**FINAL**

**Committee on Public Service Oversight and Petitions Committee hearing on 01 April 2015, 4:15pm on the subject of Direct Provision**

**Statement by Aodhán Ó Ríordáin, T.D. Minister of State for New Communities, Culture and Equality**

Chairman,

I would like to thank you and the members of this Committee for the invitation to speak today about the Direct Provision system for accommodating applicants for international protection.

You will know that I have been to the forefront in seeking reform of this system and to that end I very much welcome the Committee’s interest in this matter. You will also know of my wish that this engagement today helps – not hinders – the ongoing consultative process which I will explain in more detail in a few moments.

This Committee will know that the Direct Provision system came about in the context of an unprecedented increase in the numbers of asylum seekers coming into the country in the late 1990s. At that time the majority of protection seekers lived in Dublin and were treated as homeless, involving emergency accommodation and local authority housing. The shortage of accommodation reached crisis point and the then Eastern Health Board understandably could not cope. There were reports of protection seeker families sleeping in parks. In November, 1999 the Government resolved the crisis by having the needs of protection seekers met by a system of Direct Provision, involving the dispersal of protection seekers throughout the country.

Today, over 4,400 persons live in 34 asylum accommodation centres throughout the State. That’s a simple statistic. But drill down further and you see the human element involved. Of those residents, about a third are adult males, a third adult females and a third are children. Drilling down further, 36 per cent of residents have been in the overall system for up to three years, 43 per cent between three and seven years and 21 per cent for seven years and more.

Everyone living in Direct Provision has their own story to tell. They may be at different stages of the protection determination process or may even have taken a legal challenge against a negative decision made in respect of them. Indeed, they may be at the end of the process but cannot move on. For example, over 500 of the residents in the Direct Provision system have, in fact, permission to remain in the State but cannot move on because of difficulties sourcing private accommodation. Moreover, almost 600 residents have deportation orders outstanding against them, the vast majority of which issued over a year ago, and are required to report periodically to the Garda National Immigration Bureau. There are many reasons why orders are not or cannot be enforced – including the issuing of legal actions, the making of sequential protection applications for members within a family group, the absence of the travel documents required for the return to the country of origin, and so on.

Members of this Committee have visited centres to see for themselves the conditions in which residents live. I have done so too. You will have seen, as have I, that all residents share the common experience of a life revolving around waiting and hoping. Residents cannot cook for themselves, cannot engage in work or otherwise gainfully occupy themselves during the day.

It has to be said that the Direct Provision system does not exist in a vacuum. It has to be seen in the context of the overarching international protection processing system of which Direct Provision is but one element, albeit a very important one to those who have to avail of its services. To make progress in relation to Direct Provision, it is necessary to address both it and the protection system itself in a coherent, thought-out fashion**.** And this is what the Statement of Government Priorities 2014-2016 commits us to do.

In relation to processing, last week Minister Fitzgerald published the General Scheme of the International Protection Bill, the aim of which is to reduce waiting times for asylum applicants. The key purpose of the Bill is to replace the existing multi-layered protection determination system with a single procedure, the aim of which is to enable timely and efficient protection decisions to be made. This single procedure will identify, at a much earlier stage, those who are in need of international protection and who will be granted status and those who have no entitlement to stay in the State and who can safely return to their country of origin.

The intention is for the Bill to deal with as many of those who are currently in the system as possible. A practical approach is envisaged here with those who have reached a certain point in the existing process continuing along their current path with others at earlier stages of the process being brought within the single procedure. In addition to committing to legislative change in this area, the Government also set up an independent Working Group to report to it on improvements to the protection process, including Direct Provision and supports for asylum seekers. It is chaired by former High Court Judge, Dr. Bryan McMahon, and comprises senior officials from all relevant Government Departments, UNHCR, representatives of academia and various NGO’s who have a long standing interest in this area and other representatives of civil society.

The Working Group developed a work programme early on and established three sub-groups to deal with the following different themes , the first deals with conditions in centres, the second deals with supports for asylum seekers, and the third deals with improving the processing of protection claims. Almost 40 meetings at Plenary and Sub Group level have taken place since the first meeting of the Working Group on 10 November last.

The Working Group has taken evidence directly from residents in the direct provision system, both in writing and orally; has visited centres around the country and spoken directly to residents; has engaged with particular groups of applicants including children, victims of torture, victims of trafficking/sexual violence, members of the LGBTI community; and has taken oral and written submissions from a number of experts in this field, including the Irish Human Rights and Equality Commission and the Special Rapporteur on Child Protection, Dr Geoffrey Shannon.

The Chairman of the Group has publicly stated that these contributions have informed the sense of urgency that has underpinned its work. He has gone on to say that all of its members are genuinely engaged in the task at hand, namely to identify a set of recommendations to Government for improvements that will bring tangible benefits to existing and future applicants. The Chairman says that the deliberations of the Working Group are at a crucial stage with each of the sub groups developing their proposals for submission to the Plenary Group over the next number of weeks.

The Government recognise that the issues to be examined by the Working Group are complex and require thorough consideration to ensure that any recommendations are practical and sustainable from a budgetary perspective and do not undermine existing border controls and immigration policies.

When I wrote to you on 21 October, 2014, I said that I hoped to be in a position to brief the Committee on the ‘first stages’ of its work. At that time I had anticipated that the Working Group would issue an interim report. However, as is the right of the independent Group, it decided not to issue an interim report and proceed with its work on the basis that it would issue a singular report. While the agreed terms of reference do not indicate a timeframe for the Working Group's deliberations, I understand that it will be only a matter of weeks after Easter when the report will be ready

The Working Group published its Work Programme in November, 2014 fleshing out the issues to be discussed by each of the three themed sub-groups I referred to earlier. I have arranged for this Work Programme to be circulated to the Committee before this meeting. From my own perspective, some of the key issues relate to the scope for residents to prepare their own meals within existing or new physical structures; limitations on the length of time persons spend in the direct provision system; financial supports; and improved processing times. I believe it would be futile and damaging at this crucial stage of its proceedings to second guess the work of the Group. We have to allow it complete its work. I don’t propose to engage in any detailed discussions on any of the issues in that Work Programme upon which the Working Group may or may not make recommendations. That is their job and I have every confidence in the capacity of the Chair and the Members of the Working Group to do their work.

This is a difficult subject and I have no doubt that there have been robust discussions among the Working Group. As practising politicians, we know that negotiations and discussions are sometimes hard and that there are “varying shades” among the membership of any group engaged in such discussions. But I think we all recognise the importance of working together to achieve real tangible change. I am firmly of the belief that more can be achieved within the Working Group than outside it.

Finally, I know that this Committee will allow the process to continue and to give it a ‘fair wind’. As part of its deliberations I had arranged for the Working Group to be provided with a transcript of the proceedings on this subject before this Committee on 22 October, 2014. Similarly, I will arrange for a transcript of today’s proceedings to be given to the Committee.

I look forward to hearing your views on this matter.

END