



# Living with Dignity

Improving Conditions and Supports in Direct Provision

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# 1. Living with Dignity: Framework for Change

## 1.1 Approach

In this paper, JRS Ireland at the outset seeks to consider what elements are necessary for residents in Direct Provision centres to live with dignity.

The major human costs of the existing Direct Provision system are set out (not exhaustive), as highlighted in numerous reports by various agencies over the past 15 years.

The paper explores specific barriers to living with dignity for four categories of DP resident:

- Single Persons (Males and Females)
- Children
- Parents
- People with Status.

This offers a framework to consider solutions and ways of improving conditions and supports in Direct Provision that will result in greater dignity and quality of life for residents.

## 1.2 Scope

The scope of this discussion paper is limited to individuals, children and families residing in Direct Provision. The issues identified and the improvements proposed span both conditions (Theme 1) and supports (Theme 2).

The solutions proposed essentially aimed at the improved protection process emerging from Theme 3. As the work of Theme 3 has not been concluded a number of working assumptions have been used:

- Going forward there will be an improved protection process (Theme 3) that will lead to a final determination of protection claims in a reasonable period of time. For the sake of this paper it is assumed that in future this will take 2 years or less.
- Legacy initiatives proposed by the sub-group examining Theme 3 will result in durable solutions for long stayers.
- The eligibility for any long stayer scheme would be on a rolling basis from an agreed duration, which for the purposes of this paper is 5 years.

## 1.3 Risks / Constraints

A number of risks / constraints exist which if realised may materially alter the recommendations contained in this paper.

- i.** Final Theme 3 Recommendations: As detailed in the previous section the suggested actions are predicated on a best guess of the improvements to the protection process that will be recommended under Theme 3. Obviously if the recommendations are substantially different this will have a knock-on effect for this paper.
- ii.** Legally Acceptable: Legal advice may be required to determine the appropriateness of tailored solutions that grant different rights to different categories of resident.
- iii.** Practical Difficulties: There may exist practical obstacles to implement suggested improvements to conditions (e.g. need for planning permission) and supports (e.g. requirement for legislative change) that will emerge with deeper consideration.
- iv.** Financial Implications: All recommendations will need to be fully costed.

## 2. Defining Living with Dignity

### 2.1 Characteristics of Living with Dignity

Human dignity necessitates a person to have autonomy and effective control over their lives. It is the affirmation of a person's sense of value or worth and demands the realisation of physical, emotional and mental integrity.

Living with dignity requires the enjoyment of basic physical (food/shelter/security) and mental needs (companionship/education/self-fulfilment) and from a child's perspective, there is also the necessity for the enjoyment of conditions that facilitate healthy growth and development.

<b>Table1: Key Characteristics for Living with Dignity in Direct Provision (Not Exhaustive)</b>				
<b>General</b>	<b>Specific</b>			
	<i>Single M/F</i>	<i>Children</i>	<i>Parents</i>	<i>Persons with Status</i>
Adequate and appropriate living space	Conditions conducive to privacy and companionship	Conditions conducive to normal family life	Conditions conducive to privacy and companionship	Support structure to promote move to independent living and opportunity to transition with dignity
Adequate and appropriate food	Opportunity to use and/or gain skills	Opportunity to witness parents assume traditional responsibilities (e.g. preparation of food)	Preparation of family meals and control over diet, nutrition and culinary traditions	
Understanding and awareness of status of application(s)	Participation in recreational activities	Opportunities for play and recreation.	Take responsibility for and implement key decisions affecting children's welfare	
		Participation in extra-curricular activities	Opportunity to be a role model and provider (e.g. access to employment)	
		Ability to continue in education beyond completion of secondary school.		

### **3. Assessing the Human Costs of Direct Provision**

#### **3.1 Key Human Costs of Living Long Term in Direct Provision**

- Boredom, isolation and social exclusion.
- Corrosion of family life.
- Inhibited growth and development of children.
- Obsolescence of skills and creation of dependency.
- Negative impacts on physical, emotional and mental health.
- Institutionalisation.

#### **3.2 Barrier to Living with Dignity by DP Resident Category**

##### Single M/F

- Barrier to enjoyment of privacy/companionship is the limited number of single-occupancy rooms available within RIA accommodation and remote location of some centres (Theme 1).
- A barrier to use and maintenance of existing skills is the denial of the right to work (Theme 2)
- A barrier to the ability to gain new skills is the *de-facto* denial of access to further education other than for language and computers (Theme 2).
- Barrier to participation in recreational activities is the lack of disposable income and the remote location of some centres (Theme 1 & 2).

##### Children

- Barriers to the exercise of normal family life are the unnatural environment of Direct Provision and inadequate nature of shared accommodation in some centres (Theme 1).
- Barrier to parents assuming traditional role at meal time is the lack of self-catering options available within RIA accommodation - both the limited number of self-catering facilities themselves and the absence of accessible catering facilities within centres (Theme 1).
- Barrier to the enjoyment of play and recreation is the uneven provision and quality of facilities (Theme 1).
- Barrier to participation in extra-curricular activities is the lack of disposable family income and the remote location of some centres. (Theme 1 & 2).
- Barrier to continuation of educational studies is the lack of disposable family income and exclusion of asylum seeking children from the free fees scheme (Theme 2).

##### Parents

- Barrier to enjoyment of privacy/companionship is the limited number of appropriate family units available within RIA accommodation. (Theme 1)
- Barrier to exercising normal parental role and functions around children's education and welfare (Theme 2) as many key decisions must be channelled through centre management to be executed (e.g. liaising with principals to secure places in schools).
- Barrier to preparation of family meals and maintenance of culinary traditions - both the limited number of self-catering facilities themselves and the absence of accessible catering facilities within centres – and the lack of disposable income (Theme 1).
- Barrier to opportunity to act as role model and provider is the lack of access to any form of employment and lack of control over many family related decisions. (Theme 2).

##### Persons with Status

- Barrier to transitioning to independent living resulting from institutionalisation (Theme 3).
- Barrier to transition with dignity is an inability to move on due to lack of resources. The complications with receiving full social welfare payment while resident in centres and/or the difficulties associated with securing immediate employment prevent persons with status saving for and obtaining private accommodation (Theme 2 & 3).

## **4. Actions Improving Human Dignity in Direct Provision**

### **4.1 Improvements Addressing Barriers to Dignity**

#### Single M/F

- Greater Privacy: Provision of single-occupancy rooms.
- Maintenance of Skills: Right to work after specified period in protection process.
- Opportunity for Personal Growth and Development: Comparable access to further education (PLC courses and vocational training) as Irish/EU citizens.
- Enhanced Community Participation: Right to work; increase in weekly allowance.
- Enhanced Community Participation: Apart from voluntary transfers, the remoteness of centres can only be confronted by an on-going review of RIA contracts to ensure those associated with centres in remote locations are not extended.

#### Children

- Reducing Institutional Impact on Child Development: Accommodation outside Direct Provision and/or the provision of appropriate family units as soon as practicable.
- Improved Family Life: Provision of additional self-catering accommodation and/or provision of common catering facilities in existing centres.
- Improved Living Environment: Construction of appropriate play & recreation facilities, where possible, and/or agreement of contracts between centres and leisure centres to allow children use local facilities free of charge.
- Enhanced Community Participation: Right of parents to work and/or increase in weekly allowance.
- Equal Education Opportunities: Access to Free Fees scheme for asylum seeking children that complete the leaving certificate and attain sufficient points to pursue a college/university qualification.

#### Parents

- Improved Family Life: Accommodation outside Direct Provision and/or the provision of appropriate family units.
- Improved Family Life: Provision of additional self-catering accommodation and/or provision of common catering facilities in existing centres. Accompanied by an increase in weekly allowance.
- Enhanced Family Autonomy: Parents encouraged and facilitated to take full responsibility for decisions and actions that impact on their children's education and welfare.
- Improved Parental Role Models: Right to work and/or increase in weekly allowance. Or comparable access to further education (PLC courses and vocational training) as Irish/EU citizens in preparation for transition out of Direct Provision.

#### Persons with Status

- Addressing Impact of Institutionalisation: Training in cases where institutional living has impacted on ability to live independently (household budgeting, food preparation etc.) and the provision of relevant information (housing, employment, healthcare, education etc.).
- Providing Breathing Space for Transition: Permission to temporarily remain in Direct Provision accommodation while receiving full social welfare payments.

## 4.2. Suggested Improvements for Single Persons

Single Persons M/F				
Options	Single Room	Comparable Access to Further Education	Right to Work	Increased Weekly Allowance
<i>Option 1 (in line with Receptions Conditions Directive)</i>	After 6 months	After 9 months	After 9 months	Yes
<i>Option 2 (Median)</i>	- Right to apply after 6 months. - Guaranteed after 12 months.	After 12 months	After 24 months	Yes
<i>Option 3 (Gradual)</i>	- Right to apply after 12 months. - Guaranteed after 24 months.	After 12 months	No	Yes

### PROS

- The provision of private rooms affords greater respect for the dignity of protection applicants and negates/inhibits some of the negative physical, emotional and mental impacts associated with institutional living.
- Enabling protection applicants to access education, at any point, provides them with an opportunity to develop skills and capacities that will enhance their employability in Ireland or another country.
- Granting protection applicants the right to work, at any point, recognises the worth and value of individuals, enhances the dignity of parents who can provide for their children, improves integration (existing and future) and prevents the fostering of dependency.

### CONS

- The provision of private rooms, after any defined period of time, is likely to require a fundamental reconfiguration of RIA's current accommodation portfolio and may require additional capacity being added with associated costs.
- Widening access to further education programmes (i.e comparable access) would either result in an increase in costs or displacement of other eligible persons (if no additional places were available).
- Granting protection applicants the right to work has been consistently resisted (in national legislation and at the European level) by all Irish Governments since the inception of the DP system. A key element is the perceived creation of an additional pull factor.

#### 4.2.2 Suggested Improvements for Children and Parents

Children and Parents						
Options	Installation of Common Catering Facilities in DP Centres	Self-Catering Units		Play & Recreation Facilities	Education (Further Education & Third Level)	Right to Work
		Long Term	Shorter Term			
<i>Option 1</i>	Alteration of sufficient number of hostels to service all families living in DP by end of 2015.	Increase in number of self-catering units to accommodate all families living in DP in excess of 12 months by end of 2016.	Progressive provision (until end 2016) of “family quarters” to all families in hostels (with common catering facilities) which include adjoining rooms to enable children of different gender/ages appropriate space for healthy development.	Installation of play / recreation facilities or partnership agreements with local leisure centres / sports clubs at all hostels that host families by end of 2015.	- Parents have comparable access to further education after 9 months  - Children who complete LC qualify for free fees scheme.	After 9 months
<i>Option 2</i>	Alteration of sufficient number of hostels to service all families living in DP in excess of 12 months by end of 2015.	Increase in number of self-catering units to accommodate all families living in DP in excess of 24 months by end of 2016.	Progressive provision (until end 2016) of “family quarters” to all families in hostels (with common catering facilities) which include adjoining rooms to enable children of different gender/ages appropriate space for healthy development.	Installation of play / recreation facilities or partnership agreements with local leisure centres / sports clubs at all hostels that host families by end of 2015.	- Parents have comparable access to further education after 12 months.  - Children who complete LC qualify for free fees scheme.	After 24 months
<i>Option 3</i>	Alteration of sufficient number of hostels to service all families living in DP in excess of 24 months by end of 2015.	Increase in number of self-catering units to accommodate all families living in DP in excess of 48 months by end of 2016.	Progressive provision (until end 2016) of “family quarters” to all families in hostels (with common catering facilities) which include adjoining rooms to enable children of different gender/ages appropriate space for healthy development.	Installation of play / recreation facilities or partnership agreements with local leisure centres / sports clubs at all hostels that host families by end of 2015.	- Parents have comparable access to further education after 12 months. - Children who complete LC qualify for free fees scheme.	No

## PROS

- The provision of common catering facilities would enhance respect for dignity by allowing protection applicants greater control over their family's diet. It also provides for a more normal family environment and allows parents to pass on cooking skills to their children.
- The provision of self-catering units would enhance respect for dignity by allowing protection applicants control over most aspects of their family's life. It also provides a more normal family environment for children and more appropriate conditions for healthy growth and development.
- The provision of 'family quarters' would offer more appropriate conditions for the healthy growth and development of children.
- Play facilities or partnerships with local service providers would allow for conditions that promote active, and thus healthier, lifestyles for children.
- Enabling protection applicants to access education, at any point, provides them with an opportunity to develop skills and capacities that will enhance their employability in Ireland or another country and their ability to provide for their families.
- Allowing children, upon completion of the leaving certificate, to continue with their studies, provides them with an opportunity to develop skills and capacities that will enhance their employability in Ireland or another country. It would also aid the process of integration by ensuring they are not isolated from their former classmates.
- Granting protection applicants the right to work, at any point, recognises the worth and value of individuals, enhances the dignity of parents who can provide for their children, improves integration (existing and future) and prevents the fostering of dependency.

## CONS

- The provision of common catering facilities / self-catering units / family quarters would necessitate additional expenditure and require resort to a new tendering process.
- Widening access to further education programmes (i.e comparable access) would either result in an increase in costs or displacement (if no additional places were available).
- Facilitating children, who complete the Leaving Certificate, to access third level education would necessitate policy/legislative change to make certain categories of asylum seeker eligible for free fees and result in increased costs for the Irish State.
- Granting protection applicants the right to work has been consistently resisted (in national legislation and at the European level) by all Irish Governments since the inception of the DP system. A key element is the perceived creation of an additional pull factor.

## 4.2.2 Suggested Improvements for Persons with Status

<b>Persons with Status</b>		
	<b>Barrier to Transition: Resources</b>	<b>Barrier to Transition: Institutionalisation</b>
<i>Option 1</i>	3 months permitted residence in DP whilst in receipt of full social welfare payments (i.e. no deductions made from the standard SWA).	Training provided in the areas of personal and social development, household budgeting, food preparation and child care.
<i>Option 2</i>	Payment by State of deposit and first month's rent in order to secure initial accommodation. This could be repaid by periodic deductions from welfare or by monthly instalments if employment is secured.	<p style="text-align: center;">AND</p> Production of high quality transition resource / package providing up to date information about housing, employment, education, healthcare etc.

### PROS

- Granting a defined period of additional residence and full payment of social welfare would allow persons recently granted status to save money in order to secure accommodation and thus transition more quickly.
- The provision of a re-payable grant would allow persons recently granted status to secure accommodation and thus transition more quickly. The re-payment of the grant by periodic instalments/deductions could also respect the dignity of persons by offering them transition assistance rather than charity.
- The provision of training and/or information would negate some of the impacts of institutional living and support persons with status to transition and integrate more quickly.

### CONS

- Any package of transition supports will require additional expenditure than what is currently being invested.
- The volatility of the current rental market may still block speedy transition, even when deposits etc. have been provided.
- There is some moral hazard but this can be reduced by limiting access to welfare while residing in DP to a specific period e.g. 3 months.
- Supporting any particular group to access accommodation could be perceived negatively by other groups among the general public.

## 5. Outline: Progressive Protection of Dignity

Basic Outline of Enhanced Direct Protection / Cap System					
Category	< 6 months	6 – 12 months	1– 3 years	3 – 5 years	> 5 years
<i>Single M/F</i>	Standard DP	Standard DP	- Review and case-by-case assignment of some single occupancy rooms. <sup>1</sup>  - Comparable access to further education. <sup>2</sup>	- Provision of single occupancy rooms to all.  - Right to work in some capacity. <sup>3</sup>	Cap reached and protection granted.
<i>Families</i>	Standard DP	- Hostel accommodation with ‘family quarters’ <sup>4</sup>  - Children granted eligibility for Free Fees <sup>5</sup>	- Hostel accommodation with common catering facilities or self-catering accommodation <sup>6</sup>  - Parents granted access to further education <sup>7</sup>	- Self-catering accommodation  - Right to work in some capacity. <sup>8</sup>	Cap reached and protection granted.
<i>Vulnerable Person</i>	Evaluation of needs.	- Ongoing evaluation which allows group to grow and decline  - Enhanced DP based on needs (i.e. private room, centre location near support services etc.)	- Ongoing evaluation which allows group to grow and decline  - Continuation of enhanced DP and potential removal based on needs	Early cap reached and protection granted.	N/A

<sup>1</sup> Aims to address Negative impacts on physical, emotional and mental health.

<sup>2</sup> Aims to address Boredom, isolation and social exclusion; Obsolescence of skills and creation of dependency; Institutionalisation.

<sup>3</sup> Aims to address Obsolescence of skills and creation of dependency; Institutionalisation; Negative impacts on physical, emotional and mental health.

<sup>4</sup> Aims to address Corrosion of family life; Inhibited growth and development of children; Negative impacts on physical, emotional and mental health.

<sup>5</sup> Aims to address Boredom, isolation and social exclusion; Inhibited growth and development of children; Negative impacts on physical, emotional and mental health.

<sup>6</sup> Aims to address Corrosion of family life; Inhibited growth and development of children; Negative impacts on physical, emotional and mental health.

<sup>7</sup> Aims to address Obsolescence of skills and creation of dependency; Institutionalisation; Negative impacts on physical, emotional and mental health.

<sup>8</sup> Aims to address Obsolescence of skills and creation of dependency; Institutionalisation; Negative impacts on physical, emotional and mental health.