



Office of the  
**Refugee Applications Commissioner**

# Annual Report 2007



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# Foreword by Refugee Applications Commissioner

I am pleased to introduce the seventh Annual Report of the Office of the Refugee Applications Commissioner, and the first report since I was appointed Commissioner in July 2007. The Annual Report outlines progress on delivery in 2007.

This is the first annual progress report on the implementation of our *Strategy Statement 2007-2009*. The Strategy was developed using a partnership approach and involved extensive consultation with all our stakeholders. It clearly sets the direction for the Office's activities in the period between the Strategy's publication and the planned new statutory arrangements under which ORAC will be subsumed into the Irish Naturalisation and Immigration Service (INIS).

2007 continued to provide major challenges for ORAC in order to meet our obligations under domestic and international law. This Annual Report details the significant progress which was made during 2007 in delivering on the Strategy's goals and objectives.

In 2007, a total of 3,985 applications for refugee status were received. This represented over a 7% reduction in applications compared to 2006 and was the lowest annual number of applications since 1997.

Applications which were the subject of Ministerial Prioritisation Directive were processed in the main within 17/20 working days of the date of application, with the exception of cases which could not be processed for medical or other compelling reasons. Other cases were mainly processed to completion within 13 to 15 weeks of the date of application during the first six months of 2007. The timeframe for processing these cases was slightly extended during the latter half of the year due to the increase in complexity of cases and high turnover of experienced staff.

As part of an ongoing process of reviewing procedures in ORAC in order to speed up processing, an in-house evaluation of the Case Processing and Support Units was conducted in August 2007 and resulted in the restructuring of these Units to further streamline procedures. In addition a number of initiatives were undertaken to assist caseworkers in carrying out their role, including further Refugee Status Determination

(RSD) training programmes developed in-house with the guidance of the UNHCR and the introduction of laptops for caseworkers involved in the interviewing process, which greatly enhanced the interview and follow on decision processes.

The UNHCR continued to work closely with ORAC in 2007 in providing training, guidance and mentoring to staff on emerging international best practice in the investigation and determination of applications and further developing ORAC's own mentoring and training capacity. I would like to express my deep appreciation to UNHCR for its ongoing co-operation with my Office.

A continuing challenge for my Office has been the number of judicial reviews being received. 440 judicial reviews were received in 2007, a significant increase on 2006. Despite this increase, judicial review applications were dealt with on a current basis.

The maximum use possible was made in ORAC of the EU Dublin II Regulation, which determines the EU State responsible for processing an asylum application, with 368 determinations made in 2007. To support the Dublin process, a new Automated Fingerprint Identification System (AFIS) was introduced in October 2007, which changed the capture of fingerprints from a manual to an electronic system, and provided an enhanced fingerprinting capacity for ORAC with better capability for exchange of information with the EURODAC fingerprinting system in the EU.

ORAC also continued to be heavily involved with the development of the new Asylum and Immigration Strategic Integration Programme (AISIP), which aims to create a single IT infrastructure between various agencies and Divisions of the Irish Naturalisation and Immigration Service (INIS) involved in the asylum and immigration process.

Considerable work was undertaken during the year to plan for the introduction of the new Immigration, Residence and Protection legislation providing for the establishment of a single procedure under which all grounds for a person to remain in the State (protection or otherwise) will be considered together. The enactment and commencement of the Bill will result in the subsuming of ORAC into the INIS.

ORAC was also involved in a number of Change Management Project Teams set up by the INIS to plan for the implementation of the new legislation. These teams are dealing with a range of issues such as Shared Service and Structures, Communications, Training and Information Technology, as well as a Single Procedure Transition Team.

Quality customer service continued to be a focus of the Office during the year, with two customer surveys being carried out, one in the Interview Waiting Area and another at substantive interview. These surveys confirmed that our customers are very satisfied with the level of service they receive and are especially complimentary about the efficiency and friendliness of our staff.

I would like to pay special tribute to the staff of this Office whose commitment, professionalism and hard work have enabled us to deliver on a challenging agenda during 2007 and to embrace the changing demands going forward. During the year, we continued to be committed to a range of staff development initiatives as well as the partnership process.

Finally, I would like to pay tribute to the hard work and dedication of my predecessor, Berenice O'Neill, who retired as Refugee Applications Commissioner in July 2007. Berenice significantly developed ORAC from its establishment in 2000, provided leadership and guidance to its staff and ensured that the existing statutory framework was applied fairly to those seeking asylum in the State.

**David Costello**  
*Commissioner*

**The Mission Statement of the Office of the Refugee Applications Commissioner in accordance with the Refugee Act, 1996 is:**

- (i) to investigate applications from persons seeking a declaration for refugee status and to issue appropriate recommendations to the Minister for Justice, Equality and Law Reform,*
- and*
- (ii) to investigate applications by refugees to allow family members to enter and reside in the State and report to the Minister for Justice, Equality and Law Reform on such applications,*

**and in so doing, to provide a high quality service to our customers through the implementation of policies and procedures which are fair and open, treating all applicants with courtesy and sensitivity.**

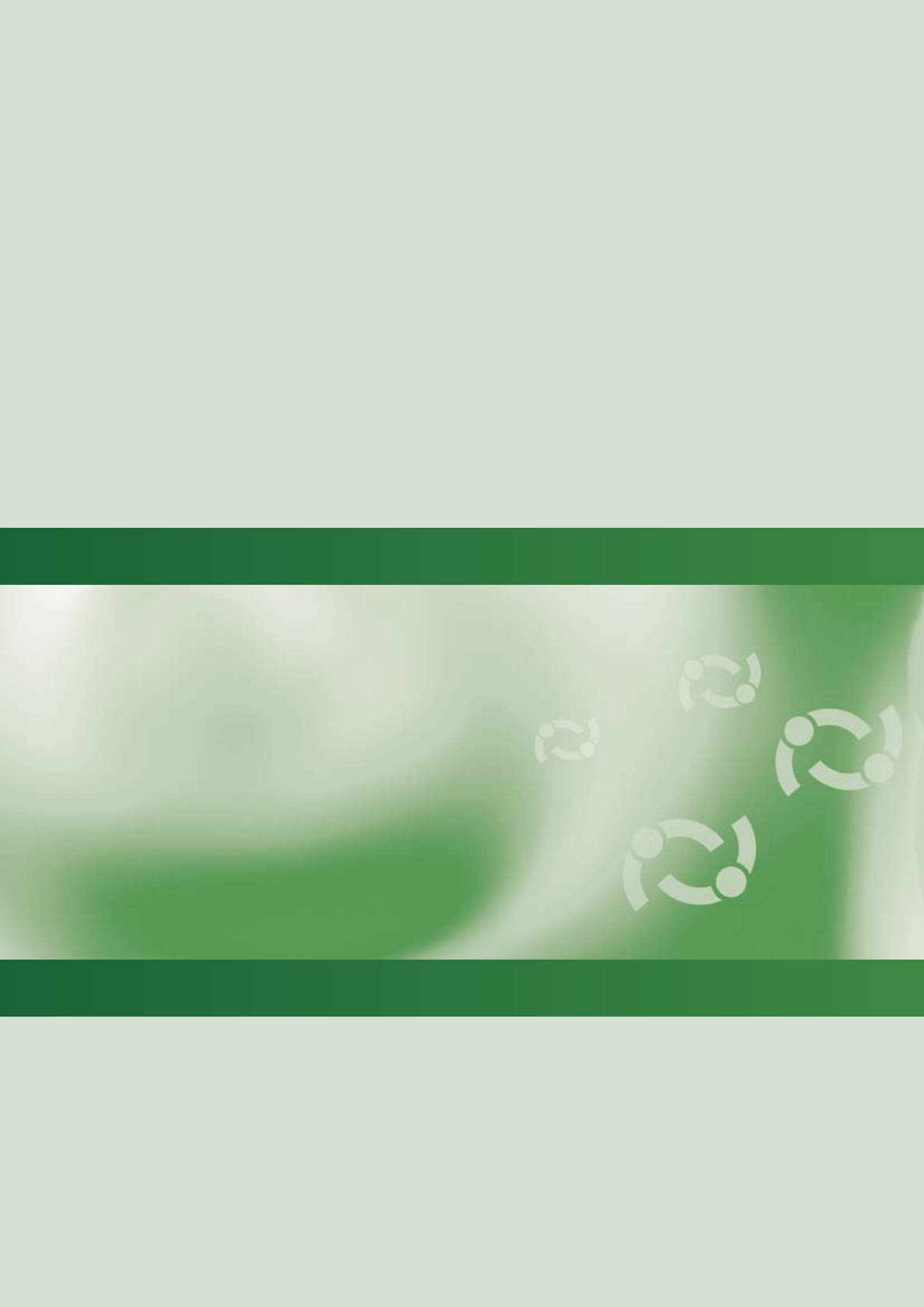
## Who is an Asylum Seeker?

An asylum seeker is a person who seeks to be recognised as a refugee in accordance with the terms of the 1951 Geneva Convention relating to the status of refugees and the related 1967 Protocol, which provides the foundation for the international system of protection of refugees.

## Definition of a Refugee

The definition of a refugee in Irish law is “a person who, owing to a well founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his or her nationality and is unable or, owing to such fear, is unwilling to avail himself or herself of the protection of that country; or who, not having a nationality and being outside the country of his or her former habitual residence, is unable or, owing to such fear, is unwilling to return to it...”.





**1**

# Introduction



## Legal Framework

Under the Refugee Act, 1996 two independent statutory offices were established in November 2000 to consider applications/appeals for refugee status and to make recommendations to the Minister for Justice, Equality and Law Reform on whether such status should be granted. These two offices are the Office of the Refugee Applications Commissioner (ORAC), which considers applications for a declaration as a refugee at first instance and the Refugee Appeals Tribunal which considers applications for a declaration at appeal stage.<sup>1</sup>

The statutory functions of the Refugee Applications Commissioner are set out in the Refugee Act, 1996 (as amended) by the Immigration Act, 1999, the Illegal Immigrants (Trafficking) Act, 2000, the Immigration Act, 2003 and the Immigration Act, 2004. Throughout this report, the term "Refugee Act, 1996" means the Refugee Act, 1996 (as amended).

The Office also has regard or had regard, *inter alia*, to the following Statutory Instruments (S.I.) in the discharge of its business:

- S.I. No. 344 of 2000 – Refugee Act, 1996 (Places and Conditions of Detention) Regulations, 2000.
- S.I. No. 345 of 2000 – Refugee Act, 1996 (Application Form) Regulations, 2000.
- S.I. No. 346 of 2000 – Refugee Act, 1996 (Temporary Residence Certificate) Regulations, 2000.
- S.I. No. 415 of 2003 – Immigration Act, 2003 (Section 7) (Commencement) Order, 2003.
- S.I. No. 424 of 2003 – Refugee Act, 1996 (Appeals) Regulations, 2003.
- S.I. No. 422 of 2003 – Refugee Act, 1996 (Safe Countries of Origin) Order, 2003.
- S.I. No. 423 of 2003 – Refugee Act, 1996 (Section 22) Order, 2003.
- S.I. No. 714 of 2004 – Refugee Act, 1996 (Safe Countries of Origin) Order, 2004.
- S.I. No. 518 of 2006 – European Communities (Eligibility for Protection) Regulations 2006.

<sup>1</sup> A detailed description of the asylum process is available on ORAC's website ([www.orac.ie](http://www.orac.ie)).

## Functions of the Refugee Applications Commissioner

The Refugee Act, 1996 states that the Refugee Applications Commissioner shall be independent in the exercise of his or her functions which are of a statutory and non-statutory nature. The key statutory responsibilities are:

- to investigate applications from those who seek a declaration for refugee status and to issue appropriate recommendations to the Minister for Justice, Equality and Law Reform on such applications,
- and
- to investigate applications by refugees to allow family members to enter and reside in the State and report to the Minister for Justice, Equality and Law Reform on such applications.

Under the Refugee Act, 1996 it is also the Commissioner's responsibility to:

- issue Temporary Residence Certificates to asylum seekers.
- comply with any Ministerial Directives concerning the prioritisation of certain categories of applicant.
- direct the presentation of the Commissioner's case to the Refugee Appeals Tribunal where recommendations made by the Commissioner are appealed to the Tribunal.
- furnish to the UNHCR, as well as relevant Government agencies, information as provided for in legislation.
- refer unaccompanied minors to the Health Service Executive in line with section 8(5) of the Refugee Act, 1996.

While ultimately responsible for fulfilling these statutory functions under the 1996 Act, the Commissioner may delegate these functions to any member of his staff.

The Commissioner also has non-statutory functions. These include:

- ensuring that all applications for refugee status at first stage are treated and processed in a fair, courteous and efficient manner.
- issuing directives on the practical application of the Refugee Act, 1996 and on procedures and standards of work.

- ensuring that adequate information on countries of origin of asylum seekers and international jurisprudence and practice in the area of asylum is available to staff.
- participating in international fora on asylum related matters.
- management of staff performance and training and development.
- dealing with press queries.
- preparation and management of the budget, the Strategy Statement and Business Plan for the organisation.

## Key Values of the Office

The key values that guide the work of the Office are:

- **Independence** – Independence of process and decision-making.
- **Fairness** – Fair procedures which are notified to asylum seekers.
- **Firmness** – Firmness in implementing statutory obligations.
- **Serving the key stakeholders** – Commitment to service to applicants and other stakeholders as part of our overall commitment to delivering efficient customer service.
- **Accessibility** – Accessibility of information and services to people with disabilities.
- **Commitment to Staff** – Recognising that staff are the most valuable resource of the Office and fostering an environment in which they can work effectively and develop their potential for the benefit of the Office specifically, and their career generally.
- **Commitment to excellence** – Performing work to a standard that will ensure high quality and timely outputs.
- **Openness** – Communicating with asylum seekers, the Minister for Justice, Equality and Law Reform, UNHCR, Non-Governmental Organisations and the public in a way which will instil confidence in the operation of the Office.
- **Efficiency in use of resources** – Ensuring efficiency in the use of available resources without compromising quality.
- **Partnership** – Adopting a consultative approach to workplace innovation and management of change and fostering a culture of participation, openness and mutual respect.

## Funding and Staffing for the Office

Funding for the Office of the Refugee Applications Commissioner is provided by the State through the Department of Justice, Equality and Law Reform. The 1996 Act provides that “members of the staff of the Commissioner shall be Civil Servants within the meaning of the Civil Service Regulation Act, 1956.”

The 1996 Act also provides that “The Commissioner may delegate to any members of the staff of the Commissioner any of his or her functions under this Act save those conferred by Section 7”.

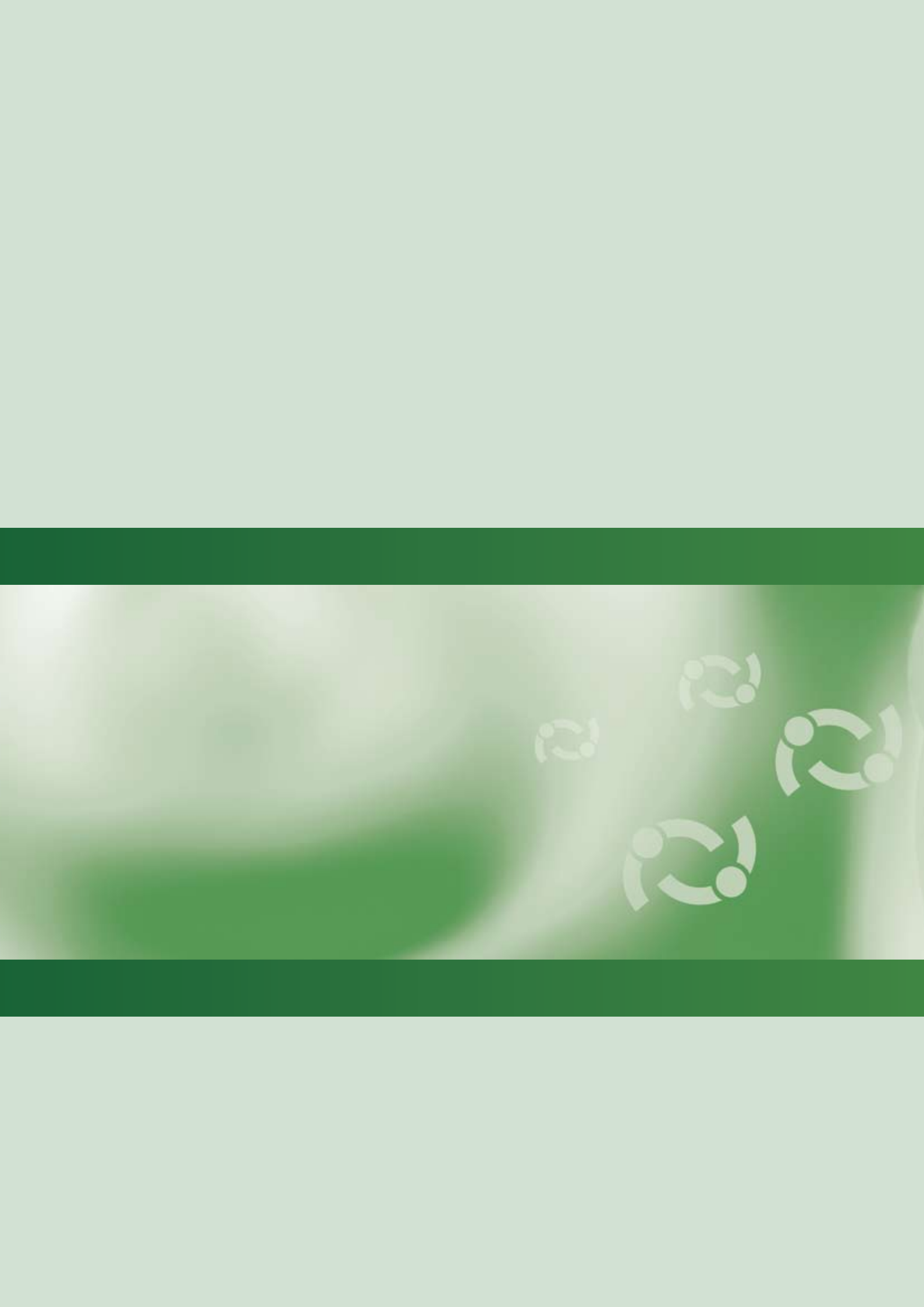
All staff of ORAC other than Services staff are designated authorised officers on appointment.

## Reporting Requirements

The reporting requirements for the Commissioner – as set out in the 1996 Act – are as follows:

- to submit a report to the Minister for Justice, Equality and Law Reform on his/her activities not later than 3 months after the end of each year. The Minister will lay a copy of the Annual Report before each House of the Oireachtas.
- to provide to the Minister, on an ongoing basis, all necessary information to enable him/her to discharge his/her ministerial accountability and responsibility in relation to the Office.
- to keep all proper and usual accounts of all monies received or expended and all such special accounts (if any) as the Minister may direct.
- to submit these accounts to the Comptroller and Auditor General for audit on a date specified by the Minister. A copy or extracts from these accounts, together with the report of the Comptroller and Auditor General, will be furnished to the Minister who will bring both before each House of the Oireachtas.

(The Office of the Refugee Applications Commissioner (ORAC) receives an annual allocation of funds for which the Secretary General of the Department of Justice, Equality and Law Reform is the Accounting Officer and the accounts of ORAC are included in the annual Departmental accounts.)



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## Key Developments in 2007



## Processing of Applications

- 2007 continued to be a challenging year for ORAC and its staff in relation to the processing of asylum applications within the framework of both national and international legal obligations.
- In 2007, a total of 3,985 applications for refugee status were received. This represented over a 7% reduction in applications compared to 2006 and the lowest annual number of applications since 1997. The number of applications averaged 332 a month, the figure was highest in January 2007 with 385 applications received.
- During the year, progress continued to be made in the processing of applications. The number of cases on hand at the end of December 2007 was 1,279 only 159 of which were over 6 months old. The vast majority of applications outstanding for processing were received in 2007. During 2007, some 4,161 interviews were scheduled with some 4,152 decisions made.
- Applications that were the subject of a Ministerial Prioritisation Directive were processed in the main within 17 to 20 working days of the date of application (except cases which could not be processed for medical or other compelling reasons). In 2007, 26.9% of all applications received were from countries deemed prioritised by Ministerial Directive. All other cases (except cases which could not be processed for medical or other compelling reasons, or, for example, because of Judicial Reviews) were processed to completion within 13 to 15 weeks of the date of application during the first six months of 2007 and 15 to 17 weeks from the date of application for the second half of 2007. The increase in processing times for non-prioritised cases was due to a number of reasons including high staff turnover, the loss of experienced staff and the increasing complexity of the caseload. However, ongoing monitoring of processing timescales continued during the year and action was taken to keep delays to the minimum.
- Applicants are required to co-operate with the asylum process. In cases where applicants failed to attend for interview without reasonable cause on the date provided, did not notify the Commissioner of their change of address and/or failed to co-operate with the asylum process by, for example, providing information relevant to their asylum applications, the applicants were promptly deemed withdrawn in line with provisions of the Refugee Act, 1996. In 2007, a total of 689 cases fell into the category of deemed withdrawn.
- In 2007, 88 applications were received from Unaccompanied Minors. This figure accounted for 2.2% of the total number of applications received and represented a decrease of some 32.8% on 2006. These applicants were scheduled for interview within 4 weeks of the date of their application and the decisions in these cases issued within a further 4/5 weeks of the date of interviews making a total processing time of approximately 8/9 weeks from the date of application. Unaccompanied minors who were the subject of a Ministerial Prioritisation Directive were processed generally within 17/20 working days from the date of application.
- Continued priority was given to applications from persons in detention in line with statutory requirements. Such applicants were interviewed within 20 working days from the date of their application and they had their cases finalised within a further 8 working days. In 2007, 385 of the total applications received were from applicants in detention.
- Following the accession of Romania and Bulgaria to the European Union in January 2007 the Minister for Justice, Equality and Law Reform decided to apply the terms of the EU Treaty Protocol on asylum for nationals of Member States of the European Union with effect from 1 January 2007. This gave rise to the need for ORAC to develop procedures to implement the Protocol which meant that applications for asylum from EU nationals are deemed inadmissible except in very exceptional circumstances.



- As part of an ongoing process of reviewing procedures in ORAC to ensure that resources are utilised in the most effective and efficient manner possible, an in-house review of the Case Processing and Support Units was conducted in August 2007. The objective of this review was to identify the emerging trends and challenges and formulate solutions to them, to identify appropriate levels of staffing for the current workload, as well as to identify the structures and support systems required for the organisation in its current form and for the future. This review resulted in the restructuring of the Case Processing Units within the organisation.
- Ongoing initiatives continued to be undertaken to assist caseworkers in carrying out their functions. For example, refresher Refugee Status Determination (RSD) training programmes were developed in-house with the guidance of the UNHCR. These training programmes, which included new guidelines, a methodology and a template for the interviewing and decision-making process, are intended to facilitate quality interviews as well as robust and legally sound decision-making. ORAC also has an in-house RSD Training Team which allows specialised knowledge and skills imparted by the UNHCR during the training sessions to be preserved and reutilised in the delivery of similar training modules as staff move in and out of the organisation.
- In December 2007, the UNHCR carried out a quality review of the work processes and methodology used by caseworkers in ORAC involved in refugee status determination. This review will inform ORAC on future training needs for staff and the revised work practices required for the new Immigration, Residence and Protection legislation, which, subject to the approval of both Houses of the Oireachtas, is expected to be enacted in 2008. The latter will involve the establishment of a single procedure with all grounds for a person to remain in the State being considered together. The enactment of the Immigration, Residence and Protection Bill will result in the subsuming of ORAC into the Irish Naturalisation and Immigration Service.
- ORAC progressively introduced laptops for caseworkers involved in the interviewing process during the year. At the end of 2007, 72% of all caseworkers were using them. The use of laptops for interviews greatly enhances the quality of the interview notes for applicants and their legal representatives. It also greatly assisted the efficiency of the interview process generally.
- The maximum use possible of the EU Dublin II Regulation, which determines the EU State responsible for processing an asylum application, was made in ORAC in 2007 with 368 determinations made. Simultaneously, Ireland received a total of 131 Dublin II Regulation requests from other Member States to process asylum claims in this country.
- The EURODAC fingerprinting framework continued to support the operations of ORAC during 2007, in the context of the operation of the Dublin II Regulation. During the year, some 3,840 sets of fingerprints of asylum applicants were sent to EURODAC with 468 hits confirmed.
- An Automated Fingerprint Identification System (AFIS) was introduced in October 2007 which changed the capture of fingerprints from a manual to an electronic system with links to EURODAC.
- 373 applications for Family Reunification were received in 2007, a decrease of 22.8% on 2006. Family Reunification Unit procedures in ORAC were kept under review throughout the year to ensure processing times were kept to a minimum. The processing times from receipt of the file from the Department of Justice, Equality and Law Reform to the issue of the Section 18 report under the Refugee Act, 1996 were kept to 2.5 months throughout the year and at the end of 2007 there were no backlogs in existence. Further reductions were not possible as statutory timelimits must be provided to applicants for the return of questionnaires.



- In 2007, the Commissioner continued to be represented at appeals hearings before the Refugee Appeals Tribunal (RAT) by Presenting Officers. The number of cases a Presenting Officer was scheduled to service per week before the RAT was increased by 25% from March 2007. All new Presenting Officers assigned to the Unit were fully trained in RSD procedures, caseworker specific training and training in the Presenting function before they were assigned cases before the Tribunal. Coaching and mentoring by experienced colleagues continued.
- All statutory enquiries received by the Presenting Unit from the Refugee Appeals Tribunal in 2007, were dealt with within the set timeframes. Over 150 such enquiries were received compared with 233 in 2006.
- The significant increase in the number of Judicial Review (JR) applications which commenced in 2006 continued throughout 2007. 440 Judicial Reviews were received in 2007, a significant increase over 2006, when 233 Judicial Reviews were received. At the end of 2007 there were 433 Judicial Review cases on hands.
- During 2007, there continued to be effective and efficient use of Country of Origin (COI) research systems and procedures. A Caseworkers Shared Knowledge Database (CSK) continued to provide a research service for ORAC users involved in the asylum process. The COI/RSD Support Unit within ORAC continued to build and maintain a collection of objective and up-to-date COI for users to access. Continued use was also made of the resources of the Refugee Documentation Centre with a new electronic Country of Origin Information system coming on-line in the RDC in September 2007.
- An Annual Training Plan for 2007 was drawn up and issued to all staff. The Plan took account of both organisational training priorities and individual training needs identified through the PMDS cycle.
- Comprehensive staff induction programmes continue to be provided to all new ORAC staff.
- Psychological support training and ongoing peer support were provided to Case Processing staff.
- A Refugee Determination Training Programme was devised and delivered to all staff in Case Processing during 2007 which included the use of guidance notes, standard methodology and a revised report template. It was envisaged that this training would make for better quality interviews and more legally robust decisions.
- During the year, work commenced on the development of a comprehensive training programme in ORAC in preparation for the introduction of the new statutory framework and single procedure provided for in the Immigration, Residence and Protection Bill. Substantial assistance is being provided by UNHCR with this process.
- As part of ORAC's work to ensure compliance with the Disability Act 2005, and arising from its Action Plan, ORAC assessed the training needs of staff in relation to Disability Awareness and arranged for the delivery of appropriate training for key frontline staff.
- A range of Worklife Balance schemes continued to be available to all staff. The pilot eWorking Scheme, which was first introduced in July 2006, was reviewed in September 2007 and led to an extension of the pilot scheme.
- A new Performance Management and Development System (PMDS) database was developed in conjunction with the IT unit and was distributed to all ORAC staff at the beginning of the year. This facilitated the preparation, and central storage, of role profile forms for all staff grades in the organisation.

## Human Resources/Training Developments

- During 2007, emphasis continued to be placed on all forms of training in ORAC. UNHCR worked extensively with ORAC in providing training, guidance and mentoring to staff on emerging international best practice in the investigation and determination of applications and in further developing ORAC's own mentoring and training capacity.
- In total, 727 Training Units were provided to staff in the organisation during the year.
- Particular thanks is due to the staff of ORAC's in-house Training Unit and Training Team for assisting with this process.

- ORAC also facilitated some modules at the EU General Directors of Immigration Services Conference (GDISC) in Madrid in June 2007 dealing with Quality Management and modernisation of the Asylum Process in the EU.

## Customer Service

- During 2007, two customer surveys were carried out, one on the Interview Waiting Area of ORAC and another on substantive interviews. These surveys confirmed that ORAC customers are very satisfied with the level of service provided.
- The results of the Interview Waiting Area survey showed that 63.6% of respondents were satisfied and 36.4% were very satisfied with the layout of the Interview Waiting Area. 81% of respondents had no suggestions for improvements to the quality of service. 85% of respondents had no suggestions for enhancements to the area.
- In relation to the substantive interview survey, among the findings were that all respondents were either satisfied (31.4%) or very satisfied (68.6%) with the level of courtesy and respect extended to them. 94.3% felt that they were given an opportunity to explain the reasons why they would not want to return to their country of origin. 97% of respondents expressed satisfaction with the physical arrangements for the interview. The findings of the survey are on the ORAC website.
- In line with ORAC's commitments in our Customer Charter and Customer Service Action Plan, all correspondence received was tracked and generally responded to within 20 working days of the date of receipt.
- During 2007, ORAC provided interpretation and translation services in 80 languages. An on-line booking system for interpretation was introduced to ensure the timely availability of interpreters.
- ORAC participated in a Civil Service-wide evaluation of Customer Service Charters. The evaluation was commissioned by the Department of the Taoiseach to review how the Customer Charter initiative has been implemented in Government Departments and Offices. ORAC featured positively in the key findings of the report on this exercise.

- Two meetings of the Customer Service Liaison Panel took place during 2007. This panel provides a very useful forum for consulting on a wide range of issues and providing information to relevant non-governmental organisations (NGOs) on developments in asylum.
- As part of ORAC's Communication Strategy, a Customer Service workshop was organised for staff at HEO level and upwards in May 2007 to look at (1) initial first day contact, (2) information/correspondence, (3) the Section 11 interview, (4) the process which follows a decision and (5) Family Reunification and Dublin Unit interactions. In their deliberations, participants were asked to look at ORAC customer service delivery from the applicant's point of view and from their own experience of the organisation.
- The suggestions and comments emanating from the workshop were subsequently considered and an implementation programme was commenced. Some of the suggestions and comments which emerged from the workshop, such as a customer survey, have already been carried out. Others are being considered in the context of changes associated with the introduction of the new Immigration, Residence and Protection legislation planned for 2008.
- 2007 saw the introduction of an Administration/Scheduling Helpdesk to assist internal customers with their queries. These internal customers include those in the Case Processing Unit, Customer Service Centre, Registry and Reception.

## Partnership

- In 2007, Social Partnership continued to be a feature of ORAC's dealings with staff and trade unions. Initiatives such as workplace learning, promoting diversity and work life balance, managing change, building the capabilities of managers, staff and trade unions to proactively introduce and manage change all contributed to successfully embedding social partnership in the workplace.

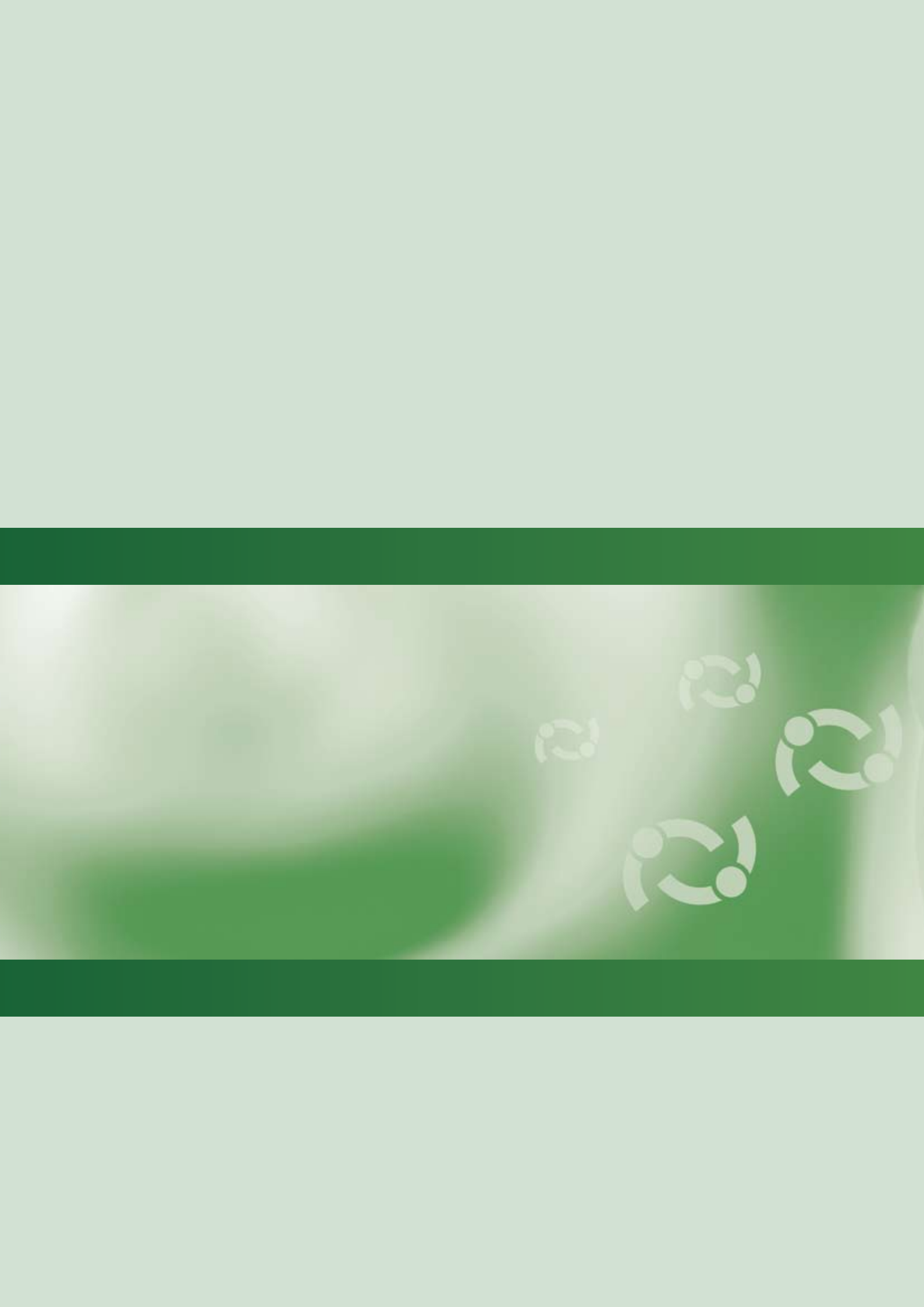
- The fifth Partnership Committee was formed in September 2007 and met 5 times to the end of the year. The previous Committee met on 6 occasions during the year.
- Two progress reports on the *Towards 2016* Modernisation and Action Plan were prepared. This Action Plan covers the period up to September 2008 and sets out ORAC's agenda – in the form of agreed actions, timelines and performance indicators – for modernisation, flexibility and co-operation with ongoing change in the organisation over that period.
- Under the Strategic Management Initiative (SMI), staff met off-site on two occasions during the year to hear presentations and discuss various topics of interest to the organisation. One of the SMI events focussed on change management, with presentations and discussions on the Asylum and Immigration Strategic Integration Programme (AISIP) and the introduction of new immigration and protection legislation. As part of ORAC's Communication Strategy, the second SMI event was a Customer Service workshop referred to previously.
- A staff suggestion scheme was organised which gave staff the opportunity to put forward ideas which would be of benefit to the organisation.
- ORAC continued to be represented on the Project Board and the Implementation Group for the Automated Fingerprint Identification System (AFIS) project which culminated in the system going live at the end of October 2007. The AFIS provides for an enhanced electronic fingerprinting capacity for ORAC in relation to asylum seekers with better capability for exchange of information with the EURODAC system in the EU.
- A new Parliamentary Questions (PQ) database was developed specifically for PQ queries to ORAC. This facilitates easy logging, tracking and responses to such requests and queries which can be emailed directly to the database.
- A new File Management Database was developed in tandem with a new Records Management Policy for optimum tracking of general paper files. Another database was developed for the Change Management process involved with the Immigration, Residence and Protection Bill.

## Information Technology

- During 2007, ORAC continued to play a key role in developing the Asylum and Immigration Strategic Integration Programme (AISIP) and continued to be represented at a senior level on its Project Board. This project aims to create a single IT infrastructure between the various agencies and Divisions of INIS involved in the asylum and immigration process and facilitate an integrated approach to Case Management, Accommodation Management, Country of Origin Information and File Tracking. ORAC allocated considerable staff resources to work on the project. In addition, a number of staff were involved on an ongoing basis in data cleansing and business area process walk-throughs as well as quality reviews.
- ORAC's Strategy Statement for the period 2007-2009 was prepared and published during the year. The Statement was developed using a partnership approach and involved extensive consultation with all of ORAC's stakeholders. The publication of a new Strategy Statement sets a clear direction for the Office's activities in the period between its publication and the planned new statutory arrangements in the Immigration, Residence and Protection Bill under which ORAC will be subsumed into the Irish Naturalisation and Immigration Service (INIS).
- Risk Management and Risk Assessment continued to be key features in ORAC's business planning in 2007. Risks were evaluated and assessed at the beginning of the year. Mitigations and controls were put in place to offset the identified potential risks that could negatively impact on the High Level Goals in ORAC's Strategy Statement. The Risk Register was continually monitored and kept under review during 2007.
- A Records Management Policy was drawn up for ORAC in November 2007 for optimum management of records and files in the Office.

## Change Management

- Considerable work was undertaken in 2007 to plan for the introduction of the Immigration, Residence and Protection Bill. The Irish Naturalisation and Immigration Service (INIS) set up a dedicated Single Procedure Transition Team, the objective of which is to ensure that the planned new Applications Processing Office within INIS to replace ORAC will be able to implement the proposed new legislation immediately on enactment.
- During 2007, the Team started to identify the required end to end business processes, training needs and to document the required application forms, standard letters, applicant questionnaires, information leaflets, staff procedure manuals and any other document templates required to support the Single Procedure.
- ORAC was represented on a series of Change Management Project Teams set up by the Director General of INIS to implement the provisions of the new legislation. These Teams dealt with a series of issues such as Shared Service and Structures, Communications and Training and IT and Interoperability.
- The whole process involves a significant challenge for ORAC and is overseen by an ORAC Change Management Steering Group.
- During 2007, in parallel with the work required for the change process, ORAC continued to fulfil its statutory obligations under the Refugee Act, 1996.



**3**

# Progress on 2007-2009 Strategy Statement High Level Goals





## High Level Goal 1

***To investigate applications for refugee status and for family reunification within minimum timeframes.***

### **Strategy Statement 2007-2009 Objectives**

- *To achieve optimum productivity in processing applications for a declaration for refugee status within minimum timeframes and in the order of priority designated by the Minister for Justice, Equality and Law Reform.*
- *To achieve the full and efficient application of the EU Dublin II Regulation having due regard to the criteria for determining the EU country responsible for processing asylum applications.*
- *To achieve optimum productivity in processing applications for family reunification within minimum timeframes.*
- *To prepare and plan for the introduction of a single procedure and address fully and effectively any amendments to the Refugee Act, 1996 as they arise.*

### **Progress on goal and objectives in 2007**

#### **Processing of asylum applications**

- 3,985 asylum applications were received during 2007, which was a decrease on the 4,314 applications received in 2006 and the lowest number of applications received since 1997, only 159 of which were in the system for over 6 months. At the end of 2007, ORAC had 1,279 cases on hands to be processed with very few pre-2007 cases in the system. These cases were mainly those which could not be processed during the year for medical reasons and cases challenged by way of Judicial Review or settled Judicial Review cases which had to be re-interviewed and new decisions made.

- The top six applicant countries for 2007 were Nigeria, Iraq, China, Pakistan, Georgia and Sudan. In 2006, the top six countries were Nigeria, Sudan, Romania, Iraq, Iran and Georgia. The profile of applications during 2007 shows that there was a large number of countries with a small number of applicants. Whilst applications were received from 98 countries, overall only 48 countries had more than 10 applicants each.
- In 2007, 26.9% of all applications were processed under the Ministerial Prioritisation Directive which was introduced by legislation in September 2003. In effect, all prioritised applications (except for cases that could not be processed for medical and/or other compelling reasons) were scheduled for interview within 9/12 working days from the date of application and completed within a further 5/8 working days, thus making a total processing time of 17 to 20 working days in total from the date of application.
- All other cases (except cases which could not be processed for medical or other compelling reasons or, for example, because of Judicial Reviews) were processed to completion within 13 to 15 weeks from the date of application during the first six months of 2007 and 15 to 17 weeks from the date of application during the second half of 2007. These timeframes increased mainly due to high staff turnover, the loss of experienced staff and the increasing complexity of the caseload. However, ongoing monitoring of processing timescales continued during the year and action was taken to keep delays to the minimum.
- ORAC also prioritised applications from applicants in detention in line with statutory requirements. Applications from applicants in detention were scheduled for interview within 20 working days from the date of application and completed within a further 8 working days, thus making a maximum processing time of 28 working days in total. A total of 385 applications were received from persons in detention. This figure constitutes 9.7% of all applications received. During 2007, ORAC continued to liaise with the Irish Prison Service and the Garda National Immigration Bureau to ensure the efficient processing of these applications. A total of 98 applicants were

interviewed in prison, an increase on the 2006 figure of 51. The remainder were interviewed in ORAC as these applicants were released from prison prior to their interview date.

- During the year, ORAC provided interpretation and translation services in 80 languages. There was an increase in the use of telephonic interpretation in order to facilitate applicants who speak rare languages, as it was not always possible to source interpreters of such languages locally. During 2007, effective and efficient systems and procedures were further developed with the language and interpretation service providers to ensure prompt processing of all applications at all stages of the asylum process. A new on-line booking system for interpreters was successfully introduced during the year.
- Refugee Status Determination Training continued to be adapted and rolled out to staff during the year to take account of the diversity of the caseload with enhanced templates being provided to staff for Case Processing purposes. The UNHCR played a substantial role in this process.
- There was an increase in the number of applicants requiring more than one substantive interview due to the increase in the complexity of cases and multiple convention grounds claimed by the applicants.
- As a consequence of the diversity of the caseload, there was an ongoing need to provide more central support to interviewers and decision makers. This resulted in an increased emphasis being placed on pre-interview preparation, up-to-date Country of Origin Information (COI) and Refugee Status Determination (RSD) information relevant to the case type of individual applicants. This assisted caseworkers in conducting focused interviews particularly where application questionnaires were returned incomplete and/or provided limited information. In addition, a mock hearing training presentation was re-designed to a new format which involved the videotaping of mock role plays of hearings. This provided an effective training tool for Presenting Officers and caseworkers.

- Ongoing work continued to be carried out with the assistance of UNHCR with a view to the use of more effective and focused interviews and decision-making. This meant that all cases were researched and prepared pre-interview with an emphasis on the most up-to-date country of origin material, refugee law and emerging jurisprudence.
- The Country of Origin Information (COI) and Research systems in place in ORAC were reviewed in 2007, and the new Caseworkers Shared Knowledge database was regularly and continually updated with COI packs created by caseworkers and the COI Research Unit. ORAC worked closely with the Refugee Documentation Centre (RDC) in 2007 to ensure that the Case Processing Units made the best possible use of the RDC facility, the value of which was greatly enhanced by the introduction of a new state of the art COI information technology system in September 2007. In this regard, RDC staff provided training to each Case Processing Unit during March 2007 and April 2007 on the COI services available in the RDC. The rolling out of the RDC e-library facility in late 2007 under the AISIP project further assisted ORAC to maximise its use of the RDC's resources.
- A Steering Group comprising ORAC and RDC staff continued to meet during 2007.

## EU Dublin II Regulation

- During 2007, ORAC continued to make the maximum possible use of the EU Dublin II Regulation, which determines the EU State responsible for processing an asylum application. In 2007, some 368 determinations were made with 131 cases received from other EU States.
- Processing times for Dublin II cases were in the region of 27 days in 2007.
- Continued use was made during the year of the EURODAC system for the fingerprinting of asylum applicants to assist with the operation of the Dublin II process. Some 3,840 sets of prints were sent to EURODAC with 468 hits confirmed.



## Family Reunification

- 373 applications for Family Reunification were received in 2007, a decrease on 2006. Family Reunification Unit procedures in ORAC were kept under review throughout the year to ensure processing times were kept to a minimum. The processing times from receipt of the file from the Department of Justice, Equality and Law Reform to the issue of the Section 18 report under the Refugee Act, 1996, were kept to 2.5 months throughout the year and there were no backlogs at the end of 2007. Further reductions in processing times were not possible as statutory time limits had to be provided to applicants for the return of questionnaires.
- ORAC was also represented on a number of Change Management Project Teams set up by INIS to implement the provisions of the new legislation, including relevant structural and IT issues.
- The whole process involves a significant challenge for ORAC and has been overseen by an ORAC Change Management Steering Group.
- During 2007, in parallel with the work required for the change process, ORAC also continued to fulfil its statutory obligations under the Refugee Act, 1996, in relation to the processing of applications from persons for refugee status in the State and other responsibilities arising therefrom.

## Management of the introduction of change including the Single Procedure

- During 2007, work commenced in preparing for the implementation of a new processing framework provided in the Immigration, Residence and Protection Bill. This will see the introduction of a Single Procedure whereby all grounds for an applicant remaining in the State (protection or otherwise) will be addressed together. The new Bill, subject to approval of both Houses of the Oireachtas, will also result in ORAC being subsumed into a new Applications Processing Office (APO) in the Irish Naturalisation and Immigration Service (INIS).
- The INIS set up a dedicated Single Procedure Transition Team during 2007 (led by ORAC), the objective of which is to ensure that the planned new Applications Processing Office within INIS will be able to implement the proposed new legislation on enactment.
- During 2007, the Team commenced the identification of the required end to end business processes and procedures, training needs and documenting of the required application forms, standard letters, applicant questionnaires, information leaflets, staff procedure manuals and any other document templates required to support the Single Procedure.

## High Level Goal 2

***To maintain the highest standard of investigation and decision-making.***

### ***Strategy Statement 2007-2009 Objectives***

- *To maintain a consistently high quality in the investigation and processing of applications.*
- *To maintain open and fair procedure.*

### **High quality investigation and processing of applications**

- During 2007, special emphasis continued to be placed on quality decision-making in ORAC and on the maintenance of fair procedures within the framework of the Refugee Act, 1996.
- Quality pre-interview research continued to play an important role to ensure that caseworkers had comprehensive country of origin material available as part of the determination process with particular reference to the substantive interview and thereafter. This enabled interviews to be focussed with caseworkers being in a better position to elicit relevant information from applicants. The system also allowed applicants every opportunity to comment on their circumstances before the final determination.
- During 2007, ORAC continued to liaise with UNHCR on the enhancement of the refugee status investigation and determination process and thereby ensuring the integrity of that process. Assistance was provided by UNHCR in relation to training and mentoring to staff on emerging international best practice in the investigation and determination of applications and thus also further developing ORAC's own mentoring and training capacity. ORAC and UNHCR also delivered training with the objective of ensuring the legal robustness of the reports on interviews with applicants.
- External training consultants were contracted to deliver specialist advocacy training for new Presenting Officers.
- ORAC undertook an internal review of the peer support system for caseworkers and their managers. This review consisted of an evaluation of the psychological support system which was put in place for staff in 2004. The objective of peer support is to ensure that ORAC has the necessary systems in place to assist staff to deal appropriately with applicants who have been the victims of torture, abuse, rape and other forms of degrading treatment in their countries of origin. Following the review of the Peer Support system, a decision was taken that the psychological support provided to all caseworkers would continue and would be made available to staff more frequently and in a structured manner. In addition, it was decided that feedback from caseworkers would be an ongoing feature of the psychological support taking on board the concerns of the caseworkers and ensuring that all staff involved in the Refugee Status Determination were fully supported in their role.
- During the year, ORAC continued to regularly liaise with a number of other agencies such as the Health Service Executive, Refugee Legal Service, Garda National Immigration Bureau, Reception and Integration Agency, the Irish Prison Service as well as Non-Governmental Organisations.
- ORAC also kept up-to-date with international best practice by participating in asylum-related working groups of the Intergovernmental Consultations on Asylum, Refugee and Migration Policies (IGC) in Geneva, the European Union Network of Asylum Practitioners (Eurasil) and the EU General Directors' of Immigration Services Conference (GDISC).
- ORAC continued to apply the established Quality Assurances systems in all units to ensure the highest standards in the decision-making in the refugee determination process and to discharge a quality service to our customers and stakeholders. In this regard, quality assurance checklists were modified and updated. These checklists show the individual checks conducted at various stages of the process to ensure consistency and quality in the decision-making process. The UNHCR also actively assisted ORAC in maintaining high standards of Quality Assurance.

- In relation to customer service, correspondence tracking systems in all units continued to be maintained, reviewed and updated as required. All correspondence from applicants, customers and stakeholders was immediately tracked, acknowledged and responded to within 20 working days in line with ORAC's commitments in our Customer Service Charter.
- To ensure ongoing quality decisions, ORAC continued to implement a comprehensive training strategy in co-operation with bodies such as UNHCR. The programme included:
  - Refugee Status Determination (RSD) Training,
  - Casework Specific Induction and Country of Origin Research Training for new caseworkers and decision-makers.
- During 2007, ORAC continued to develop measures and systems to deal with applications from certain vulnerable groups with special needs in the asylum process. The UNHCR provided specialised inter-agency training to a number of caseworkers which assisted them in processing unaccompanied and separated children claiming asylum in a fair and efficient manner. All of the agencies involved with unaccompanied minors and separated children participated in this training.
- Quality up-to-date and accurate Country of Origin Information (COI) contributes to quality decision-making. During 2007, ORAC continued to develop, modify and update its COI data in order to ensure that up-to-date and reputable information was available to address issues with applicants at their substantive interview and afterwards in the decision-making process. ORAC also welcomed the introduction of a new state of the art COI Information System in the Refugee Documentation Centre in September 2007.
- A feedback mechanism ensured that ORAC decision and policy makers were made aware of the issues arising in Judicial Review challenges and appeals before the Refugee Appeals Tribunal and also the outcomes of such cases when heard.
- All enquiries received from the Refugee Appeals Tribunal under the Refugee Act, 1996, were dealt with within the set timeframes. Over 150 such enquiries were received in 2007.
- A growing number of Judicial Review claims were taken in 2007, seeking to challenge ORAC processes and procedures. 440 Judicial Reviews were received in 2007, compared with 233 in 2006. This increase reflects a general increase in applications to the High Court for Judicial Review in the asylum and immigration areas. ORAC redeployed staff internally to address this growth and continued to work closely with the Chief State Solicitor's Office in order to manage the workload effectively.
- Where ORAC is satisfied that there has been an error or omission in its procedures which might have had a bearing on the outcome of an investigation, in the interests of fairness and efficiency, a Judicial Review will not be contested. In such cases, ORAC's policy is to reach a mutually agreeable settlement without delay. However, where ORAC considers otherwise, it is prepared to fully contest a Judicial Review case in order to fulfil its responsibility to protect the integrity of the asylum process.
- In January 2007, the Minister for Justice, Equality and Law Reform decided to apply the EU Treaty Protocol on asylum for nationals of Member States of the European Union. The Protocol essentially provides that applications for refugee status from EU nationals shall be inadmissible for processing except in very exceptional circumstances. In practice, the application of the Protocol means that applicants from EU States are not allowed to enter into the asylum process. New procedures were introduced to give effect to the Protocol in ORAC.
- During the year, two new Legal Researchers were recruited by ORAC to assist in ensuring that the investigation and determination procedures are legally robust.

## Open and fair procedure

- All ORAC decision makers also continued to utilise other up-to-date Country of Origin (COI) sources such as the UNHCR Protection Information Section's *Refworld* package and the European Country of Origin Network. The RDC also conducts COI research for ORAC. A COI Monthly Monitoring Report was compiled to provide ongoing profiling of current case types which were identified from applicants' application forms. This provided effective current management information on the types of claims, trends and refugee generating countries.
- ORAC continued to provide comprehensive interpretation services in 2007. The provision of a quality interpretation service as well as the translation of documents is a key feature of an open and fair system. It allows applicants to explain their case fully at all stages of the asylum process. There were 98 countries in ORAC's caseload and translations and interpretations were provided in 80 languages. In addition, it was necessary in a number of cases to bring interpreters from abroad and/or to use telephonic interpretation mechanisms.
- In accordance with the Quality Assurance systems that have been agreed by ORAC with the translation service providers, ORAC continued to regularly and independently verify the accuracy of a percentage of translated documents. In addition, feedback in relation to the interpretation at interviews was provided at regular operational meetings to the service provider.
- ORAC also continued to use language analysis in 2007 and 22 language analysis interviews were conducted.

## High Level Goal 3

***To contribute to the preservation of the integrity of the asylum process.***

### ***Strategy Statement 2007-2009 Objectives***

- *To identify as quickly as possible, in an effective and fair manner, those applicants who come within the definition of a refugee contained in Section 2 of the Refugee Act, 1996.*
- *To detect and minimise abuse of the asylum process.*
- *To represent the Commissioner at appeal hearings at the Refugee Appeals Tribunal.*
- *To develop our own policies and procedures to preserve the integrity of the asylum system.*

## Section 2 of the Refugee Act, 1996

- During 2007, ongoing work was undertaken to ensure that applications for refugee status were dealt with speedily, consistent with fairness, resources available and having regard to the complexity of the caseload on hands.
- A prioritised stream of cases was processed within 9/12 working days of the date of their application. Processing these applications to completion within a further 5/8 working days of their substantive interview led to a total processing time of 17/20 working days from the date of application.
- Applications from unaccompanied minors who were the subject of a Ministerial Prioritisation Directive were processed generally within 17/20 working days from the date of their application. These cases were processed in accordance with international best practice and staff allocated to these cases received specialised training by UNHCR.

- Applications from applicants in detention were processed as speedily as possible. Applicants in prisons were given their preliminary interview under Section 8 of the Refugee Act 1996 in so far as possible within 48 hours of the date of their application. These cases were scheduled for their substantive interview within 20 working days from the date of application and completed within a further 8 working days, thus making a maximum processing time of 28 working days in total.
- Applicants who failed to co-operate with the asylum process were deemed withdrawn within 4 working days from the scheduled date of their substantive interview (except where reasonable cause was shown for not attending for interview and/or not co-operating with the asylum process). In 2007, there were 689 cases which fell into the category of deemed withdrawn.
- ORAC progressively introduced laptops for caseworkers involved in the interviewing process during 2007 and by the end of 2007, 72% of all caseworkers were using them. This practice enhanced the quality of the interview notes for applicants and their legal representatives. It also more readily facilitated access to COI/RSD databases during the interview process thereby minimising the need for a second interview with an applicant to clarify issues which arose during the determination process.
- ORAC continued to use language analysis in 2007 in appropriate cases. Steps are underway to establish this process on a more formal basis, and in this regard a tendering process for the provision of a language analysis service to ORAC was commenced in 2007. Language analysis involves the examination of a person's speech by an independent expert, in order to, as specifically as possible, locate the geographic and/or ethnic origin of the person. A recording is made of an applicant's speech and a language expert then writes a report under the supervision of a linguist. A language analysis report is considered in conjunction with all other elements of a claim.
- Maximum use was made during the year of the Dublin II Regulation and EURODAC processes in order to determine which applicants were liable for processing in another EU State.
- Where there were concerns about the authenticity of photographic identity documents submitted by an applicant, ORAC referred the documents to the Garda Technical Bureau for examination. In a number of cases the Bureau was able to confirm suspicions regarding tampering and/or confirm that the documents did not have the required security features.

## Detect and minimise abuse

- During 2007, there were a number of applicants who did not merit international protection and/or refugee status that were identified in accordance with the provisions of the Refugee Act, 1996. These included cases where there were serious grounds to suspect that applicants may have been guilty of serious crimes such as crimes against humanity, war crimes and/or serious non political crimes prior to their arrival in this State. These are regarded as "exclusion clause" cases. Caseworkers and Presenting Officers have received guidance regarding the procedures to be followed in identifying these cases and in relation to the application of the exclusion clause in the recommendations in their reports to the Minister for Justice, Equality and Law Reform and at oral hearings at the Refugee Appeals Tribunal.
- The number of hearings a Presenting Officer was scheduled to service per week was increased by 25% from March 2007.
- During the year, the Refugee Appeals Tribunal scheduled 2,051 appeal hearings where the Commissioner was to be represented. The Commissioner was represented at 1,672 of these cases with the remainder being accounted for by postponements, withdrawals and a small number of cases that were heard without a Presenting Officer present.
- All new Presenting Officers assigned to the Unit were fully trained in RSD procedures, COI Research, caseworker specific training and training in the Presenting function before they were assigned cases before the Tribunal. Coaching and mentoring by experienced colleagues continued during the year.

## Represent the Commissioner at appeal hearings at the Refugee Appeals Tribunal



- All enquiries received from the Refugee Appeals Tribunal were dealt with within the set timeframes. Over 150 enquiries were received in 2007.
- A new scheduling system was introduced with the co-operation of the Refugee Appeals Tribunal (RAT) to maximise the number of cases that could be scheduled on a week by week basis.
- Ongoing liaison continued during 2007 between ORAC and RAT in order to maximise the number of appeal hearings serviced by Presenting Officers.

## Policies and procedures to preserve integrity of the system

- ORAC continued to review and update its processes and procedures. In this regard, new procedures were introduced in relation to:
  - dealing with unsolicited information.
  - dealing with documentation submitted in support of asylum applications.
- Some existing procedures were reviewed and revised as required. These included:
  - processing applications from unaccompanied minors.
  - processing the claims of dependent children.
- New feedback procedures were explored to provide information from the Presenting Unit to Case Processing Units based on observations made at Appeal Hearings before the RAT on the content of the Section 13 reports as well as observations made about interviews.
- Feedback procedures were also introduced between the ORAC Judicial Review Unit and Case Processing Units on the outcome of Judicial Review proceedings.

## High Level Goal 4

### *To maintain excellent customer service.*

#### *Strategy Statement 2007-2009 Objectives*

- *To deliver high quality customer service.*
- *To provide clear information to customers regarding the asylum process.*
- *To provide a comprehensive and effective complaints procedure.*

## High quality customer service

- ORAC prides itself on the quality of Customer Service provided by its staff and its Customer Service Unit. ORAC strives to ensure that its customers are provided with a quality service at all times. This process continued to receive special emphasis in 2007.
- Two Customer Service Surveys were carried out in 2007 to monitor the quality of service provided. The first of these concerned the Interview Waiting Area and the second covered the arrangements for, and the conduct of, the substantive interview provided for under Section 11 of the Refugee Act 1996. The results of the Interview Waiting Area survey showed that:
  - 63.6% of respondents were satisfied and 36.4% were very satisfied with the layout of the Interview Waiting Area.
  - 81% of respondents had no suggestions for the improvements to the quality of service.
  - 85% of respondents had no suggestions for enhancements to the area.
- In relation to the survey on the arrangements for, and conduct of the Section 11 interview, the results were also very positive. The survey found that:
  - 31.4% of respondents were satisfied and 68.6% were very satisfied with the level of courtesy and respect extended to them.

- 94.3% felt that they were given an opportunity to explain the reasons why they would not want to return to their Country of Origin.
- 97% of respondents expressed satisfaction with the physical arrangements for the interview. The findings of the surveys are on the ORAC website.
- During 2007, ORAC participated in a Civil Service-wide evaluation of Customer Service Charters. The evaluation was commissioned by the Department of the Taoiseach to review how the Customer Charter initiative has been implemented in Government Departments and Offices. ORAC featured positively in the key findings of the report on this project.
- Two meetings of the Customer Service Liaison Panel took place during 2007. This panel provides a useful forum for consulting on a wide range of issues and providing information to relevant non-governmental organisations on developments in relation to the asylum process in Ireland.
- The correspondence tracking system was further developed during 2007 to meet the correspondence commitments outlined in ORAC's Customer Charter. All written correspondence received was tracked and acknowledged within three working days. A full reply issued, on average, within five to eight working days. Replies were prepared in clear, simple language and a staff contact name was quoted on all correspondence.
- Our Customer Service Centre processed over 31,468 enquiries from customers in 2007. Table A at Appendix 5 gives a breakdown of the categories of these queries.

## Clear information to customers

- 2007 saw the introduction of an Administration/Scheduling Helpdesk to assist internal customers with their queries.
- The customer service telephone answering service continued to be provided from Monday to Friday of each week from 09.15 to 17.30.

## Customer Complaints Procedure

- The Customer Complaints Procedure was reviewed and was posted on the ORAC website.

## High Level Goal 5

***To efficiently and effectively manage our organisation and its resources having particular regard to the development of our staff.***

### Strategy Statement 2007-2009 Objectives

- *To ensure our strategic business planning and individual performance planning frameworks support optimum performance by the organisation.*
- *To manage human resources to meet the business needs of the organisation and the development needs of staff.*
- *To make optimum use of ICT solutions to support the business needs of the organisation.*
- *To ensure effective use of financial resources.*
- *To plan for and implement the Government's decentralisation programme in so far as it affects ORAC.*
- *To effectively manage the services and facilities of the Office.*
- *To build a strong commitment to new ways of working through Partnership.*
- *To provide quality corporate support to the ORAC to discharge its statutory and non-statutory functions and also to effectively monitor the Office's communications, both internal and external.*

## Business Planning

- In line with previous years, Business Plans were established by all units at the beginning of 2007. The Business Plans for each unit were reviewed quarterly and adjustments made as appropriate. All of the Business Plans placed a strong emphasis on the prompt and efficient processing of asylum applications, family reunification applications and Dublin II Regulation cases. Customer Service and Quality Assurance commitments were also incorporated into the ORAC Business Plan.
- In 2007, a number of detailed briefing sessions were organised for ORAC staff on the Business Planning process to provide the necessary guidance for the preparation and monitoring of Business Plans.
- Another feature of the business planning process was risk management assessment. This ensured that potential risks were identified in advance and mitigations and controls put in place to minimise the impact on ORAC, its customers and stakeholders. The early identification of potential organisational risks is a well established feature of ORAC's Business Planning.
- The Risk Registers in relation to each Unit's Business Plan were reviewed monthly and appropriate action taken as required.

## Human Resources/Training

- The Human Resource Strategy (2005-2008) continued to be implemented with a wide range of commitments being finalised or progressed. Progress on implementation of the HR Strategy was monitored and reported on in monthly reports on the Business Plan and also in the Annual Report. A second progress report on the HR Strategy was also completed and circulated to the Partnership Committee and all staff in early 2007.
- The implementation of the Performance Management and Development System (PMDS) continued in 2007. Staff commenced using a new PMDS database which was developed in conjunction with ORAC IT Unit and which was rolled out to all staff in mid January 2007. This database provides a central storage place for

PMDS forms, creates template forms, allows electronic sending of forms between staff and managers and provides managers with statistics on progress in their areas of responsibility. Detailed instructions on the operation of the database were drawn up and issued to staff. In addition, four information sessions on the new database were held to assist staff in familiarising themselves with it. All 2007 PMDS forms were completed using the new database.

- All ORAC managers were released to attend training on the new PMDS rating system with their colleagues from across the Justice family, to ensure consistency in the application of the ratings. Integration of PMDS with HR policies and processes continued in 2007 with all ratings given to staff at annual review stage being used for the payment of increments and eligibility for promotion in 2008.
- The staffing resources of the Office were continuously reviewed at both Unit and organisational level, and reallocation and reorganisation of resources took place internally on a number of occasions to meet changing business needs.
- The provision of "lunch and learn" sessions for staff continued in 2007 with talks on topics such as Financial Services Ombudsman, Alcoholics Anonymous, Disability Federation of Ireland, Schizophrenia Ireland, work of the Reception and Integration Agency and work of Citizenship Unit, INIS. A lunchtime talk was also arranged with the NCCRI to mark "Intercultural and Anti-Racist Week" in March 2007.
- Anti-Racist Workplace week in November 2007 was also marked with a lunchtime talk given by a representative from the African Centre. In addition, information talks for staff on topics relating to pensions and health (i.e. Additional Voluntary contributions and Hospital Saturday Fund) were also organised.
- The pilot eWorking Scheme, which was first introduced in July 2006, was reviewed in September 2007 and led to an extension of the pilot scheme.



- Regular on-site visits by the Employee Assistance Officer continued to be arranged throughout the year as a further support for staff. In addition, Personnel Clinics were held throughout the three ORAC buildings on a regular basis, where members of the HR Unit were available to answer any queries from staff.
- In 2007, ORAC continued to implement its Equality Policy and Programme and a progress report was prepared and circulated to all staff.
- Worklife Balance Day was promoted on 1st March, 2007. A wide range of worklife balance schemes are available to staff including worksharing, termtime, flexitime, parental leave etc.
- A Staff Suggestion Scheme which gave staff the opportunity to put forward ideas which would benefit the organisation continued.
- During 2007, the organisation continued to provide quality training and development opportunities for staff. An Annual Training Plan for 2007 was drawn up and circulated to all staff which took account of both organisational training priorities and individual training needs identified on PMDS forms.
- The implementation of the Training and Development Strategy (2005-2008) continued and a wide range of commitments were finalised or progressed. Progress on the implementation is monitored and reported on in monthly reports on the Business Plan and in the Annual Report.
- To facilitate the use of laptops at interviews in Case Processing, a number of Keyboard Skills training courses were delivered. Staff also received specific training in the use of laptops at interview.
- Psychological Support training and ongoing Peer Support was provided to Case Processing staff.
- A review of the Refugee Determination Training Programme for caseworkers and decision makers was undertaken to ensure that the training which was being provided met all of their needs. The Training Programme was delivered by UNHCR to all staff in Case Processing. Staff attending these training sessions were provided with comprehensive handouts, Guidance Notes, a Methodology and a revised Template (all of which was developed in-house). It is envisaged that this training will make for better quality interviews and more legally robust decisions.
- Over 720 units of training were provided to staff during the year. Along with the delivery of operational training such as Refugee Status Determination, Country of Origin Information Training and Casework Specific Induction, training courses in the following areas were also delivered: Interculturalism Awareness, Customer Service Skills, Meeting Skills, Bullying and Harassment Awareness, Digital Fingerprinting, Writing Skills and Time Management. Staff also attended PMDS Rating Training, Audio Typing, Executive Coaching, Project Management, Fire Warden Training, Occupational First Aid and International Protection and Human Rights.
- A review of the Training Needs Analysis for all staff in ORAC was undertaken at the end of 2007, the results of which are to be available in early 2008.
- All staff were released to attend a series of one day conferences organised by INIS on the proposed legislative and organisational changes facing the immigration and asylum areas arising, *inter alia*, from the Immigration, Residence and Protection Bill.
- ORAC was asked to facilitate some modules at an EU General Directors' of Immigration Services Conference (GDISC) in Madrid in June 2007 dealing with Quality Management and modernisation of the Asylum Process in the EU.

## Information Technology

- A number of commitments contained in the ORAC IT Strategy covering the period 2005-2007 were progressed during the year, including the following:
  - ORAC continued to be represented on the Project Board and Implementation Group of the Automated Fingerprint Identification System (AFIS) project, in addition to providing other necessary support for the project. Phase 1 of the project was introduced at the end of October 2007 and enabled the automated taking and transmission of fingerprints of asylum seekers to EURODAC (European wide asylum fingerprint database).

- ORAC was represented on the Project Board and Implementation Group of the Asylum and Immigration Strategic Integration Programme (AISIP) which aims to create a single end to end IT infrastructure between the various agencies and divisions involved in the asylum and immigration process within the Irish Naturalisation and Immigration Service. This will facilitate an integrated approach to Case Management, Accommodation Management, Country of Origin Information and File Tracking. The implementation phase of the project commenced in January 2007 – the Project Mobilisation Stage. This was fully completed during 2007. Following that, work commenced on the second stage – the Outline and Design Stage.
- One of the modules of the AISIP system, the Country of Origin Information system, went live in September 2007. The COI system will enable the Refugee Documentation Centre to maintain a richer, more up-to-date and more accurate knowledge base for country of origin information. The system provides facilities for the maintenance of and access to electronic information, management of a lending library and management of the receipt and processing of queries received in relation to applications from the agencies, such as ORAC, and private legal practitioners representing Refugee Legal Service-registered clients.
- A new PMDS Database was developed for Human Resources/Training Unit and was rolled out to all ORAC staff in January 2007. This database was also updated during the year in advance of the interim and final review stages of the PMDS annual process.
- A new Parliamentary Questions Database was designed for PQ queries specific to ORAC. This database was rolled out to senior management in the 4th quarter of 2007.
- A new Frequently Asked Questions (FAQ) database was developed and rolled out to staff during the year. The database covered the IT area.
- A further database was developed for the Change Management process involved with the Immigration, Residence and Protection Bill.
- The IT Unit continued to maintain a Helpdesk database to record and track IT support requests and queries allowing internal customers to email their requests directly to the Helpdesk for attention, where they can be monitored and progressed. The number of requests sent to the Helpdesk in 2007 was 4,819. In addition, there was a significant number of mail monitoring requests processed.
- During the year, staff of the IT Unit continued to assist ORAC's Training Unit in the provision of training courses.
- In addition there were a number of medium to large scale projects undertaken for the ongoing development and maintenance of ORAC's IT systems including the development of a number of new document libraries for key areas of the organisation.
- Work also commenced on the transfer of ORAC IT systems to the Department's Shared IT Services network (CITRIX). This project will facilitate the smooth assimilation of ORAC into INIS upon enactment of the Immigration, Residence and Protection Bill.

## Internal Support Services

- The Organisation/Finance Unit of the Office dealt with 2,359 requests from managers and staff for organisational, accommodation, housekeeping, financial and other essential support services to support optimum performance by the organisation. The Unit continued to maintain a Helpdesk support database for maximum efficiency in providing these services.
- The Copying/Registry Unit provided a key support service to the Office by copying 3,603 files and logging 10,979 files in and out of Registry during 2007. The Unit also reviewed and enhanced the procedures for copying, constructing and moving case files.

## Financial Resources

- ORAC applied appropriate internal and external financial controls to ensure expenditure was within budget and in compliance with Financial Policy Procedures and Public Procurement Guidelines. Expenditure was also monitored to ensure value for money.
- ORAC's expenditure outturn for 2007 is set out in Appendix 6 of this report.

## Decentralisation

- ORAC was not included in the decentralisation programme during the year, however staff were kept informed of developments in the overall Decentralisation Plan.

## Partnership

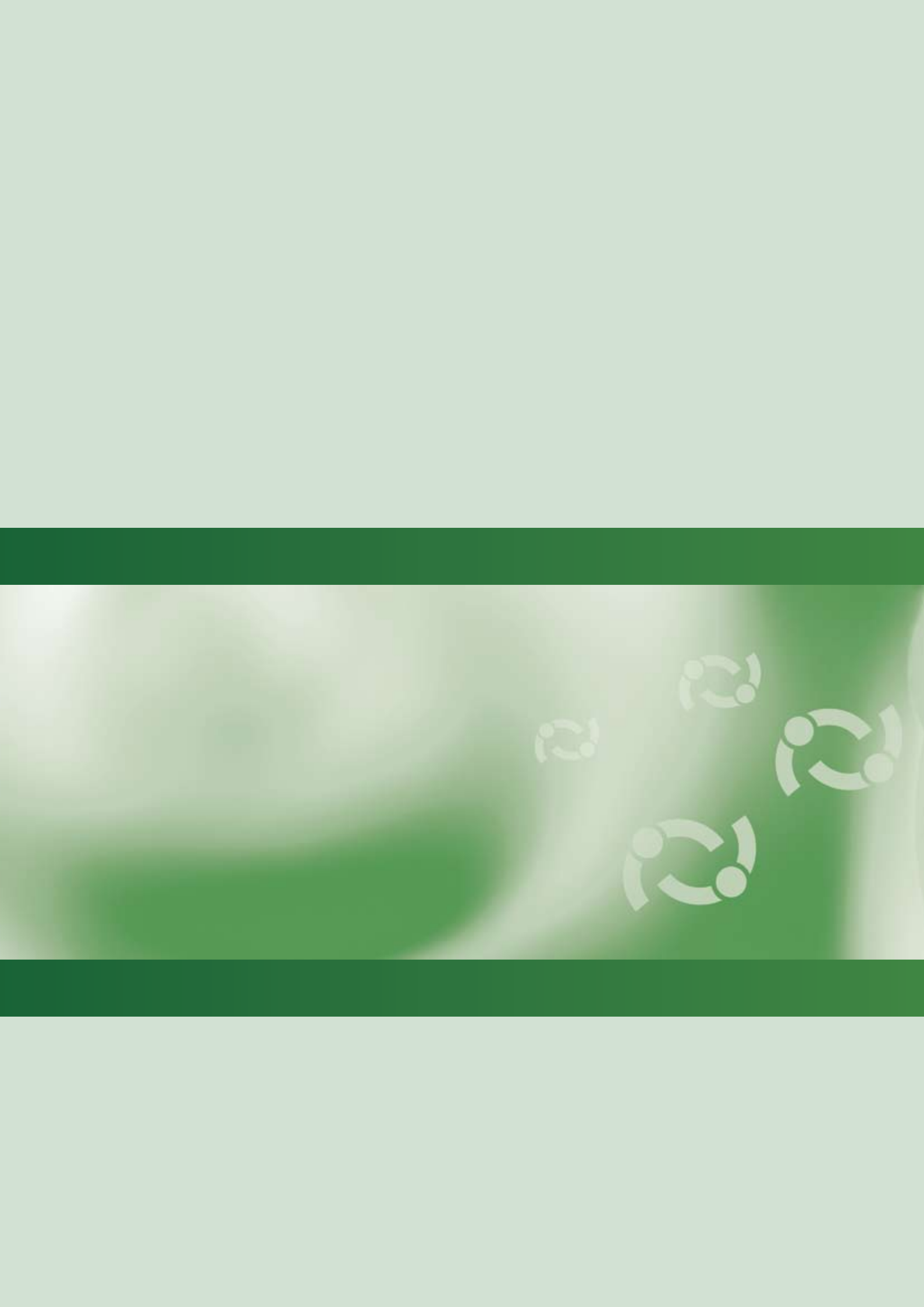
- The Partnership process continued to be a key element in the management of change and modernisation within the organisation. The Partnership Committee met on 10 occasions during the year. The Committee discussed a variety of issues and
  - continued its work on developing an external communications strategy for the organisation.
  - assessed the operation of Unit meetings across the organisation and circulated a Best Practice Guide on Unit meetings to all staff.
  - examined ways of providing information to staff on changes as a result of the new legislation in 2008.
- Under the Strategic Management Initiative (SMI), a Customer Service workshop was organised for staff at HEO level and upwards in May 2007 to look at (1) initial first day contact, (2) information/correspondence, (3) the Section 11 interview, (4) the process which follows a decision and (5) Family Reunification and Dublin Unit interactions. In their deliberations, participants were asked to look at ORAC customer service delivery from the applicant's point of view and from their own experience of the organisation.

- The suggestions and comments emanating from the workshop were subsequently considered and an implementation programme was commenced. Some of the suggestions and comments which emerged from the workshop, such as a customer survey, have already been carried out. Others are being considered in the context of changes associated with the planned enactment of the Immigration, Residence and Protection Bill in 2008.
- The ORAC Social Committee, which was established as a Partnership Committee Working Group in the later part of 2006 to promote social activities in ORAC, continued its work during 2007 organising a number of events.
- A Local Community Working Group was re-established following the success of the previous working group in 2006 promoting support for the local community through fund raising events. The Working Group organised a number of events during the year, raising €2,855 for the Liffey's Pearse Football Club. The Club caters for a large number of local children and the donation will be used towards improving the Club's facilities and equipment.

## Corporate Developments

- A new Strategy Statement for the Office covering the years 2007 to 2009 was prepared. The Strategy Statement was developed using a partnership approach and involved extensive consultation with all of ORAC's stakeholders. The document sets a clear direction for ORAC's activities in the period between its publication and the planned new statutory arrangements under INIS coming into operation.
- Under the Strategic Management Initiative (SMI) staff met off-site on two occasions during the year to hear presentations and discuss various topics of interest to the organisation, including the Asylum and Immigration Strategic Integration Programme (AISIP), the introduction of the Immigration, Residence and Protection Bill and customer service.

- Two Progress reports on the *Towards 2016* Modernisation and Action Plan were prepared. This action plan covers the period up to September 2008 and sets out our agenda – in the form of agreed actions, timelines and performance indicators – for modernisation, flexibility and co-operation with ongoing change in the organisation over that period.
- The Disability Act 2005 – designed to improve access to public services for persons with disabilities – places obligations on public bodies to make their services and information accessible to people with disabilities as well as containing provisions on accessibility in relation to buildings. To ensure we are fully compliant with the provisions of the Act, ORAC undertook a number of initiatives in 2007 as set out in the recommendations of an access audit of our buildings conducted in 2005. These included:
  - replacement of internal doors at identified locations with low energy power operated doors which has had a significant impact on the ease with which people can enter and leave the building.
  - provision of two additional accessible parking spaces located within 50 metres of the building for wheelchair users or people with limited mobility.
- A Records Management Policy and a set of Principles and Guidelines were drawn up for ORAC for the optimum management of non-case records and files in the Office. A new records management database was also developed and implemented during the year for the tracking of general files within ORAC.

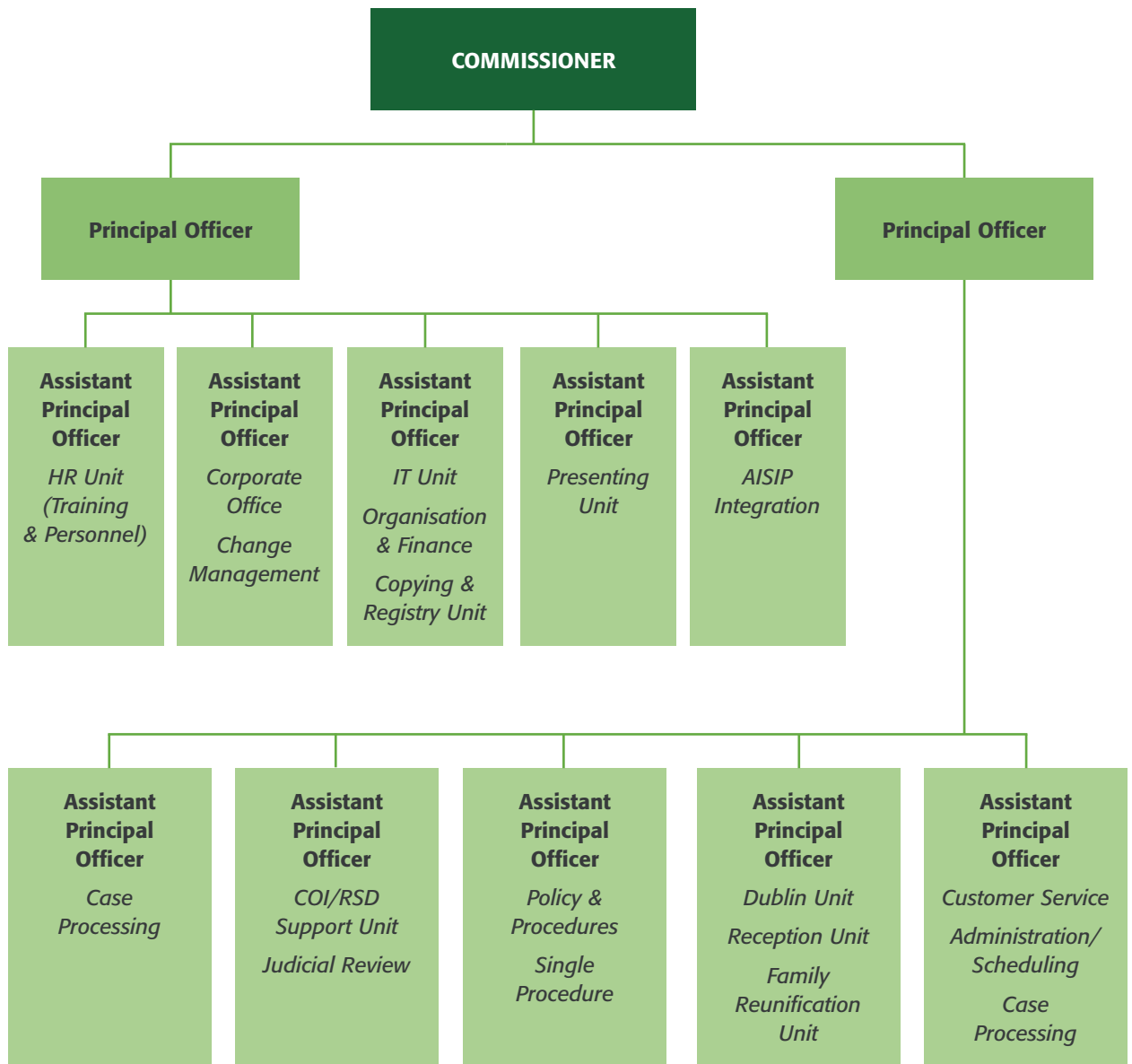


4

# Appendices



# Appendix 1 – ORAC Management Staffing Structure





### Reception Unit

The Reception Unit is an integral part of the asylum process governing the acceptance and processing of asylum applications at first instance.

### Case Processing Administration Unit

The Scheduling Unit and Administration Unit were amalgamated in November 2005. These units now operate as one entity known as “Case Processing Administration Unit”.

The functions of the CP Administration Unit are:

- to arrange the scheduling of interviews for asylum applicants.
- to arrange for interpretation and translation services.
- to manage the interview waiting area.
- to issue decision notifications to asylum applicants and relevant parties following the investigations of asylum applications.
- to process deemed withdrawn cases.
- to provide administrative support to the Case Processing Units.
- to process correspondence in relation to the Case Processing Units.
- to maintain and update statistical register.

### Dublin Unit

The Dublin Unit is responsible for the implementation in Ireland of the EU Dublin II Regulation. The Unit, in general, deals with requests to transfer asylum applications for examination in other EU States and with requests from other EU States to transfer applicants for asylum to this State.

### Case Processing Units

Case Processing is the core function of ORAC and involves the investigation of claims for refugee status, on a case by case basis. The primary objective of the Case Processing Units is the fair, timely and efficient investigation of applications for a declaration as a refugee and the making of legally robust recommendations on such applications. The investigation includes the individual interviewing of applicants, the objective research of the claims made and the making of

recommendations as to whether an application should be ‘granted’ or ‘refused’.

### Family Reunification Unit

Family Reunification Unit examines applications made by refugees for permission for certain members of their family to be allowed to enter and reside in the State.

### Judicial Review

The Judicial Review Unit prepares the ORAC response to applications for judicial review and to applications for leave to apply for judicial review of first instance recommendations and/or procedures. The Unit examines the application and prepares briefing material for Counsel and, where our legal advisors consider it appropriate, swear responding affidavits. If a judicial review application discloses an error or omission which is material to the first instance recommendation the Unit will usually seek to reach a mutually agreeable settlement without delay.

### Presenting Unit

The role of the Presenting Unit is to represent the Refugee Applications Commissioner at appeal hearings before the Refugee Appeals Tribunal, to respond at appeal hearings to the issues raised in the appellant’s appeal and to assist the Member of the Tribunal in reaching a fair and just recommendation. The Unit also provides statutory responses under Sections 16(6) and 16(7) of the Refugee Act, 1996.

### Policy and Procedures Unit

The role of this Unit is to act as a central knowledge resource, to lead the development and ongoing review of ORAC policy and procedures in relation to the management and investigation of claims and to co-ordinate and provide the appropriate training for staff in this regard.

### COI/RSD Support Unit

The role of this Unit is to provide effective support to Case Processing and Presenting Units through developing ORAC’s Country of Origin Information



# Appendix 2 – Overview of Units of ORAC

(COI), Quality Assurance and RSD guidance resources in line with developments in legislation, jurisprudence and international best practice.

## Customer Service Centre

The Customer Service Centre is responsible for the development and monitoring of customer service structures, the management of customer service enquiries and liaising with other organisations (governmental and non-governmental).

## Corporate Office

The role of the Corporate Office is to oversee the provision of quality administrative and secretarial support to the Refugee Applications Commissioner and his senior Management Team to enable him to discharge his statutory and non-statutory functions. The Office co-ordinates material in response to requests from, *inter alia*, Government Departments/agencies and the media; prepares all corporate documents and is responsible for their circulation.

## Human Resources Unit

The role of the Human Resources Unit is to focus on developing and implementing a strategic approach to HR Management. The Unit develops relevant HR policies and procedures for the Organisation and has a locally appointed Equality and Disability Officer to ensure that all staff are aware of existing policies in relation to equal opportunities, disability and bullying and harassment. It also processes applications for family friendly schemes, transfer requests, special leave etc. and liaises with the Department of Justice, Equality and Law Reform in relation to staffing matters. It is also responsible for managing the Human Resources functions which have been devolved to ORAC from the Department of Justice, Equality and Law Reform (i.e. flexi-time, annual leave and special leave with pay).

## HR Training Unit

HR Training has responsibility for co-ordinating, facilitating and delivering training to staff. The Unit works closely with other Units and in-house trainers to ensure that the training needs are identified and that the training

delivered meets organisational requirements by being relevant and job specific. It also has responsibility for operating the refund of fees scheme and maintains the PMDS and Training Databases.

## Organisation/Finance

The Organisation/Finance Unit is primarily responsible for financial management and control, health and safety and the provision of essential support services (e.g. accommodation, equipment, supplies) to other ORAC units.

## IT/Management Information Unit

The IT and Management Information Unit is responsible for the procurement, maintenance and development of all IT and fixed line telecommunications equipment and systems, software and infrastructure for ORAC. The Unit is also responsible for the compilation and circulation of statistics and management information and provides technical support and training on a range of issues.

## Copying/Registry Unit

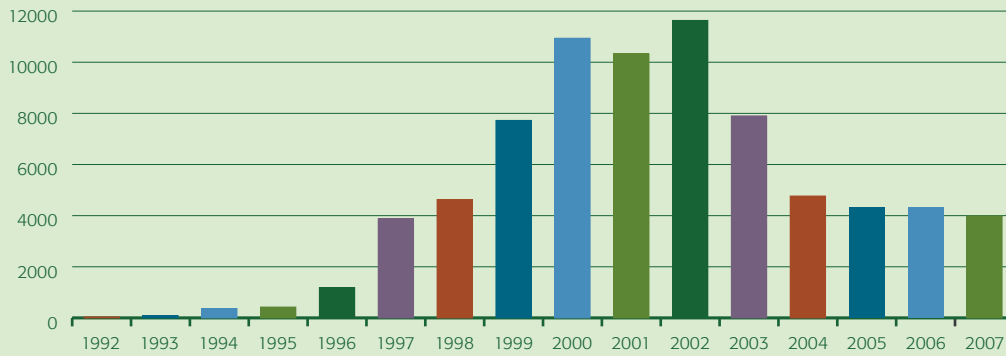
The Copying/Registry Unit is responsible for file management and file copying in the ORAC.

## Single Procedure

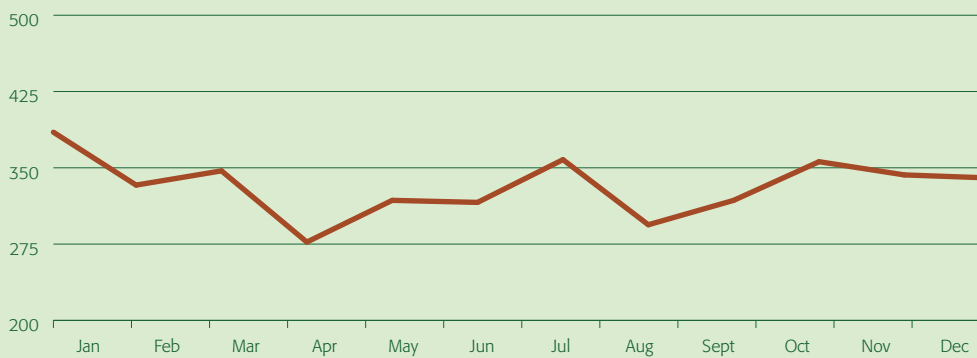
The Immigration, Residence and Protection Bill will result, on its enactment, in the subsuming of the functions of ORAC into the Irish Naturalisation and Immigration Service (INIS). A new Applications Processing Office (within INIS) will then be responsible for determining applications for refugee status at first instance as part of a wider single procedure that will also consider subsidiary protection and leave to remain type matters.

A Single Procedure Transition Team ensures that ORAC develops and implements the procedures and policies required to facilitate the implementation of the proposed new legislation. This will include reviewing and revising documents currently used in the asylum process such as the information leaflet and questionnaire. The Transition Team is also involved in coordinating and developing the training modules required to introduce the new single procedure.

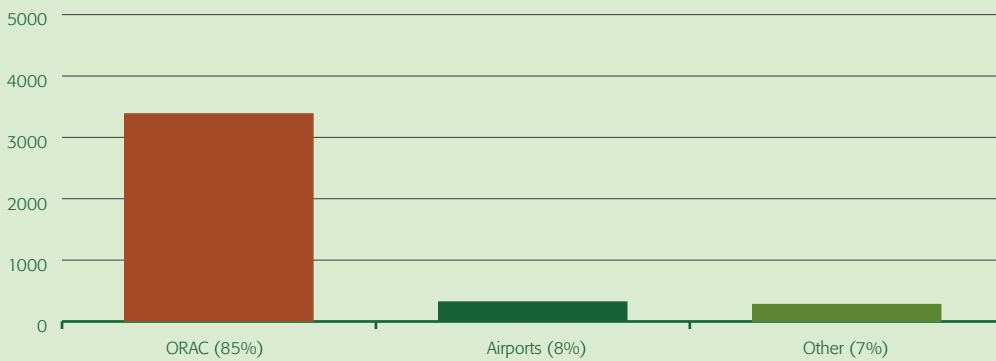
## Number of applications per year from 1992 to 2007



## Applications received by month from 01/01/07 to 31/12/07

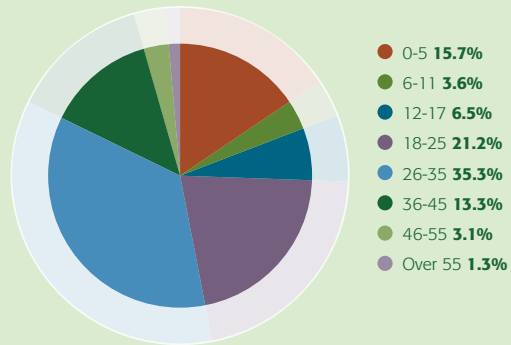


## Places of Applications 2007

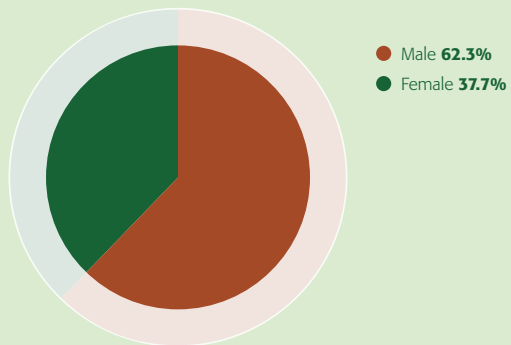


## Appendix 3 – Applications/Processing Statistics

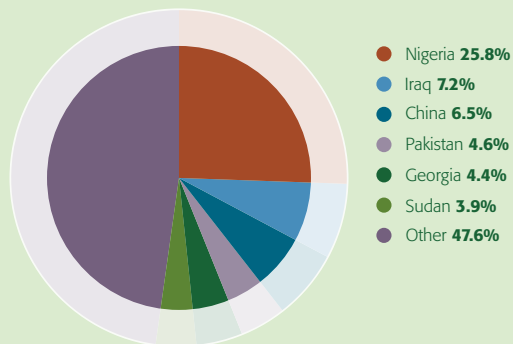
### Age Stated by Applicants 2007



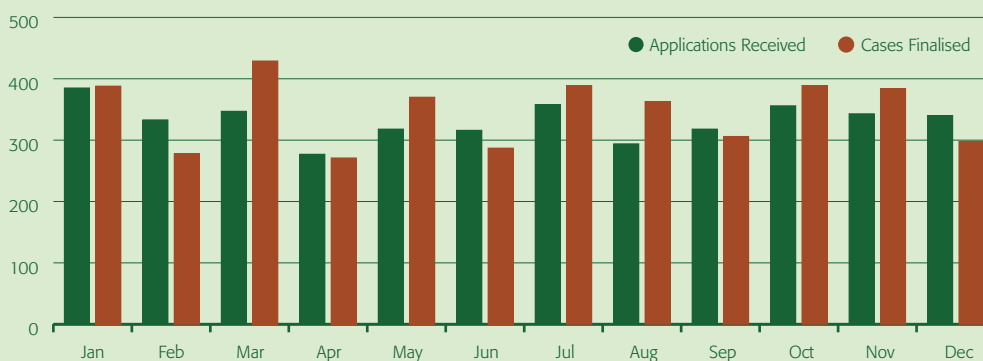
### Gender Breakdown 2007



## Top Six Stated Countries of Origin 2007

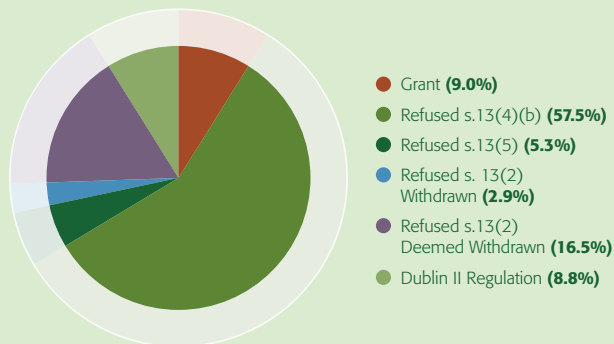


## Comparison of Applications Received and Cases Finalised 2007



Month	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Annual Total
<i>Applications Received</i>	385	333	347	277	318	316	358	294	318	356	343	340	<b>3,985</b>
<i>Cases Finalised</i>	388	278	429	271	370	287	389	363	306	389	384	298	<b>4,152</b>

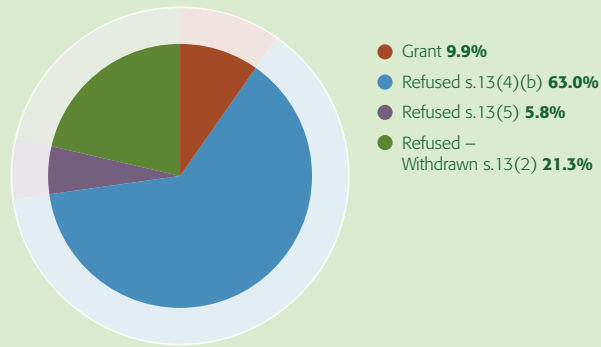
## Cases Finalised 2007



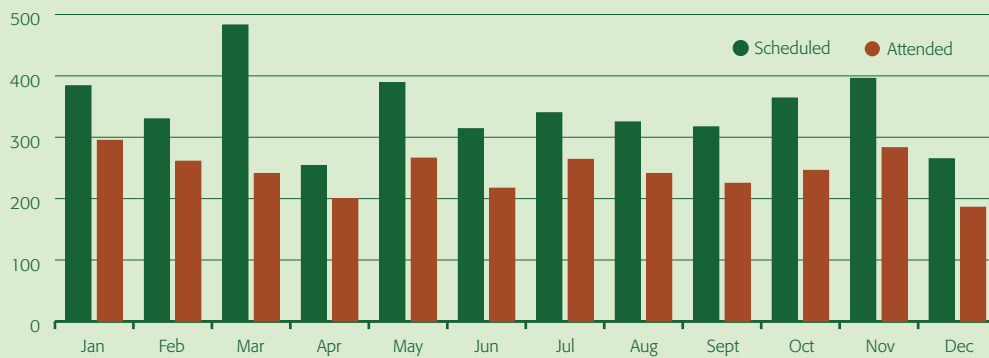
<i>Grant:</i>	<i>The Commissioner has made a recommendation that the applicant be granted refugee status.</i>
<i>Refused s.13(4)(b):</i>	<i>The Commissioner has made a recommendation that the applicant should not be granted refugee status (under the provisions of the Act applicable after September 15, 2003). An appeal to the Tribunal must be taken within 15 days.</i>
<i>Refused s.13(2):</i>	<i>The Commissioner has made a recommendation that the applicant should not be granted refugee status where an application has been withdrawn or deemed to be withdrawn (under the provisions of the Act applicable after September 15, 2003). No appeal to the Tribunal is possible.</i>
<i>Refused s.13(5):</i>	<i>The Commissioner has made a recommendation that the applicant should not be granted refugee status and has included in his report a finding under section 13(6) (under the provisions of the Act applicable after September 15, 2003). An appeal to the Tribunal must be taken within 10 days.</i>
<i>Dublin II Regulation Determination:</i>	<i>Where it is established that the applicant's claim for refugee status should be determined in another EU Dublin Regulation country.</i>

# Appendix 3 – Applications/Processing Statistics

## Recommendations Issued 2007



## Interviews Scheduled and Attended 2007

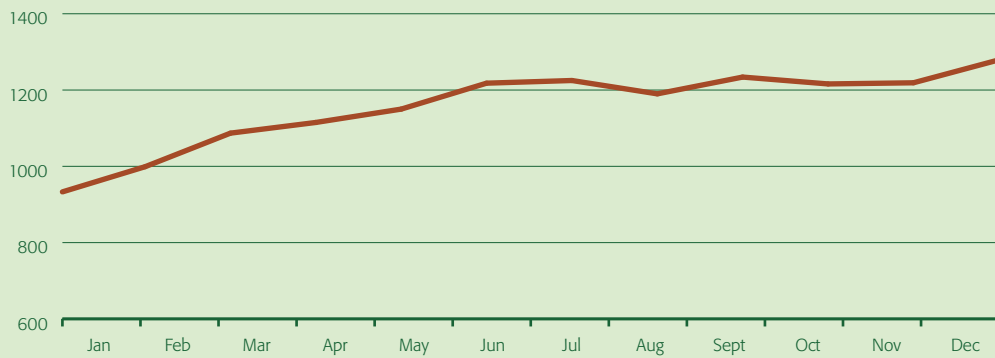


Month	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sept	Oct	Nov	Dec
<b>Scheduled</b>	384	330	483	254	389	314	340	325	317	364	396	265
<b>Attended</b>	295	261	241	200	266	217	264	241	225	246	283	186
<b>* % Attended</b>	93	93	58	88	75	84	87	83	82	85	79	85

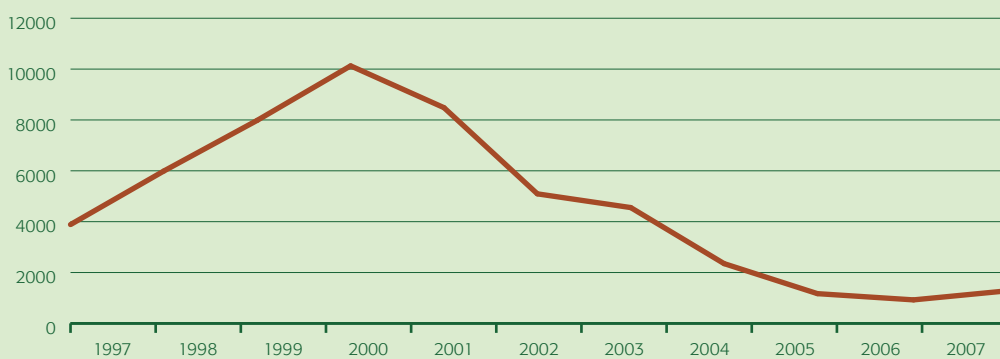
\* Applicants' attendance rate excluding interviews postponed by ORAC.

## Appendix 3 – Applications/Processing Statistics

### Applications Outstanding as at 01/01/07 to 31/12/07



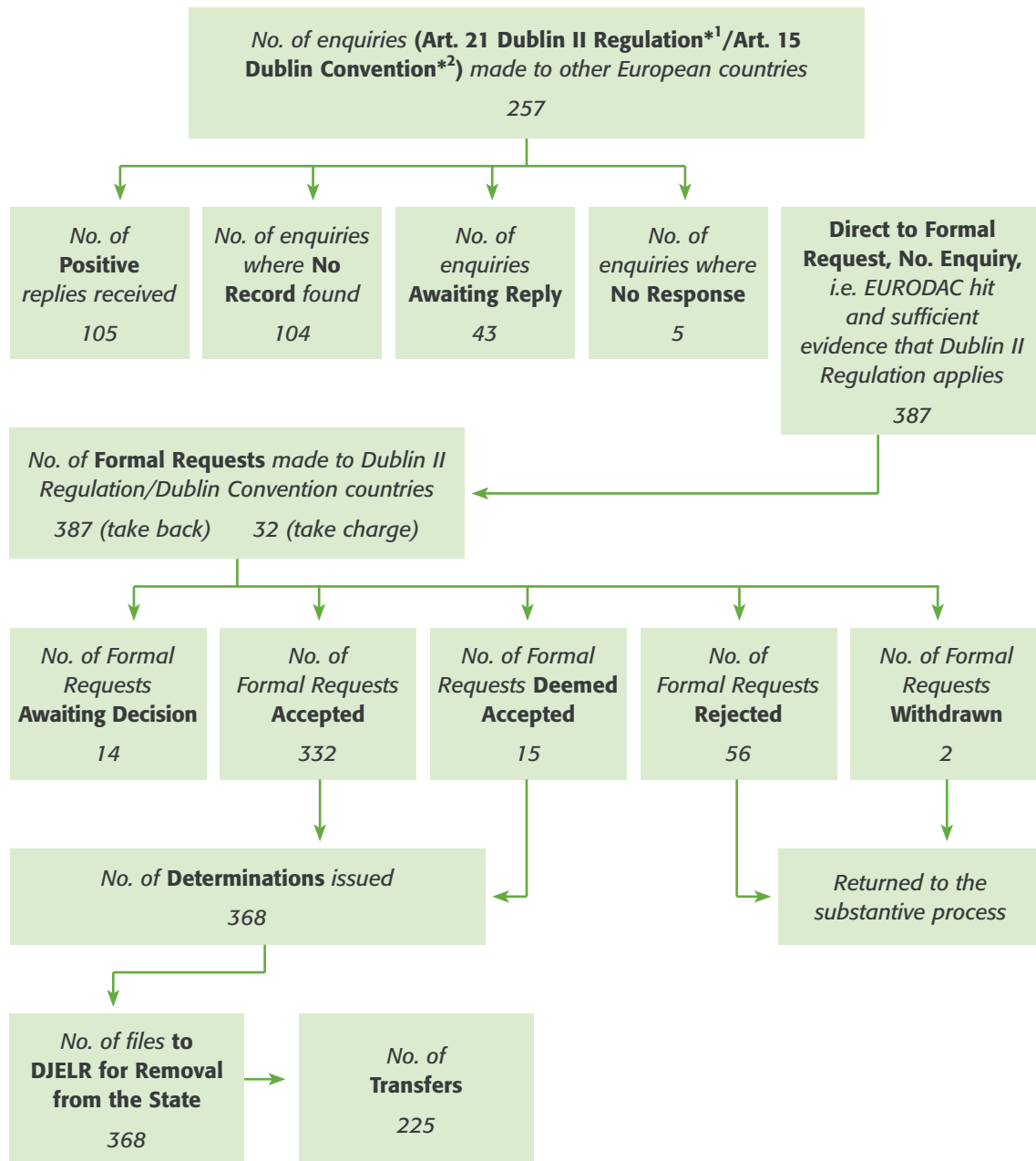
### Applications Outstanding as at end of year 1997 to 2007





# Appendix 4 – Dublin II Regulation Statistics

## Statistics for the Dublin II Regulation for the period of 01/01/2007 to 31/12/2007

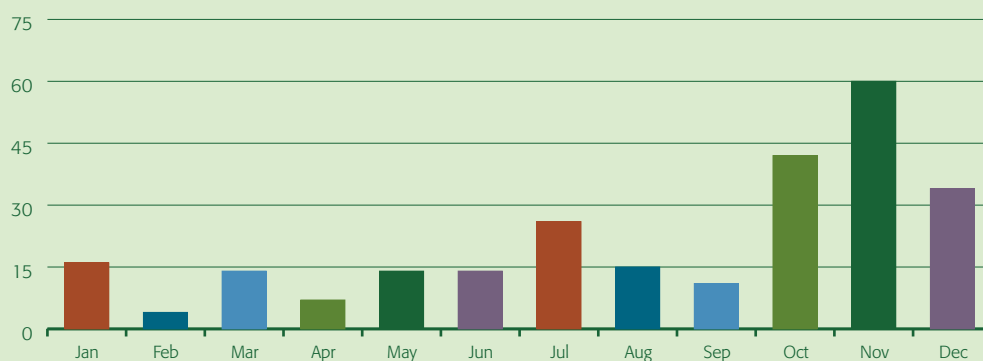


\*1 In some cases enquiries are made to other Dublin II Regulation countries under Article 21 of the Dublin II Regulation. The enquiries are made to ascertain if the requested State has any information on the Applicant, e.g. case where State 1 rejects Ireland's formal request but indicates that another State may be responsible.

\*2 Note, not all positive Art 21 enquiries automatically resulted in a formal request and cases were forwarded to Scheduling for substantive interview. Reasons include humanitarian, family reasons, age of applicant.

## Appendix 4 – Dublin II Regulation Statistics

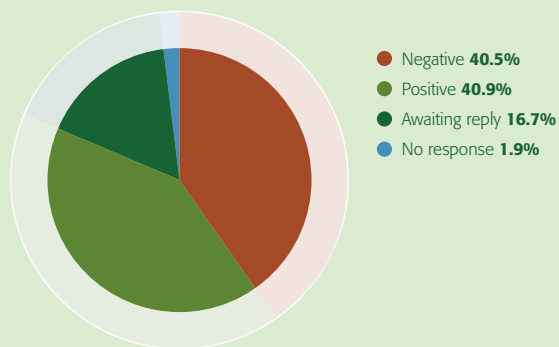
### Article 21 Enquiries to Member States 2007



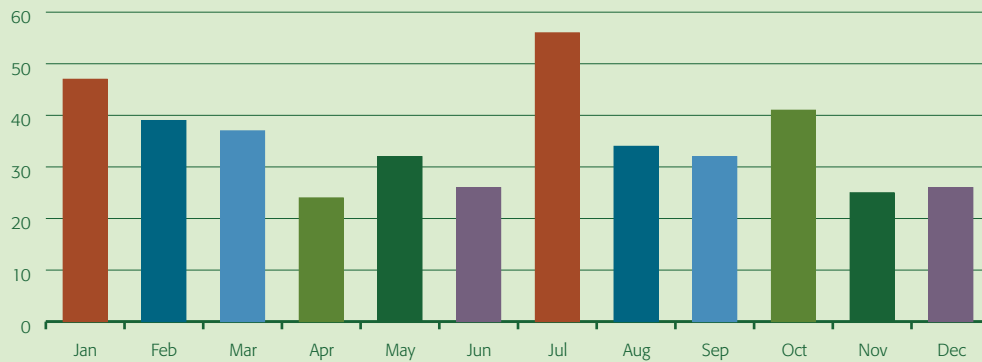
### Article 21 Dublin II Regulation to other Dublin II Regulation States in 2007

Month	Jan	Feb	Mar	Apr	May	June	July	Aug	Sep	Oct	Nov	Dec	Total
<i>Requests</i>													
2007	16	4	14	7	14	14	26	15	11	42	60	34	257

### Replies to Article 21s issued in 2007



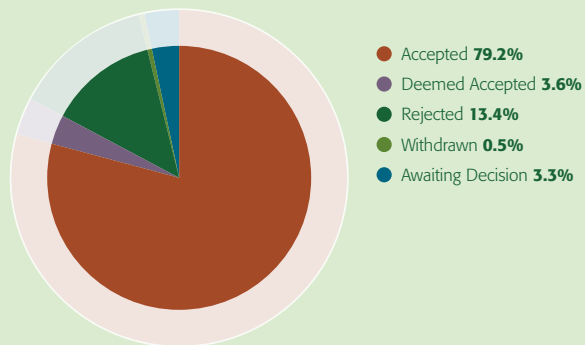
## Formal Requests to Member States 2007



## Formal Requests to other Member States

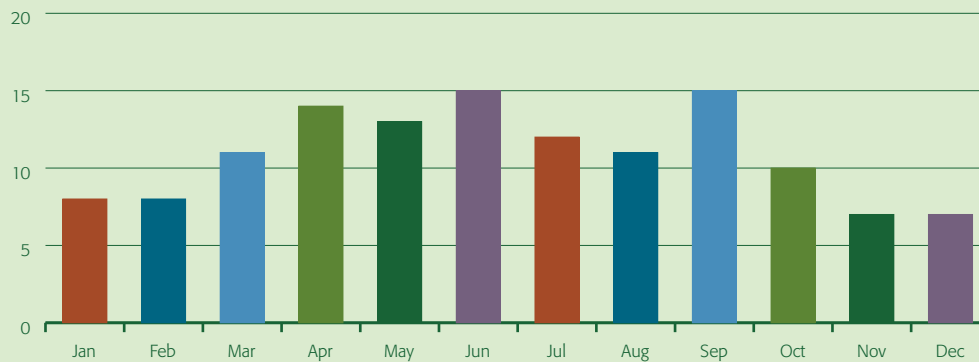
Month	Jan	Feb	Mar	Apr	May	June	July	Aug	Sep	Oct	Nov	Dec	Total
Requests													
2007	47	39	37	24	32	26	56	34	32	41	25	26	419

## Replies to Formal Requests Issued 2007



# Appendix 4 – Dublin II Regulation Statistics

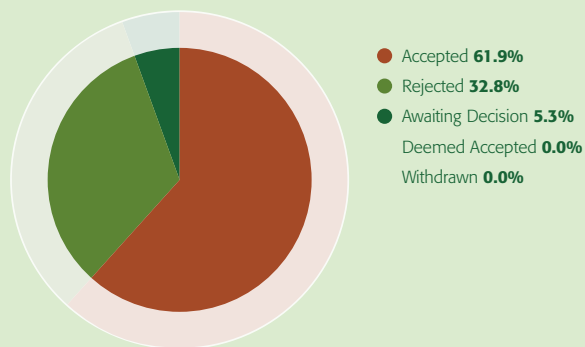
## Formal Requests from other Member States to Ireland 2007



## Formal Requests from other Member States to Ireland 2007

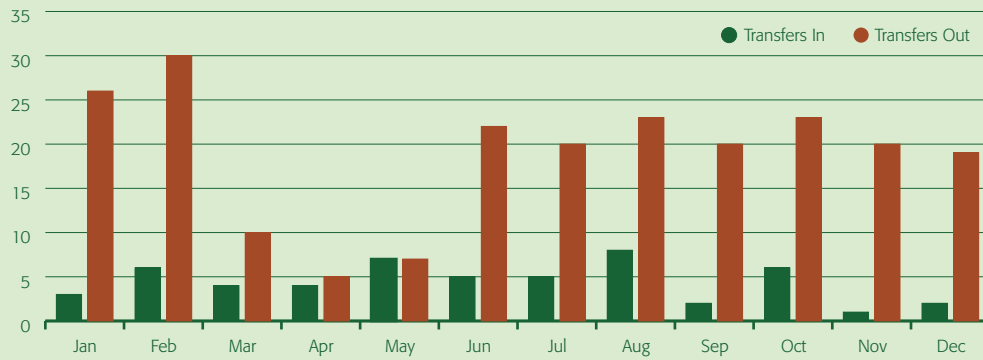
Month	Jan	Feb	Mar	Apr	May	June	July	Aug	Sep	Oct	Nov	Dec	Total
<i>Requests</i>													
2007	8	8	11	14	13	15	12	11	15	10	7	7	131

## Replies to Formal Requests from other Member States to Ireland 2007



## Appendix 4 – Dublin II Regulation Statistics

### Transfers under the Dublin II Regulation in 2007



### Transfers under the Dublin II Regulation in 2007

Month	Jan	Feb	Mar	Apr	May	June	July	Aug	Sep	Oct	Nov	Dec	Total
<i>Transfers In</i>	3	6	4	4	7	5	5	8	2	6	1	2	<b>53</b>
<i>Transfers Out</i>	26	30	10	5	7	22	20	23	20	23	20	19	<b>225</b>

# Appendix 5 – Information on Requests Handled by Customer Service Centre and Copying/Registry Unit in 2007

## Table A

<b>Category</b>	<b>No. Processed</b>
<i>Letters and Faxes</i>	13,082
<i>Telephone Enquiries</i>	4,779
<i>Email Enquiries*</i>	13,607
<b>Total</b>	<b>31,468</b>

\* Email enquiries received includes 10,542 requests received via ORAC mail and 3,065 emails re information sharing with other Government organisations.

## Table B

<b>Category</b>	<b>No. Processed</b>
<i>Files copied</i>	3,603
<i>File movement transactions</i>	13,543
<b>Total</b>	<b>17,146</b>

Note: The total number in relation to files copied refer to the number of actual files photocopied but does not reflect the fact that in the majority of cases four copies of each file are produced.

## Profile of Pay Expenditure for the Office of the Refugee Applications Commissioner: 1st January - 31st December, 2007

The pay figure for the Office of the Refugee Applications Commissioner is amalgamated with the Reception and Integration Agency, the Refugee Appeals Tribunal, Ministerial Decisions, Immigration and Asylum Policy Units of the Department of Justice, Equality and Law Reform under Subhead D.1 of Justice Vote 19. The outturn for pay for Subhead D.1 of the Department of Justice, Equality and Law Reform was €29.97m, of which €8.59m was used by ORAC.

## Profile of Non-Pay Expenditure for the Office of the Refugee Applications Commissioner: 1st January - 31st December, 2007

### Breakdown of Non-Pay Expenditure

Description	Amount
Travel	€36,481
Uniforms**	€5,949
Staff Training & Development	€122,495
Advertising**	€7,129
Publications, Reports & Periodicals**	€15,025
Travel Agent Costs**	€17,398
Miscellaneous	€61,053
Translation/Interpretation	€1,459,498
Medical Costs**	€961
Stationery	€77,480
Legal Expenses**	€362
Postage	€74,289
Telecommunication Services	€119,955
IT Hardware – Assets	€75,565
IT Maintenance	€109,838
Furniture/Office Equip Asset**	€6,237
Heat Light & Fuel	€175,322
Consultancy**	€0
Library & Legal Research**	€1,297
Office Equipment**	€4,555
Legal Costs	€1,125,101
Photocopier Asset**	€18,639
General Premises Expenses	€370,687
Photocopying & Related	€47,836
<b>Total</b>	<b>€3,933,152</b>

\* As confirmed by Financial Management Unit, Department of Justice, Equality & Law Reform 9 January 2008.

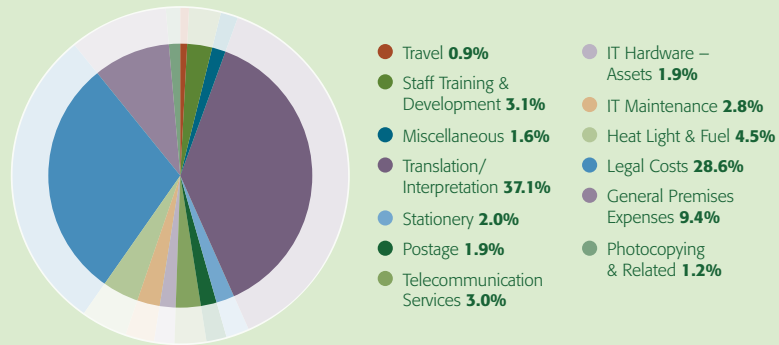
\* Please note that this figure is subject to change until the 2007 Appropriation Account has been published for the Justice Vote.

\*\* The totals in respect of these item codes are too small to represent on the pie chart.



## Appendix 6 – Financial Data

### ORAC's 2007 Non-Pay Expenditure – €3,933,152



## The 1996 Refugee Act

The principal piece of domestic legislation dealing with refugees and asylum seekers is the 1996 Refugee Act, which entered into force in 2000. The Act incorporates the 1951 Geneva Convention into domestic law. It provides for the establishment of ORAC as well as the Refugee Appeals Tribunal and sets out a framework for the determination of asylum applications. (The 1996 Act has been amended by the Immigration Act 1999, the Illegal Immigrants (Trafficking) Act 2000, the Immigration Act 2003 and the Immigration Act, 2004.)

## Declaration of Refugee Status

As referred to in Section 17 of the 1996 Act, where the Minister gives to the applicant concerned, following a recommendation by the Refugee Applications Commissioner, or following a decision of the Refugee Appeals Tribunal to set aside the recommendation of the Commissioner, a statement in writing that he/she is a refugee.

## Dublin II Regulation

Dublin II Regulation which came into operation on 1 September, 2003 replaces the Dublin Convention. This Regulation provides a mechanism for determining which Dublin II Regulation country is responsible for examining an application for refugee status. All EU Member States are bound by the Regulation. Iceland and Norway also operate the Regulation.

## EURODAC

A system for the electronic exchange of fingerprints between EU Member States together with Iceland and Norway. Fingerprints are transmitted daily to a central database in Luxembourg.

## Country of Origin Information (COI)

Country of Origin Information (COI) consists of many types of information such as legislation, news reports, maps, official documents, e.g. passports, work permits. It is used as an aid to determining the substance of applications for Declarations of Refugee Status.

## EURASIL (European Union Network for asylum practitioners/Réseau de l'UE pour les praticiens de l'asile)

A forum for asylum practitioners in the EU to exchange information on asylum issues such as refugee status determination systems and country of origin information systems.

## Refugee Legal Service

The Refugee Legal Service is a service offered by the Legal Aid Board which provides legal services to applicants seeking declarations of refugee status.

## UN Convention

The U.N. Convention signed in 1951 is an international instrument to define the legal status of refugees. The Convention relating to the Status of Refugees was adopted by a Conference of Plenipotentiaries of the U.N. on 28 July, 1951, and entered into force on 21 April, 1954. The principles contained in the 1951 Convention formed the basis of Irish refugee legislation.

## United Nations High Commissioner for Refugees (UNHCR)

The Office of the United Nations High Commissioner for Refugees (UNHCR) was established as of 1 January 1951. The 1951 Convention specifically notes that the United Nations High Commissioner for Refugees is charged with the task of supervising international conventions providing for the protection of refugees, and ensuring the effective co-ordination of measures taken to deal with this matter in co-operation with the various states.



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