

# **Submission to the Oireachtas Committee on Children, Equality, Disability, Integration and Youth re Integration and Refugee issues**

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**Nasc**  
Migrant & Refugee Rights

## **Submission to the Committee on Children, Equality, Disability, Integration and Youth re Integration and Refugee issues.**

### **Introduction**

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Nasc, the Migrant and Refugee Rights Centre is a non-governmental organisation based in Cork City, Ireland. Nasc, the Irish word for ‘link’, empowers migrants to realise and fulfil their rights. Nasc works with international protection applicants, migrants and refugees to advocate and lead for change within Ireland’s immigration and protection systems, to ensure fairness, access to justice and the protection of human rights. We do this through the provision of frontline services and via our various projects.

Nasc, founded in May 2000, has over two decades of experience supporting refugees, asylum seekers and ethnic minority communities in Ireland. Nasc provides information, advice and support to over 1,300 people annually, through our various projects including our Advocacy and Information Service, Ukraine Response, Young Persons’ Project and Women’s Project. Nasc also provides support in the form of referrals and training to mainstream services working with migrant and ethnic minority communities. Nasc also conducts outreach to accommodation centres for international protection applicants and beneficiaries of temporary protection in Cork City and County.

Nasc was a member of the Working Group on the Protection Process and Direct Provision. The subsequent report, the Working Group Report on the Protection Process (McMahon Report) contained 173 recommendations to improve the asylum process and the reception conditions to residents in Direct Provision accommodation. Nasc was an expert member of the Standards Advisory Group and advised on the development of National Standards for Accommodation offered to those in the protection process. Nasc was also a member of the Catherine Day Advisory Group, which looked at best practice in the provision of services to international protection applicants, examined likely longer-term trends and set out recommendations and solutions.

This submission is directly informed by our day-to-day experiences working with migrants, refugees, asylum seekers and ethnic minorities living in Ireland. We have focussed on some of the key headline issues in this area at the current time.

**Executive summary of recommendations:**

- 1. Monitor the implementation of The European Communities (International Protection Procedures) Regulations 2022 and the International Protection Act 2015 (Procedures and Periods for Appeals) (Amendment) Regulations 2022.**
- 2. Resource the Legal Aid Board fully to provide comprehensive early legal advice to applicants for protection.**
- 3. Ensure adequate accommodation is available to meet the needs of International Protection applicants and beneficiaries of Temporary Protection; investment in rapid build housing, extension of the recognition payment to persons who wish to host people with status transitioning from Direct Provision, and the provision of additional resources to support people with status moving out of Direct Provision.**
- 4. Expand the Health Information and Quality Authority's (HIQA) remit to cover all congregated accommodation settings for International Protection applicants and beneficiaries of Temporary Protection.**
- 5. Ensure that ending Direct Provision remains on the political agenda and provide an updated timeframe for the implementation of the White Paper.**
- 6. Ensure that Tusla- Child and Family Agency publishes guidelines in relation to the age assessment of unaccompanied minors in the asylum process.**
- 7. Extend Child Benefit payments to children living in Direct Provision.**
- 8. Communicate the positives of refugee migration nationally and locally. Engage actively with local TDs, Councillors and local authority staff to ensure they are well informed prior to the arrival of refugees in the community.**
- 9. Resource local communities, where appropriate, to deal with additional needs in their area, i.e. extra school places and increases in GP capacity.**
- 10. Address concerns for beneficiaries of Temporary Protection re registration, accommodation, monitoring and complaints procedures.**

## Context

It is clear that the context for Ireland's hosting of refugees has changed quite markedly in the last 12 months. Figures from the Central Statistics Office (CSO) as of 19th February 2023 indicate that since the invasion of Ukraine by Russia, there have been 73,000 arrivals from Ukraine with an estimated 63,585 persons remaining in Ireland<sup>1</sup> (the vast majority of whom have been granted temporary protection). There was also a significant increase in the number of applicants for international protection in the State in 2022.

### *What is international protection?*

As there is sometimes confusion and/or misinformation in the public domain as to what constitutes a refugee, we feel it is useful to restate a few of the basic principles. It is generally expected that a State will protect its own citizens and international protection is a surrogate form of protection which kicks in when one's own State cannot offer protection; as such it is a type of safety net. It is important for us to be bear in mind that the 1951 Refugee Convention provides protection to those who fear persecution in their country of origin based on race, religion, nationality, political opinion or membership of a particular social group (for example on the basis of sexual orientation or gender identity). Subsidiary protection is a complementary form of protection, deriving from EU law<sup>2</sup> which protects people who do not meet the definition of a refugee, but have a real risk of suffering "serious harm" in their country of origin or country of former habitual residence. Serious harm is defined as the death penalty or execution, torture or inhuman or degrading treatment or punishment, or serious and individual threat to a civilian by reason of indiscriminate violence in a situation of international or internal armed conflict.<sup>3</sup> The International Protection Office (IPO) is the first instance decision making body for international protection claims in Ireland, and negative recommendations from the IPO can be appealed to the International Protection Appeals Tribunal (IPAT).

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<sup>1</sup> See Central Statistics Office (CSO) website, available at:

<https://www.cso.ie/en/statistics/population/arrivalsfromukraineinireland/>

<sup>2</sup> See Qualification Directive 2004/83/EC, available at: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex%3A32004L0083>

<sup>3</sup> See s.2(1) of the International Protection Act 2015, available at: <https://www.irishstatutebook.ie/eli/2015/act/66/enacted/en/html>

### *What is permission to remain?*

If the International Protection Office recommends that an applicant is not entitled to either refugee status or subsidiary protection, the Minister will then consider whether or not to give the applicant permission to remain in the State for another reason, for example, because of family or personal circumstances.

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### *Applications for international protection in Ireland in 2022*

According to data released by the Department of Justice, 13,319 people<sup>4</sup> from around the world sought international protection in Ireland during 2022, the highest number on record.<sup>5</sup> The top countries of origin for those seeking international protection in Ireland in 2022 were Georgia, Somalia, Algeria, Zimbabwe, Nigeria and Afghanistan, with applications from those countries making up almost 60% of applications.<sup>6</sup> It is not fully clear what is driving the increase in numbers of persons seeking international protection in 2022, however it is reasonable to assume that the easing of international travel restrictions post Covid-19 has had a significant impact. We don't yet have the recognition rates for international protection applicants in 2022 but in 2021, 51.8% of applicants were granted refugees status, 4.5% were granted subsidiary protection and 38.2% were granted permission to remain.<sup>7</sup>

There have been positive efforts on behalf of the State to give people in the international protection system for a particular period an opportunity to regularise their status. The international protection strand of the Regularisation Scheme for Long-Term Undocumented Migrants, which was open for a period of six months from 7 February 2022 until 7 August

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<sup>4</sup> See IPO statistics for December 2022, available at: <http://www.ipso.gov.ie/en/ipso/pages/statistics>

<sup>5</sup> *Record number of people sought asylum in Ireland in 2022*, The Irish Times, 3 January 2023.  
<https://www.irishtimes.com/ireland/2023/01/03/record-number-of-people-sought-asylum-in-ireland-in-2022/>

<sup>6</sup> See IPO statistics for December 2022, available at: <http://www.ipso.gov.ie/en/ipso/pages/statistics>

<sup>7</sup> See AIDA (Asylum Information Database) 2021 Country report for Ireland, at p.8, available at <https://asylumineurope.org/reports/country/republic-ireland/>

2022,<sup>8</sup> meant that anybody who had been in the system for two years at the first stage could apply to the IPO for permission to remain, with the possibility of maintaining their international protection application if they so wished. We understand that over 3200 applications were received by the IPO and 1487 grants have been issued.<sup>9</sup> A further 1,038 applications were accepted but granted an equivalent permission by another IPO area.<sup>10</sup> The Scheme has allowed people who were stuck in the international protection system without a settled legal status for a number of years, to move on with their lives in Ireland.

### *What is Temporary Protection?*

The Temporary Protection Directive (2001/55 EC) is an EU law that was introduced in 2001. The Directive created a special procedure to deal with a 'mass influx' of people in need of international protection. The Directive was adopted into Irish law by Section 60 of the International Protection Act 2015 and was activated for the first time in March 2022 in a response to the invasion of Ukraine by Russia. The European Council Decision on 4 March 2022<sup>11</sup> applies to Ukrainian nationals living in Ukraine who were displaced on or after 24 February 2022. It also applies to non-Ukrainian citizens who were living in Ukraine before 24 February with their Ukrainian family. People who were living in Ukraine before 24 February as refugees, or with another form of international protection, or as a stateless person can also benefit from temporary protection. Family members of these groups are included if they lived in Ukraine before 24 February. The Decision also says that people who were legally living in Ukraine before 24 February 2022 and who cannot safely return to their own country can benefit from temporary protection, or some other form of protection. During the temporary protection period, EU member states must provide: access to suitable accommodation, access to social welfare and medical care, access to education for children under 18 and the legal right to

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<sup>8</sup> See Department of Justice Press Release, available at: <https://www.gov.ie/en/press-release/44a1f-international-protection-strand-of-the-regularisation-scheme-for-long-term-undocumented-migrants-now-open-for-applications/>

<sup>9</sup> Information provided by the Transparency Unit at the Department of Justice, 7 February 2023.

<sup>10</sup> Ibid.

<sup>11</sup> Council Implementing Decision (EU) 2022/382 of 4 March 2022, available at: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex:32022D0382>



access the labour market.<sup>12</sup> Temporary protection beneficiaries have had their permissions automatically extended until 4 March 2024.<sup>13</sup>

### *Public sentiments*

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The vast majority of Irish people have responded with generosity and humanity to those coming to the State for safe haven, and support for migrants and those seeking asylum remains strong. According to a Human Rights poll commissioned by the Irish Human Rights and Equality Commission (IHREC) to coincide with International Human Rights Day in December 2022, nearly 9 out of 10 (89%) people agreed that no matter who you are, or where you're from, you should be treated equally.<sup>14</sup> Nearly three quarters (74%) of people agreed that Ireland benefits as a whole from being a more inclusive and diverse society, while more than half (55%) said that Irish people welcome diversity and interculturalism in society.<sup>15</sup> However tensions and division are becoming increasingly apparent, with a number of anti-immigration "protests" having taken place in Dublin, Kildare, Cork, Waterford and Westmeath in recent times. In addition, some communities have expressed concern at an alleged lack of engagement prior to refugee arrivals in their area.

### **Changes at the International protection office (IPO), the first instance decision making body for international protection claims in Ireland.**

Nasc is concerned about the significant changes which were announced via the commencement of The European Communities (International Protection Procedures) Regulations 2022 and the International Protection Act 2015 (Procedures and Periods for Appeals) (Amendment) Regulations 2022. The primary purpose of the Regulations is to establish an accelerated process for international protection applicants from countries deemed

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<sup>12</sup> See information from the Department of the Taoiseach, available at:

<https://www.gov.ie/en/publication/0f773-temporary-protection/>

<sup>13</sup> See Department of Justice Press Release, available at: <https://www.irishimmigration.ie/extension-of-temporary-protection-permissions/>

<sup>14</sup> See IHREC Press Release, available at: <https://www.ihrec.ie/robust-support-continues-for-refugees-says-new-national-survey-on-international-human-rights-day/>

<sup>15</sup> Ibid.

by the Minister for Justice to be safe countries of origin, and it applies to all applications from 8<sup>th</sup> November 2022.<sup>16</sup> The countries covered by the new Regulations are Bosnia and Herzegovina, Republic of North Macedonia, Georgia, Kosovo, Montenegro, Republic of Albania, Republic of Serbia and Republic of South Africa. Nasc welcomes the commitment of the IPO to issue decisions for persons from deemed safe countries in a more timely manner, however this should not be at the expense of the quality and substance of the decision making process. Nasc is concerned that accelerated procedures may mean that applicants from deemed safe countries may not have access to legal advice and assistance prior to their substantive interview, which it is intended will happen “in a matter of weeks” following the applicant’s application for protection.<sup>17</sup> We respectfully submit that this procedure risks being unfair and contrary to natural justice. We submit that early legal advice is crucial to ensure that applicants can fully engage with the procedure, and to ensure that protection claims are fully articulated. We respectfully submit that the Legal Aid Board ought to be properly resourced to ensure that it can deal with applicants who are subject to accelerated procedures, given the very tight timeframes involved.

Nasc is also concerned by the recent changes to procedures at the International Protection Office (IPO), in particular, the requirement that applicants complete their questionnaire (IPO2) in English on the day of their application. The questionnaire is a crucial document, which forms the main basis for the substantive s.35 interview and remains on the applicant’s file throughout the process. We understand that cultural mediators and interpreters are onsite at the IPO, to assist applicants in the completion of questionnaires, however, we respectfully submit that this is not a substitute for legal advice prior to the completion of the document. We respectfully submit that the Legal Aid Board ought to have a presence onsite at the IPO to provide legal advice to applicants prior to the completion of their questionnaires. At an absolute minimum, there should be provision for early legal advice onsite for vulnerable applicants.

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<sup>16</sup> See IPO website in this regard: <http://www.ipo.gov.ie/en/ipo/pages/whatsnew>

<sup>17</sup> Ibid.



*Recommendations:*

1. *Review the impact of the new Regulations, including the impact, if any, on recognition rates for refugee status and subsidiary protection.*
2. *Resource the Legal Aid Board fully to provide comprehensive early legal advice to applicants for protection.*

## **Shortage of accommodation resulting in applicants for international protection sleeping rough**

Capacity of the accommodation system for international protection applicants remains a key and urgent issue. The housing crisis in Ireland continues to exacerbate the situation, meaning that many individuals who have been granted an international protection status or permission to remain have been unable to leave Direct Provision accommodation due to a lack of available and affordable housing. The number of people unable to move out of Direct Provision after being granted permission to stay in Ireland had more than doubled by the end of 2022 to almost 5,000.<sup>18</sup>

On Tuesday 24 January 2023, the government announced the temporary closure of Citywest transit hub to new international protection applicants<sup>19</sup> and indicated that it would not be providing accommodation for single adult applicants for international protection but would prioritise families with children. In practice, we understand that this policy has applied to single men and has resulted in international protection applicants sleeping rough, an unprecedented situation in Ireland. Nasc understands that persons being refused accommodation are provided with €25 Dunnes vouchers at the International Protection Office (IPO) when they are told there is no accommodation available, their details are taken, and they are advised that they will be contacted when accommodation becomes available. It is Nasc's understanding

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<sup>18</sup> *Almost 5,000 people unable to move out of direct provision after being granted permission to stay in Ireland*, The Irish Times, 23 December 2022, available at: <https://www.irishtimes.com/ireland/social-affairs/2023/01/11/almost-5000-people-unable-to-move-out-of-direct-provision-after-being-granted-permission-to-stay-in-ireland/>

<sup>19</sup> Department of Justice Press Release, 24<sup>th</sup> January 2023, available at: <https://www.gov.ie/en/press-release/489b6-citywest-transit-hub-to-pause-entry-of-new-international-protection-arrivals-to-its-emergency-accommodation-area/>

that no vulnerability assessment or health screening is carried out, meaning that persons with health issues or survivors of sexual violence or torture could be left to fend for themselves. A small number of applicants for international protection have presented to Nasc after having travelled from Dublin to Cork in the hope of accessing accommodation. Nasc has been able to offer limited assistance in the form of vouchers and linking in with local homeless services.

Nasc is concerned that the shortage of accommodation will continue to force applicants for international protection into situations of destitution/ street homelessness. In the vast majority of cases, in the absence of any payments and without the right to work, new applicants for international protection are without the means to sustain themselves outside of the Direct Provision system. A failure to provide reception conditions is contrary to the State's EU law obligations, which are transposed into Irish law via the 2018 Reception Conditions Regulations.<sup>20</sup> If the State cannot provide accommodation under Regulation 7, Regulation 4(5) relates to the provision of material reception conditions in a manner that is different until the accommodation is back to normal capacity. Failure to provide accommodation amounts to a breach of the Regulations.<sup>21</sup> In addition, it is arguable that the failure to provide accommodation is a breach of the right to human dignity, human integrity, and the right to private life under the European Convention on Human Rights and European Charter of Fundamental Rights. The existence of a positive obligation to host asylum-seekers in a dignified way has also been confirmed by the European Court of Human Rights in *M.S.S. v Greece and Belgium Application No. 30696/09*.<sup>22</sup>

Beyond the legal obligations on the State, Nasc is deeply concerned by the human impact of street homelessness for persons who may already have experienced torture, trauma, and violence in their country of origin prior to their arrival in Ireland. Considering recent activities of the far right in Ireland, applicants for international protection without shelter have reasonable

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<sup>20</sup> S.I. No. 230/2018 - European Communities (Reception Conditions) Regulations 2018, available at <https://www.irishstatutebook.ie/eli/2018/si/230/made/en/print>

<sup>21</sup> See Article 4 Reception Conditions Regulations and Articles 8 & 17 of the Reception Conditions Directive.

<sup>22</sup> In addition, Interim Measures were granted by the ECtHR in the matter of *Msallem and 147 Others v. Belgium* (application no. 48987/22 and 147 others) in respect of applicants for international protection who were not provided with accommodation.

fears for their safety in situations where they are rough sleeping. We respectfully submit that this is an urgent situation which must be addressed as a priority.

*Recommendations:*

1. *Invest in rapid build accommodation so there is less reliance on the hospitality sector.*
2. *Extend the €600 Recognition payment for hosting beneficiaries of Temporary Protection to those who wish to host people with status transitioning out of Direct Provision.*
3. *Ensure resources are in place to support people in moving out of Direct Provision, thereby increasing capacity in the system.*

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### **Inspections of Direct Provision and emergency accommodation**

Nasc understands that the role of the Health Information and Quality Authority (HIQA) is to be expanded to include the inspection of Direct Provision centres.<sup>23</sup> We understand that at the current time, HIQA's remit will not cover inspection of emergency accommodation centres for international protection applicants. In Nasc's view, this is extremely problematic considering the large number of international protection applicants who live in these settings. We understand that the relevant regulations are being drafted at the current time and we call on the government to include emergency accommodation settings in HIQA's remit to ensure that they are effective and impactful for persons in the protection process.

*Recommendation:*

1. *Ensure HIQA's mandate covers emergency accommodation settings for international protection applicants.*

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<sup>23</sup> See Minister for Children, Equality, Disability, Integration and Youth Roderic O'Gorman response to a Parliamentary Question, available at: <https://www.oireachtas.ie/en/debates/question/2021-12-02/124/>

## Ending Direct Provision must remain on the agenda

As of 5th February 23, there were 19,741 people accommodated in the International Protection Accommodation Service (IPAS) system as a whole; of this total, 4,096 are children.<sup>24</sup> It is noted that Direct Provision has a particularly negative impact on children and families.<sup>25</sup>

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Nasc is concerned that due to the current context, ending Direct Provision has slipped from the political agenda. As a member of STAD, Nasc calls on the Government to fulfil the commitments it made in its White Paper to end Direct Provision.<sup>26</sup> We call for a humane alternative that respects the human rights and dignity of international protection applicants. We note that discontent with the Direct Provision system remains high amongst the general public, with 64% of people agreeing that those in the system experience racism and discrimination, while 68% believe that the Government should set a clear date to end Direct Provision.<sup>27</sup>

In February 2021, the Government published the White Paper on Ending Direct Provision. The paper establishes a variety of measures aimed at replacing the system of Direct Provision with a not-for-profit accommodation model and sets out a roadmap towards establishing a new international protection support service, to be in place by 2024. The publication of the White Paper was informed by the Report of the Advisory Group on the Provision of Support including

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<sup>24</sup> See Minister for Children, Equality, Disability, Integration and Youth Roderic O’Gorman response to a Parliamentary Question, available at: <https://www.oireachtas.ie/en/debates/question/2023-02-16/310/>

<sup>25</sup> See investigation by the Ombudsman for Children’s Office on the Safety & Welfare of Children in Direct Provision, available at: <https://www.oco.ie/app/uploads/2021/04/Safety-and-Welfare-of-children-in-Direct-Provision.pdf>

<sup>26</sup> The STAD coalition was founded by eight NGOs in January 2022 with a view to lobbying the Government to deliver on the commitment to bring an end to Direct Provision. The coalition’s primary aim is to replace Direct Provision with an alternative system by 2024, ensure that all emergency reception centres are closed as an immediate priority and reduce processing times for international protection applications and appeals. Additional information is available at [www.STAD.ie](http://www.STAD.ie)

<sup>27</sup> See IHREC press release, available at: <https://www.ihrec.ie/robust-support-continues-for-refugees-says-new-national-survey-on-international-human-rights-day/>

Accommodation to Persons in the International Protection Process, chaired by Dr Catherine Day.<sup>28</sup>

Following the publication of the White Paper, we understand that a staff team was established in the Department of Justice<sup>29</sup> in order to lead the transition to a new accommodation model for international protection applicants, while the Minister for Children, Equality, Disability, Integration and Youth appointed a programme board, including officials from the relevant Departments and agencies, as well as independent members from various non-governmental organisations, tasked with overseeing the transition to the new model. We understand that the Department of Children, Equality, Disability, Integration and Youth, working with the Housing Agency, was to begin the acquisition of properties for use during phase 2, that is, after people have completed an initial four months in a reception and integration centre and are moved into the community. It was envisaged that applicants would move into this accommodation beginning in 2022 and for this process to accelerate in the following years as more properties are acquired, however we understand that this has not happened to date. Minister O’Gorman has acknowledged that the war in Ukraine has had an “unavoidable impact on timelines for the implementation of the White Paper”.<sup>30</sup> Nasc understands that considerable time and resources has been diverted to deal with the situation of temporary protection beneficiaries, however we respectfully submit that dedicated time and resources need to be allocated to meet the commitments under the White Paper.

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*Recommendations:*

1. *Ensure that resources are in place to work towards ending Direct Provision.*
2. *Publish an updated timeline for implementation of the recommendations in the White Paper.*

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<sup>28</sup> Report of the Advisory Group on the Provision of Support including Accommodation to Persons in the International Protection Process, available at: <https://www.gov.ie/en/publication/634ad-report-of-the-advisory-group-on-the-provision-of-support-including-accommodation-to-persons-in-the-international-protection-process/>

<sup>29</sup> See Minister for Children, Equality, Disability, Integration and Youth Roderic O’Gorman, Response to Parliamentary Questions, available at: <https://bit.ly/33ZH4vX>.

<sup>30</sup> *Plan to end direct provision by 2024 set to be watered down amid pressure from Ukraine war*, The Irish Times, 20 October 2022, available at: <https://www.irishtimes.com/politics/2022/10/20/plan-to-end-direct-provision-by-2024-set-to-be-re-assessed-as-officials-consider-what-is-achievable/>

## **Guidelines for Tusla Social workers who are carrying out age assessments**

Under s.24 of the International Protection Act 2015, the Minister for Justice or an international protection officer may arrange for the use of an “examination” to determine whether an unaccompanied person, who has arrived in the State for the purposes of making an application for international protection, has reached the age of 18. The legislation is silent as to who should carry out the examination but provides that where the examination is “a medical examination”, it shall be carried out “by a registered medical practitioner or such other suitably qualified medical professional as may be prescribed.” In practice, and without any appropriate guidelines, Nasc understands that the decision is often made by social workers at Tusla- Child and Family Agency. This decision can have a profound impact on the life of the young person whose age is in question. It is not clear that social workers receive any training or support to make these decisions. The consequences of that decision are that the young person may lose out on family reunification rights, additional protections during their international protection claim and they will find themselves in the Direct Provision system. Currently, it is very difficult to challenge the age assessment decision by the social worker, once made. Without guidelines in place, it is hard to know or understand why the social worker came to the conclusion they did. We understand that Tusla’s position is that conducting age assessments is not part of its statutory function, though in practice we understand that they do carry out these assessments and they are relied on by the IPO and/or Minister when determining whether somebody should be treated as a child or as an adult during their asylum procedure. In this context, the need for guidelines is absolutely essential.

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### ***Recommendation:***

- 1. Tusla- Child and Family Agency should prepare and publish guidelines which it uses for age assessment.*



## Child benefit for children in Direct Provision

Child Benefit is often described as a “universal benefit,” however children in the international protection process are excluded from receiving it and instead receive just €29.80 per week. Parents in the international protection process can experience feelings of stigma and shame when they struggle to meet the cost of raising a child in Ireland, fearing that their children may be excluded if they are unable to take part in the activities which their peers are involved in. In July 2020, the Children’s Ombudsman published their ‘Direct Division’ report, which describes many of the difficulties which children growing up in Direct Provision experience.<sup>31</sup> The report refers to a recommendation of the Oireachtas Joint Committee on Justice and Equality (the Joint Committee) in December 2019 that “an additional allowance should be provided to parents to help cover the costs associated with their children’s education.”<sup>32</sup> In addition, the Government White Paper on ending Direct Provision commits to an International Protection Child Payment which would be aligned with child benefit.<sup>33</sup> In Nasc’s view, a simple solution would be to allow children in the international protection process access to child benefit.

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### *Recommendation:*

1. *Extend child benefit to children in the international protection process.*

<sup>31</sup> Direct Division Report, available at <https://www.oco.ie/directdivision/direct-division-report/>

<sup>32</sup> Oireachtas Joint Committee on Justice and Equality, Report on *Direct Provision and the International Protection Application Process*, (December 2019), available at [https://data.oireachtas.ie/ie/oireachtas/committee/dail/32/joint\\_committee\\_on\\_justice\\_and\\_equality/reports/2019/2019-12-12\\_report-on-direct-provision-and-the-international-protection-application-process\\_en.pdf](https://data.oireachtas.ie/ie/oireachtas/committee/dail/32/joint_committee_on_justice_and_equality/reports/2019/2019-12-12_report-on-direct-provision-and-the-international-protection-application-process_en.pdf)

<sup>33</sup> *White Paper on Ending Direct Provision*, Executive Summary, available at: <https://www.gov.ie/pdf/?file=https://assets.gov.ie/124757/ef0c3059-b117-4bfa-a2df-8213bb6a63db.pdf#page=null>

## Addressing legitimate concerns whilst combatting the far right

Nasc is concerned that far right elements may exploit genuine concerns which people in host communities may have re the capacity of services in their local area, for example schools, GP services etc. It is clear that where there is a perceived lack of information and engagement, bad faith actors can step in to stoke fears and resentment. Nasc calls for proactive leadership in this area, which in turn will assist in combatting the far right. Nasc endorses the recommendations of the Ukraine Civil Society Forum (UCSF) which it is a member of.

### *Recommendations:*

- 1. In relation to national communication, we recommend that the Government consider sponsoring a nationally coordinated communications campaign that covers how and why Ireland supports refugees and reinforces the humanitarian response and the values we stand for as a nation of emigrants, promoting inclusion.*
- 2. Communications directed at TDs, Councillors and local authority staff ensuring they receive regular bulletins so they are well informed and have all the facts.*
- 3. Active engagement with local and regional media, bringing forward positive stories.*
- 4. Strengthening of integration supports for the medium and long term.*
- 5. Proactive community preparation and planning in advance of new accommodation being proposed.*
- 6. The development of tools, training, and guidance where appropriate.*
- 7. Resourcing of communities, where appropriate, to deal with additional needs in their area, i.e. extra school places and increases in GP capacity.*

## Issues impacting Temporary Protection (TP) beneficiaries.

Nasc welcomes the automatic extension of temporary protection until 4 March 2024 as it will give those impacted certainty as to their status.<sup>34</sup> However, a number of issues persist. There is still no process in place for beneficiaries of temporary protection (TP) to register their status

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<sup>34</sup> See Department of Justice webpage re Temporary Protection, available at: <https://www.irishimmigration.ie/extension-of-temporary-protection-permissions/>

and to be issued with an Irish Residence Permit (IRP). In our experience, there is a wide divergence in standards of accommodation provided to temporary protection beneficiaries, with more than 500 diverse accommodation settings across Ireland. In this context, Nasc believes that HIQA should be mandated and resourced to inspect such settings.

Nasc has become aware of situations where fair procedures were not adhered to by the management when evicting persons with Temporary Protection from their accommodation. In our experience, there is a lack of a clear complaints mechanism, and it can be difficult to get a timely response from the International Protection Accommodation Service (IPAS) when issues arise. Families are sometimes moved at short notice which is unsettling and distressing, particularly as it can be disruptive to schools and employment.

*Recommendations:*

- 1. Establish a registration process to enable beneficiaries of TP to access an Irish Residence Permit.*
- 2. Establish and resource a team to address welfare and safeguarding issues within accommodation settings.*
- 3. Establish a formal process for logging and escalating issues.*
- 4. Establish an independent complaints mechanism in relation to accommodation issues.*
- 5. Provide guidance and training for contractors and staff on working with traumatised people, child protection, trafficking identification, Domestic, Sexual and Gender-Based Violence training and issue de-escalation.*
- 6. Mandate HIQA to inspect accommodation for Temporary Protection beneficiaries.*