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Foreword by Refugee Applications Commissioner

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

Our Annual Report for 2011 outlines the progress made in delivering on the strategic goals and objectives contained in our Strategy Statement 2010-2012. It is the second report under this Strategy Statement and also the fifth Annual Report since I was appointed Commissioner in July 2007.

There were 1,290 applications for refugee status received in 2011 which represents a reduction of 33.5% in applications compared to 2010.

During the year, progress continued to be made in ensuring the speedy and fair processing of applications. A total of 1,834 cases were finalised. As was the case in 2010, fewer cases were processed in 2011 as compared to previous years in line with the fall in asylum applications.

At the end of the year, while there were 248 cases awaiting processing in the Office, only 22 cases were on hand for over 6 months.

In 2011, all applications processed under the Ministerial Prioritisation Directive were scheduled for interview within 9 to 12 working days from the date of application and completed within a median processing time of 30 working days from the date of application.

All other cases were processed to completion within a median time of 11.7 weeks (including cases which were delayed for medical or other compelling reasons or because of the complexity of the issues involved). In the final quarter of 2011, the median processing time was 9.6 weeks.

Council Regulation (EC) 343/2003 (Dublin II Regulation) which determines the Contracting State responsible for processing an asylum application continued to be used effectively to detect those applicants who either had a previous asylum application in another Contracting State (based on a EURODAC fingerprint hit) or a visa application in another Contracting State. Some 243 Dublin determinations were made in 2011.

Our work in 2011 continued to depend on the smooth operation of the EU EURODAC fingerprinting system. This system supports the Dublin II Regulation. During the year 1,010 sets of fingerprints of asylum applicants were sent to EURODAC. 135 (13%) of these fingerprints resulted in a hit with EURODAC, showing that these applicants had made an application for asylum in another Contracting State.

AVATS (the Automated Visa Application and Tracking System) of the Irish Naturalisation and Immigration Service continued to be availed of to detect applications for asylum where the applicant had withheld information about an Irish Visa.

My Office continued to represent me at appeal hearings before the Refugee Appeals Tribunal (RAT) in 2011. Ongoing liaison was maintained with the scheduling side of RAT to ensure that the maximum number of hearings could be serviced by ORAC Presenting Officers.

A Supreme Court judgment in the Office’s favour, delivered in January 2009 (and a number of relevant High Court Judgments) continued to have a positive impact, reducing the number of new legal challenges taken against ORAC in 2011. However, the overall number of cases before the courts remained high, in the main because certain cases could not be progressed pending, for example, the outcome of referrals to the Court of Justice of the European Union. The number of
judicial reviews on hands at the end of 2011 was 238 compared to 191 at the end of 2010. The number of new legal challenges received in 2011 was 79 compared to 112 in 2010. ORAC continued to keep its procedures under review in 2011 in order to keep the number of new judicial reviews to a minimum.

In 2011, we continued to build on our commitments in our Customer Service Action Plan 2010-2012 to monitor the quality of service we provide to our customers. Complementing previous customer surveys in other areas of the organisation, a further survey was conducted focusing on the quality of service we provided to our website users. The results of the survey can be found on our website and in the main body of this report.

ORAC continued the work of planning for the introduction of the Immigration, Residence and Protection Bill, 2010, subject to the approval of both Houses of the Oireachtas, which will see ORAC subsumed into the Irish Naturalisation and Immigration Service (INIS). The organisation was again represented on an Implementation Project Board established by INIS to prepare for the introduction of the new legislation.

As part of ORAC’s commitment to ensure quality in our asylum process, training and development for our staff continued to be a priority. A number of development and training courses were delivered to staff including in the area of refugee status determination with the assistance of the UNHCR.

In the context of corporate resource planning and management during 2011, a key emphasis continued to be placed on maximising the effective and efficient use of resources having regard to the very challenging economic climate. The general thrust of our Strategy Statement 2010-2012 already reflects this issue as a key requirement and provided a useful framework within which to operate in this regard.

Work was also completed on a new Corporate Plan for the Office for the period 2012-2014 and a key emphasis in the Plan is on efficient and effective resource utilisation.

Considerable work was also done by ORAC staff in relation to the AISIP Case Management IT System for INIS and its related agencies which went live in October 2011.

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

I would also like to thank the staff of the Refugee Documentation Centre who continue to provide a highly professional service to this Office.

The ongoing support of the Employee Assistance Service is greatly appreciated.

Finally, I would like to thank all the staff of the Office as well as the staff in the INIS Shared Services Unit, the Reporting and Analysis Unit and AISIP, whose ongoing work and professionalism has enabled us to deliver on our objectives and core functions in 2011 and 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 and Equality,

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 and Equality 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 and Equality 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 (RAT) which considers applications for a declaration at appeal stage.¹


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 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 and Equality on such applications,

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

- to investigate applications by refugees to allow family members to enter and reside in the State and report to the Minister for Justice and Equality on such applications.

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

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

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

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

- ensuring that all applications for refugee status at first stage are treated and processed in a fair, courteous and efficient manner.
- issuing directives on the practical application of the Refugee Act, 1996 and on procedures and standards of work.
- ensuring that adequate information on countries of origin of asylum seekers and international jurisprudence and practice in the area of asylum is available to staff.
- participating in international fora on asylum related matters.
- management of staff performance and training and development.
- dealing with press queries.
- preparation and management of the budget, the Strategy Statement and Business Plan for the organisation.

Key Values of the Office

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

- **Independence** - Independence of process and decision-making.
- **Fairness** - Fair procedures which are notified to asylum seekers.
- **Firmness** - Firmness in implementing statutory obligations.
- **Serving the key stakeholders** - Commitment to service to applicants and other stakeholders as part of our overall commitment to delivering efficient customer service.
- **Accessibility** - Accessibility of information and services to people with disabilities.
• **Commitment to Staff** - Recognising that staff are the most valuable resource of the Office and fostering an environment in which they can work effectively and develop their potential for the benefit of the Office specifically, and their career generally.

• **Commitment to excellence** - Performing work to a standard that will ensure high quality and timely outputs.

• **Openness** - Communicating with asylum seekers, the Minister for Justice and Equality, 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 and Equality. 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 and Equality 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 and Equality is the Accounting Officer and the accounts of ORAC are included in the annual Departmental accounts.)
Part 2

Key Developments in 2011
Part 2 - Key Developments in 2011

Processing of Applications

- During 2011 the number of asylum applications averaged 107 per month reaching a total for the year of 1,290 applications. January with 133 applications had the highest monthly total while October with 72 was the lowest. Overall this was a reduction of some 33.5% on the 1,939 applications received the previous year and was in fact the lowest yearly total since 1996.

- The top five countries for 2011 were Nigeria (14.1%), Pakistan (13.6%), China (11%), Democratic Republic of Congo (5.4%) and Afghanistan (5.2%). As in previous years Nigeria was again the top applicant country in 2011.

The above map shows the geographical spread of asylum source countries in 2011.

- The trend for the past number of years has been that we receive a small number of applications from a large number of individual countries. This was no different in 2011. For example, there were 30 countries from which we received 3 or less applications and only 27 countries from which we received 10 or more applicants.

- The ratio of male to female applications in 2011 was 3 to 2.

- At the end of 2011, of the 248 cases on hand, just 22 applications were over six months old. This effectively means that ORAC was, in the main, processing cases received in 2011.

- During 2011, 1,834 cases were finalised, compared to 2,192 in 2010. Cases finalised, however, made up an increase of 42% over applications during the year. The number of
recommendations made in 2011 was lower than in 2010 due, in the main, to the fall in asylum applications generally and as a result of the ongoing transfer of staff to other work areas.

- In 2011 the Ministerial Prioritisation Directive, which was introduced by legislation in September 2003, continued in force albeit with fewer applications. 3.5% of applications were processed under the Directive. Prioritised applications were normally scheduled for interview within 9 to 12 working days from the date of application and completed within a median processing time of 30 working days from the date of application.

- Applications from Nigerian nationals no longer come within the scope of the Prioritisation Directive following a legal challenge which was referred by the High Court to the Court of Justice of the European Union for preliminary ruling in April 2011.2

- All other cases were processed to completion within a median time of 11.7 weeks (including cases which were delayed for medical or other compelling reasons or because of the complexity of the issues involved). In the final quarter of 2011, median processing times were 9.6 weeks. Processing times are determined by a range of factors such as the increasing complexity of the caseload and sometimes judicial review proceedings.

- Applicants for asylum are required, under the provisions of the Refugee Act, 1996, to co-operate with the asylum process. In 2011, a total of 280 applicants, (21.7% of all applications) failed in their duty to co-operate. These cases were deemed withdrawn under the provisions of the Refugee Act, 1996.

- In 2011, 26 applications were received from unaccompanied minors (separated children) seeking asylum which accounted for 2% of the total number of applications received. At the request of the Refugee Legal Service (RLS) the timeframe for the scheduling of interviews for unaccompanied minors (separated children) was extended from 20 to 25 days. This was done to allow the RLS more time for consultation with their client. Recommendations were issued within an average processing time of 9-10 weeks (except for those delayed for medical or other compelling reasons).

- Applications for asylum from applicants in detention continued to be prioritised in line with statutory requirements. In total, 75 applications were received from persons in detention, constituting 5.8% of all applications received in 2011.

- During 2011, the key strategies to support the High Level Goals which are outlined in ORAC’s Strategy Statement 2010-2012 were effectively implemented. All available resources were used to deliver the maximum number of quality and legally robust decisions. The UNHCR and its expert trainers continued to provide comprehensive support to the Office.

- ORAC continued to underline and prioritise a high level of quality in the investigation and processing of asylum applications, supported by ongoing staff development, training and mentoring. Most recommendations were scrutinised and signed off by a caseworker and a supervisor. In addition, a quality check was carried out on up to 10% of all cases on a monthly basis. The Office also reviewed the reasons behind all Refugee Appeals Tribunal

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set aside decisions and examined all judicial review case outcomes which were unfavourable to ORAC. ORAC’s procedures were enhanced where necessary as a result of feedback from these review processes.

- In line with normal practice, refugee status determination (RSD) training was delivered to newly assigned staff during the year. This was provided by ORAC’s in-house Training Team and outside experts, as required.

- We also regularly reviewed the profile of applicants and emerging trends in case type. Specialised training to staff also continued in order to equip them to deal sensitively and appropriately with vulnerable groups such as victims of trafficking and unaccompanied minors.

- The Office 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.

- We also continued to work closely with the Garda National Immigration Bureau (GNIB) and the Anti-Human Trafficking Unit of the Department of Justice and Equality to identify potential victims of human trafficking. ORAC continued to keep its procedures for dealing with cases where trafficking is suspected under ongoing review.

- ORAC staff continued to participate in discussions in EU Asylum Working Groups dealing with amendments to EU law on procedures and qualifying criteria for refugee status.

- Almost all caseworkers used laptops at substantive interview. This enhanced the quality of interview notes for applicants and their legal representatives. It also enabled caseworkers at the substantive interviews to have direct access to reputable Country of Origin Information (COI) and other reports. Where applicants’ statements, and/or COI supplied by applicants, ran contrary to the generally known facts and to the information available in the public domain, interviewers were able to put these reports to the applicants at their interviews. This afforded them the opportunity of commenting and making further submissions (if necessary) in advance of the final determination.

- In 2011, ORAC continued to maximise use of the Dublin II Regulation determining the Contracting State responsible for processing an asylum application. 243 Dublin II Regulation determinations were made in the Office in 2011 as compared to 263 in 2010. This represents 13.2% of cases finalised during 2011 which compares with 12% in 2010. Where possible, as part of the Dublin Regulation process, ORAC continued to take into account visa or other residence histories not captured by the EURODAC fingerprinting system, and as provided for in EU law. This resulted in the detection of applicants who, having obtained a visa for another Contracting State to the Regulation, entered Ireland to make an asylum application while claiming to have no identity or travel documents. This gave rise to a greater proportion of determinations coming from visa or residence histories.

- On 21 December 2011, the Court of Justice of the European Union (CJEU) ruled on, inter alia, the circumstances in which an asylum application can be transferred from one Dublin Contracting State to another where deficiencies in the asylum procedure in the receiving
State exist. The CJEU ruling followed the referral of cases for preliminary rulings from Superior Courts in Ireland and the United Kingdom\(^3\). Prior to that, an Opinion of the Advocate General was delivered on 22 September 2011.

- The EURODAC fingerprinting network continued to support the work of ORAC during 2011 in the context of the operation of the Dublin II Regulation. During the year, 1,010 sets of fingerprints were taken and transmitted to EURODAC with 135 (13%) hits confirmed.

- As part of the application process for asylum, the fingerprints of applicants have been taken since November 2000. The destruction of 10-year-old fingerprints which commenced during 2010 in line with the requirements of the Refugee Act, 1996, continued with 11,958 records destroyed in 2011. The fingerprints of applicants who, in the intervening years, had been granted citizenship would have already been destroyed under the terms of the 1996 Act.

- ORAC continued to use the Automatic Fingerprint Identification System (AFIS), which provides for an enhanced fingerprinting capacity in relation to asylum seekers. AFIS contributes to ORAC’s capability for the exchange of information with the EURODAC system and to identify multiple asylum applications. In addition, the AVATS (Automated Visa Application and Tracking System) of the Irish Naturalisation and Immigration Service, which is used in ORAC’s Reception and Dublin Units, assisted in the detection of applications for asylum where the applicant had obtained an Irish visa while no passport or relevant documentation was declared to ORAC.

- As in previous years, a significant number of applicants failed to produce a passport or other documentary evidence in support of their stated identity or nationality or any travel documents to show how they travelled to the State. At the same time some of these applicants indicated that they had travelled to the State by air, which would normally have required the presentation of identity documents at point of departure of flights, including the presentation of visas. Use of the Dublin II Regulation, EURODAC, AFIS and AVATS as well as enhanced co-operation with other EU States, particularly the United Kingdom, during 2011 continued to provide information on applicants with multiple identities and multiple asylum claims in the EU.

- The ORAC Investigations and Liaison Unit, which was established in 2009 to develop initiatives to help detect and prevent misuse of the State’s asylum process, continued to assist in the investigation of credibility issues and to provide support for ORAC staff for this purpose. While the principal statutory purpose of the Office is to investigate asylum applications in accordance with the domestic and EU law, an important influence on the outcome of an investigation is an applicant’s credibility. The Unit also continued to act as a liaison point for ORAC with other State agencies such as the Irish Naturalisation and Immigration Service, the Garda National Immigration Bureau, the Anti-Human Trafficking Unit of the Department of Justice and Equality and other EU States.

\(^3\) Joined cases C-411/10 and C-493/10: References for a preliminary ruling under Article 267 TFEU from the Court of Appeal (England & Wales) (Civil Division) (United Kingdom) and the High Court (Ireland), by decisions of 12 July and 11 October 2010, lodged at the Court on 18 August and 15 October 2010 respectively, in the proceedings N.S. (C-411/10) v Secretary of State for the Home Department and M.E. (C-493/10), A.S.M., M.T., K.P., E.H. v Refugee Applications Commissioner and the Minister for Justice, Equality and Law Reform.
• ORAC also has responsibility for processing applications from refugees for family reunification and for providing reports to the Minister for Justice and Equality for this purpose. 244 applications for Family Reunification were received in 2011, a reduction of 24.4% on the figure for 2010.

• With a view to maximising the efficiency and quality of the investigations undertaken and the reports completed, much work was undertaken during the year to enhance the work of the Family Reunification Unit. As part of this work, the unit introduced new questionnaires for certain categories of family members. Existing applicants who already had made their applications for family reunification had the opportunity to use these questionnaires in order to provide ORAC with further information to assist in a speedier completion of the investigation process.

• These developments and the work, including staff training, involved in bringing them into being had an effect on case throughput in 2011, particularly in the first half of the year, resulting in longer processing times from the receipt of the files from the Department of Justice and Equality to the issue of the section 18 report under the Refugee Act, 1996. However, in the final quarter of the year, the number of reports completed increased and processing times began to decrease.

• In 2011, Presenting Officers or, where required, members of the ORAC Presenting Panel of barristers and solicitors, continued to represent the Commissioner at appeal hearings before the Refugee Appeals Tribunal (RAT). Due to falling numbers of asylum applications generally in the State, the number of appeal hearings also decreased. 795 hearings were serviced in 2011 compared with 1,828 in 2010. ORAC, in consultation with RAT, ensured that the maximum number of hearings scheduled each week was serviced.

• In line with ORAC training policy, all Presenting Officers and Panel members were fully trained in refugee status determination procedures, caseworker specific training and training in the Presenting function before being assigned cases before the Tribunal. To complement and reinforce their training, a number of additional training sessions were also provided for Presenting Officers. These included UNHCR refresher training, researching Country of Origin Information (COI), dealing with unaccompanied minors and dealing with allegations of trafficking by asylum applicants.

• All enquiries made under section 16(6) of the Refugee Act, 1996, received from the Refugee Appeals Tribunal, were dealt with within set time frames. A total of 29 section 16(6) enquiries were received in 2011.

• Judicial reviews continued to pose a key challenge for the organisation in 2011. In line with positive trends in 2010, the number of new legal challenges received continued to decline. 79 legal challenges were received during 2011 (including 2 cases in relation to the Dublin II Regulation) compared with 112 cases during 2010. The fall in legal challenges was influenced by key judgments of the High Court and the Supreme Court on the appropriateness of an appeal to the Refugee Appeals Tribunal as opposed to taking judicial review proceedings against ORAC.

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4 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 injunctions and various types of summonses. From time to time ORAC is requested to provide information to the Courts in the context of Habeas Corpus applications.

5 Council Regulation (EC) No. 343/2003 of 18 February 2003 establishing the criteria and mechanisms for determining the Member State responsible for examining an asylum application lodged in one of the Member States by a third-country national.
• The reduction in the number of judicial reviews was also influenced by ongoing training provided to caseworkers and quality assurance procedures.

• Many of the legal challenges which were received included grounds based upon the interpretation of EU law (namely the EU Asylum Procedures Directive and the Dublin II Regulation), thereby becoming linked to earlier cases referred to the Court of Justice of the European Union (CJEU) for preliminary ruling.

• Pending the results of the lead cases in respect of these EU legal points, the majority of outstanding cases against ORAC, in which EU legal points arose, remained at a standstill, which led to a net increase in the number of outstanding cases against ORAC. There were 238 outstanding legal challenges at the end of 2011, in comparison with 191 cases at the end of 2010. Notwithstanding this increase in outstanding cases, however, the number remains significantly lower than the position at the end of 2008 when some 488 cases were on hand.

• The expenditure under the legal costs subhead in 2011 was €333,580.20 which was a significant reduction in comparison with the outturn of €1,201,902.02 in 2010. This reduction arises partly from the lower number of cases lost by ORAC in recent years. Much of the 2011 expenditure related to cases heard in 2010 and before, and in some cases goes back a number of years

• It is ORAC's policy to strenuously defend all judicial reviews unless it is clear that a particular case should be settled e.g. where an error has been made in a determination. In such an event, every effort is made to settle a case at the earliest possible opportunity in order to reduce any potential costs to the State. Settlements by, and judgments against, ORAC are reviewed under our quality assurance processes.

• During 2011, ORAC continued to make use of Country of Origin Information (COI) Research systems and procedures, with necessary updates as required. Use of the resources of the Refugee Documentation Centre (RDC) was maximised, in particular its e-library facility.

• ORAC maintains a Caseworkers Shared Knowledge Database, which stores source material from the Refugee Documentation Centre (RDC) in a user-friendly format to meet the Office’s needs. In co-operation with the RDC this material is kept up-to-date to assist caseworkers in their preparation for interviews with applicants. In late 2010, the Research Unit commenced a review of the structure and content of the database in consultation with the Case Processing area. The review was completed during 2011. The RDC provided refresher training on the e-library to ORAC staff in the Presenting Unit during 2011.

• ORAC is one of the main clients of the Refugee Documentation Centre (RDC) and attended a number of meetings of the RDC Steering Group in 2011. In this way, both parties ensure that ORAC has timely access to reliable and comprehensive Country of Origin Information (COI). During the year, the RDC expanded its services to ORAC by

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6 Payments made by ORAC under this subhead are made on foot of Bills of Costs submitted to ORAC (following clearance by the Office of the Chief State Solicitor’s Costs Accounting Section) by applicants’ legal representatives in respect of, for example, judicial reviews settled or lost by ORAC. There are often considerable delays - sometimes several years - in the submission of Bills of Costs. Hence there is a variable time lag between the finalisation of cases before the courts and the submission of the Bills of Costs over which ORAC has no control.
providing COI tailored to the needs of the Family Reunification Unit, namely information on marriage and adoption requirements and procedures abroad. ORAC continued to liaise with the RDC in preparation for the introduction of a Single Procedure under the Immigration, Residence and Protection Bill, 2010.

- Language analysis testing continued to be carried out by ORAC either during the first instance refugee status determination process, or at the request of the Refugee Appeals Tribunal. Language analysis involves the examination of an applicant’s speech in order to assess, as specifically as possible, whether an applicant could be placed in the geographical area or speech community they claimed to be from. Language analysis testing is a specialised service provided under contract to ORAC by reputable and professional international language analysis companies. The applicant attends ORAC, and converses by telephone with a language analyst. The conversation is recorded and analysed by a team of analysts and a linguist. Regardless of any language analysis testing, every applicant for asylum is given a full opportunity of presenting his/her case at a substantive interview. If the language analysis report indicates that the person is not from the area they claim, this becomes a credibility issue for exploration at substantive interview. The language analysis report, where requested, is used to assist with the overall evaluation of the asylum application and is considered in conjunction with all other elements of the asylum claim.

- During 2011, a procurement competition, known as a request for tender, was held for the provision of language analysis services.

- ORAC continued to review and update its internal procedures throughout 2011, with a view to ensuring that the policies and procedures in operation in the organisation are legally robust, and in accordance with national and EU legislation.

- At ORAC’s request, UNHCR participated in the development and provision of refresher training for ORAC staff in 2011.

- In 2010, arising from judicial review proceedings on the implementation of the EU Asylum Procedures Directive, the prioritisation of applications for refugee status from nationals of Nigeria was suspended. These proceedings resulted in a reference by the High Court for a preliminary ruling to the Court of Justice of the European Union⁷ in April 2011. The reference also dealt with the nature of the effective remedy available to asylum applicants in domestic law.

- ORAC continued to input into the work of relevant international fora dealing with asylum and refugee matters such as Working Groups of the European Union, the Inter Governmental Consultations on Asylum, Refugee and Migration matters (IGC) based in Geneva, European Asylum Support Office (EASO), EU General Directors’ Immigration Services Conference (GDISC) and Eurasil (European Network for Asylum Practitioners).

- The Commissioner, who is Ireland’s representative on the EASO Management Board, attended 4 meetings of the Board in 2011. The aim of the EASO is to help to improve the implementation of the Common European Asylum System, to strengthen practical co-operation among Member States on asylum and to provide and/or co-ordinate the

provision of operational support to Member States subject to particular pressure on their asylum and reception systems.

Human Resources/Training and Internal Support Services

- ORAC’s third HR and Staff Support Strategy (for the period 2011 to 2013) continued to provide a framework for the organisation until the Immigration, Residence and Protection Bill, 2010 is enacted and ORAC is subsumed into the Irish Naturalisation and Immigration Service (INIS). Progress on implementation of the Strategy was monitored and reported on in regular business planning reports to ORAC management and in the Annual Report. A Progress Report was prepared and circulated to the Partnership Committee and Staff in 2011.

- ORAC continued to implement its second Training and Development Strategy and a wide range of commitments in the Strategy were finalised or progressed during 2011. Progress on implementation is monitored and reported on in regular business planning reports to ORAC management and in the Annual Report. The purpose of this strategy is to continue to set clear objectives for the provision and development of the knowledge, skills and competencies required to assist staff in achieving the goals of the organisation and also to provide for their personal development training. Work on the development of a third Strategy to cover the period 2012-2014 commenced during the year.

- All members of staff continued to participate in the Performance Management and Development System (PMDS) process during 2011. The purpose of PMDS is to manage each staff member's work performance, development and career in the context of achieving individual, divisional and overall organisational goals. The benefits of PMDS for staff members, managers and the organisation include providing clarity on roles and priorities, improving performance and contributing to a systematic approach to personal development.

- In 2011, ORAC continued to prioritise the needs of its staff in the areas of job specific development and training in a cost effective manner. In total, 454 training units were provided to staff in the organisation during the year.

- Key training programmes delivered to staff included:
  - Refugee status determination including UNHCR refresher training.
  - Anti human trafficking training.
  - AISIP training.
  - Family Reunification training.
  - Training for those dealing with applicants who were subjected to sexual violence, delivered by the Dublin Rape Crisis Centre.

- In addition, a number of briefing sessions for the new interpretation service provider were delivered in conjunction with UNHCR.

- ORAC in-house training staff were also involved in the development and delivery of a training programme on protection issues for civilian staff in the new INIS Border Management Unit at Dublin Airport.
- Separated children coaching was provided to equip staff to deal sensitively and appropriately with unaccompanied minors during the refugee status determination process.

- A seminar on judicial review was held for staff across all JR units of INIS, at which the keynote speaker was a Counsel from the State’s Asylum Panel.

- The Peer Support Project continued in 2011 with the support of the Department of Justice and Equality’s Employee Assistance Officer. The objective of peer support, which was introduced in 2003, is to support staff, from a personal perspective, in complex case processing work undertaken, including how to deal with applicants who are the victims of torture or other forms of degrading treatment in their countries of origin.

- The Single Procedure Transition Team continued to work 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, 2010.

- The provision of “Lunch and Learn” sessions for staff continued in 2011 on a variety of work related and general issue topics. Worklife Balance initiatives continued to be highlighted and promoted.

- The pilot eWorking Scheme continued during 2011.

- In accordance with the INIS Business Transformation process which is aimed at delivering improved services and greater efficiency and value for money, the staffing resources of the Office were kept under constant review at both unit and organisational level. A reallocation and reorganisation of resources took place internally on a number of occasions to meet changing business needs. As a result of the fall in asylum applications and the continuing need to deploy and use resources efficiently throughout the wider INIS organisation, a number of staff were redeployed to INIS and to the Department of Justice and Equality during 2011. In addition, staff were redeployed to the Department of Social Protection and seconded to the Department of Public Expenditure and Reform. These staff were not replaced.

- A number of staff retired during the year and were not replaced.

- Two staff members continued to be seconded to the Reporting and Analysis Unit (RAU). The purpose of the RAU is to support INIS (including ORAC) generally in relation to the provision of statistical information for management, operational and strategic planning purposes.

- Three staff members continued to be seconded full-time to the AISIP Project, with additional staff being transferred temporarily to the Project Team as required in advance of its “go live” date on 24 October 2011.

- ORAC continued to provide placements under the Department of Justice and Equality’s Legal Interns Programme and the FÁS Work Placement Programme, and under the subsequent National Internship Programme (JobBridge). ORAC has had a very positive experience with the interns recruited under these programmes, and in return, participants also receive an opportunity to enhance their personal development.
Customer Service

- The 2011 external customer survey looked at the quality of service provided to those using the ORAC website.
  - In responding to the question ‘How easy do you find this website to use”, 68% of participants indicated that they were very satisfied/satisfied.
  - 57% of respondents were very satisfied/satisfied that they found the information they needed quickly.
  - 67% of respondents were very satisfied/satisfied with the website overall.
  - 79% of respondents rated their level of satisfaction with the site at the time of their visit as very satisfied/satisfied.

- The main findings of the survey can be found on the ORAC website (www.orac.ie).

- The feedback from the survey will be utilised as part of the ongoing enhancement of our website.

- Our Customer Service Action Plan 2010-2012 can be found at www.orac.ie/customer service. The Plan was reviewed twice in 2011 to ensure that ORAC continued to meet its obligations to its customers.

- ORAC continued to participate in the Civil Service-wide Quality Customer Service Network during the year.

Croke Park Agreement

- During 2010, as part of the Public Service Agreement 2010-2014, ORAC drafted an organisational Action Plan which was submitted to the then Department of Justice and Law Reform and placed on the ORAC website in December 2010. This Action Plan sets out various actions the organisation will take in the areas of Business Process Improvement, Staffing and Structures and improved customer service in the period covered by the Agreement. During 2011, all targets under the Croke Park Agreement Action Plans continued to be reviewed at monthly management meetings. Quarterly reviews of staffing and targets were also completed and a targeted use of resources and internal work structures continued with a view to achieving maximum efficiencies in the organisation. As a follow on, scope for moving additional staff to INIS was also kept under ongoing review.

Partnership

- As in previous years, Social Partnership was a feature of the organisation’s interactions with staff and union representatives. The Partnership Committee discussed a variety of issues including change management and the Croke Park agreement, equality and diversity and ORAC’s Human Resources and Staff Support strategy for 2011-2013.
• The ninth ORAC Partnership Committee was formed in September 2011 and met once before the end of the year. The previous Partnership Committee met on 6 occasions during the year.

Information Technology

• During 2011, ORAC continued to comprehensively input into preparatory work for the development and introduction of the new AISIP (Asylum and Immigration Strategic Integration Programme) IT system for the Irish Naturalisation and Immigration Service and associated offices. ORAC staff were seconded to the AISIP Project team as and when required.

• The AISIP system went live on 24 October 2011. One of the benefits of the new system is that it enables decision makers to have access to a person’s immigration history, thereby leading to better informed decisions.

• The new system has also meant the introduction of a new approach to case file numbering, allowing applicants to communicate with ORAC, either using their Person Identity number or Application reference number. This should allow for more efficient responses to queries or correspondence.

Corporate Developments

• A new Corporate Plan to cover the period 2012-2014 was developed. This plan will assist the organisation in continuing to lead the way forward as both a high quality asylum determination agency and a public service office. It will guide the Office in the run up to the commencement of the Immigration, Residence and Protection Bill, 2010. A copy of the Corporate Plan is available on www.orac.ie.

• As in previous years, the Business Planning process continued to be given a high priority in 2011, with regular senior management and unit meetings held to review work progress and to ensure that work priorities were highlighted. During the year risk management and risk assessment were key elements of our business planning process. The new Corporate Plan 2012-2014, in conjunction with ORAC’s Strategy Statement for 2010-2012, provides the organisation with a framework for excellence for mapping out ORAC's business processes in the challenging times ahead.

• Business Plans include objectives and outputs for all Units arising from the commencement of the Immigration, Residence and Protection Bill, 2010, once it is enacted.

• ORAC continued to give a high priority to health and safety matters in 2011. A Health and Safety Policy Statement continues to enable the Office to meet its responsibilities to staff and customers under health and safety legislation. It involves a number of ongoing initiatives which include:
  ▪ the appointment and training of staff as Fire Wardens and training of staff in First Aid and use of Cardiac Defibrillators.
  ▪ staff awareness of health and safety matters.
• ongoing review of office security and safety procedures for optimum safety of ORAC’s staff and customers.

• An ORAC Energy Action Plan was drafted in 2011 with input from staff members. The aim of the Plan, which builds on ORAC’s energy saving initiative, is to put in place measures to continue to assist ORAC to reduce energy consumption while at the same time continuing to have adequate heating and lighting and an acceptable working environment. Staff were invited to contribute to the development of the Plan which was also discussed at the Partnership Committee. In addition, in November, 2011, a representative from Aramark, the company employed by the Office of Public Works (OPW) to assist government departments and agencies in reducing their carbon emissions, gave a "Lunch & Learn" talk to ORAC staff on promoting energy awareness and energy saving measures.

Communications and Change Management

• Work continued on preparations for the enactment and commencement of the Immigration, Residence and Protection Bill, 2010. ORAC continued to be represented on the Implementation Project Board set up by INIS to prepare for the introduction of the new legislation.

• The Single Procedure Transition Team's Work Programme includes the development of the documentation, processes and policies required to implement the new legislation as well as the preparation of training manuals for staff in relation to the new systems and procedures.

• A regular Staff Bulletin was published for ORAC staff to keep them up-to-date on business developments.

• Our Customer Charter includes commitments in relation to consultation, specifically through a Customer Service Liaison Panel for NGOs. In this regard, a meeting of the Customer Service Liaison Panel took place in October 2011.
Part 3

Progress on 2010 - 2012 Strategy Statement
High Level Goals
Part 3

Progress on 2010 - 2012 Strategy Statement High Level Goals

High Level Goal 1

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

**Strategy Statement 2010-2012 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 and Equality.

- To achieve the full and efficient application of the Dublin II Regulation having due regard to the criteria for determining the Contracting State 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 goals and objectives in 2011

**Processing of asylum applications**

- A total of 1,290 applications were received in 2011. The month with the highest number of applications was January, with 133. The monthly average was 107 applications. The total for 2011 compares with 1,939 applications for 2010, a decrease of 33.5%.

- At the end of 2011, of the 248 applications on hand, 22 were over six months old. This effectively means that in the main ORAC was processing cases received in 2011.

- The top five countries for 2011 were Nigeria (14.1%), Pakistan (13.6%), China (11%), Democratic Republic of Congo (5.4%) and Afghanistan (5.2%). Nigeria was again the top applicant country in 2011. As with the previous year, there were a large number of countries with a small number of applications. For example, 3 or less applications were received from 30 countries. Overall, 27 countries had more than 10 applicants each.

- All prioritised applicants were processed in a median time of 30 working days during 2011. Prioritisation arises from an order of the Minister for Justice and Equality under the
relevant provision of the Refugee Act, 1996. In 2011, 3.5% of all applications were processed under the Ministerial Prioritisation Directive. These applications were normally scheduled for interview within 9 to 12 working days from the date of application and completed within a median processing time of 30 working days from the date of application.

- All other cases were processed to completion within a median time of 11.7 weeks. In the final quarter of 2011, the median processing time was 9.6 weeks. Processing times are determined by a range of factors such as the increasing complexity of the caseload and sometimes judicial review proceedings.

- To ensure the effective and efficient use of resources, in line with ongoing practice, the scheduling of interviews continued to be proactively managed to ensure that the maximum number of interviews were scheduled. New procedures dealing with the scheduling of interviews were introduced leading to greater efficiencies and better customer service.

- In accordance with requirements under the Refugee Act, 1996, ORAC also prioritised applications from persons in detention. The preliminary interview in these cases was carried out within 3 working days of the date of their application in so far as possible. Such applications were scheduled for their substantive interview on average within 9 working days and were finalised within an average of 17 working days for those applicants remaining in prison throughout the process. However the majority had been released before their claims were finalised.

- Although 75 applications - 5.8% of all applications - were received from persons in places of detention in 2011, less than 30% of these were interviewed in prison under section 11 of the Refugee Act, 1996. ORAC continued to liaise with the Irish Prison Service and the Garda National Immigration Bureau to ensure the efficient processing of these applications. New procedures for booking interviews in prison were put in place. Some cases were processed to finality while the applicant remained in detention and the remainder were scheduled for interview in ORAC as they had been released from detention prior to their interview date.

- In 2011, 26 applications were received from unaccompanied minors (separated children) seeking asylum which accounted for 2% of the total number of applications received. At the request of the RLS the timeframe for the scheduling of interviews for these applicants was extended from 20 to 25 days. This was done to allow the RLS more time for consultation with their client. Recommendations were issued within an average processing time of 9-10 weeks (except for those delayed for medical or other compelling reasons).

- In 2011, ORAC utilised interpretation and translation services in about 50 languages. Where it was not possible to source interpretation for certain rare languages locally, telephonic interpretation was used. However, ORAC made every effort to minimise the use of telephonic interpretation in favour of having the interpreter present at the interview. Procedures in place with the interpretation and translation service providers ensured the prompt processing of applications at each stage of the asylum process. These procedures were kept under review during the year and were augmented by regular contact with the service providers. During 2011, new contracts for the provision of both interpretation and translation services were put in place. These contracts came about through a tendering
process to which ORAC contributed. This process was led by the Irish Naturalisation and Immigration Service.

- Refresher training in refugee status determination (RSD) was delivered to relevant staff during the year. Training takes account of the Irish and EU legislative framework, the policies and procedures in place in the organisation, national and international jurisprudence, as well as the complexity and diversity of the current case load.

- Due to the complexity of the cases concerned, there continued to be a necessity to afford a number of applicants more than one substantive interview, including where applicants submitted new and/or additional information or documentation subsequent to their application.

- A training module in relation to the provision of interpretation in the context of the asylum procedure was developed by ORAC in conjunction with UNHCR, and the module was provided jointly by UNHCR and ORAC to interpreters in October 2011.

- Training was also provided in relation to the anti human trafficking procedures within ORAC.

- The use of focused interviewing of applicants continued to be utilised as a priority along with efficient and timely decision making having due regard to our statutory obligations to asylum seekers. Cases were researched and prepared prior to the substantive interviews, resulting in interviewers and decision makers having the most up-to-date reputable country of origin material, relevant refugee case law and emerging jurisprudence available to them at the required time.

- Almost all caseworkers used laptops at substantive interview. This enhanced the quality of interview notes for applicants and their legal representatives. It also enabled caseworkers at the substantive interviews to have immediate access to the necessary Country of Origin Information (COI) and other reputable reports. Where applicants’ statements ran contrary to the generally known facts and reputable information available in the public domain, interviewers were able to put these reports to the applicants at their interviews, and afford them the opportunity of commenting and making further submissions (if necessary) in advance of the final determination. This flexibility is particularly useful for those occasions where an applicant’s questionnaire is returned incomplete or only provides limited details on the person’s reasons for seeking refugee status.

- In co-operation with the Refugee Documentation Centre (RDC), caseworkers continued to be provided with country of origin information (COI) support.

- As part of its ongoing maintenance of ORAC’s Country of Origin Information (COI) resources, the Research (COI) and Legal Analysis Unit co-ordinated the creation of 63 COI packs by ORAC caseworkers which were added to the Caseworkers’ Shared Knowledge Database (CSK).

- ORAC is one of the main clients of the Refugee Documentation Centre (RDC) and is a member of the RDC Steering Group and also has regular bilateral meetings with it. In this way, both parties ensure that ORAC has timely access to reliable and comprehensive Country of Origin Information (COI). During 2011, the RDC expanded its services to
ORAC by providing COI tailored to the needs of the Family Reunification Unit, namely information on marriage and adoption requirements and procedures abroad. ORAC continues to liaise with the RDC in preparation for the introduction of a Single Procedure under the Immigration, Residence and Protection Bill, 2010.

- Where necessary in light of the proposed agenda, ORAC staff also attended meetings of other relevant bodies, such as the EU Eurasil Group and the Intergovernmental Consultations on Asylum, Refugee and Migration matters (IGC) based in Geneva at which developments and international best practice to do with Country of Origin Information were discussed.

- ORAC continued to use language analysis during the year to assist in establishing an applicant's claim as to their stated ethnic or geographic background. During 2011, a procurement competition was held for the provision of language analysis services. Language analysis testing involves the examination of an applicant's speech in order to assess, as specifically as possible, whether an applicant could be placed in the geographical area or speech community they claimed to be from. Where requested by ORAC, the language analysis report assists the caseworker with the overall assessment of all the elements of the applicant’s claim.

- As part of ORAC's quality assurance process, feedback continued to be provided to ORAC Case Processing Unit. In addition, feedback was provided by the Presenting Unit on the outcome of hearings before the Refugee Appeals Tribunal where the Commissioner's recommendation to refuse status was set aside. Relevant feedback to Case Processing is provided on an ongoing basis where recommendations have been upheld by the Tribunal. Any necessary changes in procedures arising from this process were implemented.

**Dublin II Regulation**

- During 2011, ORAC maximised its use of the Dublin II Regulation (which determines the Contracting State responsible for processing an asylum application). In this context we continued to use the EURODAC fingerprinting process, AVATS (Automated Visa Application and Tracking System), e-Visa and other visa and residence histories of applicants in examining whether an asylum application should be examined in the State. In addition, where the time limits under the Dublin II Regulation may have expired, visa and residence information continues to be of considerable use in substantive asylum interviews in the examination of claims.

- 243 determinations were made in ORAC in 2011 under the Dublin II process compared to 263 in 2010. While this represents a decrease in absolute numbers, the use of Dublin II as a proportion of cases finalised increased from 12% in 2010 to 13.2% in 2011.

- 1,010 sets of fingerprints were taken and transmitted to EURODAC during 2011 with 135 hits confirmed. The fingerprints of all applicants over 14 years of age are taken and transmitted to EURODAC.

- Fingerprints of asylum applicants have been taken since November 2000 under the Refugee Act, 1996. The destruction of 10-year-old fingerprints which commenced during
2010 in line with the requirements of the Refugee Act, 1996, continued with 11,958 records destroyed during 2011.

- Full use continued to be made of AFIS (Automated Fingerprint Identification System) as a means of taking applicants' fingerprints and communicating speedily with the EURODAC fingerprint network.

**Family Reunification**

- 244 applications for family reunification were received in 2011, a reduction of 24.4% on the figure for 2010. Under the Refugee Act 1996, ORAC has responsibility for the investigation of applications for family reunification and for the transmission of a report to the Minister for Justice and Equality based on each of those investigations. The decision on these applications is a matter for the Minister. To further the depth and quality of the investigation and reporting process, enhanced procedures, with appropriate training, were brought into use during 2011. These procedures support a more in-depth investigation into each application in order to bring the case as near as possible to the point of decision.

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

- Preparations continued for the introduction of the Immigration, Residence and Protection Bill, 2010, subject to enactment by the Houses of the Oireachtas. 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.

- Preparatory work continued on the development of the documentation, processes and policies required to implement the Single Procedure. This included documentation such as the application forms, standard letters, applicant questionnaires and information leaflets required by the new legislation.

- Change management support and training arrangements were also progressed to prepare staff to effectively adapt to their role in the new legislative framework.

- Change management risk registers were maintained in each Unit in ORAC to take account of the introduction of the Single Procedure and other organisational changes resulting from the new legislation. These outline the key challenges for each ORAC Unit, the associated risks and the actions needed to address these risks and are reviewed by management on an ongoing basis.

- As part of ORAC’s preparations for the introduction of the AISIP IT system and of the Immigration, Residence and Protection Bill, 2010, the Judicial Review Unit, which has responsibility for handling all legal challenges to ORAC, continued to liaise closely with other Judicial Review Units within INIS. There were extensive discussions during the year on co-ordinating and aligning their business processes having due regard to relevant statutory frameworks.

- During 2011, in parallel with the work required for the change process, ORAC continued to fulfil its statutory obligations under the Refugee Act, 1996.
A regular newsletter was compiled and issued to ensure that staff in the organisation were kept updated on developments in relation to the legislative process as well as change management and business transformation issues generally.

As far as was practicable, ORAC also ensured that non-governmental organisations dealing with asylum seekers were kept updated on relevant developments. For example, the introduction of the Single Procedure was included as an agenda item on the Customer Service Liaison Panel meeting in October 2011.
High Level Goal 2

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

**Strategy Statement 2010-2012 Objectives**

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

**High quality investigation and processing of applications**

- Fair and transparent procedures remain a priority for ORAC in the carrying out of our legislative functions. During 2011, ORAC continued to review and revise, where necessary, our procedures in relation to the investigation and determination of asylum applications to ensure that policies and procedures in operation in the organisation were legally robust, and in accordance with national and EU legislation.

- ORAC continued to liaise with the Refugee Documentation Centre (RDC) to obtain reliable, up-to-date and comprehensive Country of Origin Information (COI) in a timely manner to assist in its analysis of applications for refugee status.

- ORAC again worked closely with the UNHCR on a range of matters including the provision of training, and other issues in relation to our current statutory framework. This relationship has been a significant resource to ORAC since its creation in 2000.

- The provision of central support, mentoring and guidance to staff continued to be a priority. Caseworkers and their managers were provided with in-house one to one and group mentoring on various topics relating to asylum law and emerging jurisprudence and, in the context of the investigation of certain applications, the Dublin II Regulation process.

- In the area of family reunification, a more complex level of investigation was required of ORAC. The immediate effect of this requirement was an increase in processing times and a decrease in the number of cases investigated, particularly in the early part of 2011. Significant work was carried out during the year to achieve the higher level of investigation required. This included further training for caseworkers, a revision of some of the procedures involved in the investigation process, a more systematic use of the resources of the Refugee Documentation Centre and the revision of some of the questionnaires in use. The result of these initiatives brought about an increase in the volume of cases investigated, a decrease in the average processing time as the year progressed and a decrease in the number of cases on hand. The effectiveness of the new questionnaires will be reviewed in the first quarter of 2012.

- In relation to customer service, 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 Action Plan. A correspondence tracking system was used for this purpose.

- 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 2010-2012.

- In 2011, ORAC continued to modify and enhance its own in-house refugee status determination (RSD) training modules and delivered the following training to staff involved in the processing of asylum applications:
  
  - RSD training to newly assigned caseworkers.
  - Refresher Training provided by UNHCR.
  - Specific training with regard to the implementation of certain aspects of the Refugee Act, 1996.
  - 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 other gender sensitive cases.
  - Anti human trafficking training.
  - Training for those dealing with applicants who were subjected to sexual violence, delivered by the Dublin Rape Crisis Centre.
  - Training in relation to the introduction of the new AISIP system.
  - Family Reunification training.
  - Seminar on Judicial Review.

- In addition, a number of briefing sessions for the new interpretation service provider were provided in conjunction with UNHCR.

- ORAC in-house training staff were involved in the development and delivery of a training programme for civilian staff in the new INIS Border Management Unit at Dublin Airport. ORAC also developed and delivered training modules for INIS units in relation to interview techniques and report writing.

- ORAC also provided refresher training to staff working in the ORAC Reception area.

- The psychological support system available to caseworkers and their managers continued to operate. This process, facilitated by the Employee Assistance Service, enables the provision of the necessary assistance to caseworkers involved in the RSD process including staff who deal with victims of torture and other vulnerable groups.

- ORAC continued to liaise regularly with other key stakeholders including the Irish Naturalisation and Immigration Service (INIS), the Health Service Executive (HSE), the Refugee Legal Service (RLS), the Garda National Immigration Bureau (GNIB), the Reception and Integration Agency (RIA), the Department of Health, the Department of Children and Youth Affairs and the Irish Prison Service, as well as non-governmental organisations.

- During 2011, the Quality Assurance Advisory Group continued its work of keeping processes and procedures under review and providing feedback to caseworkers. It also reviewed set aside decisions from the Refugee Appeals Tribunal and judicial review judgments for the same purpose. This Group is made up of representatives of all main
ORAC Units such as Case Processing, Judicial Review and Presenting and is supported by staff and legal interns assigned to the Legal Analysis Section of the Research (COI) and Legal Analysis Unit.

- Under the Refugee Act, 1996, applicants are not recommended 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 are regarded as potential “exclusion clause cases”. During 2011, the exclusion clause was considered in a number of cases.

- A main priority for ORAC is to continue to provide quality translation and interpretation services. During 2011, about 50 languages were used in the provision of both services. Where it was not possible to source interpreters of certain rare languages locally, telephonic interpretation was used. However, ORAC made every effort to minimise the use of telephonic interpretation in favour of having the interpreter present at the interview. Quality control and other procedures in place with the interpretation and translation service providers ensured the prompt and accurate processing of applications at each stage of the asylum process. These procedures were kept under review during the year and were augmented by regular meetings with the service providers. During 2011, new contracts for the provision of both interpretation and translation services were put in place. These contracts came about through a tendering process to which ORAC contributed. This process was led by the Irish Naturalisation and Immigration Service.

- ORAC dealt with all enquiries made under section 16(6) of the Refugee Act, 1996, received from the Refugee Appeals Tribunal within the set time frames. A total of 29 section 16(6) enquiries were received in 2011.

- Regular legal updates continued to be prepared for ORAC staff by the Legal Analysis Section, which summarise key judgments of Irish and other courts in relation to refugee law matters.

- The downward trend in the volume of legal challenges taken against ORAC continued into 2011. 79 legal challenges were received during 2011 (including 2 cases in relation to the Dublin II Regulation), in which ORAC was a respondent, compared with 112 cases during 2010. Apart from judicial review cases in the High Court and related appeals to the Supreme Court, ORAC also from time to time deals with injunctions, various types of summonses and requests for information in the context of Habeas Corpus applications.

- With regard to referrals to the Court of Justice of the European Union (CJEU), Judgment was delivered on 21 December 2011 in respect of the joined Irish and UK cases seeking a preliminary ruling in relation to the Dublin II Regulation8. The Court, inter alia, provided guidance in its judgment on the circumstances in which an asylum application can be transferred from one Dublin Contracting State to another where deficiencies in the asylum procedure of the receiving state exist.

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8 Joined cases C-411/10 and C-493/10: References for a preliminary ruling under Article 267 TFEU from the Court of Appeal (England & Wales) (Civil Division) (United Kingdom) and the High Court (Ireland), by decisions of 12 July and 11 October 2010, lodged at the Court on 18 August and 15 October 2010 respectively, in the proceedings N.S. (C-411/10) v Secretary of State for the Home Department and M.E. (C-493/10), A.S.M., M.T., K.P., E.H. v Refugee Applications Commissioner, Minister for Justice, Equality and Law Reform.
• Another case was referred by the High Court to the Court of Justice of the European Union in April 2011.\textsuperscript{9} This dealt with, inter alia, the requirements of Council Directive 2005/85/EC of 1 December 2005\textsuperscript{10}, on the examination or determination of a class of cases according to an accelerated or prioritised procedure, and the nature of the effective remedy in national law.

• The Judicial Review Unit continued to focus on achieving value for money, and in association with its counterparts in the Refugee Appeals Tribunal and INIS, continued to review its caseload management practices in co-operation with the Chief State Solicitor’s Office and Counsel. Among the initiatives undertaken under the INIS Business Transformation Process was a survey of senior management across all the organisations involved in the asylum process, to garner their suggestions for reducing legal costs. A Judicial Review Seminar was also organised for staff in all INIS Judicial Review Units, on the operation of the judicial review process.

• On those occasions where the grounds of an application for judicial review highlight an error or omission in ORAC’s procedures, ORAC is prepared to settle it in the interests of fairness and efficiency. Such instances are rare. Indeed, it is open to applicants or their legal representatives to draw such matters to ORAC’s attention prior to applying to the High Court. Where ORAC does not consider that the grounds in a judicial review disclose any error or omission on its part, it contests the application in order to protect the integrity of the asylum process.

• There were 238 outstanding legal challenges against ORAC in 2011, in comparison with 191 cases at the end of 2010. The increase is mainly due to the volume of cases which await finalisation of lead cases before the Court of Justice of the European Union concerning EU Council Directive 2005/85/EC and Council Regulation (EC) No. 343/2003\textsuperscript{11}. This in turn led to a reduced volume of High Court hearings of cases where ORAC was a respondent during the year.

• Total legal costs paid by ORAC in 2011 were €333,580.20 which was a significant reduction on the expenditure of €1,201,902.02 for 2010. Much of the 2011 expenditure related to cases heard in 2010 and before, and in some cases goes back a number of years. It also arises from the overall reduction in judicial reviews against ORAC coming for hearing before the High Court during that particular calendar year.

• In 2011, ORAC continued to provide placements under the Department of Justice and Equality’s Legal Interns Programme, the FÁS Work Placement Programme, and under the subsequent National Internship Programme (JobBridge).

• ORAC also participated in asylum-related working groups of the Inter Governmental Consultations on Asylum, Refugee and Migration matters (IGC) in Geneva, the European Asylum Support Office (EASO) and the European Union Network of Asylum Practitioners (Eurasil) in Brussels. ORAC staff also attended a number of meetings of EU Council working parties on various aspects of EU asylum law and procedures.


\textsuperscript{11} Council Regulation (EC) No. 343/2003 of 18 February 2003 establishing the criteria and mechanisms for determining the Member State responsible for examining an asylum application lodged in one of the Member States by a third-country national.
• The Commissioner is a member of the Management Board of the European Asylum Support Office (EASO) and attended 4 meetings of the Board in 2011. The aim of the EASO is to help to improve the implementation of the Common European Asylum System, to strengthen practical co-operation among Member States on asylum and to provide and/or co-ordinate the provision of operational support to Member States subject to particular pressure on their asylum and reception systems.

Open and Fair Procedure

• Applicants continued to be informed about their entitlements once an application for refugee status was made, including by the provision of a comprehensive Information Leaflet (in their own language where possible) about the asylum process in Ireland.

• Applicants are also required to complete a detailed questionnaire in advance of the substantive interview (provided to them in their own language where possible) about their claims for refugee status. Applicants continued to be 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.

• Applicants are also 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 the introduction of the new AISIP IT system on 24 October 2011, information on the system and its implications was made available, in writing, to applicants and relevant NGOs. The ORAC website was also utilised for this purpose.

• ORAC also continued to keep its processes and procedures under review to ensure, as far as practicable, that they operated in an open and transparent manner.

• ORAC continued to recognise the special needs of vulnerable applicants such as unaccompanied minors and to deal with these applicants in a professional and sensitive manner. Specific procedures and guidelines for caseworkers are in place 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. The procedures for dealing with unaccompanied minors at Reception in ORAC were revised in 2011.

• ORAC also reviewed and revised its anti human trafficking procedures and training on these procedures was provided to staff.

• ORAC has procedures in place to deal with cases where an applicant highlights a gender-related issue in a questionnaire or in other information provided. In these cases during 2011, ORAC endeavoured to ensure that the interpreter (if applicable) and the caseworker were the same gender as the applicant, subject to availability.

• ORAC continued to verify the accuracy of a percentage of translated documents on a regular and independent basis as part of a quality assurance initiative with translation service providers.
• ORAC continued to prioritise the provision of a high standard of interpretation services to all asylum applicants. This service was provided where necessary and possible through a contracted service provider. The provision of this service, together with a service for the accurate translation of documents, is essential for an open and fair asylum process.

• A training module in relation to the provision of interpretation in the context of the asylum process was developed by ORAC in conjunction with the UNHCR, and briefings were provided jointly by UNHCR and ORAC to interpreters.

• Feedback in relation to the interpretation service at interviews was also provided to the service provider at regular operational meetings and by telephone.

• ORAC continued to work closely with the Refugee Documentation Centre (RDC), in order to ensure it had access to up-to-date Country of Origin Information (COI). The RDC provides an e-library facility through which key COI databases such as the UNHCR Protection Information Section’s Refworld database (www.refworld.org) and the European Country of Origin Information Network (www.ecoi.net) database, as well as a range of other COI resources, can be accessed.

• Continued use of language analysis was also made during the year.

• During 2011, a procurement competition was held for the provision of language analysis services.
High Level Goal 3

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

Strategy Statement 2010-2012 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

- The main statutory function of ORAC during the year continued to be to identify applicants who came within the definition of a refugee as set out in section 2 of the Refugee Act, 1996, in a timely and fair manner.

- Applications examined under the Ministerial Prioritisation Directive were normally completed within a median processing time of 30 working days from the date of application.

- All other cases were processed to completion within a median time of 11.7 weeks (including cases which were delayed for medical or other compelling reasons or because of the complexity of the issues involved). In the final quarter of 2011, median processing times were 9.6 weeks. Processing times are determined by a range of factors such as the increasing complexity of the caseload and sometimes judicial review proceedings.

- At the request of the Refugee Legal Service (RLS) the timeframe for the scheduling of interviews for unaccompanied minors (separated children) was extended from 20 to 25 days. This was done to allow the RLS more time for consultation with their client. Recommendations were issued within an average processing time of 9-10 weeks (except for those delayed for medical or other compelling reasons).

- In accordance with requirements under the Refugee Act, 1996, ORAC also prioritised applications from persons in detention. The preliminary interview in these cases was carried out within 3 working days of the date of their application in so far as possible. Such applications were scheduled for their substantive interview on average within 9 working days and were finalised within an average of 17 working days for those applicants remaining in prison throughout the process. However the majority had been released before their claims were finalised.
ORAC maintains a Caseworkers Shared Knowledge Database, which stores source material from the Refugee Documentation Centre (RDC) in a user-friendly format to meet the Office’s needs. In co-operation with the RDC, this material was kept up-to-date to assist caseworkers in their preparation for interviews with applicants. In late 2010, the ORAC Research Unit commenced a review of the structure and content of the database in consultation with the Case Processing area. The review was completed during 2011. In addition, the RDC’s e-library facility continued to be available to ORAC staff. The RDC provided refresher training on the e-library to staff in the Presenting Unit during 2011.

ORAC updated its procedures to assist in determining whether applicants were over or under 18 years of age.

Detect and Minimise Abuse

The Office continued to enhance and monitor its procedures with a view to ensuring that any misuse of the asylum process was detected or minimised, and that the integrity of that process continued to be protected. A variety of initiatives continued to be undertaken for this purpose including specific caseworker training, the exchange of information in line with legislation with other bodies and EU States and the use of various information technology systems such as EURODAC, AFIS and AVATS.

ORAC's Investigations and Liaison Unit continued to develop initiatives to help detect and prevent abuses of the State's asylum system. It also monitored trends and liaised with other bodies such as the Irish Naturalisation and Immigration Service, the Garda National Immigration Bureau, the Anti-Human Trafficking Unit of the Department of Justice and Equality as well as other Government Departments and EU States, particularly the UK.

424 applications were deemed withdrawn in 2011, 144 of which were the result of the transfer of the applications under the Dublin II process. Applicants are required by law to co-operate with the asylum process. In situations where applicants failed to co-operate (e.g. not attending for interview on the appointed date without showing reasonable cause; not advising the Commissioner of a change of address or not providing information relevant to their application) their cases were deemed withdrawn under the provisions of the Refugee Act, 1996.

A significant number of applicants usually indicate that they travelled to the State by air, which would have required the presentation of identity documents, including visas at point of departure. However, at ORAC many such 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. The use of procedures and systems such as the Dublin II Regulation, EURODAC, AFIS (fingerprinting) 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.

In line with usual practice, where ORAC had concerns and doubts about the authenticity of identity documentation, they were referred to the Garda Technical Bureau (GTB) for examination.
• At the request of the Refugee Appeals Tribunal, a number of section 16(6) enquiries were made to the Garda National Immigration Bureau (GNIB) and the Garda Technical Bureau by the Presenting Unit to analyse various documents including identity documents such as passports or national identity documents.

• The internal reporting arrangements within ORAC in relation to human trafficking cases were also reviewed and updated.

• Arrangements to deal with potential trafficking cases continued in 2011. This involved liaison, for example, with the Anti-Human Trafficking Unit of the Department of Justice and Equality and the Garda National Immigration Bureau.

• Maximum use continued to be made during the year of the Dublin II Regulation and EURODAC fingerprints process in order to determine which applicants were liable for processing in another Contracting State.

• Access to AVATS (Automated Visa Application and Tracking System) in the Reception and Dublin Units of ORAC continued to be utilised to assist in the detection of applicants who made a visa application to enable them travel to the State, but who subsequently withheld this information in their asylum application.

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

• In 2011, ORAC’s Presenting team continued to represent the Commissioner at appeal hearings before the Refugee Appeals Tribunal (RAT). Due to falling numbers of asylum applications generally in the State, 795 hearings were serviced in 2011 compared with 1,828 in 2010. ORAC, in consultation with RAT, ensured that the maximum number of hearings scheduled during the year were serviced.

• In line with ORAC training policy, all Presenting Officers were fully trained in refugee status determination procedures, caseworker specific training and training in the Presenting function before being assigned cases before the Tribunal. To complement and reinforce their training, a number of additional training sessions were also provided for Presenting Officers. These included UNHCR refresher training, researching Country of Origin Information (COI), dealing with unaccompanied minors and dealing with allegations of trafficking by asylum applicants.

• ORAC dealt with all section 16(6) enquiries received from the Refugee Appeals Tribunal within the set time frames. A total of 29 section 16(6) enquiries were received and responded to in 2011.

• The panel of barristers, solicitors and law graduates, established in 2009, continued to support the Commissioner at hearings before the Refugee Appeals Tribunal although to a much lesser extent than in 2009 and 2010. Members of this panel are paid a fee on a "case completed" basis and were concerned with a specific backlog of RAT cases. Only "call back" cases (cases adjourned from a previous hearing where the Commissioner was represented by a panel member), were assigned to members of the panel on the elimination of the backlog earlier in the year.
Policies and procedures to preserve the integrity of the asylum system

- During 2011, the Policy and Procedures Unit continued to keep ORAC's key procedural and policy instructions up-to-date. This enabled all ORAC staff to have easy access to the policies and procedures in relation to their area of operation.

- The internal reporting procedures within ORAC in relation to human trafficking cases were also reviewed and updated in 2011.

- The procedures providing for ongoing liaison, between ORAC and the Anti-Human Trafficking Unit of the Department of Justice and Equality and the Garda National Immigration Bureau were reviewed.

- The Quality Assurance process continued to be emphasised with feedback provided to caseworkers and amendments made to internal procedures as appropriate. This included the review of the outcomes of judicial reviews and decisions of the Refugee Appeals Tribunal.

- ORAC also inputted into the work and attended meetings of relevant international fora dealing with asylum and refugee matters such as Working Groups of the European Union, the Inter Governmental Consultations on Asylum, Refugee and Migration matters (IGC) based in Geneva, the European Asylum Support Office (EASO), EU General Directors’ Immigration Services Conference (GDISC) and Eurasil (European Network for Asylum Practitioners).

- The Commissioner is Ireland’s representative on the European Asylum Support Office (EASO) Management Board, and attended 4 meetings of the Board in 2011.
High Level Goal 4

To maintain excellent customer service.

**Strategy Statement 2010-2012 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**

- In line with our Customer Service Action Plan 2010-2012 and Customer Charter, ORAC places a high emphasis on providing a professional, efficient and high quality service to all its customers.

- As part of our review of the customer service process, the Customer Service Centre conducts surveys to determine the views of our customers on the various services provided by ORAC. The 2011 external customer survey examined the quality of service provided to those using the ORAC website.

The main findings of the survey are as follows:

- In responding to the question ‘How easy do you find this website to use’, 68% of participants indicated that they were very satisfied/satisfied.
- 57% of respondents were very satisfied/satisfied that they found the information they needed quickly.
- 67% of respondents were very satisfied/satisfied with the website overall.
- 79% of respondents rated their level of satisfaction with the site at the time of their visit as very satisfied/satisfied.

- The feedback from the survey will be utilised as part of the ongoing enhancement of our website.

- An internal survey of documentation which issues to our clients was also carried out.

- As part of our ongoing monitoring of our commitments to our customers as set out in the Customer Charter and Customer Service Action Plan, we continued to review response times to all correspondence received in the organisation to ensure that all correspondence was tracked and that a reply issued within 20 working day except in the most exceptional circumstances.

- Staff continued to be updated regularly on organisational developments, in line with the organisation’s internal communications strategy.

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As part of the commitments set out in our Customer Service Action Plan, a meeting of the Customer Service Liaison Panel took place at the end of October 2011. The Panel is made up of key ORAC staff and all relevant NGOs dealing with asylum seekers and refugees.

ORAC continued its commitment to meet with other relevant agencies, including the HSE and RLS, in order to exchange views on the efficient and effective operation of the asylum process.

The Corporate & Customer Service Centre dealt with 12,378 enquiries during the year. For more information, see Table A at Appendix 5.

Clear information to customers

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

- The nature of the comprehensive information material provided to applicants on the asylum process is outlined elsewhere in this report.

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 2010-2012 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 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**

- Business planning is a key element of the ORAC management process. ORAC’s use of the business planning process to enable the organisation to highlight priorities in terms of available resources and to assess work progress regularly continued in 2011. As in previous years, each unit’s Business Plan was reviewed quarterly and any relevant adjustments made accordingly.

- Unit Business Plans in 2011 continued to place a strong emphasis on the prompt and efficient processing of applications for asylum, family reunification and Dublin II Regulation cases as well as appeals before the Refugee Appeals Tribunal. In 2011, Business Plans included commitments in respect of Customer Service and Quality Assurance.

- Risk management assessment continued to be part of business planning in 2011. This assists the organisation in identifying any potential risks in advance and ensures that mitigations and controls continue to be put in place to minimise the impact on the organisation, its customers and stakeholders.

- Risk Registers for each Unit's Business Plan were monitored quarterly and appropriate action was taken where necessary.
Human Resources/Training

- ORAC’s third HR and Staff Support Strategy (for the period 2011-2013) provides a framework for the organisation until the Immigration, Residence and Protection Bill, 2010 is enacted and ORAC is subsumed into the Irish Naturalisation and Immigration Service (INIS). This Strategy reaffirms ORAC’s commitment to supporting its entire staff with a wide range of commitments contained in the Strategy continuing to be implemented or progressed. Progress on implementation of the Strategy was monitored and reported regularly in 2011. A Progress Report was also prepared and circulated to the Partnership Committee and staff in 2011.

- ORAC continued to implement its second Training and Development Strategy and a wide range of commitments in the Strategy were finalised or progressed during 2011. Progress on the implementation is monitored and reported on in regular updates in Business Plans and in the Annual Report. The purpose of this strategy is to continue to set clear objectives for the provision and development of the knowledge, skills and competencies required to assist staff in achieving the goals of the organisation and also to provide for their personal development training. Work on the development of a third Strategy to cover the period 2012 -2014 commenced during the year.

- All members of staff continued to participate in the Performance Management and Development System (PMDS) during 2011. The purpose of PMDS is to manage each staff member's work performance, development and career in the context of achieving individual, divisional and overall organisational goals. The benefits of PMDS for staff members, managers and the organisation include providing clarity on roles and priorities, improving performance and contributing to a systematic approach to personal development.

- The Peer Support Project continued in 2011 with the support of the Department of Justice and Equality’s Employee Assistance Officer. The objective of peer support, which was introduced in 2003, is to ensure that ORAC has the necessary systems in place to support staff who deal with applicants who are the victims of torture or other forms of degrading treatment in their countries of origin.

- In 2011, ORAC continued to prioritise the needs of its staff in the areas of job specific development and training in a cost effective manner. In total, 454 Training Units were provided to staff in the organisation during the year. An Annual Training Plan for 2011 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.

Training delivered in 2011 included the following:

- RSD training to newly assigned caseworkers.
- Refresher Training provided by UNHCR.
- Specific training with regard to the implementation of certain aspects of the Refugee Act, 1996.
- Mentoring of 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 other gender sensitive cases.
- Anti human trafficking training.
- Training for those dealing with applicants who were subjected to sexual violence, delivered by the Dublin Rape Crisis Centre.
- Training in relation to the introduction of the new AISIP system.
- Family Reunification training.
- Refresher training for Reception Unit staff.
- Seminar on Judicial Review.
- A number of briefing sessions for the new interpreter service provider were provided in conjunction with UNHCR.

- ORAC’s in-house training staff were involved in the development and delivery of a training programme for civilian staff in the new INIS Border Management Unit at Dublin Airport as well as training modules for INIS units in relation to interview techniques and report writing.

- ORAC staff inputted into the development of the European Asylum Curriculum in the context of the European Asylum Support Office.

- Along with the delivery of operational training, training courses in the following areas were delivered: First aid, Train the Trainer, time management, conflict management, communication skills, quality customer service, stress management, meetings and minute taking skills, SPSS statistical training.


- In accordance with the INIS Business Transformation Process which is aimed at delivering improved services and greater efficiency and value for money, the staffing resources of the Office were kept under continuous review at both unit and organisational level. A reallocation and reorganisation of resources took place internally and on an INIS-wide basis, during the year to meet changing business needs.

- As a result of the continuing fall in asylum applications and the continuing need to deploy and use resources efficiently, a number of staff were redeployed to INIS and to the Department of Justice and Equality during 2011. In addition, one staff member was redeployed to the Department of Social Protection and one staff member was seconded to the Department of Public Expenditure and Reform. Three staff also retired during the year. These staff were not replaced.

- Two staff members continued to be seconded to the Reporting and Analysis Unit (RAU). The purpose of the RAU is to support INIS (including ORAC) generally in relation to the provision of statistical information for management, operational and strategic planning purposes.

- Three staff members continued to be seconded full-time to the AISIP Project, with additional staff being transferred temporarily to the Project Team as required.

- The provision of “Lunch and Learn” sessions for staff continued in 2011 on a variety of work related and general issue topics. A wide range of worklife balance schemes are
available to staff including worksharing, Shorter Working Year leave, flexitime and parental leave and these continued to be promoted.

- During 2011, support continued to be provided to managers (and other nominated staff) on devolved HR functions.

- In 2011, ORAC continued to implement its Equality Policy and Programme and a progress report was prepared and circulated to all staff. ORAC continued to provide placements under the Department of Justice and Equality’s Legal Interns Programme, the FÁS Work Placement Programme and under the subsequent National Internship Programme (JobBridge).

- Regular liaison was maintained with the Employee Assistance Officer.

- The staff suggestion scheme, initiated in 2006, continued during the year to give staff the opportunity to put forward ideas which benefit the organisation.

**Information Technology and Statistics**

- The AISIP (Asylum and Immigration Strategic Integration Programme) IT system for INIS and associated agencies, including ORAC, went live on 24 October 2011.

- ORAC continued to play a key role in preparatory work for the development of AISIP both at Project Board and expert group level. This included an ORAC staff member leading the INIS change management process for AISIP. Staff were seconded from ORAC to the AISIP Project team for a variety of tasks, such as User testing and the development and delivery of training.

- AISIP will enable decision makers to have access to a person’s immigration history, thereby leading to better informed decisions.

- The AISIP IT system also meant the introduction of a new approach to case file numbering, allowing applicants to communicate with ORAC, either using their Person Identity number or Application reference number. This should allow for more efficient responses to queries or correspondence.

- Detailed information was provided to ORAC customers and relevant NGOs on the AISIP system before it went live, including in writing and via the ORAC website.

- The CITRIX IT system of the Department of Justice and Equality continued to provide support for ORAC’s information databases including Management Live.

- Training was provided to incoming staff of the Judicial Review Unit on the use of Intelliview software. Intelliview is used for generating statistical reports from the Legal Challenges Database.

- Full use continued to be made of the Refugee Documentation Centre (RDC) eLibrary. The RDC manages a Country of Origin Information System (eLibrary), which is available to bodies dealing with the asylum process, including ORAC. The system provides facilities
for the maintenance of and access to electronic information including COI reports, Country Information Packs, anonymised COI query responses, library catalogue and legal materials. Access to the RDC lending library and the management of the receipt and processing of queries received in relation to asylum applications from RDC clients, are among its other functions. The RDC coordinates with the software provider to ensure the facilities are continually upgraded, and provides refresher training to staff as required. During 2011, it provided refresher training to staff in ORAC’s Presenting Unit.

- Contracting States to the Dublin II Regulation communicate through a secure electronic communications system known as DubliNET. The IT Division of the Department of Justice and Equality also continued to support this system in 2011.

Financial Resources

- Appropriate internal and external financial controls were applied by ORAC in 2011 to ensure that expenditure came within budget and that we were in compliance with relevant Financial Policy Procedures and Public Procurement Guidelines. Expenditure was also monitored to ensure value for money.

- ORAC’s expenditure outturn for 2011 is included at Appendix 6.

Internal Support Services

- ORAC’s shared services function (organisation and financial support) continued to be provided by the INIS Shared Services Unit which includes former ORAC staff.

- During 2011, the copying/registry function of the Administration and Arrangements Unit continued to provide a key support service to the Office by copying 1,205 files and dealing with 2,123 Helpdesk queries. A total of 16,043 file movements and other transactions were completed during the year. Work practices for creating, copying, constructing and moving case files were reviewed and streamlined in conjunction with other units in ORAC, with a view to achieving maximum efficiencies in the use of staff and resources.

- In 2011, ORAC utilised interpretation and translation services in about 50 languages. Where it was not possible for the service provider to source interpretation for certain rare languages locally, telephonic interpretation was used. However, ORAC made every effort to minimise the use of telephonic interpretation in favour of having the interpreter present at the interview. Procedures in place with the interpretation and translation service providers ensured the prompt processing of applications at each stage of the asylum process. These procedures were kept under review during the year and were augmented by regular contact with the service providers. During 2011, new contracts for the provision of both interpretation and translation services were put in place. These contracts came about through a tendering process to which ORAC contributed. This process was led by the Irish Naturalisation and Immigration Service.
Partnership

- As in previous years, continued emphasis was placed on the Partnership process as a key element in the management of modernisation and change in ORAC. Our ninth Partnership Committee was formed in September 2011 and had its first meeting before year’s end. Some 6 meetings of ORAC’s eighth Partnership Committee were held to discuss a range of issues.

- Now in its 5th year, the ORAC Social Committee continued to promote social activities in the organisation and ran a variety of events during the year.

- The Local Community Fundraising Committee raised a total of €765 which was presented to the local conference of the St Vincent de Paul at the end of the year.

Corporate Developments

- ORAC’s 2010-2012 Strategy Statement continues to set a clear direction for the Office’s activities in the lead up to the planned new statutory arrangements in the Immigration, Residence and Protection Bill, 2010, (subject to enactment) under which ORAC will be subsumed into the Irish Naturalisation and Immigration Service (INIS).

- A new Corporate Plan to cover the period 2012-2014 was developed. This plan will assist the organisation in continuing to lead the way forward as both a high quality asylum determination agency and a public service office. It will guide the Office in the run up to the commencement of the Immigration, Residence and Protection Bill, 2010. A copy of the Corporate Plan is available on www.orac.ie.

- ORAC’s Health and Safety Policy Statement continues to enable the Office to meet its responsibilities to staff and customers under health and safety legislation. It involves a number of ongoing initiatives which include:
  - Appointment and training of staff as Fire Wardens and training of staff in First Aid and use of Cardiac Defibrillators.
  - Staff awareness of health and safety matters.
  - Ongoing review of Office security and safety procedures for optimum protection of ORAC’s staff and customers.

Energy Awareness

- An ORAC Energy Action Plan was drafted in 2011 with input from staff members. The aim of the plan, which builds on ORAC’s energy saving initiative, is to put in place measures to continue to assist ORAC in reducing its energy consumption, while at the same time continuing to have adequate heating and lighting and an acceptable working environment. Staff were invited to contribute to the development of the plan which was also discussed at the Partnership Committee.

- From 2010, all Government Departments and Offices are required to report annually on their energy usage and actions taken to reduce energy consumption and in this regard the Office achieved a saving of approximately 10% on its energy usage in 2011 compared
with 2010. Gas and electricity were the only forms of energy used in our Timberlay House building and the energy savings achieved during the year were as a result of, inter alia, staff initiative and monitoring of the light and heat systems. Other work in respect of energy saving included:

- Thermostats on all radiators in the building were repaired to allow staff monitor heat flow more efficiently.
- Presentation to staff from Energy Saving advisor Aramark.

- A more detailed breakdown of our energy usage can be found in Appendix 7.
Part 4

Appendices
Appendix 1

ORAC Management Staffing Structure
## Appendix 1

### ORAC Management Staffing Structure

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<td>Staff Support &amp; Training Unit*</td>
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* These Units report directly to the Commissioner.

** 1 Principal Officer vacancy.
Appendix 2
Overview of Units of ORAC
Appendix 2 - Overview of Units of ORAC

1. Administration and Arrangements Unit
The functions of the 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 recommendation 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 Unit.
   • to process correspondence in relation to the Case Processing Unit.
   • to manage file movement and file copying in ORAC.

2. Case Processing Unit
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 Unit is the fair, timely and efficient investigation of applications for a declaration of refugee status 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’ refugee status.

3. Corporate and Customer Service Centre
The role of the Corporate Office is to oversee the provision of quality administrative and secretarial support to the Refugee Applications Commissioner and his senior Management Team to enable him to discharge his statutory and non-statutory functions. The office co-ordinates material in response to requests from, inter-alia, other parts of the Irish Naturalisation and Immigration Service (INIS), Government Departments/agencies and the media; prepares all corporate documents and is responsible for their circulation. 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).

4. Dublin Regulation Unit
This Unit deals with the implementation of the Dublin II Regulation. The Unit is responsible for determining whether asylum applications should be transferred for examination to other Contracting States and deals with requests from other Contracting States to transfer applicants for asylum to this State.

5. 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 and provides a report in this regard to the Minister for Justice and Equality.

6. Investigation and Liaison Unit
The Investigation and Liaison Unit is responsible for developing initiatives to assist in protecting the integrity of the asylum system.
7. Judicial Review Unit
The Judicial Review Unit prepares the ORAC response to applications for judicial review (including leave applications), for first instance recommendations and/or procedures.

8. Policy and Procedures Unit
The role of this Unit is to act as a central knowledge resource and to lead the development and ongoing review of ORAC policy and procedures in relation to the management and investigation of asylum applications. The Unit also co-ordinates and provides the appropriate training for staff in relation to the refugee status determination process.

9. 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.

10. Reception Unit
The Reception Unit deals with the acceptance and processing of asylum applications when first received in ORAC including taking of fingerprints and undertaking decisions in respect of the EURODAC fingerprinting system.

11. Reporting and Analysis Unit
The Reporting and Analysis Unit (RAU) is responsible for providing statistical and management information and for the compilation and circulation of periodic statistical reports. The ORAC RAU is part of the INIS RAU.

12. Research (COI) and Legal Analysis Unit
The Unit is responsible for:
- COI/Research for case processing support purposes.
- Management of the language analysis function.
- Legal analysis/research work in relation to judicial reviews, ORAC’s policies and procedures, and other legal work which is undertaken for the Commissioner, and
- Support to the quality assurance function within ORAC.

13. Single Procedure Transition Team
The Single Procedure Transition Team (SPTT) is responsible for the development of the procedures and policies as well as the training programmes required to facilitate the implementation, when enacted, of the Immigration, Residence and Protection Bill, 2010. The Bill will result in the introduction of a Single Procedure for the consideration of refugee, subsidiary protection and leave to remain type matters.

14. Staff Support and Training Unit
The role of the Staff Support and Training Unit is to coordinate and facilitate the delivery of training to staff and to provide other staff support functions. 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.
Appendix 3
Applications/Processing Statistics
Table 1. Number of applications per year from 1992 to 2011

<table>
<thead>
<tr>
<th>Year</th>
<th>Applications</th>
<th>Change on previous year (%)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1992</td>
<td>39</td>
<td>-</td>
</tr>
<tr>
<td>1993</td>
<td>91</td>
<td>133.3</td>
</tr>
<tr>
<td>1994</td>
<td>362</td>
<td>297.8</td>
</tr>
<tr>
<td>1995</td>
<td>424</td>
<td>17.1</td>
</tr>
<tr>
<td>1996</td>
<td>1,179</td>
<td>178.1</td>
</tr>
<tr>
<td>1997</td>
<td>3,883</td>
<td>229.3</td>
</tr>
<tr>
<td>1998</td>
<td>4,626</td>
<td>19.1</td>
</tr>
<tr>
<td>1999</td>
<td>7,724</td>
<td>67.0</td>
</tr>
<tr>
<td>2000</td>
<td>10,938</td>
<td>41.6</td>
</tr>
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<td>2001</td>
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<td>-5.6</td>
</tr>
<tr>
<td>2002</td>
<td>11,634</td>
<td>12.7</td>
</tr>
<tr>
<td>2003</td>
<td>7,900</td>
<td>-32.1</td>
</tr>
<tr>
<td>2004</td>
<td>4,766</td>
<td>-39.7</td>
</tr>
<tr>
<td>2005</td>
<td>4,323</td>
<td>-9.3</td>
</tr>
<tr>
<td>2006</td>
<td>4,314</td>
<td>-0.2</td>
</tr>
<tr>
<td>2007</td>
<td>3,985</td>
<td>-7.6</td>
</tr>
<tr>
<td>2008</td>
<td>3,866</td>
<td>-3.0</td>
</tr>
<tr>
<td>2009</td>
<td>2,689</td>
<td>-30.4</td>
</tr>
<tr>
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<td>1,939</td>
<td>-27.9</td>
</tr>
<tr>
<td>2011</td>
<td>1,290</td>
<td>-33.5</td>
</tr>
<tr>
<td>Total</td>
<td>86,297</td>
<td></td>
</tr>
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</table>

Table 2. Applications received by month and year

<table>
<thead>
<tr>
<th>Month</th>
<th>2010</th>
<th>2011</th>
<th>Year on year change (%)</th>
</tr>
</thead>
<tbody>
<tr>
<td>January</td>
<td>189</td>
<td>133</td>
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<tr>
<td>February</td>
<td>176</td>
<td>125</td>
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<tr>
<td>March</td>
<td>167</td>
<td>127</td>
<td>-24.0</td>
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<td>April</td>
<td>161</td>
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<tr>
<td>May</td>
<td>179</td>
<td>100</td>
<td>-44.1</td>
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<tr>
<td>June</td>
<td>154</td>
<td>114</td>
<td>-26.0</td>
</tr>
<tr>
<td>July</td>
<td>162</td>
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<tr>
<td>August</td>
<td>174</td>
<td>113</td>
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<td>September</td>
<td>155</td>
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<td>October</td>
<td>143</td>
<td>72</td>
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<td>154</td>
<td>117</td>
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<tr>
<td>December</td>
<td>125</td>
<td>96</td>
<td>-23.2</td>
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<tr>
<td>Total</td>
<td>1,939</td>
<td>1,290</td>
<td>-33.5</td>
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</table>
Table 3. Applications per year from 1992 to 2011 by gender

<table>
<thead>
<tr>
<th>Year</th>
<th>Male</th>
<th>Female</th>
<th>Total</th>
<th>Male to Female ratio</th>
</tr>
</thead>
<tbody>
<tr>
<td>1992</td>
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<td>8</td>
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<td>3.9</td>
</tr>
<tr>
<td>1993</td>
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<td>28</td>
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<td>264</td>
<td>97</td>
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<td>1995</td>
<td>334</td>
<td>90</td>
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<tr>
<td>1996</td>
<td>875</td>
<td>299</td>
<td>1,179</td>
<td>2.9</td>
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<td>1,240</td>
<td>3,883</td>
<td>2.1</td>
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<tr>
<td>1998</td>
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<td>1,757</td>
<td>4,626</td>
<td>1.6</td>
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<td>7,724</td>
<td>1.8</td>
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<td>10,938</td>
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<td>4,878</td>
<td>10,325</td>
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<td>5,861</td>
<td>11,634</td>
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<tr>
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<td>3,944</td>
<td>3,956</td>
<td>7,900</td>
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<td>2004</td>
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<td>1,545</td>
<td>4,323</td>
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<td>4,314</td>
<td>2.0</td>
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<td>3,985</td>
<td>1.6</td>
</tr>
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<td>3,866</td>
<td>1.8</td>
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<td>1.9</td>
</tr>
<tr>
<td>2011</td>
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<td>86,297</td>
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* The totals in respect of these years include cases where 'Gender' was not recorded.

Table 4. Applications per year by age grouping

<table>
<thead>
<tr>
<th>Year</th>
<th>Child [0 - 17]</th>
<th>Adult [18+]</th>
<th>Total</th>
<th>Adult to Child ratio</th>
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<tbody>
<tr>
<td>1992</td>
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<td>33</td>
<td>39</td>
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<tr>
<td>1993</td>
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<td>1994</td>
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<td>330</td>
<td>362</td>
<td>10.6</td>
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<td>1995</td>
<td>27</td>
<td>397</td>
<td>424</td>
<td>14.7</td>
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<td>1996</td>
<td>138</td>
<td>1,041</td>
<td>1,179</td>
<td>7.5</td>
</tr>
<tr>
<td>1997</td>
<td>791</td>
<td>3,092</td>
<td>3,883</td>
<td>3.9</td>
</tr>
<tr>
<td>1998</td>
<td>1,063</td>
<td>3,563</td>
<td>4,626</td>
<td>3.4</td>
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<tr>
<td>1999</td>
<td>1,370</td>
<td>6,354</td>
<td>7,724</td>
<td>4.6</td>
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<td>8,482</td>
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<td>7,672</td>
<td>10,325</td>
<td>2.9</td>
</tr>
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<td>2002</td>
<td>2,678</td>
<td>8,956</td>
<td>11,634</td>
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</tr>
<tr>
<td>2003</td>
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<td>6,005</td>
<td>7,900</td>
<td>3.2</td>
</tr>
<tr>
<td>2004</td>
<td>1,071</td>
<td>3,695</td>
<td>4,766</td>
<td>3.5</td>
</tr>
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<td>2005</td>
<td>926</td>
<td>3,397</td>
<td>4,323</td>
<td>3.7</td>
</tr>
<tr>
<td>2006</td>
<td>964</td>
<td>3,350</td>
<td>4,314</td>
<td>3.5</td>
</tr>
<tr>
<td>2007</td>
<td>1,025</td>
<td>2,960</td>
<td>3,985</td>
<td>3.9</td>
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<tr>
<td>2008</td>
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<td>3,866</td>
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<td>764</td>
<td>1,925</td>
<td>2,689</td>
<td>2.5</td>
</tr>
<tr>
<td>2010</td>
<td>573</td>
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<td>1,939</td>
<td>2.4</td>
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<tr>
<td>2011</td>
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<td>903</td>
<td>1,290</td>
<td>2.3</td>
</tr>
<tr>
<td>Total</td>
<td>19,852</td>
<td>66,439</td>
<td>86,297</td>
<td>3.3</td>
</tr>
</tbody>
</table>

* The totals in respect of these years include cases where 'Age' was not recorded.
Table 5. Age stated by applicants 2011

<table>
<thead>
<tr>
<th>Age Group</th>
<th>Male</th>
<th>Female</th>
<th>Total</th>
<th>Total (%)</th>
<th>Male to Female ratio</th>
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<tbody>
<tr>
<td>0 - 4</td>
<td>121</td>
<td>133</td>
<td>254</td>
<td>19.7</td>
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<tr>
<td>5 - 12</td>
<td>39</td>
<td>24</td>
<td>63</td>
<td>4.9</td>
<td>1.6</td>
</tr>
<tr>
<td>13 - 17</td>
<td>171</td>
<td>67</td>
<td>238</td>
<td>18.4</td>
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<td>18 - 24</td>
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<td>426</td>
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<td>1.6</td>
</tr>
<tr>
<td>25 - 34</td>
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<td>66</td>
<td>178</td>
<td>13.8</td>
<td>1.7</td>
</tr>
<tr>
<td>35 - 44</td>
<td>29</td>
<td>15</td>
<td>44</td>
<td>3.4</td>
<td>1.9</td>
</tr>
<tr>
<td>45 - 54</td>
<td>37</td>
<td>33</td>
<td>70</td>
<td>5.4</td>
<td>1.1</td>
</tr>
<tr>
<td>55 +</td>
<td>9</td>
<td>8</td>
<td>17</td>
<td>1.3</td>
<td>1.1</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>779</td>
<td>511</td>
<td>1,290</td>
<td><strong>1.5</strong></td>
<td></td>
</tr>
</tbody>
</table>

Percentages may not add up to 100% due to rounding.

Table 6. Places of application

<table>
<thead>
<tr>
<th>Place of application</th>
<th>2010 Applications</th>
<th>%</th>
<th>2011 Applications</th>
<th>%</th>
</tr>
</thead>
<tbody>
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<td>ORAC</td>
<td>1,519</td>
<td>78.3</td>
<td>1,002</td>
<td>77.7</td>
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<td>Airports</td>
<td>273</td>
<td>14.1</td>
<td>203</td>
<td>15.7</td>
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<td>85</td>
<td>6.6</td>
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<td><strong>Total</strong></td>
<td>1,939</td>
<td></td>
<td>1,290</td>
<td></td>
</tr>
</tbody>
</table>
Table 7. Top six stated countries of origin 2011 and comparison with 2010

<table>
<thead>
<tr>
<th>Nationality</th>
<th>2010 Applications</th>
<th>2010 %</th>
<th>2011 Applications</th>
<th>2011 %</th>
<th>Year on year change (%)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Nigeria</td>
<td>387</td>
<td>20.0</td>
<td>182</td>
<td>14.1</td>
<td>-53.0</td>
</tr>
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<td>200</td>
<td>10.3</td>
<td>175</td>
<td>13.6</td>
<td>-12.5</td>
</tr>
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<td>228</td>
<td>11.8</td>
<td>142</td>
<td>11.0</td>
<td>-37.7</td>
</tr>
<tr>
<td>DR Congo</td>
<td>71</td>
<td>3.7</td>
<td>70</td>
<td>5.4</td>
<td>-1.4</td>
</tr>
<tr>
<td>Afghanistan</td>
<td>69</td>
<td>3.6</td>
<td>67</td>
<td>5.2</td>
<td>-2.9</td>
</tr>
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<td>Zimbabwe</td>
<td>48</td>
<td>2.5</td>
<td>66</td>
<td>5.1</td>
<td>37.5</td>
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<td>Others</td>
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<td>48.3</td>
<td>588</td>
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<td>1,290</td>
<td></td>
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</tr>
</tbody>
</table>

Percentages may not add up to 100% due to rounding.

Table 8. Top six stated countries of origin 2011 by gender

<table>
<thead>
<tr>
<th>Nationality</th>
<th>Male</th>
<th>Female</th>
<th>Male to Female ratio</th>
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</thead>
<tbody>
<tr>
<td>Nigeria</td>
<td>89</td>
<td>93</td>
<td>1.0</td>
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<td>Pakistan</td>
<td>121</td>
<td>54</td>
<td>2.2</td>
</tr>
<tr>
<td>China</td>
<td>99</td>
<td>43</td>
<td>2.3</td>
</tr>
<tr>
<td>DR Congo</td>
<td>33</td>
<td>37</td>
<td>0.9</td>
</tr>
<tr>
<td>Afghanistan</td>
<td>63</td>
<td>4</td>
<td>15.8</td>
</tr>
<tr>
<td>Zimbabwe</td>
<td>30</td>
<td>36</td>
<td>0.8</td>
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<tr>
<td>Others</td>
<td>344</td>
<td>244</td>
<td>1.4</td>
</tr>
<tr>
<td>Total</td>
<td>779</td>
<td>511</td>
<td>1.5</td>
</tr>
</tbody>
</table>
Table 9. Applications from unaccompanied minors, 2000 to 2011 by gender

<table>
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<tr>
<th>Year</th>
<th>Male</th>
<th>Female</th>
<th>Total</th>
<th>Male to Female ratio</th>
</tr>
</thead>
<tbody>
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<td>2000</td>
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<td>97</td>
<td>302</td>
<td>2.1</td>
</tr>
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<td>2001</td>
<td>373</td>
<td>227</td>
<td>600</td>
<td>1.6</td>
</tr>
<tr>
<td>2002</td>
<td>167</td>
<td>121</td>
<td>288</td>
<td>1.4</td>
</tr>
<tr>
<td>2003</td>
<td>127</td>
<td>144</td>
<td>271</td>
<td>0.9</td>
</tr>
<tr>
<td>2004</td>
<td>56</td>
<td>72</td>
<td>128</td>
<td>0.8</td>
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<tr>
<td>2005</td>
<td>71</td>
<td>60</td>
<td>131</td>
<td>1.2</td>
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<tr>
<td>2006</td>
<td>70</td>
<td>61</td>
<td>131</td>
<td>1.1</td>
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<tr>
<td>2008</td>
<td>51</td>
<td>47</td>
<td>98</td>
<td>1.1</td>
</tr>
<tr>
<td>2009</td>
<td>28</td>
<td>28</td>
<td>56</td>
<td>1.0</td>
</tr>
<tr>
<td>2010</td>
<td>12</td>
<td>25</td>
<td>37</td>
<td>0.5</td>
</tr>
<tr>
<td>2011</td>
<td>17</td>
<td>9</td>
<td>26</td>
<td>1.9</td>
</tr>
<tr>
<td>Total</td>
<td>1,216</td>
<td>946</td>
<td>2,162</td>
<td>1.3</td>
</tr>
</tbody>
</table>

* Each month ORAC over-schedules allowing cancellations to be substituted with another active interview, thus preventing the loss of an interview slot. The above figures relate to the amount of interviews that ORAC had the capacity to service.

Table 10. Interviews scheduled and attended 2011

<table>
<thead>
<tr>
<th>Month</th>
<th>Jan</th>
<th>Feb</th>
<th>Mar</th>
<th>Apr</th>
<th>May</th>
<th>Jun</th>
<th>Jul</th>
<th>Aug</th>
<th>Sep</th>
<th>Oct</th>
<th>Nov</th>
<th>Dec</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Scheduled</td>
<td>119</td>
<td>135</td>
<td>141</td>
<td>136</td>
<td>145</td>
<td>141</td>
<td>110</td>
<td>120</td>
<td>89</td>
<td>84</td>
<td>97</td>
<td>64</td>
<td>1,381</td>
</tr>
<tr>
<td>Attended</td>
<td>97</td>
<td>107</td>
<td>121</td>
<td>107</td>
<td>122</td>
<td>113</td>
<td>101</td>
<td>105</td>
<td>78</td>
<td>72</td>
<td>88</td>
<td>59</td>
<td>1,170</td>
</tr>
<tr>
<td>% Attended</td>
<td>81.5</td>
<td>79.3</td>
<td>85.8</td>
<td>78.7</td>
<td>84.1</td>
<td>80.1</td>
<td>91.8</td>
<td>87.5</td>
<td>87.6</td>
<td>85.7</td>
<td>90.7</td>
<td>92.2</td>
<td>84.7</td>
</tr>
</tbody>
</table>

* Each month ORAC over-schedules allowing cancellations to be substituted with another active interview, thus preventing the loss of an interview slot. The above figures relate to the amount of interviews that ORAC had the capacity to service.
### Table 11. Cases finalised 2011

<table>
<thead>
<tr>
<th>Category</th>
<th>Total (%)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Granted</td>
<td>3.3</td>
</tr>
<tr>
<td>Refused s.13(4)(b)</td>
<td>34.2</td>
</tr>
<tr>
<td>Refused s.13(5)</td>
<td>23.1</td>
</tr>
<tr>
<td>Withdrawn s.13(2)</td>
<td>3.1</td>
</tr>
<tr>
<td>Deemed Withdrawn s.13(2)</td>
<td>15.3</td>
</tr>
<tr>
<td>Deemed Withdrawn s.22(8)</td>
<td>7.9</td>
</tr>
<tr>
<td>Dublin II Regulation</td>
<td>13.2</td>
</tr>
<tr>
<td><strong>Total cases finalised</strong></td>
<td>1,834</td>
</tr>
</tbody>
</table>

Sections refer to those of the Refugee Act, 1996. Percentages may not add up to 100% due to rounding.

**Grant**

The Commissioner has made a recommendation that the applicant be granted refugee status.

**Refused s.13(4)(b)**

The Commissioner has made a recommendation that the applicant should not be granted refugee status. An appeal to the Refugee Appeals Tribunal must be taken within 15 days.

**Refused s.13(5)**

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). An appeal to the Refugee Appeals Tribunal must be taken within 10 days.

**Refused s.13(2)**

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.

**s. 22(8)**

Cases finalised under section 22(8) relate to applicants transferred under the Dublin II Regulation in respect of which determinations were made by ORAC.

**Dublin II Regulation**

Where it is established that the applicant’s claim for refugee status should be determined in another Contracting State under the Dublin II Regulation.
Table 12. Comparison of applications received and cases finalised 2011

<table>
<thead>
<tr>
<th>Jan</th>
<th>Feb</th>
<th>Mar</th>
<th>Apr</th>
<th>May</th>
<th>Jun</th>
<th>Jul</th>
<th>Aug</th>
<th>Sep</th>
<th>Oct</th>
<th>Nov</th>
<th>Dec</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>133</td>
<td>125</td>
<td>127</td>
<td>87</td>
<td>100</td>
<td>114</td>
<td>111</td>
<td>113</td>
<td>95</td>
<td>72</td>
<td>117</td>
<td>96</td>
<td>1,290</td>
</tr>
<tr>
<td>189</td>
<td>185</td>
<td>170</td>
<td>154</td>
<td>164</td>
<td>151</td>
<td>173</td>
<td>146</td>
<td>143</td>
<td>129</td>
<td>133</td>
<td>97</td>
<td>1,834</td>
</tr>
</tbody>
</table>

Table 13. Recommendations issued 2011

<table>
<thead>
<tr>
<th>Recommendation</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Granted</td>
<td>4.2</td>
</tr>
<tr>
<td>Refused s.13(4)(b)</td>
<td>43.3</td>
</tr>
<tr>
<td>Refused s.13(5)</td>
<td>29.2</td>
</tr>
<tr>
<td>Withdrawn s.13(2)</td>
<td>23.2</td>
</tr>
<tr>
<td>Total recommendations made</td>
<td>1,447</td>
</tr>
</tbody>
</table>

Excludes cases processed under the Dublin II Regulation.
Sections refer to those of the Refugee Act, 1996.
Percentages may not add up to 100% due to rounding.
Table 14. Applications outstanding as at 31-Jan-2011 to 31-Dec-2011

Month | Cases pending | Change on previous month (%) |
--- | --- | --- |
January 2011 | 515 | - |
February 2011 | 497 | -3.5 |
March 2011 | 465 | -6.4 |
April 2011 | 426 | -8.4 |
May 2011 | 389 | -8.7 |
June 2011 | 370 | -4.9 |
July 2011 | 327 | -11.6 |
August 2011 | 315 | -3.7 |
September 2011 | 283 | -10.2 |
October 2011 | 238 | -15.9 |
November 2011 | 244 | 2.5 |
December 2011 | 248 | 1.6 |

Table 15. Comparison of yearly applications received and those outstanding at year end

Year | Applications received | Cases pending | Change in cases pending (%) |
--- | --- | --- | --- |
1997 | 3,883 | 3,886 | - |
1998 | 4,626 | 5,993 | 54.2 |
1999 | 7,724 | 7,985 | 33.2 |
2000 | 10,938 | 10,127 | 26.8 |
2001 | 10,325 | 8,483 | -16.2 |
2002 | 11,634 | 5,094 | -40.0 |
2003 | 7,900 | 4,554 | -10.6 |
2004 | 4,766 | 2,350 | -48.4 |
2005 | 4,323 | 1,169 | -50.3 |
2006 | 4,314 | 924 | -21.0 |
2007 | 3,985 | 1,279 | 38.4 |
2008 | 3,866 | 1,196 | -6.5 |
2009 | 2,689 | 470 | -60.7 |
2010 | 1,939 | 541 | 15.1 |
2011 | 1,290 | 248 | -47.2 |
Appendix 4

Dublin II Regulation Statistics
Statistics for the Dublin II Regulation for the period of 01/01/2011 to 31/12/2011

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

688
(a further 3 enquiries were awaiting a reply at the beginning of 2011)

- No. of Positive replies received to Art.21: 240
- No. of enquiries where No Record found: 398
- No Response: 9
- Awaiting Reply: 44

**No. of Formal Requests made to Dublin II Regulation Contracting States**

274
(a further 17 requests were awaiting a reply at the beginning of 2011)

- No of Formal Requests Accepted: 225
- No of Formal Requests Deemed Accepted: 3
- No of Formal Requests Rejected: 45
- No of Formal Requests Withdrawn: 1

**No. of Determinations issued**

243

Files returned to the Substantive process: 34

No. of files to DJE* for removal from the State: 243

No. of Transfers: 144

* Department of Justice and Equality
Table 1. Article 21 enquiries to Dublin II Contracting States - 2011

<table>
<thead>
<tr>
<th>Month</th>
<th>Jan</th>
<th>Feb</th>
<th>Mar</th>
<th>Apr</th>
<th>May</th>
<th>Jun</th>
<th>Jul</th>
<th>Aug</th>
<th>Sep</th>
<th>Oct</th>
<th>Nov</th>
<th>Dec</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Requests</td>
<td>43</td>
<td>72</td>
<td>64</td>
<td>59</td>
<td>60</td>
<td>45</td>
<td>54</td>
<td>61</td>
<td>42</td>
<td>30</td>
<td>95</td>
<td>63</td>
<td>688</td>
</tr>
</tbody>
</table>

Table 2. Replies received in 2011 to Article 21 enquiries to other Dublin II Contracting States

<table>
<thead>
<tr>
<th></th>
<th>Replies</th>
<th>Total (%)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Positive</td>
<td>240</td>
<td>37.1</td>
</tr>
<tr>
<td>Negative</td>
<td>398</td>
<td>61.5</td>
</tr>
<tr>
<td>No response</td>
<td>9</td>
<td>1.4</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>647</td>
<td><strong>647</strong></td>
</tr>
</tbody>
</table>

Note:
Refers to the year in which the reply was received, not the year in which the request was sent.
Excludes 44 awaiting reply.
Table 3. Formal requests to Dublin II Contracting States - 2011

<table>
<thead>
<tr>
<th>Month</th>
<th>Jan</th>
<th>Feb</th>
<th>Mar</th>
<th>Apr</th>
<th>May</th>
<th>Jun</th>
<th>Jul</th>
<th>Aug</th>
<th>Sep</th>
<th>Oct</th>
<th>Nov</th>
<th>Dec</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Requests</td>
<td>30</td>
<td>24</td>
<td>23</td>
<td>26</td>
<td>13</td>
<td>23</td>
<td>35</td>
<td>32</td>
<td>17</td>
<td>9</td>
<td>17</td>
<td>25</td>
<td>274</td>
</tr>
</tbody>
</table>

Excludes 17 awaiting reply.

Table 4. Replies received in 2011 to formal requests made to other Dublin II Contracting States

<table>
<thead>
<tr>
<th></th>
<th>Replies</th>
<th>Total (%)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Accepted</td>
<td>225</td>
<td>82.1</td>
</tr>
<tr>
<td>Deemed accepted</td>
<td>3</td>
<td>1.1</td>
</tr>
<tr>
<td>Rejected</td>
<td>45</td>
<td>16.4</td>
</tr>
<tr>
<td>Withdrawn</td>
<td>1</td>
<td>0.4</td>
</tr>
<tr>
<td>Total</td>
<td>274</td>
<td></td>
</tr>
</tbody>
</table>

Note:
Refers to the year in which the reply was received, not the year in which the request was sent.
Excludes 17 awaiting reply.
Table 5. Formal requests from other Dublin II Contracting States to Ireland - 2011

<table>
<thead>
<tr>
<th>Month</th>
<th>Jan</th>
<th>Feb</th>
<th>Mar</th>
<th>Apr</th>
<th>May</th>
<th>Jun</th>
<th>Jul</th>
<th>Aug</th>
<th>Sep</th>
<th>Oct</th>
<th>Nov</th>
<th>Dec</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Requests</td>
<td>25</td>
<td>19</td>
<td>43</td>
<td>20</td>
<td>21</td>
<td>16</td>
<td>19</td>
<td>27</td>
<td>22</td>
<td>14</td>
<td>23</td>
<td>22</td>
<td>271</td>
</tr>
</tbody>
</table>

Note: Total of 271 includes 241 'take back' requests and 30 'take charge' requests.

Table 6. Replies to formal requests from other Dublin II Contracting States to Ireland - 2011

<table>
<thead>
<tr>
<th></th>
<th>Replies</th>
<th>Total (%)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Accepted</td>
<td>208</td>
<td>72.7</td>
</tr>
<tr>
<td>Rejected</td>
<td>28</td>
<td>9.8</td>
</tr>
<tr>
<td>Withdrawn</td>
<td>50</td>
<td>17.5</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>286</td>
<td></td>
</tr>
</tbody>
</table>

Note:
Refers to the year in which the reply was sent not the year in which the request was received.
The total of 286 replies includes 15 where the request was received prior to 2011.
Table 7. Transfers under Dublin II Regulation in 2011

<table>
<thead>
<tr>
<th>Month</th>
<th>Jan</th>
<th>Feb</th>
<th>Mar</th>
<th>Apr</th>
<th>May</th>
<th>Jun</th>
<th>Jul</th>
<th>Aug</th>
<th>Sep</th>
<th>Oct</th>
<th>Nov</th>
<th>Dec</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>In</td>
<td>8</td>
<td>10</td>
<td>24</td>
<td>17</td>
<td>10</td>
<td>5</td>
<td>14</td>
<td>8</td>
<td>10</td>
<td>12</td>
<td>6</td>
<td>9</td>
<td>133</td>
</tr>
<tr>
<td>Out</td>
<td>16</td>
<td>15</td>
<td>17</td>
<td>4</td>
<td>8</td>
<td>9</td>
<td>19</td>
<td>12</td>
<td>6</td>
<td>11</td>
<td>14</td>
<td>13</td>
<td>144</td>
</tr>
</tbody>
</table>
Appendix 5

Information on Requests Handled by Corporate & Customer Service Centre and Copying/Registry in 2011
Appendix 5

Information on Requests Handled in 2011

Table A – Corporate & Customer Service Centre

<table>
<thead>
<tr>
<th>Category</th>
<th>No. Processed</th>
</tr>
</thead>
<tbody>
<tr>
<td>Letters and Faxes</td>
<td>5,806</td>
</tr>
<tr>
<td>Telephone Enquiries</td>
<td>2,882</td>
</tr>
<tr>
<td>E-mail Enquiries</td>
<td>3,690</td>
</tr>
<tr>
<td>Total</td>
<td>12,378</td>
</tr>
</tbody>
</table>

Table B – Copying/Registry

<table>
<thead>
<tr>
<th>Category</th>
<th>No. Processed</th>
</tr>
</thead>
<tbody>
<tr>
<td>Enquiries</td>
<td>2,123</td>
</tr>
<tr>
<td>Files copied</td>
<td>1,205</td>
</tr>
<tr>
<td>File movement transactions</td>
<td>6,561</td>
</tr>
<tr>
<td>Other transactions</td>
<td>6,154</td>
</tr>
<tr>
<td>Total</td>
<td>16,043</td>
</tr>
</tbody>
</table>

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

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 Headquarters areas of the Irish Naturalisation and Immigration Service of the Department of Justice and Equality under Subhead D.1 of Justice Vote 19. The outturn for pay for Subhead D.1 of the Department of Justice and Equality was €29.248m*, of which €5.288m* was used by ORAC.


<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
<th>Total (%)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Translation &amp; Interpretation</td>
<td>€389,053</td>
<td>29.1</td>
</tr>
<tr>
<td>2. Legal Costs</td>
<td>€333,580</td>
<td>24.9</td>
</tr>
<tr>
<td>3. General Premises Expenses</td>
<td>€291,513</td>
<td>21.8</td>
</tr>
<tr>
<td>4. IT Maintenance/Consumables</td>
<td>€82,217</td>
<td>6.1</td>
</tr>
<tr>
<td>5. Miscellaneous</td>
<td>€52,090</td>
<td>3.9</td>
</tr>
<tr>
<td>6. Heat, Light &amp; Fuel</td>
<td>€36,251</td>
<td>2.7</td>
</tr>
<tr>
<td>7. Staff Training &amp; Development</td>
<td>€33,343</td>
<td>2.5</td>
</tr>
<tr>
<td>8. Stationery</td>
<td>€28,351</td>
<td>2.1</td>
</tr>
<tr>
<td>9. Postage</td>
<td>€22,391</td>
<td>1.7</td>
</tr>
<tr>
<td>10. Telecommunications</td>
<td>€20,328</td>
<td>1.5</td>
</tr>
</tbody>
</table>

Photocopying & Related Total ** €17,805 1.3
Travel Total (Home and Foreign) ** €12,650 0.9
Office Equipment ** €5,606 0.4
Travel Agent Costs ** €5,035 0.4
Library & Legal Research ** €3,304 0.2
Medical Costs ** €2,596 0.2
Publications ** €1,664 0.1
Legal Expenses ** €46 0.0
Advertising ** €0 0.0
Land & Buildings ** €0 0.0

Total* €1,337,823

Percentages may not add up to 100% due to rounding.

* As confirmed by Financial Management Unit, Department of Justice & Equality, 19 Jan 2012

Please note that this figure is subject to change until the 2011 Appropriation Account has been published for the Justice Vote.

** For the purposes of presentation totals outside the top 10 have been amalgamated.
Appendix 7

Overview of Energy Usage 2011
Appendix 7

Overview of Energy Usage 2011

In 2011 ORAC consumed **572000 MWh** of Energy, consisting of

- 245000 MWh of Electricity
- 327000 MWh of Gas

This compares to **636000 MWh** of Energy used in 2010:

- 256000 MWh of Electricity  (Represents saving of 11000 MWh)
- 380000 MWh of Gas       (Represents saving of 53000 MWh)

This represents a saving of approximately 10.1% on total energy usage.

**Actions Undertaken in 2011 to save energy were:**

- Posters concerning energy saving placed in appropriate areas.
- Stickers reminding staff about saving electricity put on PCs and at light switches.
- Emails issued regarding saving energy and closing down computers and other equipment efficiently during Bank Holiday periods.
- Heating temperatures monitored and heating system turned off during summer months.
- Thermostats on all radiators in the building were repaired to allow staff monitor heat flow more efficiently.
- Presentation to staff from Energy Saving advisor Aramark.
- Outside expert advice taken on how to reduce energy consumption.

**Actions Planned in 2012 to save energy**

- Ongoing implementation of Energy Action Plan.
- Participation in OPW "Optimising Power @ Work" Campaign (Saving 10% annually).
- Continue initiatives taken in 2010 and 2011.
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 and work permits. It is used as an aid in determining the substance of applications for declarations of refugee status.

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

Dublin II Regulation which came into operation on 1 September, 2003 replaces the Dublin Convention. This Regulation provides a mechanism for determining which Contracting State is responsible for examining an application for refugee status.

EASO (European Asylum Support Office) established under EU Regulation No. 439/2010. The Office became fully operational on 19 June 2011 and is located in Valetta, Malta. The purpose of the Office is to facilitate, co-ordinate and strengthen practical co-operation among Member States on asylum and help to improve the implementation of the Common European Asylum System. It also aims to provide effective operational support to Member States subject to particular pressure on their asylum and reception systems.

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 and country of origin information systems.

EURODAC A system for the electronic exchange of fingerprints between Contracting States.

Intergovernmental Consultations on Migration, Asylum and Refugees (IGC) This is an informal, non-decision making forum (based in Geneva) for intergovernmental information exchange and policy debate on issues of relevance to the management of international migratory flows. The IGC brings together seventeen participating states, the United Nations High Commissioner for Refugees, the International Organisation for Migration and the European Commission.


Refugee Legal Service The Refugee Legal Service is a service offered by the Legal Aid Board and 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 Contracting States.