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FOI Doc

Mr. David Costello,
Principal,
Department of Justice, Equality and Law Reform,
72 - 76 St. Stephen's Green,
Dublin 2.

10th July 2002

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Dear David,

The Department of Social and Family Affairs meets formally with trade unions representing Community Welfare Officers (CWOs) and Superintendent Community Welfare Officers (SCWOs) in a "*Consultative Forum*" that convenes once a quarter. The objective is to provide a regular opportunity to exchange information and to discuss matters of mutual interest.

At the most recent meeting, the unions expressed an interest in meeting with the relevant officials in the Department of Justice, Equality and Law Reform, or relevant agencies of the Department, in relation to a range of matters in the asylum and immigration areas. I undertook to raise this with your Department, outlining the range of topics they wished to discuss, and to indicate subsequently to the unions how best this could be progressed.

My understanding of the unions' concerns is that some members feel that our two Departments are in their own words "*manipulating the Community Welfare Service*" so that it deals with asylum seekers and other non nationals on terms that they feel are less than desirable. This applies in particular to the making of regular weekly payments to people in the Direct Provision system that in the unions' view the two Departments do not want to make. That view also arises also in respect of the reduced rate of payment that is not in keeping with SWA, in their opinion. Staffing levels and provision of other resources and supports for the delivery of this service are also perceived to be inadequate by the unions.

The unions have indicated that the withdrawal of the I.D. card from those non-nationals no longer classified as asylum seekers presents very considerable difficulty for CWOs. There are increasing numbers of claimants in this category. This in turn affects the claimant who has difficulty in accessing their basic weekly income (payable mainly by Postdraft at Post Offices) and problems for the Post Offices who have been under instruction to require non-national claimants to present an ID card in addition to a PPSN card.

The level of communication between the Department and SCWOs /CWOs is perceived by the unions to be poor, particularly at district level. There is a perceived reluctance to provide claimants attending at the Department of Justice, Equality and Law Reform or its agencies with written information requested by a CWO /SCWO e.g. proof of withdrawal of asylum claim, current status of an asylum claim etc.

The Department of Justice, Equality and Law Reform is perceived by the unions as being reluctant to co-operate with CWOs while at the same time, CWOs are being asked to fill in forms in respect of clients for your Department. While anxious to have good two-way communication, CWOs would not see themselves as fulfilling what some of its members perceive to be a policing function. This perception arises also in relation to people who are subject to deportation orders but who are still within the State.

I think it would be useful to have such a meeting. At minimum, it would allow yourselves and the unions representing CWOs and SCWOs an opportunity to exchange views and perspectives. My understanding is that the unions may suggest that a designated person be assigned within each relevant section or agency of your Department who would work to minimise difficulties and who could be contacted in the event of difficulties arising. They may also suggest that the Department would provide a list, either directly to Boards or via this Department, of those persons granted refugee status and/or granted right of residency, to facilitate CWOs in delivering social welfare entitlements to those people.

I am raising this matter with you in the first instance in view of your policy role in relation to the Direct Provision system but I realise that the range of issues indicated by the unions extends beyond your own area. Perhaps you might discuss this with your colleagues in the other relevant areas and let me know in due course whether a meeting will be facilitated? If so, I will then convey that to the unions and leave you and them to work out the arrangements.

In the meantime, if you wish to discuss any aspect of this with me, feel free to phone me at 704 3210 or 087 - 24 25 118.

Yours sincerely

Brian O Raghallaigh
Principal

- 6.11 Legislation to define rights and obligations is needed. The Report should make it clear that removing the entitlement to seek social assistance could foster the development of an undocumented underclass in the absence of any other measures (such as an effective deportation system) to deal with the matter.
- 6.17 A regional structure is required and County Council areas are too small a unit. However, the regional structure does not have to be based on Health Board regions and there is a case for have a smaller number of units at regional level to maximise efficiency and to provide a sufficient volume to enable specialisation where appropriate. There is a big disparity in population and resources within the seven Boards + ERHA. For example, the Midland and North Western Health Boards each serve a population of less than 210,000, the South Eastern serves almost 400,000 people and the Southern serves over 500,000.

An alternative approach could be based on four regions, each with a population base of between 500,000 and 700,000 covering:

- (i) the North West and West,
- (ii) the North East and Midlands
- (iii) the South West
- (iv) the South East.

- 6.19 The role of the Reception Centre Manager is not clear e.g. who employs them, who do they report to, what are their responsibilities etc.
- 6.20 The role of the CWO in delivering GP, dental and other health services may be over-stated and the role of other Community Care staff understated. Clearly, there will be a need for additional resources to deal with the needs of asylum seekers in communities with significant numbers of asylum seekers. However, further consideration should be given, in conjunction with the Department of Health & Children and the Health Boards, to whether additional CWOs are the best option in all circumstances.

It be useful to explicitly set out here that the Community Welfare Service is not responsible for identifying accommodation for asylum seekers.

- 6.22 The last bullet point, concerning accommodating children at locations from where they can readily access schools, should be repeated at Paragraphs 6.27.

6.27 In view of the importance of the criteria for dispersal, and of the proposed structures, they should be set out in Paragraph 6.27 (as opposed to a reference in 6.27 to earlier in the Chapter).

“Interpreters” listed twice in 4th bullet point.

For clarity, replace “regional office” with “Regional Co-ordinator” at the 7th bullet point and at Paragraph 9.4 “Public Opinion / Civic Leadership”

The last two bullet points, regarding FAS training and the need for a Management Information System, should be reproduced in Chapter 9 also.

8.5 &

8.15 For clarity, responsibility for vetting and regulating accommodation should be the responsibility of the Directorate/ RIA. In discharging that responsibility, the Directorate/ RIA should involve other State agencies where it is appropriate e.g. local authorities in relation to fire safety and accommodation standards, health boards in relation to hygiene etc.

8.6.2 Agreed that vouchers should not be used for the reasons stated and also because of the likelihood of forgery and misappropriation.

8.6.3 &

8.15 The “Social Services Card” is now the “Public Service Card”. There may be some difficulties in using the card in the manner suggested. This is being examined as part of the REACH initiative – the Department of Justice, Equality and Law Reform should liase directly with the REACH group in this matter.

8.9.1 Updated figures required on the numbers of people in Direct Provision.

8.13 Further consideration should be to the management structures, with a view to strengthening the recommendations.

8.15 The 2nd, 5th, 6th and 7th bullet points should be included in Chapter 9.

9.4

"DASS Legislation":

the proposal is agreed subject to the comment on the text at Paragraph 6.11. As legislation is a matter for the Oireachtas, the recommendation should be re-worded to: *"The rights should be defined in legislative proposals for consideration by Government and the Oireachtas"*.

NA

As for each as 2000!

"Public Opinion / Civic Leadership"

For clarity, replace "regional office" with "Regional Co-ordinator" at the 7th bullet point and at Paragraph 9.4

"Monitoring and Review of Policy"

Add a further bullet point: *"an inter-Departmental Committee should be established under the aegis of Roinn an Taoisigh to co-ordinate Departmental inputs and to complement the work of the Refugee Advisory Board, when that is established"*.

"Resource Issues"

3rd bullet point is a repeat of the 2nd bullet point in "Structural Changes and service requirements"

In view of the importance of education, the recommendations contained in the Education Report should be set out in Paragraph 9.4

It is not clear where the following items are discussed in the text:

- a. "Accommodation", 3rd bullet point
- b. "Monitoring and Review of Policy"

Education Report

8.2.2 It is not clear why the proposed Educational Support Unit for Non-Nationals would liase rather than merge with the Refugee Language Support Unit.