Ireland’s White Paper to End Direct Provision (2021): Migrant Accommodation and Control

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Abstract
This IMR Dispatch engages with Ireland’s White Paper to End Direct Provision (2021) - the Government of Ireland’s most recent policy statement on the provision of settlement services for migrants seeking asylum in Ireland. The actions outlined in the White Paper promise to reorder the provision of accommodation and support for such migrants. A range of positive inputs are included, the most significant of which is the proposed discontinuation of Ireland’s current system of dispersed ‘camp-like’ communal accommodations for International Protection applicants and its replacement with a new person-centered system of ‘own room’ and ‘own door’ accommodations in the community. A wide range of personal supports are envisaged as well. At first glance, this White Paper shows that the Government of Ireland has engaged with the concerns of organizations active in Ireland’s social protection sector in general, and with the needs of applicants for international protection in particular, to provide a more humane system of International Protection. However, tensions are discernible, and we contend that there is ample evidence of the Government of Ireland’s impulse to retain command and control of its migration management processes in the White Paper, even against the background of its new, more human-rights-based approach. We suggest that the spatialities inherent in the proposal point to a potential rearticulation of state control rather than to any diminution of same.

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Introduction
Many migrants have sought international protection (IP) in Ireland.\(^1\) Numbers are nowhere nearly so significant as those recorded by Ireland’s European neighbors, and success rates are low,\(^2\) but Ireland has seen an increase in the numbers of people seeking IP in the relatively recent past. The Government of Ireland operates what it terms a ‘dispersal and direct provision’ (DP) accommodation system for IP applicants. Applicants seeking social welfare supports in Ireland must reside in one of 38 communal residences overseen by this DP system (Hewson 2020, 1). Some centers are directly operated by the Irish state, but most are contracted out to private, for-profit operators.\(^3\) Irish public opinion can be varied, but the vast weight of academic and legal commentary on this system has been negative (Loyal and Quilley 2016; Murphy, Keogh and Higgins 2018; O’Reilly 2018). Equally important, successive Irish governments have been criticized for the failings of what many deem to be a de-humanizing IP applicant accommodation infrastructure that restricts IP applicants’ ability to live meaningful lives while awaiting a decision on their residency application (see Breen 2008, 623). Auge’s (1995) evocation of “non-place” for “non-people” seems to be a particularly apt descriptor here (in Nedeljkovic 2018, 290).

In early 2021, and after much debate, the Government of Ireland finally announced its intention to abolish this DP accommodation system and present a series of (for Ireland, at least) radical proposals for the future reception and accommodation of IP applicants. These proposals were set out in the “White Paper to End Direct Provision and to Establish a New International Protection Support Service” (2021).\(^4\) On the surface, at least, this white paper is a strong statement of governmental intent. Its headline feature is the Government of Ireland’s much-anticipated commitment to dismantle the DP accommodation/support system (by 2024) and to replace it with a more person-centered accommodation and social support system – to be entitled to Ireland’s International

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\(^1\) A total of 95,037 people sought international protection in Ireland between 22 years between 1994 and 2016 (http://www.orac.ie/website/oracwebsite.nsf/page/AJNR-ANKJS81575322-en/$File/Summary%20Report%20of%20Key%20Developments%20in%202016.pdf).

\(^2\) See www.asylumineurope.org/reports/country/republic-ireland/statistics.

\(^3\) See https://asylumineurope.org/reports/country/republic-ireland/reception-conditions/housing/types-accommodation

\(^4\) In Ireland, a White Paper is used to present an element of Government Policy. Such White Papers can generally be taken as a strong statement of Government intent. Proposals are often presented in a White Paper, prior to their implementation, but this process is not rigid. Sometimes, White Paper proposals are presented but not implemented (see www.citizensinformation.ie).
Protection Support Service (IPSS). This proposed shift is to be bolstered by the discontinuation of the Irish government’s current commercial out-sourcing of IP accommodation contracts and the replacement of these “for-profit” providers with a mixed “not-for-profit” model of provision (Government of Ireland 2021, 39). A wide-ranging suite of new rights and entitlements are to be provided for IP applicants (issues given prominence include health, education, and employment) as well.

In this IMR Dispatch, we offer an initial cautionary reading of this new policy position and suggest that its headline proposal to create a human-centered IP accommodation system is likely instead to remain anchored in the Irish state’s continued impulse to manage migration. We draw attention to the standard discourses of migrant management that underlie this proposed policy platform and suggest that the departures from current practice, inherent in the White Paper proposal, are likely to remain scaffolded by wider matrices of power in the Irish migration policy space. While not obvious, we suggest that a sensitivity to the spatialities in the proposal may signal that the policy position is more akin to a redeployment of Ireland’s IP command-and-control infrastructure in space, rather than a fundamental sea-change in this area of policy. In developing these points, we hope to illustrate how scholars interested in unpacking patterns of state-based migration command and control can glean extra insight from a sensitivity to the geographies of state policy.

The White Paper to End Direct Provision

At first glance, the White Paper (2021) discursively proposes to construct a new and more person-centered infrastructure around Ireland’s IP assessment/accommodation/support process. However, this document is complex. While headline engagements suggest a path toward change, disjunctions are discernible, and we see a proposed ‘reordering’ of Ireland’s IP applications support system that depends as much on continuities with elements of the current regime as on departures from it. We use this dyad of ‘departure and continuity’ to uncover some of the tensions we see in the proposal and to add further weight to our argument that the proposal’s geographies serve to reinforce these tensions, in and through space.

Departures

The Government of Ireland operates a “one-size-fits-all” DP regime of IP applicant accommodation. Few distinctions between applicants are made, and individual circumstances/preferences are generally not taken into account when applicant need is being

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5 This timeline extends beyond the timelines envisaged by the last significant review of this system (see Government of Ireland 2020, 84). On-schedule implementation of the proposed changes will be a key metric in assessing governmental resolve in this instance.

6 See www.gov.ie/en/publication/32a25-accommodation-services
assessed. Individuals report on the myriad difficulties experienced while subject to this pattern of assessment and control (e.g., Joyce and Quinn 2014). The White Paper outlines how this system will be replaced with a two-stage accommodation process.

Phase one will be an initial period of reception, accommodation, and needs assessment. All those applying for IP in Ireland and wishing to access the social supports provided in the Irish IP applications system will be required to spend their first four months housed in one of six state-owned/state-managed communal “reception”/assessment centers. This four-month period of initial accommodation will not be mandatory, 

*de jure*, but is likely to be a de-facto requirement for most, as only those who successfully complete this period of communal accommodation will be eligible to access the more fluid accommodation options and social supports available in phase two of their stay. Applicant need will be assessed, and particularly vulnerable individuals will be entitled to specialist supports and services, from this initial point onwards. While this four-month period of first residency will not be regulated in law and will, therefore, be open to delay and extension, the White Paper proposes that all IP applicants will move out from this initial accommodation and assessment phase and into a more ‘normal’ residential setting, as befits their life circumstances and needs. This movement will take place in phase two of their IP accommodation and support process.

All applicants still subject to an IP application will be eligible to move to accommodation ‘in the community’ in phase two. Individuals and family groups will be provided with the form of residence deemed most appropriate to their circumstances. “Own-door” family accommodation will be provided by “approved housing bodies,” and single people will be provided with “own-room” accommodation in a variety of shared settings. In essence, the White Paper proposes to provide people with their own “space-to-be,” but communal areas will still be an important part of many single applicants’ daily lives, as kitchen facilities will be shared. Some of these accommodations will be purpose built, while others will be sourced from the private rental sector. It is hoped that this new accommodation pattern will also help IP applicants integrate more seamlessly into the “mainstream” than has been the case up to this point. Ni Raghallaigh and Foreman (2015), for example, have charted the difficulties faced by “successful” IP applicants when seeking to transition from life in Ireland’s DP system to life in local communities.

This spatial shift - from restricted communal accommodation to community-based accommodation - is given added weight by two further departures from current practice: i) applicants will be entitled to engage with Ireland’s waged labor force after their initial four-month period of reception and assessment and for the entire duration of their application for residency (and also to access educational opportunities) and ii) a suite of wider supports and services will be made available to applicants while their application is being processed. It is envisaged that these supports will be provided

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7 Current practice precludes IP applicants from working in the waged labor force for the first six months of their residence in Ireland.
locally by contracted non-governmental organizations and specialist service providers. The Government of Ireland foresees that this range of wider supports will be more person-centered than previous attempts at migrant resettlement in Ireland. In particular, migrants transitioning to phase-two accommodations will be assisted by a range of professional supports, including dedicated resettlement case workers, inter-cultural and healthcare professionals, and service providers specializing in areas such as child welfare, mental health, and gender-based violence. Interestingly, access to private legal advice and advocacy, while not precluded, will be more firmly subsumed within “official” structures, in the form of Ireland’s Legal Aid Board, than has been the case heretofore.8

In both phases, the IP applicant’s experience is likely to be positively impacted at the local level, but residual patterns of command and control remain. We term these patterns “continuities” and discuss them in more detail below.

**Continuities**

Three established pillars of Ireland’s current IP support process will continue in place: i) controlled communal accommodation during IP applicants’ phase-one period of residence, ii) geographical dispersal of migrants from initial points of accommodation to distant (maybe) regional centers during their phase-two period of residence, and iii) the overarching influence of state-based IP assessment and enforcement procedures, operating beyond the individual. We treat each pillar, in brief, below.

Ireland’s “old-style” central accommodation hub will continue to be deployed in the proposed new accommodation process, in phase one at least. Irrespective of the wider social scaffoldings, this IP platform is but a re-articulation of current spatially restrictive patterns. While not legally mandatory, the de-facto requirement to spend these initial months in a regulated and communal form of open detention can only be a debilitating factor in the IP applicant’s experience in the destination country.

Second, geographical dispersal is to remain a central pillar of the proposed IP applicant accommodation strategy. Under the guise of a move toward residency in the local community, IP applicants in Ireland will still be required to move from core locations to peripheral locations around the country. As is currently the case, this dispersal will likely create an eventual cascade down the national urban frame, from a small number of significant urban contexts (in Dublin, Cork and Limerick) to a range of regional and sub-regional centers with strong privately rentable accommodation markets around Ireland (e.g., Fahey et al. 2019, 64). Worryingly, this phase-two settlement pattern will likely be determined by national settlement patterns

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8When combined with 2020’s reduction in the level of fee payable to private legal practices, this move to centralize the provision of migrant advocacy may result in fewer migrants having access to independent legal advice.
and “local government” agencies’ determination of “housing need” in their areas of responsibility (Government of Ireland 2021, 49). While any move to “normalize” accommodation provision for IP applicants is to be welcomed, many migrant settling experiences may very well be impacted by residual local resistances to migrant resettlement in what is an already geographically unbalanced and inequitable national housing market. Difficulties are likely to arise among both the settling migrant/migrant family and their host community - a factor that is surely already implicated in the White Paper’s proposals through its commitment to provide a consultation process with “local communities” around IP applicants’ resettlement.

Third, in many respects, this White Paper is defined not so much by what is addressed as by what has been left outside its reach. Ireland’s wider IP processing infrastructure, for example, remains firmly outside the White Paper’s remit. Some prominent references are made to the need to reform the country’s IP applications process. For example, the White Paper includes recognition of the need to foster a quicker applications assessment process so that a more expeditious resolution can be found for individual cases. However, references to Ireland’s wider IP processing system remain aspirational in nature, and we see nothing in the White Paper to suggest that the slow pace of Ireland’s IP assessment procedures will change.

Furthermore, any weakening of the impulse to “command and control” individual applicants’ experiences in Ireland present in the White Paper is strongly balanced by a number of pointed references to the importance the Irish Government continues to place on return to the origin country (both voluntary and judicially enforced) of “failed” IP applicants. The IOM’s Assisted Voluntary Return and Reintegration programs operates in Ireland and is supported by the central government, but uptake is low, and this option has not been offered to IP applicants in receipt of a deportation order (Coakley 2011). Additionally, the government of Ireland has generally made sparing use of judicially enforced return (in an international context, at least), and deportation numbers are low (Sheridan 2020, 93). It is, therefore, striking that a number of strong statements on the importance of judicial return are included in this policy position on accommodation and social support. For example, comments on the necessity of reducing the length of time taken to process IP claims are firmly balanced by cautionary statements outlining the equal need to robustly assess IP applications and apply a greater level of enforcement than in years previous. In this regard, the White Paper’s (2021: 50) reiteration of the position that “ultimately persons who have failed in their application are expected to leave the State” is particularly telling, as is the recognition that “an increased level of enforcement and ultimately removals” will be required in Ireland as a function of any more streamlined applications process likely to be enacted.

Spatialities

Ireland’s White Paper to End Direct Provision is a welcome intervention in the Irish IP applications/support process, but a complicated landscape of power and power projection is discernible. As a result, the tensions between the White Paper’s projected headline
“regime of care” and Ireland’s underlying and unaltered “regime of command and control” are set in stark relief from the outset (see, Esposito et al. 2021, 169). Replacing the current DP accommodation system with a diffuse network of “person-centred” accommodations could certainly change the tenor of Ireland’s IP engagement at the local level. IP applicants would no longer be consigned to live in camp-like communal accommodations, on the margins of society, and would be able to access a suite of advanced integration trainings and supports, irrespective of legal status. These developments would go a long way to addressing some of the current lacunae in the Irish integration process and would, in effect, reorder the current Irish practice of denying the full range of opportunities to migrants who have not yet been successful in their residency application. If the Irish state’s current DP program effectively consigns IP applicants to a form of spatialized exclusion on the margins of society, this reordering of IP applicant accommodation may very well signal the Irish state’s final acceptance of the IP applicant’s right to be in place, irrespective of residency status. More tantalizing still, if carried forward, such developments could hint at the possibilities of a broader and more fundamental reordering of the infrastructures of migration command and control operational in Ireland. There seems much to celebrate, at this level of analysis, at least. The “devil is in the detail,” however, and it remains that this policy paper is aspirational in nature.

In particular, in the absence of any concomitant reform of the Ireland’s broader IP command and control procedure, the proposed reordering of the point of IP accommodation and support in Ireland, from DP’s spatially discrete spaces of inclusion/exclusion to IPSS’s more spatially diffuse matrix of potential residential experiences in the community, may simply serve to relocate the Government of Ireland’s still-undiluted mechanisms of IP command and control away from the currently “knowable” series of high-profile and geographically “locatable” contexts to a more diffuse network of less easily contestable assessment/control experiences in local communities. Migrants living in phase-two accommodations may be freer to participate in a wider range of societal contexts than is currently the case, but they will still be subject to an overarching legal applications assessment process with uncertain outcomes. In this way, the proposed spatial shift in IP applicant accommodation provision in Ireland does not simply serve to make the accommodation experience more humane for the applicant but also ensures that what has become a politically charged element of Irish social policy is effectively moved from its current, geographically locatable point of expression (in a DP accommodation center) and placed beyond the reach of much public comment (in the community at large). In this light, it is worth considering whether the proposals outlined in the White Paper can, therefore, be seen to contain within them, a neat governmental mechanism that allows the state’s migration command-and-control processes to simply move from the series of spatially defined control environments currently in effect in Ireland’s DP system to a more diffuse network of spatially indistinct in-community status experiences, predicated on an almost Agamben-esque experience of inclusion-exclusion (Downey 2009, 111).
While some commentators have reasonably held that successive Irish governments have not needed to engage with the politics of migration in the same way as their European counterparts (e.g., Elliot 2019), the domestic political cost of maintaining Ireland’s current system has been mounting in recent years.9 We suggest that our commentary is, therefore, prescient in its recognition of the political expenditure of the Government of Ireland’s proposals to reform this accommodation and support system and to present a ‘softer’ face to the electorate, while not changing its ability to maintain as much IP command and control as possible.

Conclusions

The White Paper to end direct provision and establish a new international protection support service is a welcome addition to the Irish migration policy debate. The reordering of the IP accommodations procedure is as laudable as it is overdue and will positively impact the local IP applicant experience. Non-communal residence will normalize many human experiences here. Access to a wide range of social and economic supports will also positively impact many individuals’ life chances in Ireland. With these reorderings, the government of Ireland is following through on its commitment to treat “all applicants to the process with dignity and respect” (Government of Ireland 2021, 7) and is to be congratulated for such. In addition, the proposals look set to serve the purposes of government, as they will effectively remove an expensive and increasingly unpopular element of migration policy from the Irish policy space. However, the proposals will not reorder the Irish IP applications procedure. Ireland’s strongly managerial assessment process will remain in force, and it is unlikely that these proposals will impact the overall rates of success experienced by IP applicants in Ireland. Dissonances, therefore, exist between the policy’s headline engagement with human rights and likely real-time outcomes for IP applicants seeking residency in Ireland.

The discursive framing of the IPSS proposal and the spatialities inherent in the same suggest that a potential rearticulation of state control lies at the proposal’s heart, rather than a diminution of same. Far more wide-reaching reform is necessary if the Irish IP applications infrastructure is to finally pivot away from its current de-humanizing procedure and toward an IP system that genuinely embraces the IP applicant’s human rights.

Declaration of Conflicting Interests

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9 For example, in June 2020, 32,000 people signed a petition calling on the Government of Ireland to abandon its DP system (https://www.thejournal.ie/direct-provision-petition-5115670-Jun2020).
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