

**Office of the Refugee Applications
Commissioner**



Annual Report 2008

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Foreword by Refugee Applications Commissioner

I am pleased to introduce the eighth Annual Report of the Office of the Refugee Applications Commissioner (ORAC).

This Annual Report details the progress made in 2008 in delivering on the challenging goals and objectives contained in our Strategy Statement 2007-2009. It is the second report under this Strategy Statement and also the second Annual Report since I was appointed Commissioner in July 2007.

In 2008, a total of 3,866 applications for refugee status were received. This figure represents a 3% decrease in applications compared to 2007 and is the lowest annual number of applications since 1997.

During the year, significant progress continued to be made in the processing of applications. 4,581 decisions and determinations were made, which represents an increase of 10.3% on 2007.

At the end of the year, while there were some 1,200 cases awaiting processing in the Office, only 116 cases were on hands for over 6 months.

In 2008, all applications processed under the Ministerial Prioritisation Directive (except for cases that could not be processed for medical and/or other compelling reasons) were scheduled for interview within 9 to 12 working days from the date of application and completed within a maximum of a further 8 working days giving a total processing time of 17 to 20 working days from the date of application.

All other cases (except cases which could not be processed for medical or other compelling reasons) were processed to completion within 22 to 23 weeks. Due to the proactive management and increased capacity of the interviewing schedule, it was possible towards the end of 2008 to reduce the processing times for these cases to 19 to 21 weeks.

The Office continued to make maximum use of the EU Dublin II Regulation, which determines the EU State responsible for processing an asylum application. Some 385 EU Dublin II Regulation determinations were made in 2008, as compared to 368 in 2007. The EURODAC fingerprinting framework also continued to support the operations of ORAC in 2008, in the context of the operation of the EU Dublin II Regulation. During the year, some 3,402 sets of fingerprints of asylum applicants were sent to EURODAC with 359 hits confirmed.

AVATS (the Automated Visa Application and Tracking System, of the Irish Naturalisation and Immigration Service) was introduced in both ORAC's Reception and Dublin Units in order to detect applications for asylum where the applicant had obtained an Irish visa while no passport or relevant documentation was declared in ORAC.

In 2008, I continued to be represented at appeals hearings before the Refugee Appeals Tribunal (RAT) and, in consultation with the RAT, ORAC ensured that the maximum number of hearings per week could be serviced by Presenting Officers. This resulted in some 2,091 hearings being serviced, compared to 1,672 in 2007, which represents an increase of 25%.

Work was also finalised during 2008 on the establishment of a temporary Presenting Panel, comprising of barristers, solicitors and legal graduates, which commenced operations in early 2009 to clear a specific backlog of cases in the RAT.

I am also pleased to note that the number of legal challenges against recommendations of the Office declined in 2008, by some 30%. This recognises *inter alia* the substantial amount of work undertaken in relation to the ongoing review and enhancement of procedures and processes in the Office, as well as staff training and development.

In April 2008, more robust arrangements governing human trafficking were established between ORAC, the Anti-Human Trafficking Unit of the Department of Justice, Equality and Law Reform and the Garda National Immigration Bureau (GNIB). This ensured a more effective system on a cross agency basis whereby GNIB are promptly notified of suspected trafficked persons.

ORAC continued to focus on quality customer service in 2008, with two customer surveys being carried out, one on the Statutory and Legal Bodies that ORAC deals with and the second on the timeliness and quality of ORAC's written correspondence. The results of both surveys were positive. A new Customer Service Action Plan for 2009 was also prepared outlining ORAC's commitments in the area of delivering a quality service to meet the needs of our customers.

Extensive work was undertaken during the year to plan for the introduction of the Immigration, Residence and Protection Bill, 2008, subject to the approval of both Houses of Oireachtas. A dedicated Single Procedure Transition Team continued its work in order to ensure that the planned new Applications Processing Office within INIS, which will replace ORAC, will be able to implement the proposed new legislation immediately on enactment and subsequent commencement.

The Transition Team has been working on the development of the documentation required by the new legislation and also on the new procedures, systems and training manuals needed for its effective implementation.

ORAC continued to be 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.

I would once again like to thank the staff in the Dublin Office of the United Nations High Commissioner for Refugees (UNHCR) for their continued support during the year with particular regard to the provision of training on refugee law and procedures.

I would also like to thank the Employee Assistance Service for its ongoing support for ORAC staff.

Finally, I would like to pay particular tribute to the staff of the Office whose continued hard work, dedication and professionalism has enabled us to deliver on our objectives and core functions in 2008 and to continue to meet our obligations under domestic and international law.

David Costello
Commissioner

Mission Statement

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...”.

Part 1

Introduction

Part 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.¹

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.

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.

¹ A detailed description of the asylum process is available on ORAC's website (www.orac.ie).

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.)

Part 2

Key Developments in 2008

Part 2 - Key Developments in 2008

Processing of Applications

- In 2008, a total of 3,866 applications for refugee status was received. This figure represents a 3% reduction in applications when compared to the previous year. The number of applications averaged 322 per month. The figure was the highest in September in 2008 with 360 applications received.
- During the year, progress continued to be made in the processing of applications. At the end of 2008, there were some 1,200 applications on hands, only 116 of which were over 6 months old. At the year's end, the vast majority of outstanding applications for processing were received in the latter half of 2008.
- Some 4,581 decisions and determinations were made, compared to 4,152 in 2007, which represents an increase of 10.3%.
- In 2008, 28.4% 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 to 12 working days from the date of application and completed within a maximum of a further 8 working days, giving a total processing time of 17 to 20 working days 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 22 to 23 weeks during 2008. Processing times are determined by a range of factors such as turnover of trained staff and the increasing complexity of the caseload. However, ongoing monitoring of processing timescales continued and action was taken to manage the interview schedule and to keep delays to a minimum. Due to the proactive management and increased capacity of the interviewing schedule, it was possible towards the end of 2008 to reduce the processing times for these cases to 19 to 21 weeks.
- All asylum applicants are required to co-operate with the asylum process. Where applicants failed to co-operate they were deemed withdrawn in line with provisions of the Refugee Act, 1996. In 2008, a total of 567 cases fell into the category of deemed withdrawn.
- In 2008, 98 applications were received from Unaccompanied Minors seeking asylum, which accounts for 2.5% of the total number of applications received. The timeframe for processing the applications from Unaccompanied Minors which were the subject of a Ministerial Prioritisation Directive was 5 weeks from the date of application.
- ORAC also continued to prioritise applications from applicants in detention in line with statutory requirements. A total of 261 applications were received from persons in detention. This figure constitutes 6.8% of all applications received.

- During 2008, the key strategies to support the High Level Goals as outlined in ORAC's Strategy Statement were effectively implemented. These included resources being utilised and deployed to deliver the maximum number of quality and legally robust decisions. The UNHCR and its expert trainers continued to provide excellent support to the Office as the need arose.
- Maintaining a high level of quality in the investigation and processing of asylum applications continued to be a priority for ORAC and was one of our High Level Goals as set out in our Strategy Statement 2007-2009. This was made possible by ongoing staff development, high quality training and mentoring. During the year, Refugee Status Determination (RSD) training was delivered to all newly assigned staff as well as refresher RSD training to the more experienced caseworkers. In addition, a training programme specifically dealing with the Anti-Human Trafficking Act, 2008 in the context of the Refugee Act, 1996 was also compiled and delivered to all staff involved in the processing of asylum applications.
- Other initiatives undertaken included regular reviews of the profile of applicants and emerging trends in case type. The delivery of specialised training to staff to equip them to deal sensitively and appropriately with vulnerable groups such as victims of trafficking, separated children seeking asylum and female applicants who had been subjected to rape and sexual violence in their countries of origin continued as required.
- In 2008, more robust arrangements governing the tackling of human trafficking were established between ORAC, the Anti-Human Trafficking Unit of the Department of Justice, Equality and Law Reform and the Garda National Immigration Bureau (GNIB).
- Internal reporting arrangements within ORAC in relation to cases of human trafficking were also strengthened.
- During 2008, relevant EU law in relation to asylum procedures and qualifications continued to be reflected and incorporated into our work practices and procedures and training on EU legal obligations continued to be provided to newly appointed staff.
- The Office also continued to maintain ongoing contact with the Irish Naturalisation and Immigration Service (INIS) and the Garda National Immigration Bureau (GNIB) on various matters within our statutory framework in order to protect the integrity of the asylum process.
- As part of the completion of the second phase of the Common European Asylum System, the EU Commission is currently preparing proposals for the amendment of the Asylum Procedures and Qualifications Directives. In the latter half of 2008, ORAC staff attended a number of meetings at which asylum experts from Member States were asked to provide their comments on options for new EU legislation in this area.
- In June 2008, a staff member from ORAC participated as a country expert and trainer in Kyrgyzstan, as part of a project aimed at increasing the capacity of Central Asian migration authorities to follow international law on refugee status determination.

- The use of laptops for recording the details of substantive interviews has become an established practice in ORAC. It has been proven that using laptops at interviews enhances the quality of interview notes for applicants and their legal representatives. This year, the laptops were configured to include an additional electronic wi-fi facility, thus enabling the caseworkers to have access to the necessary up-to-date Country of Origin (COI) information and other reputable reports directly at the substantive interviews.
- In the course of 2008, ORAC was pleased to note that the company providing interpretation services to ORAC arranged to have training sessions delivered to its interpreters by the UNHCR on refugee and protection issues generally.
- During the year, ORAC continued to maximise use of the EU Dublin II Regulation determining the EU State responsible for processing an asylum application. Some 385 EU Dublin II Regulation determinations were made in the Office in 2008 as compared to 368 in 2007, which represented an increase of 4.6%.
- Cooperation continued to develop with other EU States in relation to the Dublin II process, which was a major factor leading to the increased number of determinations.
- The EURODAC fingerprinting framework also continued to support the operations of ORAC during 2008, in the context of the operation of the EU Dublin II Regulation. During the year, some 3,402 sets of fingerprints of asylum applicants were sent to EURODAC with 359 hits confirmed.
- ORAC continued to make full use of the Automated Fingerprint Identification System (AFIS). This system provides for an enhanced fingerprinting capacity in relation to asylum seekers. AFIS continues to contribute to ORAC's capability for exchange of information with the EURODAC fingerprinting system in the EU.
- AVATS (the Automated Visa Application and Tracking System, of the Irish Naturalisation and Immigration Service) was introduced in both ORAC's Reception and Dublin Units to assist in detecting applications for asylum where the applicant had obtained an Irish visa while no passport or relevant documentation was declared in ORAC.
- A significant number of applicants produce no passport or other documentary evidence of their stated identity or nationality or any travel documents to show how they travelled to the State. However, at the same time some of these applicants indicate that they have travelled to the State by air, which would have required the presentation of identity documents, including visas at point of departure. The use of systems such as the EU Dublin II Regulation, EURODAC, the AFIS and AVATS systems as well as enhanced co-operation with other EU States particularly the United Kingdom often gives rise to information on these applicants, which would otherwise not be available due to the lack of documentation presented.
- 408 applications for Family Reunification were received in 2008, an increase of 9.4% over the 2007 figure. During 2008, the investigation carried out into each application was more in-depth in order to bring the case to as near the point of decision as

possible, while still abiding by the terms of the Refugee Act, 1996. This meant that processing times from the 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 between 12 and 16 weeks on average over the year, but with a limited number of files being on hands at any one time. Following a review of the operations of the Family Reunification Unit in the Department of Justice, Equality and Law Reform, and a consequent increase in staffing, the volume of files referred to ORAC increased during the latter part of 2008.

- In 2008, the Commissioner continued to be represented at appeals hearings before the Refugee Appeals Tribunal (RAT) by Presenting Officers. Maximisation of scheduling was maintained throughout the year, in consultation with the Refugee Appeals Tribunal, in order to ensure the maximum number of hearings per week could be serviced by Presenting Officers. This resulted in some 2,091 hearings serviced, compared to 1,672 in 2007, which represents an increase of 25%.
- 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 Section 16(6) enquiries received by the Presenting Unit from the Refugee Appeals Tribunal in 2008, were dealt with within the set timeframes. A total of 148 Section 16(6) enquiries and 5 Section 16(7) enquiries were received in 2008.
- There was a decrease in legal challenges¹ in which ORAC was a respondent during 2008. 266 legal challenges were taken during 2008 (including 27 cases taken in relation to the EU Dublin II Regulation) compared with 378² cases during 2007, a reduction of some 29.6%.
- In view of the volume of legal challenges which ORAC receives and ORAC's responsibility to ensure value for money in respect of legal costs, the Judicial Review Unit continued to review its practices and procedures for handling such challenges, working closely with the Chief State Solicitor's Office (CSSO) and Counsel in this regard. In November 2008, the structure of the JR Unit was revised to support a more efficient division of the caseload and administrative tasks, while maintaining the necessary level of flexibility and communication between staff.
- During 2008, there continued to be effective and efficient use of Country of Origin (COI) Research systems and procedures. The Caseworkers Shared Knowledge Database (CSK) was continually updated to provide a research resource for ORAC users involved in the asylum process. The COI/Research Unit within ORAC continued to build and maintain a collection of objective and up-to-date COI for users to access. Use of the resources of the Refugee Documentation Centre was intensified, not only through maximising use of its electronic Country of Origin Information

¹ While the vast majority of legal challenges to ORAC are in the form of judicial reviews, a small number of others are also received, namely plenary summonses, civil summonses and injunctions.

² This replaces the figure of "440 judicial reviews" published in the 2007 Annual Report. That figure was revised downwards following a caseload review in late 2008.

system, but also through further streamlining and quality control of the COI query facility.

- ORAC continued to work closely with the Refugee Documentation Centre (RDC), including through the establishment in March 2008 of a working group to examine how the two organisations could strengthen cooperation, both in respect of current needs and in anticipation of the commencement (subject to the approval of both Houses of the Oireachtas) of the Immigration, Residence and Protection Bill, 2008.
- Maximum use was also made during the year of the language analysis process prior to an asylum determination interview. Language Analysis involves the examination of a person's speech by an independent expert in order to, as specifically as possible, identify the geographic and/or ethnic origin of the person.
- As part of the ongoing review of asylum procedures, discussions commenced with the Refugee Legal Service on the establishment of a pilot project on the enhanced, but earlier use of, legal support and assistance in the ORAC process, known as frontloading. While discussions had not been completed by the end of 2008, it is likely that a pilot project, when finalised, will commence in the first quarter of 2009.
- The Policy and Procedures Unit continued to keep key procedural and policy instructions up-to-date and the Policy and Procedures Database was revised so that each policy/procedure is now indexed and linked to other relevant documents. This has made the database more user friendly and easier for staff to navigate.
- ORAC also provided input into the work of the Inter Governmental Consultations on Asylum, Refugee and Migration matters (IGC) based in Geneva and attended a number of asylum related Working Groups and seminars.

Human Resources/Training Developments

- In 2008, ORAC continued to prioritise the needs of its staff in the areas of human resource development and training. Comprehensive initiatives were undertaken for this purpose, including the provision of some 860 units of training.
- As in previous years, a Training Plan for the year was drawn up. The Plan took account of both organisational training priorities and individual training needs identified through the PMDS cycle.
- Comprehensive staff induction programmes continued to be provided to all new ORAC staff.
- In 2008, ORAC continued to provide training in Refugee Status Determination with the focus this year on the assessment of documentary evidence and a review of persecution issues, which was delivered by the UNHCR. A new training module on human trafficking was developed by the COI/Research Unit and legal researchers to provide staff with an awareness of human trafficking and how to identify possible trafficking issues during the determination process. It was rolled out to caseworkers in November 2008 and will be provided to other Units in due course.

- The Peer Support project continued in 2008 and new staff in the Case Processing area received psychological support training. The objective of peer support, which was introduced in 2003, is to ensure that ORAC has the necessary systems in place to assist staff who deal with applicants who are the victims of torture or other forms of degrading treatment in their countries of origin.
- During the year, work continued on the development of a comprehensive training programme in preparation for the commencement (subject to the approval of both Houses of the Oireachtas) of the Immigration, Residence and Protection Bill, 2008, which will result in the subsuming of ORAC into a new Applications Processing Office within the Irish Naturalisation and Immigration Service. The new legislation will introduce a Single Procedure, whereby all protection and other reasons for an applicant seeking to remain in the State will be considered together. Substantial assistance was provided by UNHCR with this process.
- 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 completed and a review was undertaken. This led to the pilot scheme being extended.
- During 2008, 4 staff members were redeployed to the main Department following ORAC's move from the ORAC IT system to the Department's Shared IT (CITRIX) system. Ongoing liaison continued with INIS and the Department to fill the maximum number of approved posts.
- A decision was taken to establish a temporary Presenting Legal Panel comprising barristers, solicitors and legal graduates to represent the Commissioner at oral appeal hearings before the Refugee Appeals Tribunal (RAT) in respect of a particular backlog of cases. ORAC HR Unit administered the selection and recruitment process in 2008. Advertisements for assignment to this Panel were placed in national newspapers in the first week of October 2008. A short-listing and interview process then took place. Following training, the Panel commenced operations in February 2009.
- ORAC took part in the Department of Justice, Equality and Law Reform's Legal Interns programme. The Programme is designed to provide legal graduates with a better understanding of public sector issues and broaden their experience while at the same time assisting Departments and agencies from a legal perspective. Four legal interns were recruited for a temporary assignment.
- As part of ORAC's work to ensure compliance with the Disability Act, 2005, and arising from its Action Plan, the Office continued to deliver appropriate training for key frontline staff.

Customer Service

- Two customer surveys were carried out in 2008, one on the Statutory and Legal Bodies that ORAC deals with and the second on written correspondence.
- The results of the Statutory and Legal Bodies survey were in general very positive. The questionnaire was divided into four sections relating to; Service Delivery, Responsiveness, Accessibility and Communication/Consultation.
- In relation to Service Delivery, 73% of respondents agreed that ORAC's staff were polite and courteous. In terms of responsiveness, 75% agreed that phone, e-mail, and written communications were dealt with in a timely manner. In the area of accessibility, the majority of respondents (69%) agreed that they were aware of the contact personnel within ORAC who could assist them with their queries. The final part of the survey covered the area of Communication and Consultation. 61% agreed that personnel in ORAC had the knowledge necessary to support them with their requests/requirements. While the feedback was generally very positive, any suggested improvements have been taken on board for implementation during 2009 where possible.
- A second survey was carried out in December 2008 by the Customer Services Centre. This survey was concerned with the timeliness and quality of ORAC's written correspondence. The participants included asylum seekers, solicitors and NGOs. The results were very positive with 86% of those surveyed stating that they considered the responses received from ORAC contained all the information they required and 97% stated that responses from ORAC are written in clear and plain English.
- The main findings of both surveys can be found on the ORAC website (www.orac.ie).
- During 2008, a new Customer Service Action Plan 2009 was prepared and agreed at Partnership level. This Action Plan, which is available on the ORAC website, outlines ORAC's commitments in the area of delivering a quality service to meet the needs of our customers.
- 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.
- A meeting of the Customer Service Liaison Panel took place in December 2008. This Panel provides a useful forum for consulting on a wide range of issues and providing information to relevant non-governmental organisations (NGOs) on developments in relation to asylum matters.

Partnership

- Social Partnership continued to be a feature of ORAC's dealings with staff and trade unions during 2008. A variety of initiatives were included for discussion including workplace learning, promoting diversity and worklife balance, managing change, building the capabilities of managers, staff and trade unions to proactively introduce

and manage change, which all contributed to successfully embedding social partnership in the workplace.

- The sixth Partnership Committee was formed in September 2008 and met three times to the end of the year. The previous Committee met on five occasions during the year.
- A progress report on the *Towards 2016* Modernisation and Action Plan was prepared and sent to the Department in May 2008. This Action Plan covers the period up to September 2008, setting out the organisation's agenda - in the form of agreed actions, timelines and performance indicators - for modernisation, flexibility and co-operation with ongoing change in ORAC over that period.
- Under the Strategic Management Initiative (SMI), staff met off-site on three occasions during the year to hear presentations and discuss various topics of interest to the organisation, including the introduction of new immigration and protection legislation, processing of asylum applications, information technology and health and safety.
- All staff in the Case Processing Units together with senior management in ORAC participated in three workshops in April, June and October 2008. These workshops dealt with, *inter alia*, the PMDS process, using PMDS effectively to manage performance, the efficient processing of asylum applications, business planning and risk assessment in the context of the business planning process. At these fora, staff were afforded the opportunity of putting forward their ideas and suggestions. Further workshops were arranged for other staff in ORAC on the PMDS process, business planning and associated risk assessment, as well as the change management process for the introduction of the Immigration, Residence and Protection Bill, 2008.
- The staff suggestion scheme, initiated in 2006, was continued during the year to give staff the opportunity to put forward ideas which would be of benefit to the organisation.

Information Technology

- ORAC continued to be represented on the Project Board and the Implementation Group for the Automated Fingerprint Identification System (AFIS) project. The AFIS, which was introduced in ORAC in October 2007, provides for an enhanced electronic fingerprinting capacity in relation to asylum seekers with better capability for exchange of information with the EURODAC system in the EU. Work also continued on the development of the AISIP (Asylum and Immigration Strategic Integration Programme) project.
- In preparation for the subsuming of ORAC into INIS following the enactment of the Immigration, Residence and Protection Bill, 2008, it was decided to migrate ORAC onto the Shared IT (CITRIX) system of the Department of Justice, Equality and Law Reform. A Working Group was established to oversee the orderly migration and this was successfully achieved in October 2008. All staff members received introductory training in advance of the introduction of CITRIX.

- The EU Dublin II Regulation Member States communicate through a secure electronic communications system - DubliNET. The Dublin Unit's DubliNET connection server was upgraded in December 2008 to a new high specification for optimum speed and efficiency in communicating transfer information.

Corporate Developments

- ORAC's Strategy Statement for the period 2007 - 2009 continued to be implemented. This Annual Report provides an update on work undertaken during 2008 in relation to the achievement of the High Level Goals contained in the Strategy Statement.
- In 2008, as in previous years, Risk Management and Risk Assessment were key features in ORAC's business planning. Risks were evaluated and assessed at the start of the year and mitigations and controls were put in place to offset the identified potential risks that could negatively impact on the High Level Goals in our Strategy Statement. Senior management also held a one day off-site session on business planning for ORAC early in the year. The Risk Register was continually monitored and kept under review during 2008.
- In the context of planning for the enactment and commencement of the Immigration, Residence and Protection Bill, 2008, all Unit Business Plans included an additional section relating to the new operational framework, outlining objectives and desired outputs for the Unit following the commencement of the legislation. Change Management Risk Registers were also developed for each Unit in ORAC detailing the key challenges for each area following the implementation of the new legislation, the associated risks and the actions needed to address them.
- In accordance with best practice in ORAC's Records Management Policy for management of non-case records and files in the Office, older electronic document libraries with large numbers of records were archived and replaced with new document libraries with enhanced record management features.
- ORAC undertook a number of Health and Safety initiatives in 2008 to ensure that the Office fully meets its obligations under Health and Safety legislation. These included a new Health and Safety Policy Statement, appointment of key safety personnel and increased staff awareness and training in Health and Safety matters.
- In July 2008, a critical incident occurred outside the ORAC Reception Area. At the request of the Commissioner, the Employee Assistance Service together with External Counsellors provided support for the staff affected.

Change Management

- Extensive work was undertaken during 2008 to plan for the introduction of the Immigration, Residence and Protection Bill, 2008, subject to the approval of both Houses of the Oireachtas. The Irish Naturalisation and Immigration Service (INIS) set up a dedicated Single Procedure Transition Team in 2007, which is based in ORAC. The objective of the Transition Team is to ensure that the planned new Applications

Processing Office within INIS that will replace ORAC will be able to implement the proposed new legislation immediately on enactment.

- The Team continued to work on the development of documentation, such as application forms, standard letters, applicant questionnaires, information leaflets and other document templates required by the new legislation. The Team also developed the required new procedures, systems and training manuals needed for the effective implementation of the new protection legislation.
- ORAC continued to be 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.
- The change process involves a significant challenge for ORAC and is overseen by an ORAC Change Management Steering Group, which meets regularly.
- During 2008, in parallel with the work required for the change process, ORAC continued to fulfil its statutory obligations under the Refugee Act, 1996.

Communications and Change Management

- The Office of the Refugee Applications Commissioner has put in place a communications strategy to ensure that staff in the organisation are kept informed of developments in relation to the progress of the Immigration, Residence and Protection Bill, 2008, with particular reference to the provisions in the Bill dealing with the Single Procedure.
- The strategy has included the Single Procedure Transition Team providing information briefings to all staff regarding the Single Procedure and integration of ORAC into the Department of Justice, Equality and Law Reform. The Transition Team has also held meetings with various Units, to identify the procedures, policies and documents that need to be revised to take account of the provisions in the Bill.
- In addition, regular information bulletins have been provided to staff to update them on the progress of the Bill and on the work of the Transition Team in preparation for the implementation of the Single Procedure. A Change Management report was also prepared and circulated to senior management every two weeks, in order to inform them of progress across various Units in the organisation. Change Management also continued to be a standing item on the agenda for all monthly Unit meetings, as well as for meetings of ORAC's Senior Management Committees.
- ORAC has also ensured that non-governmental organisations dealing with asylum seekers were kept updated with relevant information. The introduction of the Single Procedure was included as an agenda item on the Customer Service Liaison Panel meeting in 2008. ORAC also met with the Irish Refugee Council and the Refugee Information Service to discuss issues arising in relation to the provisions in the Bill.

- The UNHCR and the Single Procedure Transition Team are developing a comprehensive Single Procedure Training module which will be delivered to staff prior to the commencement of the new legislation.

Part 3

Progress on 2007 - 2009 Strategy Statement High Level Goals

Part 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 2008

Processing of asylum applications

- A total of 3,866 asylum applications were received in 2008, which constituted a decrease on the 3,985 applications received in 2007 of some 3%. Some 4,581 asylum applicants received decisions or determinations in their cases, which represents an increase of 10.3% on the number (4,152) made in 2007.
- At the end of 2008, of the 1,196 applications on hands 116 were over six months old. This effectively means that in the main ORAC was processing cases received in 2008.
- The top six applicant countries for 2008 were Nigeria, Pakistan, Iraq, Georgia, China and Democratic Republic of the Congo. In 2007, the top six applicant countries were Nigeria, Iraq, China, Pakistan, Georgia and Sudan. Our statistics show that there were a large number of countries with a small number of applications. For example, 3 or less applications were received from 23 countries. Overall, 45 countries had more than 10 applicants each.

- In 2008, 28.4% 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 to 12 working days from the date of application and completed within a maximum of a further 8 working days, a total processing time of 17 to 20 working days 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 22 to 23 weeks during 2008. Processing times are determined by a range of factors such as turnover of trained staff and the increasing complexity of the caseload. However, ongoing monitoring of processing timescales continued throughout the year and action was taken to manage the interview schedule and to keep delays to a minimum. It was possible towards the end of 2008 to reduce the processing times for these cases to 19 to 21 weeks, due to the proactive management and increased capacity of the interviewing schedule.
- The Office also continued to prioritise applications from applicants in detention in line with statutory requirements. 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. Such applications were scheduled for their substantive Section 11 interview on average within 20 working days from the date of application in the course of the year, and finalised within a further 8 working days, thus providing an average processing time of 28 working days in total. A total of 261 applications were received from persons in detention. This figure constitutes 6.8% of all applications received. During 2008, 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 76 cases were processed to finality while they were in detention. The remainder were interviewed in ORAC as these applicants were released from prison prior to their interview date.
- In 2008, 98 applications were received from Unaccompanied Minors seeking asylum. This figure accounts for 2.5% of the total number of applications received. These applicants were scheduled for interview within 20 working days from the date of their application and the decisions in these cases issued within approximately a further 10 working days, making a total processing time of approximately 6 weeks from the date of application. The timeframe for processing the Unaccompanied Minors who were the subject of Ministerial Prioritisation Directive was 5 weeks from the date of application.
- During the year, ORAC utilised interpretation and translation services in about 80 languages. It was not always possible to source interpreters of certain rare languages locally and this was resolved by the use of telephonic interpretation. However, every effort was made to minimise the use of telephonic interpretation in favour of having the interpreter present in the interview room. The systems and procedures with the translation and interpretation service providers to ensure prompt processing of all applications at every stage of the asylum process were constantly reviewed and, where necessary, modified. ORAC continued to have regular meetings with the

language and interpretation service providers to review the effectiveness of the service provided.

- In the course of 2008, the company providing the organisation's interpretation services arranged to have training sessions delivered to its interpreters by the UNHCR on refugee and protection issues generally.
- Refugee Status Determination training (including refresher training) was delivered to staff during the year to take account of the diversity of the caseload and emerging trends in case types. There continued to be a necessity to afford a number of applicants more than one substantive interview. This was mainly due to the complexity of the cases concerned, multiple convention grounds being claimed and also applicants submitting new and/or additional information or documentation subsequent to their application and first substantive interview.
- The revised work practices in relation to Refugee Status Determination which were introduced by ORAC in 2007 continued to be implemented in 2008. These work practices have resulted in more focused interviewing of applicants, maximising the use of resources and efficient and timely decision making. In addition, it means that all cases are researched and prepared prior to the substantive interviews, resulting in interviewers and decision makers having to hand the most up-to-date reputable country of origin material, relevant refugee case law and emerging jurisprudence.
- The use of laptops for recording the details of the substantive interviews continued in 2008. It has been proven that using laptops at interviews enhances the quality of interview notes for applicants and their legal representatives. This year, the laptops were configured to include an additional electronic wi-fi facility, thus enabling the caseworkers to have access to the necessary Country of Origin (COI) information and other reputable reports directly at the substantive interviews. This means that where applicants' statements run contrary to the generally known facts and reputable information available in the public domain, interviewers are able to put these reports to the applicants at the interviews, thus affording the applicants the opportunity of commenting and making further submissions (if necessary) in advance of the final determination. At the end of 2008, 87% of all caseworkers were using laptops for interviews.
- Due to the complexity and diversity of the caseload, there was an ongoing necessity to provide central Country of Origin (COI) support to caseworkers and decision makers. This resulted in resources being utilised to source Country of Origin information for pre-interview research, the updating of ORAC's COI Databases and Refugee Status Determination (RSD) information relevant to the profile of the case concerned. These initiatives have provided caseworkers and decision makers alike with the necessary competency to conduct focused interviews particularly in cases where the applicants' questionnaires were returned incomplete or provided limited information in relation to the applicants' reasons for seeking refugee status.
- The Country of Origin Information (COI) and Research systems in place in ORAC were reviewed in 2008, with a view to ensuring that the most up-to-date and relevant COI was available to assist users in addressing Refugee Status Determination issues in an accessible format. The COI Research Unit coordinated the creation of 121

country packs by ORAC caseworkers in 2008, based on information supplied by the Refugee Documentation Centre (RDC). ORAC sent 500 query requests to the RDC during the year, while use of the e-library, introduced in late 2007, continued to grow.

- At a bilateral meeting in March 2008 between ORAC and the Refugee Documentation Centre it was agreed that a working group would be established to examine how the two organisations could strengthen cooperation, both in respect of current needs and in anticipation of the introduction of the Immigration, Residence and Protection Bill, 2008.
- In preparation for the introduction of the Single Procedure, the COI/Research Unit has been liaising with the RDC to develop COI on topics relevant to Subsidiary Protection and Leave To Remain considerations. 19 country packs were prepared in 2008 and more will be finalised in 2009 with a view to having fully up-to-date information available by the time the Bill is in place. These will be made available to users via the e-library.
- ORAC continued to participate in meetings of the RDC Steering Group, which brings together all of the RDC's client agencies. ORAC also participated in meetings of other relevant bodies, such as Eurasil and the IGC.
- A further element of support to caseworkers in helping to establish an applicant's claim as to their stated nationality or ethnic background is the provision of language analysis. The findings of language analysis are used to assist with the overall evaluation of the asylum application and are considered with all other elements of the asylum claim. 60 language analysis interviews were conducted during 2008.
- To assist the Case Processing Units, the Presenting Unit delivered training in mock asylum appeal hearings to a total of 69 staff in the organisation over 6 training sessions. The purpose of this training is to outline to caseworkers how their recommendations may be dealt with if appealed.

EU Dublin II Regulation

- During 2008, ORAC continued to maximise the use of the EU Dublin II Regulation. This Regulation determines the EU State responsible for processing an asylum application.
- Some 385 determinations were made in ORAC under the Dublin II process compared to 368 in 2007 which represented an increase of 4.6%.
- Cooperation was enhanced with other EU Member States in relation to the operation of the Dublin II process, particularly the United Kingdom, which was a major contributing factor in the increase in determinations.
- Processing times for Dublin II cases were in the region of 27 days in 2008.

- Ongoing 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 3,402 sets of prints were sent to EURODAC with 359 hits confirmed.

Family Reunification

- In 2008, 408 applications for Family Reunification were received, an increase of 9.4% over the 2007 figure. During the year, the investigation carried out into each application was more in-depth in order to bring the case to as near the point of decision as possible, while still abiding by the terms of the Refugee Act, 1996. This meant that processing times from the 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 between 12 and 16 weeks on average, but with a limited number of files on hands at any one time. Following on from a review of the operations of the Family Reunification Unit in the Department of Justice, Equality and Law Reform, and a consequent increase in staffing, the volume of files referred to ORAC increased during the latter part of 2008.

Management of the introduction of change including the Single Procedure

- Work continued on preparations for the introduction of the Immigration, Residence and Protection Bill, 2008. The Bill provides for the introduction of a Single Procedure whereby all grounds for an applicant remaining in the State (protection or otherwise) will be addressed together. The Bill, subject to the 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 Single Procedure Transition Team continued to progress its preparatory work to establish the necessary practices and procedures. This included development of documentation, such as the required application forms, standard letters, applicant questionnaires, information leaflets and any other document templates required by the new legislation.
- In addition, change management support and training arrangements have been progressed to prepare staff to effectively adapt to their role in the new legislative framework.
- Change Management Risk Registers were developed for each Unit in ORAC outlining the key challenges for each area, the risks associated and the actions needed to address these risks.
- Planning began within the Judicial Review Unit to identify the broadening range of legal challenges for which it will have responsibility arising from the introduction of the new legislation.
- ORAC continued to be 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.

- During 2008, in parallel with the work required for the change process, ORAC continued to fulfil its statutory obligations under the Refugee Act, 1996.
- ORAC has put in place a communications strategy to ensure that staff in the organisation are kept informed of developments in relation to the progress of the Immigration, Residence and Protection Bill, 2008 and the change process generally.
- ORAC also ensured that non-governmental organisations dealing with asylum seekers were kept updated with relevant information. The introduction of the Single Procedure was included as a key agenda item on the Customer Service Liaison Panel meeting in 2008. ORAC also met with the Irish Refugee Council and the Refugee Information Service to discuss issues arising.

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 2008, special attention continued to be placed on quality and timely decision making and the maintenance of fair and transparent procedures within the framework of the Refugee Act, 1996.
- Quality up-to-date and accurate Country of Origin Information (COI) continued to contribute to quality decision-making and to pre-interview research. ORAC continued to develop, modify and update its COI data in order to ensure that reputable information was available to address issues with applicants at their substantive interview and afterwards in the decision-making process. The emphasis continued to be on focussed interviews. In this regard, ORAC continued to work closely with the Refugee Documentation Centre (RDC), including through the establishment in March 2008 of a working group to examine how the two organisations could strengthen cooperation, both in respect of current needs and in anticipation of the commencement (subject to the approval of both Houses of the Oireachtas) of the Immigration, Residence and Protection Bill, 2008.
- In preparation for the introduction of the Single Procedure, the COI/Research Unit has been liaising with the RDC to develop COI on topics relevant to Subsidiary Protection and Leave To Remain considerations. Some 19 country packs were prepared in 2008 and more will be finalised in 2009, with a view to having fully up-to-date information available by the time the Bill is in place. These will be made available to users via the e-library.
- During the year, cooperation continued with the UNHCR on a range of issues with training and mentoring being provided by the UNHCR on numerous topics such as assessment of documentary evidence, persecution in the asylum process and the processing of asylum applications for Separated/Unaccompanied Children seeking asylum and other vulnerable groups.
- The Single Procedure Transition Team worked with UNHCR on the development of a training manual required to enable staff to determine protection applications under the Single Procedure. The Team also developed necessary training modules for the same purpose.

- As a direct result of the complexity of the caseload and new and emerging trends in applications and case types, the provision of central support, mentoring and guidance was essential. Caseworkers and their managers were provided with in-house one to one and group mentoring on various topics relating to asylum law, emerging jurisprudence and caselaw.
- 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 Centre.
- Maintaining high quality in the investigation and processing of asylum applications continued to be a priority for ORAC in line with our High Level Goals as set out in ORAC's Strategy Statement 2007-2009. In 2008, in order to facilitate the more efficient processing of asylum applications and effectively respond to the staff turnover, the Case Processing Units were re-structured to include:
 - An appropriate management framework to assist and support staff with the efficient processing of asylum applications.
 - The assignment of one trained and experienced manager to the Case Processing Units with specific responsibility for mentoring and coaching all caseworkers involved in the Refugee Status Determination process. The manager was also a member of the in-house training team, which had responsibility for delivering Refugee Status Determination training to newly assigned caseworkers and refresher RSD training to the more experienced caseworkers.
 - The effective and timely delivery of other related RSD training.
- ORAC continued to modify and enhance its own in-house Refugee Status Determination (RSD) training modules during the year. The following training was delivered to staff involved in the processing of asylum applications:
 - RSD training to newly assigned caseworkers.
 - Refresher RSD training to the more experienced caseworkers.
 - Mentoring caseworkers on a one to one basis in relation to conducting interviews, quality report writing, guidance on country specific issues, dealing with victims of trafficking and gender sensitive cases.
 - Specific training in line with the UNHCR's best practice on how to deal with and process applications from unaccompanied and separated children seeking asylum.
 - Training on the use of laptops for recording interview notes and ICT training.
- The psychological support system available to caseworkers and their managers known as "Peer Support", which was introduced in 2003, continued to operate effectively. This enables the provision of the necessary support to caseworkers involved in the

RSD process and to assist staff to deal with victims of torture, abuse and other vulnerable groups.

- Peer Support sessions, which are about one and a half hours duration, are facilitated by Employee Assistance Officers. A session is arranged for each Unit every five weeks. Their aim is to create an environment where caseworkers can bring to the table issues or cases that have caused them particular concern. These issues can then be aired and discussed so that colleagues (and the facilitators) can, where possible, offer support and guidance as to how such issues can best be dealt with.
- ORAC continued to regularly liaise with a number of other bodies involved in the asylum process such as the Irish Naturalisation and Immigration Service (INIS) Health Service Executive, Refugee Legal Service, Garda National Immigration Bureau, Reception and Integration Agency, the Department of Health and Children, the Irish Prison Service and non-governmental organisations.
- During 2008, ORAC reviewed its existing Quality Assurance systems and mechanisms. A quality assurance group was established to keep processes and procedures under review taking account of decisions of the Refugee Appeals Tribunal and the outcome of judicial reviews.
- Under the provision of the Refugee Act, 1996 applicants are not considered for refugee status if there are grounds to suspect that they 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 provisions are regarded as “exclusion clause cases”. During 2008, the exclusion clause was considered in a total of 57 cases and applied in 3 of these cases. Caseworkers in ORAC and the Presenting Officers at the Refugee Appeals Tribunal have received specialised training to identify these cases.
- ORAC provided interpretation and translation services in about 80 languages during the year. It was not always possible to source interpreters of certain rare languages locally and telephonic interpretation was used to resolve this. However, ORAC made every effort to minimise the use of telephonic interpretation in favour of having the interpreter present at the interview. The systems and procedures in place with the translation and interpretation service providers to ensure prompt processing of all applications at every stage of the asylum process were constantly reviewed and, where necessary, modified.
- Training for new members of the Presenting Team was carried out early in 2008. This training was delivered by external trainers specialising in advocacy training.
- A feedback mechanism ensured that ORAC decision 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.
- Staff also received legal updates on relevant EU and international judgments prepared by legal researchers.

- The number of legal challenges of ORAC recommendations fell by some 29.6% in 2008 to 266 from 378¹ in 2007.
- In view of the volume of legal challenges which ORAC receives, and ORAC's responsibility to ensure value for money in respect of legal costs, the Judicial Review Unit continued to review its practices and procedures for handling such challenges, working closely with the Chief State Solicitor's Office and Counsel in this regard. Arrangements were also finalised for revised structures for the Judicial Review Unit with the introduction of two focus teams, each headed by a HEO, to support a more efficient division of the caseload and administrative tasks, while maintaining the necessary level of flexibility and communication between staff.
- Where ORAC was satisfied that there was 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 was not contested. In such cases, ORAC's policy was to reach a mutually agreeable settlement without delay preferably prior to a judicial review being instituted. However, where ORAC considered otherwise, it fully contested judicial reviews in order to protect the integrity of the asylum process.
- ORAC had the benefit of input from four legal interns for periods ranging from 3 to 9 months in 2008, who assisted with the enhancement of our processes and procedures in various parts of the organisation.
- Maximum use continued to be made of two legal researchers who, together with the legal interns, were involved in a wide range of work. This included providing guidance for complicated legal issues arising in Case Processing Units, delivery of training for new staff, development of Single Procedure training modules with UNHCR, development of training modules for the new Presenting Panel, quality assurance of decisions, compilation of legal updates/jurisprudence of relevance and provision of guidance on the legal implications of judicial reviews.
- ORAC also kept up-to-date with international best practice by participating in asylum-related working groups of the Inter Governmental Consultations on Asylum, Refugee and Migration Policies (IGC) in Geneva and the European Union Network of Asylum Practitioners (Eurasil).
- ORAC staff also attended a number of conferences on refugee law issues.
- In the latter half of 2008, ORAC staff attended a number of meetings with the European Commission and other EU Member States to provide comments on options for new EU legislation in relation to asylum procedures and qualifications.
- In June 2008, a staff member from ORAC provided training on Refugee Status Determination to government agencies and NGO groups from a number of central Asian republics in Kyrgyzstan.

¹ This replaces the figure of "440 judicial reviews" published in the 2007 Annual Report. That figure was revised downwards following a caseload review in late 2008.

Open and Fair Procedure

- The Office continued to keep its processes and procedures under review to ensure, as far as practicable, that they operated in an open and transparent manner.
- All applicants continued to be informed about their entitlements once an application for refugee status was made. To this end, all applicants on the date of application were provided with a comprehensive Information Leaflet (in their own language where possible) about the asylum process in Ireland. In addition, applicants were informed orally and in writing (in their own language where possible) about how to access legal advice and make contact with the UNHCR.
- In advance of applicants having their substantive interviews, they are required to complete a detailed Questionnaire (provided to them in their own language where possible) about their claims for refugee status. Applicants were encouraged by ORAC to seek legal advice before completing these Questionnaires and to make all possible documentation in support of their claim available in advance of substantive interviews.
- ORAC met regularly with the Refugee Legal Service (operating under the aegis of the Legal Aid Board) to ensure that all asylum applicants had the necessary legal guidance and support and to deal with any issues of concern to both organisations impacting on the operation and integrity of the asylum process.
- ORAC continued to recognise the special needs of certain applicants or groups of applicants in the asylum process, including in particular unaccompanied minors. ORAC continued to deal with these applicants in a professional and sensitive manner through specific procedures and guidelines for caseworkers which take into consideration any specific factors and circumstances. In developing these guidelines, account was taken of international best practice, including the UNHCR's Separated Children in Europe Programme - A Statement of Good Practice and the EU Children First Programme.
- During 2008, ORAC once again engaged the services of the Dublin Rape Crisis Centre to provide training for frontline staff and interviewers dealing with applicants who were subject to sexual violence in their countries of origin. This training included the provision of guidelines in relation to interviewing traumatised applicants in a sensitive manner.
- Where a gender related issue was highlighted in the information provided by an applicant in the questionnaire, ORAC always endeavoured to ensure that the interviewer and the interpreter (if applicable) were the same gender as the applicant, subject to availability of caseworkers and interpreters.
- ORAC continued to provide through a contracted service provider a high standard of interpretation services to all asylum applicants where necessary and possible. The provision of a quality interpretation service together with an accurate translation of documents service is essential for an open and fair asylum process.

- As part of a Quality Assurance initiative, 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.
- In addition, to enhancing its links with the Refugee Documentation Centre (RDC), ORAC continued to strengthen its use of Country of Origin Information (COI) sources such as the UNHCR Protection Information Section's *Refworld* package.
- Continued use was also made during the year of the language analysis process prior to an asylum determination interview, with 60 language analysis interviews conducted. Language analysis involves the examination of a person's speech by an independent expert in order to, as specifically as possible, identify the geographic and/or ethnic origin of the person. A recording is made of an applicant's speech, which is analysed and a language expert then writes a report under the supervision of a linguist. This report is considered by ORAC in conjunction with all other elements of a claim.

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 2008, one of ORAC's priorities continued to be to identify applicants who came within the definition of a refugee as set out at Section 2 of the Refugee Act, 1996 in a timely and fair manner. The accelerated processing timeframe set out in ORAC's Strategy Statement was achieved in relation to applicants who were the subject of the Ministerial Prioritisation Directive. Such applications were scheduled for interview within 9 to 12 working days from the date of application and completed within a maximum of a further 8 working days, a total processing time of 17 to 20 working days from the date of application.
- All other cases were processed to completion in 22 to 23 weeks during 2008, which was reduced to some 19 to 21 weeks at the end of the year.
- Applications from Unaccompanied Minors were scheduled for interview within 20 working days from the date of their application and the decisions in these cases issued within approximately a further 10 working days, making a total processing time of approximately 6 weeks from the date of application. The timeframe for processing the Unaccompanied Minors who were the subject of Ministerial Prioritisation Directive was 5 weeks from the date of application.
- ORAC also prioritised applications from applicants in detention in line with statutory requirements. Applicants in detention were given their preliminary interview under Section 8 of the Refugee Act, 1996 within 48 hours of the date of their application in so far as possible. Such applications were scheduled for their substantive interview on average within 20 working days from the date of application, and completed within a further 8 working days, giving an average processing time of 28 working days in total.

- During 2008, there continued to be effective and efficient use of Country of Origin (COI) Research systems and procedures. The Caseworkers Shared Knowledge Database (CSK) was continually updated to provide a research resource for ORAC users involved in the asylum process. The COI/Research Unit within ORAC continued to build and maintain a collection of objective and up-to-date COI for users to access.

Detect and Minimise Abuse

- A key priority of the Office in 2008 was to ensure that any misuse of the asylum process was detected or minimised with a view to protecting the integrity of that process.
- Applicants are required by law to co-operate with the asylum process. In cases where applicants failed to co-operate *i.e.* did not attend for interview without reasonable cause on the specified date, did not notify the Commissioner of their change of address and/or failed to co-operate by providing information relevant to their asylum applications, these cases were promptly deemed withdrawn in line with provisions of the Refugee Act, 1996. In 2008, a total of 567 cases fell into the category of deemed withdrawn.
- A significant number of applicants produce no passport or other documentary evidence of their stated identity or nationality or any travel documents to show how they travelled to the State. Such applicants usually indicate that they have travelled to the State by air, which would have required the presentation of identity documents, including visas at point of departure. The use of procedures and systems such as the EU Dublin II Regulation, EURODAC, the AFIS and AVATS (visa) systems as well as enhanced co-operation with other EU States particularly the United Kingdom, often gives rise to information on these applicants, which would otherwise not be available due to the lack of documentation presented.
- ORAC continued to make use of language analysis during the year.
- Within its statutory framework, ORAC continued to maintain ongoing contacts with other State agencies with a view to minimising misuse of the asylum process, such as the Irish Naturalisation and Immigration Service (INIS) and the Garda National Immigration Bureau (GNIB).
- In situations where ORAC had concerns and doubts about the authenticity of identity documentation, these were referred to the Garda Technical Bureau (GTB) for examination. In a number of cases the Bureau confirmed our suspicions regarding the authenticity of documents submitted.
- A number of requests were also made to the Garda National Immigration Bureau (GNIB) and the Garda Technical Bureau by the Presenting Unit at the request of the Refugee Appeals Tribunal to analyse various documents including identity documents such as passports or national identity documents. The results of the analysis in each case were forwarded to the Tribunal for their information.

- In April 2008, more robust arrangements governing human trafficking were established between ORAC, the Anti-Human Trafficking Unit of the Department of Justice, Equality and Law Reform and the Garda National Immigration Bureau (GNIB). These included a more effective system whereby GNIB were promptly notified of suspected trafficked persons.
- Internal reporting arrangements within ORAC in relation to human trafficking cases were also strengthened.
- Maximum use was made during the year of the EU Dublin II Regulation and EURODAC process in order to determine which applicants were liable for processing in another EU State.
- Access to AVATS (Automated Visa Application and Tracking System) was provided to the Reception and Dublin Units of ORAC. This was utilised to assist in the detection of applicants who made a visa application to enable them travel to the State, but who withheld this information in their asylum application and falsely claimed to have travelled to the State without any valid documentation. Some 111 cases were detected involving applicants having or strongly suspected of having a passport and an Irish visa prior to making an asylum application in the State.

Represent the Commissioner at appeal hearings at the Refugee Appeals Tribunal

- Maximisation of scheduling was maintained throughout the year in consultation with the Refugee Appeals Tribunal in order to ensure the maximum number of hearings per week could be serviced by Presenting Officers. This resulted in some 2,091 hearings serviced, compared to 1,672 in 2007, which represents an increase of 25%.
- Cases were scheduled in a manner that took into consideration the potential for postponements and adjournments and provided for maximising the output of the Presenting Unit.
- 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 at the Tribunal. Coaching and mentoring by experienced colleagues continued during the year.
- All Section 16(6) enquiries received from the Refugee Appeals Tribunal were dealt with within the set timeframes. A total of 148 Section 16(6) enquiries and 5 Section 16(7) enquiries were received and responded to in 2008.
- Work was finalised during 2008 on the establishment of a temporary Presenting Panel, comprising of barristers, solicitors and legal graduates, which will commence operation in early 2009 to clear a specific backlog of cases in the RAT. This included the advertisement of the positions, short listing and interview of candidates.

Policies and procedures to preserve integrity of the system

- ORAC continued to review and update its processes and procedures. In this regard, a new code of conduct at interviews for both legal representatives and HSE officials was introduced.
- Some existing procedures were reviewed and revised as required. These included:
 - File movement and file construction guidelines
 - Trafficking procedures
 - Section 13 report guidelines
- The Policy and Procedures Unit continued to keep key procedural and policy instructions up-to-date and the Policy and Procedures Database was revised so that each policy/procedure is now indexed and linked to other relevant documents. This made the database more user friendly and easier for staff to navigate.
- As part of the ongoing review of asylum procedures, discussions commenced with the Refugee Legal Service on the establishment of a pilot project for the frontloading of legal advice at first instance. While discussions had not been completed by the end of 2008, it is likely that a pilot project when finalised will commence in the first quarter of 2009.
- ORAC also provided input into the work of the Inter Governmental Consultations on Asylum, Refugee and Migration matters (IGC) based in Geneva. This included attendance at Working Groups and seminars on asylum issues.
- During the year, ORAC's existing procedures in relation to infectious/contagious diseases and other medical issues were revised and updated.
- The Office also undertook a review of security arrangements for optimum protection of personal data in accordance with Data Protection legislation. Following the review, arrangements were put in place for enhanced encryption of electronic data and encryption of electronic equipment such as computer laptops and electronic information storage devices. A set of "Out of Office Security Procedures" were also drawn up for all staff transporting files, documents or electronic equipment containing confidential information in the course of their official duties.
- The Presenting Unit introduced a new system of analysing set aside decisions as a quality assurance mechanism to provide feedback to Case Processing based on observations made at asylum appeal hearings and the grounds of appeal submitted by applicants in connection with their asylum appeals.
- Feedback procedures continued between the ORAC's Judicial Review, Presenting and Case Processing Units on the outcome of judicial review proceedings, as well as RAT appeal hearings.

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 places a strong emphasis on the quality of Customer Service it provides and strives to ensure that its customers are provided with an efficient, professional and high quality service at all times. This continued to be a priority in 2008.
- During the year, two customer service surveys were carried out, one on the Statutory and Legal Bodies with whom ORAC deals with and the other which focused on written correspondence.
- The results of the Statutory and Legal Bodies surveyed showed that:
 - 73% of respondents agreed that ORAC's staff were polite and courteous.
 - 75% of respondents agreed that phone, email and written correspondence were dealt with in a timely manner by ORAC staff.
 - 69% of respondents agreed that they were aware of the contact personnel within ORAC who could assist them with their queries.
 - 61% of respondents agreed that personnel in ORAC had the knowledge necessary to support them with their requests/requirements.
- A second survey was carried out in December 2008 by the Customer Services Centre, which was concerned with the timeliness and quality of ORAC's written correspondence. The participants included asylum seekers, solicitors and NGOs and were drawn from those who had sent correspondence to the Office in the previous four months that required a reply.
- A summary of the results are as follows:
 - 71% correspond by post, 21% by fax and 8% by email.
 - 85% generally receive an acknowledgement within 5 working days.
 - 90% generally receive a full reply or interim reply within 20 working days.
 - 90% of correspondence received from ORAC contains a contact name and telephone number.

- 97% of responses from ORAC are written in clear and plain English.
- 86% feel that the responses contain the information they require.
- The main findings of both surveys can be found on the ORAC website (www.orac.ie). Such surveys continue to be used to evaluate and review quality of customer service and to inform the development of policies and procedures in the area. Suggested improvements have been taken on board for implementation in 2009 where possible.
- In line with commitments set out in ORAC's Customer Charter and Customer Action Plan, 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 generally responded to within 20 days of the date of receipt. Replies were prepared in clear and plain language and a contact name was quoted on correspondence.
- ORAC's internal communications strategy continued to form an integral part of the business planning process. Monthly Unit meetings were held to update staff on developments in the organisation.
- In line with our Customer Charter commitments and communications strategy, ORAC held meetings with various governmental and non-governmental organisations involved in the asylum process during 2008.
- A meeting of the Customer Service Liaison Panel took place in December 2008. 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.
- During 2008, a new Customer Service Action Plan was prepared. This Action Plan outlines ORAC's commitments in the area of delivering a quality service to meet the needs of our customers.
- Our Customer Service Centre processed 29,773 enquiries from customers in 2008. Table A at Appendix 5 gives a breakdown of the categories of these queries.

Clear information to customers

- Customer Service continued to provide a telephone answering service from Monday to Friday each week from 09.15 to 17.30.

Customer Complaints Procedure

- ORAC's customer complaints procedure is outlined in its Customer Charter and Customer Service Action Plan and continues to be kept under review to ensure that it operates in an effective manner.

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

- As in previous years, Business Plans were established by all Units at the beginning of 2008. 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 EU Dublin II Regulation cases. Customer Service and Quality Assurance commitments were also incorporated.
- In 2008, a number of detailed briefing sessions were organised for ORAC staff on the business planning process, providing guidance on the preparation and monitoring of Business Plans.
- Senior management also held a one day off-site session on business planning for ORAC early in the year.
- Risk management assessment continued to be another feature of the business planning process. This ensured that potential risks were identified in advance and that mitigations and controls were put in place to minimise the impact of risk 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 was taken as required.
- In the context of planning for the Immigration, Residence and Protection Bill, 2008, all Unit Business Plans included an additional section relating to the planned new organisational framework when the Bill is enacted, as well as outlining objectives and desired outputs following the commencement of the new legislation. Change Management Risk Registers were also developed for each Unit in ORAC detailing the key challenges for each area in the run up to and following the implementation of the Bill, as well as the associated risks and actions needed to minimise the impact of these risks.

Human Resources/Training

- In 2008, ORAC continued to emphasise the needs of its staff as a priority in both the areas of human resource development and training.
- The Human Resource Strategy (2005-2008) continued to be a key focus with a wide range of commitments being prioritised. Progress was monitored in a business planning context. In addition, the third Progress Report on the HR Strategy was completed and circulated to the Partnership Committee and staff in April 2008.
- Preparations commenced on drafting a new Human Resource Strategy (2009-2010) to build on the progress achieved under the Human Resource Strategy (2005-2008).

The HR Strategy (2009-2010) will continue to provide a framework for the organisation until the Immigration, Residence and Protection Bill, 2008 is enacted and ORAC is subsumed into the Irish Naturalisation and Immigration Service (INIS).

- To provide further assistance to staff in the implementation of the Performance Management and Development System (PMDS), non-managerial staff were released to attend training on the new PMDS rating system with their colleagues from across the Justice family so as to ensure that all staff have a shared understanding of the process. Integration of PMDS with HR policies and processes continued in 2008 with all ratings given to staff at annual review stage being used for determining eligibility for the payment of increments and for promotion in 2009.
- During 2008, the organisation continued to provide quality training and development opportunities for staff. An Annual Training Plan for 2008 was drawn up and circulated to all staff which took account of both organisational training priorities and individual training needs identified through the PMDS cycle.
- 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 monthly for the Business Plan and in the Annual Report.
- Psychological Support training and ongoing Peer Support were provided to Case Processing staff. The objective of peer support, which was introduced in 2003, is to ensure that ORAC has the necessary systems in place to assist staff who deal with applicants who are the victims of torture or other forms of degrading treatment in their countries of origin.
- These sessions, which are about one and a half hours duration are facilitated by Employee Assistance Officers. A session is arranged for each Unit every five weeks.
- In 2008, ORAC continued to provide training in Refugee Status Determination. Training was also provided to Case Processing staff in the awareness of human trafficking and how to identify possible trafficking issues during the determination process.
- New trainers were appointed to the in-house training team which continued to deliver Refugee Status Determination and related training to new colleagues.
- Comprehensive staff induction programmes continued to be provided to all new ORAC staff.
- Staff from Presenting Unit provided an overview of their function for other ORAC Staff.
- In total, 860 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 delivered: Communication skills, Customer Service skills,

Meeting & Minute Taking, supervisory management and training for trainers. Staff also attended PMDS Rating training, Fire Warden training, Occupational First Aid and training in the use of cardiac defibrillators.

- During the year, work continued on the development of a comprehensive training programme in preparation for the introduction of the Single Procedure aspects of the Immigration, Residence and Protection Bill, 2008.
- All staff members received training in advance of the introduction in late October 2008 of the new CITRIX IT system.
- The staffing resources of the Office were kept under continuous review 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. Ongoing liaison continued with INIS and the Department of Justice, Equality and Law Reform to fill the maximum number of approved posts. During 2008, 4 staff members were redeployed to the main Department following ORAC's move from the ORAC IT system to the CITRIX system.
- The provision of lunch and learn sessions for staff continued in 2008. A lunchtime talk was arranged with Tallaght Partnership to mark "Intercultural and Anti-Racism Week" in April 2008. Other sessions included topics such as the work of the Garda National Immigration Bureau, the work of the INIS Visa Office in the Irish Embassy in Abuja, Nigeria, the Partnership process and Data Security. In addition, information talks for staff on topics relating to pensions and dyslexia were organised.
- An Action Strategy for Integrated Workplaces - Week in November 2008 was also marked with a lunchtime talk given by a representative from the NCCRI.
- ORAC hosted a work placement student from University College Cork as an intern for 14 weeks between June and September 2008.
- ORAC took part in the Department of Justice, Equality and Law Reform's Legal Interns programme. This Programme aims to provide legal graduates with a better understanding of public sector issues and broaden their experience while at the same time assisting Departments and agencies from a legal perspective. Four legal interns were recruited for a temporary assignment.
- Following the decision to establish a temporary Presenting Legal Panel, comprising of barristers, solicitors and legal graduates to represent the Commissioner at oral appeal hearings before the Refugee Appeals Tribunal (RAT), ORAC HR Unit administered the selection and recruitment process. Advertisements for assignment to this Panel were placed in national newspapers in the first week of October 2008. A short-listing and interview process took place thereafter. Following training in early 2009, the Panel commenced operations in February 2009.
- A review took place of the Pilot eWorking Scheme, which was then extended.
- A total of 1,755 queries were dealt with by the Personnel Helpdesk during the year.

- As part of ORAC's work to ensure compliance with the Disability Act, 2005, and arising from its Action Plan, the Office continued to deliver appropriate training for key frontline staff.
- Regular liaison was maintained with the Employee Assistance Officer in relation to work related issues experienced by staff and debriefing sessions were arranged for staff following a critical incident that occurred at the Office in July 2008. As a further support for staff, regular on-site visits by the Employee Assistance Officer continued to be arranged throughout the year. In addition, Personnel Clinics were held in the three ORAC buildings on a regular basis where members of the HR Unit were available to answer any queries from staff.
- In 2008, 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 29th February 2008. 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. One award was made in 2008.
- Preparations were at an advanced stage for the recruitment of additional Legal Researchers and a Senior Legal Researcher. However, due to the budgetary situation the positions were not advertised.

Information Technology and Statistics

- ORAC continued to be represented on the Project Board and the Implementation Group for the Automated Fingerprint Identification System (AFIS).
- Work also continued on the AISIP (Asylum and Immigration Strategic Integration Programme) Project.
- A key priority for ORAC is upgrading its databases to accommodate new structures and procedures on the commencement of the Immigration, Residence and Protection Bill, 2008, subject to the approval of both Houses of the Oireachtas. Significant developmental work on the relevant databases was undertaken during the year.
- 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 total number of requests sent to the IT Helpdesk and the new RAC Support Unit in 2008 was 3,643. In addition, there was a significant number of mail monitoring requests processed.

- Enhanced measures were implemented to protect data in accordance with ORAC's statutory responsibilities under Data Protection legislation. These included encryption of electronic data and IT equipment, stricter controls and restrictions on use of IT equipment and stricter access controls to information on electronic files.
- The IT Unit continued to deliver a high level of statistical reporting and management information support to the Office and dealt with 378 statistical queries in 2008. Staff of the Unit represented ORAC on the INIS Statistics Change Management Group and made a significant input to the development of a report on meeting the future statistical reporting needs of INIS.
- 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 and upgrades to key databases for the management of asylum applications.
- A review of the IT resources available to the Judicial Review Unit for case management and generating relevant statistics was carried out in a joint exercise between the Judicial Review and IT Units. This led to the development of an enhanced version of the relevant Database. In addition to ensuring subsequent information is captured and inputted, the Judicial Review Unit commenced a review and upgrade of its historic records in order to maximise the utility of the enhancement.
- The first module of the AISIP to go live, the Country of Origin Information System which launched in late 2007, has been of proven benefit to caseworkers. The system provides facilities for the maintenance of and access to electronic information (both of COI reports and anonymised COI query responses), management of the Refugee Documentation Centre's (RDC) lending library and management of the receipt and processing of queries received in relation to applications from the RDC's clients. A subject restructuring commenced, to address clients' evolving needs and plans are under development to permit greater customisation of the e-library homepage and the incorporation of additional features, including support for multi-lingual content.
- In preparation for the subsuming of ORAC into INIS following the enactment of the Immigration, Residence and Protection Bill, 2008 it was decided to migrate ORAC onto the Shared IT (CITRIX) system of the Department of Justice, Equality and Law Reform. This was a key challenge for the Office in 2008. A Working Group was established to oversee the orderly migration using a project based approach and this was successfully achieved in October 2008.
- The EU Dublin II Regulation Member States communicate through a secure electronic communications systems known as DubliNET. The Dublin Unit's DubliNET connection server in ORAC was upgraded in December 2008 to a new high specification server for optimum speed and efficiency.

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 2008 is set out in Appendix 6 of this report.

Decentralisation

- While ORAC was not included in the decentralisation programme during the year, staff were transferred to and from the organisation in the context of decentralisation arrangements.

Internal Support Services

- The Organisation/Finance Unit of the Office dealt with 2,424 requests from managers and staff for organisational, accommodation, housekeeping, financial and other essential 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 3,811 files, logging 12,995 files in and out of Registry and dealing with 3,693 Helpdesk queries during 2008. The Unit also reviewed and enhanced the procedures for copying, constructing and moving case files.

Partnership

- The Partnership process continued to be a key element in the management of change and modernisation within the organisation. The sixth Partnership Committee was formed in September 2008 and met on three occasions to the end of the year. The previous Committee met five times during the year. The Partnership Committees discussed a variety of issues and
 - arranged an information session for staff to raise awareness of the ORAC Partnership Committee and its work, the partnership process and the benefits of partnership.
 - examined the proposal for a Dress Code for the organisation.
- The ORAC Social Committee, which was established as a Partnership Committee Working Group in 2006 to promote social activities in ORAC, continued its work during 2008 organising a number of successful events.
- The Local Community Working Group was re-established in 2008 following its success in previous years promoting support for the local community through fund

raising events. The Working Group organised a number of events during the year, raising €2,600 for the Life Centre on Pearse Square, Dublin 2. The Life Centre caters for children between 12 and 16 years of age who have not made the transfer from primary to post-primary school. The Centre assists with their personal development and prepares them for Junior Certificate, FETAC and other qualifications. The donation was used towards the purchase of a new cooker and some woodwork equipment for the Centre.

Corporate Developments

- ORAC's Strategy Statement for the period 2007 - 2009 continued to be implemented. This Report provides an update on the implementation and achievement of the High Level Goals in the Statement. The Strategy Statement sets a clear direction for the Office's activities prior to the planned new statutory arrangements in the Immigration, Residence and Protection Bill, 2008 under which ORAC will be subsumed into the Irish Naturalisation and Immigration Service (INIS).
- Under the Strategic Management Initiative (SMI), staff met off-site on three occasions during the year to hear presentations and discuss various topics of interest to the organisation, including the introduction of new immigration and protection legislation, processing of asylum applications, information technology and health and safety.
- All staff in the Case Processing Units together with senior management in ORAC participated in three workshops in April, June and October 2008, which deal with the following issues:
 - The effective implementation of the PMDS process, managing performance, fostering and embedding a performance culture in ORAC and setting challenging targets for staff.
 - Making effective use of Country of Origin material in the asylum process.
 - Feedback from the Judicial Review Unit in relation to emerging jurisprudence and best practice in the processing of asylum applications.
 - Business Planning for 2008 to include Risk Assessment of our High Level Goals in our Strategy Statement 2007-2009 and the Key Deliverables in our Business Plan.
- At these fora, staff were afforded the opportunity of putting forward ideas and suggestions that would benefit ORAC. These suggestions were subsequently carefully considered by senior management and implemented where feasible and practicable.
- Further workshops were arranged for other staff in ORAC on the PMDS process, business planning and associated risk assessment and the change management process for the introduction of the Immigration, Residence and Protection Bill, 2008.
- A progress report on the *Towards 2016* Modernisation and Action Plan was prepared. This Action Plan covers the period up to September 2008, setting out the organisation's agenda - in the form of agreed actions, timelines and performance

indicators - for modernisation, flexibility and co-operation with ongoing change in ORAC over that period.

- A new Health and Safety Policy Statement was drawn up for ORAC to enable the Office to fully meet its responsibilities to staff and customers under Health and Safety legislation. A number of follow on initiatives were introduced which included:
 - Appointment and training of staff as Fire Wardens and training of staff in First Aid and use of Cardiac Defibrillators.
 - Increased staff awareness of Health and Safety matters.
 - Review and enhancement of Office security and safety procedures for optimum safety of ORAC's staff and customers.
 - Installation of additional Health and Safety equipment.
- In accordance with best practice in ORAC's Records Management Policy for management of non-case records and files in the Office, older electronic document libraries with large numbers of records were archived and replaced with new document libraries with enhanced record management features.

Part 4

Appendices

Appendix 1

ORAC Management Staffing Structure

Appendix 1

ORAC Management Staffing Structure

Commissioner					
Principal Officer					
Assistant Principal Officer HR Unit (Training & Personnel)	Assistant Principal Officer Corporate Office, Customer Service	Assistant Principal Officer RAC Support Unit, Organisation/Finance, Copying/Registry Unit, AISIP Integration		Assistant Principal Officer Presenting Unit	
Principal Officer					
Assistant Principal Officer Case Processing	Assistant Principal Officer Case Processing, Policy & Procedures	Assistant Principal Officer COI/RSD Support Unit, Judicial Review	Assistant Principal Officer Single Procedure	Assistant Principal Officer Dublin Unit, Investigation Unit	Assistant Principal Officer Administration /Scheduling, Reception Unit, Family Reunification Unit

Appendix 2

Overview of Units of ORAC

Appendix 2 - Overview of Units of ORAC

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 investigation 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.

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'.

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

Copying/Registry Unit

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

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 coordinates material in response to requests from, *inter-alia*, Government Departments/agencies and the media; prepares all corporate documents and is responsible for their circulation.

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).

Dublin Unit

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

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.

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). The Human Resources Unit also 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.

Investigation Unit

The Investigation Unit is responsible for developing initiatives to assist in the detection and prevention of abuses in relation to the asylum system and in so doing protect the integrity of the State's asylum process.

Judicial Review Unit

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.

Organisation/Finance Unit

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.

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.

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 decision. The Unit provides statutory responses under Sections 16(6) and 16(7) of the Refugee Act, 1996. The Unit also supports the Commissioner's Presenting Panel.

RAC Support and Statistics Unit

The RAC Support Unit is responsible for the compilation and circulation of statistics and management information, responding to requests for statistical information and providing support at a local level to the Office for fixed line telecommunications equipment and systems and non CITRIX IT issues.

Reception Unit

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

Single Procedure Transition Team

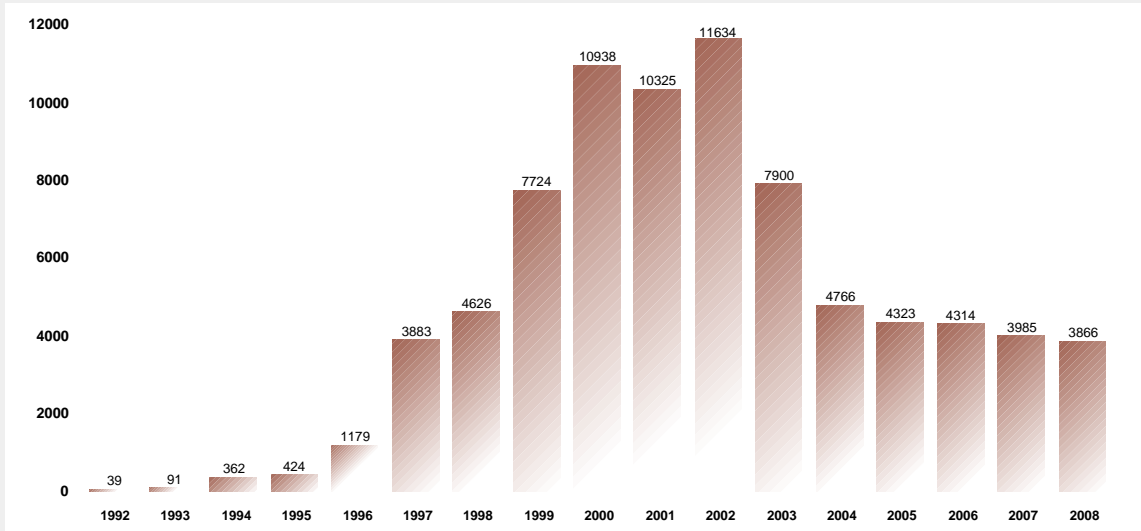
The Immigration, Residence and Protection Bill, 2008 will result, on its enactment, in the subsuming of the functions of ORAC into the Irish Naturalisation and Immigration Service (INIS). A new Applications Processing Office (within INIS) will then be responsible for determining applications for refugee status at first instance as part of a wider single procedure that will also consider subsidiary protection and leave to remain type matters.

The Single Procedures Transition Team is responsible for the development of the procedures and policies required to facilitate the implementation of the proposed legislation. This includes reviewing and revising documents currently used in the asylum process such as the information leaflet and questionnaire, as well as coordinating and developing the training modules required.

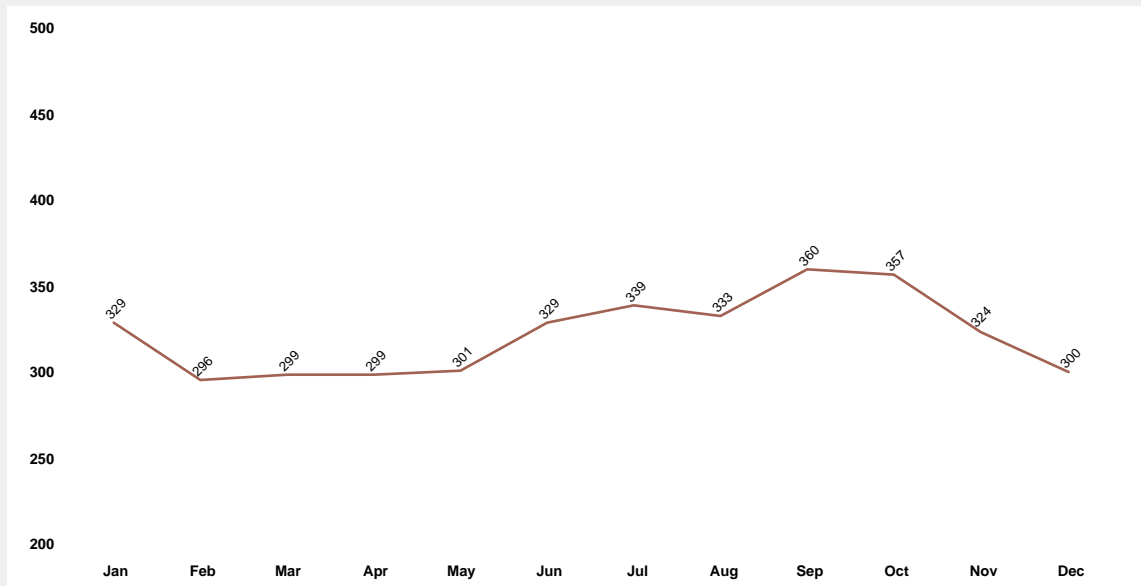
Appendix 3

Applications/Processing Statistics

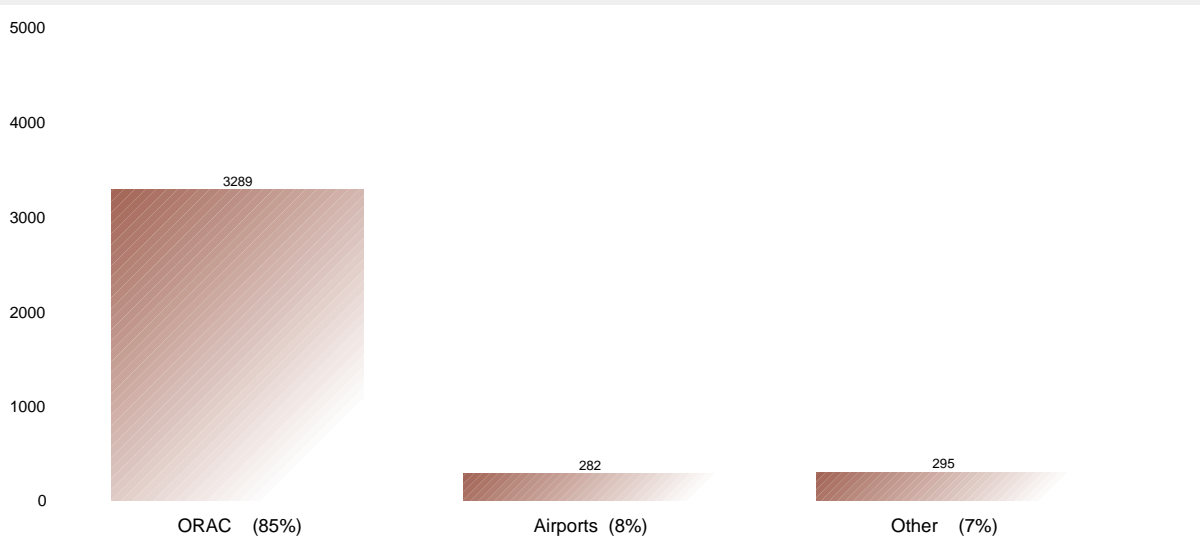
Number of applications per year from 1992 to 2008



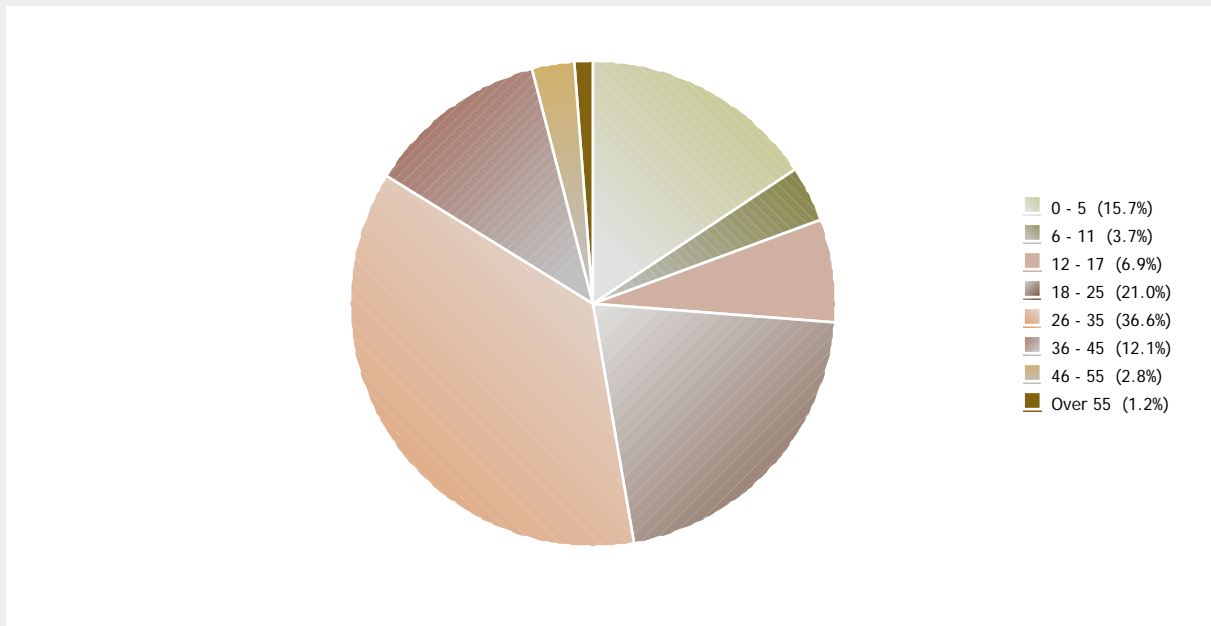
Applications received by month from 01/01/08 to 31/12/08



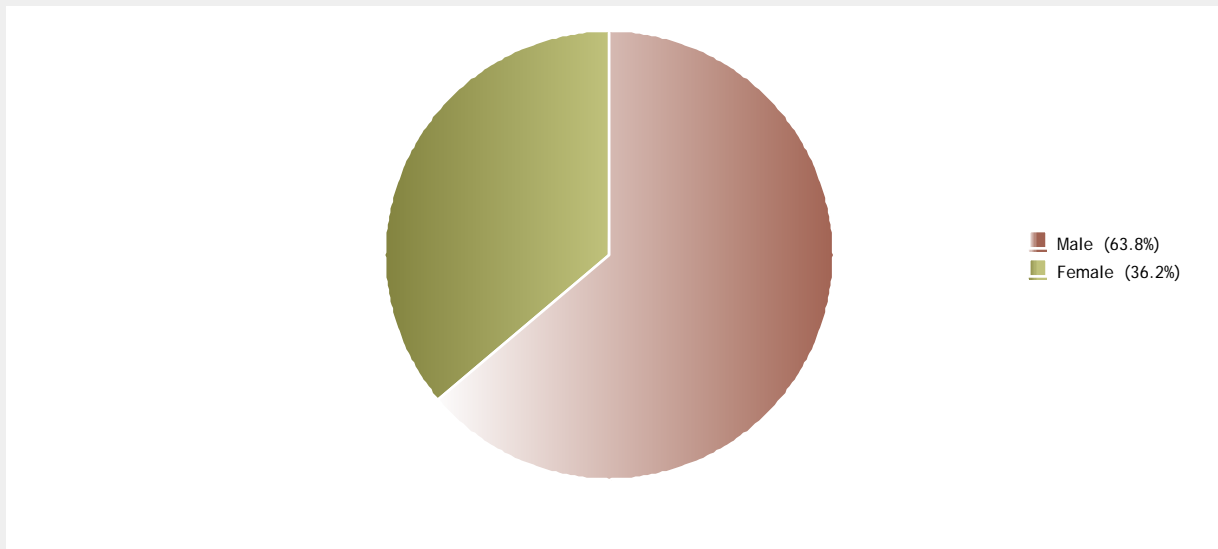
Places of Application 2008



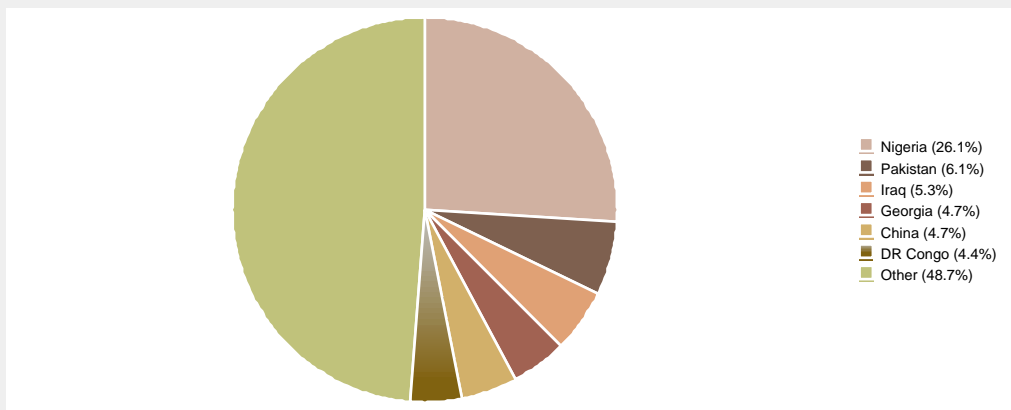
Age Stated by Applicants 2008



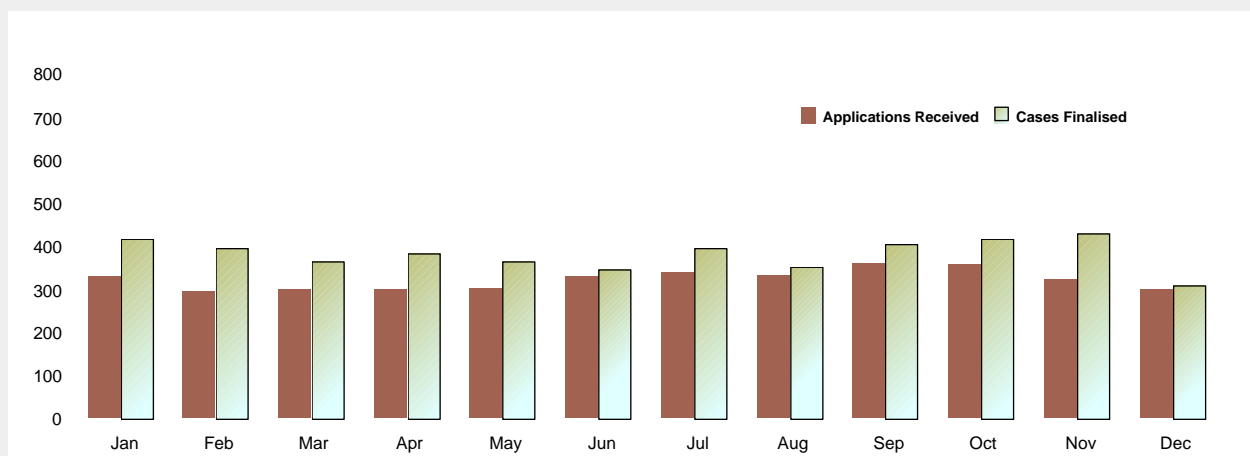
Gender Breakdown 2008



Top Six Stated Countries of Origin 2008

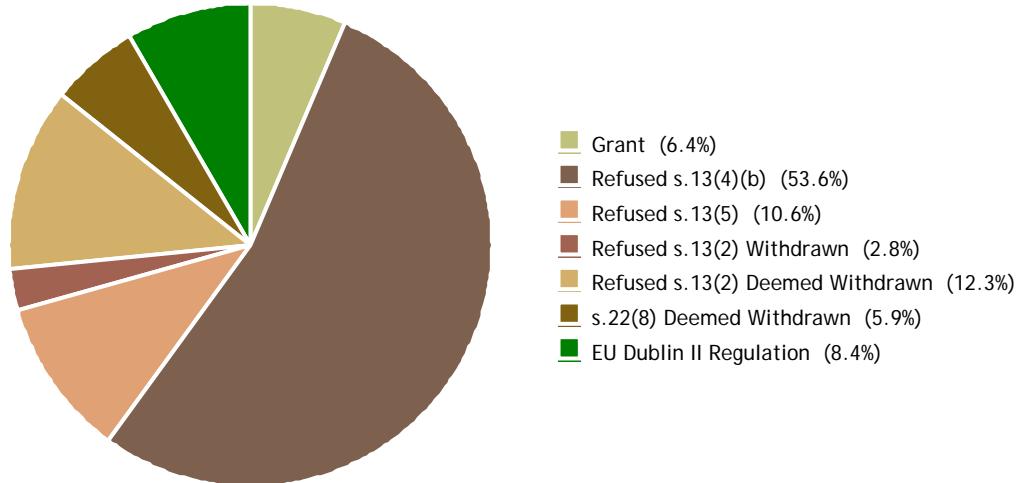


Comparison of Applications Received and Cases Finalised 2008



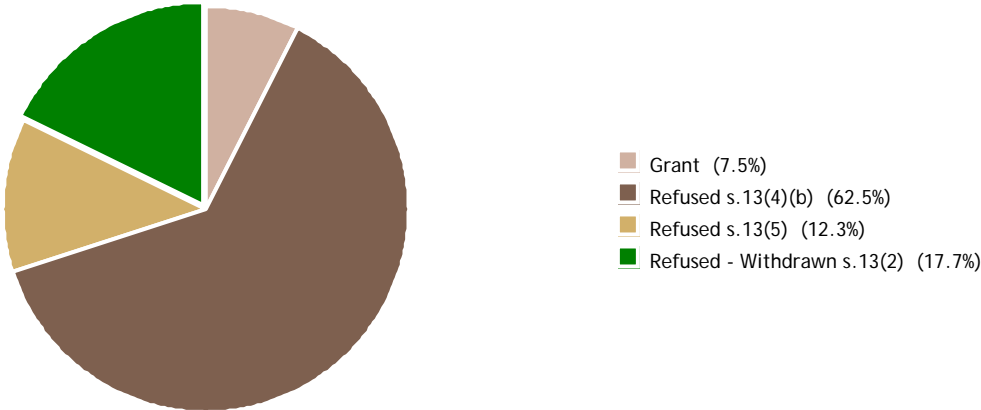
Month	Jan	Feb	Mar	Apr	May	Jun	July	Aug	Sep	Oct	Nov	Dec	Annual Total
<i>Applications Received</i>	329	296	299	299	301	329	339	333	360	357	324	300	3866
<i>Cases Finalised</i>	418	396	365	384	365	346	394	352	406	418	429	308	4581

Cases Finalised 2008

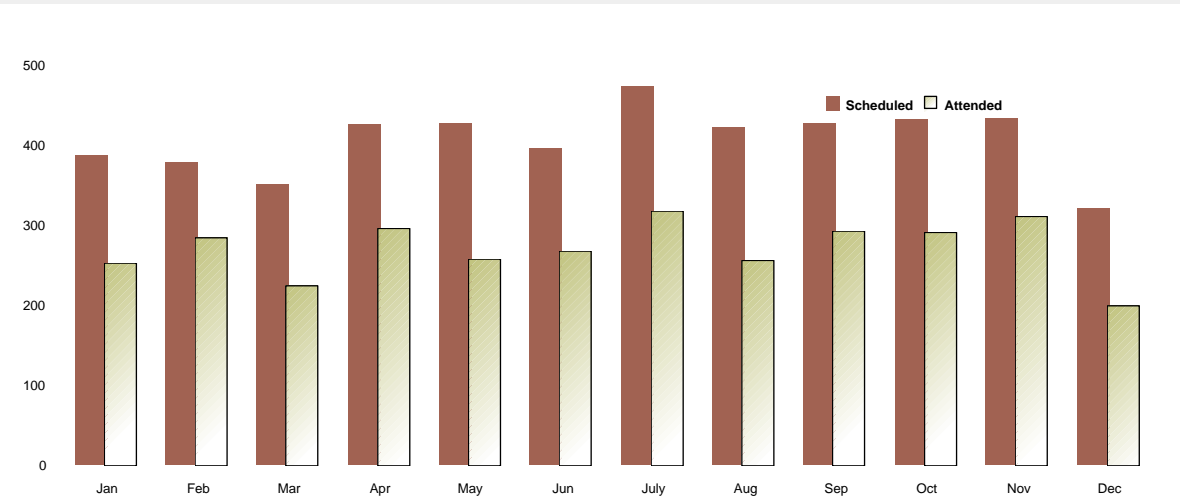


<i>Grant</i>	<i>The Commissioner has made a recommendation that the applicant be granted refugee status.</i>
<i>Refused s.13(4)(b)</i>	<i>The Commissioner has made a recommendation that the applicant should not be granted refugee status (under the provisions of the Refugee Act 1996, applicable after September 15, 2003). An appeal to the Refugee Appeals Tribunal must be taken within 15 days.</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 1996 Act, applicable after September 15, 2003). An appeal to the Refugee Appeals Tribunal must be taken within 10 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 1996 Act, applicable after September 15, 2003). No appeal to the Refugee Appeals Tribunal is possible.</i>
<i>s. 22(8)</i>	<i>Cases finalised under section 22(8) relate to applicants transferred under the EU Dublin II Regulation in respect of which determinations were made by ORAC.</i>
<i>EU Dublin II Regulation</i>	<i>Where it is established that the applicant's claim for refugee status should be determined in another EU Dublin II Regulation State.</i>

Recommendations Issued 2008



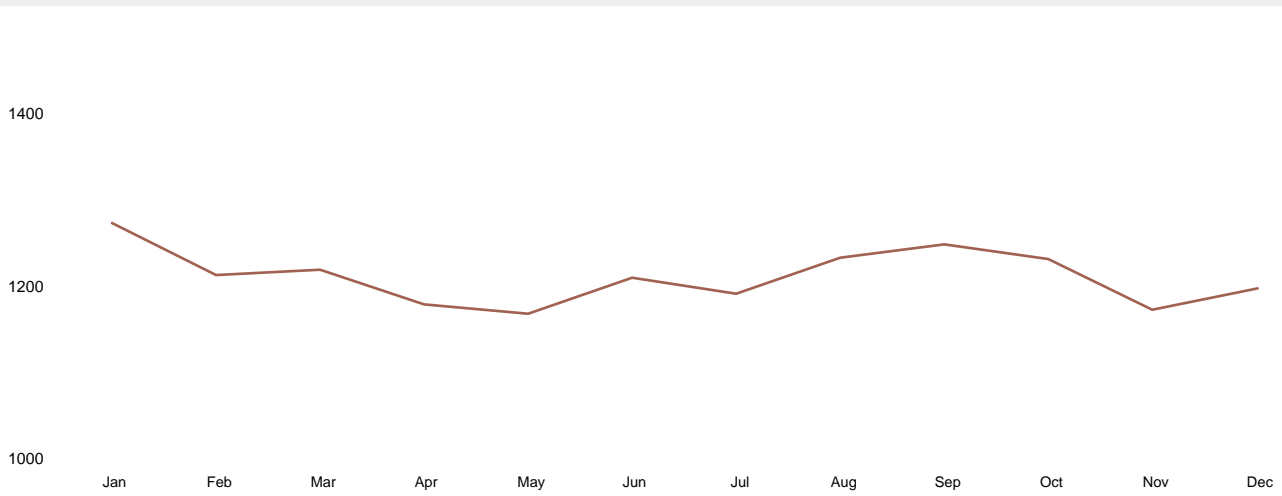
Interviews Scheduled and Attended 2008



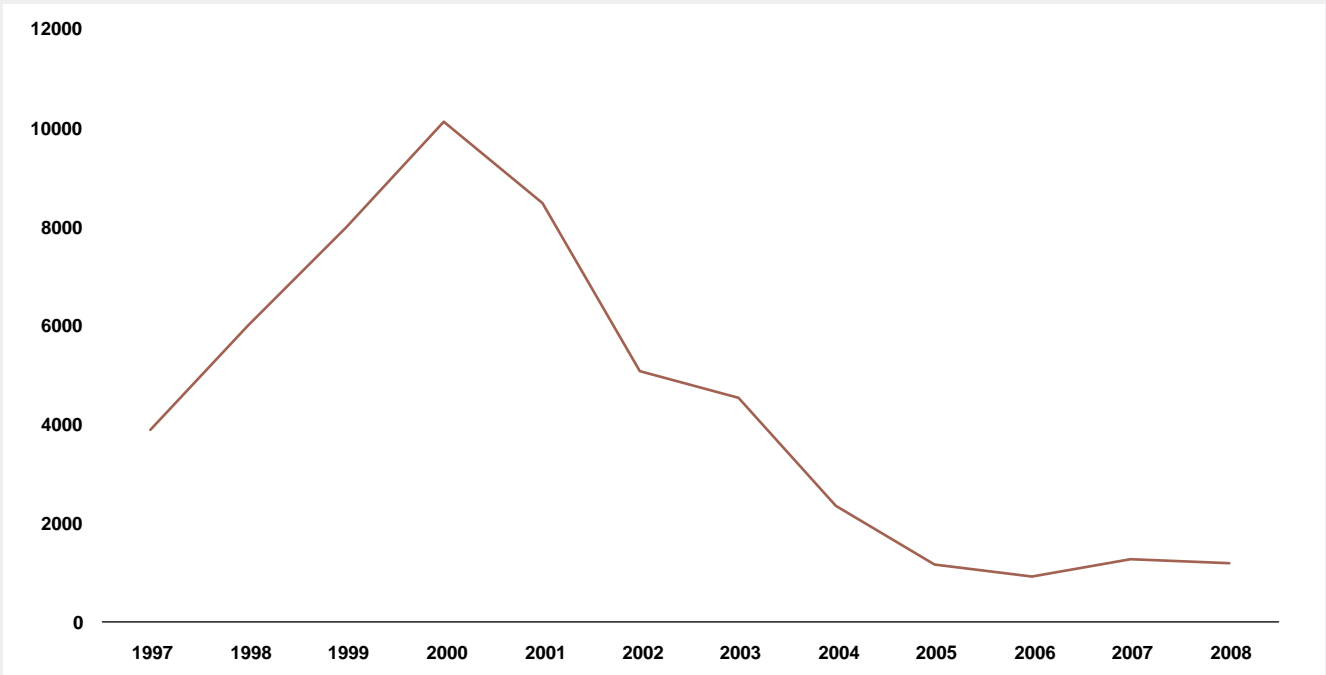
Month	Jan	Feb	Mar	Apr	May	Jun	July	Aug	Sep	Oct	Nov	Dec
<i>Scheduled</i>	387	379	351	425	427	396	474	423	428	432	434	320
<i>Attended</i>	252	284	224	295	257	268	318	256	293	291	311	199
<i>* % Attended</i>	78%	86%	82%	82%	81%	85%	93%	86%	89%	89%	90%	92%

**Applicants' attendance rate excluding interviews postponed.*

Applications Outstanding as at 01/01/08 to 31/12/08



Applications Outstanding as at end of year 1997 to 2008



Appendix 4

EU Dublin II Regulation Statistics

Statistics for the EU Dublin II Regulation for the period of 01/01/2008 to 31/12/2008

No. of Article 21 enquiries made to EU Dublin II Regulation States

856

No. of Positive replies received to Art.21

263

No. of enquiries where No Record found

546

Other

51

No. of Formal Requests made to EU Dublin II Regulation States

294 (take back)
181 (take charge)

475

No. of Formal Requests Awaiting Decision

20

No. of Formal Requests Accepted

344

No. of Formal Requests Deemed Accepted

32

No. of Formal Requests Rejected

65

No. of Formal Requests Withdrawn

2

No. of Determinations issued

385

Returned to the Substantive process

67

No. of files to DJELR for removal from the State

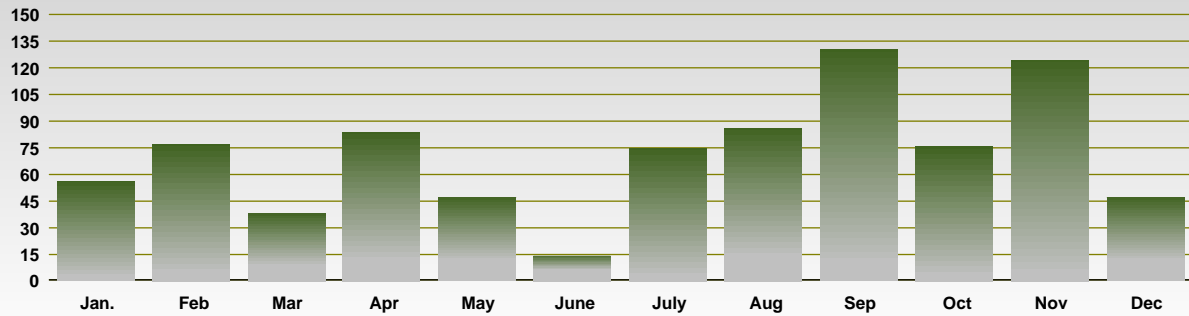
385

No. of Transfers

271

Responses to Article 21 enquiries and to formal requests include some replies to enquiries and requests made in 2007.

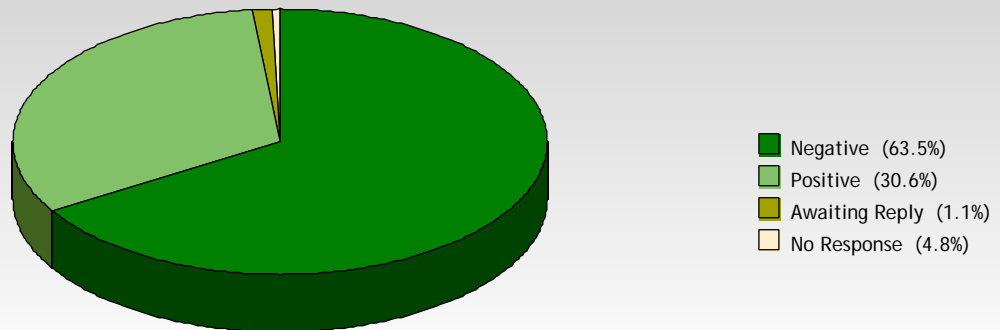
Article 21 Enquiries to Member States - 2008



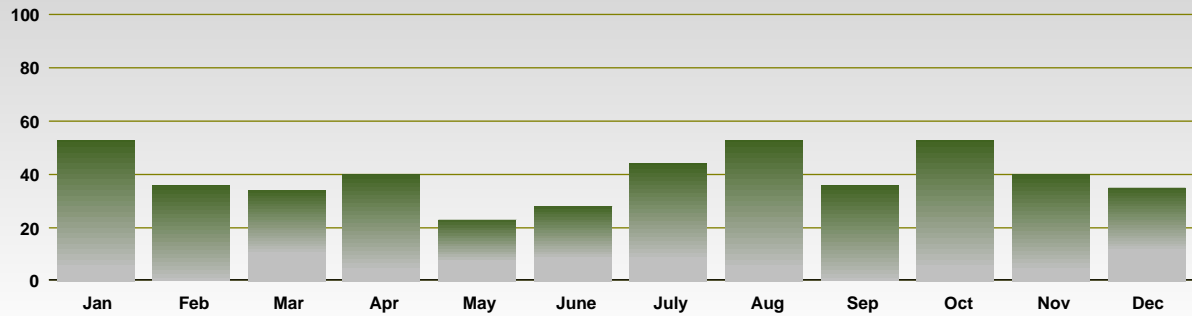
Article 21 EU Dublin II Regulation to other EU Dublin II Regulation States in 2008

Month	Jan.	Feb	Mar	Apr	May	June	July	Aug	Sep	Oct	Nov	Dec	Total
Requests 2008	56	77	38	84	47	14	75	86	131	76	125	47	856

Replies to Article 21s issued in 2008



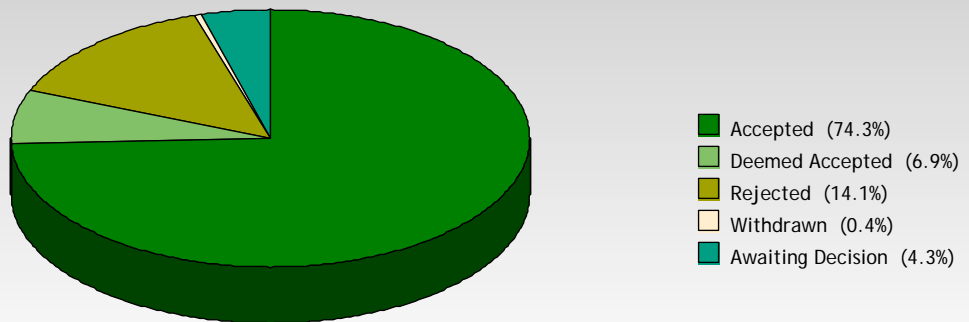
Formal Requests to Member States - 2008



Formal Requests to other Member States

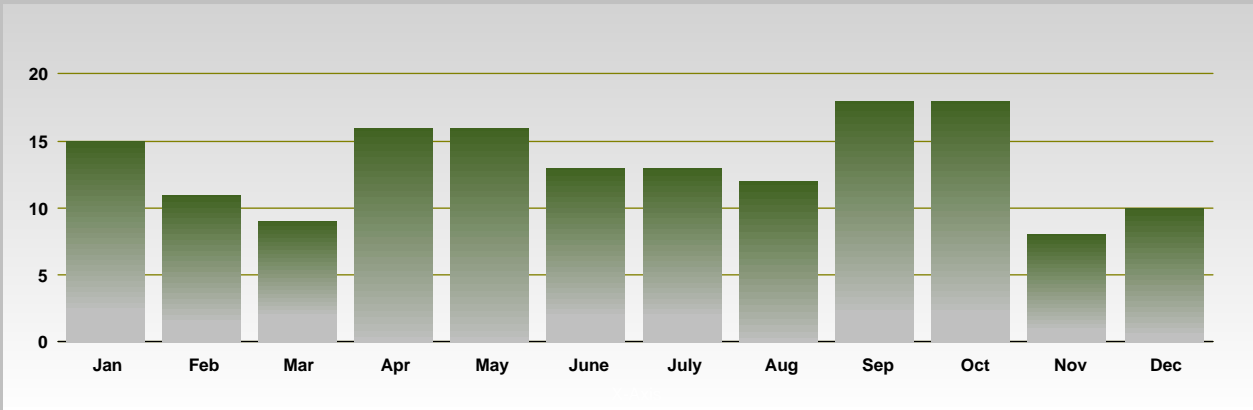
Month	Jan	Feb	Mar	Apr	May	June	July	Aug	Sep	Oct	Nov	Dec	Total
Requests 2008	53	36	34	40	23	28	44	53	36	53	40	35	475

Replies to Formal Requests issued in 2008



Data A

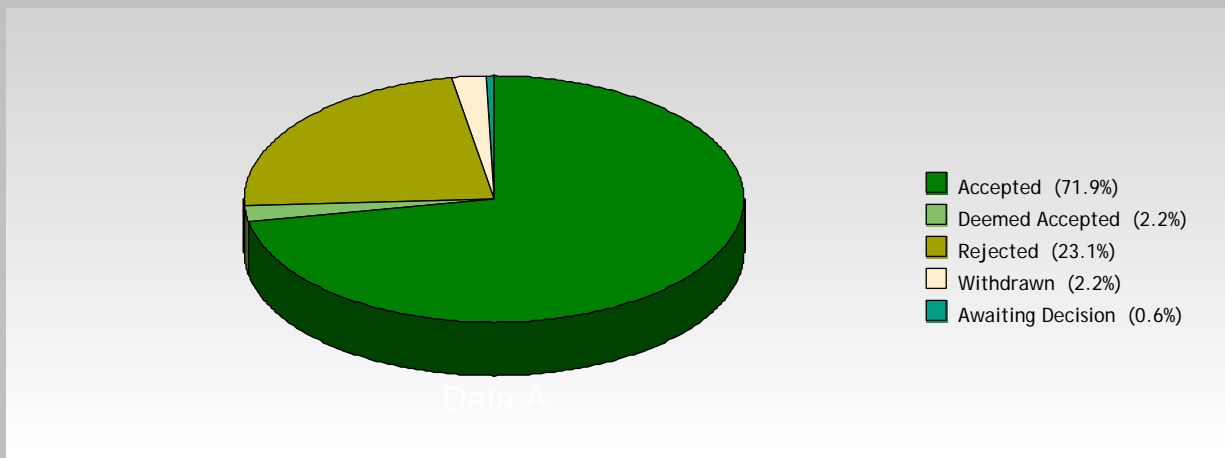
Formal Requests from other Member States to Ireland - 2008



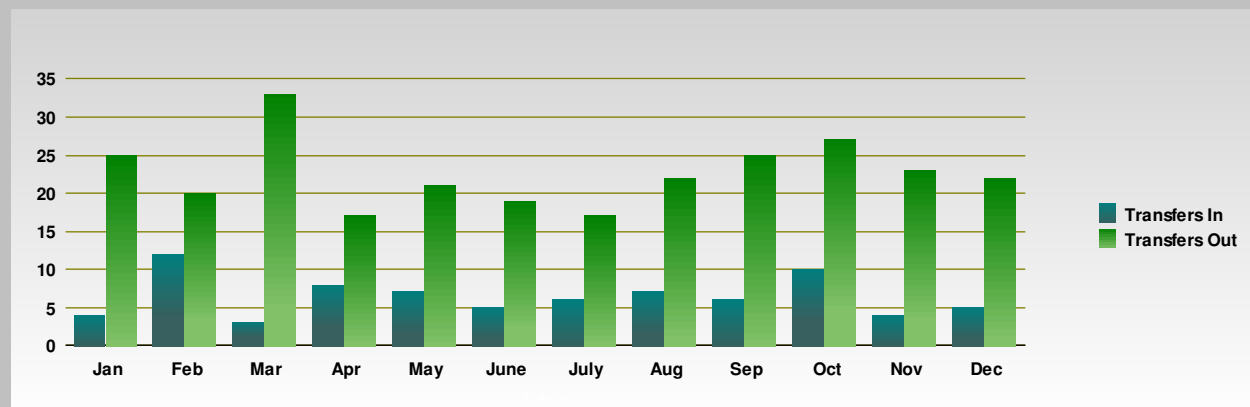
Formal Requests from other Member States to Ireland 2008

Month	Jan	Feb	Mar	Apr	May	June	July	Aug	Sep	Oct	Nov	Dec	Total
Requests 2008	15	11	9	16	16	13	13	12	18	18	8	10	159

Replies to Formal Requests from other Member States to Ireland - 2008



Transfers under the EU Dublin II Regulation in 2008



Transfers under EU Dublin II Regulation in 2008

Month	Jan	Feb	Mar	Apr	May	June	July	Aug	Sep	Oct	Nov	Dec	Total
<i>Transfers In</i>	4	12	3	8	7	5	6	7	6	10	4	5	77
<i>Transfers Out</i>	25	20	33	17	21	19	17	22	25	27	23	22	271

Appendix 5
Information on Requests Handled by Customer Service Centre and Copying/Registry Unit in 2008

Appendix 5 - Information on Requests Handled by Customer Service Centre and Copying/Registry Unit in 2008

Table A

Category	No. Processed
Letters and Faxes	13,645
Telephone Enquiries	5,199
E-mail Enquiries *	10,929
Total	29,773

** E-mail enquiries received include 8,270 requests received via ORAC mail and 2,659 emails re information sharing with other Government organisations.*

Table B

Category	No. Processed
Enquiries	3,693
Files copied	3,811
File movement transactions	12,995
Total	20,499

Note: The total number in relation to files copied refers 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.

Appendix 6

Financial Data

Profile of Pay Expenditure for the Office of the Refugee Applications Commissioner: 1st January - 31st December, 2008.

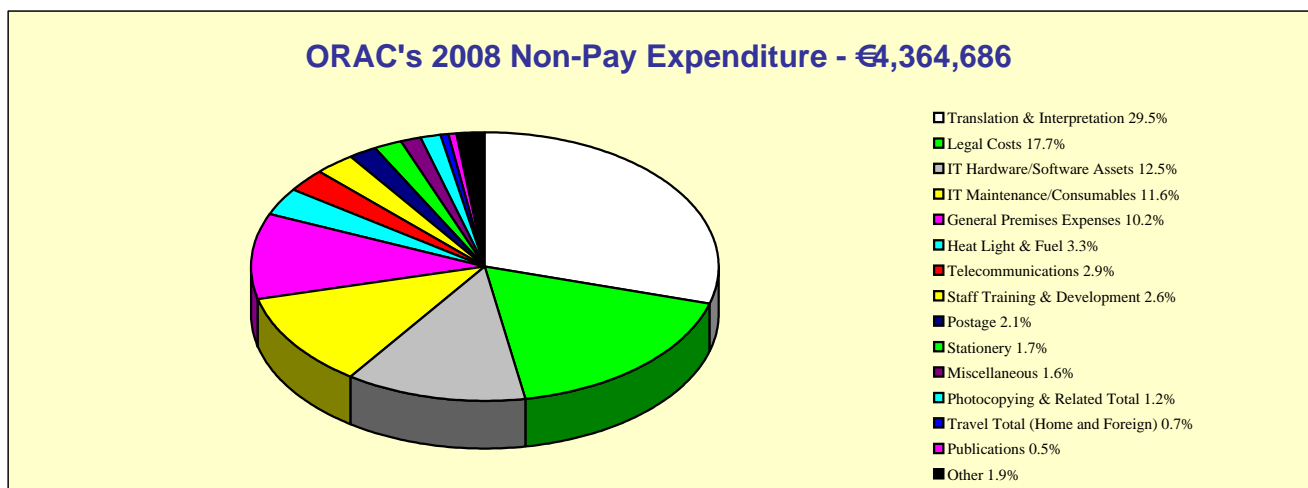
The pay figure for the Office of the Refugee Applications Commissioner is amalgamated with the Reception and Integration Agency, the Refugee Appeals Tribunal, as well as other Headquarters areas of the Irish Naturalisation and Immigration Service of the Department of Justice, Equality and Law Reform 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 *€35.64m, of which €9.10m was used by ORAC.

Profile of Non-Pay Expenditure for the Office of the Refugee Applications Commissioner: 1st January - 31st December, 2008.

Description	Amount
Translation & Interpretation	€1,285,175
Legal Costs	€771,714
IT Hardware/Software Assets	€545,999
IT Maintenance/Consumables	€503,464
General Premises Expenses	€445,679
Heat Light & Fuel	€146,124
Telecommunications	€126,666
Staff Training & Development	€112,559
Postage	€93,698
Stationery	€73,226
Miscellaneous	€69,853
Photocopying & Related Total	€53,015
Travel Total (Home and Foreign)	€32,010
Publications	€22,280
Advertising**	€19,093
Travel Agent Costs**	€18,100
Photocopier - Asset**	€14,322
Office Equipment**	€11,980
Medical Expenses**	€9,626
Furniture/Office Equipment Assets**	€5,699
Uniforms**	€2,207
Library & Legal Research**	€1,537
Legal Expenses**	€660
Consultancy**	€0
Total	€4,364,686

*As confirmed by Financial Management Unit, Department of Justice, Equality & Law Reform 26/Jan/2009

Please note that this figure is subject to change until the 2008 Appropriation Account has been published for the Justice Vote .



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

Glossary of Terms

Glossary of Terms

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.

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.

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

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.

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.

Refugee Act 1996 The principal legislation dealing with refugees and asylum seekers is the Refugee Act, 1996, which entered into force in November 2000. The 1996 Act incorporates the 1951 Geneva Convention relating to the status of refugees 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).

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 Refugee Convention The United Nations Convention relating to the status of refugees signed in 1951 is an international instrument to define the legal status of refugees. The Convention was adopted by a Conference of Plenipotentiaries of the UN on 28 July, 1951, and entered into force on 21 April, 1954. The principles contained in the 1951 Convention form 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 UNHCR 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.