



Joint Oireachtas Committee on Health and Children
Leinster House
Kildare Street
Dublin 2

21 July 2010

Dear Committee Member,

We were delighted to learn that members of the Joint Oireachtas Committee on Health and Children are due to visit two direct provision accommodation centres on Thursday 22 July.

FLAC is an independent human rights organisation dedicated to equal access to justice for all. In February of this year we issued a report entitled *One Size Doesn't Fit All* which examines the operation of the direct provision and dispersal scheme and its compliance with both domestic and international human rights standards.

The role of the Committee on Health and Children in visiting these centres is particularly important given that many people in the direct provision system suffer from health issues, in particular mental health related issues. The Health Service Executive in its own *National Intercultural Health Strategy 2007 – 2012* recognised the negative impact that direct provision may have on residents. A study carried out by the Department of General Practice at the Royal College of Surgeons in Ireland stated that “living within direct provision centres adversely affects mental health; it isolates asylum seekers from the local community, and limits their integration and understanding of the society they wish to join. In addition, preventing asylum seekers from working is known to lead to mental health problems and issues of self esteem” (Toar et al 2009).

The Reception and Integration Agency (RIA) is a division of the Department of Justice and Law Reform which is responsible for the operation of the direct provision and dispersal system. According to the latest statistics available from RIA issued in May 2010 there are currently 6337 people living in RIA accommodation. Of these more than half have been in direct provision for more than 2 years, and more than a third for three years or longer. Almost a third of direct provision residents are under the age of 18 years old. Often children are born while their parents are living in direct provision so they spend the initial part of their formative years growing up in an accommodation centre. *The National Children's Strategy* which is due to end in 2010 makes direct reference to the importance of these formative years, “[c]hildhood is a developmental period when the foundations for good health in future life will be laid down”.

The United Nations Convention on the Rights of the Child clearly states that in all decisions concerning children the “best interests of the child must be a primary consideration”. Therefore an asylum seeking child should be treated as a child first and foremost. Article 2 of the convention prohibits discrimination based on the status of the child’s parent.

Currently children living in the direct provision system are treated differently to other children living in Ireland as their parents cannot access the previously universal Child Benefit payment and are financially restricted. The conditions in which people are living may be tolerable for a short period but in terms of a child’s life, time spent in direct provision can be a very long time. While the centre provides three meals a day these are at set times and parents often do not have any control over when they feed their children as they are not allowed to keep food in their bedrooms for health and safety reasons. In addition parents cannot even make the decision as to when to wean their own child as their entitlement to powdered milk usually ends the week that the child turns one year old.

The lack of private and family life is also a matter of concern which arises for people living in direct provision accommodation. Often whole families have to share one bedroom and this may include teenagers and parents; this bedroom also serves as their living room, homework room and recreational space. In some centres there is very little room for toddlers to learn how to crawl and walk in safety outside their family’s small bedroom.

These are just some of the issues we urge you to keep in mind during your visits to these accommodation centres. The residents of the hostels in Mosney and Monaghan have asked that we forward you copies of our report *One Size Doesn’t Fit All* therefore we have enclosed a copy of the report along with other documents we feel may be relevant, including a factsheet about asylum seekers for your information.

The third section of the report may be particularly relevant for your visit as it looks at the State’s international human rights obligations and makes particular reference to the rights to health, food and housing. Each individual right mentioned also has a short section on the particular needs and rights of children.

Please do not hesitate to contact us if you require further information.

Yours sincerely,

Noeline Blackwell
Director General