



Mark X. Wilson

From: Carol C. Baxter
Sent: 05 April 2019 18:47
To: Bobby P. Smyth; Civil Justice and Equality Executive Board Plus; Seamus S. Carroll
Cc: Bronagh R. McBride; Mark X. Wilson; Aidan G. O'Brien
Subject: RE: Civil Justice and Equality Executive Board Plus, Monday 8 April, 10am, Ground Floor Small Meeting Room
Attachments: Archived attachment list.txt

Sincere apologies for the delay in getting this to you but I attach terms of reference for the proposed committees on direct provision. The new element being proposed is that the proposed Advisory Group would advise on implementing the national standards, on identifying good practice in other European countries in managing variations in demand for accommodation and on developing positive relationships with local communities (i.e. seeing how we can avoid another Rooskey).

Kind regards,

Carol

From: Bobby P. Smyth <BPSmyth@justice.ie>
Sent: 05 April 2019 17:08
To: Civil Justice and Equality Executive Board Plus <CivilJusticeEqualityExecBoardPlus@jsector.net>; Seamus S. Carroll <SSCarroll@justice.ie>
Cc: Bronagh R. McBride <BRMcBride@justice.ie>
Subject: RE: Civil Justice and Equality Executive Board Plus, Monday 8 April, 10am, Ground Floor Small Meeting Room

Colleagues,

Please find attached final papers for Monday's Civil Justice and Equality Executive Board Plus.

A reminder that the meeting will take place in the Small Ground Floor Meeting Room (which is on the Policing Division Corridor, next to Mary McKenna's office) at 10am.

Regards,

Bobby

From: Bobby P. Smyth
Sent: 04 April 2019 10:51
To: Civil Justice and Equality Executive Board Plus <CivilJusticeEqualityExecBoardPlus@jsector.net>; Seamus S. Carroll <SSCarroll@justice.ie>
Cc: Bronagh R. McBride <BRMcBride@justice.ie>
Subject: Civil Justice and Equality Executive Board Plus, Monday 8 April, 10am, Ground Floor Small Meeting Room

Colleagues,

Please find attached an agenda for the CJEEB+ meeting for next Monday morning.

Please note the meeting is provisionally scheduled for the Small Ground Floor Meeting Room at 10am.

I have attached the Minutes both from the previous CJEEB+ meeting and from the most recent CJEEB meeting.

Please advise of any additions to the agenda and amendments to the minutes, by 12 noon tomorrow.

I will circulate a final agenda with accompanying papers tomorrow afternoon.

Regards,

Bobby Smyth

Corporate Secretariat Office

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Accommodation for Persons in the Protection Process

Context

RIA was established in November 1999¹ to coordinate a scheme of dispersal and direct provision for asylum seekers. The Government decision underpinning this followed an earlier Government decision, based on the recommendations of the *Interdepartmental Working Group on the Integration of Refugees in Ireland*.

In 2018, the original basis of the Direct Provision (DP) system was fundamentally altered, by Ireland opting in to the EU's recast Receptions Conditions Directive. DP is no longer an ad-hoc process but (arising from the opting-in) is now placed on a statutory footing which comes with a series of standards and rights the DP system is obliged to deliver. Compliance is subject to inspection and invoking by the EU. Infringement proceedings can be issued by the EU for failure to comply adequately with the Directive. During the opt-in implementation process, various Departments and Agencies confirmed that the preparation of the necessary framework was in place by June 30th 2018, in order for Ireland to meet its compliance obligation. It is in this context that a review is timely to ensure on-going compliance with the new statutory framework within which DP operates.

The Direct Provision system under the Directive, implemented and coordinated by RIA, refers to a whole of Government approach to services provided to persons who present in Ireland seeking international protection (also known as asylum). A suite of services is offered by a range of stakeholders to applicants while their applications are being assessed to fulfil their legal obligations towards recipients or applicants. While the Reception and Integration Agency (RIA) provides material reception conditions (accommodation and related services), health services are provided through the HSE, education through the Department of Education and Skills, payments through DEASP and so on.

Ministerial Decision

In early 2019, an eSubmission entitled *Revised Paper on Accommodation for Persons in the Protection Process*, sought to highlight the difficulties being encountered with the current system. This led to a Ministerial decision to establish two committees:

1. Interdepartmental Group

Context:

Twenty years on from the initial establishment of RIA, given the recent placing of the service on a statutory footing subject to EU oversight, and given the current pressures being experienced, it is timely for the State to reconsider its response to managing persons seeking international protection in the context of its obligations under the Directive.

¹ RIA itself was actually established in 2001, replacing the body initially established – Directorate for Asylum Services (DASS).

Terms of Reference:

In the context of the State's commitment under the EU Recast Reception Conditions Directive, and the presenting pressures on the direct provision system, a committee is being established to:

- (i) Consider contingency options for the management of applicants for international protection should the volume exceed RIA's capacity to implement options (including Brexit related movement) in the context of the standards required by the Directive,
- (ii) Consider the short-to-medium term options which could be implemented in addition to, or in replacement of, the existing system to meet the compliance standards of the Directive,
- (iii) To review the implementation by all parties of the State's obligations under the EU Directive

Chair: Dep Sec Gen Oonagh Buckley

Membership:

- Department of Employment Affairs and Social Protection
- Department of Children and Youth Affairs
- HSE
- Department of Housing, Planning and Local Government
- CCMA
- Department of Public Expenditure and Reform
- Tusla
- Department t of an Taoiseach
- Department of Justice and Equality (various divisions)

2. Consultative Group

Context:

The McMahon Report (June 2015) issued substantive recommendations on improvements necessary within the protection process and direct provision systems. There is a need now to consider how to maintain the process of improvement inaugurated by the McMahon process as we move into the next phase of implementing the requirements of the Recast Reception Conditions Directive.

There are three aspects to this process.

(1) One is to implement the national standards recommended in the report. A standard-setting committee was established in 2017 and has now finished its work. The final draft set of standards, focusing on quality of life for applicants living in direct provision, has now been prepared for Ministerial approval.

(2) Other Member States provide systems to support asylum seekers while in the protection process and often have to manage large volumes of residents and rapid variations in numbers. It would be useful to use the process to get information on the practices and systems in place in other European countries.

(3) The recent fires in Rooskey and Moville point to the need to review how we engage with local communities and manage the relationship between those communities and the centres and the asylum seekers living within them. The advisory committee could advise on developing more positive community engagement with communities in which centres are currently or will be located.

Terms of Reference:

Building on the work of Justice Brian McMahon and his committee which produced the report *Working Group to Report to Government on Improvements to the Protection Process, including Direct Provision and Supports to Asylum Seekers*, a committee is being established to advise on the ongoing improvement of supports for asylum seekers.

The advisory group will have the following role:

- To advise on the implementation of the National Standards for the management of direct provision accommodation and to report to the Minister of State accordingly;
- To identify good practice in European countries in the provision of supports to asylum seekers within the protection process, particularly dealing with variations in demand;²
- To advise on developing positive relationships between local communities and the systems for supporting asylum seekers.

Chair: To be decided

Membership:

- ESRI
- NESC
- Department of Rural and Community Development
- EASO
- HIQA
- LGMA
- Centre for Effective Services
- National Standards Authority
- HSE
- Tusla
- NGOs (cc Standards group)
- RIA

² A paper is being prepared by Eric Brady, PO INIS which can serve as the basis for consideration by the advisory group.

Mark X. Wilson

From: Oonagh M. Buckley
Sent: 05 April 2019 11:09
To: Carol C. Baxter; Louise P. Sandom; Mark X. Wilson
Subject: RE: Request from Minister

If there is a draft of the ToR might be useful to discuss at EB next week

From: Carol C. Baxter <ccbaxter@justice.ie>
Date: April 5, 2019 at 11:03:50 AM GMT+1
To: Louise P. Sandom <LPSandom@justice.ie>, Mark X. Wilson <MXWilson@justice.ie>
Cc: Oonagh M. Buckley <OMBuckley@justice.ie>
Subject: RE: Request from Minister

Dear Louise,

We are working on this and will have a submission to the Minister next week. We are to meet Limerick and Clare Councils on 10 April and would like to include the outcome of that meeting in the submission. If OK therefore, we would plan to submit the esubmission on 11 April.

Kind regards,

Carol

From: Louise P. Sandom <LPSandom@justice.ie>
Sent: 05 April 2019 11:00
To: Mark X. Wilson <MXWilson@justice.ie>; Carol C. Baxter <ccbaxter@justice.ie>
Cc: Oonagh M. Buckley <OMBuckley@justice.ie>
Subject: Request from Minister

Mark, Carol,

The Minister has asked for an update on progress since the meeting on DP on 14 February. In particular, he has asked if reconvening or re-establishing the McMahon group has been examined.

I know that the ToRs for the two Committees (High-Level Interdepartmental and Consultative) are being developed. Is a submission due to the Minister shortly?

Kind regards,

Louise.

Louise Sandom
Ministerial Liaison Officer | Civil Justice and Equality

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Mark X. Wilson

From: Mark X. Wilson
Sent: 03 May 2019 15:45
To: Oonagh M. Buckley; Carol C. Baxter
Cc: Joann M. Lynch; Ruth A. Dillon
Subject: RE: Submission DJE 00353-19 "RIA Proposed Committees & Term..." completed

Oonagh,

I've asked Ruth Dillon, HEO to take on the secretariat for the group, to be supported by Barbara Mulhall in the early stages of getting the group established.

Ruth will link with Joann to get this in motion.

Best regards,

Mark

From: Oonagh M. Buckley <OMBuckley@justice.ie>
Sent: 30 April 2019 16:36
To: Carol C. Baxter <ccbaxter@justice.ie>; Mark X. Wilson <MXWilson@justice.ie>
Cc: Joann M. Lynch <JMLynch@justice.ie>
Subject: RE: Submission DJE 00353-19 "RIA Proposed Committees & Term..." completed

Carol, Mark,

Minister seemed surprised that the IDC hadn't yet been established when I spoke to him; mentioned that we were waiting on him clearing the e-sub which he has now done.

He is happy that I have now spoken to Judge McMahon and you will be briefing him next week.

The establishment of the IDC in particular is now very pressing – I would be grateful if the letters could issue under my signature to the various SG's asking for quick nominees (they are all pretty well lined up) and a first meeting by mid May.

Thanks,

Oonagh.

From: Ciarán X Allen <CXAllen@justice.ie>
Sent: 30 April 2019 16:26
To: Oonagh M. Buckley <OMBuckley@justice.ie>; Carol C. Baxter <ccbaxter@justice.ie>
Subject: FW: Submission DJE 00353-19 "RIA Proposed Committees & Term..." completed

FYI

From: eSubmissions (Justice) <noreply@cloud.gov.ie>

Sent: 30 April 2019 16:25

To: Mark X. Wilson <MXWilson@justice.ie>

Cc: Bronagh R. McBride <BRMcBride@justice.ie>; Aidan O'Driscoll <AODriscoll@justice.ie>; Gillian X. Gilleran <GXGilleran@justice.ie>; Yvonne M. Phillips <ymphillips@justice.ie>; eSubmissionsMinistersOffice

<eSubmissionsMinistersOffice@justice.ie>; eSubmissionsSecGenOffice <eSubmissionsSecGenOffice@justice.ie>

Subject: Submission DJE 00353-19 "RIA Proposed Committees & Term..." completed

The submission has been marked as complete by Ciarán X Allen.

DJE 00353-19: RIA Proposed Committees & Terms of Reference

Final comment:

"Agreed" by Minister