



Beyond McMahon – the Future of the Irish Asylum Reception System

Direct Provision Consultation Report June/July 2018¹

Introduction

The following quotes emerge from group interviews with residents of five different asylum reception centres in Ireland. These five consultations were conducted in June and July 2018, and aimed to gauge residents' opinions of the current 'Direct Provision' system, including reception conditions and decision making processes. Furthermore, they aimed to explore possible alternatives to the system as it currently stands. This process, and the resulting document, form part of a broader project entitled 'Beyond McMahon – the Future of the Irish Asylum Reception System'. This was a joint venture by Nasc, the Migrant and Refugee Rights Centre, and University College Cork's Centre for Criminal Justice and Human Rights (CCJHR), and generously funded by the Irish Human Rights and Equality Commission (IHREC).

The 'Beyond McMahon' project began with a conference, held in UCC in April 2018, which invited a wide range of guest speakers to explore the present and future landscape of the Irish asylum reception system in light of developments made since the publication of the McMahon Report (2015; see below). The guest speakers included experts from both the Irish asylum reception system and other jurisdictions; as well as advocates for reception condition reform, and residents of Direct Provision. In the post-conference publication, we aim to further develop some of the views expressed at the conference; and to add new, important voices to the mix.

As part of this, we endeavoured to visit five different reception accommodation centres in order to inform residents about the conference in April, for those who hadn't been able to attend; and to consult participants as to their opinions on the Irish asylum reception system. During these consultations, which we set up as informal group dialogues, we invited the residents to consider what 'worked' - and, significantly, what didn't - within the current asylum reception system; and what perceptible changes had been made, if any, to the asylum reception system since the publication of the McMahon Report (2015). Furthermore, we asked how residents how they would improve the current system if they could; and to suggest what an alternative to Direct Provision should look like in the future.

Although each resident naturally expressed their own unique priorities and preoccupations, many of the points made, irrespective of location or even demographic (e.g. gender or age), echoed one another. We have kept names and locations anonymous in the interests of the contributors. However, in many cases this makes little difference due to the cross-sectional nature of many of the views expressed.

¹ The research and write up of this consultation were conducted by Nasc Campaigns and Communications Intern Maria Bateson.

Context: The McMahon Report (2015)

In 2015, the Working Group Report on the Irish Protection Processⁱ ('the McMahon Report') was published. The report to the Government made 173 recommendations to the Government to improve the Irish asylum reception system, both materially and systemically. Since then, in response to the recommendations, the Department of Justice, and specifically the Reception and Integration Agency (RIA), has been held accountable to the standards laid out in the McMahon Report, and has accordingly made numerous changes to reception accommodation centres across the country. As part of the review process, the Department of Justice has also since issued three progress reports, culminating in a final report in July 2017.ⁱⁱ The latter claimed that 98% of the recommendations within the McMahon Report had either been implemented or put in progress. However, Nasc contested this figure, arguing that progress had in fact been piecemeal and largely incomplete.ⁱⁱⁱ Many of the statements below reiterate the same concerns as the consultations in the original McMahon Report (2015), implying a worrying lack of progress in some key areas.

Context: The International Protection Act (2015)

2015 was also significant for being the year in which the International Protection Act (IPA) was enacted. Commenced in December 2016, the IPA amended the Immigration Act 1999, the Immigration Act 2003 and 2004. The IPA introduced significant changes to the asylum reception system in Ireland. Under the IPA, many of the functions of ORAC (the Office of the Refugee Applications Commissioner) were transferred to the newly formed International Protection Office (IPO). Furthermore, a single procedure mechanism was introduced as part of the IPA (whereby an individual's claim for international protection is now assessed against eligibility criteria for refugee status, subsidiary protection and leave to remain, within a single application). The aim of the single procedure was to streamline the International Protection procedure, by removing the need to reapply for subsidiary protection and/or leave to remain in the case of a refusal of refugee status. However – and the following consultations bear witness to this – since the introduction of the IPA, backlogs in case processing times have grown.

Content

As the following statements testify to, these wait times and the uncertainty around case processing are among the most significant concerns for asylum seekers in Ireland today. Other common concerns and areas for improvement are largely structural, and include workable access to education and the labour market. Our interviews in fact straddled the announcement of the new conditions for the right to work under the EU (recast) Reception Conditions Directive 2013/33/EU, and therefore some residents expressed views that may already be outdated; while others, interviewed after the announcement, shared their thoughts on the new right to work legislation.

Across the board, certain themes cropped up repeatedly, and we have accordingly divided the statements into categories in the following document. It is also worth noting that the statements speak for themselves, and it is for this reason that we have kept any further narrative or analysis to a minimum throughout the document.

'Nothing has changed.'

'Nothing. We talk and talk and talk, and nothing changed.'

Application Processing

Application processing, and specifically wait times, was the single biggest issue raised by the residents we consulted in June and July 2018. Overall, wait times were considered to be far too long. According to residents, better departmental communication and known processing time limits would help, even in the absence of a reduction in wait times. Furthermore, the IPO's decision-making rationale was considered to be too opaque.

Prioritisation

- (i) 'Some people are... they're going in Direct Provision for one year, two years. Some people, after a few weeks, they are going from Direct Provision... Like, I'm here, (I) can say, one and a half, two years, and I'm waiting for the interview. The next guy is coming, and he's going for after two weeks (...) I don't know how they are working...'
- (ii) 'It's so annoying because you know the people that came after you, they got their interviews... they have all your documents back there, they have everything about you, you understand, but they never call you about interview. It's so annoying.'

Recommendations

- (i) 'At least better communication and be looking at their prioritising, the way they are prioritising. We don't know why they are prioritising.'

Application wait times and limited duration proposal

- (i) 'The other thing is... time is very important too. Because they must have a limited time, you know. 'Cause one guy is going for (his first) interview (after) one and a half, two years... in direct provision. That's not good.'
 - (ii) 'I think that (known time limits/guidelines for application process) would be helpful. It's not nice to be waiting in a limbo. Not knowing whether you're going or you're coming. You don't know, you don't have a direction. So, I would prefer rather knowing that not knowing. If it's gonna take three years, let me know, then I know.'
- “It's not nice to be waiting in a limbo. Not knowing whether you're going or you're coming. You don't know, you don't have a direction. So, I would prefer rather knowing that not knowing.”**

“You know when you’ve got so much time on your hands, you think a lot. And when you think a lot, the stress just builds up, and at the end of the day, you get depressed.”

(iii) ‘You know when you’ve got so much time on your hands, you think a lot. And when you think a lot, the stress just builds up, and at the end of the day, you get depressed. You just look around, we’re crying in our rooms. Close the door and just cry the whole day, because you

don’t have anything better to do.’

- (iv) ‘There are always complaints. But the (Irish asylum reception) system is just doomed... I find it now even. And they say they are moving forward. What are you talking about? People have been here for years.’
- (v) ‘Or, the problem is, with the new law: why do they put the old cases in the new system (single procedure under the IPO)? For example, I for myself, I went to the High Court in 2016, and I was waiting for the appeal... And they put my case with the new law. With the new system...’

IPO decisions

- (i) ‘...you have to tick these boxes... If you come with a case that is different from the one that they are used to, you are.’
- (ii) ... ‘It’s a lot. But then all we asking for is for them to re-look at the way that they are... analysing the cases.’
- (vi) ‘And I must ask also, if we really like we come from places, everyone have stresses come from, maybe have lost family members through the war, or... do they really put themselves in those shoes and think, they came from this situation? Now he comes here, or she comes here, she gets here, she has to get through that war, and she has to fit even more... it’s quite painful.’
- (vii) ‘I met my interview first time. I got refused and they said they couldn’t find my specific problem in the Google.’
- (viii) ‘So my suggestion is each caseworker must have experience of some countries. So for example, I come from Africa, especially from Horn of Africa... it’s big countries, Eritrea, Somalia, Ethiopia... So there are different situations that people are living in... So I advise IPO... and also the other organisations to... get ... good experienced caseworkers who running the process of the asylum system...’

“If you come with a case that is different from the one that they are used to, you are out.”

Access to information

- (i) ‘We should have access to information as well, you know. We should have people coming in, telling us what’s going on, you know, it’s not just sitting down. We don’t know what is

going on with the system; we don't know what we are entitled to...'

- (ii) 'Because I do understand that people are living here, and they have no information. They... depend fully on their solicitors. Their (the solicitors') hands are full already, and they never say 'no, I am fully booked'. They always end up taking people's cases, and they end up dumping the files, some of the offices you go to, there's no seats, you can't sit. The place is full of files. Like... up to the ceiling. And they won't say no.'

Deportation orders

It's worth noting that a small number of individuals we spoke to had been issued D.O.s that could contravene international non-refoulement obligations, or were otherwise impracticable. This left the individuals in question effectively trapped in Direct Provision accommodation. The relevant transcripts are not included here as they contain person-specific information.

Recommendations

- (i) 'At least between three to six months they must call the person who's in the system here. And then if he's coming after, they have phone call after.'
- (ii) 'They (should) make a case in at least two and a half, three years, *not more than that...*'

“... the problem is, with the new law: why do they put the old cases in the new system?”

(iii) *'And if you could put a figure on when would be a respectful number of months to wait for a first interview, if you could even just put a number on it...?'*

- '... Oh... Up to six months.'

- 'Three months.'

- 'Yeah, three or four months.'

- (iv) 'But now, for those people who came here three years, two years ago, why can't they give us that consolation letter, to say 'guys, please, cool down, we are still on your process. Your process is ... we are maybe in 0.5km to reach 10km.' Like this... it would console us...'
- (v) 'I wanted to answer her question on what we want to see... when you get into a place, you don't know where the shop is, you don't know where the doctor is, you know. So it's ok for me to come and stay here, but for a limited amount of time.'
- (vi) 'Yeah, for example they say ok, according to this permission that we have after we interview, we have one or two ... we've looked at it,

“So it's ok for me to come and stay here, but for a limited amount of time.”

expect ...(it)... in such a time ... even if it, before interview, ok we've received the stuff, but we have one, two, three to look into. Then we have an idea, to say ok, look they're going to phone my country, or they're going to do whatever if they have to, and check... so if they give me such and such a time. I get relaxed because I know how much time I have to wait.'

- (vii) 'I think, if they could just send letters just to say that... (it) is in progress, it's fine.'
- (viii) '...(M)aybe they could devise a system (to track one's protection application) whereby... you can go online, put in your personal ID and stages provided - red, green, yellow...'
- (ix) 'So if there can be, like, what you're saying in Portugal, a timeframe where you know that, ok, we're going to stay here (in direct provision accommodation) for a year...'

Access to education

'It kind of affects your memory... you want to go back to school (when) you (get) your papers, but because you relax, you've been idle, your mind kind of gets idle, and you won't be able to focus...'

Access to third level education was another key priority to those we spoke to. The majority of asylum seekers in Ireland have to pay substantial non-EU fees for third level education. There are few exceptions. A small number are eligible to have third-level fees waived following the McMahon Report, once they have been attending school in Ireland five years prior to the date of course application. Additionally, a small number of private grants and scholarships are available. However, on the whole, third-level education is difficult to access for asylum seekers. Additionally, back-to-school payments are said to be insufficient for the needs of school-age children. Greater financial support, as well as uniform- and book-provision were requested as short- to medium-term measures to alleviate the financial burden.

- (i) '... like I think if someone get involved in full-time education, he's not... (if) his present is busy, his future's gonna be bright... So by the time he gets papers he can establish himself as a qualified something. And... the time when he get paper he might get into that... you know, that field of his expertise, and like, make his life...'
“They want to go to college. They want to study more. And now they don't know what's the next step...”
- (ii) 'And the children, there are plenty of children that are going to school and even they're finishing leaving cert, and now don't know what to do. ... See? They want to go to college. They want to study more. And now they don't know what's the next step... what should be the next... And if there is no limited time, then they should at least allow the college to students so they can study. Even if you ask to someone, yeah, who's living in th(is) place... they will say, we want to study. And then after study, we'll work in this country, because there is job opportunity. If you study, yeah? You'll get work, you'll get job. So if they stay

here... it's good for Ireland too.'

- (iii) 'Each one who is here, we are heart(broken) people... and we all have qualifications, but we can't do anything. We all must forget what we already know, and what we are capable of doing, because of the length of time.'
- (iv) 'It's a problem, because when you're more than eighteen, you kind of stop, and you can't (continue your education). ... Ideally if you can include it in the future, better than children staying at home after eighteen not doing anything... it's really not good. It kind of affects your memory... you want to go back to school every time you got your papers, but because you relax, you've been idle, your mind kind of gets idle, and you won't be able to focus and do some things... it's really not good... So it's really, really heartbreaking.'
- (v) 'Because I'm an asylum seeker, I'm forced to stay at a certain level of education, no matter how well I can do it. I could get a masters. I could get a Ph.D. I can't do that because I'm an asylum seeker. It's pain.'

Recommendations

- (i) 'They cook for me, you know. If only we could have something that we can do. Like maybe short courses, or... short courses that are tangible.'
- (ii) 'We're asking for uniformity amongst the asylum centres... uniformity amongst our children. We've got two different schools, like, primary schools here. (One of the schools), they give (the pupils) everything. They don't have to buy anything. They bring uniforms, they give them stationary, they give them everything... And it's different for us, we have to go and buy.'
- (iii) '... the money that we're given for school. It's too little... The back to school... Tiny. 125.... For the year... That money for books alone is not enough... Stationary, books, everything, we have to buy. Nowadays, a schoolbag, those things are very expensive.'

Food

'Because at the end of the day, we are people from different nationalities, different backgrounds, cultures and everything. They are doing their best... But what they're cooking is not our food.'

Food and cooking facilities, as in the McMahon Report (2015), came through as key issues. In the full-board Direct Provision centres that we visited, the tightly regulated mealtimes were considered to be institutional. Furthermore, the quality of food was considered to be below par, and often culturally inappropriate. Cooking facilities were welcomed where present, but in the absence of higher allowances etc., a points-based on-site shop was needed. Shops, in turn, needed more regulation and clarity in some cases.

- (i) 'You're just sitting down, you know, being fed with the kind of food you don't like. You don't have options ... you know, you just abide and just accept whatever you are pushed

to eat...'

“For me ... preparing meals for ourselves... that’s what is great. Someone can prepare anything they like, because usually they prepare things that we’re not used to or things that you don’t like, so if the (preparation is) to ourselves, that is great.”

(preparation is) to ourselves, that is great.’

- (iv) *(Regarding cooking utensils and equipment in one centre’s kitchen): ‘...at the end of the day there was a kitchen with no appliances. How silly is that? How are you going to cook? With your hands?’*
- (v) ‘Because at the end of the day, we are people from different nationalities, different backgrounds, cultures and everything. They are doing their best. The best they can. But what they’re cooking is not our food.’

(ii) ‘We need cooking facilities. It’s just that... if you look at the old tenants, most of us don’t have a room to ourselves, we share different backgrounds, different cultures.’

(iii) ‘What works?’

‘For me, it’s preparing meals for ourselves... that’s what is great. Someone can prepare anything they like, because usually they prepare things that we’re not used to or things that you don’t like, so if the

Centre Shop/‘Points’ System

- (i) ‘Like the points we are getting is not enough...’
- (ii) ‘Sometimes they sell us stale food (in the centre shop).’
- (iii) ‘And has there been any talk about setting up one of the shops here..?’

‘Yeah but they say there’s not enough space to build another kitchen, so that’s why they don’t want to (do) that...’

‘And if you went, say, if you wanted to go to like the canteen kitchen here, and say can I have a pound of rice, they wouldn’t give you food from there?’

‘No.’

Recommendations

- (i) ‘I think this way of giving us a card, giving us credit to get our food stuff, you know, it’s just ... close to feel more at home, just a little bit. There’s no place like home. Without provision of points on card ... we cannot get our food stores, go to the kitchen, cook our

stores once in a while. I think it would help us, it would be better...'

- (ii) - 'The thing about the food, it's difficult to be happy (with) 100 people.'
- 'That's why it would be better if everyone could have a kitchen...'

Self-advocacy and Political Pressure Groups

- (i) 'So that group was, I think, they can consist of the mayor of the city, or the politicians or the councillors or the citizens, because it is about ... it is their city. So I would like to suggest to, you know, to make that group, that pressure group, to (represent) asylum seekers in (cities).'

Accommodation standards

Although reception conditions took a back seat to decision-making processes in our consultations, the two were nevertheless intersectional. Certain elements of Direct Provision accommodation exacerbated the experience of waiting for a decision. Centres are considered to be overly institutional; and to lack adequate space, especially for families. Additionally, residents who had received their permission highlighted the difficulty of finding post-decision accommodation. Once again, the concerns raised mirror those brought up during the McMahon Report (2015).

Institutionalisation

'We don't have choices here. It's like I'm a baby, I'm a prisoner.'

"...how do you now go into society, be able to be part of this society, when you've been contained for so long?"

(i) 'It's just, they're trying to contain us in like an institution, keeping us in this direct provision of a thing. They (control) when we have breakfast, when we have lunch, when we have dinner, when we go out, when we come in. We are not mentally... If you spend five years, how do you now go into society, be able to be part of this society, when you've been contained for so long. I don't think this is an ideal... I have been here just six months, but everyday I think I'm going down.'

(ii) *'What would have been ideal for you, in terms of accommodation, would it be like private rented accommodation; or would it be this kind of accommodation with your own private apartment, your own kitchen, that sort of thing...?'*

'Private. Also because to wake up in the morning... it has some kind of impact on psychology, you know. You know in the morning, you wake up, you go in the line. At lunchtime you put ... I don't know...It's like... a prison, going for food.'

(iii) 'We don't have choices here. It's like I'm a baby, I'm a prisoner.'

“About three years now. I'm still in this situation. I (don't) know how I will get the house ... I'm not feeling fine... Sometimes I get angry.”

Post-decision accommodation

(i) '... I got my papers since about three years now... I'm still in this situation. I (don't) know how I will get the house ... Because this is three years now, and I'm not feeling fine. I'm not feeling fine. Sometimes I get angry... Like a place like here is a prison yard.'

(ii) 'I send the email to more than 50 councillors. They don't reply back... I lose all my credit to phone. ... They have put me in the list, but didn't come back.... Like, even I send other people also, asked please phone for me because if we phone, they know we're asylum seekers, so they don't want to give us. So I ask other people... They also say we can't get the house because for the rent allowance, we ask, can you accept rent allowance? They don't want to tell (you no) directly, (so) they tell you yes, we accept. But they don't come back. Then they're asking how often called, employment details and all... So they're all very difficult... Like every day I ... last night also I sleep at what, 3 o'clock. I sent emails, I was looking for house. For half an hour we looked at house and phoned ... they told me everything is gone.'

Space

'But I tell you, in here, accommodation is problem. We lived here two and a half years with my two teenagers. They need to study, you understand, for Leaving Cert and whatnot. It's not enough place for children to study.'

(i) 'What I didn't really like is a man and a woman sharing bathrooms... That was what happened to me. That was what happened to me. Because when it first did, I said to them I will not share a bathroom with a man, because it's ridiculous.'

(ii) 'What's the average number in a room?'

'... Four.'

'Six. Downstairs, six people.'

'Three... this room that I'm saying is three, but now it is supposed to be just for one.'

'...It's like, it's not comfy. And people are around us, you can hardly (move)...'

(iii) 'A small room like this, if she has to study, we have to start moving things around. Take the chair, but it in under the table. Then she has to go in under the table like this (*imitates ducking under table*) so she can go ... The space is so small. I have asked them to give me

'You have your kitchen, your bathroom inside one room and everything. It's lovely, it's a good idea, I would love it if it's plausible... I would.'

a better room for me and my child. Let alone privacy. I don't know privacy.'

- (iv) 'You know the new change, yeah? They made a few... in a few months, like, they made several apartments for different peoples, yeah? So it's nice ... you know, before it was, like, ... everything, in one apartment more people. Now they're providing one apartment (for) two. Each family. So it's nice. A nice change...'

Proposed/favourable alternatives; and what's working

'So maybe, we have to ... raise (our) voice(s) against (the) direct provision system... We are not saying ok, give us a big house... Just small, independent living...'

- (i) *'...do you think it's a good idea, if they were building a new centre, that the focus should be on more... independent living space, that you have your own front door...?'*

'Yeah, that would be better, but that's if it's plausible. So let's look at that as well. It's going to take cost here. We're looking at cost, at the people coming in...'

- (ii) 'Yeah... at this moment I know that RIA is packed with all the accommodation... so everyday new people coming in. So rather than putting them in ... pushing those into existing accommodation, they could have arranged (longer-term residents) in private accommodation maybe.'

'You mean like, if you've been here a while you should be able to move into more private setting...?'

'Yeah, something like that... '

- (iii) *'What would you... say you go back to six months ago, when you put in your application, what would you have preferred, say they offered you accommodation and you said yes, what would you prefer to have been offered?'*

'I would have preferred to have been independently living on my own.'

'Like in an apartment?'

'In an apartment... responsible for my time, how I want to spend my day... But in this place... it's like you're being monitored.'

- (iv) '... if it is plausible, oh well, I'll welcome it, I'm happy to... to be quite honest, I want to be independent. What you're talking about, for me, I think I've heard about, it's called self-contained, or self-accommodation. You have your kitchen, your bathroom inside one room and everything. It's lovely, it's a good idea, I would love it if it's plausible... I would.'
- (v) 'So maybe, we have to ... raise (our) voice(s) against (the) Direct Provision system... We are not saying ok, give us a big house... Just small, independent living... Two or three bedrooms. Two bedrooms; three bedrooms... it's enough for a family.'

- (vi) 'Ok, if it's (*rent allowance*) going to be 900 for the month, for the people (who are) going out with children. And it's for us, who is living here, it's going to be 900 euro... Why they don't give a house for a thousand? ... If it's the same?'
- (vii) '... let us just have our own kitchen, privacy, sense of belonging, security. Of course. It shouldn't be much problem, if they really want us... (if) they really want to show they have accepted us as asylum seekers... (otherwise) it's like giving us something, and at the same time taking it back.'

Facilities

Lack of transport and cost were identified as particular issues in terms of accessing facilities, as well as cost, e.g. of sports facilities and summer camps. Certain centres were not seeing the same number of community/Friends of Asylum Seekers support as others, partly based on their location.

- (i) 'And another issue we have here. Childcare. ... There's no facility. There's no playroom, there's nothing... It's not children-friendly... I still don't understand why they bring children and the accommodation centre is not made to provide for the children's needs.'
- (ii) '(Getting involved with the Cork City Marathon) was so beautiful. We went out and we were given some souvenirs, clothes, you know. And... training, it's really... such things of course bring life to this already dull environment. So... maybe more of that and the other activities ...'
- (i) 'There's ninety-five kids here. And there's no activity for them. This is a very big issue. You know, football clubs, everything is here. But you have to pay forty, sixty euro.'

“You begin to see yourself as someone who is not accepted by society. And you have so much to give. You know your strengths, you know your capabilities. And you are not able to do anything for yourself - anything good for yourself.”

Access to the labour market and income

'It's not just the culture of giving you money... You know, sometimes it's suppressing, I don't know the right language to put it. But if you know you can fend for yourself, you know you can contribute something, you feel more human...'

Our consultations straddled the announcement of the new permanent labour market access measures under the EU (recast) Reception Conditions Directive 2013/33/EU. This means that the first half of our consultations, which took place prior to the announcement, dealt with hypotheticals around access to the labour market; and the second half reflected on the provisions put in place. However, most quotes remain relevant, especially for those asylum seekers who, for example, still cannot access the labour market due to the current stage of their application. Reactions to the new provisions were lukewarm

and dubious.

Direct Provision allowance

- (i) 'It's not just the culture of giving you money... You know, sometimes it's suppressing, I don't know the right language to put it. But if you know you can fend for yourself, you know you can contribute something, you feel more human...'
- (ii) 'Of course, if they can review the money they give to us. The money is too small... (I) don't know their calculations, but from our own calculations, if we can raise it up to like 50, or even 60, because at the end of the day they might think that we don't have to spend money. Of course we need... to spend money... 21.60 is like... torturing somebody.'
- (iii) '... what you can buy for €21?'

'With two small children, what (am) I going to buy with that money?'

'We have top-up to talk with people there, with Skype, so... that's money we can't sacrifice.'

Access to the labour market

- (i) 'So if and when you get your permission, you're ready to go out?'

'Yes. Even if you're still working, we don't know what the decision is, whether it's negative or positive, but you know that you've achieved something. You're working, you're functional.'
- (ii) 'You just couldn't fathom why you have to be living this way... it is because you are emotionally down, psychologically down, you are just not who you are supposed to be... and there's no opportunity for you to access employment due to the fact that you are an asylum seeker. You begin to see yourself as someone who is not accepted by society. And you have so much to give. You know your strengths, you know your capabilities. And you are not able to do anything for yourself - anything good for yourself.'

Opinions on the access to the labour market under the EU (recast) Reception Conditions Directive 2013/33/EU

- (iii) 'As if things are moving forward! But reality is different. We're not going anywhere. And they will put it on Internet, they will put it on the news - 'oh, asylum seekers are allowed to work.' But it's not. They won't say, 'oh, under these rules.' They don't put these rules for the world to know. But everybody will say, 'oh, you guys, congratulations, now you are allowed to work.'

“If we had that (private accommodation), you wouldn’t even think that I was an asylum seeker. If you had the opportunity of your private house, you work, you wouldn’t even think about it, because ... you are busy.”

(iv) ‘They say, you have to pay rent. It’s not for a room - it’s nine hundred and something a month!’

(v) ‘But where they say you have to renew every six months and they still have the power to reject, it doesn’t give you life. It’s not life. Even if they say temporary, at least 12 months. Not 6 months.’

Recommendations

- (i) ‘It’s not about food. It’s not about accommodation. And they believe they give us €21.60 every weekend. For God’s sake, some of us can even pay that. We can contribute; we can pay that... But, yes they are trying their best. But... just... be a little bit nicer by just, whoever wants to work, let him access employment. Let him cook for themselves.’

Community integration

- (i) ‘If we had that (private accommodation), you wouldn’t even think that I was an asylum seeker. If you had the opportunity of your private house, you work, you wouldn’t even think about it, because ... you are busy. Like... I was... You wouldn’t even think about it, because I was in school, September, last September I was in full-time school, doing Level 5, and I must say that, that period of time, I was not even thinking about my case anymore, because like I was so much into my school, and it really asked me to forget. Because every morning I got up and go... come back late, maybe 5. It would keep me busy.’
- (ii) ‘But the Direct Provision system, I feel its impact upon ... our kids. When our kids are going to school, the peoples know these kids like the ‘(Centre) kids’, (Centre) people. They don’t have their own names, they don’t have their own personalities, here. I’ve been here three years, and I find many brilliant - many, many, many brilliant - kids. They’re spoiled. Due to their lack of confidence. Due to other people’s behaviours. Some people, they don’t... like their kids to meet with the ‘(Centre) people.’

Healthcare

A lack of initial vulnerability assessment and mental health support was apparent, and sometimes directly alluded to, during our consultations.

- (i) ‘For the mental health and support. We don’t have (it) here. Sorry, I’m here since five years, and I never saw someone to come here.’

- (ii) 'There's a human right that actually been affected - access to female GPs. So particularly for Muslim women... there's a male GP but no females, so we brought it up with the HSE and with the social inclusion people, and asked them to write to Liam Burke... but they say yeah, look there's... all the female lists are full. But that's not acceptable. This town has been designated as an asylum seeker centre town, and has been for twenty years. Therefore they should be making special spaces available for women, so that's a human right issue, because the issue of seeing a female is culturally inappropriate to see a man, as for whatever reason, then they should be able to... So if you could... attack that from your side. Denis Hickey is the head of department... I've sent him an email... I've spoken to some of the female GPs in town, and they said, you know, everybody's full... it's not acceptable.'

Transport/location

- (i) '... For people going to church (on Sundays), maybe church will start at 10 o'clock, 10.30... and (the bus) only starts at 11 o'clock.'
- (ii) '(How can you work around here) without a driver's license?'
- 'You can't'-
- '-This way - it's not easy to move around here. And public transport is a real issue'-
- (iii) (*Re. travelling up to Dublin for a scheduled appointment with the IPO*) 'So we travelled the night and then a cab came. That's the only thing that social paid. The cab. The money we spent, and the food for a day, and everything, all the exhaustion, it was all from our pockets. So imagine people who weren't able to afford, to pay for the food. Where would they stay?'
- (iv) 'I think the big problem here is the transport.'
- 'It's €5.40 for return ticket.'
- 'And when they put in the bus there a while back, a couple of years ago, was that helpful, or..?'
- 'It's just one day, on Friday. Just Friday, but here are 100 people.'
- ... 'You know, it's ok, small or big, but it's just one day.'^{iv}

Bank Accounts

Despite the EU Spending Account Directive 2014/92/EU, which states that asylum seekers are entitled to access a basic spending account, many residents we consulted had faced, or were currently facing, difficulties in opening bank accounts. Often they cited being asked for unreasonable amounts of identity documentation.

- (i) 'I got my resident's permit, but I can't open a bank account... everything they ask in driving license or passport copy, I don't have anything. I can't open bank account.'
- (ii) 'Yes. Yeah so what happened is that I went to AIB, and I couldn't get help. I went there several times. The other consultant would tell me that bring your birth certificate. So I would bring it, and then she say, 'No, I want your passport.' Ok, my passport is with the Justice, I don't have my passport. 'No, there's nothing we can do.' Then why didn't you tell me that the first time? You said I should bring either a birth certificate, not both birth and passport. It was kind of a hell of an issue.

Then I went on to... Bank of Ireland. One assistant wanted birth certificate. So I had to bring them my birth certificate, my marriage certificate, the PPS. Ok, it's fine, so we went around it. I had an account open with Bank of Ireland, which I've used €21 as they come in weekly. So for a couple of months, the account had around €200 or something. Then one day I'm trying to make a lodgement, and it says my card has stopped. I went inside to the consultant and I said, 'My card is not working.' They said, 'Ok, let me check it on the computer.' Then she accessed the system, and said, 'Oh, sorry, your card has been cancelled.' For what reason, I had money in the account? 'No I don't know it doesn't say anything.' I said, 'you should know, check your system.' It doesn't say the reason why my card... this continued. 'Ok, there's nothing I can do about it. Please go to the cashier, we'll have to give you your cash.'

Conclusion

The above quotes have attempted to condense much longer transcripts into a nominal set of themes that emerged during the consultation process. While quantifying the themes, it became obvious that the challenges raised during the McMahon consultation process remain largely unresolved today. Progress since the publication of the McMahon Report (2015) appears to be slim.

Application processing and length of time remained the primary concerns for the residents we consulted. The functioning of the IPO was a new nuance in this regard, wherein a lack of transparency was a cause for concern. Other structural issues raised were access to education and work. Both of these issues had both negative integrational and financial repercussions for residents. The three combined – access to education, work and shorter wait times – arguably overshadowed reception conditions. However, the institutional and cramped nature of Direct Provision centres, shortage of facilities and full-board food provision remained key issues. Indeed, the two – reception conditions and structural/legislative conditions – are correlative; if one is improved, the other may be more tolerable, at least in the short term.

Overall, alternatives to the current Irish asylum reception system took shape in the negative (as against the criticisms levelled against the current system), but also in assertive statements. Purely based on the statements above, some of the key recommendations can be summarised as follows:

Decision making and wait-times

- Better departmental communication throughout the process
- More efficiency and better decision making within the IPO

- Shorter wait times for application examination; and greater accountability therein
- Known time limits for different stages in application

Accommodation

- Short-term orientation accommodation, with upper time limit
- Genuinely independent, own-door accommodation, in the community

Centre Reforms

- Self-catered accommodation, with provision of shop or equivalent
- Access to frequent and free/subsidised transport facilities
- Easy access to mental health supports, advice and information
- Access to facilities, including childcare, recreational, etc.

Access to Education

- Access to third level education in line with Irish citizens and/or residents, i.e. free access to third level education
- Greater material and financial support for school-going children

This list does not exhaustively cover all of the recommendations that could be distilled from the consultations. Nor do they necessarily represent the universal opinion of the residents that we spoke to. However, they take a step to bridge the gap between the current Irish asylum reception system, and a possible future that looks beyond Direct Provision. Furthermore, it is important to ensure that such a future is informed and guided by those who are personally navigating it.

ⁱ Report to Government Working Group on the Protection Process on Improvements to the Protection Process, including Direct Provision and Supports to Asylum Seekers
<<http://www.justice.ie/en/JELR/Report%20to%20Government%20on%20Improvements%20to%20the%20Protection%20Process,%20including%20Direct%20Provision%20and%20Supports%20to%20Asylum%20Seekers.pdf/Files/Report%20to%20Government%20on%20Improvements%20to%20the%20Protection%20Process,%20including%20Direct%20Provision%20and%20Supports%20to%20Asylum%20Seekers.pdf>>

ⁱⁱ <http://www.justice.ie/en/JELR/3rd_WG_Progress_Report_-_July_2017.pdf/Files/3rd_WG_Progress_Report_-_July_2017.pdf>

ⁱⁱⁱ <<http://www.nascireland.org/latest-news/nasc-publish-working-paper-governments-progress-mcmahon-report/>>

^{iv} Stated exceptions are in the case of GP appointment and for certain courses where transport is provided/sponsored by course provider, e.g. Welcome English in the Cork Migrant Centre