/external agencies. The Minister's Office is usually the first point of contact for outside agencies and the general public. All correspondence addressed to the Minister is processed in the office and acknowledged either by the Minister or on his behalf by the Private Secretary and then transmitted to the relevant officer in the Department for appropriate action.

Classes of Records Held

Records held by the Minister's Office can be classified under the following headings:

General Correspondence

There is an electronic system which records the details of correspondence received and indicates the recipient within the Department who is dealing with the subject of the correspondence. Individual Divisions within the Department can view correspondence assigned to their Division on the system. Hard copies of acknowledgements issued from the office are retained for a period of time.

Correspondence relating to the Minister's Event Diary

A paper record is retained of correspondence relating to requests for meetings with the Minister.

Government Decisions

Formal and informal decisions of the Government relating to the Department's area of responsibility are distributed to the relevant Divisions and copies are retained in this Office.

The Minister's Government Papers

Memorandum for Government prepared for the Minister.

Parliamentary Questions

An electronic record is maintained of all Questions put down to the Minister together with the replies to same.

Minister's Constituency Files

Paper records are maintained in relation to all constituency residents/groups who make contact with the Minister. The Minister retains these files in his possession on leaving office.

Further Information

Further information about the office of the Minister and its work may be obtained from the following:

Private Secretary

Office of the Minister for Justice, Equality & Law Reform
94 St Stephen's Green
Dublin 2

4.25 MINISTER OF STATE'S OFFICE

Role of the Office

While the Minister of State is Minister of State across the whole of the Department, he has special responsibility for equality issues in the context of promoting the Department's High Level Goal of "Promoting a Fair, Tolerant and Equal Society".

The Equality remit of the Department is:

- To promote equality of treatment through institutional; administrative and legal reforms, particularly for groups which have suffered from disadvantage or discrimination;
- To promote equality of opportunity between women and men through the development, implementation and monitoring of appropriate policies and positive action measures;
- Represent the interests of the State in the International arena on Equality issues through active participation in for various international organisations and agencies;
- To facilitate attitudinal and behavioural change in society in favour of groups suffering from discrimination;
- Engagement with civil society in the development and implementation of policies and programs aimed at the promotion of a fair, tolerant and equal society.

Structure of the Office

The Office of the Minister of State is located at Bishops Square, Redmonds Hill, Dublin 2. The staffing of the Section comprises six personnel as follows:

(1) Higher Executive Officer

(1) Executive Officer

(4) Clerical Officers

Delivery of Service

The functions of the Office of the Minister of State are to -

- (1) Act as liaison between the Minister of State and Sections within the Department;
- (2) Act as liaison between the Minister of State's Office and offices of other Ministers and Ministers of State;
- (3) Provide an information service to the public; and
- (4) Provide a prompt reply to correspondence to the public.

The customers of the Minister of State's Office are therefore members of the public including public representatives, interest groups and other sections within the Department and other Departments.

Delivery of Service

Members of the public including public representatives and interest groups who wish to make representations to the Minister of State may do so in writing or by telephone through the Office of the Minister of State. All correspondence received in the Minister of State's Office is brought to the Minister of State's personal attention. Correspondence from the public in relation to issues which come within the remit of the Department are forwarded to the relevant section for appropriate attention. Enquiries are made of other Departments in relation to queries in relation to equality matters. Issues which are not of immediate relevance to the Minister of State's official functions are forwarded to other Ministers for attention and direct reply.

Classes of Records Held

In general where correspondence or issues are dealt with by sections within the Department, the correspondence and relevant files are returned to those sections for filing.

Where queries are referred to other Ministers for examination, copies of correspondence are kept in the Office.

Records held by the Office of the Minister of State, in both electronic and paper form, may be classified as follows:

- Details of all correspondence received and of action taken in relation to that correspondence;
- Copies of correspondence received in the office, with the exception of correspondence dealt with by sections on behalf of the Office of the Minister of State;
- Copies of all replies to correspondence/representations received by the Office and of all minutes issued from the Office are also kept in the section;
- Speeches/Press Releases issued by the Minister of State.

Further Information

Further information about the Office of the Minister of State and its work may be obtained from the following:

Private Secretary
Office of the Minister of State at the
Department of Justice, Equality & Law Reform
Bishops Square
Redmonds Hill
Dublin 2.

4.26 Office of the Minister for Integration

Background and Role of the Office of the Minister for Integration

On 20th May 2007, An Taoiseach appointed a Minister of State, with special responsibility for Integration Policy, at the Departments of Community, Rural and Gaeltacht Affairs; Education and Science and Justice Equality and Law Reform. The Integration Unit of the Reception and Integration Agency operates as the Office of the Minister for Integration while retaining links with the Reception and Integration Agency and Irish Naturalisation and Immigration Service.

The Minister is responsible for the development of national integration policy and has a cross-Department mandate to develop, drive and coordinate integration policy across other Government Departments, agencies and services.

The Office will be involved in the development of a long-term national policy on integration which will be informed by widespread consultation at a national level, properly structured objective research, international experience and best practice.

The Minister intends to establish a Task Force on Integration in early 2008 to identify key issues affecting immigrant communities; consult widely with immigrants and Irish people; visit communities; examine previous research and report back with recommendations.

The Minister also intends to establish a Ministerial Council, comprised exclusively of migrants residing in Ireland, to ensure the direct input of the new immigrant communities in policy formulation and development.

It is also intended that a National Integration Forum will be established to advise Government on integration related matters.

The Office of the Minister for Integration will also be involved in setting up new funding lines to address integration priorities; developing “principles” of integration; bringing Departments together to coordinate integration activities and helping all parties (local communities/local authorities/trade unions/religious groups etc.,) to play their part in building an integrated Irish society.

The Office is responsible for the administration of the European Refugee Fund and the European Fund for Integration of Third Country Nationals in accordance with EU Council Decisions and Guidelines.

The Office is also responsible for the selection and resettlement of programme refugees admitted into the Ireland.

Structure of the Office of the Minister for Integration

The Office of the Minister for Integration is located at Dún Aimhirgin, 43-49 Mespil Road, Dublin 4.

Director (Assistant Secretary)	1
Principal Officer	2
Assistant Principal	3
HEO	4
EO	6
CO	4

Delivery of Service

In general, the Office does not provide services directly; its primary role is to develop and drive integration policy and actions across the whole of Government. However, the Office provides services on a daily, weekly or occasional basis, orally or in written form, to a wide range of customers, including:

- Other Agencies and Divisions within the Irish Naturalisation and Immigration Service;
- The General Public
- Other Government Departments and State Agencies;
- Non-Government Organisations (NGO's);
- Other Divisions within the Department of Justice, Equality and Law Reform;
- Members of the Oireachtas and other public representatives;
- The media, through the Press Office of the Department of Justice, Equality and Law Reform.
- International bodies/agencies i.e., European Commission; UNHCR
- Programme Refugees

Information Available

Current information sources relevant to the Offices area of responsibility are as follows:

- RIA website at www.ria.gov.ie (it is intended to set up a website for the Office of the Minister for Integration)
- 'Integration – a two way Process; The Report of the Interdepartmental Group on the Integration of Refugees in Ireland.
- 'Shaping our Future – A Practical Guide to the Selection, Reception and Integration of Resettled Refugees', MORE Project
- 'The Beginner's Guide to Ireland', MORE Project

Classes of Records held

A. Files (Paper)

- A paper filing system is used to store all files and papers relating to:
 - Operational matters (including client records);
 - Policy issues;
 - Staffing matters;
 - Finance and Estimates;
 - Small Grants Scheme;
 - Immigrant Integration Small Grants Scheme;
 - Immigrant Integration Fund;
 - Integration related Dormant Accounts Fund Scheme (administered through POBAL);
 - Contracts;
 - Parliamentary Questions;
 - Ministerial Representations;
 - Speech Material;
 - Adjournment Debates;
 - Seminars, Conferences, Working Groups, Interdepartmental Committees;
 - Correspondence with State Service Providers;
 - Correspondence with NGO's;
 - Selection and resettlement of programme refugees (including client records);
 - National Orientation and Training Centre;
 - Transnational/International projects.

B. Files (electronic):

- Much of the information held on paper files above is also held on Computer Files on a central databases;
- The Office of the Minister for Integration maintains a register of Programme Refugees admitted into Ireland under Government decision.

Further Information

For information in respect of the Office for the Minister for Integration, contact:

Office of the Minister for Integration
Dún Aímhírgin
43-49 Mespil Road
Dublin 4

4.27 MUTUAL ASSISTANCE AND EXTRADITION

Role of the Division

The role of the Mutual Assistance and Extradition Division is to enhance the effectiveness and efficiency of the State's involvement in mutual legal assistance in criminal matters and surrender/extradition, by further developing at the domestic level and on bilateral and multilateral bases, the relevant legislative framework and appropriate administrative systems and arrangements.

Mutual Assistance

Mutual legal assistance, which is also known as judicial co-operation, is an area of the Department's work which has arisen following the coming into operation in November, 1996 of Part VII of the Criminal Justice Act 1994 and the subsequent coming into effect in the State of four international conventions on criminal matters. The legislative reform aspects of mutual assistance and surrender/extradition are handled by the Criminal Law Reform Division of the Department.

The Mutual Assistance and Extradition Division is the Central Authority for the receipt of requests for mutual assistance from abroad and for the transmission abroad, in appropriate circumstances, of similar requests from authorities within this country (e.g. the Garda Síochána or the Director of Public Prosecutions).

The types of request involved include service of documents, search for and seizure of evidence, taking of evidence in Court, police co-operation, production orders, restraint and confiscation of criminal assets, the exchange of information from judicial records, temporary transfer of prisoners, etc. Requests can relate to any criminal offence but typically relate to offences of a serious nature such as drug trafficking offences, offences against the person, fraud, and theft.

The role of the Central Authority is essentially one of managing and co-ordinating the process in co-operation with the other agencies and bodies which have a role to play in the processing of requests, namely, the Attorney General's Office, the Chief State Solicitor's Office, the Garda Síochána, the Revenue Commissioners and the Judiciary.

The Criminal Justice (Mutual Assistance) Bill 2005, when enacted, will enable effect to be given to a number of additional international instruments relating to mutual assistance in criminal matters and will impact on the work of the Division.

Criminal Records

The Mutual Assistance and Extradition has been designated as Ireland's Central Authority to send requests to and receive requests, from the designated central authorities of the other Member States of the EU, for information from the criminal record, in accordance with Council Decision 2005/876/JHA of 21 November 2005 on the exchange of information extracted from the criminal record.

The Division does not hold Ireland's criminal records. These records are held by the Garda Criminal Records Office/Garda Central Vetting Unit.

Surrender to Member States of the European Union

The Council Framework Decision on the European Arrest Warrant and the Surrender Procedures between the Member States of the EU seeks to simplify procedures for the surrender of wanted persons within the European Union. The European Arrest Warrant Act 2003, as amended, gives effect to this Framework Decision.

Any EU Member State (including Ireland) may use a European Arrest Warrant (EAW) to seek the return of a person who is wanted in that country in relation to a crime and who is living in another EU Member State.

An EAW may seek the return of a person to:

- Stand trial,
- Face sentencing after conviction,
- Serve a sentence already handed down by a court in the country concerned.

Under the provisions of the European Arrest Warrant Act 2003, as amended, the Central Authority in Ireland for the purposes of the European Arrest Warrant is the Minister for Justice, Equality and Law Reform. The functions of the Central Authority are administered, on behalf of the Minister, through the Mutual Assistance and Extradition Division of the Department.

All incoming European Arrest Warrants must be issued by or on behalf of a judicial authority and transmitted to the Central Authority. All outgoing European Arrest Warrants, issued by an Irish court, are transmitted to the Member State concerned by the Central Authority.

Extradition

The Division's primary role in relation to extradition is to carry out the administrative functions associated with the role of the Minister for Justice, Equality and Law Reform in extradition cases under the Extradition Acts 1965 - 2001. These Acts continue to apply in relation to extradition involving countries outside the European Union. This is done in co-operation with the various agencies involved in incoming and outgoing extradition requests i.e. the Garda authorities, the Director of Public Prosecutions, the Chief State Solicitor's Office, the Attorney General's Office, the Department of Foreign Affairs and the Courts.

The Division has similar functions associated with the role of the Minister for Justice, Equality and Law Reform under the Transfer of Execution of Sentences Act 2005 and the International Criminal Court Act 2006.

Europol

The Mutual Assistance and Extradition Division exercises certain administrative functions arising from Ireland's membership of the European Police Office (Europol). The Principal Officer of the Division is the alternate member of Europol's Management Board.

The Division also participates in negotiations at EU level in relation to the structure and organisation of Europol.

Other associated functions of the Division include the following:

- to provide briefing, when required, for the Minister, the Taoiseach, the Minister for Foreign Affairs and the Government on surrender/extradition and mutual assistance matters either generally or in relation to particular cases;
- to provide an input into the legal reform aspects of surrender/extradition and mutual assistance which are dealt with by the Department's Criminal Law Reform Division, e.g. negotiation of new bilateral and multilateral extradition agreements and the preparation of legislation;
- to participate in regular reviews of surrender/extradition and mutual assistance procedures and to exercise a co-ordinating role in that regard;
- to act as the Department's contact point in relation to matters connected with the European Judicial Network and Eurojust.

Structure of the Division

The Mutual Assistance and Extradition Division is situated at the Department of Justice, Equality & Law Reform, 7-11 Montague Court, Dublin 2 and is structured as follows:

Principal Officer

Assistant Principal Officer (x 2)

Higher Executive Officer

Administrative Officer

Executive Officer (x 4)

Clerical Officer (x 2)

One Assistant Principal has responsibility for mutual assistance matters and the other has responsibility for surrender/extradition matters. One Higher Executive Officer, Two Executive Officers and One Clerical Officer are designated to mutual assistance matters. One Administrative Officer, Two Executive Officers and One Clerical Officer are designated to surrender/extradition matters.

Delivery of Service

The customers of the Mutual Assistance and Extradition Division are, for the most part, other Departments, bodies or agencies, within and outside the State, which are active in the area of international criminal law enforcement and judicial co-operation. For example, customers within the State would include the Garda authorities, the Courts, the Prisons, the Chief State Solicitor's Office, the Attorney General's Office, the Office of the Director of Public Prosecutions, the Revenue Commissioners and the Department of Foreign Affairs.

Contact outside the State in mutual assistance matters is largely with Central Authorities for Mutual Assistance in States with which Ireland has mutual assistance arrangements, judicial authorities and public prosecutors in those States and also with the General Secretariat of the Council of the European Union, as well as with Eurojust and the Secretariat of the European Judicial Network. Contact outside the State in European Arrest Warrant matters is largely with other central authorities and judicial authorities. In extradition matters contact with other countries is normally indirect, i.e. via the diplomatic channel or through the Garda authorities.

The Division has little direct contact with the general public. Where it occurs, it usually involves responding to enquiries or representations from members of the public, interest groups, etc. about, for example, a specific extradition case. Enquiries about specific cases are also received from time to time from the media and public representatives. Due to the nature of these cases or the operation of the *sub-judice* rule or international obligations on confidentiality generally, the information that can be provided in an individual case is very limited. The Division will, however, respond to requests for general information on mutual assistance, European Arrest Warrant and extradition matters.

Information available

Information on the practices and procedures in the handling of mutual assistance, European Arrest Warrant and extradition applications is contained in the Department's publication made under section 16 of the Freedom of Information Act and includes the relevant Irish legislation on Mutual Assistance, the European Arrest Warrant and Extradition. Other information available is as follows:

- Council of Europe Convention on Mutual Assistance in Criminal Matters (1959);
- Additional Protocol to the Council of Europe Convention on Mutual Assistance in Criminal Matters (1978);
- Additional Protocol to the Council of Europe Convention on Mutual Assistance in Criminal Matters (2001);
- Council of Europe Convention on Laundering, Search, Seizure and Confiscation of the Proceeds of Crime (1990);
- Reservations and Declarations entered by States Parties to the Council of Europe Conventions in the Penal Field;
- United Nations Convention Against Illicit Traffic in Narcotic Drugs and Psychotropic Substances (1988);
- European Union Convention on Mutual Assistance in Criminal Matters (2000);
- Additional Protocol to the European Union Convention on Mutual Assistance in Criminal Matters (2001);
- Council of Europe Agreement on illicit traffic by sea, implementing Article 17 of the UN Convention against illicit traffic in narcotic drugs and psychotropic substances (1995);
- Rome Statute of the International Criminal Court (1998);
- European Union Convention on simplified extradition between the Member States (1995);
- European Union Convention relating to extradition between the Member States (1996);
- Council of the EU Framework Decision on the European Arrest Warrant and the Surrender Procedures between Member States (2002);
- European Union Joint Action on good practice in mutual legal assistance in criminal matters (1998);
- European Union Joint Action on the creation of a European Judicial Network (1998);
- European Union Joint Action on money laundering, the identification, tracing, freezing, seizing and confiscation of the instrumentalities and proceeds of crime (1998);
- Council of the EU Directive on the prevention of the use of financial systems for the purpose of money laundering (1991);
- Directive of the European Parliament and of the Council of the EU on the prevention of the use of financial systems for the purpose of money laundering and terrorist financing (2005);

Council of the EU Decision on the exchange of information extracted from the criminal record (2005);

Mutual Assistance in Criminal Matters - A Guide to Irish Law and Procedures (which is available in English, French, Spanish, German and Italian);

Annual Reports on the operation of the European Arrest Warrant Act 2003 (as amended) since 2005;

Annual Reports on the operation of Part III of the Extradition Act, 1965 (as amended) since 1987;

The European Arrest Warrant - A Guide to Irish Procedures;

A Guide to Procedures in Ireland under Part II of the Extradition Acts 1965 – 2001;

Council Decision of 28 February 2002 setting up Eurojust;

Rules of Procedure of Eurojust (adopted 30 May 2002);

Convention based on Article K.3 of the Treaty on European Union on the establishment of a European Police Office (Europol Convention) (1995);

Protocol drawn up on the basis of Article K.3 of the Treaty on European Union, on the interpretation, by way of preliminary rulings, by the Court of Justice of the European Communities of the Convention on the establishment of a European Police Office (1996);

Protocol drawn up on the basis of Article K.3 of the Treaty on European Union and Article 43(1) of the Europol Convention, on the privileges and immunities of Europol, the members of its organs, the deputy directors and the employees of Europol (1997);

Protocol drawn up on the basis of Article 43(1) of the Convention on the establishment of a European Police Office (Europol Convention) amending Article 2 and the Annex to that Convention (2000);

Protocol amending the Convention on the establishment of a European Police Office (Europol Convention) and the Protocol on the privileges and immunities of Europol, the members of its organs, the deputy directors and the employees of Europol (2002);

Protocol drawn up on the basis of Article 43(1) of the Convention on the establishment of a European Police Office (Europol Convention), amending that Convention (2003).

Classes of Records held

Paper files with personal information

The following paper files with personal information are held by the Mutual Assistance and Extradition Division:

- Incoming requests for mutual assistance in a criminal matter from foreign authorities in relation to named individuals. A typical file would contain the original request (including a translation if appropriate), copies of correspondence with authorities in this State and the foreign authority, copies of court documents and notes of contacts and meetings etc.;
- Outgoing requests for mutual assistance in criminal matters to foreign judicial or other official authorities in relation to named individuals. A typical file would contain a copy of the request (including translation if appropriate), copies of correspondence with the foreign authority and authorities here, copies of court documents and notes of contacts and meetings etc.;
- Record of incoming requests for mutual assistance;
- Record of outgoing requests for mutual assistance;
- Quarterly (periodic) reports of mutual assistance requests received in the Division.
- Requests from (1) the U.K. authorities and (2) other foreign authorities for the extradition of named individuals from the State. A typical file in a U.K. case would contain a copy

of the arrest warrant and associated documentation, copies of correspondence with the Garda authorities, Attorney General's Office, Chief State Solicitor's Office etc., Departmental submissions, briefing notes, a record of the Minister's decision, a process record of all actions taken up to that point and notes of contacts thereafter. A file in a non-U.K. case would contain much the same sort of information but with the original extradition request (instead of a copy warrant) initially being held and ultimately a copy;

- Outgoing requests to countries other than the U.K. for the extradition of named individuals. A typical file would contain a copy of the request, copies of correspondence with the Garda authorities, the Department of Foreign Affairs and Director of Public Prosecutions and notes of contacts;
- Incoming European Arrest Warrants (EAWs) from Member States of the EU. A typical file would contain a copy of the EAW and copies of correspondence with the Office of the Attorney General, Garda authorities, and the issuing Member State.
- Outgoing EAWs to Member States of the EU. A typical file would contain a copy of the EAW and copies of correspondence with the Garda authorities, the Director of Public Prosecutions and the executing Member State.
- Requests for information from criminal records addressed to other Member States, A typical file would contain a copy of the request and the reply and supporting documentation.
- Requests for information from criminal records from other Member States, A typical file would contain a copy of the request and the reply and supporting documentation.
- Monthly update files since 1994, each containing tabular monthly status reports on all current active extradition cases;
- Extradition Annual Report files since 1987;
- Filing list of all extradition files;
- Parliamentary Question files on extradition and mutual assistance matters;
- Index to extradition related Parliamentary Questions;
- Court judgements in European Arrest Warrant, extradition and mutual assistance cases.

Electronic personal information holdings

The following personal information is held in electronic format:

- Correspondence, notes and memos in relation to incoming and outgoing mutual assistance requests;
- Submissions, correspondence and briefing notes on extradition cases from 1996 onwards and current material relating to earlier cases;
- Submissions, correspondence and briefing notes on EAW cases;
- Tabular monthly update reports since 1997 on all active extradition cases
 - Extradition Annual Report files since 1996;
 - List of extradition files;
 - Database of extradition cases received since 1987.

Paper files with non-personal information

The following paper files with non-personal information are held by the Mutual Assistance and Extradition Division:

- ◆ Conventions and agreements on mutual assistance;
- ◆ Part VII of the Criminal Justice Act, 1994;
- ◆ Criminal Justice (Mutual Assistance) Bill 2005;

- ◆ Council of the EU Decision on the exchange of information extracted from the criminal record;
- ◆ Proposal for a Council of the EU Framework Decision on the organisation and content of the exchange of information extracted from criminal records between Member States;
- ◆ Europol Act 1997;
- ◆ Europol (Amendment) Act 2006;
- ◆ Proposal for a Council of the EU Decision on the establishment of the European Police Office (Europol);
- ◆ Europol Management Board Meetings Documents;
- ◆ Other Europol Matters;
- ◆ Mutual Assistance - General Issues;
- ◆ Other EU Justice and Home Affairs, Financial Action Task Force, Council of Europe, OECD and UN Matters;
- ◆ European Judicial Network and Eurojust;
- ◆ Information on police to police co-operation;
- ◆ Guide to Mutual Assistance;
- ◆ Legal advice on mutual assistance, Europol, Criminal Record, EAW and extradition matters;
- ◆ Extradition and EAW legislation;
- ◆ Extradition and Mutual Legal Assistance treaties - negotiations;
- ◆ Extradition Conventions and International Agreements with extradition implications;
- ◆ European Arrest Warrant – Council of the EU Evaluation of Ireland;
- ◆ European Arrest Warrant – Council of the EU Evaluation of Other Member States;
- ◆ European Arrest Warrant – EU Discussions;
- ◆ European Arrest Warrant – Implementation;
- ◆ The European Arrest Warrant: A Guide to Irish Procedures;
- ◆ A Guide to Procedures in Ireland under Part II of the Extradition Acts 1965-2001.

Electronic non-personal information holdings

- Correspondence on general issues regarding mutual assistance;
- Strategic Management Initiative (SMI) documents;
- Reports of EU meetings on Mutual Assistance, the European Arrest Warrant, Europol and Criminal Records;
- Reports of meetings of the European Judicial Network.
- Guide to mutual assistance and the European Arrest Warrant;
- Replies to questionnaires;
- Submissions, correspondence, briefing notes, reports of internal meetings, etc. relating to EAW and extradition matters generally;
- Guide to Procedures in Ireland under Part II of the Extradition Acts 1965-2001.

Internal Administration

Records (mainly paper) relating to the following:

- ◆ staff management issues;
- ◆ Strategic Management Initiative (SMI);
- ◆ Department's Strategy Statements and Divisional Business Plans;

- ◆ Freedom of Information (FOI);
- ◆ Departmental matters, including circulars, Parliamentary Questions, etc.;
- ◆ Government procedures;
- ◆ Dáil procedures;
- ◆ Internal work processes, including role profile forms.

Further Information

Requests for further information about mutual assistance, European Arrest Warrant and extradition matters should be addressed to:

The Mutual Assistance and Extradition Division
Department of Justice, Equality and Law Reform
7-11 Montague Court
Dublin 2

4.28 OFFICE OF THE INSPECTOR OF PRISONS & PLACES OF DETENTION

Role of the Office

The primary role of the Inspector of Prisons is to

- (1) Inspect and report, as the Inspector considers appropriate, to the Minister for Justice, Equality and Law Reform on prisons and other places of detention managed on behalf of the Department of Justice, Equality and Law Reform by the Irish Prison Service;
- (2) Report in particular on conditions in those institutions and on the regimes in place for prisoners and detainees;
- (3) Investigate and report on any specific issue referred to the Inspectorate by the Minister; and,
- (4) Submit to the Minister an Annual Report on the activities of the Inspectorate.

Guidelines

In carrying out an inspection of any prison or place of detention, the Inspector will, in general terms, have regard to such matters as:

- (a) the quality of the regime;
- (b) the attitude of staff and inmates;
- (c) health, safety and well-being of prisoners
- (d) the conditions of the buildings;
- (e) questions of humanity and propriety;
- (f) any general pattern which may indicate possible inadequacies in the management of the prison.

As the terms of reference provide, the Minister may also request the Inspector to investigate and report on specific issues or incidents connected with the running of any prison or place of detention. Furthermore, the Inspector may raise issues of concern, arising out of an investigation or an inspection, either with local management, the Director General of the Irish Prison Service or the Minister. To facilitate the Inspector in carrying out his functions, he may consider complaints from prisoners but only to the extent that such complaints are relevant to the functions of the Inspector. The Inspector is required, not later than four months following the end of each calendar year, to submit a written report to the Minister on his activities during the year.

It is intended that the annual report will be published. The Inspector will also furnish the Minister with such information relating to his activities as the Minister may require from time to time.

Delivery of Service

The Prisons Inspectorate provides a service on a daily, weekly or occasional basis, orally or in written form to a wide range of customers including:-

- (a) prisoners;
- (b) the families and friends of prisoners;
- (c) the Irish Prison Service through the Governor of each Institution;
- (d) the Department of Justice, Equality and Law Reform;
- (e) the personnel of the Irish Prison Service;
- (f) the Probation Service;
- (g) National, Foreign National, European, and International Organisations;
- (h) other Government Departments and Offices;
- (i) members of Prison Visiting Committees;
- (j) members of other agencies attached to the prisons i.e. counsellors, etc.

Structure of the Office

The Office of the Inspector of Prisons is located at 1 Lower Grand Canal Street, Dublin 2 and comprises of a total of staff as follows:-

Inspector (Assistant Secretary Grade Equivalent)
Special Advisor (Prison Governor Grade)
Support Staff (Various Grades)

Information Available

The following Inspection Reports are available on the website of the Department of Justice, Equality and Law Reform:-

[Third Annual Report of the Inspector of Prisons and Places of Detention 2004–2005](#)

[First Annual Report of the Inspector of Prisons and Places of Detention 2002–2003](#)

[Second Annual Report of the Inspector of Prisons and Places of Detention 2003–2004](#)

[Report on an Inspection of Cloverhill Prison by the Inspector of Prisons and Places of Detention, January 2004](#)

[Report on an Inspection of Portlaoise Prison by the Inspector of Prisons and Places of Detention, May 2004](#)

[Report on an Inspection of Mountjoy Prison and Dóchas Centre by the Inspector of Prisons and Places of Detention, January 2005](#)

[Fourth Annual Report of the Inspector of Prisons and Places of Detention 2004–2005](#)

Report on an Inspection of Limerick Prison by the Inspector of Prisons and Places of Detention, June 2006

Report on an Inspection of Castlerea Prison by the Inspector of Prisons and Places of Detention, October 2006

Report on an Inspection of Portlaoise Prison by the Inspector of Prisons and Places of Detention, December 2002

Report on an Inspection of Mountjoy Prison and the Dóchas Centre by the Inspector of Prisons and Places of Detention, January 2003

Report on an Inspection of Limerick Prison by the Inspector of Prisons and Places of Detention, November 2002

Report on an Inspection of St. Patrick's Institution by the Inspector of Prisons and Places of Detention, November 2004

Report on an Inspection of Castlerea Prison by the Inspector of Prisons and Places of Detention, June 2004

Report on an Inspection of Wheatfield Prison by the Inspector of Prisons and Places of Detention, June/July 2003

Report on an Inspection of Fort Mitchel Prison by the Inspector of Prisons and Places of Detention, September 2003

Report on an Inspection of Limerick Prison by the Inspector of Prisons and Places of Detention, February 2004

Report on an Inspection of Loughan House Place of Detention by the Inspector of Prisons and Places of Detention, May 2003

Report on an Inspection of Arbour Hill Prison by the Inspector of Prisons and Places of Detention, November 2003

Report on an Inspection of Cork Prison by the Inspector of Prisons and Places of Detention, September 2004

Report on an Inspection of the Training Unit by the Inspector of Prisons and Places of Detention, March 2005

Report on a Revisit Inspection of Loughan House by the Inspector of Prisons and Places of Detention, May 2005 and February 2006

Report on an Inspection of Cloverhill Prison by the Inspector of Prisons and Places of Detention, November 2005

Report on an Inspection of Wheatfield Prison by the Inspector of Prisons and Places of Detention, April/May 2006

Report on an Inspection of Cloverhill Prison by the Inspector of Prisons and Places of Detention, November/December 2002

Report on an Inspection of Midlands Prison by the Inspector of Prisons and Places of Detention, June/July 2005

Report on a Revisit Inspection of Arbour Hill Prison by the Inspector of Prisons and Places of

Detention, February 2007

Report on an Inspection of Shelton Abbey by the Inspector of Prisons and Places of Detention,
October 2005

Further Information

For further information please contact

**Office of the Inspector of Prisons
1 Lower Grand Canal Street
Dublin 2**

4.29 ORGANISATION DEVELOPMENT UNIT

Role of Division

The Organisation Development Unit (ODU) was established in 1997 to oversee the organisation change programme of the Department as part of the civil service-wide Strategic Management Initiative (SMI). The aim of the organisation change programme is to bring about a modern integrated system within the Department and its offices.

Functions of the Organisation Development Unit

- The strengthening and development of the Department's overall strategic, business and individual performance planning frameworks to support improved organisation performance. This involves the preparation of the Department's **Strategy Statement** and regular reviews of progress on its implementation, co-ordination of the annual Divisional Business Plans and ensuring linkage between Divisional Objectives and the Department's Strategy Statement.
- The development and implementation, in the Department and wider Justice and Equality Sector, of the **modernisation programme** under Towards 2016. This work builds on progress already achieved to date on strategic management and the programmes of organisation change in the Department since 1997.
- The co-ordination and management of the process of the Department and sectoral organisations reporting progress on their modernisation Action Plans to the **Civil Service Performance Verification Group** (CSPVG).
- The Unit is engaged on a variety of other cross-divisional work including the production of the Department's **Annual Report**, reporting progress on the Department's commitments under the **Agreed Programme for Government**, providing administrative support to the Department's Policy Planning Research Unit (PPRU). The **PPRU** enhances the Department's policy analysis capability through the procurement of objective, quality research.
- In September 2005, the Unit was assigned responsibility for overall co-ordination of the Department's work on **Social Inclusion** matters. This includes the co-ordination of the Department's input to the NDP 2007 – 2013, the new NAPS/Incl, Towards 2016 and the National Strategic Reference Framework NSRF).

- The co-ordination of the Department's **Dormant Accounts** funding, involving the maximisation of coherence of the Department's input on dormant accounts and the co-ordination of the Department's negotiations on dormant accounts.

Structure of the Division

ODU is located at Pinebrook House, 71/74 Harcourt Street, Dublin 2 and comprises eight personnel:

Principal Officer

Assistant Principal Officer

2 Higher Executive Officer – (1 work sharing)

3 Executive Officer – (1 work sharing)

1 Clerical Officer

ODU's customers

Due to the nature of its role, ODU's customers are in general internal to the justice and equality system, and include all Divisions and Agencies of the Department.

Information Available

Details of the civil service-wide framework of structural and administrative change may be found in:

- *Delivering Better Government - A Programme of Change for the Irish Civil Service* (Government Publications Sales Office: May 1996)

Key elements of the Department's modernisation programme may be found in the Department's Strategy Statement:

- *Working for a Safer Fairer Ireland* (Department of Justice, Equality and Law Reform 2005 - 2007). A new Strategy Statement for 2008 – 2010 will be published by end 2007.

Further information can be found in the Annual Progress Reports which are published on the Department's website (www.justice.ie).

Details of an Equality Initiatives Survey carried out in the Justice and Equality Sector may be found on the Department's website:

- *A Review of Equality Initiatives in the Justice and Equality Sector*

Classes of Records Held

Internal Administration

- Work programme of the Unit and individual PMDS Role Profile Forms for staff of Unit;
- Records of invoices received and paid directly related to ODU;
- Ministerial briefing and speech material;
- Miscellaneous correspondence.

General Policy

- Proposals and reports to the Minister and Government on progress in
- implementing the organisation change programme.

Associated Organisations of the Department

- Correspondence and other records relating to aspects of the establishment of the Courts Service;
- Correspondence and other records relating to aspects of the establishment of an independent Prisons Authority;
- Agendas, minutes and related records of meetings of the Justice and Equality Sector Steering Group;
- Documents relating to management reviews of certain associated offices;
- Miscellaneous correspondence with associated offices.

Parliamentary Questions and Representations

- Copies of replies to Parliamentary Questions appropriate to the work of the unit;
- Copies of replies to general correspondence on the work of the unit;
- Correspondence and records relating to the introduction of the electronic system for transmitting Parliamentary Questions;
- Correspondence and records relating to revised procedures and use of the electronic correspondence tracking system.

Policy Planning Research Unit (PPRU)

- Material on the management of a research project and follow-up reports;
- Agendas, reports and other material relevant to meetings of the PPRU;
- Documentation on projects fully- and part-funded by the PPRU;
- Documents relating to financial administration of the PPRU.

Management and Corporate Development

- Agendas, reports and related information on the meetings of the Department's Principal Officers (PO) Forum;
- Documentation on the review of the PO Forum;
- Material relating to the organisation of a Process Recording Database.

SMI Activities

- Material relating to the preparation and publication of Strategy Statements;
- Material relating to the preparation of the annual progress reports on Strategy Statement objectives;
- Business Planning process within the Department;
- Correspondence with the Department of the Taoiseach relating to the implementation of SMI within the Department;
- Coordination of applications to the Change Management Fund and administration arising;
- The development of a logo and corporate identity;
- Material relating to advancing the Department's modernisation programme under the Programme for Prosperity and Fairness, Sustaining Progress and Towards 2016 Social Partnership Agreements;
- Material relating to advancing the modernisation programme across the Justice and Equality sector organisations under the Programme for Prosperity and Fairness, Sustaining Progress and Towards 2016 Agreements;
- Material relating to Change Management Network meetings.

Social Inclusion

- Material in relation to the Cabinet Committee on Social Inclusion
- Agenda and minutes of Departmental Liaison Officer meetings
- Material and minutes of Social Inclusion Consultative Group
- Material in relation to Office of Social Inclusion Management Group of Assistant Secretaries
- Agenda and papers on the Senior Officials Group on Social Inclusion
- Material on Data Strategy Technical Advisory Group

Miscellaneous Activities

- Briefing notes for Departmental Council (formal industrial relations machinery of the Department);
- Material relating to replies to requests made under the Freedom of Information Act, 1998.

Further Information

Requests for further information about any matters in relation to this Division should be addressed to:

**The Organisation Development Unit
Department of Justice, Equality & Law Reform
71 /74 Harcourt Street
Dublin 2.**

4.30 PAROLE BOARD

Role of Board

The Parole Board is a non-statutory body established by the Government in 2001. The Board replaced the Sentence Review Group and has a broader remit. The role of the Board is to review the cases of prisoners referred to it by the Minister for Justice, Equality and Law Reform and to provide advice to the Minister on the administration of the sentences of the individual prisoners concerned. The Board's offices are at 31/35 Bow Street, Dublin 7.

Delivery of Service

The Parole Board provides a service on a daily, weekly or occasional basis, orally or in written form primarily to the Minister, directly or through his Department, and also to a range of customers including:-

- (a) prisoners;
- (b) the families of prisoners;
- (c) legal representatives of prisoners;
- (d) the Irish Prison Service;
- (e) the Probation Service, and
- (f) an Garda Síochána.

Structure of the Board

The Parole Board is comprised of a Chairman and ten ordinary members, appointed by the Minister. The Board currently comprises the Chairman and:

- a member of the medical/psychiatric profession,
- a representative of the Probation Service,
- a representative of the Department of Justice, Equality and Law Reform,
- a representative of the Irish Prison Service,
- a retired Prison Governor, and
- five representatives of the wider community.

The Board is supported, and administrative assistance is provided, by a secretariat. Staff are assigned to the Board's secretariat by the Department and currently comprises an Assistant Principal Officer, a Higher Executive Officer and a Clerical Officer.

Information Available

Annual Report of the Parole Board
Information Leaflet on the Parole Board Scheme

Classes of Record Held

Personal Information

Registered Files

(a) A file is registered in respect of each prisoner whose case is referred to the Board for review. A sequential numerical register of these files is maintained and each file could contain the original or copies of :-

- (i) a letter from the Department of Justice, Equality and Law Reform, referring the case to the Board for review;
- (ii) an invitation to the prisoner to have his or her case reviewed by the Board;
- (iii) a form on which the prisoner will have indicated his or her acceptance or rejection of an invitation to have his or her case reviewed by the Board;
- (iv) letters seeking reports or information to be considered by the Board and to be included in a review dossier;
- (v) reports or other material requested by the Board in connection with its review of the case;
- (vi) correspondence with a prison Governor concerning the disclosure to a prisoner of his or her review dossier, other material or in relations to arrangements for an interview with Board members;
- (vii) correspondence with a prisoner concerning the disclosure of reports or other documents and arrangements for an interview with Board Members;
- (viii) a report of an interview between a prisoner and members of the Board;
- (ix) correspondence in relation to the disclosure of a report of an interview between a prisoner and two members of the Board;
- (x) representations on behalf of a prisoner;
- (xi) a dossier of reports and other material considered by the Board as part of its review of a prisoner's case;
- (xii) correspondence from or to the prisoner's legal representative;
- (xiii) correspondence with the Irish Prison Service;
- (xii) correspondence with the Department of Justice, Equality and Law Reform, and
- (xiv) letter to the Minister for Justice, Equality and Law Reform conveying the views and recommendations of the Board.

In addition to the registered files specifically created for each prisoner whose case is referred to the Board for review the Board maintains a general file which contains notes and correspondence concerning enquiries from prisoners about the Board's review process, eligibility for review, etc. This file can and does contain personal information.

Electronic Information Holdings

Material kept on the electronic document libraries would consist entirely of soft copies of documents such as letters, notes and reports, etc. The system is used to create, print, store and transmit and receive these documents by e-mail. The documents could and do contain personal information.

The Board maintains an electronic database containing basic information in relation to prisoners whose cases have been referred to the Board for review. This database is used as a file reference and to track standard letters and forms.

Paper Folders

Paper folders can contain a variety of non-specific documents which may contain personal information on prisoners.

Non-personal Information

Registered files

Paper files on many aspects of the administration of the Board and on general and policy matters. An alphabetical register of these files is maintained.

Electronic Information Holdings

Documents proper to the Board's general files are created and maintained on the Board's IT system. These would include correspondence, notes and submissions.

Paper Folders

Paper folders can contain documents similar to those on the registered general files and relating to a particular task.

Further Information

Requests for further information about any matters in relation to the Parole Board should be addressed to:-

**Secretary
Parole Board
31/35 Bow Street
Dublin 7**

4.31 PRESS OFFICE

Role of the Press Office

The Press Office of the Department is responsible for responding to all media related issues that affect the Department. As well as responding to specific requests from the media for information on all aspects of the Department's work, the Office also issues press releases, advises the media of developments and initiatives and generally monitors media coverage of Departmental issues. The Press Officer is the spokesperson for both the Minister and the Department.

Structure of the Press Office

The Press Office is located in the St. Stephen's Green Office of the Department and comprises five personnel:

Assistant Principal Officer

Higher Executive Officer

Executive Officer x 2

Clerical Officer

Delivery of Service

The customers of the Press Office are to a large degree external to the Department and include all print and broadcast media. The Office provides the media with information about the official activity of the Minister, Minister of State and the Department and also answers media queries. The Press Office is also responsible for advising the Minister and senior officials of the Department on media matters.

Given the nature of the issues that affect the Department, a round the clock, seven day a week service is generally available.

Information Available

The Press Office issues press releases and speeches for the Minister and the Department to the local and national media (as appropriate). A copy of speeches and press releases are held in electronic format in the office and are also posted on the Department's website. Reports and publications referred to in various press releases are available from the Government Publications Sales Office, and on the Department's website.

Classes of Records

The Press Office holds the following records:

- ◆ Press releases and speeches by the Minister are held in electronic form;
- ◆ Speeches by the Minister at functions or in the Dáil and Seanad;
- ◆ Press queries entered on computer and written replies to press queries;
- ◆ Reference copies of reports sponsored or commissioned by the Department;
- ◆ Miscellaneous correspondence with the media;
- ◆ Press cuttings on issues relevant to the work of the Department from national and provincial media;
- ◆ Copies of invoices in respect of expenditure incurred by the Office.

Rules and Practices

The policy of the Press Office is to respond to media queries in an accurate and timely fashion and to keep the Minister and the Department's management fully informed in relation to media developments. In following this principle, the terms of the Department's Customer Service Action Plan are observed.

Press queries are received by phone and email. Where an immediate response to the media query is not available the query is passed to the relevant Division (via phone or email) for material for reply. Replies to media queries are authorised by the relevant Principal Officer or Assistant Secretary before being sent to the Press Office. In most cases the reply to the press query is given over the phone. In some cases it is more practicable to convey replies to press queries by email.

To keep the public informed about the official activities of the Minister and the Department a press release is issued to the media on all relevant developments, new legislative initiatives undertaken by the Department, or to signal the publication of a report commissioned by the Department or suchlike. Press releases announcing these initiatives or reports are compiled in the Press Office or forwarded to the Office by the relevant Division. Press releases are issued by the media via email.

Further information

Further information about the Press Office and its work may be obtained from the:

Press Office

Department of Justice, Equality and Law Reform

94 St. Stephen's Green

Dublin 2

4.32 PRISON & PROBATION POLICY DIVISION

Role of Divisions

Prisons and Probation Policy Division is responsible for providing strategic direction to the Irish Prison Service and the Probation Service and for monitoring the performance of those Services in line with agreed policy objectives. The development of effective organisational structures underpinned by legislation is an important function of the Division.

The Division also discharges ministerial functions in relation to the Prisons, Probation and the Central Mental Hospital, including appointments to prison visiting committees, acting as liaison with the Parole Board, the Inspector of Prisons, the Mental Health Review Board and processing applications under the transfer of sentenced person's legislation.

The **Petitions** Unit and the **Peace Commissioners** Unit also come under the auspices of Prisons and Probation Policy Division. The former processes petitions to the Minister for reductions of penalties and / or sentences imposed by the Courts, while the latter processes nominations for appointment to the Office of Peace Commissioner.

Role of the Division

Prisons and Probation Policy Division is comprised of two sections as follows:-

Prisons Policy deals with issues relating to the prisons, Mental Health Review Board and the Central Mental Hospital. This includes, for example:-

- (a) policy direction and advice to the Irish Prison Service;
- (b) liaison with the Parole Board on administration and associated prisoner cases;
- (c) liaison with the Office of the Inspector of Prisons
- (d)) liaison with the Mental Health Review Board
- (e) persons detained in the Central Mental Hospital under "Not Guilty by Reason of Insanity" or "Unfit to Plead" Orders;
- (f) the transfer of sentenced persons both to and from and the State;
- (g) parliamentary questions relating to prisons;
- (h) legislation relating to prisons;
- (i) prison visiting committees;
- (j) deaths in prison custody;
- (k) liaison with the Council of Europe Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment for their visits to Ireland;

Within Prisons Policy, separate units have responsibility for

(k) Petitions; and,

(l) Peace Commissioners.

Probation Policy functions include:-

- (a) Policy direction and advice relation to the Probation Service;
- (b) Working with Senior Management in the Probation Service in the implementation of its Strategy Statement;
- (c) Monitoring and control of Probation Service expenditure;
- (d) Policy relating to community sanctions operated by the Probation Service;
- (e) Work closely with the Irish Youth Justice Service to ensure full implementation of the provisions of the Children Act relevant to the Probation Service;
- (f) Liaise with the Office of the Attorney General, Chief State Solicitor and Office of Public Works on Probation Service issues;
- (g) Representing the Department at Council of European Union meetings in the examination of proposed Framework Decisions relating to the Probation Service;
- (h) Co-ordinating responses to requests for briefing material on the Probation Service from various sources;
- (i) Preparing replies to Parliamentary Questions relating to the Probation Service;
- (j) Implementation of the acquisition/disposal of land or buildings for use by Community Based Organisations under the aegis of the Probation Service;
- (k) Policy Issues relating to the development of Community Sanctions operated by the Probation Service.

Delivery of Service

Prisons and Probation Policy Division provides a service on a daily, weekly or occasional basis, orally or in written form to a wide range of customers including:-

- (a) the general public;

- (b) prisoners;
- (c) the families of prisoners;
- (d) the Irish Prison Service;
- (e) members of the Oireachtas and other public representatives through the Minister's Office
- (f) the Parole Board;
- (g) the Office of the Inspector of Prisons ;
- (h) Management and staff of the Probation Service;
- (i) An Garda Síochána;
- (j) the legal representatives of prisoners;
- (k) National, European, and International Organisations;
- (l) other Government Departments and Offices;
- (m) other Divisions within the Department of Justice, Equality and Law Reform; and
- (o) Representative of the Community Based Organisations.

Structure of the Division

Prisons and Probation Policy Division is located at Montague Court, Montague Street, Dublin 2, and comprises staff as follows:-

Assistant Secretary
Principal Officer
Assistant Principal Officer (x2)
Higher Executive Officer (x2)
Executive Officer (x4)
Clerical Officer (x2)

Information Available

All legislation governing this area of work is available from the Government Publication Sales Office, Sun Alliance House, Molesworth Street, Dublin 2 (tel. (01) 661 3111).

Information available in the Division includes:-

- a) Recent Prison Visiting Committee Reports;
- b) Annual Reports of the Parole Board;
- c) Annual Reports of the Inspector of Prisons;

- d) Annual Report of the Probation Service
- e) Annual Reports to the Oireachtas on the operation of the Convention on the Transfer of Sentenced Persons;
- f) Reports of visits to Ireland by the Council of Europe Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment;
- g) The Government's responses to the reports of visits to Ireland by the Council of Europe Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment;
- h) information leaflets on the Parole Board;
- i) information leaflets on the Convention on the Transfer of Sentenced Persons;
- j) Probation Service Strategy Statement; and
- k) Young Persons Probation Strategy Statement

Primary Legislation

The Constitution;
 Adaptation of Enactments Act, 1922 (No. 22 of 1922);
 Lunatics (Ireland) Act, 1921;
 The Prison (Ireland) Act, 1826;
 Criminal Lunatics (Ireland) Act, 1838;
 Central Criminal Lunatic Asylum (Ireland) 1845;
 The Prisons (Ireland) Act, 1846;
 The Prisons (Ireland) Act, 1856;
 The Prison Officers Superannuation (Ireland) Act, 1873;
 Lunatic Asylums (Ireland) Act, 1875;
 The General Prisons (Ireland) Act, 1877;
 Trial of Lunatics Act, 1883;
 The Prison Service (Ireland) Act, 1883;
 The Prisons (Ireland) Amendment Act, 1884;
 Prisons Act, 1898;
 Fines of Imprisonment (Ireland and Scotland) Act, 1899;
 The Prisons (Ireland) Act, 1907;
 Children Act, 1908;
 Criminal Justice Administration Act, 1914;
 Prisons Visiting Committee Act, 1925;
 Prisons Act, 1933;
 Offences against the State Act, 1939;
 Enforcement of Court Orders Act, 1940;
 Children Act, 1941;
 Prisons Act, 1956;
 Criminal Justice Act, 1951;
 Criminal Justice Act, 1960;
 Prisons Act, 1970;
 Prisons Act, 1972;

Prisons Act, 1974;
Prisons Act, 1977;
Prisons Act, 1980
Prisons Act, 2007;
Transfer of Sentenced Persons Act, 1995;
Transfer of Sentenced Persons (Amendment) Act, 1997;
Criminal Justice Act, 1998;
Children Act, 2001 (as amended)
Criminal Justice Act, 2003
Human Rights Act, 2003
Criminal Law (Insanity) Act, 2006
Criminal Justice Act, 2006
Criminal Justice Act, 2007
Criminal Procedure (Amendment) Act, 2007
Probation of Offenders Act, 1907;
Supervision of Offenders on Release from Custody – Criminal Justice Act, 1960
Misuse of Drugs Act, 1977
Criminal Justice (Community Service) Act, 1983
Sex Offender Act, 2001

Rules and Regulations

General Prisons Board (Transfer of Functions) Order, 1928;
St. Patrick's Institution Regulations 1960 (S.I. No. 224 of 1960);
Detention of Offenders (Loughan House) Regulations, 1973 and 1983 (S.I. No. 60 of 1973 and S.I. No. 132 of 1983);
Detention of Offenders (Training Unit) Regulations, 1975 (S.I. No. 251 of 1975);
Detention of Offenders (Shelton Abbey) Regulations 1976 (S.I. No. 293 of 1976);
Detention of Offenders (Fort Mitchell) Regulations 1985 (S.I. No. 104 of 1985);
Temporary Release of Offenders (Unit A Costlier) Rules (S.I. No. 360 of 1996);
Detention of Offenders (The Curragh) Regulations 1996 (S.I. No. 390 of 1996);
Rules for the Government of Prisons, 1947 (S.R.&O. No. 320 of 1947);
Rules for the Government of Prisons, 1955 (S.I. No. 127 of 1955);
Rules for the Government of Prisons, 1976 (S.I. No. 30 of 1976);
Rules for the Government of Prisons, 1983 (S.I. No. 135 of 1983);
Rules for the Government of Prisons, 1987 (S.I. No. 90 of 1987);
Prisons (Temporary Release) Rules, 1960 (S.I. No. 167 of 1960);
Prisons Act, 1972 (Military Custody) Regulations, 1972 (S.I. No. 138 of 1972);
Prisons (Visiting Committees) Order, 1925 (Vol XVIII 805, June 3rd 1925);
Prisons (Visiting Committees) Order, 1972 (S.I. No. 217 of 1972);
Rules for the Government of Prisons, 1947 (S.I. No. 320 of 1947);
Rules of the Superior Courts;
Rules of the Circuit Court;
Rules of the District Court.
Prison Rules 2007 (S.I. No. 252 of 2007)

European Conventions and International Standards

European Prison Rules 2006;
European Convention on the Transfer of Sentenced Persons (Strasbourg 1983);
European Convention on the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (Strasbourg 1987);

European Convention on Human Rights (Strasbourg 1950);
Universal Declaration of Human Rights, 1948;
Vienna Declaration of Human Rights, 1993;
International Convention on Civil and Political Rights;
UN Convention on the Rights of the Child.
The United Nations Rules on Supervised Community Sanctions (the Tokyo Rules);
The Council of European Rules on Community Sanctions and Measures; and
The United Nations Rules on the Supervision of Young Offenders (the Beijing Rules);

Classes of Records Held

Personal Information

Centrally Registered Files

(a) A file is registered in respect of each prisoner's case where the **Parole Board** has forwarded recommendations on the case to the Minister. These files are in the Department's 186/ series. Each file may contain the original or copies of:-

- (i) dossier of reports and documentation given to the Parole Board for consideration of the case;
- (ii) letters to the Minister with the views of the Parole Board on the case;
- (iii) submissions to the Minister for decision on the recommendations;
- (iv) letter to the Prison Authorities conveying the decision of the Minister in the case;
- (v) representations from public representatives to the Minister together with replies to same;
- (vii) correspondence from the offender;
- (viii) correspondence from family, relatives, friends, other third parties, etc.
- (ix) correspondence from the offender's legal representatives;
- (x) newspaper articles; and,
- (xi) parliamentary questions and response thereto.

(b) A file is registered in respect of each person who has made an application under the **Transfer of Sentenced Persons legislation**. These files are in the Department's 16/ series. Each file may contain the original or copies of:-

- (i) prisoner's written request for transfer;
- (ii) prisoner details report;
- (iii) prisoner's photograph;

- (iv) copies of birth certificate, passport, etc.;
- (v) order of imprisonment;
- (vi) copies of relevant legislation;
- (vii) various reports from the Gardaí or Police, Prison Authorities, Probation Service, Psychology Service, etc.
- (viii) details of previous convictions;
- (ix) correspondence with the prisoner;
- (x) correspondence with the Chief State Solicitor's Office and Attorney General's Office;
- (xi) correspondence with the authorities in the country where the person has sought a prison transfer to or from, including copies of documentation exchanged between both jurisdictions;
- (xii) correspondence with prisoner's family, relatives, friends, other third parties, etc.;
- (xiii) correspondence with the prisoner's legal representatives;
- (xiv) representations from public representatives together with replies to same;
- (xv) submission to the Minister concerning the application;
- (xvi) decision of the Minister;
- (xvii) correspondence from Department to the prisoner concerning the decision;
- (xviii) consents from both jurisdictions processing a transfer request and the prisoner;
- (xix) copies of affidavits for making application to the High Court;
- (xx) copies of warrants issued by the High Court authorising a prisoner's transfer into the jurisdiction;
- (xxi) copies of warrant signed by Minister authorising a prisoner's transfer out of the jurisdiction;
- (xxii) details of transfer arrangements - airlines - travel arrangements, prison escorts, Gardaí, etc.
- (xxiii) newspaper articles; and,
- (xxiv) parliamentary questions and responses thereto.

(c) A file is registered in respect of each person committed to the **Central Mental Hospital** who has been found not guilty by reason of insanity by the Courts. These files are in the Department's 16/ and 18/ series. Each file may contain the original or copies of:-

- (i) documentation/correspondence in respect of court proceedings;
- (ii) psychiatric/psychological reports;
- (iii) Probation Service Reports;
- (iv) Advisory Committee documentation/correspondence;
- (v) representations from public representatives;
- (vi) correspondence from the detained person;
- (vii) correspondence from third parties;
- (viii) correspondence from legal representatives of the detained person;
- (ix) correspondence from the authorities at the Central Mental Hospital;
- (x) Garda reports;
- (xi) submissions to the Minister by Division Staff;
- (xii) court order; and,
- (xiii) newspaper articles.

(d) Personal files in the Department's 19/ or 91/ series in respect of **petitions** to the Minister could contain the original or copies of:-

- (i) letter (and attachments if any) from correspondent seeking mitigation of a penalty;
- (ii) copy of letter from Minister's Office returning original correspondence and issuing a combined information sheet/application to open a petition form;
- (iii) completed application to open a petition form (and covering letter and attachments, if any);
- (iv) copy of acknowledgement of receipt of application to open a petition form issued by Minister's Office to correspondent;
- (v) completed examination of application to open a petition form;
- (vi) completed precis of application to open a petition form, containing assessment of application, Petition Officer's recommendation and Minister's decision;
- (vii) copy of letter to correspondent conveying Minister's decision to open or not to open a petition;

In cases where a petition is opened:-

- (viii) request for Garda report(s);

- (ix) request for court extract(s);
- (x) examination of petition;
- (xi) assessment of petition, Petition Officer's recommendation and Minister's decision;
- (xii) copy of letter to correspondent conveying Minister's decision;

In cases where penalty is mitigated:-

- (xiii) notification of decision to Gardaí; and,
- (xiv) notification of decision to court office(s).

(e) A personal file in respect of each application to the post of **Peace Commissioner** is opened in the Department's 142/ series. Each file may contain the original or copies of:-
letter of application or nomination;

- (i) acknowledgement of receipt of application or nomination issued by Minister's Office;
- (ii) Request for Garda report on applicant/nominee and Peace Commissioner situation in question;
- (iii) Garda report;
- (iv) results of Garda report, assessment, and recommendation to Minister from Division;
- (v) letter with acceptance form to applicant/nominee, or
- (vi) letter to applicant advising that appointment will not be made;
- (vii) letter to third party, if any, of issue of acceptance form to nominee, or
- (viii) letters to third party and Gardaí advising that appointment will not be made;
- (ix) completed acceptance form and covering letter, if any;
- (x) acknowledgement of receipt of acceptance form, if issued by the Minister's Office;
- (xi) Irish name and address form;
- (xii) warrant of appointment;
- (xiii) letter conveying warrant of appointment to applicant/nominee;
- (xiv) letter to third party, if any, advising of issue of the warrant of appointment to nominee;
- (xv) notification of appointment to Gardaí; and,

(xvi) seal record sheet.

Electronic Information Holdings

Material kept on the computer network would consist entirely of soft copies of documents such as notes, letters (including replies to representations), submissions, reports, etc.

The system is used to create, print, mail and store these documents. The documents could and do contain personal information relating mainly to prisoners and those detained in the Central Mental Hospital who have been found not guilty by reason of insanity or unfit to plead.

Paper Folders

Paper folders can contain a variety of non-specific documents which may contain personal information on prisoners and those detained in the Central Mental Hospital.

Non Personal Information

Centrally registered files

Paper files on many aspects relating to general and policy matters on the Irish Prison System, Probation Service, Prison Visiting Committees, the Parole Board and the Office of the Inspector of Prisons. These files are in the Department's 16/, 21/, 83/ and 93/ series.

Electronic Information Holdings

Documents proper to the Centrally Registered Files are generated and maintained on the department computer system. These include correspondence, notes for information and submissions, answers to Parliamentary Questions and replies to representations to the Minister.

Paper Folders

Documents similar to those on the Centrally Registered Paper Files referred to above and relating to specific tasks are held on informal files.

Further Information

Requests for further information about any matters in relation to Prison and Probation Policy should be addressed to:-

**Prisons and Probation Policy
Department of Justice, Equality and Law Reform
Montague Court
Montague Street
Dublin 2**

4.33 PROJECT DEVELOPMENT DIVISION

Role of the Division

The Division contributes to policy development in particular areas under the remit of the Department of Justice, Equality and Law Reform, including the areas of illegal and harmful use of the internet, victim support services and gaming and lotteries control.

The Division's current work programme includes the following:

1 Illegal and Harmful Use of the Internet

Implementing the recommendations of the Report of the Working Group on Illegal and Harmful Use of the Internet (1998) which are appropriate to the Department including:

- providing the Secretariat to and representing the Department's interests on the Internet Advisory Board;
- encouraging and monitoring the development of a fully representative and active Internet Service Provider industry involvement in the process of self-regulation;
- supporting and promoting the implementation of awareness programmes targeted at safe Internet use, with particular emphasis on child protection
- since 2006 the Department has secured funding for the research/project work of the IAB

Liaising with EU and international co-operative initiatives in the area of illegal and harmful use of the internet and monitoring developments generally in the area of cybercrime.

2 The Commission for the Support of Victims of Crime

The Commission for the Support of Victims of Crime was established in March, 2005 to devise an appropriate support framework for victims of crime into the future and to disburse funding for victims support measures.

The Commission was established against a background of:

- A need to review the mechanisms and services put in place by specific agencies to assist victims, in the context of the criminal justice system as a whole, as set out in the Victims Charter.
- The evolution of thinking in relation to victims' needs; for example recognition of the need to support victims of sexual assault and domestic violence during court proceedings
- A wider context within which policy needs to be considered, specifically in the context of Ireland's obligations under the EU Framework Decision on the Standing of Victims in Criminal Proceedings
- The decision of the Minister to withdraw funding from the Victim Support organisation with effect from 31st March 2005.

An annual sum is allocated in the Minister's Vote in respect of the Commission for the Support of Victims of Crime expenses in relation to the administration and funding of an annual grant funding scheme to organisations (including NGOs) involved in the support of victims of crime

The Division provides the Secretariat and presents the Department's interests to the Commission for the Support of Victims of Crime. The Division also monitors EU initiatives on the position of crime victims.

3 Gaming and Lotteries

Taking appropriate measures to facilitate the implementation of the recommendations of the Inter-Departmental Review on the Gaming and Lotteries Acts.

4 Miscellaneous functions

Other functions arise from time to time and the Division in the recent past has been involved in projects in the areas of censorship, coroner's functions and auctioneers and estate agents.

Structure of the Division

Project Development Division is situated at the Pinebrook House, 71-74 Harcourt Street, Dublin 2, and comprises:

Principal Officer

Assistant Principal Officer

Higher Executive Officer

Executive Officer

Clerical Officer x 2

Delivery of Service

The Division does not provide a direct service to members of the public. Its customers will be determined by the particular areas under examination at any given time. As part of the Department's overall consultative approach to policy development, as wide a range as possible of interests are consulted, including, in many cases, approaches to the general public in the form of invitations for submissions on particular topics. Specific agencies, interest groups or representative organisations are included in the policy development process and in some cases, formal review mechanisms, such as working groups or review bodies, are used.

Communication with the Division:

The Division interacts with its customers mainly through:

- correspondence with members of the public in writing, by e-mail or by phone;
- representations from public representatives (responded to via the Minister's Office), press queries (responded to via the Press Office);
- parliamentary questions;
- consultation mechanisms, both internal and external, such as review groups, public requests for views, working groups, etc.

Information available

- *Charter for Victims of Crime*: Department of Justice, February 1997.
- *Report of the Working Group on Illegal and Harmful Use of the Internet*: Department of Justice, Equality and Law Reform, June 1998.
- *Victims' Charter and Guide to the Criminal Justice System*: Department of Justice, 1999.
- *Report of the Interdepartmental Group on the Review of the Gaming and Lotteries Acts 1956-86*: Department of Justice, Equality and Law Reform, June 2000.
- *Report of the Working Group on the Review of the Coroner Service*: Department of Justice, Equality and Law Reform, December 2000.
- *Internet Advisory Board Report 2000-2002*: July 2003
- *Report of the Coroners' Rules Committee (incorporating Coroners' Rules)*: Department of Justice, Equality and Law Reform, November 2003
- *Auctioneers/Estate Agency Review Group Report*: Department of Justice, Equality and Law Reform. July 2005
- *Internet Advisory Board Report 2003–2006*: July 2007

Classes of Records held

Records are held in both paper and electronic form and can be classified under the following headings:

- Internal administration
 - ✓ the selection and identification of projects for inclusion in the Division's work programme;
 - ✓ the allocation of tasks to individual staff members of the Division;
 - ✓ miscellaneous operational matters (e.g. minor purchases) relating to the Division.

- Government decisions

Records of Government decisions relevant to the work of the Division and associated records relating to the preparation of government memoranda leading to those decisions.

- Legislation

In relation to each of the Division's project areas, a set of the relevant legislation (Acts, Statutory Instruments, and EU Directives etc.). The main legislation currently relevant is outlined in Section 16 Reference Book.

- Press Queries

Records of press queries received and answered in relation to the Division's work.

- Project Files

The Division holds and categorises its files for each project under active study/examination under the following broad headings:

- ✓ identification of terms of reference or other criteria for examination of area under review;
 - ✓ setting-up of consultation groups (working groups, review bodies, specific interest groups, etc.);
 - ✓ agendas, minutes and circulated material in relation to the above;
 - ✓ detailed submissions/ views from interested parties;
 - ✓ correspondence/discussions with government bodies directly involved, e.g., the Garda Síochána in relation to enforcement issues, other Government Departments etc.;
 - ✓ legal precedents and court judgements;
 - ✓ correspondence/discussions with Office of the Attorney General and the Office of the Chief State Solicitor regarding legal advice/issues arising in project areas;
 - ✓ research specific to the particular topic, both internal and commissioned externally;
 - ✓ submissions to the Department's higher management, the Minister, the Government setting out the outcome of the Division's examination;
 - ✓ implementation of proposals: correspondence with relevant line Divisions or other parties as appropriate.
- Representations from public representatives
- Copies of queries and replies relating to the Division's area of responsibility
- Replies to parliamentary questions
 - Files relating to the funding of the Commission for the Support of Victims of Crime and the Internet Advisory Board.
 - Files relating to EU initiatives on the position of crime victims.

Further Information

Requests for further information about any matters in relation to this Division should be addressed to:

**Project Development Division,
Department of Justice, Equality and Law Reform
Pinebrook House
71-74 Harcourt Street
Dublin 2**

4.34 Reception and Integration Agency (RIA)

Role of the Reception and Integration Agency:

(Note that the Integration Unit of the RIA is now operating at the Office of the Minister of State with special responsibility for Integration Policy (see separate entry for Office of the Minister for Integration). For the purposes of this document references to RIA are divided between RIA (Reception) and the Integration Unit of the Office of the Minister for Integration.

The Reception and Integration Agency (Reception) is responsible for:

- planning and co-ordinating the provision of services to asylum seekers;
- the accommodation of asylum seekers through the Direct Provision system
- assisting in the voluntary repatriation of destitute nationals from the twelve States which joined the EU in May, 2004 and January, 2007.

The Integration Unit of the Office of the Minister for Integration is responsible for:

- in relation to all immigrants, monitoring, promoting and facilitating effective integration initiatives; and co-ordinating and developing integration policy.
- the operation of the selection and resettlement of programme refugees;
- administration of the European Refugee Fund allocation for Ireland;

RIA (Reception) and the Integration Unit are cross-departmental in nature and comprise staff from the Department of Justice, Equality and Law Reform, as well as staff seconded from the Departments of Education and Science, Health and Children and the Environment, the Health Service Executive, Dublin City Council, the Irish Prison Service and the Irish Red Cross.

Background to the Reception and Integration Agency:

The Government decided on 28th March 2000 to establish the Reception and Integration Agency (RIA), under the aegis of the Department of Justice, Equality and Law Reform. The RIA replaced the Directorate for Asylum Supports Services (DASS) and incorporated the Refugee Agency which previously operated under the aegis of the Department of Foreign Affairs. The RIA (Reception) and the Integration Unit are functional units of the Irish Naturalisation and Immigration Service (INIS) of the Department of Justice, Equality and Law Reform.

Structure of the Reception and Integration Agency

The RIA (Reception) is located at Block C, Ardilaun Centre, St. Stephen's Green, Dublin 2. The Integration Unit of the Office of the Minister for Integration is located at Dún Aimhirgin, 43-49 Mespil Road, Dublin 45.

The staffing allocation for the RIA (Reception) is as follows. This includes staff seconded from other Government bodies who, for the purposes of the list below, are assigned to comparable Civil Service grades.

Assistant Secretary	1
Principal Officer	2
Assistant Principal	6
Administrative Officer	1
Higher Executive Officer	8
Executive Officer	10
Clerical Officer	12

Delivery of Service

The customers of the RIA (Reception) and the Integration Unit are asylum seekers, refugees and other non-Irish nationals in respect of integration policy. The RIA also provides services on a daily, weekly or occasional basis, orally or in written form, to a wide range of customers, including:

- Other functional areas within the Irish Naturalisation and Immigration Service;
- Other Divisions within the Department of Justice, Equality and Law Reform;
- Proprietors of reception and accommodation centres;
- The general public;
- Other Government Departments and State Agencies;
- Non-Government Organisations (NGO's);
- UNHCR
- Members of the Oireachtas and other public representatives; and
- The media, through the Press Office of the Department of Justice, Equality and Law Reform.

Information Available

Current information sources relevant to the RIA's area of responsibility are as follows:

- RIA website www.ria.gov.ie
- Information packs for asylum seekers (provided on initial arrival) giving general information about Ireland, entitlements of asylum seekers and services available to them.
- Accommodation Centres Rules and Procedures (for residents and centre staff).
- Code of Practice for Proprietors and Managers of RIA Accommodation.
- Contracts for provision of Direct Provision accommodation.
- Child Protection Policy (RIA).
- Infant Feeding Guidelines.
- Statistics Unit, RIA (note that statistics are published to the RIA website).

Classes of Records held

Records in the RIA are held in a number of formats.

A. Files (Paper)

- A paper filing system is used to store all files and papers relating to:
 - Operational matters (resident files)
 - Policy Issues, including working groups
 - Human Resource matters
 - Funding and Estimates

- Contracts
- Contract Payments
- Parliamentary Questions
- Speech Material
- Adjournment Debates and other Dáil business
- Ministerial Representations
- Seminars, Conferences etc.
- Reception and Accommodation centres
- Offers of accommodation and associated documents
- Correspondence with service providers including HSE, Department of Social and Family Affairs, Department of Education and Science and Office of Public Works
- Child Protection Files

B. Files (Electronic):

- Much of the information held on paper files above is held on electronic files on a centre database
- A database which is updated daily, with details pertaining to every asylum seekers in accommodation provided by the Reception and Integration Agency. Details include Name, Nationality, Asylum Reference Number, Date of Birth, medical screening flags, special needs, application status details, family units and address.
- A transfer database is used to manage requests from residents to move from one accommodation to another. Details are similar to those held above.
- A database to manage the voluntary repatriation of destitute EU nationals is operated which includes name, nationality, date of birth, PPSN and other information necessary for the provision of the service.
- A Child Welfare Database to manage documentation in respect of the RIA's Child Protection Policy is maintained by a Unit within RIA. Details include names, nationality, Asylum Reference Numbers and details of any allegations or concerns raised formally in line with the policy.
- The RIA is involved in the AISIP Project which will provide an Integration IT System for the management, inter alia, of asylum seekers in RIA accommodation. This project is ongoing.

Further Information

Further information relevant to the Reception and Integration Agency can be obtained by contacting the RIA at:

**Block C
Ardilaun Centre
St. Stephen's Green
Dublin 2**

For information in respect of the functions of Integration Unit, see separate entry in this reference book to Office of the Minister for Integration or contact:

Integration Unit
Dún Aimirgin
43-49 Mespil Road
Dublin 4

4.35 SECURITY & NORTHERN IRELAND DIVISION

Role of the Division

The Division has primary responsibility for policies and services which are directed towards:

- * the preservation of the security of the State; and
- * Northern Ireland.

The Division has responsibility for policy issues concerning the Offences against the State Acts 1939-98 and the Criminal Justice (Terrorist Offences) Act 2005. It also has responsibility for the operation of the Interception of Postal Packets and Telecommunications Messages (Regulation) Act 1993, as amended, and for policy issues concerning the Act. Its other functions include the administration of and/or policy issues pertaining to vetting procedures for persons taking up certain public service employment and for persons seeking employment in childcare-related areas; administrative and policy issues related to the Witness Security Programme; and the development of closer co-operation with the United Kingdom on East-West issues across a range of Departmental functions.

In the context of Northern Ireland, the Division has a role in operating the provisions of the Good Friday Agreement and in providing support to Irish Government participants in the institutions established by that Agreement, in particular the British-Irish Council and the British-Irish Intergovernmental Conference. The Division also manages the operation of the Intergovernmental Agreement on Criminal Justice Co-operation.

The Division is responsible for all matters relating to the Decommissioning Act 1997, Independent Monitoring Commission Act 2003 and Criminal Justice (Location of Victims' Remains) Act 1999.

The Division has policy responsibility in relation to policy issues arising from the Memorandum of Understanding with the Irish Banking Federation in relation to the provision of Cash-in-Transit (CIT) escorts by the Garda Síochána. Moreover, the independent Private Security Authority operates under the aegis of the Minister for Justice, Equality and Law Reform, and the Division is responsible for policy matters arising in this regard.

Structure of the Division

The Division is located at 94 St. Stephen's Green, Dublin 2. The staffing complement comprises nine personnel:

Principal Officer (Head of Division)
Assistant Principal Officer (x 2)
Administrative Officer
Higher Executive Officer
Executive Officer
Clerical Officer (x 3)

Delivery of Service

Delivery of services provided by the Division is primarily to the Minister and the Government through the preparation of briefing material and the making of submissions. The Division also provides information to the Oireachtas through replies to Parliamentary Questions, scrutiny notes relating to EU legislative and policy proposals and representations. Information is given to the media through the Department's Press and Information Office.

The Division also contributes to the formulation of Government policy in areas relevant to its mission, in co-operation with other Government Departments and Agencies. Its customers in this sense would include the Departments of the Taoiseach, Foreign Affairs and Defence, in particular, and also the Garda Síochána and the Defence Forces.

Information Available

The Department's Strategy Statement 2005-2007, **Working for a Safer Fairer Ireland**, (in particular High Level Goals 5 and 6 thereof) contains an overview of the work of the Division. Material provided to the Dáil and Seanad through the medium of statements by the Minister and replies to Parliamentary Questions and Dáil/Seanad Motions also have a reference.

Classes of records held

Records held in both paper and electronic form relate to the matters set out above under Role of the Division.

Further information

Requests for further information about any matters in relation to this Division should be addressed to

Security & Northern Ireland Division
Department of Justice, Equality and Law Reform
94 St Stephen's Green
Dublin 2

Glossary

Civil Servants often use terminology which may not be familiar to the general public to describe their work and information they hold. A glossary of the more commonly used terms is set out below.

Agreed Report * - A record of discussions on an item at either the General Council, a Departmental Council or a Joint Conciliation Council. Reports summarise the arguments advanced by both the Unions and Management on the item in question and record the conclusions reached. These conclusions can either be in the form of recording whatever was agreed between both sides or in the form of recording that agreement could not be reached. In the case of the latter the report is often known as a "disagreed report" or an "agreed report recording disagreement".

Attorney General - advisor to the Government regarding legal opinion and matters of law. The Attorney General's Office has a broad range of functions which, in addition to above, includes representing the State in legal proceedings which involve the State, extradition matters, drafting/amending Government Bills and Statutory Instruments, matter of constitutional and administrative law. (also see Office of the Chief State Solicitor)

Comptroller & Auditor General (C&AG) - the main functions of the C&AG are to control and audit all state disbursement and accounts of money administered by or under the authority of the Government and examine the efficiency and economy within Government Departments.

Council of Europe - A distinct intergovernmental political organisation consisting of some 40 European Parliamentary democracies. The objective is co-operation in all matters, except defence, with emphasis on human rights and strengthening democratic institutions through political, legal, social and cultural co-operation.

Council of the European Union - Composed of ministerial representatives from the Member States of the EU. It exercises legislative and decision-making powers and is responsible for intergovernmental co-operation in foreign policy and Justice & Home Affairs.

Council of Europe Committee for the Prevention of Torture and Inhuman or degrading treatment or Punishment (CPT) - Set up in 1987, the Committee's role is to examine the treatment of persons deprived of their liberty. It is entitled to visit any place where such persons are held by a public authority. The purpose of the Committee is not to condemn States, but by co-operation and advice seek improvements for the protection of persons deprived of liberty.

Data Protection Act 1988 - Provides the individual with the statutory right to seek access to personal information held on computer and the right to ensure incorrect or inaccurate information is corrected or deleted.

Departmental Council * - The formal name given to a meeting of Union representatives and representatives of Management held under the Conciliation and Arbitration Scheme to discuss issues of concern to civil servants in a particular Department with the exception of items proper to be discussed at the General Council.

Director of Public Prosecutions (DPP) - examines files, usually submitted by or on behalf of the Gardaí, to decide if a case is one proper for prosecution.

EU - European Union

EU Directives - Legally binding instruments available to the EU Council and Commission as a means of implementing EU law. Directives are implemented in either of two ways - by primary legislation by the passing of a bill, or by secondary legislation which involves ministerial regulations.

EU Regulations - Legally binding instruments which has immediate effect, requiring no implementation methods at national level.

Facilitator * - As an aid to the negotiation process, discussions at the Conciliation stage may be continued under a Facilitator who is a person agreed by the Official Side and the Staff Side and whose function is to seek to bring the two sides to an agreement.

FOI - Freedom of Information Act, 1997.

Garda Conciliation Council - The formal name given to a meeting of representatives of the Garda association (the Staff Side) and representatives of Management (the Official Side) held under the Garda C & A Scheme to discuss items raised by either side - more commonly raised by the staff side.

General Council * - The formal name given to a meeting of Union representatives and representatives of Management held under the Conciliation and Arbitration Scheme to discuss issues of concern to civil servants generally or to grades common to two or more Departments.

Government Contracts Committee (GCC) - A committee of officials drawn from Departments, chaired by the Department of Finance, concerned with purchasing and construction contracts. Where, due to particular circumstances a Department must depart from normal contracting rules, the GCC must give its approval. Departures from the EU rules are not permitted.

Increments - An increase in pay for which provision is made in a pay scale. As a general rule increments are granted annually provided an officer's services are satisfactory.

Information Commissioner - Provides an independent avenue for appeal of Freedom of Information requests where the individual is not satisfied with the decision made by the public bodies.

Instructions/guidelines - Records in this category would include instructions or guidelines issued to staff in respect of the administration of schemes / programmes operated by the Department. They could also include practical experiences gained in operating schemes / programmes.

Internal Administration - Relates to the day to day management of the Department. Typically, information of this type can pertain to staff training courses, annual leave, provision of accommodation for staff, circulation of information, documents, etc.

Iris Oifigiúil - Official Government publication

Legislation - Legislation refers to the procedure by which a proposal becomes law through the introduction of an Act of the Oireachtas or by secondary legislation made by the Minister under the Primary Act.

Mandamus - Type of remedy of the courts (apart from damages). An order of the courts to enforce the performance of its duty by a public authority where the neglect of same adversely affects an individual.

Ministerial Certificates - Certificate provided for under section 25(1) of the FOI Act in which a Minister declares a record is exempt under the Act.

National Development Plan - a series of programmes that sets out a development strategy for the country in key areas, supported by investment commitments. The key objectives of The National Development Plan 2000-2006 are - Continued sustainable national economic and employment growth, Consolidating and improving Ireland's international competitiveness, Fostering balanced Regional Development and Promoting Social Inclusion.

Office of the Chief State Solicitor - comes within the remit of the Attorney General's Office. Its services include the provision of solicitor services to the Government, and provision of services to the Director of Public Prosecutions (see separate entry) in relation to criminal matters.

Offices of the Refugee Applications Commissioner (RAC) - An independent office established under the provisions of The Refugee Act 1996 as amended, which provides a new statutory system for processing asylum applications. This office makes recommendations to the Minister for Justice, Equality & Law Reform on whether refugee status should be granted.

OJEC Official Journal of European Community - Publishes EU legislation (directives, regulations, etc.), the primary source of all official communications of the EU.

Protocols - A Treaty may have one or more Protocols annexed to it. It has exactly the same binding legal effect as the provisions of the Treaty.

Refugee Appeals Tribunal (RAT) - An independent office established under the provisions of The Refugee Act 1996 as amended which provides a new statutory system for processing asylum applications appeals. This office makes recommendations to the Minister for Justice, Equality & Law Reform on whether refugee status should be granted at appeal stage.

Sub Judice - before the court

Vote - annual amount authorised by the Oireachtas for spending by each Department.

The terms marked * are used in the Conciliation and Arbitration (C &A) Section of HR Division. Some of these terms as defined by the Public Service Executive Union in the September/October, 1997 edition of the Public Service Executive Union (PSEU) Review, are reprinted hereunder with their kind permission.

APPENDIX 1

FREEDOM OF INFORMATION APPLICATION FORM

Please use BLOCK letters

Surname: _____

First Name: _____

Postal Address: _____

Telephone Number(s)

Home: _____

Business: _____

Mobile: _____

Office use only
Date FOI Request Received _____
Identity Verified δ _____
Consent Confirmed δ _____

Personal Information

Before you are given access to personal information relating to yourself, you may be asked to provide proof of your identity.

Form of Access

My preferred form of access is;
(please tick as appropriate)

to receive copies of the records by post

to receive other - please specify _____

Details of Request

In accordance with section 7 of the FOI Act, I request access to records which are: *(Please tick as appropriate)*

Personal/Non Personal (if your request is for non personal information please enclose an application fee of €15)

In the space provided please describe the records as fully as you can. If you are requesting personal information, please state precisely in whose name those records are held. You will not normally be given access to personal information of another person unless you have obtained the written consent of that person.

I request the following records: _____

PLEASE SIGN HERE _____ **DATE** _____

APPENDIX 2

Offices/Agencies associated with the Department of Justice, Equality & Law Reform. Those marked with * do not come within the scope of the Freedom of Information Acts, 1997 & 2003.

Censorship of Publications Office

13 Lower Hatch Street, Dublin 2

Tel: 01 6610533

Cosc – National Office for the Prevention of Domestic, Sexual & Gender-Based Violence

Montague Court, Montague Street, Dublin 2

Tel: 01 4768680

Courts Service

Phoenix House, 15/24 Phoenix Street North, Smithfield, Dublin 7

Tel: 01 8886000

Criminal Injuries Compensation Tribunal

13 Hatch Street, Dublin 2

Tel: 01 6610604

Equality Authority

2 Clonmel Street, Dublin 2

Tel: 1850 245 545

Equality Tribunal*

3 Clonmel Street, Dublin 2

Tel: 1890 344 424

Film Censor's Office

16 Harcourt Street, Dublin 2

Tel: 01 7996100

Forensic Science Laboratory

Garda HQ, Phoenix Park, Dublin 8

Tel: 01 6662910

An Garda Siochana*

Garda HQ, Phoenix Park, Dublin 8

Tel: 01 666 0000

An Garda Siochana Complaints Board*

Block 1, Irish Life Centre, Lower Abbey Street, Dublin 1

Tel: 01 8728666

An Garda Siochana Ombudsman Commission*

150 Upper Abbey Street, Dublin 1

Tel: 1890 600800

An Garda Siochana Inspectorate*

87 St. Stephen's Green, Dublin 2

Tel: 01 4086500

Irish Naturalisation & Immigration Service

13-14 Burgh Quay, Dublin 2

Tel: 01 616700

Irish Prison Service

IDA Industrial Estate, Ballinalee Road, Longford

Tel: 043 35100

Legal Aid Board

47 Upper Mount Street, Dublin 2

Tel: 01 6441900

National Crime Council*

4/5 Harcourt Road, Dublin 2

Tel: 01 4760047

National Disability Authority

25 Clyde Road, Dublin 4

Tel: 01 6080400

National Property Services Regulatory Authority

2nd Floor, Abbey Buildings, Abbey Road, Navan, Co. Meath

Tel: 046 9033800

Office of the Data Protection Commissioner*

Canal House, Station Road, Portarlinton, Co. Laois

TeL: 1890 252 231

Office of the Refugee Applications Commissioner*

79/83 Lower Mount Street, Dublin 2

Tel: 01 6028000

Parole Board

31/35 Bow Street, Dublin 7

Tel: 8720280

Private Security Authority*

Tipperary Technology Park, Rosanna Road, Tipperary Town

Tel: 062 31588

Probation Service Headquarters

Smithfield Chambers, Smithfield, Dublin 7

Tel: 01 8173600

Property Registration Authority*

Chancery Street, Dublin 7

Tel: 01 6707500

Reception & Integration Agency

Block C, Ardilaun Centre, St. Stephen's Green West, Dublin 2

Tel: 01 4183200

Refugee Appeals Tribunal*

6-7 Hanover Street East, Dublin 2

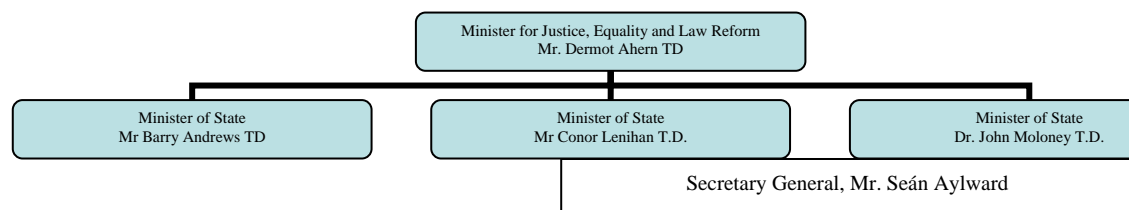
Tel: 01 474 8400

State Pathology Service

Fire Brigade Training Unit, Malahide Road, Marino, Dublin 3

Tel: 01 8534872

Appendix 3



Supporting An Garda Síochána and Tackling Crime	Developing Justice Services	Provision of Asylum/ Immigration and Related Services	Promotion of a Caring Integrated and Equitable Society	Promotion of a Secure and Peaceful Society
<ul style="list-style-type: none"> • Garda Division • Finance & Resources • Human Resources • Accountability • Governance & Performance Policy • Garda 1 Administration • Crime 1 • Crime 2 (Drugs and Organised Crime) • Crime 3 (Security & Northern Ireland) • Crime 4 (Firearms & Explosives) • Mutual Assistance & Extradition • International Policy Division 	<ul style="list-style-type: none"> • Prisons, Probation & Welfare Policy • Courts Policy 	<ul style="list-style-type: none"> • Irish Naturalisation and Immigration Service • Immigration • Visa • Citizenship • Repatriation • Asylum 	<ul style="list-style-type: none"> • Disability Equality • Diversity & Equality Law • Gender Equality 	<ul style="list-style-type: none"> • Security & Northern Ireland
<ul style="list-style-type: none"> • Garda Síochána • Garda Síochána Complaints Board • Garda Inspectorate • Garda Síochána Ombudsman Commission • COSC- the National Office for the Prevention of Domestic, Sexual and Gender-based Violence • Forensic Science Laboratory • National Crime Council • Private Security Authority • State Pathology Service 	<ul style="list-style-type: none"> • Irish Prison Service • Courts Service • Probation Service • Irish Youth Justice Service • Parole Board • Legal Aid Board • National Property Services Regulatory Authority 	<ul style="list-style-type: none"> • Office of the Refugee Applications Commissioner • Refugee Appeals Tribunal • Reception & Integration Agency 	<ul style="list-style-type: none"> • National Disability Authority • Equality Tribunal • Equality Authority • Office of the Minister for Integration 	

