

# **IVEA Policy on Educational Provision for Asylum Seekers, Refugees and other Non-nationals**

**An Irish Vocational Education Association**

**Working Group Report 2001**



**IRISH VOCATIONAL EDUCATION ASSOCIATION**

**AN CUMANN GAIRMOIDEACHAIS IN ÉIRINN**

## Acknowledgement

It gives me great pleasure on behalf of the IVEA Working Party to present this report on VEC Provision for Asylum Seekers, Refugees and other Non-nationals to the IVEA Annual Congress 2001.

This is the first report. Once the Working Party began to examine the issues involved it became clear that this was a very complex matter which could not be tackled in isolation by VECs. If Congress approves, the Working Party would like to carry out further study into the situation and present further reports.

This report sets out the framework within which we operate and proposes some basic principles for delivering a quality service to refugees, asylum seekers and other non-nationals. The report also proposes an organisational structure at national, local and community level to support and integrate the delivery of services.

I would like to take this opportunity to thank the members of the Working Party, Frank Nash, Michael Moriarty, Crona Gallagher, Marie Humphries, Moya Corry, Marguerite Brosnan, Fiona O'Reilly and Tanya Ward for their dedication and expertise during the past year. I would like to give a special word of thanks to Fiona O'Reilly, the project's Research Officer and Michael Moriarty, General Secretary, IVEA.

I would also like to acknowledge the support and advice of the following in the preparation of this report:

- The Department of Education and Science
- The Department of Justice, Equality and Law Reform
- The Department of Health and Children
- The Department of Enterprise, Trade and Employment
- The Reception and Integration Agency
- The Office of the Refugee Applications Commissioner
- The Refugee Language Support Unit
- The Asylum Seekers Unit FÁS
- Spiritan Asylum Services Initiative (SPIRASI)
- The Northern Area Health Board
- Partnership Trá Li.

**Luke Murtagh**

**Chairperson of IVEA Working Group**

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# 1 Introduction

The Irish Vocational Education Association<sup>1</sup> (IVEA) is strongly committed to supporting Article 1 of the Universal Declaration of Human Rights in its work on behalf of asylum seekers, refugees and other non-nationals.

*All human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood*

*(Article 1, Universal Declaration of Human Rights)*

## 1.1 Congress Resolution

Arising from an emergency resolution of Congress 2000, IVEA established a Working Group to implement the terms of the resolution:

*That the IVEA set up a Working Group to examine the potential opportunities and resources needed to cater successfully for the educational needs of refugees/asylum seekers.*

*That this Working Group be composed of representatives from the VECs and education providers that currently have experience of catering for refugees and asylum seekers.*

The Working Group extended its brief to include non-English speaking non-nationals as a target group as this group also has significant English language needs which are being met by Vocational Education Committees<sup>2</sup> (VECs).

## 1.2 Members of IVEA Working Group

The Working Group comprised of personnel involved in the educational provision for refugees, asylum seekers and other non-nationals.

Luke Murtagh, Co. Tipperary (NR) VEC  
Crona Gallagher, Co. Donegal VEC.  
Moya Corry, Co. Kildare VEC.  
Marie Humphries, City of Dublin VEC  
Frank Nash, City of Cork VEC.  
Marguerite Brosnan, Kerry Education Service (Co. Kerry VEC)  
Tanya Ward, City of Dublin VEC  
Michael Moriarty, IVEA  
Fiona O'Reilly, IVEA

## 1.3 Dates of Meetings

The Working Group met on the following dates:

30 August 2000  
30 November 2000  
18 January 2001  
14 February 2001  
6 March 2001  
3 April 2001

## 1.4 Methodology

In autumn 2000, the Working Group researched the educational provision for asylum seekers, refugees and other non-nationals by VECs; consulted with individuals and organisations and visited Co. Donegal VEC. Members reflected on their own experience, on the information and insights gathered from consultation and developed an overall strategy for dealing with provision for asylum seekers, refugees and non-English speaking economic migrants. Considerable work is yet to be completed and will demand further consultation and research. This consultation process will include the target groups and their representative organisations.

It became obvious at the first meeting of the Working Group that there was a need to provide VEC schools and education centres with accurate basic information on asylum seekers, refugees and non-nationals. The first task of the Working Group was to provide a *briefing memorandum* for members. This was achieved through the assistance of the Department of Education and Science. (*Appendix 1*)

<sup>1</sup> Irish Vocational Education Association hereafter known as the IVEA.

<sup>2</sup> Vocational Education Committee hereafter known as the VEC

During the consultation process the Working Group identified models of good practice in Co. Donegal VEC, Kerry Education Service (Co. Kerry VEC) and City of Dublin VEC. Further details are provided in Appendices 2, 3 and 4.

### 1.5 IVEA Survey on VEC Provision to Refugees, Asylum Seekers and Non-English Speaking Non-nationals

As part of the research undertaken by the IVEA Working Group, a survey of the 33 Vocational Education Committees (VECs) was commissioned to assess the numbers of asylum seekers, refugees and other non-nationals in each area and the services provided by each VEC.

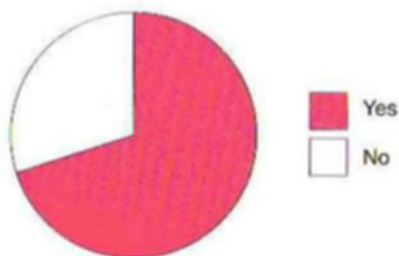
The research revealed that there was a wide range of provision being made available. VECs are to be complimented for reacting quickly to demands placed on them by the sudden growth in the numbers of refugees and asylum seekers. This again demonstrates the flexibility of the vocational system in responding creatively and effectively to ever changing demands and challenges.

The following comments on the survey are based on the information received:

#### Level of Education Provision

- ◆ From the 33 VECs surveyed, 28 VECs responded (i.e. 84%).

Figure 1: No of VECs involved in the provision of educational services to asylum seekers, refugees and other non-nationals



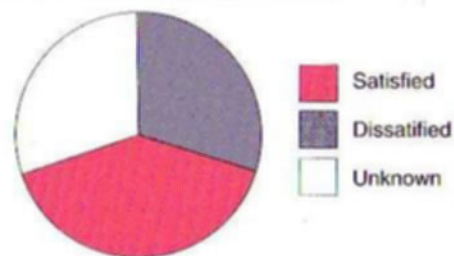
- ◆ Of this 84%, 71.5% of VECs are actively involved in the provision of educational services to these core groups.

#### Satisfaction Ratings

The survey also sought to determine the level of satisfaction with the resourcing supports to VECs/schools in serving the needs of the target groups. It was found that 28.5% of VECs were satisfied with the resourcing supports presently made available to them, 43% were dissatisfied while another 28.5% declined to respond.

In figure 2, over half of the VECs surveyed were unhappy with the resourcing supports currently being made available to them. 28.5% (i.e. 8 VECs) failed to respond, a quarter of which were not providing educational services to refugees, asylum seekers or other non-nationals at the time of the survey.

Figure 2: Level of satisfaction with resourcing supports to VECs/schools to make provision to meet the needs of refugees, asylum seekers and other non-nationals



The provision of educational services provided throughout the country varies from VEC to VEC, as does the number of refugees, asylum seekers and non-nationals who are resident in each county. It was found that where a large number of asylum seekers, refugees and other non-nationals were based, the provision being made available was better organised and better reflected the needs of the target group.

Educational provision within the VECs took many forms and differed from VEC to VEC. However, the main forms of educational provision offered by the majority of VECs included:

- Basic Language and Literacy Education
- Basic Numeracy Education
- General Second-level Education
- Post Leaving Certificate (PLC) Courses
- Computer Classes

### **Additional Difficulties in Educational Provision**

Other difficulties being experienced in regard to the provision of educational services included a lack of funding, personnel and resources. Also mentioned were the lack of facilities, lack of childcare, lack of support services and inadequate training for tutors.

The survey also sought the views of VECs/schools on how the provision of educational services could be improved. Following on from the difficulties being experienced it was no surprise that extra funding, training for tutors and additional resources featured prominently in the survey findings. The provision of suitable premises, crèche facilities, smaller teacher-pupil ratios and specific community based programmes were also mentioned.

With regard to the difficulties being experienced by VECs as education providers (to asylum seekers, refugees and other non-nationals), many of the VEC responses reflected on individual issues of concern. This report highlights some of the common issues raised:

- The need for a single reference point to act as information provider.
- The transient nature of asylum seekers/refugees poses a number of problems in the provision of services.
- The need for training for teachers in a multi-cultural environment.
- The need for enhanced funding from the Department of Education and Science to dramatically reduce pupil-teacher ratios.

- The need for linkage between VECs and other State bodies in terms of policy and provision of services.
- The need to encourage those most in need of educational services to avail of services on offer.
- The need for funding to support a drop-in facility.
- The need for collaboration by providers to develop a holistic programme, incorporating language training, introduction to civic and relevant laws in Ireland, information about the education system, health and family issues in Ireland.

### **1.6 Consultations by the IVEA Working Group**

- (1) Part of the consultation process involved a meeting with representatives from national agencies on 14<sup>th</sup> February 2001. In attendance were Margaret Kelly (Principal Officer, Further Education Section), Department of Education and Science, Breda Naughton, Reception and Integration Agency (formerly known as the Directorate for Asylum Support Services), Frank Mills, Northern Area Health Board, John Stewart, National Adult Literacy Agency (NALA), Frank Donnelly, Asylum Seekers Unit, FAS and Fr Michael Murray, Spiritan Asylum Services Initiative (SPIRASI). Amongst the issues discussed was the need to address the following: the boredom factor, the right to work, the right to receive an education and to participate in vocational training. It was agreed that co-operation and co-ordination of resources and strategies at both national and local level could help in the provision of more efficient and effective services to asylum seekers and refugees. This was the first occasion in which the organisations represented met as a group at national level.
- (2) Representatives of the IVEA Working Group also held a meeting with the Refugee Language Support Unit (RLSU). The Department of Education and Science established the RLSU in 1999 under the aegis of Trinity College Dublin to co-ordinate the provision of language support for refugees admitted to Ireland. The RLSU has a number of key functions both in the provision of language support and training for adult

refugees and in the provision of support for teachers of non-English speaking pupils in both primary and post-primary schools. The RLSU provides seminars to teachers/tutors on the various different teaching methods and materials available.

- (3) Mr Luke Murtagh, Chairperson of the IVEA Working Group visited Co. Donegal VEC to review the provision for asylum seekers and refugees by the Co. Donegal VEC and the co-ordination structures put in place locally.

## 2 Context

### 2.1 Legal Position of Asylum Seekers, Refugees and other Non-English Speaking Non-nationals<sup>5</sup>

The Refugee Act, 1996 (as amended) commenced in full on the 20 November 2000. It has become the national framework for the legal status/position of all asylum seekers and refugees entering Ireland. This Act gives effect to the obligations of the State under the 1951 Geneva Convention.

#### Asylum Seeker

An Asylum Seeker is defined as: –

*A person who seeks to be recognised as a refugee in accordance with the terms of the 1951 Geneva Convention relating to the Status of Refugees and the related 1967 Protocol.*

*(Department of Justice, Equality and Law Reform).*

In Ireland, this means a person who applies for a declaration under Section 8, of the Refugee Act, 1996 (as amended).

The Refugee Act, 1996, defines an asylum seeker as: -

*A person who arrives at the frontiers of the State seeking asylum in the State or seeking the protection of the State against persecution or requesting not to be returned or removed to a particular country or otherwise indicating an unwillingness to leave the State for fear of persecution*

*(The Refugee Act, 1996 (as amended), Section 8)*

Asylum seekers, upon arrival in Ireland, apply to the State to be recognised as a refugee. An application presently takes up to 18 months to process during which time an asylum seeker is not entitled to seek employment, carry on any business, trade or profession, or to leave the State without the consent of the Minister for Justice, Equality and Law Reform. *(Refugee Act, 1996 (as amended), Section 9)*

<sup>5</sup> Detailed information is provided on the status of a wide range of non-nationals in Ward, T. (2001) *Immigration and Residency in Ireland*, CDVEC.

In general, asylum seekers are not allowed to work pending consideration of their application for refugee status.

- The Government, as an exceptional measure agreed on 26 July 1999 that those asylum seekers who have been in this country for more than twelve months and who are still awaiting a final determination of their application for refugee status should be given the right to seek work.
- The arrangement applied to those who sought asylum here up to 26 July 1999, as soon as they crossed the twelve-month threshold.
- The Government decided in December 1999 to remove the requirement that an employer must obtain a work permit before employing asylum seekers covered by 26 July 2000 Government decision.
- The Government also decided that each eligible asylum seeker should be issued with a letter confirming entitlement to work for presentation to potential employers and the Department arranged accordingly. To date, over 2,600 of such letters have issued. (*Department of Justice, Equality and Law Reform*)

Asylum seekers have a number of rights set out under Section 3 of the Refugee Act, 1996 (as amended). They are entitled to access the Refugee Legal Service which offers legal aid to persons applying for refugee status. Asylum seekers are also entitled to consultation with the United Nations High Commissioner for Refugees<sup>4</sup> (UNHCR) which aims to aid the applications of asylum seekers in their plight for refugee status. Asylum Seekers entering the country since the 10 April 2000 are entitled to direct provision (accommodation, welfare support and healthcare) while their applications are being processed. Such provision is co-ordinated by the Reception and Integration Agency.

<sup>4</sup> United Nations High Commissioner for Refugees hereafter known as the UNHCR

## Convention Refugee

A convention refugee, according to the Refugee Act, 1996, is: -

*A person owing to a well founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion is outside the country of his or her nationality and being outside the country of his or her former habitual residence, is unable or, owing to fear, is unwilling to return to it*

(*Refugee Act, 1996 (as amended), Section 2*).

## Programme Refugee

A programme refugee, as distinct from a convention refugee, is: -

*A person to whom leave to enter and remain in the State for a temporary protection or resettlement as part of a group of persons has been given by the Government and whose name is entered in a register established and maintained by the Minister for Foreign Affairs, whether or not such person is a refugee within the meaning of the definition of "refugee".*

(*Refugee Act 1996 (as amended), Section 24*).

Programme refugees are persons who are invited to Ireland by the Government usually in response to a humanitarian crisis and at the request of the UNHCR. Refugees (convention and programme) are entitled to seek and enter employment, to carry out a business, trade or profession and access education and training. They are also entitled to receipt of social welfare benefits, medical care and services in line with Irish citizens' entitlements. Accordingly, refugees are entitled to reside in the State, to travel in and out of the State, access the courts, form and be a member of an association or trade union and have the freedom to practice religion. (*Refugee Act, 1996, Section 3*)

In this context, a person who believes they qualify as a refugee (as defined above) may apply to the Minister for Justice, Equality and Law Reform for refugee status and the protection of the State.



Under the Refugee Act, 1996 (as amended), an application for a declaration as a refugee will be dealt with: -

1. at first instance by the Refugee Applications Commissioner,
2. at appeal (if one is made) by the Refugee Appeals Tribunal,
3. and finally, based on the recommendation of the Refugee Applications Commissioner or the Refugee Appeals Tribunal, a decision will be taken by the Minister.

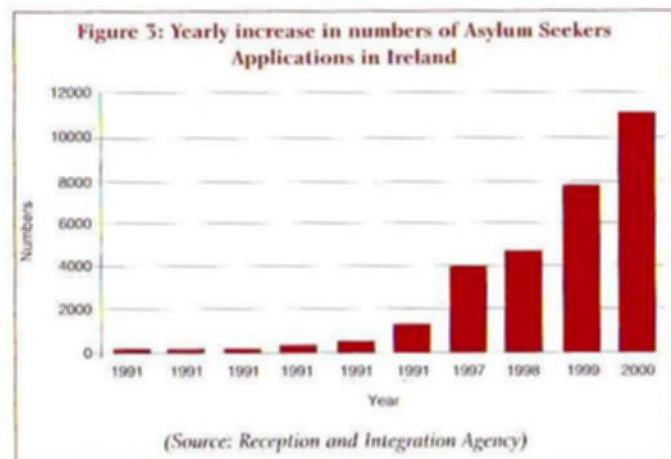
*(Refugee Applications Commissioner, 2000, pg. 3)*

the EU (in 2000) in terms of asylum applications (as a percentage of national population) received third place overall among some 25 European States as a whole. This development presented the Department of Justice, Equality and Law Reform with major challenges during the year to meet the obligations towards asylum seekers under national and international law. Substantial extra resources have been committed to the asylum and immigration process including the recruitment of an additional 370 staff to ensure that claims are dealt with in a fair and efficient manner and additional accommodation and support services were provided for those awaiting determination on their applications.

## 2.2 Data on Asylum Seekers, Refugees, Non-English Speaking Non-Nationals

### 2.2.1 Asylum Seekers

The increase in asylum applications over the past ten years has been significant (as illustrated in figure 3 below). In 1992, 39 applications for asylum were made whereas, in the first three months of 2001 there were 2,309 applications.



This current trend is in line with the situation in other EU countries. However, the Irish case is more dramatic because of the low base from where the trend started. In relative terms, Ireland was second in

### Country of Origin

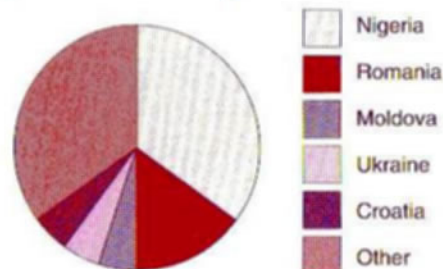
Asylum seekers originate from 120 countries. In accordance with the figures provided by the Refugee Applications Commissioner for the period from January to March 2001, the majority of asylum seekers came from Nigeria, Romania, Moldova, Ukraine and Croatia.

Statistics in respect of the main countries of origin for year end 2000 and for 2001 (up to 31 March) are as follows:

Year 2000	
<b>No of asylum seekers</b>	<b>10,938</b>
Main source countries:	
Nigeria	3404
Romania	2384
Czech Republic	403
Moldova	388
DR Congo	358

In the first three months of 2001, 2,309 asylum seekers made applications to the Department of Justice, Equality and Law Reform, the largest number of applicants (i.e. 37%) originated from Nigeria.

Figure 4: Top Five countries of Origin – March 2001



(Source: Office of the Refugee Applications Commissioner)

The highest source countries for 2000 were Nigeria (3,404 or 31.1% of total number of applications) and Romania (2,384 or 21.8% of the total). This compares with 1,895 (24.5% of the total) and 2,226 (28.8% of the total) applications for those countries respectively in 1999.

### Profile of Asylum Seekers

According to statistics from the Reception and Integration Agency approximately 20% of asylum seekers are under 19 years of age. Of that 20%, approximately 25% are of post-primary age, 40% are of primary school age and between 34-40% are of pre-school age.

#### 2.2.2 Seeking Refugee Status

Before an asylum seeker is granted refugee status there are a number of stages through which an application must pass. Firstly, the applicant must make an application for a declaration as a refugee at either the Refugee Applications Commissioner's office or at a point of entry. At either of these venues they will be requested to complete an application form for declaration as a refugee. This application form must be accompanied with all relevant documentation (i.e. travel documents, identity documents etc.).

An interview will then be arranged under Section 8 of the Refugee Act to determine the grounds under

which an application is being made. As part of this process a photograph and fingerprints are taken of the asylum seeker. He/she is also required to fill out a questionnaire. If any of these requirements are not fulfilled, the asylum seeker's application can be deemed as manifestly unfounded, which means that their case has been put into "fast track" procedures. They can appeal this decision with a written appeal but must do so within ten working days. If they receive a positive decision their case is then returned to the main substantive procedure. However, if they receive a negative decision, their case is then sent to the Immigration Division of the Department of Justice, Equality and Law Reform for consideration for deportation. (*Refugee Act, 1996 (as amended), Section 8*)

If all requirements are met, the asylum seeker is assisted by the Reception and Integration Agency where they are catered for a period of approximately two weeks in a reception centre in Dublin prior to being resettled in one of the Regional Accommodation Centres located throughout Ireland (there are almost 70 Regional Accommodation Centres in over 23 counties). In April 2000, owing to a shortage of accommodation in Dublin and due to the increase in the numbers of asylum seekers applying for refugee status, the Government set up a new policy of resettlement and direct provision which coincided with the introduction of the voucher system in the UK. This new policy directly provides all asylum seekers with accommodation, meals and a weekly allowance.

### Investigations of Applications

Investigations into asylum applications are undertaken initially by the Refugee Applications Commissioner.

*The function of the Commissioner is to investigate the application for the purpose of ascertaining whether the applicant is a person in respect of whom a declaration should be given.*

*(Refugee Act, 1996, Section 11)*

The functions of the Refugee Applications Commissioner as specified in Section 6 of the Act are more substantially evident in Sections 11, 12 and 13.

Section 11 of the Refugee Act, 1996 (as amended), requires the Refugee Applications Commissioner to investigate applications for a declaration of refugee status. This involves an interview of the applicant by an authorised officer and is intended to afford the applicant sufficient opportunity to present their case for grant of status. The applicant or their legal representative may make written submissions up to 7 working days after the interview. A written record of the interview is made and given to the applicant. The report of the investigation and recommendation in relation to the application are also forwarded to the applicant who may appeal that recommendation within 10 working days in the case of manifestly unfounded recommendations or 15 working days in the case of a substantive negative recommendation. (Source: Department of Justice, Equality and Law Reform)

### The Refugee Appeals Tribunal

The asylum appeals process underwent considerable changes during 2000, with a transition from administrative procedures to a statute-based process following the enactment of the Refugee Act, 1996 (as amended).

The Refugee Appeals Tribunal was established in November 2000 under the Refugee Act, 1996 (as amended). The Tribunal is an independent statutory body. The Tribunal considers and decides appeals against recommendations of the Refugee Applications Commissioner to refuse refugee status.

The ultimate task of the Tribunal is to establish who is a refugee and to do so: -

- fairly and in accordance with law;
- with respect for the dignity of the people in the process;
- quickly;
- with the highest standard of professional competence;
- in a spirit of openness to change in the way in which the process is managed.

Upon receipt of a negative recommendation from the Refugee Applications Commissioner, an asylum seeker has a right to appeal to the Refugee Appeals Tribunal. The time limits of appeal are within 15 working days for substantive appeals; 10 working days for manifestly unfounded appeals as specified in the Refugee Act, 1996 (as amended) and 5 working days for appeals under the Dublin Convention in accordance with the Dublin Convention (Implementation Order) 2000. In general, the Refugee Appeals Tribunal considers the appeal on the basis of the recommendation of the Commissioner together with grounds of appeal presented by the applicant in his/her notice of appeal and supporting documentation and information furnished with the appeal.

In substantive appeals, the applicant has the choice of having his/her case considered at an oral hearing whereas, manifestly unfounded and Dublin Convention appeals are considered on the papers.

In all a total of 19 tribunal members have been appointed by the Minister for Justice, Equality and Law Reform to the Tribunal for the purpose of considering and deciding appeals. (Source: Department of Justice, Equality and Law Reform)

Table 1: Number of Applicants granted Refugee Status at first instance over period 1994-2000

Year	1994	1995	1996	1997	1998	1999	2000
No. of applicants granted refugee status at first instance	34	90	172	142	133	91	71

(Source: Ward, T. (2001) *Immigration and Residency in Ireland*, CDVEC, pg. 7)

### 2.2.3 Non-English Speaking Non-Nationals

As the Irish economy continues to expand it has been necessary to recruit personnel overseas. This has resulted in a huge increase in the numbers of non-English speaking non-nationals receiving work permits/visas to combat labour shortages in the Irish economy. The Government, in tackling these labour shortages, has initiated a number of campaigns to attract both Irish migrants to return to Ireland and also to recruit suitably qualified foreign workers to come to work in Ireland. This has, therefore, resulted in an increase in the number of work permits, work visas/authorisations and business permits which have been issued.

#### Work Permit

A work permit is needed by an employer to take on a non-EEA<sup>5</sup> national. Work permits are issued by the Department of Enterprise, Trade and Employment upon receipt and examination of an application made by an employer. An employer must prove that they have made every effort to recruit an Irish citizen or an EEA national for whom a work permit is not required. Work permit holders have a right to enter employment and reside in the State. However, they do not have a right to free medical care, social welfare or free education.

Table 2 sets out the number of work permits issued during 2000 by country of origin.

In 2000, a working visa and work authorisation scheme was introduced to facilitate the recruitment of suitably qualified people from non-EEA countries for designated sectors of the employment market where skills shortages are acute. This is discussed in more detail in T. Ward, *Immigration and Residency in Ireland*.

<sup>5</sup> The EEA includes all EU member states and Liechtenstein, Iceland and Norway.

Table 2: Number of work permits issued during 2000

Nationality	New Permits	Renewals	Group Issued	Refused
Australia	653	115	768	15
Canada	726	59	785	11
Czech Rep	902	51	953	7
Latvia	2086	80	2166	31
Lithuania	835	14	849	8
Malaysia	684	93	777	9
Philippines	908	83	991	22
Poland	810	95	905	5
Russian Fed	695	126	821	9
USA	818	245	1063	20
Group Permits			301	301
Other	6317	1310	7627	225
Total	15434	2271	18006	362

Source: Ward, T. (2001) *Immigration and Residency in Ireland*, CDVEC, pg. 18

### 2.5 Brief on Service Providers

Before dealing with the specific educational dimension of provision by VECs for the target group, there is a need to outline the role played by a range of agencies and organisations<sup>6</sup> involved in the delivery of services to asylum seekers, refugees and non-nationals. This section has been divided into: -

- ◆ Government Departments
- ◆ Statutory and Other Bodies
- ◆ Local Statutory Bodies
- ◆ Voluntary Bodies

#### 2.5.1 Government Departments

##### Department of Education and Science

The Department of Education and Science does not differentiate between national and non-national children, whether they are refugees, asylum seekers or

<sup>6</sup> A list of relevant agencies and organisations is included in Appendix 5

other non-nationals attending primary or post-primary schools. It is open to parents who are seeking to send their children to a school of their choice. A primary school is not entitled to refuse enrolment to a child unless the school is full. If a primary school is full, then an asylum seeker should seek to enrol the child in another school in the locality. Post-primary schools should disclose their enrolment policies and the criteria used in selecting children for enrolment. Parents will thus be fully informed on the selection procedures which will help allay any fears of discrimination against their children. (*Information Booklet for Schools on Asylum Seekers, Department of Education and Science, pg. 5*)

The Department of Education and Science has published a comprehensive *Information Booklet for Schools on Asylum Seekers*. This will be distributed to schools in May 2001.

Vocational Education Committees receive annual grants from the Further Education Section of the Department of Education and Science under the Adult Literacy and Community Education Scheme (ALCES) for the provision of tuition in literacy and basic education to adults. VECs may use these grants to provide adult literacy, English language and mother culture supports to asylum seekers who do not have an entitlement to work.

It is not envisaged that English language teaching would be contracted to language schools.

(*Source: Department of Education and Science letter to IVEA 22 September 2000*)

### **Department of Justice, Equality and Law Reform**

The Government's asylum strategy aims to:

- Greatly increase processing capacity, including appeals, to deliver more speedy decisions in relation to the applications for refugee status, leading in due course, to the completion to finality of the processing of all new asylum applications within a six month period which will ensure that those who qualify for refugee status will receive decisions on their applications much more speedily

and that applications where there is clearly no basis for qualification will also be dealt with on a faster basis.

- Process, in full the asylum applications currently on hand as soon as possible.
- Deal with the increased numbers of repatriations which will arise in respect of persons who do not qualify for refugee status. (*Source: Department of Justice, Equality and Law Reform*)

### **Department of Health and Children**

The health care of immigrants is covered by the general arrangement governing eligibility for public health services. Entitlement to health services is primarily based on residency and means. The Department of Health and Children, through the health boards, provides for the healthcare of asylum seekers. Asylum seekers may, in general, avail of public health services on the same basis as medical card holders, while awaiting a decision on an application to remain in this country. Any special healthcare needs required by asylum seekers are provided by health boards where such specific arrangements are deemed appropriate by the relevant health board. (*Source: Department of Health and Children*)

### **Department of Enterprise, Trade and Employment**

The Department of Enterprise, Trade and Employment issues work permits to aliens in accordance with the provisions of the Aliens (Amendment) (No.2) Order 1999, which was issued by the Minister for Justice, Equality and Law Reform in exercise of powers conferred on the Minister by the Aliens Act (1935). This order determines that:

*An alien shall not:*

- (a) enter the service of an employer in the State, or*
- (b) be in employment in the State,*

*except in accordance with a permit issued by the Minister for Enterprise, Trade and Employment. (Source: Department of Enterprise, Trade and Employment)*

### 2.3.2 Statutory and Other Bodies

#### Reception and Integration Agency

The Government has approved the establishment of a statutory agency called the Reception and Integration Agency under the aegis of the Department of Justice, Equality and Law Reform. Pending the enactment of legislation, the agency will operate on a non-statutory basis and have the following functions: planning and co-ordinating the provision of services to both asylum seekers and refugees; co-ordinating and implementing integration policy for all refugees and persons, who, though not refugees, are granted leave to remain; and responding to crisis situations which result in relatively large numbers of refugees arriving in Ireland within a short period of time. (*Institute of Public Administration, Yearbook and Diary 2001, pg. 60*)

#### National Consultative Committee on Racism and Interculturalism (NCCRI)

The National Consultative Committee on Racism and Interculturalism was established by and operates under the aegis of the Department of Justice, Equality and Law Reform. NCCRI seeks to develop programmes and actions and acts in a policy advisory role to the Government. (*ibid. pg. 369*)

#### Refugee Language Support Unit (RLSU)

The Refugee Language Support Unit was set up under the aegis of Trinity College by the Department of Education and Science to examine the language needs of refugees in Ireland. It has a number of key functions in the training of teachers/tutors and the development of language programmes for refugees.

The main tasks of the RLSU are:

- To establish and maintain a database of the language experience of all non-national pupils and adult refugees and to track their English language training progress

- To develop suitable English language programmes for non-nationals
- To develop new English language training materials and identify sources of suitable existing materials
- To provide training for English language support teachers and their principals at primary and post-primary level
- To develop benchmarks of English competence at various levels
- To advise the Department of Education and Science on matters relating to the English language provision for non-nationals, as requested.

The RLSU has already developed benchmarks for use by primary and post-primary schools. These benchmarks provide descriptions of English language competence at different levels and are based on the demands of the primary and post-primary curricula. These benchmarks support course design, delivery and the monitoring of the progress in English language competence of the non-national pupils. In addition, an English language portfolio has been developed (by the RLSU) for use at both primary and post-primary levels. This portfolio provides a focus for the pupils' learning that concentrates not only on English language but also on their socialisation within the school. The RLSU provides regular in-service support for primary, post-primary teachers and school principals at regional centres. Training must be available on an ongoing basis for all teachers providing English language support to non-nationals. (*Source: Refugee Language Support Unit*)

#### Refugee Applications Commissioner

The principal function of the Refugee Applications Commissioner is to make recommendations to the Minister for Justice, Equality and Law Reform pursuant to the provisions of the Refugee Act, 1996 (as amended), as to whether an applicant for a declaration as a refugee should be granted. The Refugee Applications Commissioner is independent

to the Minister for Justice, Equality and Law Reform in fulfilling the functions of the Commissioner under the Refugee Act, 1996 (as amended). (*Information Leaflet for Applicants for Refugee Status in Ireland, Refugee Applications Commissioner, 2000, (pg. 31)*)

### **Refugee Appeals Tribunal**

The function of the Refugee Appeals Tribunal is to consider and decide appeals against recommendations of the Refugee Applications Commissioner and make recommendations to the Minister for Justice, Equality and Law Reform (*ibid. pg. 31*).

### **The Irish Refugee Council**

The Irish Refugee Council offers legal support to asylum seekers and in particular to unaccompanied minors (persons under the age of 18 years who enter the State unaccompanied by a guardian or caregiver). This body also seeks to influence the Government's asylum policy. It works in conjunction with schools to provide a programme of educational visits and undertakes refugee-related research. (*Institute of Public Administration, Yearbook and Diary 2001, pg.367*)

## **2.3.3 Local Statutory Bodies**

### **Vocational Education Committees (VECs)**

There are 33 Vocational Education Committees in Ireland responsible for the provision of a range of educational services including second-level education, further education and lifelong learning. These services are available to refugees, asylum seekers and non-nationals in accordance with their legal status. A list of VECs can be accessed through the IVEA website at [www.ivea.ie](http://www.ivea.ie).

### **Northern Area Health Board**

Asylum seekers and refugees have the same entitlement to health services as all other users of the health services. As the majority have no declared means they

will qualify for a medical card. Some of the principles underlying the provision of health services to asylum seekers and refugees are:

- that services will be delivered in a culturally sensitive and appropriate manner;
- that confidentiality will be regarded as being of paramount importance;
- that no medical details will be divulged to third parties without consent and;
- that services will be accessible.

Some of the barriers to an effective delivery of health services are language difficulties, cultural differences and a lack of information on the part of asylum seekers and refugees. Translation and interpretation services have been put in place, an information video in several different languages has been prepared and some training on cultural issues has taken place.

A number of specific services have been put in place to facilitate a more effective delivery of health and welfare services:

- Medical screening is offered in each of the reception centres in Dublin and is also offered by the other regional health boards to those who do not avail of it while in Dublin. Screening takes place for various blood-borne infections and for TB. Treatment is offered where appropriate. A psychological service is also available for those who have been traumatised.
- A dedicated social work service is available for young asylum seekers who arrive unaccompanied by a parent or guardian.
- The Community Welfare Service attached to each of the health boards provides financial assistance, advice and information to asylum seekers.
- Arrangements have been made with a number of private translation companies to provide translation services on site or over the telephone to health service providers.

- A number of non-government organisations providing services to asylum seekers and refugees receive funding from health boards.

As there is very little history in Ireland of dealing with health needs of ethnic minorities a number of research projects are underway which will provide essential information to health service providers on ways to improve the delivery of services.

There are plans during 2001 to culturally adapt health promotion material for use by asylum seekers and refugees. It is also proposed to employ people from ethnic minorities to work as liaison/advocacy workers with their own communities. More training on cultural issues will be provided for front-line staff. (Source: Northern Area Health Board)

#### **Asylum Seekers Unit FÁS**

FÁS, the Training and Employment Authority, provides a range of services to asylum seekers who entered the country prior to 26 July 1999. The aim of the Unit is "to provide a professional guidance and job placement service to asylum seekers that will match their skills to suitable employment". In so doing, the Asylum Seekers Unit of FÁS offers a number of services including guidance interviews, skills assessments, jobs clubs, job placement and aftercare follow-up service. (Source: Asylum Seekers Unit, FÁS).

### **2.3.4 Voluntary Bodies**

#### **Irish Vocational Education Association (IVEA)**

The Irish Vocational Education Association is the representative body at national level negotiating on behalf of Ireland's 33 Vocational Education Committees. IVEA was responsible for the establishment of the Working Group to examine the educational needs of asylum seekers, refugees and non-nationals on foot of a resolution of Congress 2000. It provides support services to all Vocational Education Committees (VECs).

#### **Spiritan Asylum Services Initiative (SPIRASI)**

SPIRASI is a voluntary organisation whose vision is to work in collaboration with asylum seekers, refugees, volunteers and related organisations to promote self-reliance and integration of refuge seekers into Irish society by providing a range of supports and services. These include training programmes in a variety of disciplines such as: Information Technology, host community awareness programmes, medical programmes for torture survivors, research and publication programmes, refugee community organisation support programmes, language programmes, hospitality programmes, social outreach programmes and are currently developing a creative arts programme. (Source: SPIRASI)

#### **Association of Refugees and Asylum Seekers in Ireland (ARASI)**

ARASI is a voluntary organisation founded in 1997 to represent refugees and asylum seekers. The aim of this body is to promote understanding of human rights and education issues relating to refugees and asylum seekers. (Institute of Public Administration, Yearbook and Diary 2000, pg. 358)

#### **Refugee Trust**

This body pledges to relieve hardship or distress throughout the world amongst refugees, displaced persons and all those who have fled from their homes as a result of war, persecution or natural disaster. (ibid. pg. 371)

#### **Access Ireland Refugee Social Integration Project**

This body aims to promote the integration of refugees in a way that highlights their positive contribution to Irish society. It promotes access to health and social services and supports development of community initiatives amongst refugee groups. (ibid. pg. 357)



## 3 Education Service Delivery

VECs organise service delivery to asylum seekers, refugees and other non-nationals through: -

- Second-level Education
- Further Education
- Lifelong Learning

As illustrated in the IVEA survey, language provision is the most important part of this provision. The following section provides an insight into what it is like to be an asylum seeker/refugee and discusses the principles of language acquisition and suggested strategies.

In planning service provision it is important to consider the personal circumstances of asylum seekers, refugees and non-nationals. Many individuals and groups of asylum seekers are isolated, bored and lonely in their current living situations. They would welcome more contact with the communities in which they find themselves. Women can become particularly vulnerable through isolation. The asylum seeking population is highly mobile and it is difficult to assess the numbers resident in a particular area. Many individuals have experienced great trauma before coming to Ireland and a need for counselling and psychological services is emerging. Some individuals experience great difficulty in communicating with others – there may be only one person speaking a particular language living in a particular place at any given time. Cultural differences between individuals and groups of people can lead to tension and hierarchies. There is a lack of information regarding services and entitlements which are available to asylum seekers. Services being provided to asylum seekers by statutory and voluntary organisations are not in the main, co-ordinated in any way.

Asylum seekers' lives are on hold, complicated, insecure. The motivation to learn is not always apparent as other concerns take over. Building relationships and creating trust are necessary prerequisites to educational provision.

### 3.1 Introduction to Principles of Language Acquisition

In *Meeting the language needs of refugees in Ireland* (an occasional paper made available by the RLSU in 2000), the following recommendations in regard to the principles of language acquisition are illustrated. All normally endowed children learn the language of the environment into which they have been born. To this extent, first language acquisition is a universally successful process. However, literacy skills are not naturally acquired, but rather have to be taught, which means that achievement is subject to the same factors as determine educational success generally. Without literacy therefore one cannot be considered fully functional in any language.

Research has shown that as far as spontaneous oral proficiency is concerned, naturalistic second language learners pass through developmental stages that are closely similar to those observed for child language acquisition. At the same time, the majority of naturalistic second language learners never attain native speaker proficiency: they 'fossilize' at some intermediate stage. In many cases this 'fossilization' is due to a complex of emotional, attitudinal and social factors many of which will attend refugees attempts to learn English. As regards spontaneous oral proficiency, classroom learners of second languages pass through the same developmental stages as naturalistic learners. However, research confirms our common sense intuition that instruction can speed up the learning process.

Most second language teaching takes for granted that learners are already literate in their mother tongue and uses mother tongue literacy both to facilitate learning and to lay the foundations of literacy in the second language. Two facts must be set against this: (a) some adult refugees are illiterate or have very low literacy in their mother tongue and (b) refugee children may be required to learn to read in a second language (in this case English) before they have learnt to read in their mother tongue. Both facts have important implications.

As far as language teaching methods are concerned, the strong version of the communicative approach is right to emphasise the use of the target language in the classroom. After all, communication is not only the end but the means of naturalistic language acquisition; and it is literally true that the only way to learn a language is to speak it. At the same time, language learning in the formal context needs to focus on linguistic form (grammar) partly as a means of taking short cuts, and partly to foster the development of literacy in the target language. However, focus on form should not be pursued for its own sake but should arise from use of the target language and be clearly related to the overall learning purpose.

Lack of motivation is perhaps the most widespread cause of failure in second language learning. One way of encouraging a positive attitude in learners is to engage them in planning, managing and evaluating their own learning; in other words, to help them become autonomous learners. This is particularly important in the case of refugees since from a very early stage the demands of everyday life require them to use the language they are learning.

*(Meeting the language needs of refugees in Ireland, Refugee Language Support Unit, pg. 8-9)*

### 3.1.1 Suggested Strategy

The best approach to second language teaching recognises the importance of language use for the development of spontaneous oral proficiency but is also prepared to use non-communicative methods to improve learners' pronunciation as well as their awareness of the target language as grammatical system. It is concerned to develop learner autonomy, partly in order to foster the growth of positive motivation and partly as a means of helping learners to transcend the immediate context of learning. In its application, the best approach to second language teaching is infinitely flexible, always ready to shape itself in response to the needs and characteristics of the learners in question.

In order to assess the language learning needs and potential of an incoming refugee group it is necessary to draw up a profile of the group according to age, gender, and family relationships. This should be done in close consultation with the refugees themselves in order to take a first step towards establishing an ethos of learner autonomy. A more detailed needs analysis can then be carried out for each sub-group that is identified.

Determining when formal language learning should begin is not a straightforward matter. One way of coping with this problem might be to establish a system of social support and counselling that in due course could provide individual refugees with a bridge into formal language learning.

Learning targets for each sub-group of refugees should emerge clearly from a careful analysis of their language needs. These targets should be seen as thresholds of adequacy beyond which the individual refugee will be expected to consolidate and further extend his/her learning of English naturalistically.

Overall learning targets should be broken down into a succession of intermediate targets. This facilitates the planning of courses and encourages learners to focus on short-term as well as long-term success.

In some cases it will be possible to use 'off-the-shelf' teaching materials to help learners achieve their targets but in many cases it will be necessary to develop materials specifically for the refugee group in question.

If language use is central to the development of language proficiency, it is essential that language teaching is organised in such a way that learners have 'social space' in which to communicate with their teacher and one another.

There are some circumstances in which language teaching provided for refugees should not take place in a language school or a traditional classroom.

The frequency of language classes should be determined with reference to the age and domestic situation of the learners and the stage they have reached in their learning.

If the language courses provided for refugees are to succeed, they must foster the right kind of interaction between language learning and language use; both inside and outside the classroom.

The development of learner autonomy should be a central aim of all language courses provided for refugees. There is no universally applicable recipe for developing learner autonomy: the teacher must work out how to achieve this goal with each new group of learners (ibid. pg.21).

### 3.2. Second-level Education

Approximately 24% of asylum seekers are of post-primary age. In Ireland all young people are required to attend school on a full-time basis from age six to fifteen (present school leaving age). Newly arrived non-national children are generally exempt from learning Irish under the terms of Department of Education and Science circular 12/96. Asylum seekers have access to free state funded education up to age eighteen years. The Department of Education & Science does not differentiate between national and non-national children.

#### Integration of Asylum Seekers into Second-level Schools

When asylum seeker students enrol in school they are assigned to a class deemed most suited to their age and knowledge of the English language. Very often members of the same family will wish to be in the same class, irrespective of age and to be with friends. They attend normal classes as per the timetable with withdrawal for English language tuition for short periods e.g. during Irish, Religion (if not co-religionists of class being taught) and perhaps History.

Asylum seekers are likely to present in schools for enrolment at any stage of the school year. They are also likely to absent themselves for weeks and then re-present themselves. The transient nature of these students presents some difficulties for schools. However, students attending on 30 September are

eligible for inclusion in the *October Returns* to the Department of Education and Science.

The additional teacher allocation earned by such students holds for the remainder of the school year. It is not dependent on the numbers which formed the basis of the allocation holding up.

#### To assist in integrating non-national students schools are recommended to: -

- ◆ Have a clear anti-racist statement
- ◆ Provide awareness training on intercultural issues
- ◆ Establish an informal support team
- ◆ Create a 'buddy' system
- ◆ Provide information to parents of non-national pupils
- ◆ Seek assistance from relevant support services
- ◆ Treat all students – national and non-nationals – fairly and in the same way except when it is necessary to differentiate (e.g. for assistance with English language)
- ◆ Provide an induction programme for new non-national students to introduce them to the school, the curriculum and extra curricular activities and to learn about their cultural and social needs to allay their fears and to help with their integration into school life
- ◆ Not enquire too deeply into a non-national's background. They may be reluctant to give information
- ◆ Pay particular attention to the needs of any unaccompanied minors (509 unaccompanied minors entered the country in year 2000)
- ◆ Assess students when they become more proficient in English language to ensure they are in the right programme, particularly in senior cycle and studying for the right levels in State examinations
- ◆ Principal and class teacher should discuss the former education of a non-national pupil (if parents are willing to provide information)

- ◆ Realise that parents of asylum seeker children may be wary of a school principal who may be seen as a person in authority
- ◆ Incorporate pupils into mainstream classes
- ◆ Withdraw them – with some Irish students for English classes and socialisation
- ◆ Incorporate intercultural education into all aspects of school life
- ◆ Treat the non-national children as you treat Irish children – differentiate as little as possible
- ◆ Interpretation service – residents in the accommodation centre may be able to interpret.

### **Intercultural Education for all Second-level Students**

Intercultural education is not a separate or discrete area of the curriculum and should not be solely associated with one programme in the curriculum (e.g. Civic Social and Political Education in Junior cycle). Instead intercultural education should be cross-curricular and should inform the ethos of the school. In a society which is organised according to the principles of democracy and (cultural) pluralism, special care and attention should be paid to groups who are in the minority to ensure that discrimination on the basis of culture, ethnicity, race or religion is minimised and social integration becomes a reality. Anti-racist education is seen as one component of intercultural education. Intercultural education is not solely a programme for the non-national students or for schools with non-national students. (Source: Department of Education and Science)

### **Aims of Intercultural Education**

- ◆ To teach children and young people, irrespective of origin or status, how to deal with cultural differences and diversity in society and in their field of personal experience, to give them the necessary skills, knowledge and attitudes to acquire this ability.
- ◆ To promote tolerance, mutual respect and understanding, openness to individuals and groups with a different cultural, ethnic, national or religious background.
- ◆ To combat racism, xenophobia, discrimination, prejudice and stereotyping.
- ◆ To provide teachers with additional professional skills so that they can work effectively in classes where the young people are from culturally and ethnically mixed backgrounds. (Source: Department of Education and Science)

### **3.3 Further Education Courses**

Refugees with a good standard of English can be accepted as Post Leaving Certificate<sup>7</sup> (PLC) or Vocational Training Opportunity Scheme<sup>8</sup> (VTOS) students on PLC courses. Some can make excellent progress and can be extremely motivated. Refugees are often very highly qualified in their own countries, some to degree level. They need to obtain qualifications which are recognised in Ireland. However, refugees also need qualifications through English, as this gives them proof of their standard of both oral and written English. National Council Vocational Awards (NCVA) qualifications can be very useful in this instance.

Refugees, while needing the supports as previously highlighted, also may require support in the following areas: –

- Extra English classes (especially for written English)
- Help with technical terms in English
- Counselling and psychological services
- As they tend to have more difficulties compared to other PLC/VTOS students with regard to accommodation, legal advice, driving licenses etc.- extra support is needed in these areas
- The support of other students and teachers who have received special training.

<sup>7</sup> Post Leaving Certificate known hereafter as PLC

<sup>8</sup> Vocational Training Opportunity Scheme known hereafter as VTOS

## Core Group with English Language as the Main Subject Area

The fact that refugees are in a similar situation often means that they can support each other. However, the fact that people originate from very different backgrounds can lead to tensions. Skills are needed, especially in the initial stages, to manage what can be a very diverse group. The groups tend to be in a common age bracket and are mainly men. The reasons men may come forward in the first instance may be due to cultural reasons, childcare issues etc. Women should be targeted, as after a number of years they may find themselves becoming increasingly more isolated, with children and men improving their English and become part of the wider community more quickly.

Subjects need to be chosen carefully, computer studies appear to be very popular. Irish culture can be a good general subject and can give students information about accepted cultural norms in Ireland. In general, both of these groups need more of everything than a similar group of PLC/VTOS students. Many of the other areas mentioned in the report will also apply to this group.

### 3.4 Lifelong Learning

The legal position concerning the rights of asylum seekers to access adult education provision is unclear. VECs have been informed by the Department of Education & Science that literacy, English language and mother culture supports may be provided to asylum seekers who do not have an entitlement to work; these supports must be resourced from the current Adult Literacy and Community Education Budget (ALCES). This group of people do not have access to VTOS, Youthreach or PLC Programmes. The White Paper on Adult Education – *Learning for Life* proposes that asylum seekers who have a right to work would have access to VTOS, Youthreach, PLC, Back To Education Initiative (BTEI), literacy and language supports, on the same basis as other participants. It is unclear if this proposal is being widely implemented.

VECs are best placed to provide an adult education service for asylum seekers on the basis that they are the main statutory providers of adult education in the country. If this is to be the case, extra resources need to be put in place by the Department of Education & Science to cover costs of staff training, tuition, materials, development etc. Each VEC could make a separate submission to the Department of Education & Science based on individual needs.

Educational provision cannot be provided independently of other services and support. A holistic approach must be used which considers individual needs and concerns especially those needs which related to belonging and community. Asylum seekers must be facilitated to take part in the social and recreational life of the community. Provision of social and recreational opportunities may be more appropriate than formal classes, at least initially. Initiatives which are designed to promote contact with Irish people (i.e. facilitating asylum seekers to become involved in local sports teams, choirs, clubs, voluntary organisations etc.), would appear to be particularly welcomed by asylum seekers themselves. Such initiatives have implications for the way in which support services for asylum seekers at local and county level are structured.

VECs must co-operate with other statutory and voluntary organisations which are engaged in providing support to asylum seekers and all services should be co-ordinated at local and county level.

Education information services should be considered a priority for county groups (*Appendix 2*).

Support Groups should be established as sub-groups of County Strategy Groups and could include tutors, student representatives, library services and other relevant agencies/individuals.

English language classes (not literacy) are the principal requirements of asylum seekers who avail of classes although both may emerge simultaneously. Adequate resource materials are not available for those studying at foundation level. Students say that they do not have sufficient opportunity to practise the skills they are acquiring. Attendance at classes is

erratic, giving rise to issues of concern regarding assessment, progression etc. The Department of Education & Science is supporting a pilot project initiated by City of Dublin VEC (CDVEC) which will assess what the language and literacy needs of asylum seekers are likely to be and initiate pilot actions to test approaches in this area. In relation to providing mother culture supports for asylum seekers, group size is inadequate in many cases to provide a class.

VECs as part of their overall lifelong learning provision intend to offer language programmes for those who have employment rights. This group of individuals includes those who hold work visas, work authorisation permits, work permits and business permits.

### **Content of Educational Provision**

Provision must adhere to the same principles as any education service: it must be student centred, use appropriate methodologies and materials and take place in a supportive and welcoming environment.

Appropriate materials at different levels especially for language learning are being sourced/developed, including materials for self-directed learning by the Refugee Language Support Unit. However, additional material is also required. Information Technology training is an important component of provision. Adult literacy tutors are familiar with appropriate approaches and methodologies for teaching adults, but may need training in Teaching English to Speakers of Other Languages (TESOL). Teaching and intercultural awareness opportunities for practising English language skills must be explored and developed. English language programmes should also include life/survival skills and components on Irish culture and society.

Asylum seekers are often highly educated and skilled individuals who should be seen as a valuable resource to communities. Intercultural awareness training programmes should be developed in conjunction with them and delivered locally in schools and commun-

ities; other educational initiatives could also be explored and developed, using individual skills.

Counselling and psychological services need to form an integral part of provision and appropriate front-line training must be made available to tutors. A referral system must also be put in place. Translation and interpretation services must be made widely available.

### **3.5 Co-ordination with Other Agencies**

At national level it is vital for the sake of those involved in the provision of services that the legal position on the question of the provision of educational facilities to adult asylum seekers and refugees be clearly marked out so that the providers of these services, both at national and local level are very clear on what services can be provided and to whom. In this regard, VECs should be given enough resources to be able to provide educational services to all residents in the State, no matter what their background or status. VECs have always prided themselves on an "open door" policy towards all students no matter what their background. This policy should now embrace all refugees and asylum seekers.

IVEA and its member VECs consider that great benefit would be achieved if a **Co-ordinator** of services to asylum seekers and refugees was appointed locally in each area/region. The Co-ordinator would be responsible for ensuring that all service providers know what each other was doing in each area thus helping to eliminate any duplication of services. Again at local level, a **Co-ordinating Committee** composed of a representative from each service provider, both statutory and voluntary, should be established in order to liaise with the local Co-ordinator.

In order to achieve the efficient co-operation between all the bodies providing services to asylum seekers and refugees, particularly at local level, consideration should be given to finding a lead agency in each area/region. It is expected that the new Reception and

Integration Agency will play a key role in this area. While many would naturally suggest themselves, such as Health Boards, Local Authorities, VECs, FAS etc., perhaps the most suitable agency would be the Regional Authority, whose expertise covers most of the areas where services are already provided. Regional Authorities have connections with statutory bodies as well as to many voluntary bodies and would be ideal in providing a co-ordinating service, given appropriate and sufficient resources.

Under a properly resourced and funded co-ordination service, it would be possible for all bodies serving in this area to know immediately what services are available in any given field of activity. This could only lead to greater efficiency and a net saving in costs. It would also enable each provider to be able to direct people seeking services onto the relevant agency without delay.

Critical to the question of proper co-ordination of services between agencies is the sharing of information on what each agency is doing; for whom and where. IVEA/VECs hope that all agencies would prepare an up to date list of their activities. From this information it may well be possible to pool resources or for one agency to be able to make resources available to another (e.g. such resources as classrooms, computers etc). Likewise, human resources can be shared i.e. making translators available in English classes in order to help students to take their first steps in language learning.

VECs have traditionally gone outside the normal limitations of traditional teaching in providing services to the public. Besides being involved in post-primary and post secondary education, VECs have provided services to and support for many cultural, artistic, youth, minority and sporting groups etc. There are perhaps no better ways of integrating new people into our country than through the above named groups. VECs should encourage co-operation between all such groups in helping to integrate the new arrivals to our shores, whether it is in the areas of culture, youth, sport or the arts etc.

A full plan for the co-ordination of the work of all service providers can only come about with the backing of the Government and the support of all of the relevant Government departments. It is possible that many of the agencies working in this area have already made their views known to the Government on the need for a co-ordinated service both at national and local level. Having studied this problem in detail and seeing the requirements that are needed, IVEA now requests the Government to put in motion the necessary machinery to set up such co-ordinating bodies as outlined in this section of the report. Whatever the methods used, whether they are those recommended in this report or any other that may be suitable, it can only lead to a better use of resources in the provision of services to refugees and asylum seekers.

### **3.6 Resource Implications**

Resourcing as a factor in the delivery of services is under continuous scrutiny not only in terms of financial resourcing but also in terms of adequate personnel and training.

#### **3.6.1 Staffing**

At present, the Department of Education and Science provide staffing to second level schools who cater for all non-nationals with English language difficulties as follows:

- All schools (primary and post-primary) which have 14 or more non-English speaking non-national pupils are entitled to an additional full-time teacher. Schools with 28 or more such pupils shall be entitled to two additional full time teachers. A start-up grant is made available to these schools in accordance with the number of new teachers appointed.
- Post-primary schools, which have less than 14 non-national pupils enrolled, will be entitled to additional hours on the following basis (see Table 3):

Table 3

Pupils in need	No. of extra hours	Pupils in need	No. of extra hours
1	9	8	12
2	4	9	15.5
3	6	10	15
4	8	11	16.5
5	10	12	18
6	10	13	19.5
7	10.5	14	22 (Full Post)

- Applications for assistance for all non-national pupils in the vocational sector should be made in writing to VECs who in turn channel applications to the Vocational Teachers' Section, Department of Education and Science, Athlone. (Source: *Department of Education and Science*)
- There is general agreement that this provision for second level education is satisfactory to the point where teachers can be recruited, however this issue is outside the remit of this report.
- Staffing resources required to support the development and delivery of adult education services for asylum seekers and refugees needs more detailed consideration and recommendations will be made within the final report.

### 3.6.2 Staff Training

- There is a need to provide adequate and proper training for all staff who are involved in the provision of services to asylum seekers, refugees and non-nationals. Specific training is needed for all personnel involved in Teaching English to Speakers of Other Languages (TESOL).
- Training in intercultural awareness, as well as in the development and delivery of intercultural education programmes (both in second level schools and within adult education services), is also important in the context of a holistic approach to education provision and needs specific funding.

### 3.6.3 Materials/Resources

- Each centre/school/scheme offering services to asylum seekers, refugees and non-nationals needs to have a properly resourced library.
- Computers need to be made available in all centres/schools/schemes, in addition to supplementary learning supports and books. This has become a very important learning mechanism and has featured predominantly in many reports.
- Teaching and learning materials on the lines of those being developed by the Refugee Language Support Unit need to be available to all relevant staff and learners.

### 3.6.4 Support Services

The following support services need to be provided:-

- A Liaison Officer should be appointed to provide support for asylum seekers, refugees, and non-nationals to help them deal with personal/social problems that arise from their individual situations. The services of this Liaison Officer should be made available on a regular basis to schools and centres.
- Childcare Facilities
- Psychological/Counselling Services



## 4 Recommendations

The Working Group recommends that IVEA adopts the following principles in the delivery of services to refugees, asylum seekers and non-nationals: -

1. Support for Article 1 of the Universal Declaration of Human Rights.
2. Equality of treatment with Irish citizens.
3. Delivery of a quality service.
4. The need for planning.
5. The need for resources to deliver a quality service.
6. The need for a holistic approach to service delivery.
7. The need to develop language programmes based on sound pedagogic principles.
8. The development of an appropriate delivery model to meet the needs of this target group.
9. Improved communication, co-ordination and procedures at all levels.

### 4.1 General Recommendations

#### ■ Further Research

Further research in this area is needed. The issue of asylum seekers, refugees and non-nationals is a contemporary one in Irish society. However, there are many factors which need to be taken into consideration when addressing this matter. The research by the IVEA Working Group has found that this issue cannot be dealt with specifically in terms of education and the provision of educational services. Rather, it is necessary to look at this issue in a wider context and take a holistic approach. The Working Group has therefore decided to provide this first report of our findings to date and aims to prepare a final report in the near future. This final report will incorporate recommendations from City of Dublin VEC's present research study and also reviews of study visits which are presently being organised.

#### ■ Co-ordination

There is a wide range of agencies, both statutory and voluntary, involved in the provision of services to asylum seekers and refugees. Because the situation in this area developed so rapidly and to such an extent over the last number of years, it appears that services were introduced on an ad-hoc basis in order to deal with the issue. However, during the past couple of years, services have become more streamlined and more co-ordinated and are now being delivered in a more organised manner. In order to bring greater efficiency to these services it is vital that a national co-ordinating body be set up comprising all agencies, both statutory and voluntary, with a brief to ensure that services are delivered in the most efficient way possible and to help eliminate overlapping of services. There are many agencies working in this area including Local Authorities, Regional Authorities, Health Boards, various Government Departments, FÁS, VECs, primary and secondary schools etc., as well as a very large number of voluntary bodies, drawn from all sections of society. Much of their work is done quietly and efficiently. To all of them the introduction of a co-ordination service would be of tremendous help in delivering a more efficient and improved service.

The IVEA Working Group therefore recommends that this be operated on three levels: national, local, and community:

- A National Co-ordinating Committee should be established with the purpose of linking all relevant national agencies in both the co-ordination of services and the formulation of policy. The IVEA Working Group therefore calls on the Government to set up a National Co-ordinating Committee which would incorporate all the relevant Government departments and state agencies.
- At local (regional or county) level, Local Co-ordinating Committees which include representatives from a wide range of relevant and interested statutory, voluntary and community organisations should be established to co-ordinate the formulation of policy

and delivery of services at local level and to feed into the National Co-ordinating Committee.

- **Community Support Groups** aimed at co-ordinating services at community level and providing practical support and information to individuals would be of benefit to the asylum seeker/refugee communities and also to host communities. These support groups could link back to the Local Co-ordinating Committees.

#### ■ **Social Needs**

There is a need to meet the social and personal needs of asylum seekers, refugees and other non-nationals in the organisation of various sporting and leisure activities. This would offer both the asylum seeker/refugee communities and the host communities opportunities in terms of increasing intercultural awareness and recognition. Isolation, loneliness and boredom due to a lack of occupation are issues which need to be addressed immediately. This work could best be done by the Community Support Groups.

#### **4.2 Educational Recommendations**

The IVEA Working Group recommends the following in regard to the educational needs of asylum seekers, refugees and non-nationals:

- Additional resources need to be made available for extra English classes which is an expressed need of all asylum seekers, refugees and other non-nationals arriving in Ireland.
- Ireland has become a diverse society and it has become necessary for us as a country to respond accordingly. Intercultural education needs to become an essential element of the curriculum in all schools not just those with an asylum seeker/refugee community. The Working Group calls on the Department of Education and Science to facilitate schools with an educational

programme which educates all students on the diversity of people living in Ireland today.

- All programmes for this target group should include a cultural civic education dimension to give an overview of Irish life.
- The budget from which the educational needs of asylum seekers, refugees and other non-nationals are assisted needs to be significantly increased.
- In relation to Adult Education Services for asylum seekers/refugees, VECs need to be adequately resourced to provide appropriate services. Each VEC could make a separate submission to the Department of Education and Science (Further Education Section – Adult Literacy and Community Education Programme) to cater for its own specific needs in relation to the provision of services.
- Asylum seekers and refugees should be consulted about their educational needs and where feasible, they should be represented on appropriate management structures.
- Support time also needs to be made available to deal with the various queries which arise in everyday situations.
- Extra tutorial time for weaker students should be provided.
- Comprehensive in-service training for all teachers to include background situation of the countries that the students originate from, political situation, religious backgrounds, etc.
- Computer classes should be provided free to all asylum seekers.

#### **4.3 Recommendations on Support Services**

The IVEA Working Group recommends the following in respect of support services: -

- A comprehensive training programme needs to be made available for all personnel working with asylum seekers and refugees.

- Greater access to psychological and counselling services are also needed. Asylum seekers and refugees in particular come from traumatic situations and at present the services available to them are inadequate. These psychological and counselling services need to be made available in schools/centres.
- Interpretation and translation facilities need to be more accessible to asylum seekers and refugees to enable them to gain full access to their entitlements. Translation of booklets into different languages from statutory and voluntary bodies is also required.
- Information services and legal advice services need to be accessed, particularly at local level. Language barriers in the quest for information proves problematic for service providers and this problem needs to be addressed so that all asylum seekers and refugees receive their entitlements.
- Library resources, targeted at the needs of asylum seekers and refugees, needs to be made available to the various schools/centres.

#### 4.4 Conclusion

This Working Group report examines the provision by VECs for asylum seekers, refugees and non-English speaking non-nationals. It also examines the context within which the service provision operates.

Meeting the needs of the target group is complex and requires a range of support structures to be put in place at national, local and community levels. Hence, one of the main recommendations is that co-ordination structures be put in place by Government as part of its overall strategy. The community-based structure is particularly important because it helps to deal with many of the social needs of the group.

The Working Group further recommends that IVEA and its constituent VECs adopt nine basic principles as a template for service delivery. Included in these basic principles is Article One of the Universal Declaration of Human Rights.

The Working Party recognises that there is much work to be done to develop an education service to measure up to the nine basic principles. In addition, the Working Group recognises that there is a need to elaborate on the basic policy framework proposed in this report. However, we are confident, because of its track record that the vocational system can and will deliver.

### Briefing Memorandum on Asylum Seekers, Refugees and Non-nationals

(Issued by IVEA, August 2000)

#### 1. Introduction

Arising from a meeting between education management groups and the Directorate for Asylum Support Services on July 4<sup>th</sup>, IVEA prepared the following brief for its constituent VECs.

#### 2. Background

The number of asylum seekers has increased from 39 in 1992 to 7,724 in 1999. 6,808 asylum seekers have arrived between January/August 2000 with an expectation of 10-12,000 by year end 2000.

Until May 1999, the Eastern Health Board and the Department of Social, Community and Family Affairs had responsibility for asylum seekers but since October 1999 the Government has implemented the re-settlement plan nation-wide. Direct provision was implemented in April 2000 which provided full board accommodation, £15 per week personal allowance for adults, £7.50 per week allowance per child and other facilities such as health screening. All children of non-nationals have a right to primary/post-primary education. 18% of asylum seekers were less than 18 years of age.

Ireland is unique in the EU in that parents of a child born in the State can seek to stay in the country until the child is 18 years old. They seek and are usually given leave to remain on the basis of parentage of an Irish citizen. Over 1,600 children of

asylum seekers have been born in the State since January 1998. Ireland has the third highest number of asylum seekers per capita in Europe for 1999.<sup>9</sup>

Visiting teaching services were provided for non-nationals in primary and post-primary schools who had a deficit in English. New support services were implemented by the Department of Education and Science and the Minister sanctioned 15 teachers to support the needs of 21 schools at primary level to meet language needs of non-English-speaking non-nationals.

#### 3. Resources – Primary Level

Since January 2000 additional temporary teachers have been sanctioned for all primary schools with more than 15 non-English speaking non-nationals. This entitlement is for a period up to 2 years. For example, schools with more than 35 non-nationals have an additional allocation of 2 teachers. Where 2 schools operate on one campus with an excess of 15 non-English-speaking non-nationals, the school is entitled to keep the teacher on a shared basis. Schools with 3 or less non-national pupils must meet the cost from their own resources.

A grant of £5,000 per annum is paid to schools for the recruitment of part-time teachers for schools with 4/9 pupils. The grant to schools with an enrolment of 10/14 non-nationals is £7,500 per annum. A £200 start-up grant is available to schools where a full-time teacher is appointed.

#### 4. Resources – Post-primary level

Similar provision is available to post-primary schools but on an equivalent of one and half-hours per student per week (contact Ms Bernie Quinn at the Department of Education and Science, tel. 01 8734700 ext. 3827). Each pupil is entitled to two-year language assistance. Any VEC language course for refugees must be approved by the Refugee Language Support Unit.

<sup>9</sup> In 1987, in a case taken to the High Court it was ruled that since anyone born within the 32 counties is an Irish citizen and has the right to family life (as provided for by the Constitution), they have the right to have their parents residing with them in the State (even if they are non-EEA nationals).

## 5. Data

The Directorate and the Department of Education and Science have a lack of information in regard to the circumstances in local school areas. The Department depends on school authorities for information.

## 6. Refugee Language Support Unit

Difficulties arise in the level of language competence. The Department of Education and Science and Trinity College have jointly established the Refugee Language Support Unit at 83 Waterloo Lane, Dublin 2 (Tel: 01-6672479). The RLSU is charged with the establishment of a database in regard to the language competence of all non-nationals. In addition, the RLSU will establish benchmarks on language competence for adults and children. These are now agreed for adults with the expectation that the benchmarks for primary aged children will be available in September and for post-primary children in October 2000.

The RLSU is now developing materials and training courses for teachers. Training of post-primary teachers will begin in October 2000. The first course for post-primary teachers will be held on October 3<sup>rd</sup> and 4<sup>th</sup> 2000. The RLSU will work with asylum seeker volunteers around the country and an RLSU website will be available from September 2000.

## 7. Vocational Education Committees (VECs)

VECs have made provision for the education and training of refugee groups from Vietnam and more recently, Kosovar refugees. In both cases, the Department was actively involved in the formulation of national policy and in the provision of resources to enable appropriate education training services to be provided.

An increasing number of immigrants with language and cross cultural needs as well as mainline educational demands require a definitive policy directive from the Department. The two basic issues which are featured in most queries are:

- Whether any or all non-nationals (depending on their category) can be permitted free access to VEC services, the majority are ESF funded.
- Whether the Department of Education and Science will resource VECs to provide the additional tuition- particularly in language acquisition – necessary for non-nationals to benefit from the extensive range of VEC education and training programmes or to provide specific programmes tailored to the needs of particular groups.

## Appendix X

Non-nationals residing in Ireland can be categorised as asylum seekers, refugees, programme refugees or economic migrants. Definitions of the different categories are provided.

An **asylum seeker** is someone who applies to the State to be recognised as a refugee under the terms of the 1951 UN Geneva Convention relating to the Status of Refugees. Ireland, with most other European countries, is a signatory of the Geneva Convention.

An **unaccompanied minor** is, according to Section 8 (5) of the Refugee Act, 1996, a child under the age of 18 years, who has either arrived at the frontiers of the State or has entered the State and is not in the custody of any person. The health board in whose functional area the child is located is informed of the child's arrival and the Child Care Act 1991, will apply in relation to the child.

A **convention refugee** is defined in Section 2 of the Refugee Act, 1996 as a:

*"person who, owing to a well founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his or her nationality and is unable or, owing to such fear, is unwilling to avail himself or herself of the protection of that country; or who, not having a nationality and being outside the country of his or her former habitual residence, is unable or, owing to such fear, is unwilling to return to it".*

A **programme refugee** is defined in Section 24 (1) of the Refugee Act, 1996 as a "person to whom leave to enter and remain in the State for temporary protection or resettlement as part of a group of persons has been given by the Government ... whether or not such person is a refugee within the meaning of the definition of "refugee" in section 2".

Programme refugees are persons who are invited to Ireland by the Government usually in response to a humanitarian crisis and at the request of the UNHCR (United Nations High Commissioner for Refugees). Kosovar and Bosnian refugees are examples of groups of people who have had programme refugee status.

**Humanitarian leave to remain** can be granted to asylum seekers at the discretion of the Minister for Justice, Equality and Law Reform. For example, non-nationals who give birth to a child in Ireland can apply for leave to remain.

An **economic migrant** is a person who comes to Ireland to work. If that person is a national from a country outside the EU and EEA he/she is required to have a work permit. Such work permits are issued by the Department of Enterprise, Trade and Employment.

## Appendix Y Extract from the White Paper on Adult Education – Learning for Life

### Ref. Learning for Life, Section 8.13 Refugees and Asylum Seekers

**8.13.1** Refugees are entitled to the same access to education and training as Irish nationals. Within the first and second-level systems, which are catering for increasing numbers of children who are immigrants, refugees or asylum seekers, arrangements have recently been introduced to provide additional teaching resources in schools with large numbers of children whom English is not the mother tongue. In relation to adults, a Refugee Language Support Unit has been established in Trinity College to co-ordinate language assessment and tuition on a national basis. However, at present asylum seekers are not in a position to access services of this nature. This poses

particular difficulties for parents and siblings of children who are trying to integrate into Irish schools and causes problems in schools in promoting home/school links.

A Government decision has allowed asylum seekers who entered the country before 26 July 1999 and who have been waiting at least a year for a determination of status to be given a work permit. There are an estimated 1,700-4,000 in this category, 75% of whom are over 18 (as more time elapses the number who have been here a year will increase, until the ceiling is reached on 26 July 2000). This also enables them to switch from Health Board Assistance to Unemployment Benefit/Assistance, and should, therefore, confer access to active labour market programmes of education and training – e.g. VTOS (if over 21 and at least 6 months on unemployment benefit or assistance) FÁS etc.

In principle, the Government is anxious to expand the role of the Refugee Language Support Unit to include provision for asylum seekers and to explore the scope for providing a national programme in this area through the VECs and other further education providers. As a first step, a study will be undertaken to assess the likely numbers who may need additional language assistance and discussions will be held with the relevant Departments and agencies to assess the implications of this in terms of funding and co-ordination staff and implementation arrangements.

**8.13.2** This paper proposes the following policy in relation to the participation in education and training of asylum seekers: -

- **children aged between 15-**
  - referral to school or Youthreach as appropriate;
- **for asylum seekers with entitlement to work** (all pre-26 July 1999 asylum seekers who are at least one year in Ireland):-
  - Free access to adult literacy, English language and mother culture supports

## Appendix 2

### Case Study of Co. Donegal VEC

- Free access to active labour market programmes such as VTOS or PLC if over 21 and six months registered unemployed, on the same basis as other participants. As non-EU nationals they would not get maintenance grants for full-time PLC courses, but no fees would be charged, given the fact that there has never been a State fee for PLCs
- Access to free part-time Back to Education Initiative programmes up to and including PLC level for social welfare recipients, under arrangements set out for category 2 in chapter 4

Access to education and training programmes will allowed for this group on the clear understanding that enrolment is without prejudice to the determination reached on the asylum status, and cannot be used as a basis for seeking an extension or remaining in the State should their application for asylum be rejected.

In line with other non-EU nationals, access to third-level education will apply only on payment of the economic fee, and there will be no entitlement to maintenance grants.

- **For those who do not have an entitlement to work:** Free access to adult literacy, English language and mother culture supports.

#### 1. 5 centres catering for a maximum of 160 people since May 2000

o Donegal Town	(69)
o Moville	(20)
o Bunbeg	(31)
o Ballyshannon	(10)
o Bundoran	(30)

Estimated that approximately 100 people are resident here at present, mostly single males from at least 12 different countries.

#### 2. Structure of Support Mechanism (General)

##### Donegal Town Support Group

Group meets on a regular (monthly) basis and is comprised of NWHB Community Worker, Partnership Community Link Worker, local politician, 2 doctors, 5 members from community.

Chairperson and secretary but otherwise structure is informal.

No other locally based support group has been established as yet.

#### 3. County Strategy Group

A group was established in November 2000 under the auspices of Donegal Local Development Company; a Partnership Company. Three meetings have been held to date and have been attended by a wide range of voluntary and statutory organisations, including FÁS, NWHB, VEC, Donegal Travellers Project, Partnership Companies, as well as representatives from the asylum seekers themselves.

The following issues were identified:

- Education & Training
- Language

- Accommodation
- Legal/Law
- Transport
- Lobbying/Policy
- Need for inter-agency/community strategy
- Food/Health/Clothing

**It was agreed to concentrate on 3 issues**

- Information
- Accommodation
- Education & Training

The County Strategy Group has no formal structures although an informal steering group has also been established from within its membership. The Group has applied to Directorate of Asylum Support Services for a Regional Co-ordinator whose work would be managed by the Strategy Group.

**4. Outline of VEC's Educational Provision/Support**

- Classes are available at any of the locations and are currently being provided at two venues: Donegal Town and Bunbeg. Classes are due to begin in Bundoran where a group of 30 people has recently arrived.
- 2-4 hour English language classes (weekly) and computer classes (group) are provided; one-to-one assistance is provided as a back-up support to students. Students say they do not have sufficient opportunity to practice the skills they are acquiring.
- Computers have been provided in 2 locations in the accommodation hostels. Books, resource materials, audiotapes, internet access, software are also available and in use.
- Two adult literacy tutors have been trained in T.E.F.L. (2 week accredited courses); student centred, adult teaching methods are used at all times.

- A support group of tutors, Basic Education Co-ordinator, NWHB representative, County Library representative has been formed and has met twice to discuss issues. Two tutors also attended R.L.S.U. meeting in Dublin.

The library and NWHB have provided some resources in the form of books and writing materials.

A list of guiding principles for tutors was drawn up by the group.

**5. Issues arising relating to provision include:**

- erratic attendance
- publicising of the service within the hostels
- cultural differences within the group; with resulting tensions and hierarchies
- need for appropriate materials, especially grammar based
- different levels of abilities within the group
- literacy difficulties as well as language issue
- confidentiality

**6. Issues arising in educational setting not directly related to provision:**

- Feelings of isolation experienced by individuals/need for community contacts
- Boredom
- Lack of transport
- Lack of amenities
- Feeling of helplessness/lack of control experienced by individuals



## Appendix 3

### Kerry Education Service (Co. Kerry VEC) Programme for Asylum Seekers

Kerry Partnership has carried out research into the provision of a range of services (as outlined below). Kerry Education Services (Co. Kerry VEC) has developed an educational programme which is part of the overall delivery of services in Kerry.

#### 1. Previous Experience

Kerry Education Service (Co. Kerry VEC) provided English classes for Vietnamese refugees in Tralee in the 1980s and more recently, provided second level education for Kosovar programme refugee teenagers in Tralee and Killarney. These experiences highlighted the fact that the language and educational needs of these people had to be seen against the background of the personal, social and cultural pressures which had existed in their native countries and which continued, though in a different form, in their host country. The learning programme which is devised for refugees must be based on their need for integration and participation in their new country of residence.

#### 2. The Approach Taken

It was decided to instigate and to be involved in a number of measures to improve the situation of the adult asylum seekers being sent to Co. Kerry.

- (a) To undertake a broad based analysis of the personal and social conditions of the asylum seekers in order to identify the main areas of concern and difficulty.
- (b) To assist in the co-ordination of services to asylum seekers and to provide a strong focus on their educational needs.

- (c) To be engaged in a survey of the asylum seekers in Tralee which was undertaken by Partnership Trá Lí.
- (d) To participate in community based actions for asylum seekers through the provision of adult education classes as permitted.

#### 3. The Programme

Arising from meetings with asylum seekers, the results of the survey of their needs and the recommendations coming from TRASNET (the local asylum seekers support group in Tralee), it was decided to provide the following adult classes. Matched funding was secured for some of the classes from Partnership Trá Lí.

- (a) **Classes in English as a Foreign Language at Beginner and Intermediate levels.** Classes are held twice a week and experienced EFL tutors have been recruited. The emphasis is on survival English and social integration.
- (b) **Classes in Cultural Awareness for Asylum Seekers.** These classes give the students an introduction to Ireland, its history and customs.
- (c) **Computer classes in conjunction with the adult basic education scheme.**
- (d) **Student supports and close liaison with the local Partnership companies** throughout.

Research such as *Meeting the Needs of Asylum Seekers in Tralee* has been used to inform and direct our educational provision. A summary of this soon to be published booklet is provided below:

### Partnership Trá Lí

#### *Meeting the Needs of Asylum Seekers in Tralee*

This research was commissioned by Partnership Trá Lí and undertaken by Aoife Collins M.A. with Kerry Action for Development Education

## Executive Summary

Traditionally the west of Ireland has been a land of emigration, from where generations of people have fled in search of a better life in distant countries, but now things are changing and County Kerry, along with the rest of the country is no longer a region of emigration but of immigration. Partnership Trá Lí initiated this research in response to the fact that Tralee has become home to over 200 asylum seekers over the last eighteen months. The aim of the research was to:

*Gather information on the perceived needs of the asylum seeking population in the Partnership Trá Lí geographic area from the perspectives of both asylum seekers and service providers.*

*To offer recommendations to local agencies on practical ways to help develop an integrated response to the specific needs of asylum seekers in the locality.*

A holistic approach was taken in this ambitious study. Basic human needs were addressed: from accommodation, food, educational and health needs, to work, information, legal, social and cultural needs. Also, all levels of the asylum seeking process were looked at from the global to the national, regional and local levels. The methods used to achieve the above aims included:

- Developing a profile of the present asylum seeker population in the area;
- Identifying the needs of asylum seekers who have been 'dispersed' to Tralee.
- Ascertaining the role and needs of local service providers in relation to their work with asylum seekers;
- Presenting an overview of the current asylum process in Ireland nationally, and identifying the international and national policies that impact on the lives of asylum seekers in Tralee.
- Offering recommendations on the development of agreed local strategies aimed at meeting the needs and reducing the marginalisation experienced by asylum seekers in the Partnership Trá Lí geographic area.

The relevance and timely nature of the research is illustrated by the fact it is addressing a gap in recent Irish refugee research, which has tended up until now, to focus mainly on the experience of refugees and asylum seekers living in Dublin. This had resulted in a lack of knowledge and understanding among the host population regarding the experiences and problems facing asylum seekers who have been dispersed to the regions since the governments' policies of 'dispersal' and 'direct provision' were introduced in April 2000. The timing of the project is also advantageous as it is one of the first studies that has been undertaken since the policy changes that took place in November 2000, when the 1996 Refugee Act (as amended) was fully implemented into Irish law.

## Overall Findings and Recommendations

- Many of the basic needs of asylum seekers in Tralee are not being adequately met at present. Critical areas which cause concern, stress and dissatisfaction on a daily basis are: accommodation and food issues, problems accessing health care, (both physical and psychological,) lack of crucial translation/interpreter services and difficulties accessing important information and legal services.
- An issue is causing possible difficulties to asylum seekers is that they are not permitted to work while awaiting a decision on their application. Many respondents exhibited signs of depression such as frustration, apathy, isolation, a sense of powerlessness and confusion at not being allowed to support their family and contribute to the community, independent of the state.
- This research also found a clear need for different kinds of education and training among both the host and immigrant communities. The majority of organisations and support groups which took part in the study had not received training up to now, and felt the need for training on inter-cultural awareness, on the rights and entitlements of asylum seekers and also on asylum law, policy and process. Asylum seekers also pointed to their need for different kinds of training courses, for information on the different roles and

remits of Irish statutory and non-statutory service providers and for inter-cultural awareness training on Irish culture and customs. It was also pointed out that staff and management of accommodation centres need more than the 'customer care' training that some have received up to now. They need information and training on asylum policy, the Equal Status Act 2000, and inter-cultural awareness, so that they are better equipped to deal with problems that arise in the, multi-ethnic accommodation centres on a daily basis.

- One of the most striking and simple needs that were found is that asylum seekers need the support of a welcoming face and a sympathetic listening ear among the host community. This would help them to feel more at ease in their new environment and more able to deal with the past experiences and traumas that have led them to seeking asylum in Ireland.
- It was also found that there are many individuals, groups and organisations within the host community, who are willing to welcome and provide support to the newcomers into the community. These groups are very important because they can act as an intermediary between the asylum seekers and the government agencies, facilitating communication and assisting in the co-ordination of services. But if they are to be effective in co-ordinating services and meeting the identified or unmet needs of asylum seekers they need resources. This support needs to come in the form of financial support to facilitate the setting up and running of a badly needed 'Drop-in Centre' that would cater specifically for the needs of asylum seekers and refugees in Tralee.
- In order to make such a 'Drop-in Centre' viable, support is also needed in the form of co-operation from government agencies. This would involve allowing professionals on the ground access to decision-makers working on asylum issues and to specific information where necessary and appropriate.

- It is vital that everyone involved in the asylum process such as service providers, individuals and groups working with asylum seekers, accommodation centre staff and the asylum seekers themselves, have accurate information on these definitions and on the legislative background upon which the whole asylum process in Ireland is based. This background information is dealt with in Appendix One of the research project, which is a useful source of information for anyone looking for an introduction to asylum rights, policy and process.

## Specific Findings and Recommendations from Research into Needs

### 1. Accommodation and Food Needs

Eighty five per cent of respondents living in accommodation centres were unhappy with the condition of their accommodation, with 55% of people stating that accommodation issues caused them more stress than any other issue. Sixty three per cent of people would like to be able to cook their own meals, or at least have better quality and variety of food served in the centres. (Over 50% of respondents rated the food being served in centres 'bad' or 'very bad'.) Within the three accommodation centres in Tralee, asylum seekers also identified the need for more privacy and more living space. If given the opportunity, 82% of respondents would like to move into a private house and of those who had tried, 40% had experienced difficulties.

- It is recommended that asylum seekers to be given the opportunity to leave the system of 'direct provision' as early as possible in the asylum process (at latest after 6 months) because it only serves to institutionalise and isolate the newcomers from interaction with the local community. Those asylum seekers who do get permission to move into private rented accommodation then need assistance from local groups in finding suitable housing as quickly as possible.

- The standards of accommodation centres in Tralee need to be improved and regulated and a transparent systematic complaints procedure for asylum seekers needs to be put in place as soon as possible. Any decisions in this complaints procedure should be made according to clear rules and asylum seekers should be informed of their rights in the centres in a manner they understand. The report also recommends that centres adopt a 7-day rotating menu, comprising high quality food of different ethnic origin and that residents be consulted in its development. According to the Directorate for Asylum Support Services (DASS), other centres around Ireland have adopted this menu and it caters for different tastes quite successfully. The directorate needs to monitor this situation and ensure that centres adopt such a menu as soon as possible.

## 2. Work Needs

Ninety five per cent of respondents felt that the weekly allowance of €15 that asylum seekers receive was not enough for their daily needs. Ninety six per cent of respondents wanted to work, for financial reasons as well as to meet psychological and integration needs. Eighty three per cent of people did not have anything to occupy themselves with during the day. When asked what they would like to be doing, 42% of people said they would like to work, 30% said they would like to be undergoing training of some kind and 28% would like to be engaged in hobbies or sporting activities. Seventy eight per cent of respondents were found to have worked in a variety of professions before coming to Ireland. These ranged from business, accountancy and teaching, to construction and farming. Overall, 77% of the valid sample was qualified in some area of work, which indicates how much asylum seekers have to offer the local economy if they had the right to work and if their qualifications were recognised in Ireland.

This research recommends that asylum seekers be given the right to work in Ireland (as is the case in other European countries), if their applications have not been definitively processed within 6 months. The

United Nations High Commissioner for Refugees says that this policy is preferable, especially if the asylum seeker does not have any other access to financial support. Local support groups such as the Tralee Refugee and Asylum Seeker Support Network (TRASNET) could link up with other support groups and lobby on this issue.

## 3. Education and Training Needs

Respondents were found to be well educated, many up to degree and diploma level. Almost all respondents (99%) were keen to learn because of their need for regular activity and mental stimulation. Many were also aware of the need to re-train due to the difficulties of getting previous non-EU qualifications recognised in Ireland. The types of training courses most requested (in descending order) were: basic computer classes, sports classes, vocational training, advanced computer classes, health & beauty classes and literacy classes.

Currently Partnership Tralee and Kerry Education Service provide English language classes, basic computer skills, Irish cultural studies and Aerobics classes. There are budgetary limitations which restrict uptake and availability of courses. A key recommendation is that more resources could be available e.g. to provide childcare facilities. One class in Tralee was less accessible than others because the management in one accommodation centre was unwilling to allow the English classes to be held in their centre. More research needs to be done into the language needs of asylum seekers and refugees in the locality.

- The research report also argues that educational authorities take advantage of their autonomy with regard to education provision, in the context of a lack of clarity in current legislation, and include asylum seekers and refugees under the heading of a 'marginalized' group. In so doing they could encourage and facilitate local Vocational Education Committees and other educational service providers to provide more classes and recreational activities for asylum

seekers, which would combat inactivity and be of use to them in the future.

- Development Education programmes and information sessions also need to be provided to asylum seekers, refugees and local people and organisations. These courses could include intercultural awareness training, information sessions on statutory and non-statutory service provision locally and nationally, and also information sessions on the implications of the Equal Status Act 2000. Organisations involved in Development Education and information provision such as Kerry Action for Development Education and the Tralee Refugee and Asylum Seeker Support Network (TRASNET) need financial and resource supports from statutory agencies in order to run these long-term educational courses successfully.

#### 4. Health and Welfare Needs

Nearly half of respondents (46%) reported problems in accessing health services and this was due to a number of factors. The most common factors were language barriers (33%), a lack of information on health care services – leading to inappropriate usage (20%) and problems getting appointments with health practitioners (19%). The particular psychological needs of asylum seekers are clearly not being met in Tralee. Many respondents described feeling worried, insecure and powerless to do anything to improve their lives while waiting for a determination on their asylum case. Men in particular expressed extreme distress and frustration that they are not allowed to work, provide for their family and contribute to the state and local community. A relatively high percentage (53%) of respondents were able to recognise their and their families' own need for help with 'non-physical health problems'.

These statistics, linked with the fact that many people have experienced trauma and persecution before coming to Ireland, clearly indicates the need for a free, accessible, local psychological service to be provided by the Southern Health Board as a matter of urgency.

Other health services need to be made more accessible, delays in the receipt of medical cards needs to be eliminated, and any problems with regard to General Practitioners refusing to take on asylum seekers (as experienced in Kerry recently) need to be resolved.

#### 5. Information Needs

Three quarters of respondents felt they needed more information on their rights and the services available to them in Ireland. 65% of respondents felt they needed more information on educational and other services locally as well as information on the asylum process.

- It is recommended that applicants for asylum be given comprehensive information on the area to which they are 'dispersed' before they are sent to the region. They then need detailed information on local facilities and statutory and non-statutory services as soon as they arrive. In order to facilitate this information provision, a database of all local services, drawing on this report and other sources of up to date information, needs to be drawn up as soon as possible.

#### 6. Legal Needs

Even though nearly 95% of respondents think it is important to get legal advice on their claim, a striking 80% of those people have not spoken to a lawyer since coming to Ireland. Clearly the lack of locally based legal services are having a negative impact on the ability of asylum seekers to get important advice during the interview and appeal stages of their claim.

- In order to meet this need, a locally based legal service (preferably run by the Refugee Legal Service) needs to be set up in the town. It is very important that those involved in the provision of legal advice have a full understanding of refugee law and issues. Local solicitors should be encouraged to undertake the training currently being offered by the Refugee Legal Service before getting involved in representing asylum seekers and refugees.

## 7. Interpretation Needs

The lack of interpretation and translation services was raised repeatedly as a problem throughout the course of the research. Although 50% of respondents have needed an interpreter while in Ireland, only about 18% know how to access interpretation services and 75% have found them inaccessible. These results reflect the fact that there is no formal interpretation service available in Tralee at present. This causes serious communication problems on an ongoing basis, reduces the effectiveness of service provision and increases the marginalisation of non-English speakers.

- Professional, trained interpreters need to be available to all asylum seekers and refugees, especially when they meet with statutory and non-statutory service providers. In the absence of professionals, a database of local people (including asylum seekers and refugees) who speak different languages and would be willing to act as interpreters when necessary has been drawn up by Partnership Trá Lí and this needs to be developed and utilised effectively.

## 8. Social and Cultural Needs

It is encouraging to note that despite the fact that over 20% of respondents said they had been treated abusively in Ireland due to their ethnic origin, 60% still said that they felt welcomed in the country. In contrast to this, over 60% of respondents also said that they do not know many Irish people and that they do not find it easy to get to know the local people very well. Of the 40 respondents who said they practice a religion, the majority (74%) said they have not been experiencing problems, but about 60% of people said their children are not getting proper religious education.

It is interesting to note that sixty-five percent of respondents said they would stay in Tralee if given refugee status. A small number of people were definite that they would move to bigger cities like Dublin or Cork if they got refugee status, because they felt they

would have more opportunities and access to services in these places than in Tralee. With regard to support groups, 90% of respondents felt they were an important source of help for asylum seekers, and 80% of respondents stated they would be interested in getting involved with the Tralee Refugee and Asylum Seeker Network (TRASNET).

- In order to combat social isolation among asylum seekers and to lay the foundations for integration, local support groups such as TRASNET need to continue and develop their work in the development of a 'Drop-in' or 'Welcome' centre, lobbying, service provision and in the continued organisation of events which facilitate the interaction of the immigrant and host communities. Other organisations such as Kerry Action for Development Education need to work on the development of inter-cultural awareness raising programmes in schools, organisations, and local authorities as well as through the local media in order to increase the understanding and acceptance of asylum seekers, refugees and all immigrants in the local community.

## Conclusion

This research found that many of the needs of asylum seekers in Tralee are not being met sufficiently at present. These needs include health, education, accommodation, food, information and legal advice. Having consulted with both asylum seekers and service providers in the area, this research has identified some very practical and positive ways to improve agency co-ordination as well as the lives of people waiting to have their applications for asylum processed. In conclusion, some of the main needs identified in this research are:

- Immigrants' need for and involvement with local organisations is set to continue as more people begin to settle into the community on a longer term basis. Comprehensive national, regional and local strategies need to be developed by relevant agencies on a co-operative basis in

order to respond appropriately to this new aspect of life in Kerry and in Ireland as a whole.

- There is a need for a 'Drop-in' Centre that takes responsibility for offering information and essential services to asylum seekers, refugees and all immigrants in Tralee. This could be established by local organisations and groups such as TRASNET (which includes asylum seekers as active members) and Partnership Trá Lí, but will only be able to reach its full potential with the financial support and co-operation of national agencies involved in the asylum and refugee process.
- There is also a need for Development Education principles and policies to be integrated into the life of the existing local community at several levels. If introduced to schools, local organisations, local authorities and elsewhere, Development Education work could increase mutual acceptance and understanding.

It is hoped that the above needs and recommendations will be considered by relevant local policy makers, as a means of moving towards a strategic, integrated response to the needs of asylum seekers in Ireland. It is essential that any actions which do take place on the basis of these recommendations be planned and carried out with the active participation of asylum seekers and refugees who are the people at the centre of this process. This would help to ensure that the people concerned are not passive recipients of help but are empowered to help themselves and are active in shaping their own future in Ireland in the twenty-first century.

The full text of this report is available from Partnership Trá Lí, 7 Ashe St., Tralee, Co. Kerry (Tel. 066-7180190)

## Appendix 4

### The Language Needs of Asylum Seekers in Dublin: A Community Based Approach (CDVEC)

#### Introduction

In July 2000, the Government published the White Paper on Adult Education – *Learning for Life*. In section 8.13 it proposed that asylum seekers would have “free access to adult literacy, English language and mother culture supports” (p.173) and that the scope for providing a national programme for language provision should be explored through the VECs and other education providers. As a first step, it recommended that a study should be undertaken to assess the language needs of asylum seekers. This project was initiated by the CDVEC in response.

#### Aims and Objectives

The overall objective of this project is to: (a) Draw a profile of the asylum seeking community in Dublin and (b) Assess their literacy and language needs with a view to formulating an integrated and community-based approach.

The profile will be based on the following variables: age, gender, mother tongue, country of origin, cultural background, educational background, domestic situation and familial relationships, language provision to date and location. The research will be undertaken in the Inner City (Dublin 1), Dublin 7, Rathmines (Dublin 6), and Tallaght (Dublin 24) in association with the County of Dublin VEC.

Particular attention will be paid to the needs and experiences of vulnerable categories such as people with disabilities, older people, women and torture victims.

In addition, an evaluation of current language provision will be carried out which will include VEC Adult Literacy Schemes, Community Groups, FAS, NGOs, the RLSU and other education providers.

It is intended that the project will address issues around co-ordination and referral between agencies; networking and information exchange; learning sites; childcare; teaching programmes and materials; targeted interventions; outreach centres and family groups; accreditation and the role of European initiatives.

### **Research on Unaccompanied Minors**

The CDVEC are undertaking an additional study on the educational and language needs of Unaccompanied Minors in Dublin. This study will include an evaluation of the current schooling system for these children.

### **Methodology**

A survey will be conducted with the assistance of the Northern Area Health Board in order to obtain the information required. A focus group of asylum seekers and refugees will be organised in order to understand their lives and gather their perceptions and views on education.

### **Management Committee**

A Management Committee has been set up to direct and support this research. Moreover, it will assist in the design and implementation of recommendations, and advise the Operations Group (see overleaf) in the realisation of pilot projects in selected areas.

The Committee is chaired by Jacinta Stewart, Education Officer – CDVEC, and it is made up of the following agencies:

- Association of Refugees and Asylum Seekers in Ireland (ARASI)
- Curriculum Development Unit (CDU)

- Directorate for Asylum Seeker Support Services (DASS)
- FÁS Asylum Seeker Unit
- National Adult Literacy Agency (NALA)
- Northern Area Health Board
- SPIRASI
- Refugee Language Support Unit (RLSU)
- Representatives from the CDVEC and the County of Dublin VEC
- Representatives from the Dept. of Education and Science

### **Operations Group**

An Operations Group was created in January 2001 comprised of education practitioners, voluntary and statutory agencies, the Partnerships and CDVEC personnel with the following objectives:

- (a) Establish pilot projects and test recommendations;
- (b) Generate focused discussion and information exchange between the different interest groups;
- (c) Promote the exchange of skills and knowledge between the group and the researcher and refugee community;
- (d) Stimulate and encourage local participation in the research process, the dissemination of findings, and follow-up action.

### **Training**

CDVEC intends to host a number of seminars and training sessions for individuals working with asylum seekers and refugees in education. They will cover such issues as refugee protection in the 21<sup>st</sup> century; the asylum procedure in Ireland; health and social issues; education issues and teaching approaches and anti-racist training and cultural awareness.



### **Researcher**

Ms Tanya Ward was appointed in November 2000 as the "Asylum Seeker Research Worker" to carry out the study. Tanya is a graduate of University College Cork (UCC) and has a strong commitment and background working with asylum seekers and refugees. Previously, she has been employed by the Irish Centre for Migration Studies (ICMS), the Irish Council for Civil Liberties (ICCL), and most recently, the Irish Refugee Council (IRC).

Tanya Ward is based in the Adult Education Office in 1 Parnell Square under the guidance of Bernadette Sproule, Adult Education Organiser (AEO) for the City Centre and Kathleen Forde AEO for North Central.

## **Appendix 5**

### **List of Relevant Agencies and Organisations**

#### **Government Departments**

Department of Education and Science, Marlborough Street, Dublin 1  
Tel: 01 8734700

Department of Justice, Equality and Law Reform, 72-76 St Stephen's Green, Dublin 2  
Tel: 01 6028202  
Locall: 1890 221 227

Department of Health and Children, Hawkins House, Dublin 2  
Tel: 01 6354000  
Locall: 1890 200 311

Department of Enterprise, Trade and Employment, Kildare Street, Dublin 2  
Tel: 01 6312121

#### **Statutory Bodies**

Reception and Integration Agency, Floor 2, 94 St Stephens Green, Dublin 2  
Tel: 01 4183200

National Consultative Committee on Racism and Interculturalism (NCCRI), 26 Harcourt Street, Dublin 2  
Tel: 01 4785777

Refugee Language Support Unit (RLSU), 83 Waterloo Lane, Dublin 4  
Tel: 01 6672479  
Webpage: [www.rlsunits.com](http://www.rlsunits.com)

Refugee Applications Commissioner, 79-83 Lower Mount Street, Dublin 2  
Tel: 01 6028000  
Locall: 1890 202 418

Refugee Appeals Tribunal, 6/7 Hanover Street,  
Dublin 2  
Locall: 1890 201 458

FÁS Asylum Seekers Unit, Unit 14/15, Main Road,  
Tallaght, Dublin 24.  
Tel: 01 4940010

The Irish Refugee Council, 40 Lower Dominic Street,  
Dublin 1  
Tel: 01 8730042

### **Voluntary Bodies**

Irish Vocational Education Association (IVEA),  
McCann House, 99 Marlborough Road, Donnybrook,  
Dublin 4  
Tel: 01 4966033/4966248  
Webpage: [www.ivea.ie](http://www.ivea.ie)

Spiritan Asylum Services Initiative (SPIRASI), 213  
North Circular Road, Dublin 7  
Tel: 01 8683504

Association of Refugees and Asylum Seekers in  
Ireland, 213 North Circular Road, Dublin 7  
Tel: 01 8381142  
Access Ireland Refugee Social Integration Project,  
Richmond Business Campus, North Brunswick Street,  
Dublin 7  
Tel: 01 8780589

Refugee Trust, 4 Dublin Road, Stillorgan, Co. Dublin  
Tel: 01 2834256

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**Universal Declaration of Human Rights,** [www.un.org](http://www.un.org)





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