



OFFICE OF THE MINISTER FOR JUSTICE, EQUALITY AND LAW REFORM
OIFIG AN AIRE DLÍ AGUS CIRT, COMHIONANNAIS AGUS ATHCHÓIRITHE DLÍ

Mr Brian O'Raghallaigh
Principal
Department of Social Community &
Family Affairs
Áras Mhic Dhiarmada
Store Street
Dublin 1

DL
October, 2002

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Dear Mr O'Raghallaigh,

I am writing to you in connection with the Advisory Board of the Reception and Integration Agency - of which you are a member.

Since taking up office, I have been giving considerable thought to the organisation of the State's administrative apparatus for dealing with asylum seekers, refugees and immigration matters in general. Specifically in relation to asylum seekers and as you are aware, the determination of claims for asylum at first instance and on appeal are the responsibility, under statute, of the Refugee Applications Commissioner and the Refugee Appeals Tribunal, respectively. I have no plans to alter these institutional arrangements for initial claim determination or appeals.

As you know, the Reception and Integration Agency - which operates on a non-statutory basis - has no role in the determination of asylum claims. One of its principal functions is arranging reception and accommodation facilities for asylum seekers under the system of direct provision. Another is the co-ordination of services for asylum seekers, including social welfare, health care, education and so forth. A third very important function of the Agency is co-ordinating the implementation of integration policy for refugees and those granted leave to remain in the State. In exercising these functions, the Agency is to a significant degree dependent on the co-operation of the relevant government departments and statutory public service organisations.

Taking the work of the Agency forward, I have decided, in line with the commitment in the Programme for Government, to take a different approach to its work. Firstly, and after careful deliberation, I have decided not to proceed at this stage with the introduction of legislation to put the Agency on a separate statutory footing. I believe that in discharging its mandate no obvious benefits would accrue to the Agency, which, for example, would outweigh the inevitable and considerable additional costs that would arise, as a matter of course, in giving the Agency a separate corporate and legal identity.

Moreover, and on a more fundamental level, I am concerned that the establishment of a separate statutory body to discharge the State's functions in relation to the

integration of refugees and others granted leave to remain in the State would be inimical to the well-established public policy imperative of mainstreaming service provision in this area. While I would not rule out the establishment of such a body at some future point in time, I am firmly of the view that at this stage of policy development, the most effective way of ensuring delivery of services to this cohort is by the relevant statutory bodies retaining primary responsibility for them. The Reception and Integration Agency should exercise a co-ordinating role and, in some areas, lead initiatives requiring a bi-lateral or multi-lateral approach.

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In keeping with this policy and to underline the importance I attach to these issues, I have secured the agreement of the Government to establish a cabinet sub-committee which will oversee policy development and direction across the wider immigration/asylum area. This sub-committee will comprise the departments involved in service provision as well as wider and related issues in the area. In taking this course of action, I am also signaling a stronger focus on a whole-of- government approach to the issues.

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In all the circumstances, I am not convinced that the continued existence of the Advisory Board, with, by definition, its specific focus on particular aspects of the asylum seeker/refugee issue, would be warranted.

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I would like to thank you for your services to the Board and in particular, the work put in by you and your colleagues on the development of the draft policy document on reception of asylum seekers. In its relatively short time in existence, the Board has made a significant contribution to the work of the Agency and I am grateful to you for that. The draft policy document is being revised and updated, inter alia, to reflect the differing views of Board members and you may be assured that I will have due regard to its content in the period ahead.

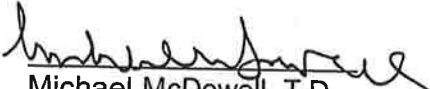
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I am advised by the Director that Board members have been of great assistance in advancing specific projects in important areas of the Agency's remit and I am keen to see this sort of collaboration continue. Other such projects will arise from time to time and the ongoing contribution of board members would be valued. I have asked the Director to contact you to ascertain your willingness in this respect.

I regard it as appropriate to inform the members of the Board of the decision which I have made in advance of making the decision public. I will be issuing a public announcement in the matter in the next few days.

In conclusion, could I again thank you for participating on the Advisory Board since its inception. Huge assistance was given in terms of the State getting to grips with this difficult and complex issue and I intend to build on that foundation.

Yours sincerely


Michael McDowell, T.D.,
MINISTER FOR JUSTICE,
EQUALITY AND LAW REFORM.