

PQ Digest | 15.01.18 – 19.01.18

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16th January, 2018

Community Development

73. Deputy Maria Bailey asked the Minister for Rural and Community Development the criteria for grant aid under the community facilities scheme. [1698/18]

Minister for Rural and Community Development (Deputy Michael Ring): The 2017 Communities Facilities Scheme was launched in March 2017. The scheme is administered on my Department's behalf by Local Community Development Committees (LCDCs) under the remit of the Local Authorities.

Under the scheme community and voluntary groups can apply for grants for capital projects which benefit the local community. Applications must relate to at least one of the following key target group and thematic areas:

- Youth
- Older people
- **Immigrants**
- **Refugees**
- **Travellers**
- Ex-prisoners and families of prisoners/ex-prisoners
- Projects promoting cultural activity
- **Projects promoting equality**
- Community development projects
- **Projects promoting integration**
- Projects which are part of the Creative Ireland 2017-2022 initiative

Communities Facilities Scheme funding is only available for capital projects, or capital funded elements of projects. Further details on the 2017 scheme are available on my Department's website, at <http://drcd.gov.ie/community/communities-facilities-scheme/>

My Department is currently reviewing the Community Facilities Scheme to facilitate improvements for 2018. This review may result in some changes to the criteria that applied previously. Any changes will be communicated to all stakeholders on the announcement of the 2018 scheme.

Traveller Education

322. Deputy Willie O'Dea asked the **Minister for Education and Skills** his plans to restore the position of resource teachers for Travellers in view of the fact that they are now recognised as a separate ethnic group; and if he will make a statement on the matter. [54468/17]

Minister for Education and Skills (Deputy Richard Bruton): The policy of my Department in relation to Traveller education is underpinned by the National Traveller and Roma Inclusion Strategy 2017 – 2021 which was launched by my colleague the Minister Justice and Equality in June 2017. The strategy was developed in consultation with relevant stakeholders including Traveller representative groups.

Education provision for Traveller children in school has been mainstreamed in accordance with my Department's policy in this area. To assist with full implementation of mainstreaming, a number of Traveller-specific supports have been retained in the system. These include 141 additional learning support teaching posts and a higher level of pupil capitation to support some 11,000 identified Traveller pupils in primary and post-primary education. The current cost of this additional provision is approximately €10 million annually.

It is important to note that additional resources provided in the education system are allocated on the basis of identified individual educational need rather than that of ethnic or cultural background.

Traveller Evictions

471. Deputy Bríd Smith asked the **Minister for Justice and Equality** the number of Travellers evicted under PART IIA of the Criminal Justice (Public Order) Act 1994 as amended by section 24 of the Housing (Miscellaneous Provisions) Act 2002 in 2016 and 2017. [55104/17]

472. Deputy Bríd Smith asked the **Minister for Justice and Equality** the number of Travellers that have been evicted by An Garda Síochána from their accommodation due to fire safety concerns in 2016 and 2017. [55107/17]

Minister for Justice and Equality (Deputy Charles Flanagan): I propose to take Questions Nos. 471 and 472 together.

I have requested a report from the Garda authorities in relation to this matter and when this report is received I will contact the Deputy directly.

Travel Documents

511. Deputy Clare Daly asked the **Minister for Justice and Equality** the procedure by which a legal guardian can establish their consent to their child that has been given refugee status here applying for travel documents which have a requirement for the legal guardian to sign the form in the presence of a garda but the legal guardian lives in Iraq. [54594/17]

Minister for Justice and Equality (Deputy Charles Flanagan): I am informed by the Travel Documents Section of the Irish Naturalisation and Immigration Service (INIS) of my Department, which issues travel documents to holders of protection status, that the normal procedure for application on behalf of minors is that the parents or legal guardians would sign the application form in the presence of a member of the Garda Síochána, while accompanied by the child. This approach would require the parents or legal guardians, if outside the State, to travel to Ireland. As a safeguard, they would also have to substantiate their bona fides in relation to the child.

In this particular case, the Deputy's question does not contain sufficient information to give a specific response. For example, the Travel Documents Section would need to know if the legal guardian in question is a parent, and whether there is more than one parent or legal guardian. If the person is not a parent, the grounds for the claimed guardianship would need to be substantiated. Under circumstances under which travel to Ireland is not possible, there may be scope to involve the assistance of the nearest Irish Embassy. In order to receive a detailed response to the particular situation in question, the Deputy or the legal guardian should make email contact with the INIS Travel Documents Section at INIStravdoc@justice.ie, or by post to Travel Documents Section, Ministerial Decisions Unit, Repatriation Division, INIS, Department of Justice and Equality, 13-14 Burgh Quay, Dublin 2.

International Protection Programme

533. Deputy Michael Healy-Rae asked the **Minister for Justice and Equality** if he will address a matter (details supplied) regarding the international protection programme; and if he will make a statement on the matter. [54918/17]

Minister of State at the Department of Justice and Equality (Deputy David Stanton): The decision to reopen the accommodation facility at Linden House, Killarney, Co. Kerry was made to meet an urgent and unforeseen demand for accommodation by people seeking international protection that could not be met by the Department's existing accommodation portfolio. Linden House was previously used as an accommodation centre and was readily available to be used again.

Persons seeking international protection come from a wide variety of countries and is not possible to predict where a particular applicant would come from. This accommodation is provided while their applications for international protection are being processed so a long term housing strategy for each individual would not be practicable as the decision on their application is not known at this stage.

Unfortunately, due to the urgent and unforeseen demand for accommodation, it was not possible to engage in a full consultation process with the local authority and the community. My Department has recently advertised a tender for Emergency Reception and Orientation Centres and also advertised in the national press and the Official Journal of the EU seeking expressions of interest from interested parties to provide accommodation to those seeking international protection. My Department has advised the County and City Management Association of these procurement processes and will engage with the relevant local authority prior to a centre opening following the completion of these procurement processes.

Direct Provision

551. Deputy Paul Murphy asked the **Minister for Justice and Equality** the procedures in place if a resident in direct provision is suspected of not occupying their accommodation; if these procedures allow for due process including the presentation of evidence, the ability of the resident to contest the evidence and to put forward their own evidence; the sanctions that exist; the appeals process; the notice period given to direct provision residents if they are moved from the accommodation; and if he will make a statement on the matter. [55198/17]

Minister of State at the Department of Justice and Equality (Deputy David Stanton): The Reception and Integration Agency (RIA) of my Department oversees the provision of accommodation for applicants for international protection while their application is being processed. Not every applicant takes up the offer of that accommodation and many chose not to do so. In addition some residents move out of that accommodation and live with friends or families.

Part of the role of RIA and individual centre management is to ensure that those who request and are allocated accommodation within the RIA portfolio are using it on a consistent basis. This accommodation is provided to protection applicants on the understanding that they will be living there in the normal course. Clearly if a person is allocated accommodation but ceases using it, it would be wrong not to re-allocate it to an international protection applicant who genuinely requires it.

In this regard, the Deputy will wish to note that at the end of December 2017, RIA was providing accommodation for 5,096 persons with an effective vacancy rate of just under 2.5%. There is an ongoing challenge to identify suitable accommodation to applicants for international protection.

The average number of new protection applications per week was 56 in 2017, with an average of 244 per month. To cope with the demand for accommodation from international protection applications, RIA reopened two former accommodation centres in late 2017.

The management of each centre are required to submit a weekly register to RIA which gives details of the persons who are on site. Management of a centre have experiential knowledge of whether a person is using their accommodation as they meet directly with residents on a daily basis (eg at meal times or the collection and delivery of post) and link with residents in the provision of services.

When it comes to RIA's attention that a resident does not appear to be using their bed space consistently and the person has not given centre management an explanation as to why this is the case, RIA staff liaise with centre management to manage the situation. In a case where RIA is satisfied that accommodation is not being used consistently, the resident will be issued a letter advising them that if they do not use their bedspace, that space will be re-allocated to another applicant in need. If the resident continues to be absent from their accommodation, a letter will be sent to them (at that centre), advising them that their bedspace has been deemed abandoned and will be reallocated to another protection applicant. This letter will be held by management until the person presents in the centre to collect their post.

It is open to residents to respond to the initial letter and provide any evidence that they are indeed availing of the accommodation. If RIA is satisfied that this is the case then the matter will be closed at that stage and the accommodation will not be reallocated. Once the final letter is issued advising the resident that the bedspace has been deemed abandoned then any complaint will not be suspensive. However, the resident can, if they choose, apply in writing to RIA asking to be re-accommodated.

The Deputy will also be aware that in early 2017, the remit of both the Ombudsman and the Ombudsman for Children was extended to residents in accommodation centres under contract to my Department.

Direct Provision Eviction

552. Deputy Paul Murphy asked the **Minister for Justice and Equality** his views on whether the eviction of a person (details supplied) from their accommodation in Knocklasheen direct provision centre in November 2017 was the result of a fair process in view of the lack of notice, an ability to contest evidence and to appeal the decision; and if he will make a statement on the matter. [55199/17]

Minister of State at the Department of Justice and Equality (Deputy David Stanton): The Reception

and Integration Agency (RIA) of my Department oversees the provision of accommodation for applicants for international protection while their application is being processed.

The Agency oversees the provision of accommodation for applicants for international protection while their application is being processed. Not every applicant takes up the offer of that accommodation and many chose not to do so. In addition some residents move out of that accommodation and live with friends or families. Part of the role of RIA and individual centre management is to ensure that those who request and are allocated accommodation within the RIA portfolio are using it on a consistent basis. This accommodation is provided to protection applicants on the understanding that they will be living there in the normal course.

Save in the most exceptional of circumstances for stated and repeated serious breaches of house rules and for the safety of other residents, no person has ever been evicted from any accommodation centre.

In the case raised by the Deputy, the RIA is satisfied that the person in question was not using the bedspace and accordingly decided to deem it to be abandoned and to allocate it to another protection applicant was correct.

The decision to deem that the bedspace was not being used was based on a number of facts. Centre management visited the residents room almost daily over a period of two weeks as they needed to discuss a service issue with him. It was clear that the bed had not been slept in and the room not used in that two week period. In addition, he was not seen onsite. RIA staff were in the centre on four occasions around this time and on none of these occasions was the person there. As per the procedures, the resident was issued with a warning letter which in turn was followed up by a letter stating that the bedspace was deemed abandoned by the resident in this case.

The Deputy will appreciate that in the context of the current pressures facing RIA, they must ensure that if accommodation is not being used consistently then it must be re-allocated to persons in greater need of that accommodation.

Asylum Seeker Figures

584. Deputy Bríd Smith asked the **Minister for Justice and Equality** the number of asylum seekers to be located in each county; the number of asylum seekers already located; and the projected numbers in line with the State's commitments over the coming period. **[1657/18]**

586. Deputy Bríd Smith asked the **Minister for Justice and Equality** the number of asylum seekers to be located in the cities and counties of Dublin, Cork, Galway, Waterford and Sligo in 2018. **[1672/18]**

Minister for Justice and Equality (Deputy Charles Flanagan): I propose to take Questions Nos. 584 and 586 together.

As the Deputy will be aware, the immigration authorities have no way of predicting how many persons will arrive in the State in the future in order to seek international protection. Accordingly, projected numbers cannot be estimated. However, I can say that all applicants are offered immediate shelter, full board accommodation and a range of services such as health and education while their application for international protection is being processed.

Not every person who seeks international protection in Ireland chooses to accept this offer and many chose to live with colleagues, family or friends in communities across the country, as they are entitled to do.

In terms of the commitments made by the State, the Government established the Irish Refugee Protection Programme (IRPP) in September 2015 as part of the State's humanitarian response to the migration crisis in Southern Europe. The State agreed to accept up to 4,000 asylum seekers and refugees overall into Ireland under relocation and resettlement programmes at the earliest time possible. Ireland voluntarily opted into the two EU Council Decisions on Relocation (2015/1523) and (2015/1601), which provided for the relocation of 160,000 asylum seekers from Italy and Greece.

By early 2018, Ireland will have admitted its entire cohort from Greece under the relocation programme (1,089) and will have admitted 1,040 persons under the European Commission's July 2015 Resettlement scheme - double our original commitment of 520 under that scheme. The European Commission recognises Ireland as being one of only seven EU Member States to have fulfilled their resettlement pledges from the July 2015 Agreement.

By the end of the two-year EU Relocation Programme in September 2017, overall, a total of 37,000 asylum seekers were eligible and registered for relocation in Italy and Greece, of which 78% (approximately 29,000) had been relocated to other EU Member States including Ireland.

To address the balance of approximately 1,800 people under the IRPP, additional resettlement pledges have been made for 2018 and 2019 and a new Family Reunification Humanitarian Admission Programme (FRHAP) is being established.

The following tables set out the numbers that are currently accommodated by County in Reception and Integration Agency (RIA) centres, and in Emergency Reception and Orientation Centres (EROC) for those arriving to Ireland under our International Refugee Protection Programme (IRPP). The overall numbers include those awaiting determination of the international protection application, those granted status as a discretionary measure to assist

them to transition to mainstream housing and those issued with deportation orders who are obliged to remove themselves from the State.

As a result of an increasing number of applicants seeking international protection and other factors, existing centres are virtually at full capacity. Accordingly, expressions of interest for additional accommodation facilities are currently being sought. The outcome of this process will determine where any additional centres will be located.

Reception and Integration Centres

County	Current Occupancy
Clare	238
Cork	787
Dublin	838
Galway	341
Kerry	341
Kildare	83
Laois	194
Limerick	200
Longford	77
Louth	45
Mayo	236
Meath	603
Monaghan	159
Sligo	204
Tipperary	111
Waterford	399
Westmeath	268
Total:	5,124

EROC Centres

County	Current Occupancy
Kildare	114
Waterford	112
Roscommon	170
Meath	193
Total:	589

Deportation Figures

597. Deputy Bernard J. Durkan asked the **Minister for Justice and Equality** the number of persons, other than criminals, deported in each of the past five years and to date in 2018; and if he will make a statement on the matter. [1870/18]

Minister for Justice and Equality (Deputy Charles Flanagan): I am advised by the Irish Naturalisation and Immigration Service (INIS) of my Department that the information requested by the Deputy is as set out in the following table.

The statutory criteria which must be considered in relation to a decision to make a deportation order under section 3(6) of the Immigration Act 1999 include national security and public policy, the character and conduct of the person concerned and the common good. In determining whether to make a deportation order, in addition to the factors set out in Section 3(6) of the Immigration Act 1999, I must also consider all relevant constitutional and international human rights arising including those enshrined in the Refugee Convention, the UN Convention Against Torture and the European Charter of Human Rights. The question of not returning a person to a place where certain fundamental rights would be breached (or non refoulment as it is referred to) is fully considered in every case when deciding whether or not to make a deportation order. This involves consideration of whether returning the person would result in the life or freedom of that person being threatened on account of his or her race, religion, nationality, membership of a particular social group or political opinion, or whether the person would be subjected to torture or to inhuman or degrading treatment or punishment.

A deportation order requires the person concerned to remove themselves from the State and it is only where they fail to do so that the State is forced to remove them and enforce the rule of law.

It is to be noted that the enforcement of deportation orders is an operational matter for the Garda National Immigration Bureau (GNIB).

Total Number of Deportations effected from 2013 to date *

2013	209
2014	114
2015	251
2016	428
2017	140
2018 (up to 15/1/2018)	6

* Please note that it is not possible to differentiate between criminals and non criminals.

Traveller Evictions

1737. Deputy Bríd Smith asked the Minister for Housing, Planning and Local Government the number of Travellers evicted under section 10 of the Housing (Miscellaneous Provisions) Act 1992 in 2016 and 2017. [55105/17]

Minister of State at the Department of Housing, Planning and Local Government (Deputy Damien English): In accordance with the Housing (Traveller Accommodation) Act 1998, housing authorities have statutory responsibility for the assessment of the accommodation needs of Travellers and the preparation, adoption and implementation of multi-annual Traveller Accommodation Programmes (TAPs) in their areas.

My Department's role is to ensure that there are adequate structures and supports in place to assist the authorities in providing traveller accommodation, including a national framework of policy, legislation and funding. My Department has no role in the direct management and maintenance of sites. In relation to evictions under section 10 of the Housing (Miscellaneous Provisions) Act 1992, this is a matter for the relevant local authority and my Department does not hold the specific information requested.

Traveller Accommodation

1738. Deputy Bríd Smith asked the Minister for Housing, Planning and Local Government the number of Travellers who have been asked to move by a local authority from their accommodation due to fire safety concerns in 2016 and 2017. [55106/17]

Minister of State at the Department of Housing, Planning and Local Government (Deputy Damien

English): In accordance with the Housing (Traveller Accommodation) Act 1998, housing authorities have statutory responsibility for the assessment of the accommodation needs of Travellers and the preparation, adoption and implementation of multi-annual Traveller Accommodation Programmes (TAPs) in their areas. This responsibility includes carrying out the necessary health and safety checks on individual traveller halting sites, and where appropriate, taking necessary action to remedy the situation.

My Department's role is to ensure that there are adequate structures and supports in place to assist the authorities in providing traveller accommodation, including a national framework of policy, legislation and funding. However, my Department has no role in the direct management and maintenance of sites and does not hold the specific information requested.

18th January, 2018

Naturalisation

126. Deputy Clare Daly asked the **Minister for Justice and Equality** if it is standard practice to notify applicants for naturalisation that they will be issued with a certificate of naturalisation and for an invitation to a citizenship ceremony to issue only for that invitation to then be withdrawn and a person left waiting for 15 months for another decision on an application to issue such as in the case of a person (details supplied). [2415/18]

Minister for Justice and Equality (Deputy Charles Flanagan): As the Deputy will appreciate, the granting of Irish citizenship through naturalisation confers certain rights and entitlements not only within the State but also at European Union level and it is important that appropriate procedures are in place to preserve the integrity of the process.

I am advised by the Irish Naturalisation and Immigration Service (INIS) of my Department that the invitation to the person concerned to attend a Citizenship Ceremony was withdrawn as the application for naturalisation required further investigation and consideration. The processing of the application is on-going. Additional information may, if required, be requested from the applicant in due course. When all necessary information has been compiled the application will be submitted to me for decision as expeditiously as possible. As the processing requirements and the time taken to complete the necessary checks vary from case to case, it is not possible to indicate when a decision will be given in respect of his application.

It is recognised that all applicants for citizenship would wish to have a decision on their application without delay, however, the nature of the naturalisation process is such that, for a broad range of

reasons, some cases will take longer than others to process. In some instances completing the necessary checks can take a considerable period of time. Occasionally it may arise that the consideration of an application may require to be revisited.

Queries in relation to the status of individual immigration cases may be made directly to the INIS of my Department by e-mail using the Oireachtas Mail facility which has been specifically established for this purpose. This service enables up to date information on such cases to be obtained without the need to seek information by way of the Parliamentary Questions process. The Deputy may consider using the e-mail service except in cases where the response from the INIS is, in the Deputy's view, inadequate or too long awaited.

Asylum Query

129. Deputy Clare Daly asked the **Minister for Justice and Equality** the avenues available to an Afghan refugee in Greece who cannot return to Afghanistan for fear of being murdered to seek asylum here. [2580/18]

Minister for Justice and Equality (Deputy Charles Flanagan): A person in Greece who wishes to seek asylum should apply for International Protection to the Greek authorities.

The Irish Refugee Protection Programme (IRPP) was established by Government Decision on 10 September 2015 as a direct response to the humanitarian crisis that developed in Southern Europe as a consequence of mass migration from areas of conflict in the Middle East and Africa. Ireland is the only EU country that specifically chose to voluntarily opt in to participate in the EU relocation programme and the IRPP was the body responsible for delivering on our commitments in that regard. While the EU relocation programme ran until September 2017, Ireland continues to transfer asylum seekers from Greece who have been approved and who fall within an eligible nationality. Under the provisions of the EU relocation programme, persons considered for relocation had to be from countries with an EU-wide recognition rate for international protection of at least 75%. As Afghanistan did not meet this criterion, persons from there would not have been eligible for transfer to any other EU Member State, including Ireland, under the relocation programme.

In common with other EU Member States, Ireland is not in a position to accept direct requests for asylum from individuals in another state.