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Mr Dermot Ahern
Minister for Social,
Community and Family Affairs,
Dublin 1



3 May 2000

Dear Dermot

As you know, the Government decided last November that asylum seekers should be dispersed to locations around the country and have their needs met directly rather than through cash means.

Since 10 April persons claiming asylum are being accommodated by the Directorate for Asylum Support Services at initial reception centres in Dublin for a period of 1-2 weeks - to facilitate the provision of information, needs assessment and initial processing of their asylum claims - before being allocated temporary accommodation around the country while their applications for asylum are being processed. This accommodation is provided on a full board basis. In these circumstances, asylum seekers are not paid full social welfare allowances but, as agreed with your Department, are paid a reduced allowance of £15 per adult and £7.50 per child under the Supplementary Welfare Allowances Scheme to take account of the value of food and accommodation provided directly.

Notwithstanding Government policy as outlined above and the issue of circulars by senior management in the health boards to relevant staff, it has been brought to my attention that in quite a number of instances Community Welfare Officers are paying full basic Supplementary Welfare Allowance and rent supplements and deposits to asylum seekers who leave or do not avail of direct provision. This concerns me greatly as it is clearly contrary to Government policy and, if allowed to continue, will totally undermine the systems in place for direct provision and indeed, Government policy.

I fully accept 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 social welfare legislation altogether. However, this cannot be done overnight. In the meantime, in circumstances where asylum seekers leave or do not avail of direct provision, thereby rendering

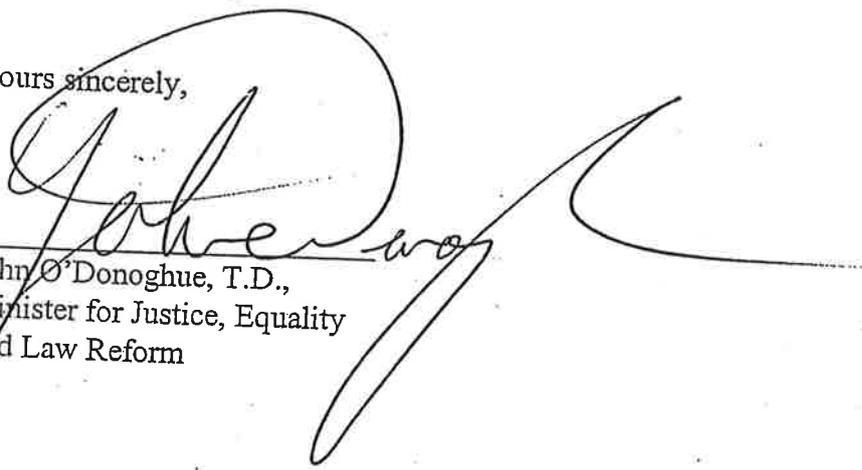
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themselves homeless, it is not acceptable that Community Welfare Officers would pay full basic supplementary welfare allowance and assistance towards rent in respect of accommodation in the private-rented sector. I understand that there is adequate scope within the provisions of the Supplementary Welfare Allowances Regulations to adopt this approach. In the interest of equity, it is also important that asylum seekers are treated in a consistent manner by all Community Welfare Officers.

In view of the foregoing, I would ask you to let me know, as a matter of urgency, what steps are being taken to ensure that Community Welfare Officers do not facilitate asylum seekers to leave or evade direct provision. As you know, there is a special Government meeting on 9 May to discuss asylum and immigration issues. I wish to assure the Taoiseach at that meeting that Government policy on dispersal and direct provision is being implemented. In the circumstances a reply before Monday 8 May would be appreciated.

I have also written to our colleague, the Minister for Health and Children, in this matter.

With Best Wishes.

Yours sincerely,



John O'Donoghue, T.D.,
Minister for Justice, Equality
and Law Reform

c.c.

An Taoiseach - for information

Doc 25

#ExploringDP

Mr. John O Donoghue,
Minister for Justice, Equality and Law Reform,
72 – 76 St. Stephen's Green,
Dublin 2.

17th May 2000

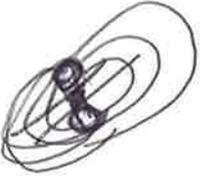
Dear John,

Further to your letter of 3rd May, I of course fully accept the Government's policy of Direct Provision and would not wish to see it undermined. As you know, I instructed my officials to argue for Direct Provision at the inter-Departmental Committee on these matters as long ago as 1997. This was in response to the perception that the social welfare system was in some way attracting asylum seekers to this State and I felt that a system of Direct Provision was the only effective way of meeting that argument. In fact, it was a matter of some disappointment to me that it took as long as it did to get a system of Direct Provision in place.

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. 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.

With regard to people who leave or do not avail of Direct Provision, you mention that quite a number of instances have been brought to your attention but you did not provide any details. You will appreciate that I cannot have this investigated without having specific details of the cases concerned. A handwritten list of some 120 individuals was provided last week in response to a request from my officials for relevant details. However, the information provided was illegible in many instances and no details of social welfare payments were included. My officials have had the list typed, insofar as they could make out the information provided, and returned to your Department for amendment and any further details that you may have. A response is still awaited.

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Exploratory DP

Of course, the fact that a person leaves or does not avail of Direct Provision does not necessarily mean that they are receiving a social welfare payment. They may be living independently or may have left the State. Furthermore, in any cases where a social welfare payment may be made, we must not exclude the possibility that this is fully justified by the particular circumstances of the individual or family concerned.

For example, in the Memorandum that you brought to Government last week, you mentioned 55 instances of people leaving one full board accommodation centre in Galway. As you know, this information was provided only when the final version of the Memorandum was circulated on the evening before the Government meeting and for that reason, it was not possible to have the matter investigated prior to the meeting. However, the Western Health Board has since informed me that there are 18 cases – not 55 – in the entire Western Health Board area and that exceptions are made only where this is justified. They cite couples with small children or babies and women who are 30 or more weeks pregnant. Diabetes was a factor in one case. I do not think it is in our interest to take a heavy handed approach in dealing with what are, after all, small numbers of exceptions. To do so could undermine the success that the Health Boards and your officials have had in implementing the system in the vast majority of cases.

This is a matter that is best handled sensitively and monitored to ensure that the numbers of exceptions made do not constitute an undermining of the overall policy. These matters, and the related accommodation issues, are only side effects of the underlying problem. Unless and until asylum claims are decided and followed through in a timely manner in volumes that at least match the numbers arriving, then we will not reach the outcomes which we all wish to see and are striving for in this area. You can be assured of my continuing support for your efforts in that matter.

With kind regards,


DERMOT AHERN, T.D.,
Minister for Social, Community and Family Affairs.

