Doras

Promoting and Protecting Human Rights

Submission to the Advisory Group on the Provision of Support including Accommodation to Persons in the International Protection Application Process

FEBRUARY 2020

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Executive Summary

Doras has been working with International protection applicants and with residents of Direct Provision (DP) since our establishment in the year 2000. We provide a free and confidential advice and legal information service from our Limerick-based-drop-in-centre, which supports more than 1200 people each year, we also carry out out-reach work to emergency accommodation centres. The majority of our clients are current or former residents' of Direct Provision and have experience of the international protection process. We continue to support people for several years after they have left the DP and international protection system on issues such as employment, education, housing, mental health, family reunification and citizenship.

Doras welcomes the progress made to improve the DP and international protection system, including the establishment of the Advisory Group on the Provision of Support including Accommodation to Persons in the International Protection Process**.** In particular, we welcome these developments:

- The publication of the National Standards for Direct Provision by the Minister for Minister of State for Equality, Immigration and Integration. The introduction of National Standards was a key recommendation in the Working Group Report on Direct Provision and the Protection System (McMahon Report).
- Houses of the Oireachtas Joint Committee on Justice and Equality Report on Direct Provision and the International Protection Application Process in December 2019

Despite the progress made in recent years, Doras continues to witness the ongoing negative impact that the direct provision system has on individuals lives. We continue to advocate for the establishment of an alternative reception system that is based on human rights principles and international best practice. Doras remains concerned about the continued practice of outsourcing accommodation services to private contractors, which enables the state to distance itself from international human rights obligations. In response Doras calls for a combination of alternative accommodation services underpinned by a number of vertical changes to the international protection system.

Summary of Key Recommendations

1. **Vulnerability Assessments**

    - As a matter of urgency and priority, establish and implement an early and ongoing vulnerability and needs assessment for all current and future international protection applicants in line with Mc Mahon report recommendation no. *3. 299* and as per Ireland's obligations following the transposition of the EU recast Receptions Conditions Directive.
    - There is a need for a broader vulnerability definition that is non-restrictive nor exclusionary to certain person and groups.
    - Ensure that mental health and addiction support services are available and accessible for all international protection applicants, including the provision of regular and ongoing outreach services in line with the Oireachtas report recommendation 16-17 (page 50).
    - Allocation of accommodation should be informed by the vulnerability assessment, In the best interest of the individual applicant and the best interest of the child. Ensure that identified vulnerable international protection applicants (IPA) are provided with appropriate and specialised support services at the earliest possible stage in the international protection process.

2. Labour Market and Education Access

- Doras recommends that the six-month limit for permits to be extended. The current six-month permit creates significant barriers in securing fixed and meaningful employment for applicants.
- For those who are unable to access the labour market or formal education, a wide-ranging provision of training courses and learning opportunities is essential. This is in line with Oireachtas Committee recommendation 23 (page 51).
- Access to labour market permit should not have any effect on the accessibility of further education or training opportunities.
- The geographic location of reception centres and the availability of support services, transport options and access to employment, education and the community should be strongly taken into account in the planning and tendering process of reception centres
- On-site childcare facilities and after school activities should be available in all reception centres accommodating families.
- Regarding third level education, IPA should not be classed as 'non-EU' for the purpose of fees. Costs up to 12k per annum are out of reach for IPA, with financial supports such as the SUSI grant unavailable.
- Access to supports and services should be provided for individuals entering into employment, including HAP, rent allowance, etc. (same entitlements as Irish citizens).

3. Reception and Accommodation

- An alternative accommodation system should be based on human rights principles, the best interests of the child, and international best practice. Following vulnerability and needs assessment, individual needs and circumstances need to be considered in relation to accommodation, with access provided to non-institutional living options.
- After a maximum of six months in a reception centre, international protection applicants should be given the option to move independent community-based accommodation, with access to social welfare, education and employment. Applicants that avail of the option to provide their own accommodation should not be excluded from accessing the same supports and services as those that are waiting for a decision in state provided accommodation.
- Residents who choose to stay in reception centre accommodation beyond a six-month period, including residents with special needs, should be permitted to do so.
- Specialised support services for IPA with additional needs and vulnerabilities should be facilitated and provided by appropriate and experienced service providers. In the case of reception centres these should be on-site via regular outreach visits.
- Induction and ongoing training should be mandatory for all staff working with international protection applicants. This should cover intercultural awareness; ant-racism; international protection; and community integration. Doras strongly recommends that responsibility for identifying training needs and providing training to staff does not lie with centre management. Doras also recommends that an independent body is given responsibility for identifying the additional training needs of staff. The need to provide additional training, as identified through inspections, should be closely monitored.
- As a matter of priority, establish an independent inspection system, ideally under the auspices of HIQA, to monitor compliance to the national standards for all accommodation centres, and ensure that national standards are given a legal basis in Irish law.