



ÚDARÁS UCHTÁLA na hÉIREANN  
THE ADOPTION AUTHORITY of IRELAND

**Údarás Uchtála na hÉireann**  
**Adoption Authority of Ireland**

**Tuarascáil Bhlianúil 2018**  
**Annual Report 2018**

*To ensure the provision of the highest possible standards of adoption related services, throughout the lifelong adoption process, with the best interests of children as the first and paramount objective.*



Report of  
Údarás Uchtála na hÉireann  
Adoption Authority of Ireland  
for 2018

To: Dr. Katherine Zappone  
Minister for Children and Youth Affairs,  
Department of Children and Youth Affairs.

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## Foreword

In 2018, the Adoption Authority of Ireland ('the Authority') had a busy year pursuing a number of new initiatives alongside its ongoing statutory responsibilities. Several changes to procedures and systems were put in place prior to the enactment of the Adoption (Amendment) Act 2017 ('the 2017 Act').

In 2018, the Authority, along with the rest of Europe, was busy with preparations to ensure compliance with the General Data Protection Regulation (GDPR) that came into force in May 2018.

The Authority continued to plan and prepare for the passage of the Adoption (Information and Tracing) Bill 2016. It is hoped that this legislation will provide adopted people and other relevant people with statutory rights to information and to a tracing service, and will protect relevant records by bringing them into the custody of the Adoption Authority.

The Year in Review section (pages 32 to 40) of the report provides details of these and other developments during the year.

Figures for operational matters in 2018 and comparative figures for previous years are found in the statistics section starting at page 49. The numbers show that the Authority granted 72 domestic adoptions in 2018. The Authority continued its oversight of intercountry adoptions, which totalled 41 in 2018. In 2018, Thailand accredited Helping Hands as a mediation agency for Thai adoptions, and discussions with Manila are underway for Helping Hands Adoption Mediation Agency (HHAMA) to take over mediation of adoptions from the Philippines. In terms of Information and Tracing, the Authority received 121 requests for birth certificate releases and processed 639 applications to the voluntary adoption contact register, the National Adoption Contact Preference Register (NACPR), on which 105 matches between adopted persons and birth relatives were made in 2018.

The Authority continued to focus on Corporate Governance, ensuring compliance with the AAI Business and Corporate Plans in 2018, as well as the significant work undertaken by the Risk and Audit Committee (RAC).

In early October, the Authority hosted a visit by a delegation from Vietnam's Department of Adoption–Ministry of Justice, which Minister Katherine Zappone attended. The delegates met the Authority's Board and Executive for discussions about the current status of intercountry adoption. The Authority has accredited HHAMA to facilitate adoptions between Ireland and Vietnam, and cooperation with Vietnam to date has focused on achievements, challenges and due diligence in adoption matters.

The Authority has continued to prioritise hearing the voice of the child in all adoption-related matters and has participated in further collaborative initiatives with both the Department of Children and Youth Affairs and the Office of the Ombudsman for Children. In particular, the Authority has introduced changes to its procedures to ensure that children's voices are heard at all points in their adoption journey.

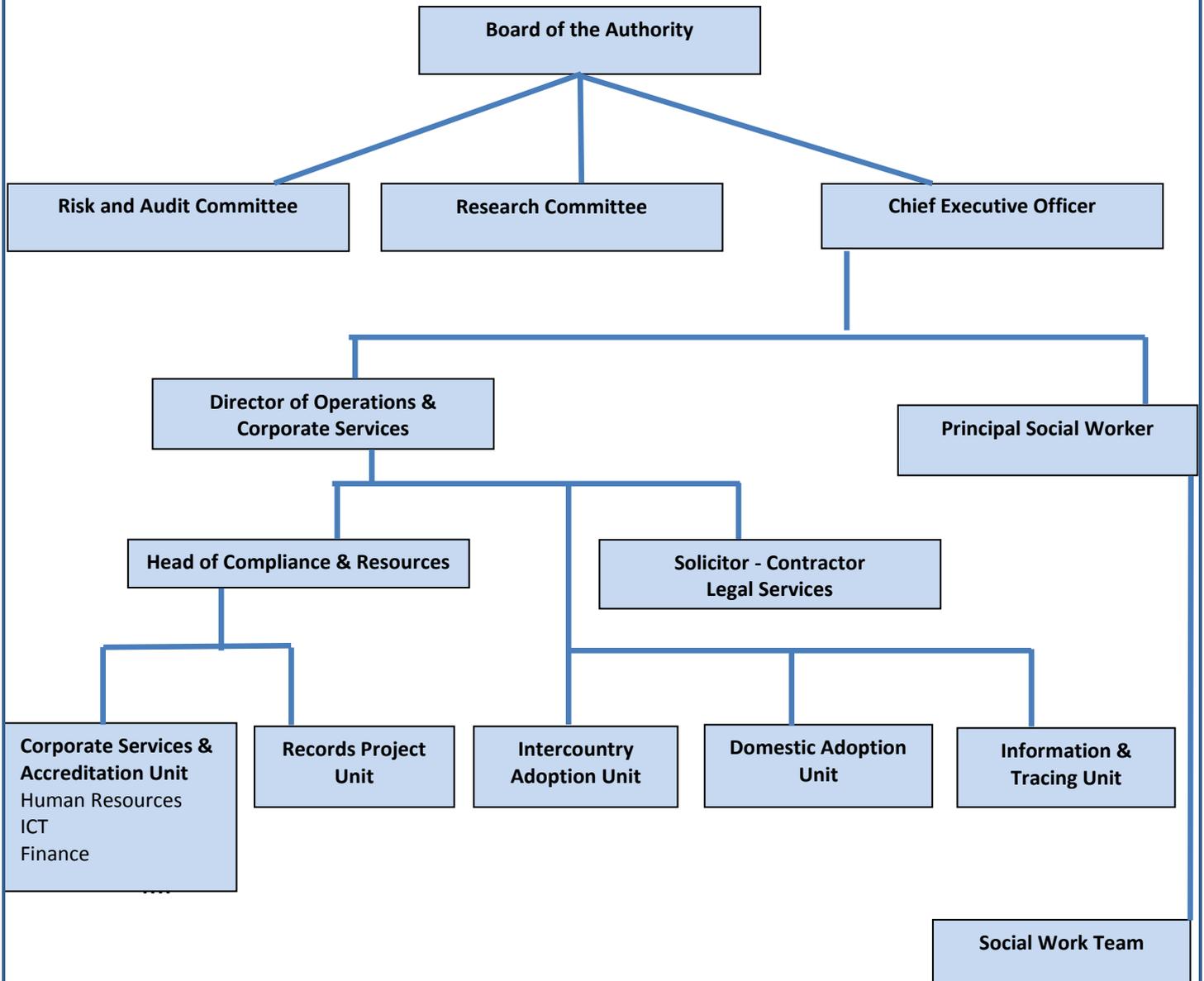
The Authority held meetings with various stakeholder groups, including at the Board's annual circuit, in Waterford in April. Among the stakeholders are the Accredited Agencies – the providers of services such as tracing, counselling or mediation for adopted persons or relatives of adopted persons – with which the Authority maintains close links as it fulfils its statutory role of regulation and evaluation.

We would like to express our appreciation to the Board Members and Executive of the Authority for their commitment and dedication to the work of the Authority. We also wish to acknowledge the continued support and assistance of the Minister for Children and Youth Affairs and the staff of the Department of Children and Youth Affairs.

Dr. Geoffrey Shannon  
Chairman

Ms. Patricia Carey  
CEO

# Organisation & Management Structure



## Chief Executive Officer and Senior Management Team 2018

Chief Executive Officer	Patricia Carey
Director of Operations and Corporate Services	Tara Downes
Head of Compliance and Resources	Fiona Monaghan
Principal Social Worker	Celia Loftus

# Board of the Adoption Authority

## Membership of the Board – 2018

Dr. Geoffrey Shannon, Chairperson  
Ms. Orlaith Traynor, Deputy Chairperson  
Professor Helen Buckley  
Mr. Paul Harrison  
Judge Patrick McMahon (Retd.)  
Ms. Anne O’Flaherty  
Dr. Margo Anglim

In accordance with the Adoption Act 2010 the Board shall consist of 7 members – the chairperson, the deputy chairperson and 5 ordinary members – appointed by the Minister for Children and Youth Affairs. The term of office of the Board is for a period not exceeding five years. An appointed member who completes a term of office is eligible for reappointment to the Board, but may not serve as a member for more than 2 consecutive terms. The current Board was established on 1 November 2015.

The attendance of the Chairperson or Deputy Chairperson and 2 ordinary members, one of whom shall be a social worker shall constitute a quorum.

In accordance with the Adoption Act 2010, at its discretion, the Board may appoint committees to advise it in relation to the performance of its functions.

## Committees of the Board

### Risk and Audit Committee

Ms. Claire Byrne (Chair)  
Mr. Aidan Browne, Member (to 27 March 2018)  
Ms. Tara McDermott, Member (from June 2018)  
Dr. Geoffrey Shannon, Chairman of the Authority  
Judge Patrick McMahon (Retd.), Member of the Authority

### Research Sub-Committee

Professor Helen Buckley (Chair), Member of the Authority  
Ms. Orlaith Traynor, Deputy Chair of the Authority  
Ms. Anne O’Flaherty, Member of the Authority  
Professor Gordon Harold, Andrew and Virginia Rudd Chair in Psychology, University of Sussex

Ms. Celia Loftus, Principal Social Worker, Adoption Authority

Professor Sheila Greene, Fellow Emeritus, School of Psychology, Trinity College Dublin

## **Governance**

The Board of the Adoption Authority of Ireland was established under the Adoption Act 2010. The functions of the Board are set out in section 96 of this Act. The Board is accountable to the Minister for Children and Youth Affairs and is responsible for ensuring good governance. It performs this task by setting strategic objectives and targets and taking strategic decisions on all key business issues. The regular day-to-day management, control and direction of the Adoption Authority of Ireland are the responsibility of the Chief Executive Officer (CEO) and the Senior Management Team. The CEO and the Senior Management Team must follow the broad strategic direction set by the Board, and must ensure that all Board members have a clear understanding of the key activities and decisions related to the entity, and of any significant risks likely to arise. The CEO acts as a direct liaison between the Board and staff and management of the Adoption Authority of Ireland.

## **Board Responsibilities**

The work and responsibilities of the Board are set out in the Adoption Authority of Ireland's Code of Governance. Standing items considered by the Board include:

- Declaration of interests;
- Reports from sub-committees;
- Financial Reports/Management Accounts;
- Performance Reports; and
- Reserved matters.

Section 112 of the Adoption Act 2010 requires the Board of the Adoption Authority of Ireland to keep, in such form as may be approved by the Minister for Children and Youth Affairs with consent of the Minister for Public Expenditure and Reform, all proper and usual accounts of money received and expended by it.

In preparing these financial statements, the Board of the Adoption Authority of Ireland is required to:

- select suitable accounting policies and apply them consistently;
- make judgements and estimates that are reasonable and prudent;
- prepare the financial statements on the going concern basis unless it is inappropriate to presume that it will continue in operation; and
- state whether applicable accounting standards have been followed, subject to any material departures disclosed and explained in the financial statements.

The Board is responsible for keeping adequate accounting records which disclose,

with reasonable accuracy at any time, its financial position and enables it to ensure that the financial statements comply with Section 112 of the Adoption Act 2010. The maintenance and integrity of the corporate and financial information on the Adoption Authority of Ireland's website is the responsibility of the Board.

The Board is responsible for approving the annual plan and budget. Evaluation of the performance of the Adoption Authority of Ireland by reference to the annual plan and budget is regularly considered at Board meetings.

The Board is also responsible for safeguarding its assets and hence for taking reasonable steps for the prevention and detection of fraud and other irregularities.

### **Meetings of the Board of the Authority**

In accordance with the Adoption Act 2010 the Board shall hold as many meetings as are necessary for performing its functions but shall hold at least 12 meetings a year. The Board held 23 meetings during 2018 including one meeting outside of Dublin which was held in Waterford in March.

Meetings of the Board are scheduled in such a way to facilitate one 'full' board meeting each month at which matters other than the granting of adoption orders are dealt with. The second meeting of the month is reserved for the granting of adoption orders and any other urgent business which may need to be dealt with on the day. In general, only a quorate Board is required to attend on the Adoption Order days and this is reflected in the attendance report on page 12.

Standing items on the agenda for 'full' meetings of the Board include:

- Declaration of conflict of interest;
- Minutes of the previous meeting;
- Risk and Governance;
- Accredited Bodies;
- CEO Report;
- Domestic Adoption;
- Information and Tracing;
- Intercountry Adoption;
- Other Business.

In 2018 the Risk and Governance section of the agenda widened significantly in recognition of the increased role and responsibility of the Board under the Code of Practice for the Governance of State Bodies. Matters considered under this part of the agenda during the year included regular matters such as

- Annual Reports;
- Business Plan;

- Corporate Plan;
- Risk Register and;
- Quarterly Management Accounts.

New matters this year included:

- Oversight Agreement with the Department of Children and Youth Affairs.
- Planning for compliance with General Data Protection Regulations.
- Drafting a suite of General Data Protection Regulations compliance documents.

The Board passed a resolution to have a minimum of one meeting each year for Governance matters only. The Governance meeting was held on 18 December 2018.

The CEO Report on the agenda provides information and updates to the Board on the operation of the Adoption Authority of Ireland, the implementation of Board policy, the implementation of the annual Business Plan, expenditure and budgetary matters and other relevant issues and/or developments.

Part 4 of the Adoption Act outlines the powers vested in the Board including:

- The power to issue Declarations of Eligibility and Suitability to prospective adopters;
- Hearing applications in relation to adoption orders and making adoption orders;
- The power to recognise intercountry adoptions effected outside the State.

These matters form part of the agenda for meetings of the Board and are dealt with under the Domestic and intercountry sections of the agenda.

On circuit in Waterford as well as conducting the normal business of the Board and granting adoption orders, the Board took the opportunity to meet with adoption service providers in the area, including Tusla - Child and Family Agency social workers and Local Adoption Committee representatives.

As required under the Code of Practice for the Governance of State Bodies, the Board met without the Executive (that is, the CEO, the Board Secretary and any other member of staff or management) on a number of occasions in 2018. On 13 November (Strategy Day) the meeting was conducted in the absence of the Executive and again on 18 December (Governance) the meeting was conducted in the absence of the Executive. On each of the 'full' board meeting dates the Board met without the Executive from 9.45 am for such period as was required to discuss matters. This practice will continue in 2019.

## Committees of the Board

### Risk and Audit Committee (RAC)

The Committee meets at least 4 times a year, with authority to convene additional meetings as circumstances require. The attendance of 2 non-executive committee members shall constitute a quorum. In 2018 the Committee met five times.

The Committee invited members of the Executive, auditors or others to attend meetings and to provide pertinent information, as necessary. The CEO and the Head of Compliance and Resources attend all meetings. Secretarial support is provided by Crowleys DFK.

Meeting agendas were prepared and provided in advance to committee members along with appropriate briefing materials. The Risk and Audit Committee maintained minutes or other reports of its meetings and activities. Audits commissioned by the Risk and Audit Committee included a review of the effectiveness of internal financial controls and, for the first time, a tax compliance audit. The 2018 Annual Report of the Risk and Audit Committee was formally presented to the Board at their meeting on 9 April 2019.

Further details of the work of the committee can be found on page 17.

### Research Committee

The Research Committee met on 3 occasions in 2018.

Secretarial support for the Research Committee was provided by the Adoption Authority.

The Committee commissioned a researcher to carry out research in 2018, this will be published in 2019. The first piece is an audit of Irish Research and the second an overview of policy and legislative change in relation to Adoption. The Committee also assisted the Executive in drawing up a job specification for a Research Officer post in the Authority. The Department of Children and Youth Affairs sanctioned the post and recruitment for this post will be completed in Q2 of 2019.

The frequency of meetings of the Board and its committees and the attendance of each Board member at Board meetings is reported below in compliance with the Code of Practice for the Governance of State Bodies.

Meetings 2017		Board of the Authority
9 January	Full	G. Shannon, O. Traynor, H. Buckley, P. McMahon attended
23 January		G. Shannon, O. Traynor, H. Buckley, P. Harrison attended

6 February	Full	G. Shannon, O. Traynor, H. Buckley, P. McMahon, P. Harrison, A. O'Flaherty, M. Anglim, attended
20 February		G. Shannon, O. Traynor, A. O'Flaherty, P. Harrison, P. McMahon, M. Anglim attended
6 March	Full	G. Shannon, H. Buckley, P. Harrison, P.. McMahon, A O'Flaherty, M. Anglim attended
20 March		All members attended
10 April	Full	G. Shannon, O. Traynor, H. Buckley, M. Anglim, P. McMahon, A. O'Flaherty attended
23 April Waterford		All members attended
15 May	Full	G. Shannon, O. Traynor, H. Buckley, P. Harrison, P. McMahon, M. Anglim attended
29 May		G. Shannon, O. Traynor, A. O'Flaherty, P. Harrison, P. McMahon, M. Anglim attended
12 June	Full	G. Shannon, O. Traynor, H. Buckley, M. Anglim, P. McMahon, A. O'Flaherty attended
26 une		G. Shannon, H. Buckley, A. O'Flaherty, M. Anglim
10 uly	Full	All members attended
24 July		G. Shannon, O. Traynor, H. Buckley A. O'Flaherty, P. McMahon, M. Anglim attended
30 July Roscommon		Adoption Order O. Traynor, M. Anglim, P. Harrison attended
5 September	Full	G. Shannon, O. Traynor, H. Buckley, P. McMahon, A. O'Flaherty, attended
25 September		G.. Shannon, O Traynor, P. Harrison, P. McMahon, A. O'Flaherty
9 October	Full	G. Shannon, O. Traynor, H. Buckley P. Harrison, A. O'Flaherty, M. Anglim attended
6 November	Full	All members attended
13 November		Board Strategy G. Shannon, O. Traynor, H. Buckley, A. O'Flaherty, M. Anglim, P. McMahon attended
20 November		G. Shannon, O. Traynor, H. Buckley, A. O'Flaherty, M. Anglim, P.McMahon, attended
11 December	Full	G. Shannon, O. Traynor, H. Buckley, P. Harrison, M. Anglim A. O'Flaherty, attended
19 December		Corporate Governance (AM), Adoption Orders (PM) G. Shannon, M. Anglim, A. O'Flaherty, H. Buckley, P. McMahon attended

Meetings 2018	Risk and Audit Committee
27 March	Full Attendance
11 June	Full Attendance
2 October	Apologies Patrick McMahon
21 November	Apologies Tara McDermott
4 December	Full Attendance

Dates of meetings 2018	Research Sub-Committee
22 January	Full attendance
5 April	Full attendance
24 July	Full attendance

## Roles and Responsibilities

### Chairperson

The primary role of the Chairperson is to provide leadership to the Board and the Adoption Authority of Ireland in discharging the responsibilities assigned to it under its establishment statute. The specific duties of the Chairperson relate to:

Managing the Authority by:

- appropriate agenda setting, management and support of Board meetings;
- chairing Board meetings characterised by clear decisions and the balancing of contributions from Board Members and the CEO/Executive;
- ensuring that the minutes of the meeting accurately record the decisions taken;
- conducting all meetings of the Board in accordance with the Authority's Code of Business Conduct and appropriately evaluating the Board's performance;
- ensuring Board members understand their respective roles and responsibilities and that the Board works effectively and efficiently;
- furnishing a Comprehensive Report to the Minister for Children and Youth Affairs in conjunction with the annual report and financial statements of the State body in compliance with Financial and Reporting arrangements under the Code of Practice for the Governance of State Bodies.

Managing key relationships/communications with:

- the CEO; including performance evaluation of the CEO;
- the Minister for Children and Youth Affairs and the Department of Children and Youth Affairs;
- other key external parties and by promoting the work and mission of the Authority;
- the Board, reflecting a tone of respect, trust and candour that allows for challenging questions and inputs;
- the appropriate Oireachtas Sub-Committee(s).

### Chief Executive Officer

The Adoption Act 2010 provides that the CEO is the Accounting Officer for the Adoption Authority of Ireland and clearly defines the accountability framework in which the Adoption Authority of Ireland operates. This is supported by the

governance framework and corporate governance arrangements within the organisation.

The Board is accountable to the Minister for Children and Youth Affairs, and through the Minister, to the government. It is also accountable through the Chief Executive Officer as Accounting Officer to the Oireachtas under the Committee of Public Accounts and other committees of the Oireachtas. The Board must submit an annual report and such other information as the Minister may require.

The Chief Executive Officer is responsible for:

- the implementation of policies approved by the Board;
- the day-to-day management of the staff;
- administration and business of the Adoption Authority of Ireland;
- preparation of the annual budget for approval by the Board and its submission to the Department of Children and Youth Affairs;
- providing updates to the Board, and other committees of the Board, in regard to the management of the Adoption Authority of Ireland;
- implementation of policy and progress on the strategic plan.

# Corporate Governance

## **General**

The Adoption Act 2010 is the legislative basis for the establishment of the Authority. The Authority operates in accordance with best practice corporate governance principles in line with the Adoption Act 2010 and, where applicable, the guidelines as set out in the Code of Practice for the Governance of State Bodies 2016.

## **Financial Control**

The budget of the Adoption Authority of Ireland is allocated through the Department of Children and Youth Affairs. In 2018 the financial allocation of the Adoption Authority was €4.392 million.

As set out in Section 112 of the Adoption Act 2010 the Chief Executive Officer is responsible for preparing financial statements and for ensuring the accountability of the Authority's transactions.

The functions underpinning these responsibilities include authorising and monitoring payments for goods and services, tendering processes and compilation of monthly returns to the Department of Children and Youth Affairs.

The financial statements are subject to audit by the Office of the Comptroller and Auditor General. Financial Statements for a particular year are generally not audited at the time of the relevant annual report's publication. Once certified by the Office of the Comptroller and Auditor General, the 2018 Statements will be published on the Authority's website.

Crowleys DFK Chartered Accountants provided accountancy services to the Authority during 2018.

## **Internal Financial Control**

The Board has overall responsibility for the internal financial control of the Adoption Authority of Ireland. It delegates responsibility for monitoring the effectiveness of risk management and the internal control environment to the Risk and Audit Committee. The Committee receives regular reports from management, the Chief Risk Officer, internal audit, and external auditors. Such arrangements are designed to manage rather than eliminate the risks facing the Adoption Authority of Ireland.

## **Budget Management**

The Chief Executive Officer and the Senior Management Team prepare an annual budget based on the operational and developmental needs of the Adoption Authority of Ireland. The annual budget is recommended for approval by the Chief Executive Officer to the Board. Day-to-day responsibility for managing expenditure within budget limits is assigned to the CEO and the Head of Compliance and Resources with support from the Authority's finance consultants Crowleys DFK.

Budgets are monitored closely with monthly reports furnished to the Department of Children and Youth Affairs and the CEO.

### **Risk and Audit Committee**

The Risk and Audit Committee is chaired by an external person and includes the Chair of the Board, a member of the board and one other external member with significant business expertise and experience within the public and private sectors.

The Chief Executive Officer and the Head of Compliance and Resources attend all meetings of the Committee. The Committee sat 5 times during 2018 and met with representatives from the Comptroller and Auditor General and internal auditors. In their Annual Report 2018 the Committee expressed satisfaction with the general financial control environment operating within the Authority.

The Committee plays a fundamental role in ensuring that the Adoption Authority of Ireland functions according to good governance, accounting and auditing standards and adopts appropriate management and risk arrangements. It does this by overseeing and advising the Board and the Chief Executive Officer as Accounting Officer on the following matters:

- the strategic processes for risk, internal control and governance;
- the accounting policies, the financial statements, and the annual report of the Adoption Authority of Ireland, including the process for review of the financial statements prior to submission for audit, levels of error identified, and management's letter of representation to the external auditors;
- the planned activity and results of both internal and external audit;
- adequacy of management response to issues identified by audit activity, including external audit's management letter of representation;
- assurances relating to the management of risk and corporate governance requirements for the Adoption Authority of Ireland;
- proposals for tendering for either internal or external audit services or for purchase of non-audit services from contractors who provide audit services;
- anti-fraud policies, protected disclosure processes, and arrangements for special investigations; and
- the Risk and Audit Committee periodically reviews its own effectiveness and reports the results of that review to the Board.

The Committee's agenda in 2018 included:

- Presentation of draft 2017 annual financial statements for discussion and approval;
- Internal Audit 2017 Review of the effectiveness of the system of internal financial controls;

- Internal Audit Review of Tax Compliance;
- Results of the self-assessment review of effectiveness;
- Draft Risk and Audit Committee Annual Report to the Board;
- Discussion and approval of 2018 Risks Register;
- Discussion and approval of 2018 Internal Audit Plan;
- Checklist of Internal Controls;
- Management Accounts;
- Internal Audit Report 2017 – GDPR readiness;
- 2019 Master Budget;
- RAC Work Plan 2018;
- C&AG Audit on 2017 Financial Statements.

### **Internal Audit Function**

Internal audit is an independent appraisal function whose role is to provide assurance to the Board, Risk and Audit Committee, Chief Executive Officer and all levels of management as to the adequacy and effectiveness of the systems on governance, risk and internal controls operating within the Adoption Authority of Ireland.

The Internal Audit function is outsourced. It operates in accordance with an audit charter approved by the Board and an annual audit plan approved by the Chief Executive Officer and the Risk and Audit Committee. In carrying out audits, the contractor complies with the Institute of Internal Audit Standards, as adapted by the Department of Public Reform and Expenditure for use in government departments. All audit reports are submitted directly to the Chief Executive Officer and to the Risk and Audit Committee who also receive periodic reports showing progress against the plan. The internal auditors completed 2 audits in 2018 – an audit of internal financial controls in March 2018 and a tax compliance audit in August 2018. Both audits resulted in ‘satisfactory’ ratings. Recommendations made in respect of GDPR readiness were accepted and implementation was completed in advance of the commencement of the General Data Protection Regulation.

### **Risk Management**

Effective risk management supports good governance. The Authority has a proactive management-led risk management process as part of its governance framework. The Board, supported by the Risk and Audit Committee and the Senior Management Team, provides the leadership in promoting risk management. The Board approves the risk management framework and policy of the Adoption Authority of Ireland. This provides for a planned and systematic approach to identifying and managing a range of risk categories: financial, service delivery, infrastructure (buildings and ICT), people, compliance and governance, and projects.

The Chief Risk Officer is a member of the Senior Management Team and reports directly to the Audit Committee and the Board. The Risk Register sets out the major risks facing the Adoption Authority of Ireland together with existing controls and actions to mitigate them, and identifies owners and target dates for completion. Risks are categorised High, Medium and Low. An update on the High Risk items was provided to the Board each month.

### **Procurement**

The Adoption Authority of Ireland operates under the Public Procurement Guidelines which provides the direction for all procurement policy activity and ensures that the objectives and key principles of competition, equality of treatment and transparency which underpins national and EU rules are complied with and observed. The Adoption Authority of Ireland avails of centralised managed contracts that have been put in place by the Office of Government Procurement including the provision of stationery and office supplies, photocopying, and foreign travel. The Adoption Authority of Ireland continues to engage with the Office of Government Procurement for advice on current and future procurement requirements. Following a full procurement process in 2018 for Legal Services a new contract was in place by May 2018.

### **Annual Report of the Adoption Authority of Ireland Under the Protected Disclosures Act, 2014**

The Protected Disclosures Act 2014 facilitates workers in raising a concern regarding wrongdoing or potential wrongdoing in the workplace by providing them with certain forms of protection from action which might be taken against them for so doing.

The Act provides for different methods of protected disclosure depending on the circumstances and protects disclosures by workers including current or former employees, contractors, consultants, trainees, agency staff and interns.

The Authority's policy on Protected Disclosures is published in the Authority's Operations Manual and information on the policy is also provided in the Employee Handbook.

Section 22 of the Protected Disclosures Act 2014 requires the publication of an Annual Report each year relating to the number of protected disclosures made in the preceding year and any actions taken in response to such disclosures.

Pursuant to this requirement, the Adoption Authority of Ireland confirms that no reports were received and/or are under investigation in accordance with the provisions of the Protected Disclosures Act, 2014 for the financial year from 1 January 2018 to 31 December 2018.

**2016-2019  
CORPORATE PLAN  
&  
2018 BUSINESS PLAN**

## Overview

### Principles

When devising the 2016–2019 Corporate Plan the Adoption Authority of Ireland identified four key principles which would guide its mission, its high level goals, its objectives and the work that was to be carried out. By applying these principles, the Adoption Authority of Ireland would ensure that all of its decisions had the welfare of the child as its first and paramount consideration, in accordance with Section 19 of the Adoption Act 2010. The four principles identified were:

- *Child-Centeredness*
- *Excellence*
- *Accountability through Ethical Practice and Transparency*
- *Respect*

### Goals

Five key goals and a number of specific objectives were identified and are incorporated into each annual Business Plan.

### Business Plan

The annual business plans are designed to focus on the objectives set out in the Corporate Plan by identifying tasks to be completed throughout the year. The Business Plan is reviewed periodically and updated as required. Business Plan reviews and updates were submitted to the Department of Children and Youth Affairs on a quarterly basis in 2018 in compliance with the Performance Delivery Agreement with the Department.

### **Goal #1 – ‘To achieve the highest standard in the regulation and operation of adoption services in Ireland.’**

Building on the work started in 2016 the Adoption Authority of Ireland continued to carry out scheduled inspections of accredited bodies. A new aspect to the work with accredited bodies this year involved the organised wind down of a number of accredited bodies who had made the decision to discontinue providing services for which they were accredited. No new applications were received for accreditation in 2017.

The Adoption Authority of Ireland continued to engage effectively with service users and their advocates, service providers, policy makers and the government to bring about continuous quality improvements in our adoption services. Following a project undertaken in conjunction with the Ombudsman for Children’s Office and a number of young people who had recently been adopted, a new section was created on our website specifically for young people. In November 2017 two new information leaflets one for children under the age of 7 and one for those over 7 were formally

launched and are available to download from the website. The first video presentation on our website was also launched and is published in the young person's section of the website <https://aai.gov.ie/en/information-for-young-people.html>.

Actions	Progress at end 2018
<p>Subject to legislation being passed and enacted, finalise forms and guidelines which have had to be revised to comply with new legislation.</p> <p>Update relevant sections of website.</p>	<p>As a result of the enactment of the Adoption Amendment Act 2017 revised pre-placement consent forms were required. These were in place following the signing of S.I. No. 606 of 2017 in November 2017.</p> <p>Other relevant non-statutory forms were revised to include married couples, civil partnered couples and co-habitees.</p> <p>The Authority engaged with NALA to ensure Plain English was used on as many documents as was practical.</p> <p>All revised forms were published on website.</p> <p>In November the Authority published FAQs on Adoption Amendment Act to the website.</p>
<p>Publish executive summary of 2016 inspections on website.</p> <p>Re-accredit and re-register all agencies providing adoption services.</p> <p>Monitor self-reporting of accredited agencies and keep Board informed of status of accredited agencies on a monthly basis.</p> <p>Accredit new applicant agencies</p> <p>Devolve mediation services for Thailand &amp; Philippines to HHAMA. Write to both countries to seek approval for HHAMA operations in-country</p>	<p>Completed.</p> <p>No new applications in 2018.</p> <p>Deadlines for submission of reports monitored and accredited agencies contacted immediately if deadlines are not met. Reports and updates are included as Agenda items on all Board 'full' days</p> <p>No new applications in 2018.</p> <p>HHAMA to begin negotiations with the Philippines in 2018. Awaiting response from Thai Central Authority and Embassy.</p>
<p>Hold/ Host Seminars &amp; Fora Arrange speakers, facilities and supporting documentation for each event.</p>	<p>Fora held:</p> <p>21 March 18 September – Social Worker and Medical Advisor 13 November – Information and Tracing</p> <p>See page 43 for more details.</p>

	Waterford circuit completed.
Improve public areas of the Authority.	Upgrading of the reception area and family rooms was completed in 2017.
Promote and develop website.  Create and develop section of the website specifically for younger people.	

**Goal #2 – ‘To apply informed and balanced decision-making in adoption services, in accordance with national and international law and evidence-based best practice.’**

The Adoption Authority of Ireland met regularly with the Child and Family Agency and accredited bodies to discuss the impact of legislative changes. Discussions were focused on ensuring that procedures and processes were revised and streamlined to allow us to maintain the objective of making informed and timely decisions. Internally the Authority’s Operations Manual was updated as required. The Adoption Authority of Ireland continued to maintain contact and relationships through strategic visits with foreign National Central Authorities. In 2018 visits were made to Haiti and USA (see pages 36 & 37 for details).

**Goal #3 – ‘To inform and influence adoption policy and service delivery through provision of a comprehensive information, research and communications framework.’**

Our website is developing as a source of comprehensive information for members of the public. Statistics are published on a monthly basis. The Adoption Authority of Ireland continues to respond to requests from the Department of Children and Youth Affairs for assistance with Parliamentary Questions. In respect of policy matters we provide information and submit recommendations for changes to policy and legislation. Under our remit to undertake and promote research opportunities and research capacity we have commissioned two pieces of research and are in the process of recruiting a Research Officer.

<b>Actions</b>	<b>Progress at end 2018</b>
Improve and develop website as primary source of information to the public	Website is monitored and maintained by Corporate Services.  Updates and corrections carried out on notification from colleagues or other users.  Information for young people published. Immediately visible on home page.

	<p>Post Adoption Services Directory published and updated as required.</p> <p>Notices published on behalf of accredited bodies and other stakeholders throughout the year.</p>
Undertake research projects, promote research opportunities	<p>Previously commissioned research was reviewed throughout the year with publication expected in 2019.</p> <p>Competition for Research Officer postponed until early 2019.</p>
Clarity of communication with the public & stakeholders to include a corporate identity	<p>The Authority continued to engage with NALA throughout the year.</p> <p>AAI logo is attached to all signatures on outgoing emails.</p>
Support DCYA in the development of adoption-related policy and legislation	Ongoing. AAI continues to provide statistics and submissions as requested.

**Goal #4 – ‘To plan and implement the changes required in organisation policies and operational procedures in line with emerging legislative changes’**

A number of applications for entry in the Register of Inter-country Adoptions could not be processed under the 2010 Act in 2017. In 2018 these applications were reviewed in line with the Adoption Amendment Act 2017 and progressed where possible.

The possible consequences of the passing of the Adoption (Information and Tracing) Bill were also considered in great detail during the year. Issues such as the accommodation requirements of the Authority into the future and potential changes to the functions of the Authority were considered. There was regular engagement with the Department of Children and Youth Affairs and Tusla – Child and Family Agency through joint working groups to prepare for the legislation.

Information about the General Data Protection Regulations which come into force on 25 May 2018 was disseminated to staff. Training and information sessions were attended by a number of staff. The recommendations made following the Internal Auditors’ GDPR readiness review in September 2017 formed the basis for a GDPR Plan worked on in 2018.

Actions	Progress at end 2018
Preparation for Information and Tracing legislation	The AAI continues to participate in the Adoption Records Working Group (ARWG) with Tusla and DCYA.

<p>Records and Organisation implications</p>	<p>Staff of the AAI also participate in The Register of Adoption Contact Enquiries (TRACE) sub-group and the media sub-group in conjunction with Tusla and DCYA.</p> <p>Two meetings with accredited bodies took place in conjunction with DCYA and a number of individual meetings with the Council for Adoption Agencies (CIAA) and accredited bodies have taken place.</p> <p>AAI has a draft document in place identifying up to 200 potential locations of files.</p> <p>The AAI has met with National Archives, Military Archives, Mercy Sisters Archives, Mother and Baby Home Commission and DCYA.</p> <p>Draft document compiled showing minimum places of deposit requirements and resources to comply with the Authority's new remit when legislation is passed. Discussions have begun with DCYA/OPW regarding the requirements of premises for AAI.</p> <p>Consideration has been given during the year to the organisational and resource impact of new legislation insofar as it affects staff roles and responsibilities.</p>
<p>Preparation for implementation of Children First Act 2015</p>	<p>Representatives from the AAI attended the DCYA Implementation Group.</p> <p>Child Safety Safeguarding statement updated for submission to the Board for approval in January 2018.</p> <p>A Designated Liaison Person was appointed.</p> <p>Update information will be added to the Operations Manual and all staff will be appraised of their responsibilities under the Act.</p>

**Goal #5 – ‘To maintain an efficient, competent, accountable and learning organisation.’**

Much of the work in this area in 2018 focused on providing GDPR policies and procedures for the Authority. Privacy Statements and Breach Reporting policy and Reporting Forms were given priority.

The Authority achieved full compliance with Children First Guidelines. A Designated Liaison Person has been appointed and all staff completed the online training provided through TUSLA’s website.

As regards financial accountability, variance analysis reports are provided to DCYA monthly. Our procurement policy is adhered to, is reviewed annually and subjected to internal audit Check. The Internal Audit Plan was approved by the Risk and Audit Committee and is being implemented. The Annual Report of the Risk and Audit Committee is formally presented to the Board. The Board and the Risk and Audit Committee both conducted self-assessment reviews.

<b>Actions</b>	<b>Progress at end 2018</b>
<p>Develop HR function Draw up succession plan Fill vacancies</p> <p>Staff in HR to undergo training in various HR functions.</p> <p>Training plan in place for all staff for 2018.</p> <p>Carry out survey of staff to establish database of staff qualifications and experience</p>	<p>Due to resource issues the succession plan is not in place, it will be completed in 2019.</p> <p>Consultants were engaged and assisted in open recruitment competitions for CO and PO in in 2018.</p> <p>HR staff attended all of the workshops arranged by DPER in relation to the administration of the Single Public Service Pension Scheme. One staff member completed a Certificate in HR administration and another commenced training on the administration of the wider range of pension schemes in the Authority.</p> <p>Several general training course have been conducted and attended by staff – IT/Fire Safety/ First Aid</p> <p>Various staff members have attended conferences and seminars specific to their roles in AAI – Data Protection/Governance/ Finance</p> <p>Deferred due to resource issues, will be carried out in 2019.</p>
<p>Maintain a learning environment, In-house workshops and seminars arranged and staff encouraged to attend or participate.</p> <p>Support professional memberships/CPD for relevant staff</p> <p>Record kept of AAI attendance and participation in outside events</p>	<p>Lunch and Learn seminars were conducted during the year and will continue in 2019.</p> <p>Professional Membership paid by AAI where appropriate.</p> <p>Ongoing.</p>

Filling of post of Director of Operations and Corporate Services/Board Secretary	Post filled in March 2018.
Ensure full value for money in discharge of allocated resources	<p>Staff in Corporate Services are aware of procurement guidelines and procedures.</p> <p>Information on procurement policy included in Operations Manual and all staff have been made aware of the procedure for procurement which is managed centrally by Corporate Services.</p> <p>Financial procedures manual is in place and is updated as required. Procurement procedures are included in Financial Procedures manual.</p>
Maintain highest standards in data confidentiality and data integrity	<p>Staff dealing directly with Freedom of Information (FOI) and DP requests are aware of responsibilities.</p> <p>Staff are trained and informed on standards required in respect of data protection, records management, confidentiality and data integrity. The Operations Manual and Employee Handbooks provide guidelines to all staff.</p> <p>GDPR is a standing item on Staff Meeting agendas</p> <p>The AAI has cooperated with the Office of the Data Protection Commissioner as required.</p>
Ensure full compliance with the Code of Practice for the Governance of State Bodies	<p>Oversight Agreement in place with DCYA.</p> <p>Internal Audit plan includes annual compliance checks against the Code.</p> <p>Any non-compliance with Code identified and reported to RAC and Board.</p>

# THE YEAR IN REVIEW

# DOMESTIC ADOPTION

## Activity Analysis

### Declarations of Eligibility and Suitability

In all adoption cases it is a requirement that the applicants have a valid Declaration of Eligibility and Suitability. Overall, 81 Declarations of Eligibility and Suitability were granted in 2018. In most cases Declarations were granted within 3-4 weeks of receipt of the application.

Standards and guidelines produced by the Authority for use by the various stakeholders are informed by trends compiled from reviews of all applications for Declarations of Eligibility and Suitability. They are also informed by best practice nationally and internationally; and by the Adoption Act 2010; statutory regulations; Hague Convention standards in adoption; and international research such as that of the International Social Services.

### Adoption Orders

Altogether, 72 Adoption orders were granted in 2018. The majority (35) were made in stepfamily adoptions. There was an increase in the number of adoption orders made in respect of children who had been in long-term-foster care; 25 in 2018 compared to 21 in 2017. The balance (12) was made up of a combination of adoptions of infants placed for adoption in Ireland (7), the formalisation of adoptions in respect of children who were placed in the care of Irish couples from abroad (3), and 2 situations where the child was in the care of extended family members.

Adoption Orders cannot be granted once a child turns 18 years of age and is legally considered an adult. Of the 72 Adoption orders granted in 2018, in 30 cases the child was 17 years of age; in 23 cases they were aged between 12 and 16 years, in 7 cases they were aged between 7 and 11 years, in 9 cases they were aged between 2 and 6 years, and in 3 cases the child was 1-year old.

### Applications to the High Court

Under the Adoption Act 2010, the Authority is obliged to obtain a High Court order before certain adoptions can proceed.

The Authority must make an application to the High Court seeking to dispense with birth father notification and consultation in the following instances:

- where the Authority does not know the identity of the birth father, or

- where the Authority has been unable to locate the birth father in order to notify and consult him, or
- where due to the nature of the relationship between the birth mother and father it would be inappropriate to notify and consult the birth father.

In 2018, 1 application was made to the High Court under Section 18 of the Act to allow an infant to be placed for adoption without consultation with the birth father. The application was granted. This case would require a subsequent order under Section 30 to proceed to Adoption Order.

In 2018, 7 applications were made to the High Court under Section 30 of the Act to allow an adoption application to proceed without consultation with the birth father. All 7 applications were granted.

Of these applications, 1 order was made by the High Court in circumstances where it was deemed inappropriate to notify and consult with the birth father. The remaining 6 orders were made in circumstances where the identity of the birth father was unknown.

To allow the Authority to make an adoption order, the Child and Family Agency (or in certain instances, the applicants), must make an application to the High Court under Section 54 in the following instances:

- where parental consents are not forthcoming,
- where there is an issue with regard to the circumstances of the placement of the child with the prospective adoptive parents.

and it can be demonstrated that the parent(s) have failed in their duty to their child and adoption is in the child's best interests.

In 2018, 13 applications were made to the High Court under Sections 54 of the Act. These 13 applications were granted in 2018.

Of these applications, 3 orders were granted in the case where the birth mother was deceased and therefore unable to provide consent; 2 orders were granted in cases where the birth parents were unknown or could not be located. The remaining 8 orders were made in situations where one or both birth parents were not willing to consent to the adoption.

### **Adoption (Amendment) Act 2017**

The Adoption (Amendment) Bill was passed into law on 19 July 2017, and came into force as the Adoption (Amendment) Act 2017 on 19 October 2017. The amendment has brought about a number of key changes to domestic adoptions, including:

- It recognised the best interests of the child as the most important consideration in any adoption application, and set out criteria by which to consider this.
- It removed a restriction on the adoption of children born to married parents or who were adopted previously.
- It allowed for couples living together in a civil partnership or co-habiting to adopt.
- It established separate provisions for step parent adoptions, allowing for a step parent to adopt their partner's child without requiring that partner (who is already the parent of the child) to also apply to adopt the child.
- It defined the role of the 'relevant non-guardian' in adoption cases, and extends to them the rights of birth fathers in such cases.
- It expanded on the criteria for a case before the High Court under Section 54.

As the amendment only came into force in October 2017, it did not have a substantive effect on the adoption orders granted in 2017. However, in 2018 most of the step parent adoption orders granted (29) were made in accordance with the amendment. This also accounts for the noticeable drop in the numbers of step parent adoptions finalised in 2017 and 2018, since existing applicants wishing to proceed under these provisions needed to be reassessed in order to comply with its requirements.

The new provisions essentially meant that the birth parent in these 29 applications did not have to adopt their birth child with their partner, and was simply able to retain parental rights in tandem with the adopter. The remainder of the step parent adoption orders granted (6) were made in line with the original provisions of the Adoption Act 2010, whereby the birth parent and step parent decided to continue with their original application and adopt the child of the birth parent as a couple. These 6 applications were finalised by May 2018, and are primarily reflective of the requirement for a child to be adopted prior to turning 18 years of age.

# INFORMATION and TRACING

## Activity Analysis

### Requests for the Release of Birth Certificates

In 2018, the Authority received 121 requests from adopted persons for the release of their birth certificate and these are being actively considered.

During the year, 43 birth certificates were released (39 in 2017) and 6 requests were refused (9 in 2017). Of the 43 birth certificates released some were in respect of requests made prior to 2018; 2 of the requests which were refused were in respect of requests received before 2018.

### National Adoption Contact Preference Register (NACPR)

In 2018, there were 639 applications to the National Adoption Contact Register, which is comparable to 667 applications received in 2017. In 105 cases a match was identified between the new applicants and family members who had joined the Register previously. In 2017 this figure was 121.

The Adoption Authority has operated and maintained the NACPR, which is a voluntary register, since 2005. The NACPR remains a critical tool in enabling agreed contact between adopted persons and birth relatives. At the end of 2018 there were approximately 14,130 entries on the NACPR, with over 1,100 matches. One-third of the applications received are submitted by email through our website.

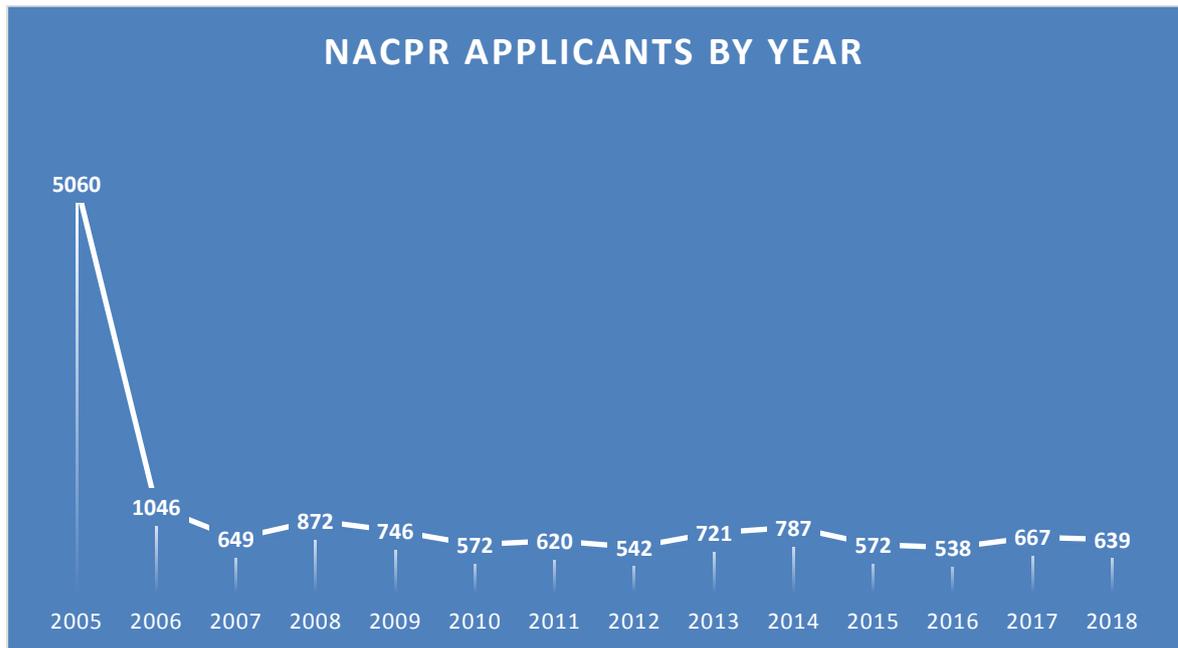
The number of adoptees registered on the NACPR since 2005 is 9,700, and the number of relatives is 4,300. This is reflective of the trend globally, with a breakdown of 70% adoptees and 30% relatives joining an adoption contact register.

### Preparation for Information and Tracing Legislation

Preparation and planning for the implementation of the impending Information and Tracing legislation continues to involve the Adoption Authority working closely and meeting regularly with the Department of Children and Youth Affairs, Tusla – Child and Family Agency and accredited agencies.

A project plan has been developed by the Adoption Authority which will incorporate the changes required in organisation and operational procedures in line with the proposed legislation.

**NACPR – Number of applications 2005-2018**



Approximately 14,130 *entries* on the NACPR at the end of 2018.

**Breakdown by Applicant**

Approximately 9,700 adopted people. (70%)

Approximately 4,300 relatives. (30%)

**Matches on the NACPR**

Over 1,100 (1,104) at the end of 2018.

**Matches by year 2016-2018**

	2015	2016	2017	2018
<b>No. of matches</b>	92	102	121	105

# INTERCOUNTRY ADOPTION

## Activity Analysis

### Declarations of Eligibility and Suitability

The Authority granted 53 Declarations of Eligibility and Suitability in 2018 to applicants seeking to adopt abroad and extended 35 existing Declarations by one year.

### Register of Intercountry Adoptions

A total of 313 entries were made in the Register of Intercountry Adoptions in respect of all relevant sections of the Adoption Act 2010. Of these, 41 entries were in respect of adoptions into Ireland carried out under the terms and conditions of the 1993 Hague Convention.

### Matching of Children

Social workers work with administrative staff and a medical advisor, to advise on the matching of children's needs with the abilities of prospective adoptive parents. In 2018, 40 children were referred into Ireland from other countries. All referrals of children for adoption are reviewed by the Authority's multi-disciplinary team which comprises the Principal Social Worker, the Medical Advisor and the Manager of the Intercountry Adoption Unit.

In countries where Ireland does not have an accredited agency currently operating, for example the Philippines and Thailand, social work staff from the Authority contacted the prospective parents to discuss their ability to meet the specific children's needs.

### Country Specific Issues

**Bulgaria:** In 2018, 2 Declarations of Eligibility and Suitability were granted to prospective adoptive parents proposing to adopt in Bulgaria; 1 Agreement to Place was granted (Article 17 of The Hague Convention) and 2 Adoptions completed in Bulgaria were entered in the Register of Intercountry Adoptions in 2018. There are currently 5 'live' Irish applications in Bulgaria.

**China:** In 2018, 5 Declarations of Eligibility and Suitability were granted to prospective adoptive parents proposing to adopt in China; 7 Agreements to Place were granted (Article 17 of The Hague Convention) and 6 entries were made in the Register of Intercountry Adoptions.

**Haiti:** In 2018, no Declarations of Eligibility and Suitability were granted to prospective adoptive parents proposing to adopt in Haiti and 1 Agreement to Place was granted (Article 17 of The Hague Convention). There are currently 3 'live' applications in Haiti.

A delegation from AAI visited Haiti for the annual review of the adoption programme. The AAI discussed the adoption process with Madame Arielle Villedrouin, Director General of **IBESR** - the **Haiti Central Authority** - and, given the imminent placement of the first child from Haiti, invited her to Dublin.

The delegation met the Adoption Unit Chief and Vice Consul at the **US Embassy in Haiti**, who expressed huge confidence in IBESR and reported the US Embassy has encountered no problems in the 200 adoptions it processes per year under the 1993 Hague Convention.

Meetings also took place with a representative from **UNICEF** and with other **key stakeholders**.

AAI will continue to closely monitor the Haiti programme.

**India:** in 2018, no Declarations of Eligibility and Suitability were granted to prospective adoptive parents proposing to adopt in India. No adoptions were effected in India by Irish residents in 2018.

**Philippines:** In 2018, 1 Declaration of Eligibility and Suitability was granted to prospective adoptive parents proposing to adopt in the Philippines; no Agreements to Place were granted (Article 17 of The Hague Convention). Under current arrangements, Filipino children may be subsequently adopted in Ireland.

Helping Hands Adoption Mediation Agency (HHAMA) has been approved by the AAI to mediate adoptions from the Philippines and expects to receive accreditation from the Filipino Government shortly.

**Poland:** In 2018, 1 Declaration of Eligibility and Suitability was granted to prospective adoptive parents proposing to adopt in Poland; No Agreement to Place was granted (Article 17 of The Hague Convention) and no entries were made in the Register of Intercountry Adoptions in respect of adoptions effected in Poland. Adoptions from Poland are generally by Polish nationals living in Ireland.

**Thailand:** In 2017, 9 Declarations of Eligibility and Suitability were granted to prospective adoptive parents proposing to adopt in Thailand; no Agreement to Place was granted (Article 17 of The Hague Convention) and 18 entries were made in the Register of Intercountry Adoptions.

HHAMA has been accredited by the AAI to work with the Thai authorities to mediate adoptions from Thailand and it is expected that HHAMA will receive accreditation from Thailand shortly to commence activities early in 2019.

**United States of America:** In 2018, 10 Declarations of Eligibility and Suitability were granted to prospective adoptive parents proposing to adopt in the USA; 4 Agreements to Place were granted (Article 17 of The Hague Convention) and 23 entries were made in the Register of Intercountry Adoptions.

An AAI delegation met Dan Mulhall, **Irish Ambassador to the US**, and Joe Gavin, Justice and Home Affairs Counsellor, at the **Irish Embassy in Washington DC** to review the Ireland/US adoption programme. The Ambassador renewed the Embassy's commitment to provide consular assistance to Irish citizens adopting under this programme.

At the **US State Department** in Washington DC, the AAI delegation met **Ambassador Suzanne I. Lawrence**; Trish Maskew, Chief of the Adoption Division; and Ian Cazelet, Legal Advisor to the Adoption Division. The delegation reaffirmed the policy decision whereby HHAMA, the Irish agency accredited by AAI, works only with a very small number of identified US accredited agencies with full Hague accreditation, whom the AAI has reviewed and sanctioned, to ensure a high degree of oversight of each individual adoption. The common adoption programmes in Vietnam and Haiti were also discussed.

The AAI delegation travelled to New York City to meet representatives from **UNICEF**, who confirmed that UNICEF shared the AAI's vision for adoption as outlined by the Chairman and indicated intercountry adoption does not sit outside of child protection but is very much a part of it.

**Adoption ARC agency** in New Jersey hosted the delegates and provided a detailed account of each stage of the adoption process. It was agreed that the AAI would visit in 2019 to follow the adoption journey of a prospective adoptive parent to ensure full compliance with the administrative arrangement with the State Department.

**Vietnam:** In 2018, 24 Declarations of Eligibility and Suitability were granted to prospective adoptive parents proposing to adopt in Vietnam; 27 Agreements to Place were granted (Article 17 of The Hague Convention) and 21 entries were made in the Register of Intercountry Adoptions.

## **REGISTER OF GENDER RECOGNITION OF INTERCOUNTRY ADOPTIONS**

Persons holding a valid Certificate of Gender Recognition issued by the Department of Social Protection (DSP) and whose adoption is registered in the Register of Foreign Adoptions (RFA) or the Register of Intercountry Adoptions may apply to the Authority for an entry in the Register of Gender Recognition of Intercountry Adoptions.

Applications should be made in writing to the Authority and should be accompanied by:

- The original copy of the Gender Recognition Certificate as issued by the DSP;
- A copy of the notification letter from the DSP which accompanied the Gender Recognition Certificate;
- A copy of the entry in the RFA or the RICA (if available).

Two entries were made in the Register in 2018.

## SOCIAL WORK TEAM

The Social Work Team organises professional development fora each year. In 2018, 3 fora were organised and they were held on 21 March, 18 September, and 13 November. The fora are open to social work teams and medical advisors working in the Tusla–Child and Family Agency and accredited bodies. Expert national and international speakers are engaged to address the fora. The speakers included David Murphy, Lead Consultation Specialist, Office of the Data Protection Commissioner, on General Data Protection Regulation – Preparing for the impact of GDPR; Nicole Scannell, Genealogist and Senior Social Work Practitioner, Adoption Authority, on Resources for Searching; Dr John Bourke, Medical Advisor; Julianne Barry, Senior Social Worker, HHAMA; Cathal Clifford, Principal Social Worker, Pact.

The purpose of a forum is to:

- provide current information on issues in Information and Tracing work, and on medical issues related to adults and children in adoption;
- achieve professional and best practice consensus from in-depth discussion on ethical dilemmas in assessment and support services;
- share professional practice experience and form connections with social workers and other professionals in the area of adoption work; and
- offer continuous professional development opportunities for practitioners in adoption.

All adoption services are regulated by the Adoption Authority of Ireland. As part of that regulation, the Social Work Team reviews and monitors social work practice at all stages of the lifelong adoption process, including:

- crisis pregnancy through to decisions about adoption;
- assessment of prospective adoptive parents;
- matching children with suitable prospective adoptive parents;
- talking with children about adoption;
- providing post adoption support;
- mediation and counselling in search and reunion.

### **Information and Tracing**

The Social Work Team dealt with 327 new referrals for information, counselling, tracing services and matches on the National Adoption Contact Preference Register.

As mentioned above, the speakers at the Information and Tracing Forum included David Murphy, Lead Consultation Specialist, Office of the Data Protection Commissioner; Resources Searching presented by Nicole Scannell, Genealogist and Senior Social Work Practitioner, Adoption Authority; Dr. John Bourke, Medical Advisor, presented country specific information and child profiles;

Patricia Carey, CEO, Adoption Authority presented on the Independent Review and Illegal Registrations Project.

Attendees included representatives from all area Tusla offices and adoption agencies accredited by the Adoption Authority of Ireland.

### **Duty Service**

The Social Work Team manages a rota for the duty social work phone line; in 2018 there were 206 calls to the service between July 2017 and June 2018.

The calls are largely from birth relatives and adopted people seeking support and a tracing service. There are also calls, however, regarding domestic adoption, intercountry adoption, crisis pregnancy and some issues of a child protection nature.

### **Social Workers in Information and Tracing**

The Adoption Authority Social Work Team provides mediation and counselling to people who have been involved in some third party and family adoptions. The team also offers information, advice and support on adoption-related issues. Queries are welcome from members of the public as well as professionals.

### **Multidisciplinary Team (MDT)**

Adoption Authority social workers, administration staff and the Adoption Authority Medical Advisor work together to review and monitor each application for adoption. The reviews cover all aspects of adoption practice, including:

- counselling and consultation with birth parents;
- consent to adoption;
- assessment for a Declaration of Eligibility and Suitability to adopt;
- selection and matching process leading to the placement of a child with a specific family for adoption;
- post placement reports;
- applications for adoption orders;
- requests for the release of an original birth certificate;
- requests for the release of identifying information.

### **Accreditation and Inspection**

Most national adoption services are delivered through local Tusla – Child and Family Agency offices and bodies accredited by the Adoption Authority. The Social Work Team is involved in reviewing applications for accreditation of adoption agencies.

The services of Tusla are reviewed and monitored by the multi-disciplinary team on an ongoing basis through desk top reviews of all documents requiring Adoption Authority authorisation.

Services provided by accredited bodies are reviewed at six-month intervals by self-reporting. On-site inspections of the accredited bodies also take place in compliance with the Adoption Act 2010 and the Regulations.

### **Children First**

The Children First Act 2015 was fully enacted in December 2017. The Children First Guidelines from 2011 have been updated to The Children First National Guidance for the Protection and Welfare of Children, 2017.

The Adoption Authority is a Relevant Organisation Under the Children First Act 2015. The Children First Act together with the Guidelines require that each Relevant Organisation ensures that children are safe from harm while using their services. Each Relevant Organisation carries out a risk assessment to identify whether a child or young person could be harmed when using the services; and has a Child Safeguarding Statement outlining the policies and procedures that are in place to manage identified risks.

A delegated Relevant Person or designated liaison person is to be the first point of contact in relation to the Child Safeguarding Statement and all matters of child protection. The Act and Guidelines also specify Mandated Persons to formally report child welfare or protection concerns to Tusla – the Child and Family Agency. Tusla has an online portal for mandated reporters: <https://www.tusla.ie/children-first/>.

The Children First Child Protection Officer for the Adoption Authority is Katie Harrigan, Senior Social Work Practitioner, Tel 01 2309 318 [katie\\_harrigan@aai.gov.ie](mailto:katie_harrigan@aai.gov.ie)

### **Domestic Adoption**

Domestic adoption refers to the situation where a child who is resident in Ireland is adopted by a couple also resident in Ireland. The nature and effect of an Irish adoption order is that the child becomes the child of the adopters as if born to them in marriage with all the rights and duties of parents and children in relation to each other. There are four different types of domestic adoption – step family, extended family/relative adoption, domestic infant adoption, long-term foster care to adoption.

Social workers review all domestic adoption files for eligibility and suitability under the Adoption Act 2010 and the Adoption Amendment Act of 2017.

Social workers are an integral part of the MDT in the matching of domestic infants though the national matching panel in Ireland.

Social workers review all domestic infant placements in Ireland until the adoption order is finalised.

Social workers liaise with Tusla and private agency social workers on all domestic adoption issues.

### **Intercountry Adoption**

Intercountry adoption refers to the situation where a person resident in Ireland decides to adopt a child who is resident in a country other than Ireland. The nature and effect of such an adoption is that the child becomes the child of the adopter as if born to her or him or to them, in the case of a qualified couple with all the rights and duties of parents and children in relation to each other.

Intercountry adoption was given a statutory basis in 1991 with the passing of the Adoption Act in that year and the most recent principal legislation in this area which is the Adoption Act 2010.

Social workers review all intercountry adoption files for eligibility and suitability under the Adoption Act 2010.

Social workers are an integral part in approving the matching of children during both the Proposal in Principle stage as well as the Article 17 stage.

Social workers liaise with the mediation agency in Ireland to ensure best practice in intercountry adoption.

# **CORPORATE SERVICES AND ACCREDITATION UNIT**

# ACCREDITATION

## Activity Analysis

The maintenance of a Register of Accredited Bodies by the Authority is provided for under Section 126 of the Adoption Act 2010.

At the end of 2018, the status of the ten registered accredited bodies was as follows:

International Adoption Association Terenure Enterprise Centre 17 Rathfarnham Road Dublin 14	Closed
PACT 18D Nutgrove Office Park Rathfarnham Dublin 14	Reaccredited 10 March 2016
Cúnamh CPRSI House 30 South Anne Street Dublin 2	Reaccredited 7 March 016
Barnardos Post Adoption Service 23/24 Buckingham Street Dublin 1	Reaccredited 7 June 2016
St. Mura's Adoption Society Pastoral Centre Monastery Avenue Letterkenny Co Donegal	Closed
Clarecare Harmony Row Ennis Co Clare	Closed
Arabella Counselling, t/a Here2Help 18D Nutgrove Office Park Rathfarnham Dublin 14	Reaccredited 18 October 2016
Helping Hands Adoption Facilitation Agency t/a Helping Hands Adoption Mediation Agency The Loft, Bessboro Centre	Reaccredited 12 June 2017

Blackrock Road Cork	
St. Brigid's Information and Tracing Agency Holy Faith Sisters Aylward House Glasnevin Dublin 11	Accredited 12 2016 until 30 November 2021
<b>Not active:</b>	
Families for Children Adoption Agency Ltd. Suite 206, The Capel Building Mary's Abbey Dublin 1	Reaccredited 7 June 2016

Six-monthly self-assessment reports were submitted by all accredited bodies during 2017. Audited accounts for the year ending 31 December 2017 were also submitted.

#### Closure of Accredited Bodies

At the end of 2018, 3 Accredited Bodies were de-registered. The files of St Mura's Adoption Society and Clarecare Adoption Services were transferred to the Child and Family Agency. No files are held by IAA.

Name of Accredited Body	Date of Closure
St. Mura's Adoption Society	30 September 2017
Clarecare Adoption Services	31 October 2017
International Adoption Association (Ireland)	30 November 2017

# HUMAN RESOURCES

## Recruitment

There was a high volume of staff changes in 2018. Following a recruitment competition at the end of 2017, a new Principal Officer/Board Secretary was appointed in March. Further competitions took place during the year which the Authority conducted under its licence from the Commission for Public Service Appointments

The Clerical Officer Competition generated a huge response of 301 applications. Applicants were shortlisted and of those interviewed a panel of 12 was established. By the end of 2018 the first three candidates had been called to take up a post in the Authority.

The Professionally Qualified Social Worker competition generated 5 applications. Three candidates were placed on the panel after interview and by end 2018 all three had been called to take up posts in the Adoption Authority.

## Pension/Retirements

There were no retirements from the Authority in 2018. During the year all staff attended information sessions on their superannuation entitlements and benefits and were afforded the opportunity to have one-to-one-sessions with the pension experts. Annual Benefit Statements were provided to all members of the Single Public Pension Service Scheme (SPSPS) as required under the legislation. The two staff members who carry out the HR function began formal training in the administration of all of the various pension schemes which apply to staff in the Authority and both attended modular training with the Department of Public Expenditure and Reform specifically in relation to the SPSPS.

## Training

Plain English is one way to help Irish adults who are improving their literacy to access entitlements, exercise their rights and understand their responsibilities. The Authority is dedicated to using plain English in all its communications where possible. Staff attended in-house training on Plain English with the National Adult Literacy Agency.

Training and briefings on the General Data Protection Regulations were given priority this year with staff attending various seminars. GDPR is a standing item on the bi-monthly staff meeting agenda and our Data Protection Officer successfully completed a GDPR Practitioners Certificate.

In March, at the Social Work Information and Tracing Forum, a representative of the then Office of the Data Protection Commissioner made a presentation on the subject.

The Office of the Ombudsman provided in-house training to staff on good administration to provide further insight into how we can make continuous improvements to our communications with the public. Other training opportunities which staff availed of included:

- Introduction to Internal Audit;
- Performance Management Skills for Line Managers;
- Document Management;
- Public Service grade specific training courses.

Four Lunch and Learn sessions took place during the year. Staff are encouraged to make presentations themselves and to suggest topics for the sessions. Three of the four sessions in 2018 were conducted by staff. In one session we were introduced to TED talks and watched a short clip as an example. In a second session a staff member who had worked with NGOs in Africa for many years told us her experiences. We were briefed on the history and development of Irish music and treated to a traditional Irish music session from a staff member accompanied by some younger musicians. The fourth session earlier in the year introduced staff to mindfulness.

### **Employee Assistance Service**

We continue to provide a dedicated Employee Assistance Service which is available to all staff and their family members as required. Staff who have availed of the service during the year report very positive experiences with the service.

## WEBSITE AND INFORMATION TECHNOLOGY

In 2018 development of the website continued with a substantial new young person's section added. As well as including a targeted Q&A section, information leaflets for young people and two video clips were published. The layout and content of other areas of the website were improved in addition to posting the usual updates on statistics and reports. The main areas of improvements were in the Contact Us form, a new map tool and a photo gallery.

The Corporate Services team carried out a number of important upgrades to our network in conjunction with our colleagues in the ICT unit in the Department of Health. The team continues to work closely with the other business sections of the organisation to ensure the security of all ICT services. We commenced a major project to redesign our database platform towards the end of 2017 and it is envisaged that this will be completed by Q2 of 2018.

### Parliamentary Questions (PQs)

Altogether 25 Parliamentary Questions were received and responded to in 2018.

### Freedom of Information Requests (FOI)

In 2018 the Adoption Authority received 20 requests under the Freedom of Information Acts.

- 3 were granted
- 4 were withdrawn
- 13 were Declined

The reason for the high rate of declined requests is that the 2014 Act designates the Adoption Authority of Ireland as a 'Partially Included Agency'. This means that the Freedom of Information Acts do not apply to 'records concerning, or arising from, the making of an adoption order or in the recognition of an intercountry adoption effected outside the State, within the meaning of the Adoption Act 2010'.

### Data Protection Requests

In 2018 we received 15 Data Protection requests and all were responded to.

### Press/Media

All press queries and requests for interviews are handled by the CEO and Chairman.

# STATISTICS

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**Table 1. Birth and Domestic Adoption Trends in Ireland 1953-2018**

Year	Total Births	Non-Marital Births	% of Total Births	No. of Adoptions
1953	62,558	1,340	2.14	381
1954	62,534	1,310	2.09	888
1955	61,662	1,234	2.00	786
1956	60,740	1,173	1.93	565
1957	61,242	1,032	1.69	752
1958	59,510	976	1.64	592
1959	60,188	959	1.59	501
1960	60,735	968	1.59	505
1961	59,825	975	1.63	547
1962	61,782	1,111	1.80	699
1963	63,246	1,157	1.83	840
1964	64,072	1,292	2.02	1,003
1965	63,525	1,403	2.21	1,049
1966	62,215	1,436	2.31	1,178
1967	61,307	1,540	2.51	1,493
1968	61,004	1,558	2.55	1,343
1969	62,912	1,642	2.61	1,225
1970	64,382	1,709	2.65	1,414
1971	67,551	1,842	2.73	1,305
1972	68,527	2,005	2.93	1,291
1973	68,713	2,167	3.15	1,402
1974	68,907	2,309	3.35	1,415
1975	67,178	2,515	3.74	1,443
1976	67,718	2,545	3.76	1,104
1977	68,892	2,877	4.18	1,127
1978	70,299	3,003	4.27	1,223
1979	72,539	3,337	4.60	988
1980	74,064	3,723	5.03	1,115
1981	72,158	3,914	5.42	1,191
1982	70,843	4,358	6.15	1,191
1983	67,117	4,552	6.78	1,184
1984	64,062	5,116	7.99	1,195
1985	62,388	5,282	8.47	882
1986	61,620	5,946	9.65	800
1987	58,433	6,347	10.86	715

Table 1. contd.

Year	Total Births	Non-Marital Births	% of Total Births	No. of Adoptions
1988	54,600	6,483	11.87	649
1989	52,018	6,671	12.82	615
1990	53,044	7,767	14.64	648
1991	52,718	8,912	16.91	590
1992	51,089	9,211	18.03	523
1993	49,304	9,826	19.93	500
1994	47,928	9,904	20.66	424
1995	48,530	10,788	22.23	490
1996	50,390	12,484	24.77	405
1997	52,311	13,892	26.56	422
1998	53,551	15,133	28.26	400
1999	53,354	16,461	30.85	317
2000	54,239	17,235	31.78	303
2001	57,882	18,049	31.18	293
2002	60,521	18,815	31.09	266
2003	61,517	19,313	31.39	263
2004	61,684	19,935	32.32	273
2005	61,042	19,528	32.00	253
2006	64,237	21,295	33.15	222
2007	70,620	23,170	32.81	187
2008	75,065	24,844	33.09	200
2009	74,728	24,532	32.82	190
2010	73,724	24,860	33.72	189
2011	74,650	25,157	33.70	39
2012	72,225	25,344	35.10	49
2013	68,930	24,393	35.40	116
2014	67,462	24,514	36.30	112
2015	65,909	23,990	36.40	94
2016	63,897	23,348	36.50	95
2017	62,053	23,340	37.60	72
2018	Not available at time of publication			72
<b>TOTAL</b>				<b>44,603</b>

Sources: Statistical Abstracts, (various years) C.S.O.

**102 applications received in 2018; no applications declined in 2018**

**Table 1A. Domestic Adoption Order granted / Accredited Bodies concerned**

<b>Domestic Adoption Orders granted 2018 / Accredited Bodies concerned</b>	
Health Service Executive / Child & Family Agency / Tusla	All

**Table 2. Domestic Adoptions by type 2015-2018**

	<b>2015</b>	<b>2016</b>	<b>2017</b>	<b>2018</b>
Step Parent	66	65	37	35
Long-Term Foster Care	13	19	31	25
Infant	7	5	7	7
Foreign to Domestic	6	4	2	3
Extended Family	1	0	3	2
Private Placement	1	2	2	0
<b>Total</b>	<b>94</b>	<b>95</b>	<b>72</b>	<b>72</b>

**Table 3. Domestic Adoptions by Age of Child 2015-2018**

	<b>2015</b>	<b>2016</b>	<b>2017</b>	<b>2018</b>
17 Years Old	30	25	27	30
12-16 Years Old	35	37	21	23
7-11 Years Old	13	15	14	7
2-6 Years Old	12	15	5	9
0-1 Years Old	4	3	5	3
<b>Total</b>	<b>94</b>	<b>95</b>	<b>72</b>	<b>72</b>

**Table 4. High Court Orders Granted Pursuant to Domestic Adoption Applications 2015-2018**

	<b>2015</b>	<b>2016</b>	<b>2017</b>	<b>2018</b>
Section 18	6	7	5	1
Section 30	14	13	14	7
Section 54	13	17	19	13
<b>Total</b>	<b>33</b>	<b>37</b>	<b>38</b>	<b>21</b>

**Table 5**

Entries in the Register of Foreign Adoptions, 1991-2010, entered pursuant to Section 5 of the Adoption Act 1991 **and** in the Register of Intercountry Adoptions, 2010-2018 pursuant to Section 57(2)(b)(ii) of the Adoption Act 2010. (Applicants habitually resident in Ireland holding a valid Declaration of Eligibility & Suitability at the time of effecting the intercountry adoption).

<b>Country</b>	<b>No. of Children</b>
Russia	1,608
Vietnam	880
Romania	786
China	425
Ethiopia	302
Kazakhstan	149
Belarus	145
Thailand	127
Ukraine	99
Mexico	108
United States of America	103
India	52
Colombia	19
Taiwan	19
Brazil	17
Paraguay	16
Philippines	11
Bulgaria	32
Peru	7
Cambodia	4

**Table 5 contd.**

Entries in the Register of Foreign Adoptions, 1991-2010, entered pursuant to Section 5 of the Adoption Act 1991 **and** in the Register of Intercountry Adoptions, 2010-2018 pursuant to Section 57(2)(b)(ii) of the Adoption Act 2010. (Applicants habitually resident in Ireland holding a valid Declaration of Eligibility & Suitability at the time of effecting the intercountry adoption).

Uganda	2
Uzbekistan	2
United Kingdom	7
El Salvador	2
Chile	1
Israel	1
Japan	1
Lebanon	1
Bolivia	1
Sri Lanka	1
Venezuela	1
Zambia	1
Kenya	1
Zimbabwe	1
Morocco	1
Bosnia Herzegovina	1
Malawi	1
Libya	1
South Africa	1
Lithuania	2
<b>Total</b>	<b>4,939</b>

**Table 6**

Entries in the Register of Intercountry Adoptions, pursuant to Section 57(2)(b)(ii) of the Adoption Act 2010, for 2018 only. (Applicants habitually resident in Ireland holding a valid Declaration of Eligibility & Suitability at the time of effecting the intercountry adoption )

<b>Country</b>	<b>2018</b>
Bulgaria	1
China	4
Russia	1
Thailand	8
United States of America	7
Vietnam	20
<b>Total</b>	<b>41</b>

**Table 7**

Total number of intercountry adoptions recognised in 2018, where the adoptions were effected by adopters who were habitually resident abroad. (Sections 57(2)(a) & 57(2)(b)(i) of the Adoption Act 2010 refer).

<b>Country where the adoption was effected</b>	<b>2018</b>
Australia	1
Belize	1
Bulgaria	1
Canada	3
China	2
Colombia	1
England	161
Ghana	1
Northern Ireland	35
Philippines	1
Russia	2
Scotland	23
South Africa	6
Spain	2
Sri Lanka	1
Thailand	10
United States of America	16
Vietnam	1
Wales	4
Zimbabwe (formerly Rhodesia)	1
<b>Total</b>	<b>273</b>

**Table 8**

Total number of intercountry adoptions recognised between 2013 and 2018, where the adopters were habitually resident in Ireland and held a valid Declaration of Eligibility & Suitability at the time of effecting the adoption). (Section 5, Adoption Act 1991 and Section 57(2)(b)(ii) of the Adoption Act 2010 refers).

<b>Country</b>	<b>2013</b>	<b>2014</b>	<b>2015</b>	<b>2016</b>	<b>2017</b>	<b>2018</b>
Bulgaria	1	4	8	4	8	1
Cambodia	0	0	1	0	0	0
Colombia	1	0	0	0	0	0
China	3	1	15	7	10	4
El Salvador	1	0	0	0	0	0
Ethiopia	26	0	0	1	0	0
India	10	3	0	0	1	0
Lithuania	0	0	1	1	0	0
Mexico	0	5	11	0	1	0
Peru	0	0	1	0	0	0
Russia	17	4	2	2	0	1
Taiwan	1	0	0	0	0	0
Thailand	5	6	1	4	2	8
United States of America	7	5	6	14	9	7
United Kingdom	0	2	5	0	0	0
Vietnam	0	4	31	21	22	20
<b>Total</b>	<b>72</b>	<b>34</b>	<b>82</b>	<b>54</b>	<b>53</b>	<b>41</b>

**Table 9**

Total number of intercountry adoptions recognised between 1991 and 2018 (All Sections)

Year	Number
1991	58
1992	305
1993	59
1994	67
1995	90
1996	117
1997	148
1998	260
1999	284
2000	323
2001	285
2002	440
2003	487
2004	486
2005	439
2006	406
2007	436
2008	490
2009	394
2010	288
2011	342
2012	244

**Table 9** contd.

Total number of intercountry adoptions recognised between 1991 and 2018 (All Sections)

2013	145
2014	104
2015	160
2016	215
2017	324
2018	313
<b>Total</b>	<b>7,709</b>

**NACPR Applications by year 2016-2018**

	2016	2017	2018
<b>Adoptee</b>	404	455	462
<b>Aunt</b>	5	14	10
<b>Birth Father</b>	17	17	10
<b>Birth Mother</b>	61	90	77
<b>Cousin</b>	7	12	16
<b>Grandfather</b>	1	1	1
<b>Grandmother</b>	2	3	2
<b>Niece/Nephew</b>	0	3	2
<b>Sibling</b>	41	68	55
<b>Uncle</b>	0	3	2
<b>Unknown</b>	0	1	2
	<b>538</b>	<b>667</b>	<b>639</b>

**Percentage Breakdown – Adoptee/Relative**

	2016	2017	2018
<b>Adoptee</b>	75%	68%	72%
<b>Relatives</b>	25%	32%	28%

## OTHER INFORMATION

### Energy Management

#### Overview of Energy Usage in 2018

Ireland's third National Energy Efficiency Action Plan (NEEAP 3), published in 2014, reaffirmed Ireland's commitment to delivering a 20% reduction in energy demand across the whole of the economy by 2020, along with a 33% reduction in public sector energy use.

This public sector target is the equivalent of 3,240GKwh in primary energy savings. The figures for the collective energy savings for the public sector for 2016 were not available at the time of publication of this report.

In 2018, The Adoption Authority of Ireland reported on its 2017 energy use and had improved on the previous years' performance with an energy saving of 27.9% since a baseline level in 2009. At this level of savings, we are on track to meet our 2020 target of 33% savings.

**Website:** The website of the Adoption Authority can be accessed at [www.aai.gov.ie](http://www.aai.gov.ie)

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