

# DÁIL ÉIREANN

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## AN COMHCHOISTE UM DHLÍ AGUS CEART AGUS COMHIONANNAS

### JOINT COMMITTEE ON JUSTICE AND EQUALITY

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*Dé Céadaoin, 19 Meitheamh 2019*

*Wednesday, 19 June 2019*

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The Joint Committee met at 9 a.m.

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Comhaltaí a bhí i láthair / Members present:

Colm Brophy,	Frances Black,
Jack Chambers,	Martin Conway,
Jim O'Callaghan.	Niall Ó Donnghaile.

I láthair / In attendance: Deputies Martin Kenny and Donnchadh Ó Laoghaire.

Teachta / Deputy Caoimhghín Ó Caoláin sa Chathaoir / in the Chair.

## **Business of Joint Committee**

**Chairman:** I remind members to switch off their mobile phones as they interfere with the recording equipment. Apologies have been received from Deputies Daly and Wallace. I propose to go into private session to deal with housekeeping matters.

*The joint committee went into private session at 9.02 a.m. and resumed in public session at 9.33 a.m.*

### **Direct Provision and the International Protection Application Process: Discussion (Resumed)**

**Chairman:** The purpose of the meeting is to conclude a series of engagements examining the direct provision and the international protection application process. I remind people to switch off their mobile phones as they interfere with the recording equipment.

We are joined by officials from the Department of Justice and Equality: Ms Oonagh Buckley, deputy secretary general, Ms Carol Baxter, assistant secretary, and Mr. Michael Kirrane, director general of the Irish Naturalisation and Immigration Service, INIS. Mr. Paul Gunning, principal officer at the anti-human trafficking unit is *en route*. Seated behind them are Ms Louise Sandom, principal officer and Mr. George Sinclair, assistant principal officer, Reception and Integration Agency, RIA. They are all welcome to the meeting.

I first have to advise on privilege for witnesses who come before an Oireachtas committee. I draw the attention of our guests to the fact that by virtue of section 17(2)(l) of the Defamation Act 2009, witnesses are protected by absolute privilege in respect of their evidence to the committee. However, if they are directed by the committee to cease giving evidence on a particular matter and they continue to do so, they are entitled thereafter only to a qualified privilege in respect of their evidence. They are directed that only evidence connected with the subject matter of these proceedings is to be given and they are asked to respect the parliamentary practice to the effect that, where possible, they should not criticise or make charges against any person, persons or entity by name or in such a way as to make him, her or it identifiable.

By virtue of the salient rulings of the Chair, members should not comment on, criticise or make charges against a person outside the House or an official either by name or in such a way as to make him or her identifiable.

I invite Ms Buckley to proceed to make her opening statement.

**Ms Oonagh Buckley:** I thank the Chairman and members of the committee for inviting the Department to participate in these important hearings on the direct provision system and the international protection process.

As members will be aware, under EU and international law, Ireland, like other countries, is obliged to examine the claim of any person who comes here and claims international protection under defined grounds. Persons will be granted refugee status if it is shown that they have a well-founded fear of suffering persecution in their home country. Where a person does not meet the criteria under the Geneva Convention to qualify as a refugee, they will be granted subsidiary protection status if they would face a risk of suffering serious harm if returned to

their home country. A person who qualifies for neither refugee nor subsidiary protection status will have other humanitarian reasons to be allowed to stay considered by the Minister and may be granted a discretionary permission to remain in the State. The process of examining such applications is set out in the International Protection Act 2015 with first instance decisions considered by the International Protection Office, IPO, and appeals determined by the International Protection Appeals Tribunal - both independent in the exercise of their functions in accordance with the Act. The processes in both offices have been designed with input from the UNHCR.

While an international protection claim is being examined, we offer accommodation and related services to anyone without means. This includes all meals, medical care and utilities. A weekly personal allowance is paid to each person and the Department of Employment Affairs and Social Protection cover exceptional needs. The Department of Education and Skills provides school places for children resident in the centres and children also have access to the free preschool scheme, the early childhood care and education programme. The HSE provides mainstreamed health services to residents. It is a whole-of-Government approach to supports and services for applicants.

There is no obligation on anyone to accept the offer of accommodation and there is no restriction on the freedom of movement of applicants throughout the State. Any notion of incarceration of applicants is wholly misleading and risks stigmatising the residents.

The pressure our accommodation system currently faces is clear. The Reception and Integration Agency of the Department is accommodating 6,108 people - the figure last week - in its 39 accommodation centres and a further 760 people are in emergency accommodation in hotels and guest houses. The use of emergency accommodation is sub-optimal. It does not allow us to provide the full range of services to applicants that the 'traditional' centres provide. However, we must ensure that each person arriving today to claim protection, with no advance warning, tonight has shelter, food and any urgent medical care required.

Coupled with an increase in the number of people applying for protection in recent years is the large number of people with an international protection status or a permission to remain who continue to live in RIA accommodation. We have approximately the same number of people in this scenario as we have applicants housed in emergency accommodation. People with status or permission to remain have the same access to mainstream housing supports and services as nationals. We are working intensively with organisations such as the Peter McVerry Trust, Depaul and the Jesuit Refugee Service to assist these people to transition to mainstream housing services but, as members will realise, that is challenging in the current housing environment.

The committee heard from Mr. Justice Bryan McMahon of the improvements that have been made to the system in recent years. Significant improvements have been made to the system to deliver real improvements in living conditions and standards for residents. Chief among these is the introduction of independent living. I understand that most of the members of the committee visited the Mosney accommodation centre last Friday where they will have seen how independent living works first hand, including the foodhall where residents can obtain food and toiletries through a cashless and points-based system. More than half of all residents now have access to cooking facilities and our aim is to have all residents in commercial centres benefitting from independent living by the middle of next year. This will be achieved through our ongoing regional tendering process for the provision of accommodation. Successful bidders will also have to provide dedicated living spaces for families and teenagers, and greater facilities for recreation. Standards developed by an advisory group have recently been finalised and approved by the Minister, and will be applied in all centres. Access to the labour market has also

provided an important integration opportunity for eligible applicants. To date, the Minister has granted 2,633 labour market access permissions, including 1,900 to direct provision residents. Residents also have access to the services of the Ombudsman and the Ombudsman for Children. Importantly, each centre also now has a friends of the centre group, which brings together residents, community and voluntary groups to increase integration opportunities and provide support for residents by local communities.

The Department is now engaged in its own review of the direct provision system. I chair a high-level interdepartmental group to examine the current system and report to the Minister. As part of this work, we are identifying gaps in service provision, areas where we can strengthen existing service provision and supports, and may propose alternative options for the provision of services to applicants in the short and medium terms. The work of the committee will be an important consideration for the interdepartmental group. As Minister of State, Deputy Stanton, said previously, we would welcome proposals and tender responses from individual non-governmental organisations or groups of NGOs that want to work with us to improve the system. Indeed, we are already working with some NGOs to see how they can play a more active role in supporting residents.

The system has provided a safety net for more than 60,000 individuals and families since its inception 20 years ago but there is room for improvement. These committee hearings are timely and coincide with the work that is already under way in the Department. We have followed the hearings to date with great interest and carefully listened to the testimony of witnesses. We share many of the views that were expressed to the committee. The system of deciding on applications must continue to get faster and the improvements to living standards must continue to be implemented. Where we may differ is on how we get there and how quickly the protection determination process can be made taking into account that this is a legal process, which requires full consideration of all aspects of each individual case. We are open to engagement with all stakeholders to provide a system that is responsive to the needs of applicants, treats applicants with dignity and respect and continues to meet our international and humanitarian obligations to people seeking international protection from the State.

My colleagues and I will be happy to answer any questions that the Chairman or members may have.

**Chairman:** I thank Ms Buckley. A number of members have indicated a wish to speak and the first is Senator Frances Black.

**Senator Frances Black:** I thank Ms Buckley and her officials from the Department for coming in today. I take on board all of the information Ms Buckley has given us. This review has been extremely difficult. For us, it has been devastating to hear some of the direct testimonies from people living in the system. Ms Buckley said that changes have been made but there was room for improvement. I understand the Department is taking steps but I feel that is a huge understatement. This committee's role is to highlight as clearly and as fairly as possible places where we see the system is falling short of what is expected in terms of human rights and basic dignity, and to propose changes. Some of the changes relate to the system as a whole and, therefore, political decisions must be made at Government level.

I wish to focus on questions relating to the operation our asylum system and the Department's responsibilities. The first one is waiting times and delays. After the passage of the International Protection Act a commitment was given to have a nine-month limit on a first instance decision. Currently, the median waiting time is 15 months and the average is likely to

be much longer. Why has the target been missed? Are more resources and staff needed to meet the target? Does the Department have a timeline for when it expects to reach the nine-month target? Similarly, there is often a long delay between the time people receive a positive decision and the final letter from the Minister. What is the reason for such a delay? What happens in the interim?

The second issue is about standards, which is critically important and repeatedly arose during the hearings. The difference in the standard and quality of facilities is astonishing and urgently needs to be addressed in the short term. I understand that the standards have been agreed and will be published soon. Can Ms Buckley give us an overview of some of the areas that will be covered? How do they differ from current practice? What kind of oversight mechanism will be put in place? Any standards will not be worth having unless they are closely monitored by an independent body that has real teeth and that conducts random inspection, which is vital. During the hearings it was suggested that the remit of the Health Information and Quality Authority, HIQA, could be extended cover this. How will the oversight of the standards work? Will there be reporting on whether standards have been met?

The EU Reception Conditions Directive includes the need for an ongoing vulnerability assessment. I have read the replies to parliamentary questions that were tabled on this issue. It seems that what is being described is the basic medical screening that is carried out in Balse-skin. That is different from a proper vulnerability assessment because it would not pick up mental health issues, an in which I am specifically interested, trauma and sexual abuse. Can Ms Buckley elaborate on the screening process and how the legal requirement for an ongoing vulnerability is met?

I have just started to explore the issue of profit. The decision to operate our asylum system on a for-profit basis is a political one. Yesterday, I looked through some of the materials on the contracts and I was quite shocked. I would like to get the Department's perspective on it. For example, Bridgestock is a company that runs two direct provision centres - Globe House in Sligo town and The Old Convent in Ballyhaunis, County Mayo. The State pays Bridgestock about €6 million per year to run the centres. Since 2000, Bridgestock has made almost €100 million. In 2011, the company became unlimited and the majority of its shares were transferred to the British Virgin Islands. That means the company's accounts are not published and it is shielded from public scrutiny. Does Ms Buckley think that a private company with the majority control exercised from the British Virgin Islands with no public transparency as to its costs and profits is conducive to a safe and respectful asylum system? It has been said also that the average amount paid to each company is €35 per asylum seeker per night. In Bridgestock's case, that provision amounted to €6 million last year. Does the Department know the profit margin enjoyed by the companies that run these centres? How much of that €35 of public money is spent assisting asylum seekers? How much of it goes to the shareholders?

**Chairman:** The Senator has asked quite a lot of questions.

**Senator Frances Black:** Yes. Unfortunately, I must leave shortly.

**Chairman:** I will go to Ms Buckley first but if any of the panel wishes to add to any particular response that she gives, they are very welcome to do so. I ask people to please indicate a wish to speak to the Chair and I will invite them to speak. Is that okay? Yes.

**Ms Oonagh Buckley:** That is fine. Indeed, I might ask one of my colleagues to give a more detailed answer as I might know the generalities but not the detail.

In terms of the waiting times, the goal of the Department is to meet a medium time for first decision, from the International Protection Office, IPO, in nine months, by the end of this year. We are, however, a way off that at the moment and we may miss our goal. Part of the challenge has been as follows. We have increased staffing in the IPO of civil servants by 20% and doubled the number of legal advisers who conduct initial interviews and so forth in the last two years, it is challenging for the Civil Service to recruit people into what, as members will know, is an extremely tight labour market. We struggle to recruit the necessary staff in a timely fashion. This problem is not unique to the immigration service or the Department of Justice and Equality. It is an issue in Dublin with regard to recruiting civil servants. However, we have increased staffing there by 20% in two years. We have doubled the number of legal advisers who do the initial interviews. We have reduced the overall hearing times.

Another issue that has arisen is that when the 2015 Act came into force thousands of existing applications were in the system. They were reset to zero and started again through the process. There was a challenge in dealing with the bulge of overhanging applications that existed at the time. They had to be dealt with in a timely fashion and in order because of legal restrictions and requirements, and the requirements of the UNHCR. Unlike other organisations that I managed in the past, where we were able to work on new applications and existing applications in two streams, this had to be done in consecutive order, which led to a large delay that was, in effect, built in from the get-go. The team in the IPO is getting on top of this and we are moving towards a situation where applications coming in under the new Act in the first instance are being dealt with in a more timely fashion.

Senator Black also mentioned delays between the decision being given by the IPO or the international protection appeals tribunal, IPAT, and the letter issuing from the Minister. Certainly there has been issue with an extended delay due to checks being conducted. These final checks involved a final run through to establish, for example, whether there was any issue of a criminal record. As my colleague, Mr. Kirrane, will be able to tell the committee, we have introduced a new policy of issuing these letters in a much more timely fashion and we should start to see it come through very shortly.

**Mr. Michael Kirrane:** To add to this, at present we have approximately 330 of these cases on hand. We have assigned additional resources to clear them in the next four weeks and at the end of this process we expect the new decisions coming through to issue within approximately ten working days. We have changed the process by running some of this in parallel so there is no delay at the end of the recommendation coming from the IPO or the IPAT for the decision letter to issue.

**Ms Oonagh Buckley:** The second question the Senator asked was on standards. As I mentioned, the standards have been drawn up and were recently approved by the Minister. We are working with his office on establishing an oversight committee. As the committee knows, an oversight and inspection mechanism is part of the structures established for this. We have not yet determined what that inspection mechanism would be. What I can say right now is there are independent inspections of our direct provision centres to the standards that currently apply and they are unannounced. RIA itself makes two unannounced inspections every year and a body contracted by RIA makes a further unannounced inspection every year to make sure the standards that apply are being met. We certainly will look at the introduction of an independent inspection mechanism that will be subject to the oversight of a committee that will be there to ensure the Department manages and maintains the system to these new standards. I will hand over to my colleague, Ms Baxter, to discuss the detail of the standards.

**Ms Carol Baxter:** The standards are an example of the collaboration that RIA has had with the NGO sector, including NGOs such as the Jesuit Refugee Service. The Children's Rights Alliance was integrally involved in the standards development process and the standards themselves were developed and facilitated by an independent facilitator. It is a very good example of collaboration that covers accommodation, food and living conditions. An example of where there will be a step change is in the area of training. It will require ongoing training of centre staff and management with regard to person-centred approaches to the delivery of services. There will be training on interculturalism, awareness of trauma and mental health issues and whether a person has experienced sexual or domestic violence. We feel this represents a step change in the capacity of centre managers and staff to engage with centre residents.

**Ms Oonagh Buckley:** The third aspect mentioned by the Senator is vulnerability assessments. It is a legal requirement of the directive that a vulnerability assessment be carried out. I mentioned that putting people into emergency accommodation is not the optimal solution and it is not something we are keen on. Part of the reason for this is it becomes harder for us to offer the same assessment of vulnerabilities as is available in the standard direct provision centres. We also had a difficulty in Baleskin in we had a couple of cases of chickenpox, which is a very human situation. The protocol from the HSE is that we must not put children or women of childbearing age into that centre while a period elapses after the detection of chickenpox for obvious medical reasons. This has been challenging for us as the numbers of people arriving into the country are increasing year on year, and they have increased by approximately 30% every year for the past while. The chickenpox protocol has elapsed and we are now able to put people through Baleskin again. We are giving the necessary vulnerability assessments and health screening through Baleskin for arriving visitors. The HSE also has an arrangement in place with Safetynet Primary Care, which attends to places such as emergency accommodation centres to ensure medical and other screening can be done there.

The Senator is correct that vulnerability assessments extend beyond medical screening. They need to detect mental health conditions that may not be apparent in the first instance. It is a necessity that these issues get picked up as time goes by, and every instance where a person interfaces with the RIA, IPO or whatever provides another opportunity for the screenings and assessments to occur. Our advice to the GPs with whom we interface is that at any point where they detect them they need to feed them back, of course within the confidentiality limits that arise for anybody's medical conditions. Where they are known to the RIA, we can certainly address them. We continue to have to work towards making sure we meet the legal requirements. We believe we are meeting basic legal requirements at present but certainly it is something we need to work towards. It is not ideal, particularly in a situation when we have so many people in emergency centres. It is much better for people to be in the direct provision centres, despite the ongoing public discourse about them.

As the Senator pointed out, the use of commercial companies in the running of centres on State-owned property and contracting with private companies is a policy decision and this situation will continue. It is worth saying that we will require everybody we interact with to comply with the law of the land. For instance, they must have a tax clearance certificate. The obligation on us is to ensure value for money in the delivery of this demand-led service where there is a significant challenge with regard to the budget for the service, particularly this year. As the Senator rightly pointed out, the use of commercial companies is a policy decision and not one on which I can comment.

**Senator Frances Black:** I apologise that I must leave a little early. I thank the officials for

the responses.

**Senator Martin Conway:** I welcome the officials to the committee. This committee and the previous justice committee have done significant work in this area.

I have taken a great interest in this area but what concerns me that there has not been a huge amount of improvement. The talk, the interagency links and engagement all sound good, but time and again, the examples on the ground do not stand up to the presentation from RIA. In some centres, children are accepted into the local national school, but the support and services made available are very limited. In other situations, children from direct provision centres are not accepted into the local primary schools. The protocol should be that local primary schools are obliged to take children from direct provision centres and should not be in a position to refuse.

Today, I want to focus on emergency accommodation. I have a few questions, and will start with a very simple one. Has RIA ever been in a situation where it was unable to find an emergency bed for somebody who presented seeking assistance in this country? Are there any recent examples of someone ending up homeless because accommodation has not been found?

**Ms Oonagh Buckley:** Specifically on that last question, in the autumn of last year, before we moved into moving people into the emergency accommodation model, some people were turned away because there was no room in the direct provision system. That is why we moved to the emergency accommodation model. We now have people in hotel beds in 25 locations. We are using emergency accommodation because we had to turn people away at one stage.

**Senator Martin Conway:** Does the emergency accommodation structure that is in place now go back to just last September, when people presented and were unable to be accommodated?

**Ms Oonagh Buckley:** That is correct, yes.

**Senator Martin Conway:** Where did those people sleep when they were turned away?

**Ms Carol Baxter:** It happened over two weekends. The minute that we got further accommodation, we went back to people in the subsequent weeks to indicate that we had accommodation for them. Where we had people's details, we were able to offer them accommodation. Obviously, the people for whom we did not have details had to go to the homelessness services.

**Senator Martin Conway:** So, the Department of Justice and Equality and RIA were unable to accommodate those people and they were turned away, and they then had to access services such as the Peter McVerry Trust and others.

**Ms Oonagh Buckley:** It happened over two weekends last autumn. Since then, we have managed to keep ahead of demand for beds for the night through the use of emergency accommodation.

**Senator Martin Conway:** I accept that, but was it not envisaged that situation would present itself? Was it not irresponsible to allow that situation to escalate to the level that it did last September?

**Ms Oonagh Buckley:** Such suggestions were made in previous committee hearings. It is worth pointing out that it is not possible to estimate how many people will present in any one day applying for international protection. For example, on one day at the beginning of the year,

132 people presented looking for international protection.

The other changing aspect is the countries from which the flow of people is coming. That is affected by developments outside Ireland. A very large proportion of people now applying for international protection come from Albania and Georgia, which are regarded by Ireland as safe countries. We believe that is due to a change in visa arrangements in the Schengen area, which is outside the control of Ireland.

**Senator Martin Conway:** That is correct.

**Ms Oonagh Buckley:** Those changes could not have been anticipated by the Department of Justice and Equality at the beginning of last year.

To be clear, we are working very hard to try to increase our stock of accommodation. We have added substantial numbers of beds in the past two years, and continue to seek to do so this year, to try to keep ahead of demand. We are also managing the throughput of people so that those who have permission to remain in the country leave our accommodation and are moved into mainstream housing.

**Senator Martin Conway:** Not all of the system is wrong; there are very good elements of it, and we saw examples of that last Friday when we went on a field trip.

Since last September, we are now in the situation where an emergency accommodation structure is in place. What are the financial arrangements between RIA and the providers of these emergency accommodation beds? I do not mean the direct provision beds but the emergency accommodation beds. What protocols are in place to ensure basis standards in the emergency accommodation? I am trying to understand how the arrangements with the emergency accommodation providers are different from those with the more established direct provision centres.

**Ms Oonagh Buckley:** That is a very valid question. As I have made clear from the start of our presentation, emergency accommodation is not of the same standard as the direct provision centres. We cannot impose the standards we require of direct provision providers on hotels and guest houses, which is where emergency accommodation is provided. We are trying to make sure, therefore, that people move out of emergency accommodation as quickly as possible, in particular families, so that children are not left in a hotel before being moved into a direct provision centre to be registered for schooling.

**Senator Martin Conway:** I will give one example of what happens in emergency accommodation, which I have brought to the Minister's attention. I spoke directly to the Minister about this, so the Department is not unaware of it. Last January, people in emergency accommodation were bused for six or seven hours to another part of the country in order to facilitate a wedding in a venue being used for emergency accommodation. When the wedding was done and dusted, they were shipped back. They were treated appallingly. No Department, and no provider of emergency accommodation, could stand over how those people were treated. It was not an isolated incident; it has happened more than once. After I spoke to the Minister and informed him what had happened, I got an assurance that it would never happen again. Are the witnesses aware of those incidents? Can the committee be assured that such incidents have not happened in the past two or three months?

**Ms Oonagh Buckley:** We certainly are aware of that incident. After it happened, we spoke to the accommodation provider involved and received assurances that it would not occur again.

To the best of our knowledge, there has been no similar incident in the past few months.

**Senator Martin Conway:** That is good news, but it should never have happened.

I understand that the engagement to get beds for emergency accommodation is done through third parties. Effectively, the services are dealing and negotiating with entrepreneurs, who block book bedrooms. There is job of work to do to streamline the protocols for emergency accommodation and ensure that they are transparent, appropriate and respectful. Ultimately, we want to ensure that the quality of accommodation for people who come to this country seeking our assistance is up to standard and taxpayers' money is used in the most efficient way.

It is often asked where somebody would get full board and bed for €35 a night. That is good value. However, when a facility is 100% occupied, seven days a week, every week of the year, it is easy to achieve those efficiencies and provide it for €35. We have a duty to significantly and fundamentally upgrade all the direct provision centres. People such as members of this committee should not be hearing stories from residents. Until such time as that does not happen, unfortunately, the delegates will be before this and other committees to explain the reason it does happen.

**Ms Oonagh Buckley:** We would like to get out of the business of providing emergency accommodation entirely. In order to do that, we need to open more direct provision centres. In order to achieve this, we are working our way through a procurement process. We would welcome the support of members of the committee for the opening of new centres in which we can offer facilities to the standards we aim to achieve.

**Deputy Jack Chambers:** I thank the officials for appearing before the committee. To follow up on one of Senator Conway's questions about emergency accommodation, what is the average and maximum time spent in such accommodation?

**Ms Oonagh Buckley:** I do not have a figure for the average time spent in emergency accommodation. We try to move people through the system as quickly as possible and into a direct provision centre. There are individuals who have been in emergency accommodation for upwards of nine months, which is very unfortunate. Part of our issue is we have approximately 730 people who have the right to remain in direct provision centres. We are working intensively with a number of NGOs and the County and City Management Association, CCMA, to try to move those residents into mainstream housing. In effect, if we could solve the over-stairs problem, we would not need emergency accommodation. An important part of our structures is moving people out of direct provision centres into mainstream accommodation in order that we can, as best we can, cease our use of emergency accommodation.

**Deputy Jack Chambers:** Ms Buckley mentioned a figure of nine months. Would anyone have spent longer than that in emergency accommodation?

**Ms Oonagh Buckley:** No. We have only been using emergency accommodation since September last year.

**Deputy Jack Chambers:** Does Ms Buckley accept that the Department has one set of standards for direct provision centres and less governance control over emergency accommodation?

**Ms Oonagh Buckley:** We do, yes.

**Deputy Jack Chambers:** The Department has an issue with increasing numbers in emer-

gency accommodation for increasing periods of time. What governance arrangements is it developing to ensure it will develop standards for emergency accommodation in order that we will not have the scenario Senator Conway mentioned of people being shipped like cattle around the country to facilitate private providers? That is extremely important and an issue the Department has to square off properly to ensure there will be protocols on standards. In her statement Ms Buckley mentioned medical care, accommodation and governance. We need to hear more about what the Department is doing in the emergency accommodation space.

**Ms Oonagh Buckley:** The phrase “shipped like cattle” is pejorative. We are talking about human beings. It was one instance and when we became aware of it, as the Senator mentioned, we addressed it.

**Senator Martin Conway:** Correction - there were multiple instances.

**Deputy Jack Chambers:** The fact that it happened at all-----

**Senator Martin Conway:** Exactly.

**Ms Oonagh Buckley:** The fact that it happened at all is unacceptable.

**Deputy Jack Chambers:** The fact that human beings who were already vulnerable-----

**Ms Oonagh Buckley:** We addressed it with the housing provider.

**Deputy Jack Chambers:** -----were put in that scenario cannot be defended.

**Ms Oonagh Buckley:** It is not being defended by me. It was addressed with the provider.

**Senator Niall Ó Donnghaile:** I was at an address where the housing provider-----

**Chairman:** With all respect, Deputy Chambers continues to hold the floor.

**Deputy Jack Chambers:** The point remains that it should have been a trigger to ensure the Department developed proper protocols and governance arrangements for emergency accommodation. Clearly, as Ms Buckley mentioned, people who have come here have been left at the behest of others who have shown total disregard and disrespect for their basic physiological needs and human rights. For anyone to be thrown around like that is a disgrace. As Senator Conway mentioned, there was not only one incident. There are others, about which people have expressed concern. What I want to know is what are we doing to formalise standards, governance arrangements and protocols for emergency accommodation providers.

**Ms Oonagh Buckley:** I repeat that we want to get out of the business of putting people into emergency accommodation to give them a roof over their heads when they present looking for international protection. In the meantime, as we have moved into a situation where more people are in emergency accommodation, we are working to try to formalise some of the important standards people require to be achieved. The key standards are in the areas of child protection, meeting educational needs and health screening, in addition to putting a roof over their heads and treating them with dignity and respect. I ask my colleague to go into the matter in more detail.

**Ms Carol Baxter:** We had always intended the use of emergency accommodation to be a short-term measure. The Deputy will recall that when we moved to use emergency accommodation, we contracted a series of centres including those in Moville and Rooskey which we

subsequently were not able to use because of the arson attacks. As I said, when we started to use emergency accommodation, we understood it would be a short-term measure. Now we realise it will be a somewhat longer term measure, although it is still our objective to move out of providing emergency accommodation, if we can, by the end of the year. We have worked on an interdepartmental basis to address the issue. We are working with the HSE and the Department of Education and Skills to ensure standards will be met within the hotel being used to provide emergency accommodation. In addition, we want to have a more active presence in the centres. We are contracting NGOs to provide an opportunity for residents to highlight issues that are arising for them. The intention is that they will have a presence on the ground, in addition to our own staff in the emergency centres.

**Deputy Jack Chambers:** Has everyone in emergency accommodation been assessed by a general practitioner?

**Ms Oonagh Buckley:** Yes. The HSE has a contract with the company Safetynet which provides a health screening service in the emergency accommodation centres.

**Deputy Jack Chambers:** How is the right to an education being vindicated for children within emergency accommodation to meet their educational needs?

**Ms Oonagh Buckley:** In general, we believe it is best that we try to move children who are within the span where they require school places into direct provision centres as quickly as possible in order that they will be in a more long-term arrangement where they can be placed in schools. In the initial phases when we had to put families in emergency accommodation, some *ad hoc* arrangements were made. We are now working with the Department of Education and Skills to formalise the arrangements to meet the educational needs of children in the centres, but it is not ideal. We would much prefer to move as many families as possible into direct provision centres in order that more established arrangements for schooling can be made.

**Deputy Jack Chambers:** What would an *ad hoc* arrangement involve for, say, a seven year old child in emergency accommodation?

**Ms Oonagh Buckley:** We understand some parents put their children into a school directly. That was before we established better ideas to ensure parents would be advised of what was available in seeking school places in local centres. We have moved from a situation where good information was not provided for parents to one where better information is being provided for them in these circumstances.

**Deputy Jack Chambers:** Is Ms Buckley satisfied that every child in a direct provision centre has access to education services?

**Ms Oonagh Buckley:** Yes, every child of school-going age.

**Deputy Jack Chambers:** Is there any circumstance where that is not the case?

**Ms Oonagh Buckley:** Not that we are aware of.

**Ms Carol Baxter:** There has been schooling for children of school-going age in emergency reception and orientation centres, EROCs, that is, directly in the centres because typically the residents are in them for a shorter period. Our understanding of the residents of direct provision centres is that all children have access to school places. We have a co-located officer from the Department of Education and Skills within the Reception and Integration Agency. She engages

with all of the centres to ensure children are given school places.

**Deputy Jack Chambers:** Does the Department audit that? The suggestion is that the Department has no awareness. Does it audit that within direct provision centres? Is it only audited if the matter is brought to the attention of the Department? How does it assess the position?

**Ms Carol Baxter:** We engage with all of the centre managers to ensure they make us aware of any children of school-going age in those centres. We immediately bring that to the attention of the education-related person.

**Deputy Jack Chambers:** Does Ms Baxter not think it would be better to have separate, independent oversight of that important right within our centres? The same applies to healthcare and HSE interventions. The officials have mentioned wraparound services. Is the Department satisfied with the level of healthcare provided within these centres?

**Ms Oonagh Buckley:** We work closely with our colleagues in other public services to try to ensure that those services are provided to the best extent that we can manage.

People in the international protection process have the same rights to healthcare as Irish citizens. I suppose it is a broader question of whether there are sufficient healthcare services generally, especially around mental health. We work closely with them. We work especially closely with the Department of Education and Skills. A co-located official tries to ensure that the goal is to meet our legal obligations in the context of the education of children. In some instances there have been positive outcomes from having children come into the direct provision centres in the sense that it can be the trigger for the allocation of additional resources in local schools, including additional teachers or additional support services because of the children present as part of the international protection process.

**Deputy Jack Chambers:** How many direct provision centres has the Department had to close based on serious difficulties around governance, management or oversight?

**Ms Carol Baxter:** I do not have data for all of the time but certainly we had to close one centre in 2016 for fire safety reasons.

**Deputy Jack Chambers:** Has the Department formalised any concerns about other issues within direct provision centres that might necessitate closures in the future?

**Ms Oonagh Buckley:** We are engaged in a procurement process to bring all our direct provision centres up to the new standards that will apply from 1 January 2021. It would appear likely that several of the existing centres will not meet the standards and will have to close.

**Deputy Jack Chambers:** What are the issues involved in that regard?

**Ms Oonagh Buckley:** Independent living is a primary one. In other words, the centres will be unable to provide independent cooking facilities. That is one good example. They will be simply unable to meet the standards around space and facilities.

**Deputy Jack Chambers:** I am trying to get at the question of governance. Does the Department take the view that the pressure for space and places and general demand, as mentioned earlier by the officials, in some way compromises departmental standards relating to accommodation, school places or healthcare? How does the Department deal with that difficulty in terms of governance and oversight?

**Ms Oonagh Buckley:** The use of emergency accommodation is sub-optimal. It is worse than direct provision. For all naysaying about direct provision, it allows us to provide public services in a more co-ordinated way to a group of people in a group setting. These are people who tend to have high levels of needs because of some of the circumstances from which they have come. The use of emergency accommodation is not where we want to be and we need to move away from that. As the use of emergency accommodation has become a more regular feature of the system, we have moved to improve our governance arrangements around it. I want to highlight that in the circumstances where we are under an obligation to provide a bed or a roof over the head of every person who presents, and we have no control over the demand, we struggle a great deal to keep ahead or abreast of the demand for bed places. That is something at which we have to work hard every day to keep on top of. We are happy that we are moving towards a better arrangement and better standards for direct provision more generally. However, for that to happen we need to increase the numbers of beds available to us in the system. We need to move people with status out of our direct provision centres and into mainstream accommodation.

**Senator Niall Ó Donnghaile:** I thank the officials for their presentations. Several colleagues have asked questions that I was going ask. I will not engage in repetition. I am keen to hone in on one issue identified by Deputy Jack Chambers and Senator Conway regarding the movement of people in emergency accommodation. Can Ms Buckley outline the Department's position? She stated that the issue was addressed with the provider but then she also indicated that the Department cannot impose standards on emergency accommodation. That is both a screaming admission and a contradiction and it prompts my fundamental question. It is all well and good and as far as we know it has not happened since, but can it happen again?

**Ms Oonagh Buckley:** It is two different things. We cannot impose direct provision standards on private hotel owners. What we can say, in circumstances where there is a clear breach of what we anticipate as being the requirements of someone providing emergency accommodation, is that we will withdraw from using that hotel or facility. We believe that it is certainly possible for these facilities to meet our contractual requirements, but we cannot say to them that they have to meet all the standards that come with being a direct provision centre. That is the difference.

**Senator Niall Ó Donnghaile:** Does Ms Buckley deem that to be a breach? I mean people being shipped away for a weekend to facilitate-----

**Ms Oonagh Buckley:** We addressed it with the provider.

**Senator Niall Ó Donnghaile:** Has that provider been closed down? Were the people re-located?

**Ms Carol Baxter:** What we said was that if that happened again, we would close it.

**Senator Niall Ó Donnghaile:** How would the Department know if it happened again?

**Ms Carol Baxter:** It was just as we found out in this case. Typically, if residents are being moved, they would bring it to the attention of the Reception and Integration Agency. We would know if people had been moved.

**Senator Niall Ó Donnghaile:** With the greatest respect, I understand what the officials are saying and I understand the dynamics at play. However, I do not think it is good enough to simply rely on information emerging. We are talking about people who are facing extreme

marginalisation and extraordinary issues, including post-traumatic stress disorder and all kinds of things. Yet we are merely hoping that at some point they will tell us, via a third party, that they have been shipped on a bus several hundred miles down the road to God knows where, despite the precarious situation they are already facing. I acknowledge that the Department can see the emergency accommodation situation as unacceptable and not fit for purpose, but we are hearing that this is the scenario and that it is imminent. It seems there are no measures in place to proactively prevent this type of situation recurring. I am highly concerned by the fact that this has been identified already with an existing provider and the person responsible and the facility are still operating. There are people still existing - I would not use the term "living" - in that accommodation. I want to make that point.

Earlier, Ms Buckley rightly identified the issue of value for money. Is there a definition of what constitutes value for money? Is it written down anywhere? Are there terms of reference for that statement and for ensuring value for money? What constitutes value for money for the Department for a person living either in emergency accommodation or direct provision?

**Ms Oonagh Buckley:** We do not have a written statement. As civil servants, we are required to achieve value for money in the use of taxpayers' money. As one of the other members of the committee pointed out, that means we have been paying approximately €35 per head to the providers. That cost is going to increase because, as we go through the existing procurement process - I must speak without revealing any commercial secrets - to meet the higher standards, there will be a higher level of cost per person per night for people in the new model of direct provision centre. That is the right thing to do because those are the standards we must meet.

**Senator Niall Ó Donnghaile:** Currently, the amount is approximately €30. Is that correct?

**Ms Oonagh Buckley:** It is in the region of €35 for centres contracted under the older model.

**Senator Niall Ó Donnghaile:** Is that the cost for direct provision and emergency accommodation?

**Ms Oonagh Buckley:** No, for emergency accommodation we are paying rack-rents. We are paying the nightly cost of beds in those hotels. That is an extraordinary cost pressure within the budget for direct provision.

**Senator Niall Ó Donnghaile:** That is mad, is it not?

**Ms Oonagh Buckley:** It is certainly a position in which we do not want to find ourselves. That is why we are working hard to move people with the right to remain out of our direct provision centres. If they were not in the direct provision centres, we would be able to accommodate the people who are in emergency provision.

**Senator Niall Ó Donnghaile:** How many people are currently in emergency accommodation?

**Ms Oonagh Buckley:** It is about 710 or 715 but the figure changes nightly.

**Senator Niall Ó Donnghaile:** On the statement about the upcoming new standards for newly acquired direct provision centres, will Ms Buckley put a figure on the number of current direct provision centres which are not meeting the newly defined standards for independent living, cooking facilities and perhaps other issues? I will accept an approximate figure. Does Ms Buckley know how many centres the Department will have to close based on the new stan-

ards? How many people can expect to be relocated into the new centres? How long will they have to wait until they can relocate into what are deemed to be higher standard direct provision facilities?

**Ms Oonagh Buckley:** Ten or 11 centres meet the independent living standard so approximately 2,500 people have independent living standards. These are the arrangements such as those the members saw in Mosney. A further 1,400 people have access to independent cooking facilities and can provide their own food. They do not have the on-site shop. By the middle of next year, we aim to have completed the procurement process and achieved the new standards across the entire complex of direct provision centres, that is, existing centres and new ones that may come on stream through the procurement process. We obviously need additional direct provision centres to come on stream to provide us with additional beds. I do not have a figure in my head for the number of current centres that may not meet the standards. It is not necessarily the case that centres will open or close because they do not meet the standards. Hatch Hall in Dublin city centre, for example, is due to close. There is no suggestion that this centre is closing because it would not have met the standards. It is closing because of a commercial decision to redevelop it into a hotel.

**Deputy Donnchadh Ó Laoghaire:** I thank the officials for appearing before us. This is a very important part of the committee's valuable engagement on this matter in recent weeks. I am sure the officials have been following our hearings. I reiterate my view that direct provision has lost the confidence of the residents and the Irish people. The committee's responsibility now is to formulate a proposal in our report that provides a comprehensive and detailed alternative. While I acknowledge that there have been improvements, there are still significant shortcomings in direct provision.

On the issue of emergency accommodation, I am conscious that the committee's hearings are on the direct provision and international protection system as a whole. Based on this hearing and our previous meeting, I am only beginning to get my head around the scale of this issue. Is it the case that, before last September, no one in the direct provision and international protection system was in emergency accommodation? Since the problem arose, it has escalated, with 687 people in emergency accommodation in mid-May and, according to the Department, that figure has since increased by 73 to 760. Does Ms Buckley believe it will continue to escalate and could we be back here in a few months talking about 900 or 1,000 people in emergency accommodation? Is that possible given the rate of increase since September?

**Ms Oonagh Buckley:** If we are not able to achieve the opening of direct provision centres, we will see more people going into emergency accommodation because we have no other way of providing them with a roof over their head. We cannot say what the numbers would be because it is dependent on demand and how many people come into the State seeking asylum or international protection and how many people we are able to move into mainstream housing from the existing direct provision facilities. My staff work hard every day to try to achieve that. It is an entirely demand-led scheme. If we are to meet the basic human requirement of putting a roof over people's heads, we will continue to have to put people into direct provision. Our goal is to add a net 1,200 beds to the direct provision system by the end of the year. We are still hopeful that we will achieve that but, as my colleague mentioned, two centres we sought to open were the subject of attacks, which did not help. It is extremely challenging to manage the process in the current accommodation environment.

**Deputy Donnchadh Ó Laoghaire:** I appreciate there is an obligation first and foremost to provide a bed but the rate of increase is exponential. It is terrifying. If that rate of increase

continues, it is possible that we will have 800 or 900 people in emergency accommodation. As well as seeking to provide additional direct provision places, is the Department also advertising for emergency accommodation at this time?

**Ms Oonagh Buckley:** Yes.

**Deputy Donnchadh Ó Laoghaire:** Ms Buckley stated that the first time this issue arose was in August when, over two weekends, people were refused a bed. Was a case taken by X and Y against the Department relating to an application for accommodation in September last year?

**Ms Oonagh Buckley:** That case predates my time in the Department so I will pass that question to my colleague.

**Ms Carol Baxter:** A case was taken. There are two categories, one of which is people who seek readmission into direct provision having left direct provision. There can be cases taken around readmission. Until September of last year, however, we had not turned away an initial applicant and that happened then happened over two weekends when we did not have accommodation to offer to people.

**Deputy Donnchadh Ó Laoghaire:** This case related to somebody who was seeking readmission to direct provision but was refused. Did the Department lose that case?

**Ms Carol Baxter:** Yes.

**Deputy Donnchadh Ó Laoghaire:** I understand the reception regulations allow for the use of emergency accommodation but they specifies that this must be for short periods. Ms Buckley indicated that some people are prioritised, for example, children of school-going age, for accommodation in direct provision centres but that some applicants are in emergency accommodation for perhaps six to nine months. On that basis, is it possible that we are in breach of the reception regulations?

**Ms Oonagh Buckley:** The Deputy is correct that under the directive we are entitled to use emergency accommodation for periods. I would never say that we would be in breach of any directive because that would be problematic. We certainly have to work extremely hard to try to ensure we do not come to rely on emergency accommodation over any sort of medium term.

**Deputy Donnchadh Ó Laoghaire:** It seems to me to be plausible that the Department is in breach of the regulation, rather than the directive. I know the Department will never admit that. Having people in emergency accommodation for six or nine months does not appear to be in keeping with the spirit or the letter of the regulations.

Much has been hung on improvements, including the new standards. The Department has high hopes for the new standards. While I also believe they can offer improvements, a much more fundamental and radical approach is needed. Have the new standards not yet been published? Will Ms Buckley indicate when the final version will be published?

**Ms Oonagh Buckley:** The Minister approved them recently and we hope to publish them imminently.

**Deputy Donnchadh Ó Laoghaire:** Will that be in the few weeks before the recess?

**Ms Carol Baxter:** We are hoping to have a launch. Ideally, it will be next month.

**Deputy Donnchadh Ó Laoghaire:** That is welcome and I look forward to seeing them.

The other element on which much has been hung is the vulnerability assessments under the recast directive. What is the current position regarding the vulnerability assessments?

**Ms Oonagh Buckley:** We are meeting the requirements for vulnerability assessments despite the challenges posed by the accommodation situation. In general the requirements are met through the medical screening that takes place in Baleskin. We are able to put people through medical screening in Baleskin. We are about to open a better medical centre there, which will be a great improvement. There are other aspects to the vulnerability screening. It looks at a series of vulnerabilities. Those are generally detected in the initial contact with RIA and the system. We are able to manage that when placing people. Sometimes vulnerabilities can come through-----

**Deputy Donnchadh Ó Laoghaire:** Will Ms Buckley elaborate on the non-health related elements of the screening?

**Ms Oonagh Buckley:** If, for example, a person presents and mentions during his or her initial contact with RIA that he or she has a particular gender orientation or whatever, we take that into account as best we can when placing him or her in our centres. This is always balanced against the constant pressure to find people a bed for the night.

Vulnerabilities can also become apparent some time into the process. This is particularly true of things such as mental health issues. These are often detected by the management of a direct provision centre and, if appropriate and if it does not involve invading people's privacy, these vulnerabilities are brought to the attention of RIA and we then try to manage the issue and to put support services in place.

**Deputy Donnchadh Ó Laoghaire:** That is obviously appropriate but it sounds somewhat reactive. Does Ms Buckley believe the managers of direct provision centres necessarily have the ability to evaluate and engage with the vulnerabilities they may encounter?

**Ms Oonagh Buckley:** We do a lot of training with the management of direct provision centres to make sure that things such as child protocols are maintained. The non-reactive part of the screening is the medical screening. We offer that to everybody who presents seeking international protection. A substantial proportion of applicants take it up. It is very proactive and it is offered proactively. People have to bring other vulnerabilities to our attention. We cannot evaluate whether someone has a particular vulnerability by looking at him or her. These have to be brought to the attention of the staff before we can appropriately assess them.

**Deputy Donnchadh Ó Laoghaire:** Ms Buckley mentioned gender orientation. An issue recently arose in respect of gender identity, that of the sad case of Sylva Tukula. I have put my criticisms of the handling of that case on record. The coroner's office should have been notified of her wishes and of the fact that there were people who wished to remember her with dignity. I understand there was also an issue in that she was accommodated in an all-male direct provision centre. I am not sure how long ago that decision was taken but it is one which should not have been taken. It seems contrary to the recast directive.

**Ms Oonagh Buckley:** First, I thank the Deputy for the opportunity to put on record the fact that the Department very much regrets what happened in the case of Ms Tukula. Her burial was not carried out at the behest of the Department of Justice and Equality. Clearly we have to change the way in which we communicate with coroner's offices to ensure that similar issues do

not arise again in circumstances such as these, which thankfully are exceptionally rare.

With regard to Ms Tukula's placement in a centre, she was initially placed in one centre and then moved to another which, it was felt, would be more in keeping with her gender identity and would provide a better environment for her. RIA did react to her initial placement, which may have been inappropriate, and moved her. The circumstances are incredibly sad and we very much regret what happened.

**Deputy Donnchadh Ó Laoghaire:** I welcome that. I hope that things will be handled differently in future. Communication with the coroner's office will be key in that regard. I will raise two final issues, which relate more directly to direct provision *per se*. I have previously raised the matter of location. It is not my view that all centres should be located in Dublin or anything like that. While I have the opportunity I condemn, in the strongest possible terms, the attacks on proposed direct provision centres in Merville and Roskilly. They were appalling acts which show a disgraceful mindset. While I do not believe all who present for protection should be accommodated in Dublin, there are issues for the residents arising from the location of some centres. People accommodated in Merville would have had to travel through the Six Counties, which is not legal, or to take an extremely circuitous route to attend appointments in Dublin. That would probably not be possible in a single day. The income given to such people would make the use of public transport very challenging. Accommodation would also have presented a challenge. Mount Trenchard is not served by public transport generally. Travelling from Kenmare would probably involve an overnight stay if one had to spend any serious length of time in Dublin.

I have raised this with the Minister previously. When people are required to attend appointments in Dublin, insofar as possible, centres should not be located in places that have poor public transport connections. They should be located in places with transport links that are as good as possible, where there are opportunities to work and good educational opportunities, and where capacity exists in the community to support the centre. In addition, as much as possible needs to be done to bring the mountain to the centre. People should be able to attend as many of their appointments as possible and fulfil as many of their obligations as possible within the centre. The Minister seemed open-minded to that point. Is it being progressed?

**Ms Oonagh Buckley:** It is. There have been some very positive developments on that front. Up to the end of last year, people had to be brought to Dublin, in many cases for an overnight stay, for their International Protection Office, IPO, interviews. At the instigation of the Minister, we have instituted a pilot with the IPO which allows interviews to be held closer to the residents of the direct provision system. An initial outing was held in our office in Tipperary town. It worked extremely successfully, save that it was in Tipperary town, when it needed to be closer to our population. We now propose to run those interviews in a more co-ordinated way, in Cork in the initial phase. As Cork is within an hour of approximately one third of the population of our direct provision centres, it presents a highly achievable way of delivering the IPO interview process. We are also looking at delivering similar interviews in Sligo, which would be extremely helpful for people in the north west, particularly those living in Donegal. There is a prospect of delivering services closer to the people. That is standard for services to Irish citizens but it is not how we have traditionally managed the interview process in the IPO system. We are working very hard to deliver that over the course of this year.

I agree with the Deputy about location. It has been policy for a long time to disperse people across the country so that all asylum applicants are not gathered in, for example, Dublin. That would be extremely difficult in the context of the current accommodation situation. It is much

better for people to be dispersed across the country. As a consequence, Ireland has had a great dispersal of people with permission to remain or refugee status. They are dispersed across all communities. Every part of the country has been able to accommodate people and to bring them into the system. The procurement model which has been adopted for direct provision centre means that we accept any centre that is offered to us if it meets our standards. It is not the case that we choose a particular location but is a case of accepting what is offered to us. We are very interested in hearing the views of the committee as to whether there should be more direction as to where we locate centres and as to how that might be done. We will be considering the future of the way in which we procure and select sites for direct provision centres at the interdepartmental group I am chairing.

**Deputy Donnchadh Ó Laoghaire:** I will finish on these two points. I asked a question at the last committee hearing. I told the witnesses I had a concern about the Department's culture and attitude in respect of INIS and RIA. When I suggested the system might be too adversarial, Dr. Liam Thornton said he felt I was being generous in so describing the attitude and referred to the existence of a culture of disbelief. He told the committee that when the Department of Employment Affairs and Social Protection started to plan for the increases in the direct provision allowance, an official in the Department of Justice and Equality who was asked to offer a comment or express views began by stating they are all working anyway. A few other examples were given and a few other comments were made during the meeting. Another witness made the valid point that the Department's responsibility to uphold the security of the State might inform some its attitudes. I did not detect much disagreement with the view that there is an adversarial attitude to applicants. It is fair to give the officials from the Department an opportunity to respond to what was said at last week's meeting and give their views on the issues raised.

I have a final question. There has been a great deal of discussion in recent weeks about the potential to get out of private tendering, which clearly cannot be done overnight. This is very much in line with my own thinking. I believe the State should seek to provide accommodation directly or through not-for-profit bodies, approved housing bodies or community and voluntary organisations. At the same time, an effort should be made to integrate people into the mainstream housing system as quickly as possible. Is the Department open to that, given how expensive direct provision has been? I have seen statistics that suggest €1.25 billion has been spent on the system since 2001. Why has the Department not pursued such an approach since 2001? We are talking now about trying to get out of emergency accommodation as an immediate response. In 2001, direct provision was an emergency response as well but 18 years on, we are still with it.

**Ms Oonagh Buckley:** I will begin by answering the Deputy's question about culture. As the Deputy may be aware, I arrived in the Department of Justice and Equality relatively recently. He will know that we are undertaking a substantial reform of the Department. I believe the Secretary General may brief the committee on that at a future date. I find the Department an interesting place to work. I have been a civil servant for a very long time and it certainly has a different culture from any place I have worked before. When I have spoken to the team who work on the direct provision system - the RIA team - I have been significantly impressed to see that people are treated as individual human beings. That is what the staff try to achieve. It is extremely difficult because of the pressure of numbers we are under. There is very much an attitude of seeing people as human beings.

I also was asked about the international protection system and the asylum process. There is a very legalistic process to go through. As with any legal process, people can find that very

confrontational. When people come in and set out a series of facts, those facts are challenged and tested as part of a well laid-out process. The system is carefully monitored by the UNHCR and is extremely fair. I think the substantial reforms of the international protection system that were done in 2015 have led to a big change in timeframes and the approach to bringing all the decisions together. I will give an example of that. One of the McMahon recommendations was that people who had been in the process for more than five years would have their applications reviewed. Over 1,000 people received permission to remain on foot of that review. That was delivered quietly and effectively on a case-by-case basis.

I acknowledge that people can have a certain perception of big Departments like the Department of Justice and Equality. The Department has a security of the State function. Its work involves ensuring the immigration policy the State has decided on is deployed and enforced. There is, however, very much a regard for the human being in the middle of that. We need to keep focusing on that. Part of the goal of the reforms of the Department is to ensure that system prevails throughout. Freedom of information requests sometimes reveal that there are robust debates in the Department, as there are in every Department. Notwithstanding the personal view that may have been expressed by an individual in an email, the reform went ahead and is strongly supported by the Department. There has been an increase in the allowance for direct provision. We strongly support the implementation of the McMahon recommendations.

**Deputy Jim O’Callaghan:** I thank the witnesses for attending this morning’s meeting. I know the total amount we have spent since 2001. Approximately how much does the State pay each year to the providers of direct provision?

**Ms Oonagh Buckley:** We paid €78 million in direct provision costs last year. The costs will be higher this year for a number of reasons. The emergency accommodation costs are very expensive. Our numbers are up. The drive to improve standards has led to an increase in the costs that people are suggesting to us as part of the procurement process. I do not want to go into the commercial details. All of this is a substantial cost pressure within the budget of the Department of Justice and Equality.

**Deputy Jim O’Callaghan:** Does Ms Buckley think we will end up paying approximately €100 million for it this year?

**Ms Oonagh Buckley:** I think it will be substantially more than that.

**Deputy Jim O’Callaghan:** Okay. Each direct provision provider enters into a contract with the Department of Justice and Equality. Are those contracts publicly available?

**Ms Oonagh Buckley:** We make the details available after a two-year delay to protect the commercial sensitivity of the contracts.

**Deputy Jim O’Callaghan:** I am not trying to get into the commercial sensitivity of the contracts. Are we paying the same rate per person to each direct provision provider?

**Ms Oonagh Buckley:** No. Some of the providers provide different facilities. Some providers are providing facilities in State-owned buildings. There is a different range of facilities being provided. These contracts are provided to individual operatives with which we negotiate.

**Deputy Jim O’Callaghan:** I presume each contract with a direct provision provider sets out a series of terms and conditions with which the provider must comply when providing this service.

**Ms Oonagh Buckley:** That is correct.

**Deputy Jim O’Callaghan:** How does the State assess whether those terms and conditions are being complied with by the providers?

**Ms Oonagh Buckley:** We inspect each centre three times a year. That is the goal, at least. Each centre is inspected twice by RIA staff and once by an independent inspection company that we contract for these purposes. We take account of things like complaints from residents. We have direct interaction with the management of centres. We have a lot of interaction across the system all the time.

**Deputy Jim O’Callaghan:** Are the inspections announced or unannounced?

**Ms Oonagh Buckley:** They are unannounced.

**Deputy Jim O’Callaghan:** Okay. How would Ms Buckley respond to the recommendation that has been made to us that there should be a HIQA-style inspection of direct provision centres?

**Ms Oonagh Buckley:** We have not determined which entity should do the inspections. As part of the introduction of the new standards, which will come into force on 1 January 2021, there will be a different inspection regime for these purposes. It has not been determined whether this will involve HIQA or another entity.

**Deputy Jim O’Callaghan:** Another way of getting information on whether the conditions are being complied with is through engagement with residents. Is there any formal method of engaging with residents? Does the Department depend on residents coming to it and informing it of their complaints?

**Ms Oonagh Buckley:** We aim to hold clinics on a quarterly basis at which residents can make known any issues they have. The staff have been under pressure in managing that. Our goal is to meet residents every three months to make sure their views are heard. If something arises - there have been a couple of protests and things like that - we tend to send down a staff member that day or the following day to see what the story is and make sure we are on top of whatever has occasioned the issue. We proactively seek the views of residents. We work quite closely with the Office of the Ombudsman. Staff from that office visit every centre every year and listen to the complaints of residents. As the committee will have seen in the Ombudsman’s report, many of the complaints tend to be about issues of local communication and can be resolved on the spot.

**Deputy Jim O’Callaghan:** Does Ms Buckley find that residents are hesitant about communicating their complaints or concerns about providers?

**Ms Oonagh Buckley:** Some residents are not hesitant at all. They would not be behind the door when it comes to complaining. They are like all human beings. I suppose some people complain more than others. We tend to find out very quickly when something has happened if for no other reason than people are on social media, have their phones with them and Wi-Fi in the centres. They complain about things. Our biggest challenge is reacting quickly enough that we can deal with the situation fast and make sure it is sorted out for people.

**Deputy Jim O’Callaghan:** When a complaint is made to which the Department responds, what authority or control does the Department have over the service provider to ensure that the

appropriate changes are made?

**Ms Oonagh Buckley:** It is very much a part of the contractual requirement of service providers that they meet our standards. I will give a specific example, one on which I think the lady in question came and gave evidence to the committee. Contrary to our standards and rules for direct provision centres, she had a sick child but was refused food at a late hour. That was brought to our attention very quickly through social media and we then spoke to the accommodation provider. It related to an internal communication with a staff member and was dealt with quickly. Accommodation providers tend to react very swiftly when they get a phone call from RIA. They know that if a store of complaints is built up, it will be a problem for them when it comes to contractual arrangements with the Department.

**Deputy Jim O’Callaghan:** Does Ms Buckley agree that the State will have to continue to provide what we refer to as direct provision services for the next 20 or 30 years, the foreseeable future?

**Ms Oonagh Buckley:** It does not matter what we call it. I know, as another member mentioned, that people have lost any faith in the term “direct provision”. That is the feedback I get from my friends and family. I was struck, in reading the submissions to the committee from the NGOs, that all of them agree that accommodation must be provided and State services offered, at least for a period. Whatever we call the process, whether direct provision or something else-----

**Deputy Jim O’Callaghan:** We still must provide shelter and accommodation.

**Ms Oonagh Buckley:** Yes.

**Deputy Jim O’Callaghan:** Who came up with the term by the way?

**Ms Oonagh Buckley:** I do not know. It was 20 years ago. The concept of providing State services directly to residents is not a bad one, although perhaps the process we are now going through to bring in somebody independent, such as Mr. Justice Bryan McMahon, needed to be done at an earlier stage. Such an independent person would have been able to say that the standards are not good enough and would have set new standards for us to meet. That is where we are now.

**Deputy Jim O’Callaghan:** Would the State ever consider building its own centres to use as direct provision centres indefinitely in the future?

**Ms Oonagh Buckley:** We are open to any recommendations that the committee may come up with. We will look at all available options. It is likely that a mixture of accommodation types is the right way to go. Seven of the centres we have at the moment are on State property but run privately on behalf of the Department. We would very much welcome more involvement by NGOs in the process so we are talking to some of them about providing accommodation, particularly for some more vulnerable persons.

**Deputy Jim O’Callaghan:** When the Department is determining whether to grant a contract to a provider of direct provision, does it take into account the remoteness of the location? Are particular locations ruled out because they are too remote for potential residents?

**Ms Oonagh Buckley:** A direct provision provider is obligated to provide transportation if public transport links are not available. We have not been in a position to rule out appropriate

accommodation on the grounds of remoteness in the last while because we need to expand our numbers of beds. There are standards in place to ensure there are available connections to bring people into local communities.

**Deputy Jim O’Callaghan:** Is the Department aware that one of the big complaints of residents in certain centres is boredom and a lack of capacity to engage in ordinary life, as people who are fully integrated into society do?

**Ms Oonagh Buckley:** We are fully aware that is a complaint. We are working hard to try to alleviate some of that through standards that will be brought in which will require better facilities on site, the requirement to introduce connectivity and also through setting up organisations like friends of the centres so people are integrated more directly with local communities and NGOs. That has been quite a successful endeavour for each of the direct provision centres.

**Deputy Jim O’Callaghan:** There is obviously an issue in respect of people who have been granted protection but do not want to leave the direct provision centre. How should we respond to that?

**Ms Oonagh Buckley:** It is a big problem and we are working hard on it. We have responded to it by setting up relationships with a number of NGOs and charities. We have reached out and established a memorandum of understanding with the County and City Management Association, CCMA, to provide its services, for example, the housing assistance payment or HAP, to people with permission to remain who need to move into mainstream housing. We have started to write to the residents of various centres, including Mosney, in the past two weeks to tell them about those services and invite them to engage with those services so that we can start to help people move out more actively.

This is a problem that has only arisen in the past year and a half to two years. Prior to that, people who got their right to remain tended to move on quite quickly. The requirement to help people move on has only been an issue for the past 18 months or so.

**Deputy Jim O’Callaghan:** Is it a consequence of the housing crisis or is it related to something else?

**Ms Oonagh Buckley:** It is partly the housing crisis and it is partly that we may not have been active enough in engaging with people to get them to move.

**Deputy Jim O’Callaghan:** The Department has not been active enough.

**Ms Oonagh Buckley:** We have not been active enough. We are moving into a more active phase now.

**Deputy Jim O’Callaghan:** Does the State need to be more insistent about people having to leave once they have their protection position clarified?

**Ms Oonagh Buckley:** We will certainly have to set expectations around people moving on. We do not want to be accused of making anyone homeless.

**Deputy Jim O’Callaghan:** Of course.

**Ms Oonagh Buckley:** There are circumstances where people have every right to remain in the country but do not move on. For example, some programme refugees housed in one of our emergency reception and orientation centres have been offered other types of accommodation

but have refused them because they want to remain in the centre. We must start to make greater efforts to insist that people accept the alternative accommodation they are offered. They cannot remain in our centres because we are under too much pressure.

**Deputy Martin Kenny:** I am not a member of the committee so I am grateful for the opportunity to contribute. There was a direct provision centre in Ballinamore, County Leitrim, for many years and I knew many of its residents. I often say that none of those residents so much as broke a window in the town in their time at the centre. They were very well integrated into the community. There were issues with the facility and it eventually closed a number of years ago.

This weekend a number of residents, the majority from Dublin, came to emergency accommodation in Carrick-on-Shannon. Some people in the community were somewhat aggrieved that there was no prior notice and they did not know in advance that these people were coming. I have learned quite a bit from listening to the interactions so far and it has been explained that, in most cases, the Department tries not to move families into emergency accommodation because it is short term. For that reason, it was all men who arrived into this particular centre and that will also apply in the future.

I would like clarity on some issues. I met some of the people in the centre in Carrick-on-Shannon the other day. I understand some of them are doing courses and are involved in education. Colleges and educational facilities will be closed over the summer but those who are in education will want to return to their courses later. How will that be achieved given that they are now in emergency accommodation 100 miles or more from where they had been receiving their education? The situation is similar for those who were in work, as some of them who have been here more than nine months are entitled to be. That can be difficult. Having said that, Carrick-on-Shannon is a tourist town and a welcoming place in general. If they were looking for suitable employment, it is possible they could find it the town. That issue about the distance from education and employment still exists.

I would like Ms Buckley to explain why there is a level of secrecy and communities are not told when people are moving into them because it creates unnecessary suspicions.

**Ms Oonagh Buckley:** I will distinguish between emergency accommodation and direction provision centres. As the Deputy will know, we have had many complaints about direction provision centres being opened with people not being informed and centres being landed into communities. We know we need to improve our communication on that. We are working very hard whenever a direction provision centre opens once we have completed the contractual negotiations. Even in the short time I have been in the Department there have been a number of instances where we have opened negotiations but an actual direct provision centre has not resulted from it. In those cases, there would be absolutely no point in talking to people. We know we need to communicate with the local authorities which might have issues with fire safety etc. Then, of course, we need to engage with the local community about concerns over the nature of people coming, which can be allayed fairly swiftly. They also have concerns about issues like GP services, schools etc. We know we need to get better at those kinds of things.

Emergency accommodation is different because we are scrambling around trying to find places to put people. The particular people the Deputy mentioned had to be moved out of Dublin because one of our centres in Dublin is closing.

**Deputy Martin Kenny:** Hatch Hall.

**Ms Oonagh Buckley:** Yes. Carrick-on-Shannon is a great option for them because it is a tourist town and therefore the opportunity to work should be reasonably readily available.

We have an ongoing difficulty with people who are in education, particularly people who are offered third level education. A number of universities are working very hard to offer free educational facilities. However, because those facilities do not come with accommodation, it rebounds on the Department of Justice and Equality. If somebody is accepted for a university degree in Trinity College, DCU or wherever, we are asked to accommodate them in Dublin but we no longer have much accommodation in Dublin. That is an ongoing challenge for us. I do not have any specific answer but Ms Baxter may have something to add.

**Ms Carol Baxter:** In that context, we have been in contact with the universities to see if they could support students with university accommodation and if there could be a shared programme as part of their universities of sanctuary programmes. We are hopeful of making some progress there.

**Deputy Martin Kenny:** Some individuals might have a social worker because many of them have had trauma in their lives in the past. When they move to somewhere far away, how does that fit in? Will services locally be required to step in? In many cases, even local residents are finding it very hard to find those services. Those are also concerns people have.

**Ms Oonagh Buckley:** Once we move people, either through the direct provision system or into emergency accommodation, the challenge is in ensuring the services are available to them locally. That is particularly difficult with the emergency accommodation because that is something we are just setting up and establishing as we go along. If the Deputy wishes to raise any specific issues relating to Carrick-on-Shannon, we can work with our colleagues in the Department of Employment Affairs and Social Protection to ensure we address those. However, we are very challenged in trying to deliver that.

**Deputy Martin Kenny:** Does an element of that secrecy and people not knowing in advance relate to fear that if information is made public, it will lead to something such as what happened in Rooskey, or is the reason purely one of commercial sensitivities?

**Ms Oonagh Buckley:** It is purely commercial sensitivities. Thankfully, what happened in Merville and Rooskey is extremely rare. Generally speaking, as the Deputy is probably aware, there can be an initial push-back but once the direct provision centre opens, it all dies away. As the Deputy rightly points out, there is not a day's trouble from the vast majority of people. When I visited Mosney, I asked if there was much trouble. The people running the Mosney centre told me they had more trouble in a single bank holiday weekend when it was being run as a holiday centre than they had in the entire time it has been a direct provision centre.

We also need to manage the privacy of the people involved. Rumours go around relating to opening a direct provision centre and placing people there. We struggle to respond to that because we are obliged to maintain the privacy of the people involved. We often have to respond to queries from the media and interested individuals by saying that we cannot give them the information they are looking for. That is done in order to preserve the privacy of people in the international protection process.

**Deputy Martin Kenny:** In the Carrick-on-Shannon case, the emergency centre is an entire building that was used previously as bed and breakfast accommodation, whereas in some cases the accommodation is just rooms in a hotel or whatever. Is it a short-term or a long-term

contract? Earlier it was mentioned that one individual had spent nine months in the same emergency accommodation. We understand these contracts are short-term contracts for three or four months. Are they simply automatically renewed and the same people end up staying on? Will there be some protocol on that?

If it is emergency accommodation - this is another fear people have - can additional accommodation be added on? For instance if there is a big yard behind a building, there is concern that several portakabins might be put in there, or is that out of the question?

**Ms Carol Baxter:** We essentially contract for approximately six months but we can have shorter arrangements. We review them on a month-by-month basis but they are for a set number of rooms and people. We would not envisage that a centre would have lots of portakabins because the agreement is for a stipulated number of people.

**Deputy Martin Kenny:** Are fire certificates and safety procedures always checked in advance?

**Ms Carol Baxter:** Yes.

**Deputy Martin Kenny:** I do not know if any research has been done on this. On the other side of the justice sector, what percentage of people, either during the time they were seeking asylum or after they received asylum, have come into contact with the criminal justice system from a negative point of view? Has any research been done on that? I imagine it is a tiny number; that is why I asked the question.

**Mr. Michael Kirrane:** No formal research has been done. We have regular contact with our Garda national immigration colleagues across the whole immigration sphere. They will occasionally bring to our attention individual cases of criminality. The number of cases that have come through the refugee process and have subsequently come to attention is quite low - almost single figures per year. We would not be aware of a criminality issue that would be any different from the population in general.

**Chairman:** I thank the witnesses for their responses to the questions posed. On at least three occasions, Ms Buckley referred to one direct provision centre by name. We understand why. While it has its issues, Mosney is by far the best representation of the current direct provision system. It is not representative of what is out there, which is part of the problem we see. We would have an even greater problem, if not even a crisis, were it not for some of the decisions that have been taken which have significantly relieved the stress within the system. I refer to the increase in the weekly stipend which has helped. However, the much more important decision was the right to access work, to afford people the dignity and self-worth of work. I say that because I know from my own community and knowledge of the situation that it has made an enormous difference, underscoring the fact that these are human beings just like ourselves who have the right to face a day's work and to come home in the evening, be he or she a single individual or, arguably more importantly, someone who has a family, as many of them do. These are important decisions. I would think that the current arrangement post nine months could be looked at. It would be important to bring that back considerably. It does not in any way impede the processing.

The processing issue is a big issue. Little of Ms Buckley's opening statement and the focus of the questions related to what can be done. I understand and appreciate the complexities and the legal elements within the appeals system *et al.* All of that builds up, but how do we compare

in terms of international comparators? “I do not know,” is my honest answer. We certainly need to explore the processing of applications with a mind to reaching real and fair decisions at the earliest possible time. That is essential.

I will make a couple of points and invite Ms Buckley to respond in a general way at the end. It strikes me that it is the Department of Justice and Equality and yet there is this ever present reality presenting here today that it is now, whether one likes it or not, almost a housing authority. The Department has a cohort of people to provide housing for. In the health services, people holding up beds have been wrongly described. Here we are looking at people holding up beds within the direct provision system that might equate with the number in emergency accommodation if one were able to secure them housing accommodation within the wider society. Are there steps being taken to explore what some of my colleague members have raised, namely, in terms of engagement with the housing associations? I would echo some of the views of my colleague members in relation to looking seriously at the construction of temporary housing. What stands out about Mosney as against some of these older buildings, be they whatever in past use, is that many of the latter are not suitable for what they are currently undertaking. Mosney is quite unique because of its construct and the thought behind it. Is there the prospect of replicating clusters of such standard? If it is to be temporary direct provision, the greater number of us in any conversation would think that six months is more than adequate for the processing procedure and accommodation if there were housing provision of that standard that allowed people to cater to their own needs, to cook the food that they are used to, to have access to purchase through local stores, and to be able to perform and operate as a family in many of the instances that they are families.

On the concentration of effort on searching out and identifying former hotel properties, etc., the number of such properties is finite. There is not an endless supply of these anymore than there is an endless supply of former agricultural colleges in my own backyard. We need to be looking much more seriously because the numbers that present will not end tomorrow or next year. The situations that have given rise to the growth in numbers are conflict situations that are continuing. People are genuinely, in the greater number of cases, fleeing very fearful situations. We need to step up to the plate in a real and serious way. A serious exploration of that housing provision is the only way that we will move away from emergency accommodation. I welcome the statement by Ms Buckley here today that we want to get out of emergency accommodation but we need to look seriously. We cannot be hoping and praying that the numbers will drop and we will cope better then. It will not happen that way. We need to be looking at new and imaginative ways of dealing with it. I underscore once more the need to examine speedier processing. I would welcome any comment that Ms Buckley might have to make on that before we conclude. Independent catering and the purchasing of food for meal preparation is such an important need for people and it is not universally the case.

It is sad to meet young school-going boys and girls and, as I have in the very recent past, to say to them knowing their school uniform, “Are you looking forward to the holidays?” I can honestly say to Ms Buckley that not one in the little group that I spoke with was looking forward to the holidays. For them, the great joy was getting to school every day rather than being in what they viewed as an isolated and limited scope location. School enthused. It gave them all sorts of opportunities, and mixing with the school population. From the very first day of the school summer break, they are looking forward to getting back to school in September. That is unique. I guarantee Ms Buckley that was not my children’s story or any of their neighbours’. We need to be cognisant of that.

Ms Buckley spoke about health screening in advance of placement. While RIA has not direct responsibility for health and education provision, nevertheless it states in its outline of responsibilities working with the other services to ensure this. What of health issues presenting subsequently? I am aware of situations, not in my own immediate backyard but elsewhere, where accessing a GP is now almost an impossible project. Ms Buckley spoke of chickenpox. Perhaps Mr. Sinclair would take a note of the following. I wrote to RIA on Monday of this week, addressing it without a named official, instancing what I believe to be the case of an unaccompanied child within the direct provision system who is not accessing education and who in the course of the year so far has had chickenpox and could only access calamine. The child had no access to a GP. Because the young person is relatively tall for someone of that age, sometimes that child can be viewed as a young adult, which is not the case. I have seen the birth certificate and I can confirm that the child is not. The child is unaccompanied and in great distress. I documented all of that this week and would appreciate it if the particular case was addressed. It is absolutely imperative that the child and their needs be catered for.

I support the views expressed by Deputies Jack Chambers, O'Callaghan and others on the importance of having an independent audit of the accommodation centres and the needs of residents. It is not only a case of presenting. People may say those who are inclined to crib and cry would be the first ones to be heard; that in itself is not a non-Irish thing. There is an element of fear and distrust among the population in the centres. They are mindful that they are applicants for asylum and loath to give voice to matters, some of which could be quite simple and easily resolved, but they are fearful and the fear factor must be taken on board. The people who engage and who would be trusted to carry out an independent audit, as opposed to the visit by the Reception and Integration Agency, whether announced or unannounced, need to have the people skills and necessary understanding of those whom they meet and deal with. That is very important if the truth is to be got to. It is very important to know the truth.

I have covered several matters in that outline. People in my home county of Monaghan, a host community not only of direct provision but also emergency accommodation, are horrified by the approach to emergency accommodation. We are cognisant of the references to moving people with very little notice to accommodate other events. It offers no understanding whatever of people's dignity and their needs and there is great offence among the overwhelming number of the population of my home county at this. There is a very strong view that we need to do much better than we are in direct provision centres. I have indicated some of the issues for the delegates and invite them to make whatever closing comments they wish to make.

**Ms Oonagh Buckley:** If we are to introduce the new standards, we will move to a better accommodation offer across the board. I agree that the centre in Mosney is the jewel in the crown and offers the model in terms of where we need to get in providing for independent living and so forth. It is something we are working very hard to try to achieve.

It is very hard to compare internationally Ireland's processing system as we have a different legal system and structure for taking decisions. We treat international protection applicants entirely differently from other European countries. For example, other European countries detain applicants for asylum, but we do not detain anybody. We are working very hard to achieve the nine-month median goal. I would not be thanked by my colleague if I tried to set a more challenging goal for him and his team. I was head of the Workplace Relations Commission and know that there is a limit to how by much a process can be shortened because people must be given an opportunity to return questionnaires, etc. There is an absolute minimum that can be achieved. Mr. Kirrane and his team have been working very hard to introduce a shortened

timeframe for applications from applicants from some of the safe countries of origin we have referenced, including Albania and Georgia, in conjunction with the United Nations High Commissioner for Refugees. That will tighten the timeframes in a way that will remain fair to the applicants, but we must still give consideration to their individual application.

There was mention of health screening and access to healthcare after screening. It is unusual that health screening is offered to everybody. After people join the process, they have the same right to access health services as ordinary members of the Irish population. The Chairman identified an issue. We try to work closely with colleagues in the HSE, particularly where a direct provision centre is opening, to allay the concerns of the local population that there will be yet another demand placed on local GP services, etc. It is a challenge. There is no doubt that offering health services in any part of the country can present a challenge.

A child should not be in a direct provision centre. If a child is brought to our attention, we refer the matter to Tusla services. Children are referred to Tusla.

**Chairman:** Is it not strange that I am bringing the issue to the attention of the Department?

**Ms Oonagh Buckley:** I am surprised, but I thank the Chairman for doing so. We will take the matter on board and examine it.

On the need to carry out an independent audit, we know that when standards are introduced, one of the important elements will be how we measure against them. On the fear factor mentioned by the Chairman, nothing that happens in a direct provision centre such as the making of a complaint can have an impact on the decision-making process of the international protection office or the international protection appeals tribunal. They are independent in the operation of their functions. There is a Chinese wall between the systems in place. I appreciate that there may be fear, but it may be just as well to say bluntly right now that somebody who complains in a centre about some circumstance within it will see absolutely no impact on the legal consideration given to the application for asylum or protected status. As well as being able to complain to the RIA about any circumstance, it is good that people have a right of access to the Ombudsman and the children's ombudsman. We have a system under which people can complain to somebody who is completely independent of the system to have his or her complaints addressed, just as an Irish person can.

That covers most of the issues raised. We would be very interested in hearing any recommendation the committee might wish to present. We cannot promise that we could change course as rapidly as others might like, but we know we that are moving towards a better system. We will take on board and consider any recommendation the committee might have to make. I reiterate that we are really open to considering other models of provision at the centres. We are not fixed on one form. However, we would probably have to have a row with our colleagues in the Department of Public Expenditure and Reform if we wanted to change our budgetary position, but so be it.

**Chairman:** We will help in that regard if we can.

**Ms Oonagh Buckley:** We would welcome any help the committee could give us.

**Chairman:** We have had good participation. I record my thanks to Ms Buckley, Ms Baxter, Mr. Kirrane, Mr. Gunning, Ms Sandom and Mr. Sinclair for attending. That concludes our series of hearings. We have received in the order of 140 written submissions and had the opportunity on Friday to visit a direct provision centre. Over the summer we will prepare our

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report for publication in the early autumn post the summer recess. On behalf of the committee, I thank each of our guests for their attendance and participation. I remind members that the select committee will meet at 12 noon.

The joint committee adjourned at 11.40 a.m. until 6.15 p.m. on Wednesday, 26 June 2019.