

# Irish Refugee Council



## Annual Report 2011



# Table of Contents

Executive Summary	p.4
Communications	p.5
Children and Young People	p.6
Activities	p.8
European Database of Asylum Law	p.10
Master class Series	p.11
Information and Referral Service	p.11
Independent Law Centre	p.12
Governance	p.13
Finance	p.13
Staff and Interns 2011	p.15

# Executive Summary

In 2011 the Irish Refugee Council saw major developments in its work. We recruited four staff members for a new independent law centre which opened in November, only the seventh in Ireland, and we re-focused our children's work to incorporate work with children and young people in families to complement our work with separated children. We also began work in developing a new database which became the European Database of Asylum Law (EDAL), commenced master classes for legal practitioners and launched a Roadmap for Asylum Reform. Several pieces of work came to fruition during the year, particularly the launch of a report entitled 'Closing a Protection Gap' which focused on the need for separated children to have a voice in determining what support they need. The numbers employed by the IRC during the year doubled with the staffing levels increasing from five to ten by the end of the year.

The work of the paid staff was complemented by interns and volunteers who have been at the forefront of some of our work, not least the direct service to asylum seekers and refugees which is available each weekday, offering support and guidance to often quite vulnerable people.

The Board itself saw considerable change with the first changes taking place at the AGM in May. This was followed by further co-options and re-organisation during the year. The work of the organisation was also enhanced by the appointment of Mrs. Justice Catherine McGuinness as a Patron of the IRC, a role which she has taken on with a passion, bringing years of expertise to the work of the Council.

All of these changes have seen the IRC re-establish itself as a credible and authoritative organisation actively seeking change in the treatment of those who seek protection in Ireland. It has not only been a process of growth but also of consolidation.

Throughout the process we have received the support of our two main funders, The One Foundation and Atlantic Philanthropies, to whom we are extremely grateful. They have provided not only the financial backing needed to enable the organisation to function but also advice and guidance based upon their years of expertise not least in their work relating to governance, with children and the wider human rights field.

We have enjoyed ongoing support of members of the IRC and collaboration with other NGOs including those in the NGO Forum on Direct Provision and specialist organisations such as Spirasi.

We would therefore like to take the opportunity to thank those that have continued to be supportive of our work and we hope that you enjoy reading about the main events which took place in 2011. We look forward to working with you in the coming year.

**Ciara McKenna**  
**Chair, IRC Board**

**Sue Conlan**  
**CEO**

# Communications

## Media Relations

The aim of the communications strategy for 2011 was to maintain the IRC as the primary authority on refugee and asylum issues in the media and to act as an advocacy tool serving the organisation's overall vision of a just, fair and inclusive Irish society for people seeking protection

Our communications targeted the general public, journalists, politicians and decision-makers, refugees and asylum seekers, legal practitioners and community activists through a combination of conventional, online and social media events and direct contact.

Some key objectives were to expand the number and type of media outlets covering IRC issues, to develop social media activity and synergise with conventional media, fundraising and capacity-building activities and to build relationships with politicians and civil servants.

Throughout 2011, we obtained 54 pieces of coverage in the print and online media and 15 pieces of broadcast coverage. These include an opinion piece by our patron, Mrs. Justice Catherine McGuinness, on the need for a robust independent appeals mechanism which appeared in the Irish Times on 2 September 2011.

## Online Communications



Online communications surged in 2011, with the IRC facebook following growing from approximately 300

to over 1,900, while the twitter account achieved almost 200 followers in its first year of activity.

Online communications was furthered by the development of a new website which went live in November. The new website facilitates greater synergy with social media and online payment mechanisms.

One of the primary aims in developing the website was to create a site that was more user-friendly and visually appealing while maintaining a high standard of content and information. Future plans for the site include uploading information sheets in a variety of languages.

## Talks and Workshops

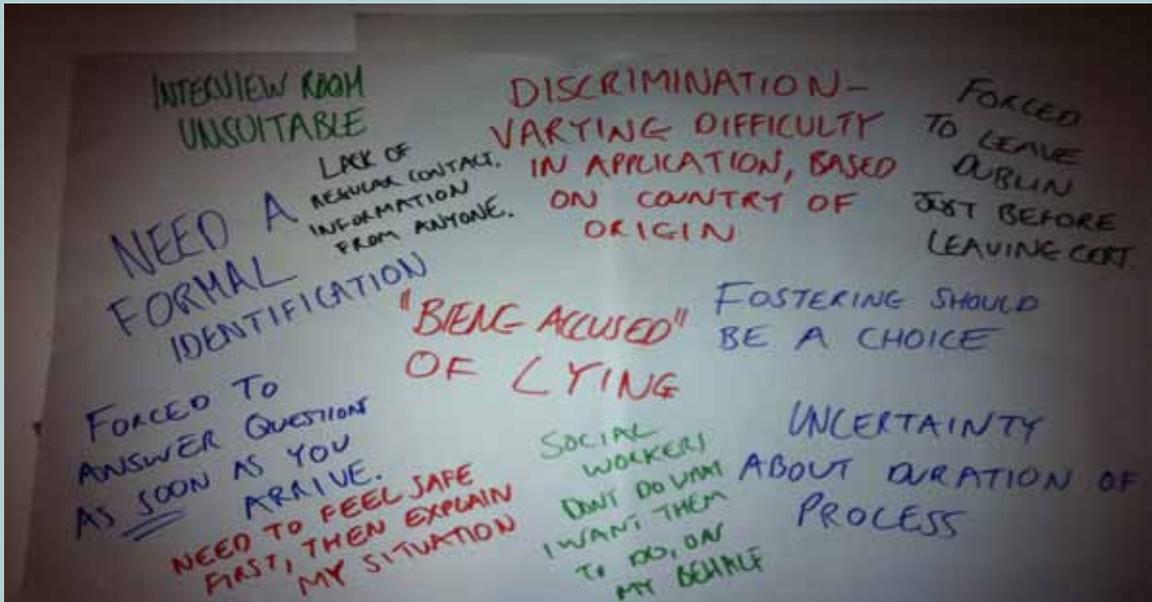
In 2011, we rolled out a programme to educate primary and secondary school children on how people come to need international protection and how the asylum process works in Ireland. We delivered nine workshops in secondary schools and libraries in three counties in 2011 and look forward to expanding the programme to reach more schools in 2012.

We took part in an NUIG Law Society debate. In addition, we delivered lectures on refugee law and on separated children in NUIG, Trinity College, the Institute of Technology Tallaght and the Dublin Institute of Technology.



*Children at the Good Relations Workshop on Racism and Intolerance, April 2011*

# Children and Young People



This year the Irish Refugee Council undertook to expand the work in the area of children to include all children in the asylum process or with families in the asylum process. The IRC post of Separated Children's Officer therefore became the Children's and Young Person's Officer in June 2011. The focus of the work included individual case work and advocacy, public awareness and capacity building.

## Casework

We assisted 18 young people aged 16-20 living in residential centres, with foster families, with families in direct provision, or on their own living in direct provision with the following concerns:

- Access to education post dispersal, for aged-out minors and families in direct provision
- Access to appropriate health services
- Foster placement breakdowns
- Isolation (aged out minors)
- Under/malnutrition (children with families in direct provision)
- Other needs related to living in direct provision (e.g. transportation)
- Age assessment/reassessment
- Issues relating to legal cases

## Closing a Protection Gap

We continued to be involved in a European Research Project: 'Closing a Protection Gap: core standards for guardians of separated children in Europe'. The project was funded by the European Commission. The goal of this project was, as the title suggests, to close a protection gap for separated children in Europe by developing core standards for guardians with a focus on qualifications of guardians based on the views of separated children in relation to their rights according to the Convention on the Rights of the Child and EU directives. Eight member states were involved in the project – Ireland, The Netherlands, Belgium, Denmark, Germany, Slovenia, Sweden and Italy. The national report for Ireland was officially launched on 1 February 2011 by Sophie Magennis, Head of Office at UNHCR Ireland. Further funding has been sought to continue the project. We also produced a child-friendly guide of the report.

## Integration Mapping Project

We received funding from the Community Foundation for Ireland for an Integration Mapping Project which aims to foster the integration of children and young people living in Direct Provision in the local community through providing information on mainstream youth services in a child-friendly poster format. The project was launched on Tuesday, 13 December by Senator Jillian van Turnhout.

The project focussed on eleven communities across eight counties where Direct Provision accommodation centres are located. Information on local services and activities was compiled and presented in colourful posters and pamphlets to be displayed in the reception areas of the accommodation centres where parents and children would be able to see the posters anytime they passed through reception. There are approximately 1700 residents across the accommodation centres involved in the project, a third of which are children.

The Irish Refugee Council also met with youth services, families, young people and managers of the accommodation centres to measure the levels of existing engagement. Early in 2012, the Irish Refugee Council will roll out the second phase of the project by inviting youth services to an 'information day' at each centre to introduce their services to young residents and their parents.



## **Independent Advocacy Pilot**

The IRC was awarded a tender for an Independent Advocacy Pilot by the Children's Rights Alliance using funds made available through The Body Shop campaign against child trafficking. This is an exciting endeavour for the IRC as there have been several calls for the introduction of an independent system for guardianship in Ireland at international, European Union and domestic levels. Separated

children, or children in general, require more support and need qualified and dedicated advocates to ensure their safety, look after their well-being and to ensure all other aspects of the child's psychosocial needs are being met. This is the focus and aim of the project which will be launched in early 2012.

## **Youth empowerment**

Together with UNICEF Ireland we have been facilitating after school sessions at Crosscare's Youth Aftercare Support Service for the last six months with the aim of supporting separated young people in identifying key issues of concerns, choosing and agreeing on priorities, identifying their target audience, and deciding how to communicate their findings. The young people are now working to produce a book outlining their experiences of seeking asylum in Ireland including recommendations for policy makers and advice for newly arrived separated young people to Ireland.

## **Collaboration and participation**

The IRC is also a member of Action for Separated Children in Ireland (ASCI) which also consists of the Children's Rights Alliance, Barnardos, EPIC, the Irish Association for Young People in Care, Crosscare, the Dun Laoghaire Refugee Project, and UNICEF Ireland. ASCI's main area of work has been reviewing the 'Equity of Care' plan for separated children in HSE care. We attended meetings with the HSE prioritising a review of the plan's implementation and considering alternatives to the use of Sections 4 and 5 of the Child Care Act 1991 (e.g. Sections 17/18).

The Children's and Young Persons' Officer is the Irish contact for the Separated Children in Europe Programme (SCEP) and is also on their steering committee.

# Activities

## Asylum Reform

Throughout 2011, the IRC sought to highlight the need for a single protection procedure, the frontloading of legal services, full implementation of the Procedures Directive and a robust, independent appeals mechanism. In February, we held a seminar with Mr. Justice Nicholas Blake, President of the Upper Tribunal of the Asylum and Immigration Chamber, on the UK experience of developing an effective appeals process. This led to an editorial in the Irish Times on the lack of transparency in the current appeals process.



Mrs Justice Catherine McGuinness and Mr Justice Nicholas Blake, President of the Upper Tribunal of the Asylum and Immigration Chamber

discuss concerns with the Immigration, Residence and Protection (IRP) Bill 2010. The new Minister for Justice announced in July that the IRP Bill 2010 would be returned to Committee Stage with over 300 amendments in the autumn. In July, we participated in a joint NGO briefing on the IRP Bill for TDs and Senators in Leinster House.

In September 2011, the IRC took a group comprised of politicians, the Legal Aid Board and NGOs to Birmingham to visit the Early Legal Advice Project in Solihull and the Lower Tier of the Asylum and Immigration Chamber.



Field study to Birmingham, September 2011

March 2011 saw the publication of the Eurostat report showing Ireland to have the lowest recognition rate for protection applicants in Europe. We were able to use this figure and comparisons with other European countries to highlight failings in the Irish asylum system.

September also saw the launch of our 'Roadmap for Asylum Reform' by Mrs Justice Catherine McGuinness. We held a further briefing on problems with the asylum process and direct provision for members of the Labour parliamentary party in November.

In June, we met with the new Minister for Justice, Alan Shatter TD. In addition, with Trinity Law School, we hosted a lecture by Professor James Hathaway on the occasion of the 60<sup>th</sup> anniversary of the Refugee Convention with a focus upon the continued relevance of the Convention. Throughout the spring and summer, we sought to meet individually with members of the new Justice Committee to



Professor William Binchy and Professor James Hathaway

The IRP Bill was not brought before the Justice Committee during the autumn session of the Dáil as expected and we have since learned that it has been withdrawn. A new Bill is expected in 2012. However, our activities in 2011 have laid the ground for future work on securing changes to the asylum system.

## Deportation Practices



*Stop Degrading Deportations Demonstration,  
13 January 2011*

The IRC maintained its focus on deportation practices following the worrying experiences of a group of Nigerians who were on a deportation flight organised by the Irish authorities in conjunction with Frontex (the EU Border Agency) in December 2010. Following statements taken by us after the group were returned to Ireland due to a technical fault on the plane, representations were made to both the Department of Justice and Frontex. The Minister's response was that he was satisfied with the practice. We assisted in organising a protest at the gates of Leinster House in January and continued to advocate for a review of the deportation process by the Department of Justice.

## Direct Provision

We have continued to play an active part in the NGO Forum on Direct Provision whose priority is to ensure that the human rights of those currently in the Direct Provision system are respected and promoted. The Forum also aims to empower regional bodies and asylum seekers. The other members were: AkiDwA, Barnardos, Cultúr, Doras Luimní, Free Legal Advice Centres (FLAC), Galway Refugee Support Group, The Irish Bishops' Refugee & Migrant Project, The Integration Centre, The Jesuit Refugee Service, Mayo Intercultural Action, Nasc, SPIRASI, Tralee International Resource Centre and Crosscare

The main activities in 2011 were the publication of an information document, 'Direct Provision and Dispersal: Is there an Alternative?' which highlighted some of the reception facilities in other EU states, a briefing at Leinster House and a particular focus on the need for an independent complaints system for residents.

The Forum also organised a briefing for TDs and Senators about the direct provision system in July at Leinster House. The Forum was represented by a broadly representative group of 17 members. Key information was presented formally by speakers from the IRC, Nasc and FLAC, with other members initiating informal conversations with Oireachtas members on the periphery of the meeting. A lively plenary discussion took place, with what several attendees commented were particularly beneficial interventions by psychotherapists working for SPIRASI. Around 25 TDs and Senators attended, including David Stanton TD, Chair of the Joint Oireachtas Committee on Justice. The Forum members followed up with calls and letters to the public representatives in their constituencies.



*NGO Forum on Direct Provision*

# European Database of Asylum Law



The European Database of Asylum Law (EDAL) is an online database ([www.asylumlawdatabase.eu](http://www.asylumlawdatabase.eu)) containing case law from 11 EU Member States interpreting refugee and asylum law. EDAL summarises relevant case law in English and the Member State's national language and provides a link to, and/or pdf of, the full text of the original judgment where available.

EDAL is funded by the European Commission's European Refugee Fund under the project entitled 'Learning from Practice: Developing a database of jurisprudence to deepen cross-European understanding of the interpretation of the Qualification and Asylum Procedures Directives'.

The Irish Refugee Council coordinated the project and partnered with the European Council on Refugees and Exiles (ECRE). An Advisory Panel including a representative of UNHCR was formed to provide guidance on the project and National experts were appointed to select and draft the case summaries in English and the Member State's national language.

EDAL's objective is to strengthen the development of harmonized standards of protection within the Common European Asylum System and, in particular, to increase consistency and quality in the interpretation and application of the Qualification<sup>1</sup> and Asylum Procedures<sup>2</sup> Directives.

The primary audience is decision-makers at all levels, practitioners, academics and policy makers. The project aims to foster deeper cooperation amongst decision-makers and practitioners across Member States. EDAL contains case summaries from the following 11 Member States:

- Belgium
- The Czech Republic
- Hungary

- Finland
- Germany
- France
- Ireland
- The Netherlands
- Spain
- Sweden
- United Kingdom

The Irish Refugee Council is seeking to obtain additional funding to be able in the future to include the case law of other EU Member States and to extend the focus to other elements of the Common European Asylum System.



1 Council Directive 2004/83/EC.

2 Council Directive 2005/85/EC.  
10 Annual Report 2011

# Master class series

The IRC commenced a series of master classes in 2011 as part of its programme of capacity building. The classes were led jointly by lawyers who specialise in aspects of asylum and refugee law in both Ireland and the UK. The classes were aimed at lawyers and other professionals who wish to learn more about refugee law and practice, and related protection issues. The 2011 series covered a broad range of topics including: the protection needs of children in the asylum process; challenging

deportation; Article 8 ECHR in asylum and refugee cases; and exclusion from and revocation of refugee status.

The IRC are grateful to all of the course leaders from home and abroad who gave of their time and expertise.



*Patricia Brazil and Kathryn Cronin*



*Ciara McKenna, Ronan Toal and Colm O'Dwyer*

## Information and Referral Service

The IRC has always provided some form of direct service to asylum seekers, refugees and those that are related to or work with them. In the past, this has included the employment of Legal Officers who worked with lawyers including the Refugee Legal Service in certain aspects of an individual's legal case. In addition, we have had staff who had a particular expertise in matters relating to particular parts of the asylum system such as Direct Provision.

With the move to opening a law centre, we have revised the support and guidance given to those that fall outside of the law centre remit. We therefore renamed this service in 2011 and it is now known as the Information and Referral Service. It continued throughout the year being run by interns under the supervision of the CEO and with the support of other staff. They have dealt with about 70 queries a month which range from requests for information about claiming asylum,

delays in the process to deportations orders and difficulties with registration with the GNIB. The queries were logged and a record kept of the action taken which has sometimes included a referral for specialist advice or support.

The Information and Referral Service is an important source of referral for the law centre and a number of cases have been taken on as clients of the law centre to receive legal advice and representation.

We are indebted to the dedication of all our interns for their hard work and professionalism in the service that they offer on behalf of the IRC.

# Independent Law Centre

2011 saw the fruition of the IRC's desire to establish an independent law centre. Recruitment of staff for the law Centre, the legal services division of the IRC, was completed in May with all staff in place by mid-July 2011. The Law Centre has four staff members: Jacqueline Kelly (Managing Solicitor), Rosemary Kingston-O'Connell (Senior Solicitor) and Legal Officers Shauna Gillan and Nick Henderson. Jacqueline and Rosemary each have extensive backgrounds as solicitors practising in the areas of refugee and family law. Shauna previously practiced as a barrister in the area of asylum and immigration in the UK, and Nick worked as an advocate with a legal aid charity representing asylum seekers before the Tribunal in the UK. The Law Centre staff are greatly assisted by our administrator, Dainora Vilkonciute.

The Law Centre had a wide range of tasks to complete in preparation for its opening, and the official launch in early 2012. These ranged from basic administrative requirements, such as organizing office space within the existing IRC premises, through to more demanding and time-consuming work such as establishing the policy framework which will guide how we assist our client base.

A considerable amount of time was spent establishing the procedures for how we will assist our clients. The Law Centre devised a range of policies and procedures which govern our work, these were reviewed by an independent consultant and we achieved the "LQ Basic" quality mark. Various upgrades were made to the organization's IT system including the development of a new case management system that allows us to manage our client files electronically.

The Law Centre commenced services on 4th November 2011, prior to its official opening by the President in February 2012.

Similar to the other Independent Law Centres in Ireland, we aim to respond to unmet legal need amongst our client base. Our services are provided without charge to our clients. Approximately half of the Law Centre's cases will involve providing advice and assistance to asylum seekers in the very early stages of the asylum process. The other half of our case work will involve referrals from other organisations in cases where an individual is particularly vulnerable and has difficulties in otherwise accessing legal services or where the case may be of strategic benefit to asylum seekers and refugees. We recognise that our clients often find

the asylum process disheartening and frustrating and as a result work closely with other agencies so as to assist our clients in identifying other supports and services which could assist them during the process.

Through its work with individual clients, the Law Centre also seeks to identify issues which affect people seeking international protection in Ireland and to build capacity amongst practitioners in the area generally. We continue to jointly coordinate the Refugee & Immigration Practitioners' Network. In 2012 we hope to open an evening advice clinic in association with FLAC specialising in asylum and refugee law.

The Law Centre looks forward to continuing to work closely with, and to complementing, the work of existing legal practitioners in the area. We have met with solicitors and other organisations working in the immigration and asylum sector to provide them with information about the aims of the Law Centre and our referrals policy. We have also benefited from their knowledge and experience and greatly appreciate the insight that so many individuals and organisations have kindly shared with us.

Overall, in 2011, we believe that the Law Centre has established the framework for the provision of a sustainable, high quality, independent legal service for asylum seekers and refugees. We have had a strong initial interest in the Law Centre which is steadily building and are looking forward to a very busy and constructive 2012.



*Shauna Gillan, Rosemary Kingston O'Connell, Jaqueline Kelly and Nick Henderson*

# Governance

The IRC started 2011 under the leadership of John Stanley as Chair of the Board who continued in that capacity until the AGM in May 2011. An almost completely new Board was elected at the AGM and the position of Chair passed to Aoife Gillespie who worked closely with the Vice Chair, Ciara McKenna, the Secretary, Patricia Brazil, and the Treasurer, Fleur Smyth. Also elected at the AGM were Alpha Gassama, Vukasin Nedeljkovic and Angel Bello Cortes. Aoife had to stand down towards the end of 2011 and Ciara then stepped in to the role of Chair. During the year, the Board's expertise was strengthened by the co-option of Triona Nic Giolla Choille and Malcolm Quigley.

The Board met monthly in order to oversee the consolidation of the organisation as it grew substantially during the year with new staff being taken on, particularly for the law centre. In addition to monthly meetings, Board members were also involved in different aspects of policy and development work, particularly relating to personnel issues and fundraising.

## Board 2011

Alpha Gassama

Angel Bello Cortes

Aoife Gillespie

Ciara McKenna

Fleur Smyth

Malcolm Quigley

Patricia Brazil

Reza Mirfattahi

Triona Nic Giolla Choille

Vukasin Nedeljkovic

## Finance

2011 marked the first full year of beginning to implement the new IRC Business Plan (2011-2013). There was therefore a significant increase in both income and expenditure of the organisation in 2011 compared to 2010, which was more of a period that the organisation was going through reflection and planning. By the end of 2011 the IRC had filled in all the staff positions and procured equipment and accessories required for the staff to do their work.

The level of income for the organisation rose by almost 100% from 2010 figures. This indicated renewed commitment by the IRC funding partners to a new look institution that is set to deliver on a new strategy.

As reflected in the financial summary, almost 90% of the income received comprised of grants from philanthropic organisations, that are providing core funding to IRC work, and European Commission grants for specific projects. The organisation raised the remaining 10% mainly through general donations, membership fees, training fees and rental income. Through a robust fundraising strategy that was put in place in 2011 the organisation has begun to solicit funding from new sources.

The level of overall expenditure increased by

65% from 2010 figures as the organisation filled in all the vacant staff positions.

The expenditure mix provides the pattern of the organisation's spending in 2011. About 55% of the expenditure was incurred on case work and policy work which is the core of IRC business. Projects took about 28% of the spending, with the bulk of this being the EDAL project.

Given today's general economic difficulties the organisation closely monitors its expenditure to ensure that scarce financial resources are used in the most economic and efficient way that helps to attain the greatest impact of our work. Administrative overheads are kept under a 10% cap. The Board and Treasurer of the IRC review the organisation's financial reports on a regular basis.

The organisation moves into 2012 with sufficient resources to undertake the currently planned activities. Fundraising will continue more actively in order to scale up some activities as well as secure funding for future work.

# Finance

## Where did our funds come from?

The following is a summarised version of the IRC audited accounts for the 12 months ending 31st December 2011. The full set of audited accounts are filed each year with the Companies Office making them available to all members of the public. This gives our many supporters and stakeholders a chance to view our detailed financial information. Our Company Office registration number is 188693.

### Mix of Income 2011

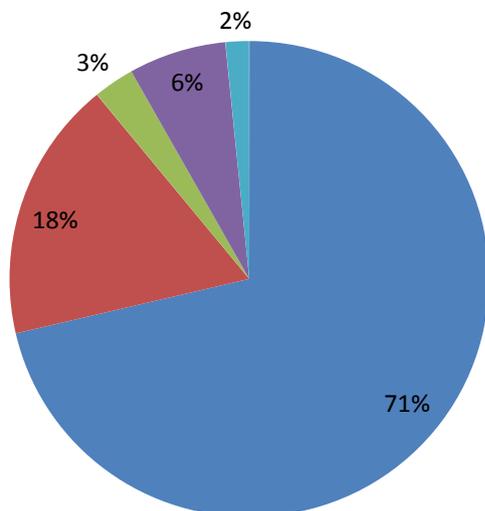
Philanthropic grants	€475,000.00
European Commission funds	€118,127.00
Membership fees & general donations	€18,402.00
Income generation	€43,822.00
Other Income	€10,582.00
<b>TOTAL</b>	<b>€665,933.00</b>

### Mix of Expenditure 2011

Case work	€197,590.00
Policy work	€143,581.00
Capacity building	€45,430.00
Projects	€174,370.00
Governance & Admin	€56,728.00
<b>TOTAL</b>	<b>€617,699.00</b>

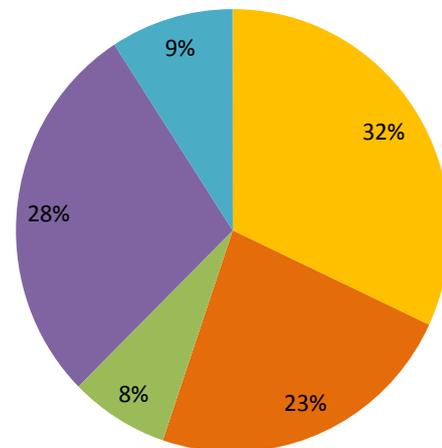
### Mix of Income

- Philanthropic grants
- European Commission funds
- Membership fees & general donations
- Income generation
- Other Income



### Mix of Expenditure

- Case work
- Policy work
- Capacity building
- Projects
- Governance & Admin



# Staff and Interns 2011

## Staff

Sue Conlan, CEO

Jonah Mudehwe, Finance Manager

Sharon Waters, Communications & Public Affairs Officer

Samantha Arnold, Children's and Young Persons' Officer

Marian Deady, European Officer

Makesh Joshi, EDAL Support Worker (joined October 2011)

## Law Centre

Jacqueline Kelly, Managing Solicitor (joined June 2011)

Rosemary Kingston O'Connell, Senior Solicitor (joined June 2011)

Nick Henderson, Legal Officer (joined May 2011)

Shauna Gillan, Legal Officer (joined July 2011)

Dainora Vilkonciute, Administrator ( FAS placement, joined October 2011)

## Interns / Volunteers

Ahmed Ali

Alis Sevakian

Claire Tadla

Conor Ryan

Frank Kelly

Katherine Haworth

Grainne Ferris

Katharina Ní Cathaoir

Katie Goodwin

Katie Sheehan

Keith Doyle

Kevin Croke

Louise Sarsfield Collins

Michele Lam

Nico Denti

Paula Quirke

Sandra Byrne

Sarah Kennedy

Siobhan O'Grady

Stephen Bannon

Tsitsi Rinomhota

Yvonne O'Sullivan

The logo for the Irish Refugee Council features the text "Irish Refugee Council" in a bold, dark blue, sans-serif font. To the right of the text is a large, orange, curved graphic element that resembles a stylized arch or a protective shield.

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Refugee  
Council**

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