

# ANNUAL REPORT 2012



**Cover Photos (clockwise):** *launch of 'Difficult to Believe', October 2012; official opening of Independent Law Centre, February 2012; official launch of European Database of Asylum Law (EDAL), February 2012; launch of 'State Sanctioned Child Poverty & Exclusion', September 2012..*

## Executive Summary

It is our pleasure to present the 2012 Annual Report of the Irish Refugee Council. In it we set out the necessary work of the IRC team – Board, staff, interns and volunteers – to achieve change for our direct beneficiaries and the wider group of individuals seeking international protection in Ireland.

### Activities

The IRC vision is that of an inclusive society which welcomes those seeking international protection. Throughout the year the IRC has worked with a broad group of individuals – clients of the IRC Independent Law Centre, beneficiaries of the Information and Referral Service, and young people supported by the Children’s and Young Persons’ Officer and Advocates in the Independent Advocacy Pilot. We have enhanced the knowledge, understanding and practical skills of those who work with refugees and asylum seekers, via masterclasses in refugee law, an annual conference, the European Database of Asylum Law, and our engagement with politicians. Through the media we have heightened public awareness of the issues facing protection seekers in Ireland.

### Achievements

In 2012 the IRC produced two significant reports. These were based on meticulous research and are authoritative in their content, analysis and conclusions. They are ‘State Sanctioned Child Poverty and Exclusion’ and ‘Difficult to Believe’. ‘State Sanctioned Child Poverty and Exclusion’ concerned children in the Direct Provision system and was part of a broader IRC’s campaign entitled ‘Ireland’s invisible children’. This campaign has received widespread support. However, the authorities have yet to respond in a significant way to the evidence which outlines the negative impact of the accommodation system for asylum seekers on children. ‘Difficult to Believe’ outlined the reality of the asylum system in Ireland for the first time, and underlined the work of the IRC to bring fairness and transparency to the asylum decision making process.

The IRC’s Independent Law Centre has established itself as a truly professional body of specialist expertise. In particular, its model of ‘early legal advice’ for those claiming asylum, has produced significant results for its clients. The Law Centre’s work is complemented by that of the Information and Referral Service which provides non-legal support for individuals and seeks to empower them to advocate on their own behalf. The service is a key point of referral to the Law Centre. The IRC’s specialist work with children and young people, has provided direct support and encouragement to Ireland’s otherwise “invisible children”. In addition, the IRC has become an authoritative voice on asylum issues in the media, and is also well

respected by those in the public sphere, notably among our public representatives.

Throughout this period, the organisation has continued to be on a sound financial footing and is overseen by a committed group of professionals, who form the Board of Directors.

### The Future

We believe that the work in which the IRC is engaged, in partnership with other individuals and organisations, will bring about change that is beneficial for all of those involved in the system; including those responsible for administering the system, those paying for it and, in particular, those who come to Ireland seeking protection.

Our programme of work for 2013 will continue to build on our activities in 2012, within the framework of the strategic plan set by the Board for the period 2011 – 2013. The coming year will be crucial for the organisation as we review our plans for the period from 2014 onwards; a process that will see us working closely with other organisations that share our commitments and objectives. We look forward to addressing the opportunities and challenges of the coming year together.

### Thanks

We are particularly grateful for the support that we continued to receive from both the One Foundation and Atlantic Philanthropies. This is not simply financial support but also in kind expertise, experience and commitment to refugee protection in Ireland. We have also benefitted from considerable financial support from the European Commission which has enabled us to participate in a number of projects with partners in other EU member states. We have also, for the first time, received a grant from the European Programme for Integration and Migration, a network of European foundations.

We would also like to acknowledge the contribution and dedication that several politicians have given to the issues raised by the IRC, particularly in the area of Direct Provision. We therefore wish to thank Derek Nolan TD, Senator Trevor O’Clochartaigh, Senator Jillian van Turnhout and Senator Katherine Zappone.

Finally our personal thanks are extended to the IRC Board and staff team for all their hard work and dedication throughout 2012.

**Ciara McKenna BL**  
Chair of the IRC  
Board of Directors

**Sue Conlan**  
CEO

## Independent Law Centre

The IRC's Law Centre was established in late 2011 and offers direct legal representation free of charge to asylum seekers and refugees in Ireland. The Law Centre's primary aims are to meet unmet legal need, to demonstrate a different model for the delivery of legal services to asylum seekers, particularly in the early stages of an application for protection, and to undertake strategic casework. The Law Centre is staffed by Jacqueline Kelly (Managing Solicitor), Rosemary Kingston O'Connell (Senior Solicitor), Nick Henderson (Legal Officer) and Brian Collins (Legal Officer). Brian took over from Shauna Gillan (Legal Officer) who moved on from the IRC in October 2012.

### Official Opening

2012 marked our first full year in operation. On 17 February, we celebrated the Law Centre's official opening by President Michael D. Higgins. In his speech President Higgins referred to the shared humanity of applicant and decision maker and the importance of the decision making process:

*"The investigation and assessment of asylum applications is a solemn task. Great care and attention must be paid to each person's application with every opportunity taken to explore and avail of information which assists the person making the application, which also depends on the interpretation by individuals of the duty which attaches to the decision-making process. The Minister, and his or her officials, charged with responsibility under the law in making the vital decision must never lose sight of their shared humanity with the applicant."*

Jacqueline Kelly, Managing solicitor, spoke about the importance of ensuring that the voice of refugee is fully heard within the asylum process:

*"From my experience in this field over the last decade, I am deeply aware of what can happen when the full extent of a person's story is not heard at the outset and the devastating effect a protracted legal process can have on the lives of asylum seekers, adults and children alike."*



*Managing Solicitor, Jacqueline Kelly, speaking at the launch of the Independent Law Centre, February 2012*

She described the Law Centre's core aims of serving unmet legal need, particularly in the initial stages of an application for protection.

### Casework

In the year that followed, the Law Centre significantly realised its aims to serve unmet legal need amongst asylum seekers in the early stages of their application for protection. Approximately 95 early legal advice appointments were offered to people in which they could discuss the facts of their case with a solicitor and obtain advice on international protection law. These appointments were provided by the Law Centre's solicitors and were, on average, of two hour duration. Several appointments were offered to people who had not yet claimed asylum and wished to have advice before making an application. In a number of cases, we advised that while the person had a right to apply for asylum, our professional opinion was that such an application was not actually appropriate. The Law Centre also offered full representation to more than 30 of those clients and developed a model of service which enables the applicant's full claim to be put forward to the decision maker at the earliest stage possible. In providing our services at the earliest possible stage, we believe the Law Centre protected the integrity of the process in preventing unnecessary applications for asylum as well as well offering comprehensive advice and representation to those in the process.

### A Unique Service at First Instance

We offer a unique free legal service for adults currently seeking asylum in Ireland. It has proved particularly important in the cases of vulnerable adults who may have difficulty enunciating their fear, particularly in a new environment (such as at interview). It has also been particularly valuable for those who have not already claimed asylum and who wish to make an informed decision about making an application for protection. We will publish more detailed information later this year in relation to the outcomes of our cases and issues we have encountered in representing clients at first instance. At this juncture, we are pleased to note that we have had a significant number of successful outcomes for clients, several of whom could not have accessed any alternative legal service. We also believe that increased representation of applicants at ORAC has a knock on beneficial impact for others in the process, even those who have never had access to our services.

## Representation at First Instance

A meaningful first instance process is marked by the applicant's ability to put forward the full extent of their claim at the earliest stage possible and to have procedures and guarantees in place which facilitate this, particularly for vulnerable applicants. We believe that early legal advice and representation is as valuable and important in asylum law as it is in family law and other areas of civil legal aid. A focus on offering legal advice and representation to the majority of asylum seekers only at appeal stage has created a significant unmet legal need for advice and representation at first instance.

In cases where the Law Centre offered full representation at first instance (i.e. where the Law Centre goes beyond an advice appointment with a solicitor and comes on record for a client), the applicant is assisted in preparing a Personal Statement, in his/her own words, which sets out reasons why he/she is seeking international protection. Where appropriate, this document is prepared and read back with the assistance of a professional interpreter. The Personal Statement is then returned to ORAC (the first instance decision maker) in good time in advance of the applicant's interview with ORAC. This gives the interviewer the opportunity to read the applicant's statement before the interview takes place. A staff member from the Law Centre (usually a Legal Officer) then accompanies the applicant to interview and, if appropriate, the Law Centre makes submissions after the interview in advance of the decision being issued.

## Source of Referrals

Disappointingly, the Reception & Integration Agency and the Department of Justice declined to grant us access to the Reception Centre at Baleskin which accommodates asylum seekers arriving in Ireland for the purposes of running a regular outreach clinic which would enable us to inform people of this unique and free service. However, clients have learned about our service through word of mouth and frequently self-refer for early legal advice. We also receive client referrals in the early stages and at other stages of the process from the IRC's Information and Referral Service as well as from a broad range of other organisations: PILA, Ruhama, FLAC, Crosscare, ICI, HSE and others in relation to both early legal advice cases and cases at other stages of the process.

Case Numbers	
Representation of Asylum Seekers at ORAC (first instance) stage	35
Representation of Refugees/Asylum Seekers at Other Stages (eg: Deportation, application for a re-admission to the asylum process)	22
<b>Total (full cases)</b>	<b>55</b>
Advice Appointment with a Solicitor on making an application for asylum	60
Advice Appointment with a Solicitor to Asylum Seekers/Refugees at other stages of the process	18
<b>Total (advice appointments)</b>	<b>78</b>



*Shauna Gillan, Legal Officer; Rosemary Kingston O'Connell, Senior Solicitor; Nick Henderson, Legal Officer; Jacqueline Kelly, Managing Solicitor; & President Michael D. Higgins at the launch of the Independent Law Centre, February 2012*

## Research

Informed by issues arising in our casework, and by the experience of other jurisdictions in which early legal advice is built in to the system, we commenced research on best practice in the representation of asylum applicants at first instance. We will be continuing this research in 2013, exploring the elements of a meaningful and effective first instance process which takes into account domestic and EU legislation, national and international case law. In September 2012, we also commenced work on a project co-ordinated by the IRC on 'Early Legal Advice for protection applicants' and Funded by the European Programme on Integration and Migration (EPIM). Our Legal Officers, Nick and Shauna, were Irish national experts for the KNOW-RESET Project on Resettlement. Further information can be found in the section on Research and Publications.

## Capacity Building

We have sought to share our knowledge with others who work within the sector and develop the capacity of key stakeholders within the sector. In February, together with UNHCR, we ran two one day seminars for approximately 30 interpreters on interpreting within the refugee context. Places were highly sought after by interpreters in the field, with demand greatly exceeding capacity. We are indebted to Carl Grainger of UNHCR Dublin and to Shauna Gillan, our former Legal Officer who moved on from the IRC in August of this year, for their work in delivering these seminars. Together with ICI, we continue to coordinate meetings of the Refugee and Immigration Practitioners' Network. We have presented at several conferences and training seminars, including the European Council of Refugees and Exiles Annual General Conference in Dublin; the IRC's Credibility Conference in October and LGBT Master Class in

November, to undergraduates at NUIG and DIT (Shauna), post-graduates at UCD (Rosemary) and to solicitors at the Law Society of Ireland and at FLAC Volunteer Training on Immigration and Asylum Law (Jacqueline). Nick Henderson has taken on the role of ELENA Network Coordinator on behalf of the IRC. ELENA is the European Legal Network of Asylum Lawyers run by the European Council of Refugees and Exiles (ECRE). As Coordinator, Nick responds to queries from other EU states and also updates the network on developments in Irish law of relevance to the advancement of EU asylum law and its interpretation by the Member States. As part of this role, he also facilitates the sharing of information by domestic practitioners.

We think it is extremely important to foster and develop communications with State agencies and government departments in the interests of a fair and effective asylum system and to promote the rights of our clients. The Law Centre has had bilateral meetings with ORAC to discuss our early legal advice service and appreciate that our work in providing representation at first instance has been facilitated in some important respects by that office. We also take part in the ORAC Customer Service Liaison Panel Meeting, meetings and customer service meetings with INIS and GNIB and the external consultative panel of the Legal Aid Board (of which the Refugee Legal Service is a part).

We are immensely appreciative of all the clients with whom we have had the privilege of working in our first year of operation. We are also greatly indebted to the barristers who gave freely of their time and expertise and to the organisations who referred clients to us and who have been so supportive in recognising the unique nature of our service. We look forward to continuing to work with you in continuing to provide what we believe is a critical legal service for asylum seekers and refugees in the year ahead.



*Brian Collins, Legal Officer; Rosemary Kingston O'Connell, Senior Solicitor; Jacqueline Kelly, Managing Solicitor; & Nick Henderson, Legal Officer*

## Information & Referral Service

Through the Information and Referral Service, the IRC offers a free and confidential service for those who need help or guidance about the asylum process or who have been through it. Throughout the year we have offered a drop in service and a phone and email service to assist asylum seekers and refugees with queries. This work was coordinated by Paula Quirke on a part-time basis from April until late October when the position was extended to full time. The service was operated throughout the year by Paula and a number of dedicated interns who worked on a part-time basis. Interns Warsame Ali Garare, Brian Collins, Julia Mercier, Kate Barry, Kajsa Berg and Miranda Ruddock provided excellent support and a commitment to ensuring accurate and up-to date information. Through our work we have endeavoured to respect the dignity of people and to promote an empowering approach to information provision.

Our data from 2012 shows that people of 44 nationalities accessed the service. The top three nationalities represented were from Somalia, Iran and the Democratic Republic of Congo

### Information

The service provided information to asylum seekers and refugees on a range of issues including: *Applying for Asylum, Direct Provision, Subsidiary Protection, Leave to Remain, Family Reunification, Withdrawing a Claim, Deportation Orders, Voluntary Return, Registration with the GNIB.*

Data collected shows that the key presenting issues in 2012 were in the categories of **Applications** (advice about the process of asylum or subsidiary protection and delays in consideration of applications, for example asylum, subsidiary protection and leave to remain), **Family Reunification, Deportation Orders, Documentation, Early Legal Advice** and **Direct Provision** accommodation. Other presenting issues included Citizenship, Social Welfare, Dublin II Regulation, Voluntary Returns, Mental Health, Revocation of Refugee Status, Access to Education and Children. (See graph p.8).

### Referrals

The service operated an internal referral system to the IRC's Independent Law Centre and an external referral system to organisations with specialist expertise (e.g. Spirasi, Women's Aid, BeLonG To, Crosscare) and regional organisations (e.g. Doris Luimni, Nasc). Referrals to the service came from a range of sources including

private solicitor firms, social workers, Citizen Information Offices, church groups, schools and NGOs (including Nasc, Women's Aid, Ruhama, Spirasi, GLEN, AkiDWA, Crosscare and MRCI).

### Advocacy

Significantly 75% of our work related to individual advocacy showing the level of assistance that people accessing the service required. These were cases where ongoing assistance was required. This involved enabling the person to self-advocate (e.g. with their solicitor, a section of the Department of Justice, the Reception and Integration Agency or Community Welfare Officer) or advocating for information on the person's behalf in cases where there was a particular difficulty.

#### Examples:

A refugee who was desperate to be reunited with his wife and children sought help to communicate with his private solicitor. He was waiting for a decision on his family reunification application for over two years and had been told the year previously that ORAC had completed its investigation and that the Minister would grant him a decision in due course. He had left many messages for his solicitor but was unable to make contact. We assisted him to communicate in writing to his solicitor.

A heavily pregnant woman with a small child was experiencing difficulty accessing a shared bathroom facility in her accommodation centre. We assisted her to make an application in her own name for a transfer of accommodation to a family centre on the basis of her particular needs. The application was successful.

A woman granted refugee status presented to our service with her children. She spoke very little English and was in the process of moving out of direct provision accommodation. She required help to find mainstream accommodation and access social welfare entitlements and was referred to Crosscare with an interpreter. After a successful referral she returned to our service for help applying for family reunification for her husband.

A client granted leave to remain could not produce a passport for the purpose of registration with GNIB. The original threat from which he fled remained and he was afraid to contact his national authority. We assisted him to write to INIS to outline his particular circumstances and request permission to register in lieu of a passport. The application was successful.

## Training and Outreach

The IRS began to roll out training developed by FLAC for people working with direct provision residents and to empower residents themselves. This followed the IRC's participation in a training session organised by FLAC in February in which Samantha Arnold participated. The IRC training took place in community spaces outside of Direct Provision accommodation in Athlone, Donegal and Sligo.

### Issues raised by residents through the outreach included:

- length of stay in Direct Provision;
- perceptions of the wider community;
- racism;
- impact of DP on children;
- the lack of faith in the inspection process and RIA complaints procedure,
- contractual nature of relationship between management and RIA.

The materials developed by FLAC include information on International Human Rights Law and European Law, Economic Social and Cultural Rights in Direct Provision, the Complaints Procedure in Direct Provision the Role of the Ombudsman, Programme for Government, Political Lobbying etc. This material was adapted for the purpose of training to include practical information on applications,

understanding the deportation process and reporting racist incidents. The training provided an important opportunity for residents to have their say.

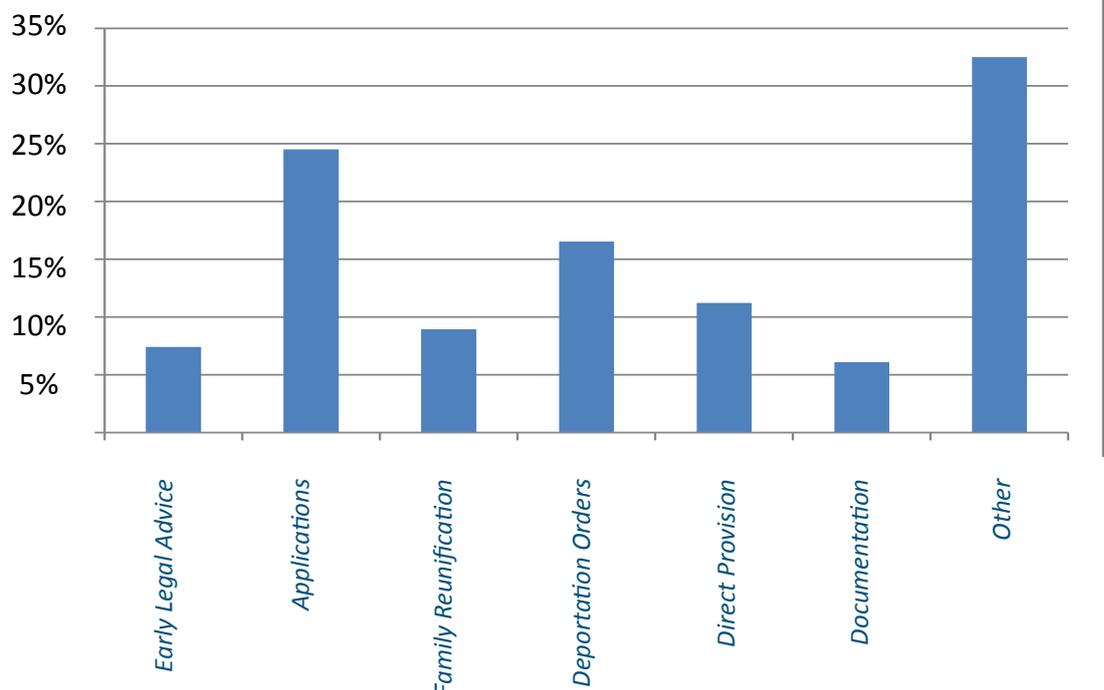
## Mental Health Reform

The IRC is an active member of **Mental Health Reform** which promotes improved and prioritised mental health services in Ireland. As part of its campaign to influence the Government and the HSE to implement the Government's mental health policy *A Vision for Change*, Mental Health Reform is working with representatives from minority group organisations to develop a policy position on culturally sensitive mental health services.

As part of this work we have participated in the **Ethnic Minorities and Mental Health Group** to discuss the mental health service needs of asylum seekers and refugees. The Group is made up of representatives from a number of organisations including Cairde, Pavee Point, New Communities Partnership, MRCI and Spirasi. Since meeting first in October 2012 the group has begun mapping the needs and developing a set of recommendations on culturally sensitive mental health services to take to Government.

Our aim is to ensure that community mental health services meet the mental health needs of all people living in local communities including asylum seekers and refugees.

## Presenting Issues



## Children & Young People

2012 marked the first full year of our expanded work with young asylum seekers and refugees with a focus on all children and young people in the asylum process. The work is conducted under the three areas which inform all of the IRC's current work, namely Casework, Capacity Building and Advocacy.

### Casework

Casework is either dealt with directly by the Children's and Young Persons' Officer, Samantha Arnold, or serviced by the Information and Referral Service. In addition, there is indirect support for the work of Independent Advocates under a pilot run by the IRC.

The Information and Referral Service often maintains contact with the families and makes a referral to the Children's and Young Persons' Officer when there is a child specific element to their needs. We assisted five separated children or young people aged 16-21 and in 39 cases where the issues related to children in families with concerns relating to: diet and nutrition; poor conditions of accommodation; access to school transport; accommodation; inadequate for medical needs; isolation; family reunification; age assessment; children in care and other issues relating to their legal cases. Furthermore, the Children's and Young Persons' Officer provided long-term assistance to three young people which included accompanying them to the Health Service Executive (HSE), the Refugee Legal Service (RLS) and the Office of the Refugee Applications Commissioner (ORAC).

The Independent Advocacy Pilot, which began in April 2012 and runs for a year, matched nine advocates with 12 separated young people aged 16-21.

Country of Origin	Number of Young People
Afghanistan	4
Chad	1
Nigeria	4
Niger	2
DR Congo	2

The project centres on supporting separated children in finding their own voice by matching children with advocates who act as mentors with the objective of promoting the young person's integration into Irish society and his/her understanding of the asylum process. The Minister for Children and Youth Affairs, Frances Fitzgerald TD, formally launched the pilot project

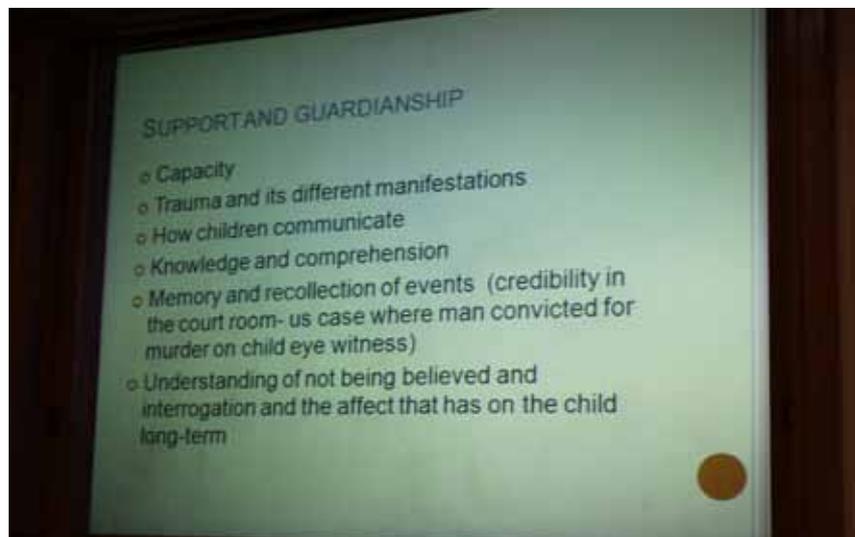


*Launch of Independent Advocacy Pilot: Samantha Arnold, Minister Frances Fitzgerald & Tanya Ward, CEO, Children's Rights Alliance, July 2012*

on Thursday, 5 July 2012. The advocates are located in Galway, Limerick, Waterford, Cork and Dublin. Each has a regional supervisor based in NUI Galway, Doras Luimni, Integration and Support Unit of the Edmund Rice Centre, Nasc or the IRC respectively. The advocates and the Children's and Young Persons' Officer have dealt with issues relating to: suitability of accommodation; access to second level education; access to third level education; issues with social welfare; integration and access to activities; bereavement; isolation; non-engagement with school (as a result of dispersal); mental health issues (relating to dispersal); and other issues relating to their legal cases.

There are currently nine advocates – one male, eight female, many of whom already work in the NGO sector but with a variety of experience including youth work and legal services. The IRC has provided or arranged training for the advocates on child protection, trafficking indicators, working with young survivors of trauma, the asylum and immigration processes, relationship building and case management. Furthermore, most advocates have availed of training on working with child victims of abuse and/or asylum seekers and refugees who have experience trauma as provided by the Dublin Rape Crisis Centre. Advocates have also attended IRC Masterclasses. The advocates shared information and lessons learnt at two group activities that involved all young people and advocates working on the project.

To mark the first six months of the Independent Advocacy Pilot in December 2012, the IRC published a mid-term review of the project and on the same day partnered with the blog, *Human Rights in Ireland*, which ran a blog carnival addressing issues relating to separated children in Ireland. The blogs included contributions from the young people and advocates involved in the project. Topics included: identifying and filling



Training seminar on 'Core Standards for Guardians of Separated Children, January 2012

gaps in supporting Separated Children; foster care for separated children in Ireland; aged-out minors in Ireland; obstacles to accessing third level education for Separated Children and LGBT Asylum Seekers and Refugee Youth. The mid-term review and the blogs can be accessed at <http://www.irishrefugeecouncil.ie/children-and-young-people/independent-advocacy-pilot-project>.

## Capacity Building

### *Guardianship and separated children*

The year started off with a training seminar on '**Core standards for guardians of separated children**' on 27 January. The seminar was based on the recommendations of the 2011 report, 'Closing a Protection Gap: Core Standards for Guardians of Separated Children' and covered: working towards the implementation of core standards; voluntary care and the voice of children seeking asylum in Ireland from a legal practitioner's perspective; a family law perspective on children in the asylum process; the concept of 'guardian' in relation to separated migrant children and the role of guardians in meeting the developmental needs of separated young people. Workshops were held on:

- The Care of Separated Children in Ireland: Policy and Practice;
- Determining the Best Interests of the Child Ensuring the Right of the Child to be Heard;
- Protection for separated children in Ireland: How to support a Separated Child through the asylum process.

Speakers included: Samantha Arnold; Carl Grainger, UNHCR; Dr. Deirdre Horgan, UCC; Jacqueline Kelly; Albert Llussà i Torra, DLCM Solicitors; Dr. Muireann Ni Raghallaigh, UCD; Dr. Fergus Ryan, DIT.

### *Youth empowerment*

Together with UNICEF Ireland we continued facilitating after school sessions at Crosscare's Youth Aftercare Support Service with the aim of providing information sessions, capacity building amongst the young people themselves and one-on-one support. The project has entered into its final stage in 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. In 2012, the Irish Refugee Council held five information sessions with the group alongside UNICEF Ireland. UNHCR also joined us for a session leading up to World Refugee Day.

### *Integration Mapping Project Continued*

The Integration Mapping project aimed 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 focused on 11 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 were approximately 1700 residents across the accommodation centres involved in the project, a third of whom were children. Early in 2012, the IRC rolled out 'information days' in a number of centres to introduce their services to young residents and their parents.

## Education and Schools' Talks

Throughout 2012, the IRC continued a programme of education by holding workshops for young people. These were taken by Sharon Waters. We were encouraged by the number of CSPE classes who had chosen to do projects on refugees and were keen to learn about how refugees are treated in Ireland. We also gave a workshop to a Post-leaving cert course in Dundalk. A number of our workshops were organised to coincide with a themed week in the schools such as Celebrating Difference' Week in Salesians College, Celbridge.

To celebrate World Refugee Day, Labour Youth held a screening of the documentary set in Mosney, 'Seaview'. Sharon Waters participated in a panel discussion following the screening. Sue Conlan also participated in a panel discussion following the screening of 'Living in Dependence', organised by Voluntary Services International.

## Advocacy

### Children in Direct Provision

In September 2012, the IRC published a report on the experiences of children in Direct Provision accommodation over the last 12 years. Further details about the report, entitled 'State-sanctioned child poverty and exclusion', are in the section on 'Research and Publications' on p.16.

The report called for an immediate review of the state's accommodation system in line with the commitments Fine Gael and Labour made in its mandate for government. The IRC initiated a nation-wide campaign to highlight the plight of children in Direct Provision under the heading 'Ireland's invisible children'. This included a postcard addressed to the Minister of Justice, Alan Shatter, as this is the department directly responsible for the system of Direct Provision currently in place. Further details are in the section on Communications on p.9. Over 5000 postcards were distributed between September and December 2012.

A number of events have taken place since the report was launched based on the issues raised in 'State Sanctioned Child Poverty and Exclusion'. At each of them, Samantha has been a speaker. The first event took place in Galway on 16 November 2012 which was a joint event with NUI Galway, hosted by the UNESCO Child and Family Research Centre, the Irish Centre for Human Rights and the School of Law at NUI Galway with Samantha Arnold representing the IRC. The event focused on parenting in the Direct Provision system. The second event was a joint IRC event with Doras Luimni held on the Universal Children's Day, 20 November 2012, in Limerick County Hall. A replica of a single parent's room in Direct Provision was displayed by Doras Luimni to highlight the physical, social and psychological difficulties faced by families living in Direct Provision over

long periods of time. Speakers included: Senator Jillian Van Turnhout, Tanya Ward, Chief Executive of Children's Rights Alliance and Samantha Arnold. The third was an event focusing on play and development in Athlone on 17 December which was also addressed by childcare expert, Steve Goode, at a family day organised by Westmeath Community Development and the Gateway Project. At both the Galway and Athlone events, asylum seekers still living in Direct Provision addressed the meetings.



*Model of a typical bedroom in a Direct Provision centre at a joint IRC & Doras Luimni event, November 2012*

## Collaboration and Participation

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. In 2012, Samantha attended two Network meetings where she met with over 30 representatives across Europe. The meetings provided an opportunity to information share, discuss developments at the EU level with an expert from Save the Children Brussels, and work together to organise future EU funding for projects like, Closing a Protection Gap. During the first Network meeting of 2012, we joined UNHCR for one day to discuss a draft version of the UNHCR and UNICEF Best Interest Determination Guidance for the European Context. This gave us an opportunity to provide feedback directly to the contingent of drafters. In November, during the second meeting, we discussed the future of SCEP as Save the Children, Denmark have decided not to continue to coordinate. We helped facilitate the transition into the hands of Defence for Children, Netherlands who will henceforth coordinate the network. One key outcome of this network has been securing funding for the second phase of Closing a Protection Gap which begins in 2013.

Samantha also took part in workshops and information sharing hosted by NI Law Centre regarding guardianship for separated children with Northern Ireland, the Republic of Ireland and Scotland. These meetings were attended by State officials as well as non-governmental service providers. She was also on the Scottish Refugee Council's Advisory Panel on the Scottish Guardianship Service and BeLong To's Advisory Panel on the Asylum Seekers and Refugees Project.

# Communications

## Media Relations

In 2012, the IRC continued to use every media opportunity to promote its key message about the need for reform of the asylum system. In January, Sue Conlan was interviewed for the TV3 Midweek programme on racism. The official opening of the Independent Law Centre (February), the launch of the IRC reports on children in the DP system, 'State Sanctioned Child Poverty and Exclusion' (September) and on credibility assessment, 'Difficult to Believe' (October) created media opportunities. We also secured an Irish Times opinion piece by Sue Conlan on the need for political will to drive reform as a result of winning the Cathal Ryan Scholarship for Not for Profit Leadership.

The particular focus of 2012 was highlighting the conditions in Direct Provision and making Direct Provision a children's rights issue. In this, our work on Children and Young People was vital to providing evidence and a forum to publicise the impact of Direct Provision on children and families. In November, Today PK on Radio 1 did a segment on Direct Provision in which Sue Conlan was interviewed by Pat Kenny and discussed the recommendation in 'State Sanctioned Child Poverty and Exclusion' Direct Provision was also the theme of World Refugee Day in 2012 and our joint online campaign with Nasc generated coverage in The Examiner and thejournal.ie. The IRC was also vocal on poor conditions experienced in specific accommodation centres, notably Eyre Powell in Newbridge and Lisbrook House in Galway and was quoted in local newspapers in Kildare and Galway.

## Online Communications

Online campaigns	Reach
<i>IAP launch</i>	4,609
<i>World Refugee Day</i>	7,507
<i>Launch of State Sanctioned Child Poverty and Exclusion</i>	3769
<i>Blogathon</i>	6,946

Going into 2013, the IRC had 2,223 facebook likes and 563 followers on twitter. In 2012 we started to make use of Soundcloud to share audio clips from IRC events as well as videos on Vimeo.

The two most significant online campaigns were for World Refugee Day, run in partnership with Nasc, and the mid-term review of the Independent Advocacy Project. Throughout the week of World Refugee Day, we posted true stories which reflect the personal experiences of people living in Direct Provision. The stories were in a variety of media, including audio clips, images and blogs. This was our most popular

Our family's room



Post from World Refugee Day online campaign, June 2012

campaign to date with a facebook reach of 7507.

The blog-carnival was our second most successful campaign in 2012 with a facebook reach of 6.946 people. For the carnival we partnered with *Human Rights in Ireland* to post blogs addressing issues relating to Separated Children in Ireland.

## Legislative Process

As it seemed unlikely that there would be space on the legislative agenda for the Immigration, Residence and Protection Bill in 2012, the IRC took the opportunity to seek significant changes on the proposed Protection Review Tribunal before drafting began. In June, we met with the Fine Gael internal policy committee on Justice to present a briefing on the problems with the current Refugee Appeals Tribunal, the similarities between the proposed tribunal and its predecessor and concrete measures to improve transparency and fairness. We were delighted to have a good turnout from across Fine Gael and a lively discussion on the need for reform of the asylum system.

The publication of the report on credibility assessment throughout the asylum process, 'Difficult to Believe', in October and the conference on the same topic in November, allowed us to explore the wider cultural issues of how asylum claims are examined. Discussions on this are ongoing with policy makers and politicians.

The IRC continued to raise issues with the Irish asylum system at an international level. In February, we briefed the European Commission Against Racism and Intolerance on the manner in which the policy of Direct Provision contributes to segregation and isolation. We also fed into Ireland's Fourth Periodic Report under the International Covenant on Civil and Political Rights (ICCPR), which was submitted in July 2012. Our submission addressed the ways in which Direct Provision and deportation procedures are incompatible with the IICPR. The UN Human Rights Committee is due to consider Ireland's report in July 2014 and we will have another opportunity to submit directly to the Committee.

## NGO Forum on Direct Provision

In 2010, the IRC began coordinating the NGO Forum on Direct Provision. The Forum is a coalition of over 20 members and observers namely:

AkiDWA, Barnardos, Cultúr, Doras Luimní, Free Legal Advice Centres (FLAC), Galway Refugee Support Group, The Irish Bishops' Refugee & Migrant Project, The Integration Centre, Irish Refugee Council, Jesuit Refugee Service, Mayo Intercultural Action, Nasc Irish Immigrant Support Centre, SPIRASI, Tralee International Resource Centre, Crosscare, Dublin Aids Alliance, Amnesty International Ireland.

As well as co-ordinating the forum in 2012, the IRC also conducted an internal evaluation of the work of the Forum from 2010 onwards. The evaluation reflected on the objectives of the Forum as a whole:

1. Long-term Objective: Abolition of the direct provision system.
2. Short-term Objective: Introduction of a complaints procedure based on the Ombudsman's guidelines.

The evaluation highlighted a number of outputs such as Dail briefings, meetings with TDs and Senators and strategic meetings with representatives from the Department of Justice. As a Forum, 13 activities were recorded in 2010 and 10 in 2011. The IRC's role in these outputs was to facilitate meetings among members, lead on setting joint goals and advocacy strategies, coordinate activities and develop a work plan along with the NGO members. In addition to highlighting the outputs, the evaluation also provided space for the member organisations and observers (UNHCR, UNICEF Ireland and BeLonG To) to feedback. The findings were largely positive and all supported the role of the IRC in coordinating the Forum. One respondent noted that since the transition from an early version of the Forum, '[it] has become more strategic and built more capacity among members'.

In 2012, the main activity was a briefing for TDs and Senators in Leinster House in July. Following our engagement with residents in Hatch Hall and Eyre Powell, some residents were invited to participate in the briefing and bring across the realities of living in direct provision. Representing the Forum were: Paula Quirke, IRC; Sharon Waters, IRC; Stephen Tennant Humphreys, IRC; and Claire McCarthy, Nasc.

The IRC was delighted with the level of engagement from TDs and Senators, with particular interest coming from the chair of the

Justice Committee, David Stanton TD. Senator van Turnhout also expressed her concerns about the lack of independent inspection of accommodation for disabled children and later raised this on the floor of the Seanad.

## Masterclasses, Conferences & Events



*Ciara McKenna, Ronan Toal & Colm O'Dwyer at a masterclass on Subsidiary Protection, January 2012*

In 2012, the IRC organised eight masterclasses which were attended by 190 lawyers, legal advisers or other professionals. The topics covered were:

- Subsidiary protection & Article 3 of the ECHR;
- Trafficking;
- Advocacy;
- The use of expert evidence (a joint class with Spirasi);
- Using European Case Law & the courts in asylum litigation;
- Representing children & young people in the immigration and asylum process;
- Non-refoulement (with UNHCR Ireland);
- LGBT asylum claims (with BeLonGTo).

Classes were taken by experts in the field, both from within Ireland and elsewhere and from both academic and legal practitioner backgrounds. All of those who attended and gave feedback indicated that they would attend other classes.

The IRC also organised a full one day conference on 9 November under the title of "The role of 'credibility' in international protection claims". The conference was attended by over 80 participants from a variety of professional backgrounds and interests. The keynote speech was given by Professor Guy Goodwin-Gill, a renowned expert on international refugee law. His talk was complemented by an

expert panel which consisted of Prof Rosemary Byrne, Director of the Centre for Post-Conflict Justice, Trinity College, Dublin; Dr Jane Herlihy, Director of the Centre for the Study of Emotion and Law and Ms Fadala Novak-Irons, UNHCR Policy Officer for Europe. In the afternoon there were seminars on:

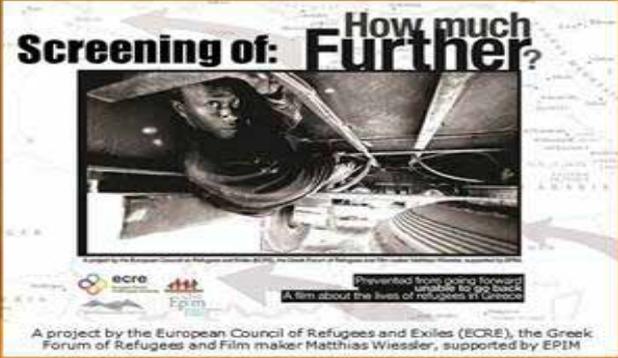
- Working with children and young people;
- Victims of torture and other trauma;
- Gender-specific persecution;
- Early legal advice for asylum seekers

The conference came after the publication of 'Difficult to Believe' by the IRC in October which formed an important backdrop to the issues at the heart of the presentations and discussions.



*Sophie Magennis, Prof. Guy Goodwin Gill, Dr. Jane Herlihy, Sue Conlan, Prof. Rosemary Byrne & Fadala Novak-Irons at conference on 'The Role of Credibility in International Protection claims', November 2012*

# Masterclasses, Conferences & Events



**Screening of: How much further?**

A project by the European Council of Refugees and Exiles (ECRE), the Greek Forum of Refugees and Film maker Matthias Wiessler, supported by EPIM

Prevented from going forward, unable to go back. A film about the lives of refugees in Greece.



**Irish Refugee Council**

TRINITY COLLEGE DUBLIN  
COLÁISTE NA TRÍONÓIDE, BAILE ATHA CLLATH  
DEPARTMENT OF SOCIOLOGY

THE UNIVERSITY OF DUBLIN

Following the screening there will be a panel discussion with Ana Fontal, of ECRE, and Panos Christodolou, Director of the Greek Council for Refugees.

For more information contact [dlandy@tcd.ie](mailto:dlandy@tcd.ie).

Filmed in Athens between October 2011 and February 2012 the documentary raises the voices of those who have fled Afghanistan, Somalia or Sudan, hoping to find refuge in Europe. After months, or years, on the road they arrive in Greece, a country facing the full brunt of the economic crisis and where the asylum and reception systems are completely dysfunctional. Most people see no option but to take to the road again, hoping to reach a country that can receive them and consider their claim for asylum. But, once they have entered Greece, it is extremely difficult to leave given the European policies that legally bind them to Greece.

Thursday, 18 October, 19:00.

Robert Emmet Lecture Theatre, Arts Block, Trinity College, Dublin

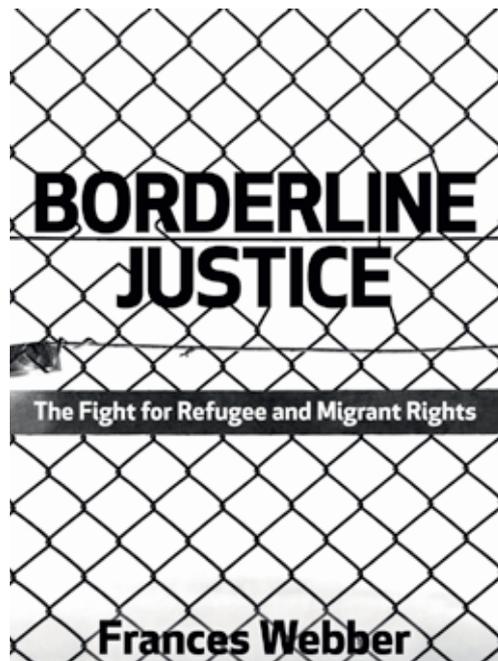
Speakers: Ana Fontal, ECRE and Panos Christodolou, Director of the Greek Council for Refugees

R.S.V.P to [events@irishrefugeecouncil.ie](mailto:events@irishrefugeecouncil.ie)

In 2012, Trinity College Sociology Department hosted two events with the IRC, the second of which was also a collaboration with MRCI.

On 18th October, the IRC with TCD showed the documentary 'How much further?', co-produced by ECRE and the Greek Forum of Refugees, which raises the voices of those who have fled Afghanistan, Somalia or Sudan hoping to find refuge in Europe. After months or even years on the road, they arrive in Greece, a country whose population is facing the full brunt of the economic crisis and where the asylum and reception systems are completely dysfunctional. The showing of the film was followed by a discussion with a panel including staff from the co-producers and the CEO of the Greek Council for Refugees.

On 14 November, a book by Frances Webber, a human rights lawyer from the UK, entitled 'Borderline Justice: the fight for refugee and migrant rights', was launched in Ireland at an evening event at which Frances together with Sue Conlan for the IRC and Siobhan O'Donoghue for MRCI also spoke. The book, with a foreword by Gareth Peirce and support from Michael Mansfield QC, both renowned human rights lawyers, provides a unique insight into how the law has been applied to migrants, refugees and other 'unpopular minorities'. It records some of the key legal struggles of the past thirty years in the UK which have sought to preserve values of universality in human rights - and the importance of continuing to fight for those values, inside and outside the courtroom. The launch was followed by an open discussion.






Launch: 'Borderline Justice: the fight for refugee and migrant rights' by Frances Webber

Wednesday, 14 November, 19:00.  
Jonathan Swift Theatre, Arts Block  
Trinity College, Dublin

Presentation and discussion with author Frances Webber, Siobhan O'Donoghue, MRCI and Sue Conlan, Irish Refugee Council.

TRINITY COLLEGE DUBLIN  
COLÁISTE NA TRÍONÓIDE, BAILE ATHA CLLATH  
DEPARTMENT OF SOCIOLOGY



**BORDERLINE JUSTICE**

Frances Webber

Pluto Press

'Borderline Justice' describes how the law has been deployed, developed, used and abused, stretched and skewed over the past thirty years to use against migrants and asylum seekers - that also has in fact been used to control movements across borders, including and especially, within the borders of common-law, property of nations, the law of common humanity or human rights law. It reveals some of the best legal struggles which have sought to promote values of universality in human rights - and the importance of continuing to fight for those values, inside and outside the courtroom.'

## Research & Publications

2012 was a significant year for research and publications at the IRC with the publication of two significant reports in the Autumn: 'State Sanctioned Child Poverty and Exclusion: The case of children in state accommodation for asylum seekers' (September) and 'Difficult to Believe: The assessment of asylum claims in Ireland' (October).

In September 2012, the Irish Refugee Council published a report on the experiences of children in Direct Provision accommodation over the last 12 years. 'State Sanctioned Child Poverty and Exclusion', written by Samantha Arnold, highlighted a number of concerns relating to diet and nutrition, family life, overcrowding, poor physical conditions of the accommodation, poverty resulting in exclusion, access to education, access to safe play space and developmental concerns. The report was the first phase in our Children's Campaign and was launched on 18 September 2012 by CEO of Barnardos, Fergus Finlay. Following on from the report, we initiated a postcard campaign, spoke to University groups and co-hosted a number of events around the country. The report continues to receive attention from commentators, journalists and politicians, not least in the light of revelations about other forms of institutionalised abuse.

'Difficult to Believe' is an analysis of research carried out by the IRC between June and September 2012. Based on an examination of 86 asylum files, the report detailed the way in which asylum claims are decided by both the Office of the Refugee Applications Commissioner (ORAC) and the Refugee Appeals Tribunal (RAT). In addition to sections on ORAC and the RAT, it also described the asylum process in Ireland, addressed how other disciplines have approached the assessment and reliability of oral testimonies and the use of documentary evidence in asylum claims. The report was launched on 17 October by Professor Rosemary Byrne of Trinity College Dublin. The recommendations in the report form part of the ongoing advocacy work of the IRC as we seek to bring about changes in the asylum process.

The research was carried out by a group of research assistants who were either interns at the IRC or recruited for the project: Kate Barry, Kajsa Berg, Brian Collins, Louise Donovan, Catherine Moran, Graeme O'Brien, Karen O'Reilly, Yvonne O'Sullivan, Ciaran Price and Ray Sheahan. It could not have been undertaken without the assistance of four firms of solicitors in Dublin: Conor O'Briain, Daly Lynch Crowe and Morris, Kelleher O'Doherty and Terence Lyons.

Both 'State Sanctioned Child Poverty and Exclusion' and 'Difficult to Believe' can be downloaded from the IRC website -

<http://www.irishrefugeecouncil.ie/wp-content/uploads/2011/08/State-Sanctioned-Child-Poverty-and-Exclusion-The-case-of-children-in-state-accomodation-for-asylum-seekers.pdf> and <http://www.irishrefugeecouncil.ie/wp-content/uploads/2011/08/Difficult-to-Believe-The-assessment-of-asylum-claims-in-Ireland.pdf> or are available as hard copies from [info@irishrefugeecouncil.ie](mailto:info@irishrefugeecouncil.ie)

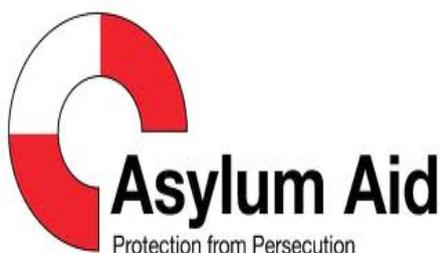
In addition, the IRC has assisted with research overseen by other organisations. Firstly on a project of the Advocacy Initiative on the perceptions of policy makers and policy implementers of social justice advocacy by NGOs (publication due out in 2013). The research was undertaken by Sue Conlan. Secondly on a project overseen by the European Council on Refugees and Exiles (ECRE) on the practice of the resettlement of refugees in Ireland. The project aims to map and analyse the current policy framework and practices in the area of resettlement in the 27 EU Member States. Building on past and current projects across Europe that collect and present resettlement practices, KNOW-RESET also aims to identify gaps and challenges and explore the potential to enhance and further improve resettlement in Europe. As part of this project, Legal Officers, Nick Henderson and Shauna Gillan researched Ireland's experience of resettling refugees. Interviews were also conducted with stakeholders (including UNHCR and three local resettlement steering groups) who had experience of the practice and administration of resettlement in Ireland. Based on this research, they compiled a national report on the resettlement of programme refugees in Ireland.

Individual members of staff and particularly Samantha Arnold, have been assisting with research or contributing articles or presentations to various publications or conferences during the year. These included: Samantha's participation in research conducted by France Terre d'Asile, 'Right to Asylum for Unaccompanied Minors in the European Union' August 2012 <http://www.france-terre-asile.org/images/stories/mineurs-isoles-et-rangers/mi-an-consolide-web.pdf>. She also provided feedback to a submission of University College Cork & Children's Rights Alliance, 'Safe Care for Trafficked Children in Ireland: Developing a Protective Environment' September 2012 [http://www.childrensrights.ie/sites/default/files/submissions\\_reports/files/SafeCareForTraffickedChildrenInIrelandReport.pdf](http://www.childrensrights.ie/sites/default/files/submissions_reports/files/SafeCareForTraffickedChildrenInIrelandReport.pdf). Finally, Samantha and Jacqueline Kelly, the law centre's Managing Solicitor, contributed a joint article to the Irish Law Times on Irish Child Care Law and the Role of the Health Service Executive in Safeguarding Separated Children Seeking Asylum, *ILT* 2012 30:12, 178.

## Pan-European Projects

The IRC was successful in obtaining funding from the European Programme for Integration and Migration (EPIM), an initiative of the Network of European Foundations (NEF), to lead a project entitled 'Early legal advice for protection applicants'.

The project commenced in September and runs for 18 months. It combines research at an EU and national level (in Ireland, the UK and Estonia) on the understanding and practice of early legal advice for asylum seekers and will use that to develop and demonstrate a variety of advocacy tools to seek change at both a national and EU level. The partners with the IRC are the Centre on Migration, Policy and Society (COMPAS), Oxford (which oversees the research) together with Asylum Aid, London, and the Estonian Human Rights Centre (the national partners). The partners met in London in September and are currently undertaking the research.



The IRC is also a partner on another EPIM-funded project led by the European Council on Refugees and Exiles (ECRE) known as AIDA (Asylum Information Database). The other partners are Forum Refugees and the Hungarian Helsinki Committee. The project aims to contribute to the improvement of asylum policies and practices in the EU Member states by creating a database of asylum systems in 14 participating country and a shadow report on the state of asylum in Europe to be published annually to coincide with the publication of the annual report of the new

European Asylum Support Office. The database will include information on statistics; national legislation; reception conditions and detention of asylum seekers; practice of decision making bodies; application of the Dublin Regulation; and links to relevant publications and reports.

A first meeting of the partners in the project took place in September to draft a questionnaire that would form the basis of the research in each country. The questionnaires were sent to the individual national experts in late December and are due to be completed by mid-March.



Hungarian Helsinki Committee



The participating countries are: France, Germany, Sweden, Belgium, United Kingdom, Netherlands, Greece, Italy, Poland, Ireland, Hungary and Spain.

The IRC was also successful in securing further funding from the European Commission to extend the European Database of Asylum Law (EDAL) which was launched in February. For further information, please see the full report on EDAL on p.18.



# EDAL

## European Database of Asylum Law

The European Database of Asylum Law (EDAL) was officially launched by President Michael D. Higgins on 17 February 2012. EDAL is an open access, online database of case law from EU Member States relevant to the interpretation of European asylum law; it can be accessed at [www.asylumlawdatabase.eu](http://www.asylumlawdatabase.eu). The database was developed by the IRC in partnership with the European Council on Refugees and Exiles (ECRE) and is financed by the European Commission's European Refugee Fund (ERF).

The first phase of funding from the ERF ran for 18 months until March 2012 at which point close to 500 case summaries from 11 EU countries had been commissioned and hosted on the site. The summaries are available in the original language of each decision and in English. In addition, the full text of the original decision is also hosted where available. The database contains a variety of supplementary resources such as relevant legislation, Country Overviews and other materials relevant to the case summaries hosted.

Pending the award of a second ERF grant, the database was not developed during the 6 month funding gap between March and September 2012 and Marian Deady and Makesh Joshi finished with the project. Following the award of the new grant Enda O'Neill and Ann Campbell were recruited as Project Director and Project Administrator respectively, for the duration of the grant until the end of February 2014.

During this second phase of EDAL's development, the database is being expanded to cover an additional six EU countries, to broaden its focus to cover all aspects of the Common European Asylum System, and to include both European Court of Justice and European Court of Human



*Makesh Joshi & Marian Deady with President Michael D. Higgins at the launch of EDAL, February 2012*

Rights decisions. In addition, the Hungarian Helsinki Committee has joined ECRE and the IRC as an implementing partner and in particular they will manage the administration of the six most easterly EU countries.

Since their appointment, Ann and Enda have focused on evaluating and reviewing all aspects of the project to date and planning for its further development. A new Advisory Panel was formed in October 2012 composed of four European experts in asylum and refugee law as well as representatives from each of the partner organisations and from UNHCR. The Panel met in Dublin in November 2012 and discussed a great deal of issues pertinent to the roll out of Phase II such as the expanded substantive scope of the database, terms and conditions for sourcing and engaging National Experts, proposed changes to the website design, incorporation into the database of content beyond the case summaries, budgetary matters and future sustainability

### Advisory Panel members

*Laurent Aldenhoff (ECRE);*

*Blanche Tax / Carl Grainger (UNHCR);*

*Julia Ivan (HHC);*

*Veronique Planes-Boissac (France);*

*Colin Smith (Ireland);*

*Jens Vedsted-Hansen (Denmark);*

*Julia Zelvenska (ECRE).*

Following from these discussions various aspects of Phase II's planning and budget were revised in co-operation with the project partners and the European Commission. A decision was taken this time round to recruit two rather than just one National Expert per country and to contract them to write case summaries in their own language only and to also translate them into English. Steps were taken to contract a professional translation company to do this work which will significantly reduce the administration required to proof-read translations without adding additional costs. The company will perform all translation work required to facilitate a fully multilingual interface to the site which will in future be available in 14 languages (but the shared language of summaries will remain only in English).

Cases on EDAL are selected because of their high jurisprudential value - i.e. where a significant point of law is discussed and the reasoning of the decision-maker is evident and instructive. For example:

### **Ireland - High Court, 18 May 2011, M.M.v Minister for Justice Equality and Law Reform 2011/8 JR**

Headnote: This Judicial Review concerned the way in which the Minister for Justice should assess applications for subsidiary protection and, in particular, whether the duty to 'co-operate' with the applicant referred to in Art 4.1 of the Qualification Directive 2004/83/EC means that the decision maker must communicate matters of concern to the applicant before making a final decision. As there appeared to be a conflict between the Irish and Dutch interpretations of Art 4.1, and uncertainty as to the true meaning of the phrase 'in co-operation with' the Court (Hogan J) referred a question to the CJEU.

A review of all aspects of the website's operation was completed with GreenNet, a non-for-profit, ethical, collective Internet Service Provider that helped to create EDAL during Phase I. From September to December 2012 EDAL staff worked closely with them to improve the technical aspects of how the database stores and tags content and to develop a system where National Experts could directly upload content to the site without additional layers of administration. The first phase of redevelopment began and work is ongoing. Further work is required in relation to the site design and user-experience aspects of the site and these will be the subject of further development in 2013.

In the last quarter of 2012, consideration was also given to how EDAL can best use social media fora to grow its user base, increase its profile and create links to relevant communities across Europe.

National Expert recruitment has been ongoing since the end of 2012 with almost all appointments made in each of the 17 countries covered by EDAL. New cases are due to be added to the database in April 2013 and will be submitted at regular intervals thereafter.

Finally, the proposal for Phase II foresaw the convening of two international conferences on asylum law. However, in collaboration with the Advisory Panel the decision was taken to reduce this to one conference. This is likely to take place in September 2013.

By the end of Phase II in early 2014, it is expected that the expanded EDAL will be a comprehensive and user-friendly resource on all the main aspects of European asylum law with summaries of over 1,000 decisions of interest from 17 Member States, the CJEU and the ECtHR. It aims to position itself as a sustainable resource beyond the end of ERF funding in 2014.

#### Countries currently represented in EDAL

- Belgium
- Czech Republic
- Germany
- Finland
- France
- Hungary
- Ireland
- Netherlands
- Spain
- Sweden
- United Kingdom

#### Countries that will be added to EDAL in Phase II

- Austria
- Greece
- Italy
- Poland
- Slovakia
- Slovenia

## **IRC organisational partners in 2012**

### **International**

ACCEM, Spain  
 Asylum Aid, UK  
 Belgium Committee for Aid to Refugees  
 Centre on Migration Policy and Society (COMPAS), UK  
 Defence for Children, Netherlands  
 Dutch Council for Refugees  
 ELENA (European Legal Network of Asylum Lawyers)  
 Estonian Human Rights Centre  
 European Council on Refugees and Exiles (ECRE)  
 FARR Swedish Church  
 Fordham Law School  
 Finnish Refugee Advice Centre  
 Hungarian Helsinki Committee  
 Informationsverbund Asyl und Migration e.V.  
 Czech Organisation for Aid to Refugees (OPU)  
 Raoul Wallenberg Institute  
 Save the Children, Denmark  
 Scottish Refugee Council  
 Separated Children in Europe Programme (SCEP)  
 Terre d'Asile, France  
 The Scottish Guardianship Service, Arberlour  
 University of Tulsa

### **Ireland**

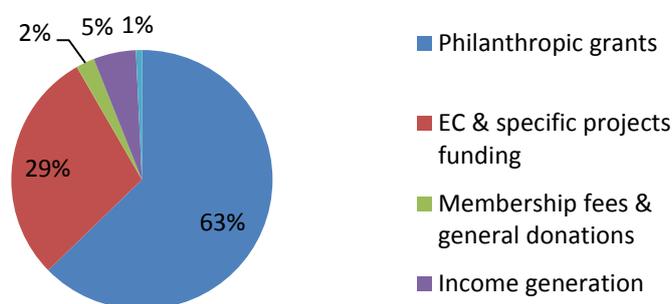
Advocacy Initiative  
 AkiDwA  
 Athlone Institute of Technology  
 BeLonGTo  
 Children's Rights Alliance  
 Child Trafficking Working Group  
 Conor O'Briain Solicitors  
 Crosscare Migrant Project  
 Daly Lynch Crowe & Morris Solicitors  
 Dublin Institute of Technology  
 Dun Laoghaire Refugee Project  
 Doras Luimni  
 ENAR  
 FLAC (Free Legal Advice Centres)  
 Foroige  
 Gateway Project, Athlone  
 Integration Services Unit (ISU) Waterford  
 Kelleher O'Doherty  
 Lissywollen Residents' Group, Athlone  
 Mental Health Reform  
 MRCI (Migrant Rights Centre of Ireland)  
 Nasc  
 Newbridge Community Development Project  
 NGO Forum on Direct Provision  
 NUI Galway  
 PILA (Public Interest Law Alliance)  
 Refugee and Immigration Practitioners' Network (RIPN)  
 Spirasi  
 Terence Lyons & Co. Solicitors  
 Trinity College Dublin  
 University College Dublin  
 UNHCR Ireland (United Nations High Commissioner for Refugees)  
 UNICEF Ireland  
 Westmeath Community Development

## Analysis of the Accounts

2012 witnessed the organisation operating at full capacity and this was reflected in increase in income and expenditure. Total annual income increased by 32% from the 2011 figure. This was mainly due to an increase in projects funding, which appeared to have been the more active fundraising base for the organisation in 2012. While the total amount of philanthropic grants actually increased in 2012, the percentage contribution of the grants to total income actually fell from 71% in 2011 to 63% in 2012. Total expenditure increased by 36% from 2011 to 2012, mainly as a result of increased expenditure on projects. There was also a 65% increase of expenditure on case work since this was the first full year for the Law Centre to operate at full capacity. Likewise expenditure on

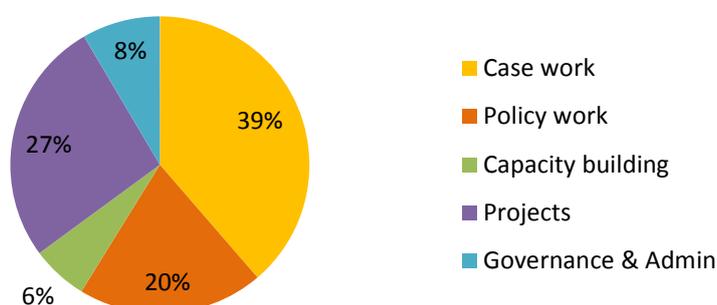
policy work also increased as the organisation rigorously conducted research in several policy areas with the reports being published and launched. In response to the general economic downturn, the organisation continued to search for cost reduction opportunities and these were fully utilized resulting in an even lower percentage rate for overheads of 8%, compared to the 2011 figure of 9%. The Board continuously exercised its oversight function by regularly reviewing management accounts that were presented at its meetings by the Treasurer. In order for the organisation to focus more at the implementation of its fundraising strategy, a position of Fundraiser was created towards the end of 2012 and recruitment is currently underway.

### Where did our funds come from?



Mix of income	2012	2011
Philanthropic grants	550,000	475,000
EU & specific projects funding	254,622	188,127
Membership fees & general donations	20,162	18,402
Income generation	46,127	43,822
Other income	6,368	10,582
<b>TOTAL</b>	<b>877,279</b>	<b>665,933</b>

### How were are funds used?



Mix of Expenditure	2012	2011
Case work	324,747	197,590
Policy work	168,552	143,581
Capacity building	51,069	45,430
Projects	224,018	174,370
Governance & Admin	70,910	56,728
<b>TOTAL</b>	<b>839,296</b>	<b>617,699</b>

The IRC has been able to continue throughout 2012 with only a few changes on the Board at the AGM in March and eight changes amongst the staff during the year.

### **The IRC Board**

Aoife Gillespie, who chaired the IRC from the AGM in May 2011, had to step down as Chair of the Board in January and the role was taken on by Ciara McKenna who was confirmed in the role after the AGM on 24 March. At the AGM three other members stood down but the Board benefitted from five new members joining who have remained on Board throughout the year. One Board member stood down in May for health reasons but he stayed in touch with the organisation and has been very supportive.

One of the changes that took place during the year was that the Board set up sub-committees to oversee particular aspects of the Board's work. These were:

- Fundraising;
- Children and Young People;
- Law Centre;
- Pan-European Projects.

The benefit of the sub-committees is that they have enabled Board members to focus on the details of the IRC's core work based upon their particular expertise and this has given them a greater understanding and therefore ability to support the operational side of the work. It has also meant that the full Board meetings, which took place every two months, have been able to deal with wider policy aspects. Board meetings have been well attended throughout the year.

The full list of the Board is on p.24.

### **Staffing**

The IRC has benefited from a full staff complement throughout the year. The work was strengthened by the addition of Paula Quirke to the staff in April as the coordinator of the Information and Referral Service. Her post was initially part time but became a full time post at the end of October.

There were three changes in the law centre with Shauna Gillan, Legal Officer, leaving in October and the end of the FAS placement of the law centre's administrator, Dainora Vilkonciute, in the same month. Brian Collins joined as a Legal Officer in November and the Board also decided to employ a Legal Secretary for the law centre and a Fundraising Officer. Both posts were advertised at the end of the year.

The funding for the European Database of Asylum Law (EDAL) came to an end in March and therefore both Makesh Joshi and Marian Deady left the organisation (February and March respectively). After new funding was secured from the European Commission, two new members of staff took on the responsibility for EDAL. These were Enda O'Neill (Director) and Ann Campbell (Administrator), both of whom started work in September.

Given the increase in staff size, the team meetings were complemented by 'inter-departmental' meetings every two months. In addition, Sue Conlan, Jonah Mudehwe and Jacqueline Kelly, have been working together as a Staff Senior Management Team.

The organisation has staff who work in the following areas: legal services, information and referral, children and young people, communications and public affairs, EDAL, finances, fundraising, advocacy, policy work and management. These are not all self-contained but overlap between different posts.

Throughout the year, the IRC benefited from an invaluable contribution from interns and volunteers without whom we could not have achieved as much as we have done.

The full list of staff, volunteers and interns is at p.23 of this report.

# Staff 2012

## Staff

Sue Conlan, CEO

Jonah Mudehwe, Finance Manager

Sharon Waters, Communications and Public Affairs Officer

Samantha Arnold, Children's and Young Persons' Officer

Paula Quirke, Information and Referral Service Supervisor (from April)

Stephen Tennant Humphreys, Communications Officer (October – December)

Roisin Boyd, Communications Officer (October – December)

Jacqueline Kelly, Managing Solicitor, Law Centre

Rosemary Kingston O'Connell, Senior Solicitor, Law Centre

Nick Henderson, Legal Officer, Law Centre

Shauna Gillan, Legal Officer, Law Centre (until October)

Brian Collins, Legal Officer, Law Centre (from November)

Dainora Vilkonciute, Administrator, Law Centre (Job Bridge internship, until October)

Marian Deady, European Officer (until March), EDAL

Makesh Joshi, Support Worker (until February), EDAL

Enda O'Neill, Director (from September), EDAL

Ann Campbell, Administrator (from September), EDAL

## Interns

Kate Barry

Kajsa Berg

Brian Collins

Warsame Ali Garare

Katie Goodwin

Sarah Harp

Claudia Hoareau

Joe Jacobs

Julia Mercier

Anne Marie Pollock

Miranda Ruddock

Louise Sarsfield Collins

Alis Sevakian

Amreen Singh

Stephen Tennant Humphreys

## Research Interns (Difficult to Believe report)

Kate Barry, Kajsa Berg, Brian Collins, Louise Donovan, Catherine Moran, Graeme O'Brien, Karen O'Reilly, Yvonne O'Sullivan, Ciaran Price and Ray Sheahan.

## Volunteers

Frank Kelly

Katherine Haworth

Monica Lechea

Karen O'Reilly

Aifric Shamrez

Kathleen Sheehan

## Board of Directors

Reza Mirfattahi	Resigned – 24 March 2012
Alpha Gassama	Resigned – 24 March 2012
Triona Nic Giolla Choille	Resigned – 24 March 2012
Aoife Gillespie	Resigned – 9 January 2012
Vukasin Nedeljkovic	Resigned – 22 May 2012
Malcolm Quigley	
Patricia Brazil	
Ciara McKenna (Chairperson)	
Angel Bello Cortes (Secretary)	
Fleur Smyth (Treasurer)	
Colin Smith	Joined 24 March 2012
Noeline Blackwell	Joined 24 March 2012
Elizabeth Mitrow	Joined 24 March 2012
Muireann Ni Raghallaigh	Joined 24 March 2012
Ciara Smyth	Joined 24 March 2012





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