

PQ Digest | 30.04.18 – 04.05.18

Quick Links

1st May 2018	2
Naturalisation Applications.....	2
Children and Family Services Provision	2
Syrian Conflict	4
Family Reunification Policy	5
Immigration Controls	5
Work Permits Data.....	6
Aftercare Services Provision	7
2nd May 2018	7
Asylum Applications.....	7
Direct Provision System	9
Asylum Support Services.....	10
Asylum Support Services.....	10
3rd May 2018	11
Passport Applications Administration.....	11

1st May 2018

Naturalisation Applications

339. Deputy Charlie McConologue asked the **Minister for Justice and Equality** if consideration will be given to specific circumstances in a proposed naturalisation application by a person (details supplied); and if he will make a statement on the matter. [9891/18]

Minister for Justice and Equality (Deputy Charles Flanagan): It is open to any individual to lodge an application for a certificate of naturalisation if and when they are in a position to meet the statutory requirements as prescribed in the Irish Nationality and Citizenship Act 1956, as amended. A determination on whether an applicant satisfies the statutory criteria attendant to naturalisation can only be made after an application for naturalisation has been received.

Children and Family Services Provision

26. Deputy Anne Rabbitte asked the **Minister for Children and Youth Affairs**   her views on whether children seeking asylum here are treated equally and fairly by welfare and protection services, particularly with regard to the allocation of social workers and aftercare provision; and if she is satisfied with existing arrangements. [19114/18]

Deputy Fiona O'Loughlin: I refer to the 1,200 children who are currently living in direct provision, some of whom are in my constituency in the Eyre Powell in Newbridge. Deputy Rabbitte met a group from Mosney at the recent Foróige awards and was most impressed with them. Does the Minister believe that children seeking asylum in Ireland are treated equally and fairly by Ireland's child welfare and protection services, particularly in the allocation of social workers and aftercare provision, and is she satisfied with existing arrangements?

Deputy Katherine Zappone: It is vital that we treat all children, who are received into State care, equally. There should be no differentiation in standards of care, priorities for care, other standards or protocols.

I am satisfied that the care provided to separated children seeking asylum is of a high standard, and that they receive an equal standard of care. Children seeking asylum who are in the custody of their parents remain in their care. Families living in direct provision centres have access to all Tusla services and are supported by a senior Tusla social worker, who works closely with the Reception and Integration Agency and staff in direct provision centres.

Children who present as unaccompanied minors may reunite with family members on arrival, or are taken into the care of Tusla. All separated children in care have a social worker with access to translation services where necessary. They live in residential or foster care, have educational assessments on arrival, and supports. Many of them, on reaching 18, stay in Tusla-provided accommodation to assist them in remaining in education. Tusla provides dedicated aftercare supports to this group of young adults.

Ireland's treatment of separated children seeking asylum is well-regarded internationally. Tusla has had a dedicated separated children seeking asylum team for many years now and it has gained the knowledge, skills and experience to provide a good quality service to separated children.

We have a good record in assisting unaccompanied children who arrive in Ireland. We played our part in helping children from the unofficial camp at Calais, and Tusla has offered to do more in regard to Italy and Greece.

We remain in contact with the Irish refugee protection programme, and we will continue to support vulnerable children under this programme.

Deputy Fiona O'Loughlin: The Minister says there should be no differentiation between the children who come to our shores under the direct provision model and our own children. I could not agree with her more but unfortunately it would seem there is a differentiation. The Minister also said that Ireland is regarded very highly for the way it supports these children yet in September 2006, in its review of Ireland's implementation of the provisions of the UN Convention on the Rights of the Child, the relevant UN committee specifically raised with the Irish delegation the question of discriminatory treatment for children of asylum seekers. The former Ombudsman for Children, Emily Logan, frequently drew attention to the particular difficulties faced by the children of asylum seekers in Ireland. In 2008 she observed that children who seek protection in the State, especially separated children seeking asylum and child victims of trafficking, are among the most vulnerable in our society and face multiple barriers to the realisation of their rights. Until recently the Ombudsman for Children excluded children living in direct provision from making complaints. It is welcome that has changed recently but many residents still fear making a complaint because of their very precarious status.

Deputy Katherine Zappone: With regard to the Deputy's question, the children who are in direct provision with their families are in the care of their families. Even though they are in the care of their families, there are a number of services available to them through Tusla. We have a dedicated Tusla person who regularly works with all direct provision centres throughout the country to ensure they have access to services as do children who are in the care of their families. The Deputy's question was about those children being treated equally and fairly compared with children who are separated and who are not in the care of their families. It is very important to Tusla. A number of practices have been developed with my support to ensure they have as good a service as they require given they are separated from their families and that they receive an equal standard of care in that regard.

Deputy Fiona O'Loughlin: Many social workers have raised concerns about the lack of inter-agency co-operation between the Department of Justice and Equality and the Department of Children and Youth Affairs. This has a negative impact on their ability to serve children seeking asylum. It is in direct contravention to the Children First: National Guidance for the Protection and Welfare of Children 2001, which asks all Government Departments and agencies to collaborate in the protection of children. For example, Tusla social care workers highlighted that many children seeking asylum are deported with very little warning. There is no engagement with the social care worker. It is wrong and very worrying. The open nature of direct provision means sometimes children can be exposed to unsuitable persons and behaviours. We all accept that direct provision can be an inherently stressful experience causing

additional mental health and educational issues. The opportunity for children to go on to further education is hugely important. Unaccompanied minors who are placed in foster care are discharged from State care at 18 years old and, essentially, must enter direct provision or be entirely cut off from State support. While the Department maintains that these minors have the same right to an aftercare plan as any other child in foster care, that is far from the reality. Will the Minister consider those issues? Are there any steps she will take to alleviate those challenges?

Deputy Katherine Zappone: Tusla provides dedicated aftercare supports to the group of young adults who reach 18, after they are 18. It uses its resources to do that. On the question on children in direct provision who are in the care of their families, some of the questions relate to direct provision, which is under the remit of another Ministry.

Perhaps some of the Deputy's questions are appropriate in that regard. In the context of my responsibilities, I work very closely with the Minister for Justice and Equality to ensure our officials, including the Tusla officials in my Department, come together with the gardaí in a number of working groups, including the strategic liaison committee and other working groups, to look at ways of ensuring the protocols and the ways of working together to support children in care are of the highest possible standard. We also acknowledge that reforms are needed. They have identified actions and they are being implemented on a number of levels. They are being implemented at a higher level with the Garda and my officials in Tusla in addition to the work that is going on on the ground. I am happy to say I have visited a number of direct provision centres around the country with an eye on ensuring the children who are there in the care of their families have access to the Tusla services I have indicated.

Syrian Conflict

69. Deputy Sean Sherlock asked the **Tánaiste and Minister for Foreign Affairs and Trade** the details of Ireland's involvement in contributing to the humanitarian effort in Syria. [18643/18]

Minister of State at the Department of Foreign Affairs and Trade (Deputy Ciarán Cannon): Since 2012, Ireland has provided over €108 million in response to the Syria crisis. This represents Ireland's largest ever engagement with a humanitarian crisis.

Our funding provides supports to those in need inside Syria as well as Syrian refugees and vulnerable host communities in the region. We work with UN, Red Cross and NGO partners to ensure that our funding reaches the most vulnerable. These partners provide humanitarian supplies and urgently needed health, education, water and sanitation services, as well as implementing measures to protect women, children and vulnerable families.

Through our membership of the EU, Ireland also supports the EU's humanitarian response in Syria. The EU and its member states are the single biggest donor to the Syria crisis having mobilised over €10.6 billion in humanitarian, stabilisation and resilience assistance since 2012.

In addition, through the Central Emergency Response Fund (CERF), to which Ireland is the eighth largest donor, a total of over \$100m has been provided to Syria.

At the recent Second Brussels Conference "Supporting the Future of Syria and the Region" on the 24-25 April, Ireland pledged €25 million in humanitarian assistance in response to the Syria crisis for 2018 and made a commitment to multi-annual support beyond 2018. We have begun to fulfil our 2018 pledge, having provided funding of over €15 million to UN and Red Cross partners for response inside Syria and in the broader region. We are currently preparing an additional disbursement to NGO partners, and funding to other humanitarian partners is also under consideration.

The Government remains strongly committed to supporting those affected by the Syria crisis. We will continue to monitor the situation and provide funding where needs are greatest. We will also continue to advocate within the EU and UN for a political solution to the crisis.

Family Reunification Policy

176. Deputy Thomas Byrne asked the **Minister for Justice and Equality** the rights to work of non-EEA citizens here who are partners or spouses of Irish citizens. [18589/18]

Minister for Justice and Equality (Deputy Charles Flanagan): I am advised by the Irish Naturalisation and Immigration Service (INIS) of my Department that immediate family members of Irish citizens who are granted immigration status through the family reunification process have the right to work without employment permits and to establish or manage/operate a business in the State. They should receive a "stamp 4" immigration permission.

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.

Immigration Controls

190. Deputy Michael McGrath asked the **Minister for Justice and Equality** the criteria used by immigration officers for carrying out additional checks including interviews in respect of persons arriving at airports here and who have a passport from another EU member state; and if he will make a statement on the matter. [18846/18]

Minister for Justice and Equality (Deputy Charles Flanagan): A European Union citizens in possession of a valid national identity card or passport as evidence of his or her nationality and identity may not be refused entry to the State subject to restrictions only for reasons of public policy, public security or public health.

Immigration Officers are required to establish the validity of travel documents presented to them for entry to the State. Section 11 of the Immigration Act, 2004 (as amended by the Civil Law (Miscellaneous Provisions) Act 2011) requires that every person landing in the State shall provide their passport or other equivalent document on request, and provide such information in such manner as the immigration officer may reasonably require.

Many nationals of European Union Member States choose to travel using their national identity card. Unfortunately, it is a regular feature of immigration control that cases arise of persons using false or fraudulently obtained EU national identity cards in an attempt to avail of free movement when they are not entitled to do so. There may be other matters that Immigration officers will wish to establish if they have concerns about the person presenting for entry to the State, including the risk of human trafficking, identification of lost or stolen travel documents, whether the person is the subject of an Irish removal order or poses a risk to the Common Travel Area.

Work Permits Data

205. Deputy Donnchadh Ó Laoghaire asked the **Minister for Business, Enterprise and Innovation** the number of applications for employment permits from asylum seekers that have been made in the past month; and the number of successful applications. [18839/18]

Minister for Business, Enterprise and Innovation (Deputy Heather Humphreys): From February 9th 2018, when section 16(3)(b) International Protection Act 2015 was struck down by the Supreme Court, until the date of entry into force of the EU (recast) Reception Conditions Directive, any eligible international protection applicants can access the employment permit system on the same basis as other non-EEA nationals. The opt-in process, involving formal discussions with the European Commission to ensure compliance with each aspect of the Directive, is expected to take four months to complete. The interim arrangements for the short period prior to the opt-in enables those seeking international protection to access the labour market through the Employment Permit Acts.

The Employment Permits Section of my Department inform me that one application for an employment permit has been received from an International Protection applicant and it is currently being processed. The Department of Justice and Equality advise that on 9th February 2018 it established a self-employment scheme for those who have sought International Protection in Ireland that are waiting more than nine months for a first instance decision on their application.

As of the morning of 27th April 2018, the Department of Justice and Equality had received 541 applications for self-employment and 368 of those applications had been granted.

Aftercare Services Provision

397. Deputy Bernard J. Durkan asked the **Minister for Children and Youth Affairs** the back-up facilities available on an ongoing basis for children and young adults on leaving institutional care; her plans to improve this service; and if she will make a statement on the matter. [19132/18]

Minister for Children and Youth Affairs (Deputy Katherine Zappone): As the Deputy is aware, the responsibility of my Department for children and young adults leaving institutional care relates specifically to those who are or have been in the care of the State. As the Deputy will also know, the aftercare provisions of the Child Care (Amendment) Act 2015 came into force on the first of September last. This means that there is now a statutory obligation on Tusla, the Child and Family Agency, to prepare an aftercare plan for each eligible child and young person. This plan encompasses the range of supports that a young person may need from all service providers, including Tusla, to help them make the transition to independent adult life. This might include identifying suitable accommodation, which for many young people may mean remaining with their former foster carer.

A minority of young people leaving care are at a more pronounced risk of entering unstable accommodation due to the complexity of their support needs. Funding is now available to Approved Housing Bodies (AHBs) under the Capital Assistance Scheme (CAS) to provide accommodation to these particularly vulnerable young people. The security provided by a tenancy in CAS accommodation combined with the aftercare supports identified by Tusla as part of the aftercare planning process should ensure that these young people have a safe base from which to begin their independent life.

I am pleased to inform the Deputy that I have secured an additional €40 million for Tusla in 2018. This is the third year in succession that Tusla has received a significant increase in its funding, which now amounts to over €753m. The additional resources secured for Tusla in 2018 will assist in meeting key priorities. The additional investment will allow Tusla to recruit a range of additional staff to respond to areas of identified risk, and to meet increased demand for services, including aftercare supports.

2nd May 2018

Asylum Applications

109. Deputy Clare Daly asked the **Minister for Justice and Equality** the reason it is taking 19 months for asylum seekers to receive an interview with the International Protection Office as highlighted by the UNHCR; the steps he will take to address the matter; and if he will make a statement on the matter. [19308/18]

Minister for Justice and Equality (Deputy Charles Flanagan): On 31 December 2016, the International Protection Act 2015 was commenced, providing for the introduction of a single application procedure for

people seeking international protection in the State. The 2015 Act replaces the previous sequential application system with a single application process, for asylum, subsidiary protection and permission to remain in the State, bringing Ireland into line with the processing arrangements applicable in other EU Member States. The structural causes of delays have been removed with the commencement of the International Protection Act 2015. The main challenge now faced is the need to quickly process the substantial cases on hand many of which were carried over from the previous system.

Considerable administrative resources were required by the International Protection Office (IPO) to get the new single procedure process up and running in the first part of 2017 and this transition process led to a shorter processing year. Nevertheless, the IPO succeeded in scheduling over 2,400 single procedure interviews (including in respect of EU relocation cases) once the process was up and running in 2017. Some 1,780 recommendations/decisions in respect of international protection and permission to remain were made by the IPO in 2017. This included some 750 recommendations in respect of the grant of international protection.

As of 27 April 2018, there are a total of 5,300 applications for international protection pending in the IPO. Some 2,200 of these applications were made before the commencement of the 2015 Act but were not finalised by the former Office of the Refugee Applications Commissioner (ORAC) and the former Refugee Appeals Tribunal (RAT) by that date. These applications reverted to be processed by the IPO under the transitional provisions of the 2015 Act. This has added significantly to the IPO's caseload. Furthermore, there was a 30% increase in applications for international protection during 2017 (including EU relocation cases) which has put additional pressure on the system.

Significant additional resources have and are being allocated to the IPO to assist it in undertaking its statutory functions with a view to processing the volume of cases on hands as soon as possible. The current staffing complement in the IPO is 130. In addition, there are some 55 serving members of the IPO's Legal Processing Panel. In the first 4 months of 2018, 1,100 single procedure interviews have been scheduled by the IPO. Thus far, some 1,170 recommendations/decisions in respect of international protection have been made by the IPO in 2018 (to 27 April 2018). This includes EU relocation cases, permission to remain and permission to remain reviews. There were also some 27 subsidiary protection cases dealt with under the European Union (Subsidiary Protection) Regulations 2013. Based on current predictions, the IPO is in line to make over 3,500 recommendations/decisions in 2018 which is a substantial increase on the 1,780 recommendations/decisions made last year.

Notwithstanding the increase in the volume of cases being processed by the IPO, it is recognised that currently many applicants for international protection are still waiting too long for their first instance interviews in the IPO and to have their cases decided. These challenges are being addressed by deploying increased resources and a continued review of efficiency and effective use of those resources, having due regard to the requirements of the 2015 Act, in order to maximise quality output and value for money for the taxpayer. In this regard, it is planned to increase the strength of the IPO Processing Panel over the coming months following public advertisement and interview.

Prioritisation of international protection applications is provided for in the International Protection Act 2015 subject to the need for fairness and efficiency. When the 'Application for International Protection Questionnaire (IPO 2)' and other supporting documentation is returned by applicants, the IPO is

scheduling applications for interview primarily on the basis of date of application (oldest cases first). However, certain categories of applicant are also being prioritised such as those who arrive under the Irish Refugee Protection Programme (IRPP), from refugee generating countries (such as Syria) and unaccompanied minors. The IPO's approach to prioritisation has been agreed with the UNHCR. It has been brought to the attention of the relevant NGOs at the IPO Customer Service Liaison Panel and is also available on its website: www.ipo.gov.ie

Direct Provision System

110. Deputy Clare Daly asked the **Minister for Justice and Equality** the status of the implementation of McMahon report recommendations 4.75 and 4.87 in view of the capacity concerns in the direct provision system and pressure on asylum seeker accommodation; the number and percentage of families residing in centres with access to their own private living space; and the number and percentage of single residents with their own room and or sharing with one, two or three or more persons, respectively. [19310/18]

Minister of State at the Department of Justice and Equality (Deputy David Stanton): The Third and Final Progress Report on the Implementation of the Report of the Working Group to Report to Government on Improvements to the Protection Process, including Direct Provision and Supports for Asylum Seekers, which was chaired by Dr. Bryan McMahon was published in June 2017. The Report showed that 133 of the recommendations contained in the McMahon Report were fully implemented with a further 36 recommendations in progress or partially implemented. The combined fully implemented or in progress/partially implemented recommendations make up 98% of the total recommendations contained in the McMahon Report. Both Recommendations 4.75 and 4.87 were deemed to be in progress in the Third and Final Report on the implementation of the McMahon Report.

Recommendation 4.75 was for the provision of access for families of cooking facilities (whether in a self contained unit or through use of a communal kitchen) as well as their own private living space. Currently a full independent living model (with food hall and points system) is operational in Mosney, Ballyhaunis, Clonakilty, Athlone and Millstreet which sees 1,539 residents with full autonomy in relation to the preparation of meals. A further 90 residents are accommodated in self catering units and another 1,103 residents are accommodated in centres that offer catering facilities to residents. This means a total of 2,732 residents out of a total current occupancy number of 5,327 have access to cooking facilities.

Designated family living space is provided at Mosney, Ballyhaunis, Millstreet, Watergate House and Carroll Village. There are a total of 1,211 residents at these centres. While it is not currently possible to provide statistics in relation to the number of families in these centres, it should be noted that these centres are primarily populated by families rather than single people. My Department, in conjunction with the Office of Government Procurement is in the process of holding a full open public procurement process for accommodation services to those people seeking international protection and the specifications for the relevant tenders will seek access to cooking facilities for all and the provision of designated family living space.

Recommendation 4.87 dealt with the provision of communal kitchens, in parallel with a catering option to single people as well as the provision of a mechanism to allow single people to apply for a room on their own after nine months with an offer to be made within 15 months. As outlined above, access to cooking facilities has been rolled out at a number of accommodation centres. Access to communal catering facilities is currently available in Galway City, Foynes and Tramore which are currently designated for the accommodation needs of single people. As I have stated, the roll-out of the public procurement process will require all providers of accommodation centres to provide cooking facilities to all residents.

Given the exceptional demand for accommodation places, it has not been possible to provide single rooms for single people. Currently, approximately 2.4% of bedspaces in the current accommodation portfolio are available to my Department for allocation to meet the needs of new persons in the protection process seeking accommodation.

In relation to the statistical information the Deputy is seeking, my Department does not currently collate statistics in this manner and is therefore unable to provide the information as requested.

Asylum Support Services

152. Deputy Anne Rabbitte asked the **Minister for Children and Youth Affairs** the number of children seeking asylum awaiting the allocation of a social care worker; the average wait time; and if she will make a statement on the matter. [19143/18]

Minister for Children and Youth Affairs (Deputy Katherine Zappone): Separated children seeking asylum, who are in care, are allocated a social worker. While they may receive services from social care workers, their dedicated point of contact remains their allocated social worker.

Children who are with their parents or families, and applying for asylum, remain in the care of their parents. They may receive supports from social workers or social care workers, as required. Tusla does not collate information who are unallocated on the basis of their nationality or asylum status.

I have written to Tusla, the Child and Family Agency and requested the information to which the Deputy refers, and will respond directly once I have received it.

Asylum Support Services

153. Deputy Anne Rabbitte asked the **Minister for Children and Youth Affairs** the number of children seeking asylum here awaiting an aftercare plan. [19144/18]

Minister for Children and Youth Affairs (Deputy Katherine Zappone): I have written to Tusla, the Child and Family Agency, and will provide the information to which the Deputy refers once I have received it.

3rd May 2018

Passport Applications Administration

52. Deputy David Cullinane asked the **Tánaiste and Minister for Foreign Affairs and Trade** if his attention has been drawn to the case of a person (details supplied); if a public services card is a requirement in order to make an application for a renewal passport; and if he will make a statement on the matter. [19339/18]

Tánaiste and Minister for Foreign Affairs and Trade (Deputy Simon Coveney): Since 29 March 2016, the Passport Service has required all first time passport applicants, aged 18 and above, who are resident in Ireland to hold a valid Public Services Card (PSC). This requirement also applies to the small number of adult passport applicants, whose passport was issued before 1 January 2005 and has been reported as lost, stolen or damaged and those whose passport expired more than five years ago. If an applicant falls in to one of the above mentioned categories of applicant, their application must include a copy of their PSC. I am informed by the Passport Service that the most recent passport issued to the individual referred to expired more than five years ago and hence a copy of the individual's PSC is required to be submitted with their renewal application. A key principle behind the concept of the PSC is that the delivery of services is more efficient when a person's identity does not have to be authenticated at every transaction. With specific reference to the issuance of passports, the introduction of the PSC requirement has allowed the Passport Service to dispense with requirements for certain additional documentation and reduces the overall volume of documentation that Irish citizens must submit when applying for a passport. The PSC requirement is now a key resource in the Passport Service's efforts to combat fraud and identity theft and uphold the integrity of the Irish passport.

With reference to the legal basis for the Minister to request a copy of an applicant's PSC, Section 7(1)(b) of the Passports Act 2008 (as amended) requires that the Minister be satisfied as to an individual's identity before issuing an Irish passport to that person. Sections 7(2) and 7(3) allow the Minister to seek such documentary evidence and information as may be needed to establish and verify an applicant's identity.