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Community and Family Affairs,
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Dublin 1.



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Poball agus Teaghlaigh,
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Ms Catherine Byrne,

14th June 2000

Principal,
Directorate for Asylum Seeker Services,
Department of Justice, Equality and Law Reform,
94 St. Stephen's Green,
Dublin 2.

Dear Catherine,

Re: Direct Provision arrangements

Further to our meeting on 7th June, I wish to set out in more detail the point I made with regard to the Directorate taking responsibility for making the residual payments to asylum seekers in Direct Provision.

Direct Provision was first formally identified as an option for meeting the basic needs of asylum seekers by a Working Group that reported to Government in February 1998. The main objective was to remove the need for asylum seekers to have recourse to the social welfare system because that was thought by some to be a "pull factor" and because the UK authorities were planning to introduce a direct provision system for similar reasons. The following extracts from this Department's letter of 5th February to your Department's John Hurley, Secretary of Chair of that Working Group, sets out the background:

"There is concern at Government that direct access to the welfare system on the same basis as Irish citizens should be addressed. The only practical proposal identified by the Working Group for achieving this in a manner consistent with the State's obligations to asylum seekers is direct provision of support They have access to the social welfare system only because there is no other mechanism in place to discharge the State's obligations towards them. If priority is to be given to removing access to the social welfare system, then the only practical course of action open to Government is to provide for their needs directly".

DP payment IS SWA!!

While Direct Provision has been introduced with effect from 10th April, "removing access to the social welfare system" has not been achieved because residual payments are still made through the social welfare system (by Community Welfare Officers). The Minister for Justice, Equality and Law Reform has stated, in his letter to the Minister for Social, Community and Family Affairs of 3rd May 2000, that he fully accepts "that the most effective way in the long term of dealing with the income maintenance issue would be to remove asylum seekers from the scope of the social welfare legislation altogether." Minister Ahern responded on 23rd May stating that:

"The most effective way of providing asylum seekers with a residual income when they are in Direct Provision is for the payment to be made in cash at the Reception Centre – any objective analysis would, I believe, support this view. I agree that this cannot be done overnight but such a system could be implemented within weeks. This approach should be incorporated in the draft policy document that your Department is currently preparing. It would remove the need for the social welfare system to be involved through Community Welfare Officers. It would be more sensible from the asylum seeker's point of view also, as they would be getting their income directly without having to claim it at the Post Office or at the Bank. It would also be more efficient from an administrative viewpoint as the cost of administering these payments through the social welfare system is a very high proportion of the value of the payment."

Mr. Michael Walsh, Assistant Chief Executive of the Northern Area Health Board wrote to Ms. Berenice O Neill on 24th May in similar terms.

I am anxious that we should make progress on this in the next few weeks, with a view to the Directorate assuming sole responsibility for making residual payments by 1st September 2000. It is not desirable that the present temporary arrangements should continue for a prolonged period because, with the passage of time, it will become increasingly difficult to disengage Community Welfare Officers from the process of making residual payments through the SWA system at Reception Centres. The situation would be exacerbated if the numbers of asylum seekers to be served were to increase, leading to an increase in the number of CWOs dealing with them.

A further reason for putting new arrangements in place quickly is that Community Welfare Officers who are currently engaged in that work will have to be redeployed elsewhere within the Community Welfare Service. For reasons unrelated to the asylum issue, the scope for doing so will diminish greatly after September.

I would be grateful if you could arrange to have this matter advanced as soon as possible. I would be happy to meet with you or your colleagues to discuss the issue and to provide any assistance I can in the matter.



On another topic, please see enclosed a copy of my letter to Paul McDonnell, for your information.

Yours sincerely,



Brian O Raghallaigh
Principal,
Planning Unit.