Movement of Asylum Seekers in Ireland

Representations to the Advisory Group on the provision of supports to persons in the international protection process.

Reception

Last year, MASI - the Movement of Asylum Seekers in Ireland embarked on a national tour of various Direct Provision centres and was appalled by the conditions in the centres, particularly in emergency accommodation where the State failed to meet its legal obligations on reception conditions. In May 2019, MASI submitted some of the following no exhaustive recommendations to the Joint Committee on Justice and Equality on reception conditions:

- The State must invest in the necessary resources required to run an efficient reception system that provides legal, social, administrative and psychological supports to every asylum seeker in line with Ireland's obligations in EU law;
- The International Protection Office must conduct a vulnerability and needs assessment on receipt of an application for protection and periodically, and have mechanisms in place to meet any identified reception needs;
- An information office in the reception centre where administrative support is provided by a suitably qualified person;
- Psychologists trained in working with people who have been subject to violence, torture and trauma and who are sensitive to issues of cultural diversity;
- Childcare facilities, play spaces and homework spaces for children;
- Good quality and neutral translation and interpretation services;
- English language and literacy classes;
- Supports for access to training, education and employment;
- Library space with access to internet, computers, etc;
- Community Welfare and social workers;
- Assistance with accessing accommodation post-reception;
- There must be a statutory limit on time spent in reception centres (90 days) after which an asylum seeker must be assisted to move out and live independently in the community on same grounds as other homeless people in the State;
- Staff in the reception centres should be fully trained and informed about the process of seeking asylum and of people's rights so that they can also provide this information to people in reception.
- All reception centres must uphold all the fundamental human rights including the right to privacy (private life, and private family life) for every applicant. Under no circumstances should an asylum seeker be forced to share a bedroom with a stranger or another asylum seeker, or an asylum seeking child sharing a bedroom with parents or entire family. *This list is not exhaustive.

Right to work

MASI has always campaigned for the right to work which is at the very core of the human experience on earth. Informed by our collective experiences and research on racism in the Irish labour market, lifting the barriers for asylum seeking ethnic minorities is crucial and can be achieved by adopting the following:

- Granting immediate access the labour market;
- Valid for a minimum period of 12 months;
- Renewable until the bearer has an alternative or is no longer in the State;
- Is in the form of an Irish Residency Permit Card, bringing asylum seekers in line with other non-EU nationals in the Irish labour market and making it easy to get a driving licence or open a bank account.

Legal Process

- In-house early legal advice from a qualified lawyer with expertise in asylum cases needs to be provided in every reception centre to every international protection applicant.
- There must be statutory time frames for the substantive interview, all decisions relating to the asylum claim, and if an applicant is waiting 18 months or more for a final decision, they must be granted permission to remain while process continues and this must be applied retrospectively when introduced;
- Section 5 of the Illegal Immigrants (Trafficking) Act 2000 as amended must be removed and parity created between immigration and non-immigration timeframes and grounds for judicial review;
- In the absence of a legal representative in the substantive interview, an asylum seeker must be allowed to have an observer of their choosing if they wish to;
- The interview process in the IPO and IPAT must be trauma informed;
- Stop deportations: the Minister has discretionary power to grant permission to remain to any non-EU national and such discretion should be used, not waiting for petitions and public outcry.
- The State must review pay scale for immigration lawyers who take on protection cases and ensure that they are fairly remunerated.

Education

- All children in the State must have access to all levels of education with support for progression into post-secondary school education. It is cruel to impose structural barriers on children who are not responsible for this world's problems.
- Asylum seekers must have access to all levels of education.
- Unaccompanied minors who turn 18 while in care must be provided with post care supports and not be moved into a Direct Provision centre upon turning 18.
- All children in the State must have access to the child benefit payment. Asylum seeking children should receive the same Direct Provision allowance received by adults or the child benefit payment (whichever rate is greater). It is cruel to condemn asylum seeking children to a childhood of state-sponsored poverty.
- Under no circumstances should children share intimate living spaces with strangers in reception centres. Reinforces the need for self contained units within a reception centre.