

## Schedule of Records re: FOI Request made to the Ombudsman for Children's Office on 26 October 2019

Record No.	No. pages	Date	Brief description of record	Decision	Exempt Section of 2014 Act	Reasons
		<b>2015</b>				
1	3	30/04/2015	OCO note on meeting with the Minister for Justice and Equality	Partial release (information on other matters redacted on pages 1,2 and 3)		
2	3	22/07/2015	Letter from the Ombudsman for Children to the Minister for Justice and Equality	Partial release (information on other matters redacted on pages 1, 2 and 3)		
3	2	06/11/2015	Letter from the Ombudsman for Children to the Minister for Justice and Equality	Partial release (information on other matters redacted on page 1)		
4	1	10/12/2015	Letter from the Ombudsman for Children to the Minister for Justice and Equality	Yes		
5	1	14/12/2015	Letter from the Department of Justice and Equality (DJE) to the Ombudsman for Children	Yes		
		<b>2016</b>				
6	2	19/01/2016	Letter from the Ombudsman for Children to the Minister for Justice and Equality	Yes		
7	4	03/02/2016	OCO note on meeting with the Minister for Justice and Equality	Partial release (information on other matters redacted on pages 2, 3 and 4)		
8	2	04/02/2016	Letter from the Ombudsman for Children to the Minister for Justice and Equality	Partial release (information on other matters redacted on pages 1 and 2)		
9	2	14/03/2016	Letter from the Ombudsman for Children to the Minister for Children and Youth Affairs	Partial release (information on other matters redacted on pages 1 and 2)		

Record No.	No. pages	Date	Brief description of record	Decision	Exempt Section of 2014 Act	Reasons
10	2	16/06/2016	Email from the Department of Children and Youth Affairs (DCYA) to the OCO	No	Section 35(1)(a)	Information obtained in confidence
11	1	22/03/2016	Letter from the Minister for Justice and Equality to the Ombudsman for Children	Partial release (information on other matters redacted)		
12	2	21/06/2016	Email from the OCO to the Reception and Integration Agency (RIA) and response from RIA to the OCO	Yes		
13	12	02/08/2016	Email from RIA to the OCO	Partial release (page 1 released; other information not released as given in confidence)	Section 35(1)(a)	Information obtained in confidence
14	1	28/10/2016	Email from the OCO to RIA	Yes		
15	2	02/11/2016	Internal OCO email	Partial release (legal advice on page 2 redacted)	Section 31(1)(a)	Parliamentary, court and certain other matters
16	2	02/11/2016	Draft joint letter from the Ombudsman for Children and the Ombudsman to the Minister for Justice and Equality	Yes		
17	2	02/11/2016	Joint letter from the Ombudsman for Children and the Ombudsman to the Minister for Justice and Equality	Yes		
18	1	08/11/2016	Letter from the Minister for Justice and Equality to the Ombudsman for Children	Yes		
19	1	25/11/2016	Internal OCO email	Yes		
20	2	25/11/2016	Email from the OCO to RIA	Yes		
21	2	28/11/2016	Email from RIA to the OCO	Yes		
22	1	02/12/2016	Email from the OCO to RIA	Yes		
23	1	16/12/2016	Email from the DCYA to the OCO	Yes		

Record No.	No. pages	Date	Brief description of record	Decision	Exempt Section of 2014 Act	Reasons
24	2	21/12/2016	Letter from the Minister for Justice and Equality to the Ombudsman for Children	Yes		
		<b>2017</b>				
25	1	03/01/2017	Email from RIA to the OCO	Yes		
26	2	03/01/2017	Draft Statutory Instrument	Yes		
27	1	05/01/2017	Email from RIA to the OCO	Yes		
28	2	05/01/2017	Draft Statutory Instrument	Yes		
29	2	24/01/2017	Email from the DCYA to the OCO, further to previous emails between the DCYA and the OCO in Jan 2017	Partial release (legal advice on page 1 redacted)	Section 31(1)(a)	Parliamentary, court and certain other matters
30	21	14/02/17	Legal advice provided to the OCO	No	Section 31(1)(a)	Parliamentary, court and certain other matters
31	1	21/02/2017	Email from the OCO to RIA	Yes		
32	1	27/02/2017	Email from RIA to the OCO	Yes		
33	1	27/02/2017	Letter from RIA dated 24/02/2017 as attached to previous to the email dated 27/02/2017 (record #32 above)	Yes		

Note on meeting with Minister Fitzgerald

30 April 2015

In attendance: Minister Fitzgerald  
Noel Waters (Acting Secretary General)  
Declan ?? (P.O.)  
  
Niall Muldoon (OCO)  
Deirdre O'Shea (OCO)  
Paraic Walsh (OCO)

1. The meeting was convened at the request of the OCO. The agenda for the meeting is attached at Annex 1.

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The Points Raised:

[Redacted text block]

- Direct Provision
  - The Minister discussed the role and remit of OCO in this regard and referred to the exclusion in the OCO Act. NM then set out the OCO view that the relevant section



**ANNEX 1**

Agenda for meeting with Minister Fitzgerald – 30<sup>th</sup> April 2015

- [REDACTED]
  - Direct Provision
- [REDACTED]

#ExploringDP



Frances Fitzgerald TD  
Minister for Justice and Equality  
Department of Justice and Equality  
94 St Stephen's Green  
Dublin 2

22 July 2015

**RE: Working Group Report to Government on Improvements to the Protection Process, including Direct Provision and Supports to Asylum Seekers**

Dear Minister Fitzgerald,



ombudsman  
do leanaí  
for children

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The matter of complaints relating to services provided in the context of Direct Provision was also considered by the Working Group. I welcome its recommendations that the statutory remit of my Office to investigate complaints should include services provided to residents in Direct Provision accommodation centres and transfer decisions following a breach of the House Rules. I also welcome the Working Group's recommendation that recourse to my Office should be available to complainants who are dissatisfied with the final outcome of the RIA complaints procedure (para. 4.135).



**ombudsman**  
for children • do leanaí

I believe that implementation of these recommendations of the Working Group would be a very constructive step. It would support an independent, impartial and efficient resolution of maladministration issues, if any, that may arise in relation to children in the system and could strengthen confidence in the system itself.

[REDACTED]

As regards my Office's complaints-handling remit, I hope that implementation of the Working Group's recommendations can proceed without delay and I am available to provide assistance in this regard.

[REDACTED]

Yours sincerely,

Dr Niall Muldoon  
Ombudsman for Children

#ExploringDP



Frances Fitzgerald TD  
Minister for Justice and Equality  
Department of Justice and Equality  
94 St Stephen's Green  
Dublin 2

6 November 2015

Dear Minister Fitzgerald,



ombudsman  
do leanaf  
for children

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With compliments

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Baile Átha Cliath 1  
D01 F5P8

Ombudsman for Children's Office  
Millennium House  
52-56 Great Strand Street  
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As you are also aware from my letter of 22 July, I believe implementation of the Working Group's recommendations in respect of my Office's complaints-handling remit in this area would be a very constructive step.

In this regard, the List of Issues published by the UN Committee on the Rights of the Child in June 2015 in relation to the combined third and fourth periodic reports of Ireland includes a request to the State for "details on independent mechanisms for receiving complaints and conducting investigations in cases involving public bodies, including in issues regarding asylum, immigration, naturalisation and citizenship."

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In light of this, I believe that it would be very positive if the recommendations of the Working Group regarding my complaints-handling remit could be progressed in advance of the plenary meeting between the State and the UN Committee on the Rights of the Child in January 2016. I am available to you and your officials to provide assistance in this regard.

Yours sincerely,

Dr Niall Muldoon

Ombudsman for Children

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Frances Fitzgerald TD  
Minister for Justice and Equality  
Department of Justice and Equality  
94 St. Stephen's Green  
Dublin 2

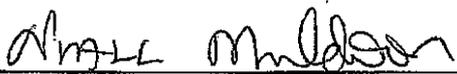
10<sup>th</sup> December 2015

Dear Minister Fitzgerald,

I am writing further to my letter of the 6<sup>th</sup> November which sought an update on the progress being made in relation to the Report from the Working Group, chaired by Judge McMahon, around Protection Application and the Direct Provision System.

I would be grateful for any up to date information on this matter.

Yours sincerely,

  
\_\_\_\_\_

Dr. Niall Muldoon  
Ombudsman for Children

#ExploringDR  
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AN ROINN DLÍ AGUS CIRT AGUS COMHIONANNAIS  
DEPARTMENT OF JUSTICE AND EQUALITY

Dr. Niall Muldoon  
Ombudsman for Children  
Millennium House  
52-56 Great Strand Sreet  
Dublin 1

Minister Reference: 0728111111

14 December, 2015



16 DEC 2015

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Dear Dr. Muldoon,

I write to acknowledge receipt of your letter dated 10 December, 2015 regarding the Report from the Working Group around the Protection Application and the Direct Provision System.

Yours sincerely,

Chris Quattrociochi  
Private Secretary to the  
Minister for Justice and Equality



Frances Fitzgerald TD  
Minister for Justice and Equality  
Department of Justice and Equality  
94 St. Stephen's Green  
Dublin 2

19<sup>th</sup> January 2016

Dear Minister Fitzgerald,

I write following my attendance at the 71<sup>st</sup> Session of the UN Committee on the Rights of the Child last Thursday, 14<sup>th</sup> January, when members of the UN Committee met with a State delegation led by Minister James Reilly to examine Ireland's progress with fulfilling its obligations to children under the UN Convention on the Rights of the Child.

Among the questions put to the delegation by members of the UN Committee on the Rights of the Child was a question as to why my Office is precluded from dealing with complaints made by or on behalf of children in the Direct Provision system.

In responding to this question, an official from your Department stated that there was "ongoing dialogue" on this matter between your Department and my Office. This is not the case. I took the opportunity during a break in the session to clarify this with the official from your Department. He informed me that this was the information he had been given. Following the break, he informed me that he had looked into the matter and was told by colleagues that I had met with your Department last December. This is also not the case.

It is of very considerable concern to me that officials in the Department of Justice and Equality may be of the understanding that such a meeting took place and that there is ongoing dialogue between the Department and my Office in respect of my remit.

As you know, since my appointment as Ombudsman for Children last year, I raised the matter of my complaints-handling remit in respect of children in Direct Provision with you in my letter of 22<sup>nd</sup> July 2015, following publication of the Working Group's report, and in my letter of 4<sup>th</sup> November 2015, following your offer to provide an update on plans to progress implementation of the Working Group's recommendations.

I appreciate and acknowledge with thanks the update that I received in this regard on 13<sup>th</sup> January, in a letter from your Private Secretary. However, I note that this update made no reference to the Working Group's recommendation regarding my complaints-handling remit, notwithstanding the fact that this was among the matters I raised in my letter of 4<sup>th</sup> November and offered to assist you and your officials with progressing.

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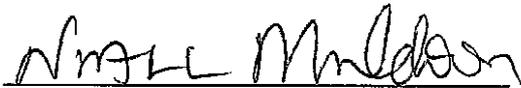
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In light of the above, I am requesting a meeting with you and a senior official in your Department as soon as possible in order to discuss the remit of my Office, taking into account the recommendations of the Working Group in this regard.

I look forward to meeting you at your earliest convenience.

Yours sincerely,



Dr. Niall Muldoon  
Ombudsman for Children

#ExploringDP

Meeting with Minister Frances Fitzgerald at Leinster House, 3 February 2016

In Attendance:

Minister Frances Fitzgerald (Minister for Justice and Equality)

Mr. Michael Kirrane (Acting Director General, INIS)

Mr. Eugene Banks (Principal Officer, Reception and Integration Agency)

Dr. Niall Muldoon and Dr. Karen McAuley (Ombudsman for Children's Office)

- NM outlined the current position in Europe and highlighted that counterparts in many European States are empowered to investigate complaints from individuals seeking asylum or subsidiary protection. With reference to the international context and the recent examination of Ireland by the UN Committee on the Rights of the Child, NM suggested that the UN Committee's concluding observations, which are due to be published on 4<sup>th</sup> February 2016, are likely to include a critique of the current situation in respect of the OCO's remit and to recommend that the Ombudsman for Children should be able to deal with complaints from children in Direct Provision that are not currently considered to be in remit by the Department of Justice and Equality.
- NM also made it clear that the OCO is not looking to have any role in adjudicating on decisions relating to the status of protection applicants.
- With reference to the Third Optional Protocol to the UNCRC, KMCA highlighted that it will appear peculiar from the perspective of international mechanisms, and specifically the UN Committee on the Rights of the Child, that Ireland would ratify an Optional Protocol to the UNCRC that enables children in the international protection process, including children in Direct Provision, to make a complaint to the UN Committee on the Rights of the Child, but would not enable the same children to make a complaint to the Ombudsman for Children in Ireland (i.e. to a statutory, independent complaints-handling body at *national* level). The UN Committee questioned the State about this during the recent plenary session in Geneva.
- The Minister outlined a range of issues that are currently part of the Department's deliberations in relation to the international protection process and recent developments in respect of asylum and immigration in Europe.
- The Minister expressed her concerns about the welfare of children in Direct Provision, including in respect of domestic violence and child protection. She indicated that, from a policy perspective, she has no difficulty with and would be supportive of the Ombudsman for Children's complaints-handling remit including such matters. In this regard, she

expressed the view that there are many areas where the OCO can help to improve the system. She stated that "it is our policy to bring the OCO in" and that she does want to implement the recommendations of the Working Group in relation to the OO's and OCO's complaints remit.

- However, the Minister indicated that any progress in this regard will be further/subject to legal advice from the Attorney General, which she has requested. What she and the Department of Justice and Equality wish to ensure is that an extension of the OO's and OCO's remit will not impact negatively on the work being done to streamline the international protection process in Ireland. In this regard, she highlighted her wish to mitigate any possibility that the investigation of a complaint by the OCO would cause delays in:
  - the processing of international protection applications;
  - or
  - the implementation of decisions on international protection applications, in cases where the decision taken is to issue a deportation order.
  
- In respect of the above concerns, MK gave an example of a scenario where delays could arise, namely:
  - A family with a child has been issued with a deportation order. At this point, they decide to make a complaint to the OCO. Could this lead to a delay in their deportation?

[REDACTED]
  
- The Minister indicated that, while she will not be saying anything publicly on the matter, the OCO can let it be known publicly that, from a policy perspective, and subject to legal advice from the Attorney General's office, they do wish to implement the Working Group's recommendations in respect of the OO's and OCO's complaints-handling remits and are supportive of the children in the international protection process having access to the independent redress available through the Ombudsman for Children's Office.
  
- It was agreed that:
  - The OCO will liaise with MK and EB to determine the best way to proceed as regards addressing the concerns of the Department and working to ensure that a solution is found that leads to implementation of the Working Group's recommendations re: the OCO's and the OO's remits.

[Redacted]

[Redacted]

[Redacted]

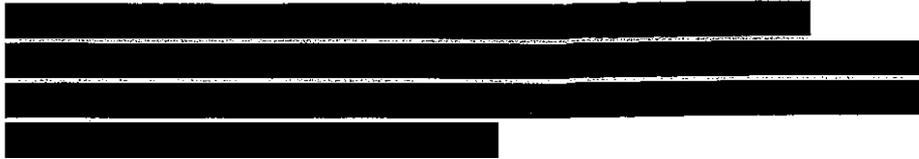
- Following the meeting and once the Minister had left, NM and KMcA spoke briefly with MK and EB. A question raised by EB concerned the OCO's approach to local complaints procedures. KMcA clarified the OCO's approach, i.e. that OCO respects local procedures and encourages the local resolution of complaints. Contact details were exchanged so that a follow up meeting between the OCO and the DJE can be arranged in the very near future.

[Redacted]

[Redacted]

[Redacted]

[Redacted]



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Frances Fitzgerald TD  
Minister for Justice and Equality  
Department of Justice and Equality  
94 St. Stephen's Green  
Dublin 2

4<sup>th</sup> February 2016

Dear Minister Fitzgerald,

I write further to my meeting with you, Michael Kirrane and Eugene Banks at Leinster House on the morning of 3/02/2016.

I wish to thank you for meeting with me to discuss the matter of my complaints-handling remit in respect of children living in Direct Provision and for doing so notwithstanding your extremely busy schedule that day.

From my perspective, it was very helpful to learn of the specific concerns that exist regarding a prospective extension of my complaints-handling remit. I appreciate those concerns and welcomed the opportunity to assure you and your officials that my Office is not seeking any role in adjudicating on decisions relating to the status of protection applicants.

I note your concern about the welfare of children living in Direct Provision, including in respect of child protection and domestic violence. In this regard, I welcome your clarification that, from a policy perspective, you have no difficulty with and would support my complaints-handling remit encompassing matters relating to children's welfare in Direct Provision. In particular, I welcome your strong indication that you wish to implement the recommendations of the Working Group in relation to the complaints remit of my Office and the Ombudsman's Office. In this regard, I understand that implementation of these recommendations is subject to legal advice from the Attorney General.

Following our meeting yesterday, my Office will engage further with Mr Banks, Mr Kirrane and their colleagues in order to support work to progress implementation of the Working Group's recommendations regarding my complaints-handling remit.

[Redacted signature block]

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[Redacted]

[Redacted]

[Redacted]

[Redacted]

My renewed thanks for meeting me yesterday.

Yours sincerely,

Dr Niall Muldoon  
Ombudsman for Children

CC:

Mr Michael Kirrane, Acting Director General, INIS

Mr Eugene Banks, Principle Officer, RIA



Dr. James Reilly TD  
Minister for Children and Youth Affairs  
Department of Children and Youth Affairs  
43-49 Mespil Road  
Dublin 4

14<sup>th</sup> March 2016

RE: 1) [REDACTED] and  
2) OCO REMIT IN RELATION TO CHILDREN WITHIN THE DIRECT PROVISION SYSTEM

Dear Minister,

I write to draw your attention to two issues which have arisen in the past number of weeks. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

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[REDACTED]

[REDACTED]

The second issue to have arisen is the agreement in principle, by your colleague Minister Fitzgerald (Department of Justice and Equality), and subject to advice from the Attorney General on the matter, that my Office will have a clear remit to accept complaints from children within the Direct Provision system. This agreement was forthcoming during a meeting on 3<sup>rd</sup> February 2016. Since then I have been engaged with the Reception and Integration Agency, through its Principal Officer, Mr. Eugene Banks. We met recently (3<sup>rd</sup> March 2016) and agreed that there is need for a change to bring our legislation up to date to allow for this Office to accept complaints from children within the Direct Provision system. As this move will also include changes to the remit of the Office of the Ombudsman (Mr. Peter Tyndall) there is a need for a range of departments to liaise in relation to draft legislative amendments.

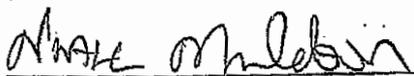
It is my understanding that, in addition to the two Ombuds Offices, it will require the Department of Justice and Equality, the Department of Public Expenditure and Reform, your own Department and also the Attorney General to ensure proper changes are put in place.

On this issue I would also be grateful for the opportunity to discuss the form of any appropriate amendment with you or your officials if you are agreeable to this proposal.

Finally, as the changes around my remit in regard to the Direct Provision system are as a result of the Government accepting the relevant recommendation within the McMahon Working Group report I am also seeking, in line with that recommendation, two additional investigators for a period of two years to assist in the working of complaints which will be generated from this new development. I would be grateful of your support in that regard.

Thanking you in advance for your assistance in this matter.

Yours sincerely,



Dr. Niall Muldoon  
Ombudsman for Children

cc. Dr. Fergal Lynch, Secretary General, Department of Children and Youth Affairs



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OFFICE OF THE MINISTER FOR JUSTICE AND EQUALITY

Dr. Niall Muldoon  
Ombudsman for Children  
Ombudsman for Children's Office  
Millennium House  
52-56 Great Strand Street  
Dublin 2



24 MAR 2016

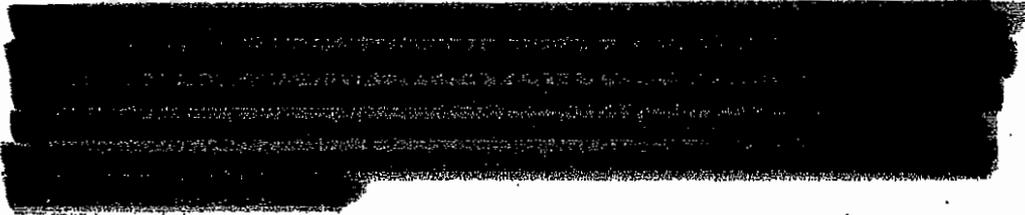
RECEIVED

22 March 2016

Dear Niall,

I refer to your letter of 4<sup>th</sup> February 2016 on foot of our meeting in Leinster House the previous day to discuss the matter of your complaints handling remit in respect of children living in Direct Provision.

I am aware that my officials from the Reception and Integration Agency (RIA) have met with you again recently to progress this matter.



Finally I would like to take this opportunity to assure you of my full support. You and the work of your Office are much appreciated by me and my Department.

Yours sincerely,

Frances Fitzgerald  
Minister for Justice and Equality



Re: Extension of the OCO remit in relation to complaints from children within the Direct Provision system

Eugene T. Banks

to:

Roisin\_Webb

21/06/2016 12:56

Cc:

Nuala\_Ward, "Carol C. Baxter", "Teresa A. Clarke"

Hide Details

From: "Eugene T. Banks" <[REDACTED]>

To: Roisin\_Webb@[REDACTED]

Cc: Nuala\_Ward([REDACTED]) "Carol C. Baxter" <[REDACTED]> "Teresa A. Clarke"

<[REDACTED]>

Hi Róisín,

Thanks for your phone call earlier (and my apologies to Nuala for not returning her call last week!).

The latest state of play in relation to access by the your office to those living in State provided accommodation is that we are meeting with the DCYA tomorrow (Wednesday 22nd) to get a clear idea on what precisely what needs to be amended in legislation to give effect to the Tánaiste policy commitment.

Following that meeting we will work on a draft text that can be inserted in our legislation. We have samples of texts used by D/PER when the remit of the Ombudsman was being extended in other areas and we can use them as a template.

Don't hesitate to give me a call if you have any queries and be assured that we will keep in touch with you as this issue progresses.

e

Eugene Banks  
Principal Officer  
Reception and Integration Agency  
Department of Justice & Equality

[www.ria.gov.ie](http://www.ria.gov.ie)

From: Roisin\_Webb [REDACTED]

To: ETBanks@ [REDACTED]

Date: 21/06/2016 12:36

Subject: Extension of the OCO remit in relation to complaints from children within the Direct Provision system

Hi Eugene,

We met briefly in Geneva during Ireland's UPR examination. Nuala Ward in my office has asked me to contact you regarding the extension of the OCO remit to accept complaints from children within the Direct Provision system. I left a message on your office phone this morning.

I am just having a look at what amendment might be required and it would be useful to hear from you with regard to any updates you might have and to get a sense of what the Department of Justice require by way of amendment.

I am not in the office this afternoon but perhaps you could give me a call in relation to this matter tomorrow?

Many thanks in advance.

Kind regards,

Róisín

Róisín Webb  
Head of Policy  
Ombudsman for Children's Office  
Millennium House  
52-56 Great Strand Street  
Dublin 1



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\*\*\*\*\*

Is le haghaidh an duine nó an eintitis ar a bhfuil sí dírithe, agus le haghaidh an duine nó an eintitis sin ambáin, a bheartaítear an fhaisnéis a tarchuireadh agus féadfaidh sé go bhfuil ábhar faoi rún agus/nó faoi phribhléid inti. Toirmiscear aon athbhreithniú, atarchur nó leathadh a dhéanamh ar an bhfaisnéis seo, aon úsáid eile a bhaint aisti nó aon ghníomh a dhéanamh ar a hiontaoibh, ag daoine nó ag eintitis seachas an faighteoir beartaíthe. Má fuair tú é seo trí dhearmad, téigh i dteagmháil leis an seoltóir, le do thoil, agus scríos an t-ábhar as aon ríomhaire. Is é beartas na Roinne Dlí agus Cirt agus Comhionannais, na nOifigí agus na nGníomhaireachtaí a úsáideann seirbhísí TF na Roinne seoladh ábhair choltúil a dhícheadú.

Más rud é go measann tú gur ábhar colúil atá san ábhar atá sa teachtaireacht seo is eart duit dul i dteagmháil leis an seoltóir láithreach agus le [mailminder@justice.ie](mailto:mailminder@justice.ie) chomh maith.

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\*\*\*\*\*

---

**From:** "Eugene T. Banks" <[REDACTED]>  
**Sent:** Tuesday 2 August 2016 10:12  
**To:** jacqui.mccrum@[REDACTED]; Roisin.webb@[REDACTED]  
**Subject:** Fw: Implementation of recommendation 4.135 of Working Group Report

Jacqui/Róisín,

As promised attached below in confidence  
is a copy of the email that I sent to the AG in relation to further advice.

As soon as I have an update I will get  
back to you.

Best wishes,

#ExploringDP

Eugene Banks

Principal Officer

Reception and Integration Agency

Department of Justice & Equality

473203 internal voip

+353 1 418 3203 land line

+353 86 8209346 mobile

[www.ria.gov.ie](http://www.ria.gov.ie)

----- Forwarded by Eugene  
T. Banks/ELR/SECTOR on 02/08/2016 10:08 -----

From: Roisin Webb [redacted]  
To: "Eugene T. Banks"  
Cc: jacqui.mccrum [redacted]  
Date: 28/10/2016 09:59  
Subject: Re: Fw: Implementation of recommendation 4.135 of Working Group Report

Hi Eugene,

Could we arrange a time for a call today. The office is anxious to get an update on where things are at.

Thanks,

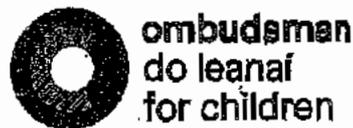
Róisín

Róisín Webb  
Head of Policy  
Ombudsman for Children's Office  
Millennium House  
52-56 Great Strand Street  
Dublin 1

#ExploringDP



[www.oco.ie](http://www.oco.ie)



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[www.oco.ie](http://www.oco.ie)



With compliments

15



Fw: draft joint letter from OO and OCO re extension of remit to direct provision  
Niall Muldoon



ombudsman  
do leanaí  
for children

#ExploringDP

From: Roisin Webb/SLAINTE  
To: Niall Muldoon/SLAINTE@SLAINTE  
Cc: Aoife Carragher/SLAINTE@SLAINTE, Nuala Ward/SLAINTE@SLAINTE  
Date: 02/11/2016 12:43  
Subject: draft joint letter from OO and OCO re extension of remit to direct provision

---

Hi Niall,

I was on annual leave yesterday so apologies that you are only receiving this draft letter now. I had agreed with Jacqui late Friday afternoon that I would send her a draft for their approval today as she is on leave tomorrow and Friday. If you could have a read by email and get back to me with any amendments, even with a quick phonecall, that would be great.

Eugene Banks also called this morning to ask informally if we would have any objection to our remit being extended on an ad hoc basis until such time as the necessary amendments are in place. He is also going to talk to Jacqui about this today. [REDACTED]

[REDACTED] He did not give further details than that except to say that RIA are anxious to honour the commitment and want to suggest putting a protocol in place, on an interim basis, that RIA would facilitate both offices to accept complaints on an ad hoc basis, notwithstanding any legal issues that may arise, until such time as the necessary legislative arrangements are in place.

I said that I would have to discuss this with yourself and Nuala and would get back to him. The position of this office has always been that we do not in fact need a legislative amendment to accept complaints and that it is a matter for the Department of Justice to clarify for itself that there is no legal barrier to us accepting such complaints. On that basis, we should not have a difficulty in principle with such an ad hoc arrangement. However, I would be concerned that such an ad hoc arrangement might take the pressure off the Department and delay legislative amendments which are deemed necessary being made. I said this to Eugene and he suggested that if such a protocol was put in place, it should be made clear that it is temporary, with a date for review (he suggested March), at which time the legislative amendments should be close to finalisation.

Eugene knows that we are sending a letter to Minister Fitzgerald this week and this will go ahead regardless. I think it is important at this stage that we have a detailed response from the Minister in writing to explain the reasons for the delay.

Thanks,

Róisín

*(See attached file: Draft Joint OO OCO Letter to Min. Fitzgerald re Lack of Remit on Direct Prov 2 Nov 2016.docx)*

Róisín Webb  
Head of Policy  
Ombudsman for Children's Office  
Millennium House  
52-56 Great Strand Street  
Dublin 1

#ExploringDP

Frances Fitzgerald, TD  
Minister for Justice and Equality  
Department of Justice and Equality  
94 St. Stephen's Green  
Dublin 2

Draft letter.

2<sup>nd</sup> November 2016

**RE: Remit of Ombudsman for Children within Direct Provision**

Dear Minister Fitzgerald,

We are writing to express our concern about the delay in implementing the recommendation from Dr. McMahon's Working Group to extend the remit of both the Offices of the Ombudsman and the Ombudsman for Children to include complaints relating to:

- services provided to residents of Direct Provision centres,
- transfer decisions following a breach of the House Rules and
- The Working Group also recommended that "recourse to the two Offices should be available to a complainant who is dissatisfied with the final outcome of the RIA complaints procedure" (Working Group Report, 4.135)

We were very pleased with your commitment in February of this year to implement these recommendations which will give children and adults living in Direct Provision the same access to our respective Offices as others living in Ireland and will enable both Offices to make a constructive contribution to the overall welfare of both children and adults living in Direct Provision accommodation. Since February, the consistent message from your Department Officials has been that by November the legislation would be ready to bring about the necessary changes. It was our understanding that the initial plan was to incorporate the necessary amendments into secondary legislation which is being prepared in order to allow for ratification of the UN Convention on the Rights of Persons with Disabilities and that this would go through the required legislative process before Christmas of this year.

As you know staff and representatives from the offices of both the Ombudsman and the Ombudsman for Children have been taking part in preparatory meetings with various managers and outside agencies across the country to alert them to our role and what to expect when we become involved with the system. Therefore, there is a strong expectation building up in both the agencies and the service users around the availability of the Ombudsman and the Ombudsman for Children's offices for complaint handling.

However, are dismayed to learn that there are a number of legal considerations associated with this commitment and that discussions are on-going between your Department and the office of the

Attorney General as to how best to proceed. We would be grateful if you could provide us with details of any legal issues which need to be resolved; the expected timeframe of when the necessary amendments will be drafted and how long the legislative process will take before such amendments are commenced. Having confirmed this commitment from you nine months ago, it is important that we can communicate to those living in Direct Provision when their complaints can be handled by both the Office of the Ombudsman and the Ombudsman for Children in a free, fully independent and fair manner.

We urge you to ensure that there is no further delay in progressing this matter and that any legal issues are addressed as a matter of priority.

Yours sincerely,

---

Dr. Niall Muldoon, Ombudsman for Children  
Peter Tyndall, Ombudsman

#ExploringDP

Frances Fitzgerald, TD  
Minister for Justice and Equality  
Department of Justice and Equality  
94 St. Stephen's Green  
Dublin 2

2<sup>nd</sup> November 2016

**RE: Remit of Ombudsman for Children within Direct Provision**

Dear Minister Fitzgerald,

We are writing to express our concern about the delay in implementing the recommendation from Dr. McMahon's Working Group to extend the remit of both the Offices of the Ombudsman and the Ombudsman for Children to include complaints relating to:

- services provided to residents of Direct Provision centres,
- transfer decisions following a breach of the House Rules and
- The Working Group also recommended that "recourse to the two Offices should be available to a complainant who is dissatisfied with the final outcome of the RIA complaints procedure" (Working Group Report, 4.135)

We were very pleased with your commitment in February of this year to implement these recommendations which will give children and adults living in Direct Provision the same access to our respective Offices as others living in Ireland and will enable both Offices to make a constructive contribution to the overall welfare of both children and adults living in Direct Provision accommodation. Since February, the consistent message from your Department Officials has been that by November the legislation would be ready to bring about the necessary changes. It was our understanding that the initial plan was to incorporate the necessary amendments into secondary legislation which is being prepared in order to allow for ratification of the UN Convention on the Rights of Persons with Disabilities and that this would go through the required legislative process before Christmas of this year.



Oifig an Ombudsman  
Office of the Ombudsman

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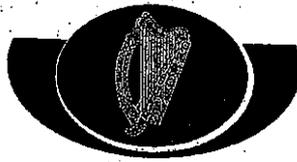
However, we are dismayed to learn that there are a number of legal considerations associated with this commitment, which appear to be difficult to overcome, and that discussions are on-going between your Department and the office of the Attorney General as to how best to proceed. We would be grateful if you could provide us with details of any legal issues which need to be resolved; the expected timeframe of when the necessary amendments will be drafted and how long the legislative process will take before such amendments are commenced. Having confirmed this commitment from you nine months ago, it is important that we can communicate to those living in Direct Provision when their complaints can be handled by both the Office of the Ombudsman and the Ombudsman for Children in a free, fully independent and fair manner.

We urge you to ensure that there is no further delay in progressing this matter and that any legal issues are addressed as a matter of priority.

Yours sincerely,

Dr. Niall Muldoon, Ombudsman for Children

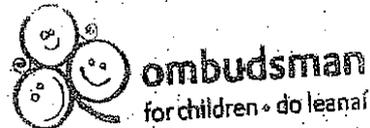
Peter Tyndall, Ombudsman



18

OIFIG AN TÁNAISTE AGUS AIRE DLÍ AGUS CIRT AGUS COMHIONANNAIS  
OFFICE OF THE TÁNAISTE AND MINISTER FOR JUSTICE AND EQUALITY

Dr. Niall Muldoon  
Ombudsman for Children  
Ombudsman for Children's Office  
Millenium House  
52-56 Great Strand Street  
Dublin 1



10 NOV 2016

**RECEIVED**

Minister Reference: 1108161818

8 November, 2016

Dear Dr. Muldoon,

I write to acknowledge receipt of your letter dated 2 November, 2016 regarding the remit of Ombudsman for Children within Direct Provision.

Yours sincerely,

*Frances Fitzgerald*

Frances Fitzgerald, T.D.  
TÁNAISTE AND MINISTER  
FOR JUSTICE AND EQUALITY

19



Fw: Direct Provision

Róisín Webb

to:

Nuala Ward, Niall Muldoon

25/11/2016 17:31

Cc:

Aoife Carragher

Hide Details

From: Róisín Webb/SLAINTE

To: Nuala Ward/SLAINTE@SLAINTE, Niall Muldoon/SLAINTE@SLAINTE

Cc: Aoife Carragher/SLAINTE@SLAINTE

Hi Nuala and Niall,

See email below re meeting on Monday. I just spoke to Eugene to clarify that there have not been any formal proposals in relation to an ad hoc arrangement yet. He has confirmed that there has not and that the purpose of the meeting on Monday would be to bring us up to date on the legal situation and to formally propose the ad hoc arrangements and to start putting a shape around what that might look like. He said that he thinks OO have 'jumped the gun' a bit on this.

I have told Eugene that either or both of you would need to be at that meeting. It also might be wise to talk to Jacqui/Peter in advance of that meeting on Monday morning just to let them know that we would have some concerns. Perhaps we could arrange to meet them in advance of meeting Eugene.

I am going to send Jacqui an email now just to say that as far as we were concerned there have not been any formal proposals in relation to the ad hoc arrangements forthcoming as of yet and that perhaps we could discuss some concerns we have with herself and Peter in advance of meeting with Eugene and Linda on Monday.

Nuala, I know you are just back (hope it went well) and don't know your availability on Monday morning.

I don't have direct access but will come talk to you both early Monday morning.

Aoife, just want to keep you in the loop on this.

Thanks,

Róisín

Róisín Webb  
 Head of Policy  
 Ombudsman for Children's Office  
 Millennium House  
 52-56 Great Strand Street  
 Dublin 1





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do leanaf  
for children

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E: ooo@ooo.ie  
www.ooo.ie

With compliments

Roisin\_Webb [REDACTED] - Re: Direct Provision

From:	Roisin_Webb [REDACTED]
To:	"Eugene T. Banks" <[REDACTED]>
Cc:	"Carol C. Baxter" <[REDACTED]> jacqui.mccrum([REDACTED]) paul.mallen@[REDACTED]
Date:	Fri, 25 Nov 2016 17:30
Subject:	Re: Direct Provision

Hi Jacqui and Eugene,

Just to confirm that we have received only an acknowledgement that the Minister has received our joint letter.

We will make ourselves available to meet on Monday morning and Niell or Nuala Ward will also attend.

Kind regards,

Róisín

Róisín Webb

Head of Policy

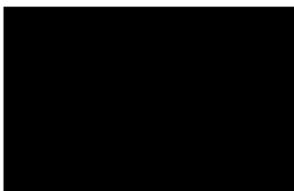
Ombudsmen for Children's Office

Millennium House

62-66 Great Strand Street

Dublin 1

#ExploringDP



**From:** "Eugene T. Banks" <[redacted]>  
**Sent:** Monday 28 November 2016 10:36  
**To:** jacqui.mccrum@[redacted]; Nuala.ward@[redacted]  
**Cc:** "Carol C. Baxter"; paul.mallenc@[redacted]; "Roisin.webb@[redacted]"; "O'Connor, Evelyn"; "Michael J. Kirrane"; Brian P Merriman  
**Subject:** Re: Direct Provision  
**Attachments:** mime.gif

Jacqui/Nuala,

As you will be aware we have been in consultations with the Office of the Attorney General in relation to the drafting of legislation to give effect to the Tánaiste's commitment to bring the services provided by this Department in accommodation centres within the remit of both of your offices.

This is proving slightly more problematic than at first expected and the latest update is that we are awaiting advice from Senior Counsel on the proposals. As soon as there are any developments on that front I will bring you up to date.

#ExploringDP

In the meantime and in order to make progress pending the formal enactment of the required legislation, I would be grateful if you would consider the possibility of operating in an ad-hoc capacity to cover the following services provided under contract in our accommodation centres:

Food and provision of other supplies;

Provision of suitable and appropriate accommodation;

Other RIA contracted and non-contracted services (eg transport, transfers etc)

(It almost goes without saying that applications for asylum and the operation of existing and soon to be commenced legislation will remain outside of remit).

Other State services eg health, Social Protection etc are already covered by their own complaints processes leading up to either yourselves or another Ombudsman / Authority as appropriate.

In addition I would be grateful if you also consider whether each Ombudsman could act as the Independent Appeals Officer when handling complaints as comprehended by recommendation 4.135 of the McMahon Report and our own internal complaints procedures?

We are available to discuss these matters at any time.

Many thanks in advance,

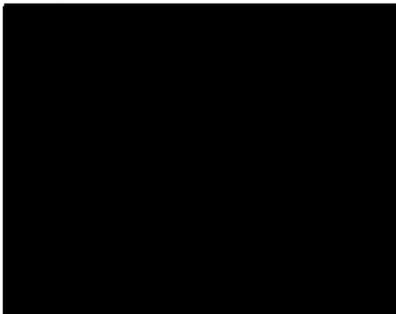
e

Eugene Banks

Principal Officer

Reception and Integration Agency

Department of Justice & Equality



#ExploringDP

---

**From:** Nuala Ward <cn=nuala.ward/o=slainte>  
**Sent:** Friday 2 December 2016 14:29  
**To:** "O'Connor, Evelyn"; Brian P Merriman; "Carol C. Baxter"; "Eugene T. Banks"; jacqui.mccrum@[REDACTED] madeleine.delaney@[REDACTED] "Michael J. Kirrane"; paul.mallen@[REDACTED] privatesec@[REDACTED] riaap@jsector.net; "Roisin\_webb@oco.ie"  
**Subject:** Direct Provision  
**Attachments:** \$mime\_part\_00000e300000a0fb; \$mime\_part\_0000aae400007bf1; \$mime\_part\_0000f773000034f4

Dear All

Fortunately I am able to attend this meeting and I will confirm early next week who will also be in attendance from the OCO.

Please be advised that we have some specific queries on a number of matters. Eugene, I will raise them directly with you and with the Department prior to the meeting on the 8th December in order to move matters along.

We are in regular contact with John Lohan on this issue and will keep him informed as it progresses.

Kind regards

Nuala

#ExploringDP

Nuala Ward  
Director of Investigations  
Ombudsman for Children's Office  
Millennium House  
52-56 Great Strand St  
Dublin 1

[REDACTED]

The Ombudsman for Children's Office Strategic Plan 2016-2018 sets out a vision to work towards an Ireland where all children and young people are actively heard and respected, so that they experience safe, fulfilling and happy everyday lives. All of the independence and power of this office will be used to bring this about.

For more information on our Strategic Plan visit

[https://www.oco.ie/wp-content/uploads/2016/07/OCO\\_Strategic\\_Plan\\_240516.pdf](https://www.oco.ie/wp-content/uploads/2016/07/OCO_Strategic_Plan_240516.pdf)



Re: Fw: Direct Provision - note of meeting on 8 December 2016   
John Lohan to: Nuala Ward

16/12/2016 16:14

Noted thanks Nuala

John Lohan

An Roinn Leanaí agus Gnóthaí Óige, 43-49 Bóthar Mespil, BAC 4, D04 YP52, Éire /  
Department of Children and Youth Affairs, 43-49 Mespil Road, Dublin 4, D04 YP52, Ireland  
romhphost / email: john\_lohan@dca.gov.ie



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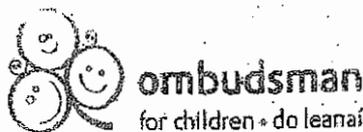
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24

OIFIG AN TÁNAISTE AGUS AIRE DLÍ AGUS CIRT AGUS COMHIONANNAIS  
OFFICE OF THE TÁNAISTE AND MINISTER FOR JUSTICE AND EQUALITY

Dr. Niall Muldoon,  
Ombudsman for Children  
Millennium House,  
52-56 Great Strand Street,  
Dublin 1



23 DEC 2016

RECEIVED

21 December 2016

Dear Niall,

Thank you for your letter regarding the extension of the remit of your Office and the Office of the Ombudsman to include receiving complaints from residents in State provided accommodation as part of the Direct Provision and Dispersal policy. While I share your concerns about the unfortunate delay in implementing the new arrangement, I am strongly advised that there are legal issues that must be addressed before the necessary legislative amendments can be enacted.

In the meantime, as you are aware, I am anxious to establish an arrangement, in advance of legislative changes, whereby your Office and the Office of the Ombudsman would agree to accept complaints on an 'ad hoc' basis until such time as the legal extension to your remits has been implemented. I understand that the Reception and Integration Agency (RIA) of my Department is working on a draft agreement to outline the parameters of this 'ad hoc' arrangement. I further understand that RIA has made contact with both organisations to organise a meeting where these issues can be discussed in more detail and the matter progressed to agreement. I hope that this process can be concluded speedily to allow residents in State provided accommodation access to the Offices of the Ombudsman and the

Ombudsman for Children at the earliest opportunity.

Yours sincerely



---

Frances Fitzgerald, T.D.  
TÁNAISTE AND MINISTER  
FOR JUSTICE AND EQUALITY

c.c. Mr. Peter Tyndall  
Ombudsman

#ExploringDP

25



Re: Fw: Direct Provision - note of meeting on 8 December 2016

Eugene T. Banks

to:

Nuala\_Ward

03/01/2017 17:02

Hide Details

From: "Eugene T. Banks" <ETBanks@justice.ie>

To: Nuala\_Ward@oco.ie

History: This message has been forwarded.

1 Attachment



Draft SI to extend remit of Ombudsman and OCO to state accommodation and related services.docx

Nuala,

To see the attached please.

Its a text based on an earlier SI and I'd like to incorporate your requirements into it before I circulate it more generally.

Give me a call when you get a chance.

Best wishes,

e

Eugene Banks  
Principal Officer  
Reception and Integration Agency  
Department of Justice & Equality  
473203 internal voip  
+353 1 418 3203 land line  
+353 86 8209346 mobile  
[www.ria.gov.ie](http://www.ria.gov.ie)

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E: oco@oco.ie  
[www.oco.ie](http://www.oco.ie)

With compliments

DRAFT proposal

I, PÁŠCHAL DONOHOE, Minister for Public Expenditure and Reform, in exercise of the powers conferred on me by subsection (10) of section 4 of the Ombudsman Act 1980 (No. 26 of 1980) (as amended by section 6 of the Ombudsman (Amendment) Act 2012 (No. 38 of 2012)), and having complied with paragraphs (a), (c) and (d) of that subsection, hereby order as follows:

1. This Order may be cited as the Ombudsman Act 1980 (Section 4(10)) Order 2017.

2. In this Order –

“Part II” means Part II of the First Schedule (inserted by section 16 of the Ombudsman (Amendment) Act 2012 (No. 38 of 2012)) to the Principal Act;

“Principal Act” means the Ombudsman Act 1980 (No. 26 of 1980).

3. This Order is without prejudice to the provisions of the Principal Act by virtue of which the Department of Justice and Equality is a reviewable agency in respect of any action taken by or on behalf of that Department of State that does not fall within paragraph (f)(i) of Part II.

4. It is declared that the Department of Justice and Equality is a reviewable agency in respect of any action taken by or on behalf of it, being action that –

(a) consists of the provision of State provided accommodation and ancillary services to persons seeking international protection, and

(b) relates to a person who accept such an offer and avail of those services,

and, accordingly, there are excluded from paragraph (f)(i) of Part II the elements of that Department of State that fall within both subparagraphs (a) and (b).

The Minister for Justice and Equality consents to the making of the above Order.

#ExploringDP

27



Fw: Implementation of recommendation 4.135 of Working Group Report on Direct Provision

Eugene T. Banks

to:

jacqui.mccorum, NUALA\_WARD

05/01/2017 09:54

Hide Details

From: "Eugene T. Banks" <[redacted]>

To: jacqui.mccorum@[redacted] NUALA\_WARD [redacted]

History: This message has been forwarded.

1 Attachment



Draft SI to extend remit of Ombudsman and OCO to state accommodation and related services.docx

Jacqui/Nuala,

In order to move things along I've sent this to the AG to give to Counsel for their consideration.

We will keep in touch as things progress.

e

Eugene Banks  
Principal Officer  
Reception and Integration Agency  
Department of Justice & Equality



ExploringDP

----- Forwarded by Eugene T. Banks/JELR/SECTOR on 05/01/2017 09:50 -----



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do leanaí  
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Offic an Ombudsman do Leanaí  
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T: 01 866 6800  
E: oco@oco.ie  
www.oco.ie

With compliments

Department of Justice & Equality

DRAFT proposal

I, PASCHAL DONOHOE, Minister for Public Expenditure and Reform, in exercise of the powers conferred on me by subsection (10) of section 4 of the Ombudsman Act 1980 (No. 26 of 1980) (as amended by section 6 of the Ombudsman (Amendment) Act 2012 (No. 38 of 2012)), and having complied with paragraphs (a), (c) and (d) of that subsection, hereby order as follows:

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3. This Order is without prejudice to the provisions of the Principal Act by virtue of which the Department of Justice and Equality is a reviewable agency in respect of any action taken by or on behalf of that Department of State that does not fall within paragraph (f)(i) of Part II.

4. It is declared that the Department of Justice and Equality is a reviewable agency in respect of any action taken by or on behalf of it, being action that—

(a) consists of the provision of State provided accommodation and ancillary services to persons seeking international protection, and

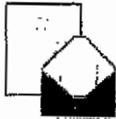
(b) relates to a person who accept such an offer and avail of those services,

and, accordingly, there are excluded from paragraph (f)(i) of Part II the elements of that Department of State that fall within both subparagraphs (a) and (b).

The Minister for Justice and Equality consents to the making of the above Order.

#ExploringDP

29



Fw: Direct Provision - note of meeting on 8 December 2016

John Lohan

to:

Nuala Ward, Roisin Webb

24/01/2017 10:00

Cc:

Alan Savage, Brenda Gargan

Hide Details

From: John Lohan/SLAINTE

To: Nuala Ward/SLAINTE@SLAINTE, Roisin Webb/SLAINTE@SLAINTE

Cc: Alan Savage/SLAINTE@SLAINTE, Brenda Gargan/SLAINTE@SLAINTE

History: This message has been replied to and forwarded.

Nuala, Róisín,

Quick update. Meeting happened yesterday afternoon - DJE (Eugene), DPER (Evelyn O'Connor and Pat Keane), DCYA (JL) and CSSO (Gareth Wells) with Nuala Butler SC. Unfortunately, Caroline from AG's was unavailable. Meeting focused on what was necessary to give legal effect to the Tánaiste's policy decision to implement McMahon's recommendation re Omb/OCO remit for Direct Provision. Good discussion. Counsel had good grounding from cases she dealt with but asked lots of questions on background and context. It seemed to be moving in a good direction.

[REDACTED]

Eugene will probably give you the official update in due course.

Talk soon

John

--- Forwarded by John Lohan/SLAINTE on 24/01/2017 09:25 ---

From: John Lohan/SLAINTE  
To: Nuala Ward/SLAINTE@SLAINTE  
Cc: Roisin Webb/SLAINTE@SLAINTE  
Date: 05/01/2017 09:36  
Subject: Re: Fw: Direct Provision - note of meeting on 8 December 2016

Ok thats grand thanks Nuala.

Confirmed yesterday with DJE and AG's office that i will be included in invitation to the meeting when it is convened.

Eugene has suggested an Order to be made by DPER along the same lines as S.I. 341 of 2013 (OCO remit for children in detention) to give legislative effect if required to the proposed change. Seems the knock-on effect of any change re Ombudsman/OCO remit in relation to defences lodged in existing civil cases is a significant issue contributing to complexity and delay.

You can update me when the time comes or whenever suits. I can take a spin over to your office if thats easier.

Talk later

John

\* Nuala Ward---05/01/2017 09:12:10---Hi there John Hope you had a good break.

From: Nuala Ward/SLAINTE  
To: John Lohan/SLAINTE@SLAINTE  
Cc: Roisin Webb/SLAINTE@SLAINTE  
Date: 05/01/2017 09:12  
Subject: Re: Fw: Direct Provision - note of meeting on 8 December 2016

---

Hi there John

Hope you had a good break.

Please see note attached.

I did not send this to you before as I wished to first propose your inclusion in future meetings with DEPR, DJ and the AG office to the group regarding any legislative changes and this appears to have been accepted. Therefore, I believe it is entirely appropriate for you to have a note of the meeting so that you are fully informed about the key issues.

Also, just to let you know John that matters have since moved on slightly so either Roisin or I will give you a call when suits.

Kind regards

Nuala

#ExploringDP

[attachment "Note of meeting 8 December 2016.docx" deleted by John Lohan/SLAINTE]

\* John Lohan---04/01/2017 15:36:10---Hi Nuala Quick request. In sending me your email below, you deleted the attachment with the note of

From: John Lohan/SLAINTE  
To: Nuala Ward/SLAINTE@SLAINTE  
Cc: Brenda Gargan/SLAINTE@SLAINTE, Alan Savage/SLAINTE@SLAINTE  
Date: 04/01/2017 15:36  
Subject: Re: Fw: Direct Provision - note of meeting on 8 December 2016

---

Hi Nuala

Quick request. In sending me your email below, you deleted the attachment with the note of the meeting. If its confidential to those of you that attended, thats fine. If its ok for me to have a copy, then i'd be grateful if you could send it on please. I want to follow up with DJE and DPER as suggested by Jacqui re attendance at proposed meeting.

Thanks

John

p.s. Happy New Year to you and OCO colleagues.



Re: Fwd: Dates and Venues for Interagency meetings   
Nuala Ward to: Eugene T. Banks

21/02/2017 13:35

Thank you for this Eugene and my apologies for only responding to you now.

1. I cannot comment on the commencement date order as we have yet to see and consider the proposed wording and obviously there is a legislative consultative process to go through but we will continue to accept complaints as per usual so the focus of our work is now raising our visibility with all concerned about the various services provided by our office and we welcome again the opportunity to do so with your support.

2. We already have the full list of NGOs so all good there.

3. We are currently developing our materials as we are undertaking an office wide Plain English Initiative so we need to make sure our materials reflect this and some of our material must also appeal to younger audiences. Thank you for the information regarding the languages, it is very helpful as we need to ensure our current translation services are fit for purpose. We will have a full information pack to distribute so therefore an email list of all accommodation centres including emergency orientation centres would be most helpful and we welcome the assistance that can be provided from your office in this regard.

4. We met with Kate Gillen, yesterday and thank you sincerely for arranging this contact. Of note is the need to arrange an information session with officials in both RIA and also key officials with oversight of the emergency orientation centres to explain not only our process in relation to complaints but also the wider remit of our office to consult directly with children and also to promote their rights and welfare. Would it be possible to arrange this Eugene? We are happy to do this jointly with the other office or separately if we focus on children's rights which may be more appropriate but we will be guided by you in this regard.

5. Finally, is Linda also the liaison person for our office ( pending your new APO recruit Eugene) or is it Kate? If it is Linda, would it be possible for her to arrange to meet with Páraic Walsh, an investigator here in our office who is assuming the lead role for our office in this area. His contact details are

paraic\_walsh@ [redacted] and [redacted]

6. Finally we would like our sessions with centre managers and families to be as targeted and focused as can be with due regard the population of children in the various centres. Would it be possible to have a copy of the most up to date figures for service provision for children ( by centre)? We can then make a considered proposal on how best we should arrange these sessions with Linda/Kate.

Thank you for all your assistance with this Eugene and it is very positive that it moving in the right direction. I will advise Jacqui of my thinking to date and we will also identify where best we can work together.

Look forward to seeing you later.

Kind regards

Nuala

 Eugene T. Banks" ---15/02/2017 17:02:11---Jacqui, Here's my response to your queries below:-

32



Fw: Extension of the Remit of the Office of the Ombudsman and the Ombudsman for Children

Eugene T. Banks

to:

jacqui.mccrum, nuala\_ward

27/02/2017 17:03

Hide Details

From: "Eugene T. Banks" <ETBanks@justice.ie>

To: jacqui.mccrum@ombudsman.ie, nuala\_ward@oco.ie

History: This message has been forwarded.

1 Attachment



scanned-20170227143607.pdf

For information.

e

Eugene Banks  
Principal Officer  
Reception and Integration Agency  
Department of Justice & Equality  
473203 internal voip  
+353 1 418 3203 land line  
+353 86 8209346 mobile  
[www.ria.gov.ie](http://www.ria.gov.ie)

----- Forwarded by Eugene T. Banks/JELR/JSECTOR on 27/02/2017 17:01 -----



ombudsman  
do leanai  
for children



With compliments

Oifig an Ombudsman do Leanai  
Teach na Mílaíse  
52-56 Sráid na Trá Mhór  
Balle Átha Clíath 1  
D01 F5P8

Ombudsman for Children's Office  
Millennium House  
52-56 Great Strand Street  
Dublin 1  
D01 F5P8

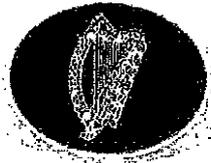
Freephone  
1800 20 20 40  
T: 01 865 6800  
E: oco@oco.ie  
[www.oco.ie](http://www.oco.ie)

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Is le haghaidh an duine nó an eintitis ar a bhfuil sí dírthe, agus le haghaidh an duine nó an eintitis sin amháin, a bheartaítear an fhaisnéis a tarchuireadh agus féadfaidh sé go bhfuil ábhar faoi rún agus/nó faoi phribhléid inti. Toirmiscear aon athbheithníú, atarchur nó leathadh a dhéanamh ar an bhfaisnéis

Aisneacht Fháilte agus Corntháilte  
Bosca Oifig Phoist 11487  
Baile Átha Cliath 2

Teilifón/Telephone: (01) 418 3200  
Facsimhír/Fax: (01) 418 3271



Reception and Integration Agency  
PO Box 11487  
Dublin 2.

Ríomhphoist/e-mail: ria\_inbox@justice.ie

24<sup>th</sup> February 2017

**Re: Extension of the Remit of the Office of the Ombudsman and the Ombudsman for Children**

Dear Colleagues,

The remit of Office of the Ombudsman and the Ombudsman for Children has been extended to include all people living in state provided accommodation. From April 2017, both the Ombudsman and the Ombudsman for Children will be able to accept and investigate complaints from residents in state provided accommodation.

A series of briefings, by the Ombudsman and the Ombudsman for Children, are to take place for managers and staff of all RIA and IRPP accommodation centres in the coming months.

Briefing locations and times will be announced for all accommodation centres and correspondence will issue to staff and residents in advance of each session.

We welcome this opportunity to learn more about the role and function of the Ombudsman and Ombudsman for Children and urge you all to take this opportunity to meet representatives of each office as the arise.

Yours Sincerely,

Eugene Banks,  
Principal Officer  
Reception and Integration Agency