

PQ Digest | 05.02.18 – 09.02.18

Quick Links

6th February 2018	2
Immigration Policy	2
Refugee Resettlement Programme	3
Immigration Policy	3
Refugee Resettlement Programme	4
Direct Provision System	6
Asylum Applications Data	7
Family Reunification.....	7
Refugee Data.....	8
Immigration Data.....	9
7th February 2018	10
Direct Provision System	10
Refugee Resettlement Programme	10

6th February 2018

Immigration Policy

82. Deputy Alan Farrell asked the **Minister for Justice and Equality** the action he is taking to address the inadequacies and loopholes which exist in legislation governing the immigration system; and if he will make a statement on the matter. [5297/18]

87. Deputy Alan Farrell asked the **Minister for Justice and Equality** his plans to prepare and issue a White Paper to provide an overview of the entirety of the immigration laws and to identify the way in which the immigration system can be improved; and if he will make a statement on the matter. [5298/18]

Minister for Justice and Equality (Deputy Charles Flanagan): I propose to take Questions Nos. 82 and 87 together.

By any standard Ireland operates an open immigration policy which often requires a flexible approach to respond to various requirements and needs.

The Programme for a Partnership Government contains a commitment to work with the relevant Oireachtas Committees to introduce a comprehensive Immigration and Residency Reform Bill. Work on such a Bill has not yet commenced, given other legislative priorities, but the intention remains that it will be progressed in line with the legislative priorities identified by Government. The development and promulgation of this legislation will provide a valuable opportunity for the engagement of all interested parties on our wider immigration system.

While work on this particular legislation has not progressed, that is not to say that there has been no reform of our protection and immigration systems. The last number of years has witnessed a broad range of reforms, many of which followed public consultation or other open forms of engagement with stakeholders and actors. Examples of recent immigration reforms include the following:

- The enactment of the International Protection Act 2015
- The Migrant Integration Strategy published in February 2017
- Regulatory Reforms of the International Education Sector and Student Immigration in 2011, 2014, and 2017
- The Policy Document on Non-EEA Family Reunification published in December 2013
- The civilianisation of border management at Dublin Airport beginning in 2014 and immigration registration in the Dublin Metropolitan District in 2016

- The introduction of an online appointment booking system for registration and visas introduced in 2015
- The Introduction of the Irish Refugee Protection Programme in response to the EU migration crisis
- Expansion of the Immigrant Investor Programme
- Introduction of the Short Stay Visa Waiver Programme and British Irish Visa Scheme
- Introduction of citizenship ceremonies with over 110,000 new citizenship certificates conferred since 2011.

All of the above point to a dynamic immigration service that is actively seeking to respond to the needs of its customers.

Refugee Resettlement Programme

95. Deputy Ruth Coppinger asked the **Minister for Justice and Equality** if he will report on the progress of family reunification for refugees from Syria here as part of resettlement and relocation programmes; and if he will make a statement on the matter. [5668/18]

Minister for Justice and Equality (Deputy Charles Flanagan): I am advised by the Irish Naturalisation and Immigration Service of my Department that Syrian nationals who arrived in the State as part of the resettlement programme and those who arrived as part of Ireland's relocation programmes and have been granted International Protection can apply for family reunification under the provisions of the International Protection Act 2015.

I am assured that such applications are processed as expeditiously as possible. However, if the Deputy has a query in relation to the status of individual family reunification application this can be made directly to the INIS of my Department by e-mail using the Oireachtas Mail facility which has been established specifically 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.

Immigration Policy

98. Deputy Richard Boyd Barrett asked the **Minister for Justice and Equality** if persons applying for naturalisation that are not decided upon within the six-month guideline will be provided with a detailed explanation as to the reasons for the delay including the provision to the person of additional information required to process the application in a timely manner. [5694/18]

Minister for Justice and Equality (Deputy Charles Flanagan): As the Deputy will appreciate the granting of Irish citizenship through naturalisation is a privilege and an honour which 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. All applications are examined to determine if the applicant meets the statutory conditions for naturalisation set out in the Irish Nationality and Citizenship Act 1956, as amended, such as good character and lawful residence. It is recognised that all applicants for citizenship would wish to have a decision on their application without delay. While most straightforward cases are generally processed within six months, the nature of the naturalisation process is such that, for a broad range of reasons, some cases may take longer than others to process. In some instances, completing the necessary checks may take a considerable period of time.

Cases where delays in processing can arise can often be due to further documentation being required from the applicant, or payment of the required certificate fee is awaited, or the applicant has not been engaging with the office. In some instances delays can arise at the final stage of the naturalisation process, for example where additional information comes to light which requires to be considered. In other instances the applicant themselves may request that a hold be put on their application, for example where they may have returned to their country of origin for a prolonged period, to facilitate them in making arrangements to return to reside in the State, or where they have difficulty in obtaining satisfactory evidence of their identity or nationality.

Due to the volume of applications received, it is not possible to communicate with each applicant with regard to each stage of the process but where additional information is required to support the application, the applicant is written to and the requirements are clearly stated. To engage with each applicant as proposed would divert valuable resources away from case processing which remains the key priority. Once the appropriate processes are completed the application is submitted to me for a decision, which is made in my absolute discretion under the Act by assessing the entirety of the information available to me.

The Irish Naturalisation and Immigration Service (INIS) of my Department has a dedicated phone helpline and email helpdesk available for all applicants interested in the progress of their application, details of which are available on the INIS website at www.inis.gov.ie.

Refugee Resettlement Programme

105. Deputy Ruth Coppinger asked the **Minister for Justice and Equality** if he will report on the assistance given to refugees from Syria here as part of resettlement and relocation programmes to access education and employment and to have professional qualifications recognised; and if he will make a statement on the matter. [5669/18]

Minister of State at the Department of Justice and Equality (Deputy David Stanton): I wish to inform the Deputy that while the Irish Refugee Protection Programme (IRPP) is overseen at national level by my Department, all service provision is mainstreamed.

The Department of Education and Skills has put in place, through local Education and Training Boards (ETB), interim arrangements for education. This includes, for example, English Language training for children and adults in the Emergency Reception and Orientation Centres established by the IRPP. A confident use of the English language is a key component of preparing refugees to enter the workforce and adults are provided with English language classes by the local ETBs in their resettlement area. Applicants are assessed by ETB staff so as to identify the extent, if any, of their current language levels in English, whether written or spoken. With regard to accessing school places, the Interagency Resettlement Committees includes representatives from Tusla Educational Welfare Services, who assist with securing school places for children.

At local level, resettlement is coordinated by Interagency Resettlement Groups, under the auspices of the Local Authority, with funding provided by my Department to the Local Authority to employ an Implementing Partner, usually consisting of a resettlement support worker and an inter-cultural worker, who assist families in their new community, including to access local services. The funding also facilitates the provision of after-school and out of school activities for primary or post-primary children and their integration into existing services.

With regards to qualifications, Quality and Qualifications Ireland (QQI), hosts NARIC Ireland which offers advice on the academic recognition of foreign qualifications in Ireland. Employers, Regulators and Higher Education Bodies use the advice provided by NARIC in informing their decisions when assessing foreign qualifications.

In terms of refugees accessing employment, the most critical component, as I have stated above, is the ability to speak English to an appropriate level and this is stressed at all times to the refugees. Some refugees have already secured employment with the assistance of my Department, the Irish Red Cross and EROC management, usually because they have relevant skills and a reasonable standard of English. But for most refugees it will take some time to acquire the competency necessary in English that will facilitate employment opportunities.

The Migrant Integration Strategy, which was published last year, offers a blueprint for the Government's action to promote migrant integration for the period to 2020. It promotes action by Government, business, employers, migrants, NGOs and local communities.

The Strategy includes targeted initiatives to promote migrant entrepreneurship, to encourage migrants into the Civil Service and onto State boards and to improve English language provision in education and training. It is accompanied by a Communities Integration Fund, which will provide funding for community initiatives to promote integration.

Direct Provision System

170. Deputy Tom Neville asked the **Minister for Education and Skills** whether funding is available for persons in direct provision who wish to take part in courses in Killarney, County Kerry. [5408/18]

Minister for Education and Skills (Deputy Richard Bruton): The Pilot Support Scheme was introduced by my Department in 2015 for students who are in the Protection System or at the Leave to Remain (but not deportation order) stage. This was one of the recommendations contained in the report by the Working Group on the Protection Process which was chaired by former High Court judge Dr Bryan McMahon.

The scheme provides supports to qualifying students which are similar to those available in the statutory based Student Grant Scheme.

Following a review of the Pilot Support Scheme 2017, I announced my decision to continue the scheme for the 2017/18 academic year and to undertake a further review in 2018.

To qualify for the pilot scheme, prospective students have to meet a number of criteria, including a requirement to:

- Meet the definition of a protection applicant or a person at leave to remain stage (other than those at the deportation order stage);
- Obtained their Leaving Certificate;
- Have been accepted on an approved Post Leaving Certificate course or an approved undergraduate course;
- Have attended a minimum of five academic years in the Irish school system and have been part of an application for protection or leave to remain for a combined period of 5 years prior to 31 August of the first year of their course.

Also, the 1916 Bursaries Fund is available for socio economically disadvantaged students from under-represented groups in higher education, including ethnic minorities. Information is available from the Access offices in the Higher Education Institutes.

Asylum Applications Data

248. Deputy Thomas Pringle asked the Minister for Justice and Equality the number of persons brought here under the EU relocation programme in 2015, 2016 and 2017 in tabular form. [5510/18]

Minister of State at the Department of Justice and Equality (Deputy David Stanton): I wish to inform the Deputy that the number of persons admitted to Ireland under the EU asylum seeker relocation programme in each year from 2015 to 2017 is as set out in the following table:

Year	Number
2015	0
2016	240
2017	515

A further 259 asylum seekers will arrive from Greece under the relocation programme in the first three months of 2018.

It should also be noted that the above numbers do not include programme refugees that have arrived or are scheduled to arrive from Lebanon under the Irish resettlement programme with UNHCR or indeed the additional programme refugee pledges that have been made in respect of the refugee resettlement programme for 2018 and 2019.

Family Reunification

253. Deputy Maureen O'Sullivan asked the Minister for Justice and Equality if he has satisfied himself with the one year time limit for applications of family reunification under the International Protection Bill 2015; and his views on whether an amendment allowing for more flexibility with time restraints could be warranted. [5637/18]

Minister for Justice and Equality (Deputy Charles Flanagan): The International Protection Act 2015, which was fully commenced on 31 December 2016, brought about significant reforms to our international protection process. The most significant of these was the introduction of a single application procedure. By replacing the old multi-layered and sequential process, the single application procedure will bring certainty at a much earlier stage to those who qualify for protection. In turn, this will provide for timely reunification with immediate family members to support those granted international protection to begin their new lives here in Ireland.

The 2015 Act provides for the family reunification of immediate family members (spouse, civil partner and minor children) in line with the definition of family members in the EU Family Reunification Directive (in which Ireland does not participate). In terms of both the application time limits and the economic conditions on sponsors, the provisions in the International Protection Act are less restrictive than in many other EU Member States. In addition, unlike some EU Member States, our family reunification provisions apply equally to beneficiaries of both types of international protection – refugee status and subsidiary protection status. The new regime for family reunification under the Act is only currently getting its first cases and I have no plans to change the time limits provided for in the Act.

It also remains open to me to exercise my discretion under the INIS Non-EEA Policy Document on Family Reunification to waive the economic conditions for sponsors applying for extended family members. I will continue to examine such applications on humanitarian grounds on a case-by case basis. In addition, the new Family Reunification Humanitarian Admissions Programme (FHRAP) announced late last year will see, over a two year period, up to 530 immediate family members from established conflict zones, including Syria, that fall outside the scope of the international Protection Act 2015 come to Ireland as part of our overall commitment to accept 4,000 persons under the IRPP.

Refugee Data

275. Deputy Bernard J. Durkan asked the **Minister for Justice and Equality** the number of refugees, asylum seekers and undocumented persons that have been here for more than seven years; the extent to which consideration might be given to examining their cases with a view to offering stamp 4 status as a path to naturalisation; and if he will make a statement on the matter. [6024/18]

276. Deputy Bernard J. Durkan asked the **Minister for Justice and Equality** the number of refugees, asylum seekers and undocumented persons currently here for more than ten years that have for one reason or another been refused long term residency; and if he will make a statement on the matter. [6025/18]

Minister for Justice and Equality (Deputy Charles Flanagan): I propose to take Questions Nos. 275 and 276 together.

Can I say at the outset, that my Department has no information regarding the number of undocumented persons that are in the State as this category of persons choose to come and remain illegally in the State. In relation to persons granted refugee status, under the International Protection Act 2015 they are given permission to reside in the State for a period of three years and are eligible to apply for citizenship after 3 years. All those with refugee status are granted a Stamp 4 immigration permission which includes full access to the labour market and State services.

At the end of January 2018 there was a total of 248 persons pending in the protection system for more than seven years at either first or appeal stage, including failed asylum seekers awaiting a consideration of an intention to deport or a grant of leave to remain. To put this figure in context, nearly 22,000 persons have applied for asylum over the past 10 years. These cases tend to be complex in nature and are often the subject of multiple appeals including judicial reviews. There can also be complex family

situations where one family member may be preventing the finalising of the applications for the entire family.

Figures of asylum applications that are over 10 years old and yet to reach a final determination are not readily available and it would require staff resources to be diverted from processing of cases which must take priority. However, it can be assumed that the figure is significantly less than the number in the system for 7 years or more.

Successive Ministers have informed the House that there are no plans to introduce a general regularisation scheme for those who are currently illegally resident in the State. I have outlined the rationale for this in response to PQ Number 44241/17 of 17th October last. With regard to International Protection applications, the aim of the single procedure introduced in the International Protection Act 2015 is to speed up the processing of cases. This will be the focus of the International Protection bodies in the coming period.

Immigration Data

277. Deputy Bernard J. Durkan asked the **Minister for Justice and Equality** the number of applications for residency status by persons living here for more than ten years which have been refused in each of the past five years; and if he will make a statement on the matter. [6026/18]

Minister for Justice and Equality (Deputy Charles Flanagan): I am advised by the Irish Naturalisation and Immigration Service (INIS) of my Department that persons seeking permission to remain in the State may do so for a number of reasons to various Divisions of the INIS under both statutory and non-statutory provisions. As a result, as the Deputy would expect, every case is considered on its own merits in conjunction with the legislation, criteria or guidelines which are directly applicable to the individual case type.

Refusal of residence status in certain instances may have been overturned on appeal or the persons may have been granted a permission on an alternative basis after a refusal. As a result, it is not possible to quantify the precise numbers of such cases as to do so would require the deployment of a disproportionate level of limited resources to the task taking them away from case processing which is the key priority.

7th February 2018

Direct Provision System

145. Deputy Richard Boyd Barrett asked the **Minister for Justice and Equality** further to Parliamentary Question No. 96 of 7 December 2017, if he has received a full report into complaints his Department received regarding conditions at a location (details supplied); if so, if all appropriate actions to remedy the identified defects has been addressed; and if he will make a statement on the matter. [6229/18]

Minister of State at the Department of Justice and Equality (Deputy David Stanton): My Department was made aware of complaints in relation to the accommodation centre in question. These complaints were forwarded onto the contractor and the response has been received.

It is worth noting that not all of the accommodation centre in question is used for accommodation and the unused section is blocked off to residents. The contractor has confirmed that 12 of the 20 photographs that accompanied the complaint are from this unused part of the building and access to that part is strictly limited to authorised personnel. Another picture is of a skip that has since been removed. I am informed that the remaining photographs either required no action or if a defect was identified then all appropriate action to remedy the identified defect has been carried out.

As stated in my earlier reply, all accommodation centres under contract to the Department are inspected by staff from the Reception and Integration Agency and by an independent inspector, QTS Health and Safety Limited.

The accommodation centre in question has been inspected three times in 2017 - once by QTS Health and Safety Limited on 12 April and twice by two different staff members from the Reception and Integration Agency - on 29 June and as recently as 29 November.

All accommodation centres are also subject to inspection by other State inspectors such as the environmental health service, the fire service and the Data Protection Commissioner.

Each centre under contract to the Department is required to have a current and active fire certificate renewed on a yearly basis. In the case of the accommodation centre in question, the latest fire certificate covers the period to 14 September 2018.

Residents of the centre (or indeed any accommodation centre) have the possibility to register a complaint in relation to any aspect of the accommodation centre with the Manager or with an inspector as the case may be. The only complaint raised by a resident during the inspections mentioned above was on 29 June 2017 and that was in relation to a transfer.

In addition to the foregoing it is of course always open to any resident in the centre in question to make a complaint to the Ombudsman about any matter in relation to their accommodation at that centre.

Refugee Resettlement Programme

266. Deputy Donnchadh Ó Laoghaire asked the Minister for Children and Youth Affairs the number of unaccompanied minors that have been resettled here from Calais following the cross party Dáil Éireann Motion of 10 November 2016. [6210/18]

Minister for Children and Youth Affairs (Deputy Katherine Zappone): During 2017, Tusla, the Child and Family Agency, put in place the capacity to receive a number of unaccompanied minors under the Calais Special Project. Tusla committed to relocating at least 40 unaccompanied young persons who were previously in unofficial camps near Calais, France, in line with the criteria included in the Dáil resolution. I am advised by Tusla that a total of 36 unaccompanied minors have arrived in Ireland under the Calais Special Project to date, with a further 5 being prepared for transfer. Tusla envisage that a total of 41 will have been resettled in Ireland by the end of this month.

I have asked Tusla to continue to maintain and build its capacity for receiving unaccompanied minors as part of its business planning for 2018 and beyond.