



Society of St. Vincent de Paul

SUBMISSION ON DIRECT PROVISION AND THE
INTERNATIONAL PROTECTION PROCESS

TO THE COMMITTEE ON JUSTICE AND EQUALITY

May 2019
Social Justice and Policy Team

Contents:

	Page
Part 1: SVP Introduction	3
Part 2: Improving the welfare and conditions of people living in direct provision and efficiency of the current system of processing international protection claims	3
Part 3: Alternatives to direct provision	7
Part 4: SVP concluding remarks and recommendations	7

Part 1:

Introduction

The Society of Saint Vincent De Paul (SVP) welcomes the opportunity to engage with the Committee on Justice and Equality on the issue of direct provision and the international protection application process. Established in 1844, we are the largest, voluntary, charitable organisation in Ireland with over 11,000 volunteers. The society's mission is to provide friendship and support to those experiencing poverty and social exclusion, to promote self-sufficiency and to work for social justice.

Part 2:

Improving the welfare and conditions of people living in direct provision and efficiency of the current system of processing international protection claims.

Asylum Seekers spend on average 24 months in direct provision with many having spent up to 10-12 years.¹ One of the most damaging aspects of direct provision is the experience of institutionalisation and the loss of control over life.

Many residents of direct provision report mental health problems and the experience of stress, much of which is exacerbated by the inability to exercise ordinary choices and make basic decisions about one's life.

SVP Recommendations:

- Better departmental communication and known processing time limits, even in the absence of a reduction in wait times would assist asylum seekers living in direct provision.²
- The direct provision system is provided by for-profit agencies with no expertise in social care, mental health training etc. This is unacceptable and needs to be urgently reviewed in light of the additional support needs of asylum seekers.
- Direct provision centres wherever possible should be located in areas that are close to support services, communities and amenities.
- Centre Shop/'Points' system to be implemented in **all** Centres. Ensure culturally appropriate foods are available to residents.

¹ www.ria.gov.ie/en/RIA/RIA%20Monthly%20Report%202007-2018.pdf/Files/RIA%20Monthly%20Report%202007-2018.pdf

² <http://www.nascireland.org/wp-content/uploads/2018/12/BMM-Consultation-Full-Website-FINAL.pdf>

- Centres should support celebrations for the residents (in consultation with the residents and where relevant and appropriate), for example, children’s birthdays, religious celebrations such as Christmas and significant life events.
- Increased funding for legal services providing advice to asylum seekers at the initial stage of their asylum application process.

Children and Young People in Direct Provision:

The Special Rapporteur on Child Protection, Geoffrey Shannon, has raised concerns about the detrimental effect of Direct Provision accommodation on children. He describes the system as amounting to institutional poverty.³ Article 42A of the Constitution enshrines the principle that the State must protect and vindicate the rights of ‘all children’. However, child benefit is not extended to children in the asylum system. Child benefit was paid alongside the direct provision payment until 2004 when it was discontinued.

In 2017 SVP spent €3.6 million on education, supporting children and young people at pre-school, primary, secondary and third level as well as supporting further education and training, second chance education and promoting lifelong learning opportunities for the people we assist. SVP members see education as a critical enabler out of poverty and social exclusion.

SVP members cite the cost of education at all levels as a major barrier for marginalised groups and individuals to access education and reach their potential. The Vincentian Partnership for Social Justice (VPSJ) estimate that the cost of education for a primary school student is €349 per year and for a secondary student this increases to €849. This is excluding the estimated cost of €260 for a computer which brings the total cost to €1,458 for the year.⁴ According to the 2016 EU SILC survey, 61% of respondents in Ireland said they had difficulty meeting education costs at all levels, significantly above the EU average of 40%. This figure rises to 84% for households living below the poverty line.⁵

SVP work closely with schools as well as families to ensure children’s education is not negatively impacted due to school costs. However, successive budgets since the economic crisis have failed to restore core capitation rates to 2010 levels following a 15% cut resulting in schools having to ask parents for ‘voluntary’ contributions. This impacts low income families the most, which includes

³ Cited in Arnold, S.K. (Irish Refugee Council) (2012) State Sanctioned Child Poverty and Exclusion. The case of children in state accommodation for asylum seekers; Dublin: Irish Refugee Council

⁴ Correspondence from VPSJ May 2018

⁵ Source Eurostat: [ilc_ats07] <http://appsso.eurostat.ec.europa.eu/nui/submitViewTableAction.do>

families living in direct provision. It also causes a stressed and negative attitude towards education for children and young people.

A further issue which SVP members have highlighted is the lack of proper space for children and young people to complete homework and study in direct provision. The communal areas are wholly inadequate as they can be noisy and busy during the evening time with families and individuals congregating. The bedrooms are also unsuitable to carry out study as other family members are generally present as they have few other places to relax within the centres. SVP members have supported families to find alternative places to study such as local resource centres and libraries.

Children that are waiting for a decision on their asylum application can attend primary and secondary school, but they are not entitled to free fees for college and must pay non-EU fees which is a considerable barrier. There are fees for PLC courses as well. The Department of Education and Skills provides a pilot student support scheme for young people in the asylum process. The scheme is intended to facilitate young people in direct provision to move on to third level education after finishing school. However, since its commencement in 2015, only 5 people have been granted support from a total of 59 applications due to the restrictive nature of the eligibility criteria attached to it. The Irish Refugee Council (IRC) have advocated that the residency requirement attached to the scheme be reduced from 5 years to 3, as well as reducing the requirement for time spent in the school system from 5 years to 2 years, reflecting the leaving certificate cycle. These changes would bring it in line with the SUSI residency requirements (3 years).⁶

SVP Recommendations:

- Reinstatement of Child Benefit for children living in Direct Provision to help reduce poverty and deprivation among families in the protection process.
- Ensure all children living in direct provision, irrespective of the type of school they attend, (DEIS/Non-DEIS, urban, rural) have the necessary materials and supports to participate fully in the Irish education system.
- Conduct a review of the Pilot Support Scheme.⁷ Make recommendations to ensure more applicants can successfully access financial support to attend Higher Education and Further Education and Training (FET).

⁶ Correspondence from Irish Refugee Council 7 November 2018

⁷ <https://www.education.ie/en/learners/services/pilot-support-scheme>

Asylum Seekers current right to work

In light of a recent Supreme Court case the Government have now opted into an EU Directive that includes a right to work for people in the asylum process. However, the international protection appeals tribunal has significant delays, this will mean that some of the people who have been in Ireland the longest, will not be able to avail of the right to work.⁸ SVP members who support individuals and families in direct provision have reported their concerns about the pay and conditions of employment which asylum seekers have gained. They have stated some asylum seekers are working in very poor conditions with low pay despite having good education levels and previous professional work experience.⁹ SVP members have also reported the lack of transport as a major barrier for asylum seekers accessing interviews and potential job opportunities.

SVP Recommendations:

- Conduct an independent evaluation of the type of employment accessed by asylum seekers under the current right to work initiative.
- Promote integration, support employment and combat social exclusion by extending the Free Travel Scheme to all people in the protection process.

The Housing and Homeless crisis

Approximately, 12% of people residing in the accommodation centres provided by the Reception Integration Agency, (over 700 people), have permission to remain in Ireland.¹⁰ However, they are unable to leave direct provision as they cannot find alternative accommodation. This delays the integration process even further, trapping them in an institutionalised environment, impeding integration and leaving their lives in limbo.¹¹

The housing and homeless crisis continues to affect the most vulnerable in Irish society. SVP members visit families and individuals in emergency accommodation, some of whom have been living in direct provision and are currently unable to source private rented accommodation or local authority housing. In other cases, SVP report supporting people who are in the international protection process and are in one night only emergency accommodation. In all cases, SVP members

⁸ <https://www.kildarestreet.com/debates/?id=2018-07-05a.17&s=asylum+seekers+right+to+work#g21>

⁹ Communication with SVP National Social Justice Committee Meeting November 24th, 2018

¹⁰ <https://www.kildarestreet.com/wrans/?id=2018-12-19a.546&s=asylum+seekers#g550.r>

¹¹ <https://www.irishrefugeecouncil.ie/wp-content/uploads/2018/10/Irish-Refugee-Council-Pre-Budget-Submission-Budget-2019-2.pdf>

are supporting people who are very vulnerable, experiencing severe stress and are facing uncertainty for their future.

SVP Recommendations:

- Ensure sufficient funding is available to NGOs to assist people leaving direct provision.¹²
- Ensure that adequate funding is provided so that every homeless family and individual in emergency homeless accommodation is assigned a case manager to support them to move on from homelessness.

Part 3:

Alternatives to direct provision:

Sweden provides self-catering apartments and on-site transport within its reception facilities. Access to services and appropriate supports must be included in any future provision for asylum seekers.

The department need to be cognisant of the low level of personal allowance of €38.80 for adults and €29.80 for children, when assessing whether leisure and other activities are accessible to residents, as supports other than transport may be required for residents to participate.

SVP Recommendation:

SVP recommends that a cost-benefit analysis be undertaken on the feasibility of providing a similar service in Ireland.

Part 4:

Concluding Remarks & Key Recommendations

The waiting times and the uncertainty around cases processing are among the most significant concerns for asylum seekers in Ireland today while having to live in an institutional type setting. Other concerns and areas for improvement are largely structural and include access to education and meaningful access to the labour market. Also, the additional needs of people leaving the direct provision system should be considered by policy makers and adequate resources and supports be implemented on a continuous basis.

¹² <https://www.kildarestreet.com/wrans/?id=2018-12-19a.546&s=asylum+seekers#g550.r>

SVP recommends that the above recommendations and insights be given due consideration by the Committee on Justice and Equality to ensure the human rights of asylum seekers and those in the international protection process are protected.