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**Migration and Integration:  
The Impact of NGOs on Future Policy  
Development in Ireland**

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## I. Introduction

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It is only within the last decade that Ireland has found itself to be a country of immigration. After centuries of experience and self-perception as a country of emigrants, Ireland has become an attractive destination for labour migrants, asylum seekers and international students, with a consequent demand for immigration for family reunion.

Initially lacking the legislative and administrative framework for managing either the migration or integration process, successive governments have introduced a raft of legislation and procedural changes to regulate entry and access to jobs and services. A relatively liberal system has in some respects become increasingly restrictive in recent years, despite the efforts of a number of NGOs to represent the interests of migrants wanting to enter Ireland or already living in the country. NGOs are perceived and perceive themselves to have had only a limited influence on policy developments in this field. This raises questions about both the political context in which migration policy is made and the strategies which NGOs adopt in that context, which this study was commissioned to explore.

The purpose of the study was to investigate the capacity of non-governmental organisations (NGOs) to inform and influence the development of national policies relating to migration in Ireland. Migration is here taken to include policies on immigration, asylum, integration and citizenship, but not emigration. Set in the context of current policies and likely future developments, it explores opportunities for NGOs to influence policy and the nature and style of interventions that could be effective. It does not explore their capacity needs as advice and service providers nor relationships with policy makers or service providers at the local level. Drawing on relevant research literature, it identifies the broad range of factors which determine NGO's capacity to achieve influence, against which experience in Ireland could be measured. The research was completed in the summer of 2005.

### Research questions

In essence, the study set out to establish:

- What have been and are likely to be the drivers of immigration, asylum and integration policy in Ireland?
- What are likely future developments?
- Who decides policy outcomes, and what are the channels of influence to the decision-makers and the factors which affect how open they are to influence by NGOs?
- What are the challenges faced by the NGOs in the migration sector in maximising their influence through these channels?
- Are the strategies adopted by NGOs optimal for exerting influence?
- How might the sector develop and NGOs adopt alternative strategies to enable them to exert greater influence over policy development in future?
- What are the implications for funding bodies supporting this NGO sector?

### Method

The study began with a literature search on recent migration trends and policies in Ireland, a mapping of the departmental responsibilities in government on migration related policies, and mapping of the NGOs with a significant policy remit in this field.

A second search was conducted<sup>1</sup> on relevant political science literature to identify the factors which determine NGO impact on policy making. This was supported by discussions with some key players in the migration policy field in Canada, the UK, France and at EU level. While the political systems and migration context differ, observations on the relationship between NGOs

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<sup>1</sup> By Hsuan Chou, a DPhil student at the University of Cambridge

and the decision making process in those contexts was informative in developing a framework for assessing the capacity of NGOs to influence policy development.

A series of field trips were made to Dublin during September to December 2004 to conduct 38 interviews involving 57 interviewees from 16 NGOs, seven government departments and two statutory agencies; two elected representatives from the Oireachtas (parliament), two international migration bodies, four social partners (employers and trades unions), three academics, an independent consultant and a political commentator from a newspaper.<sup>2</sup> Most interviews involved one or two people from the organisation; in four cases a small group of people were involved. Two were conducted by telephone and correspondence.

To ensure that those interviewed felt able to speak freely, an undertaking was given that no comments would be attributed to named individuals in the report. An assessment of the capacity of the NGO sector to influence policy development was made by triangulation of the views of those interviewees, against the background understanding drawn from the policy and academic literature, and literature produced by the NGOs themselves.

A seminar was held with representatives of NGOs working on migration issues in March 2005 in order to obtain feedback on emerging findings and recommendations. A detailed note of that discussion was used in completing this report in autumn 2005.

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<sup>2</sup> The interviews were organised by Leena Chauhan, employed as a research assistant on the project, who took a comprehensive note on each discussion.

## 2. NGOs and the policy making process

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To understand the role that NGOs play in the policy making process it is helpful to look briefly at what the political science and public policy literature can tell us about the process through which public policy is made and about the role of pressure groups within it.

### *Sectors differ*

Within each State there can be considerable variety in the factors which determine policy outcomes in different sectors. The relative influence of politicians, bureaucrats and interest-groups differ depending on the context of the issue – whether it is transport or education for instance - each operating within a different set of opportunities and constraints, and a different balance of interest groups. The ways in which decisions are taken, and the extent to which the actors cooperate in that process, can vary significantly, notwithstanding that they are operating within a single unitary State. Health policy, for instance, can be the outcome of a distinct relationship between the professionals and politicians because of the specialised and technical nature of healthcare (John 1998: 6).

The policy instruments available: whether the lever is legislation to compel a change in behaviour or allocation of funds to resource change for instance; the limits on the extent to which the issue can be influenced by one government (e.g. global poverty), the breadth of the issue, the range of interest groups engaged, and the interaction with actors in other States, are among the factors which influence the form which the policy making process takes in each sector. The history of past decisions also necessarily affects current policy choices.

In essence, within the State's broad constitutional framework for decision-making, several types of politics involving differing relationships between different levels of government can co-exist in different policy sectors at the same time (John 1998: 7). We cannot therefore assume that the decision-making processes relating to migration in Ireland, and the relationship between decision makers and NGOs, will be entirely the same as those for other policy areas. Key questions will include whether, in relation to different aspects of policy, power is in the hands of Ministers or civil servants, concentrated in central government or dispersed; whether policy instruments require approval by parliament; and the range and influence of the external bodies which want to inform policy outcomes.

### *Constraints and opportunities*

Analysis needs to take into account the opportunities and constraints within which policy can be developed. Government can be constrained by international and bi-lateral agreements (e.g. the Common Travel Area with the UK), by economic factors, or compelled by public opinion articulated through the electoral system. A recent study of the impact of civil society groups on the Irish budget in 2001, for instance, found that external commitments had limited the scope of negotiations over the budget to the extent that most major issues were resolved before submissions from external organisations began. The author concluded that the groups were 'fighting over the scraps', with much of the process 'almost ritualistic'. Nevertheless there was evidence to suggest that groups which lobbied for one specific demand were more likely to succeed than those with a long wish list (Montague 2002).

Some theories of public policy outcomes give significant explanatory value to socio-economic determinants of government decision making, emphasising unequal power relationships and distribution of resources between competing interests. This approach, in which the State is itself recognised as an actor with a powerful set of interests, is a salutary reminder that government policy making does not take place in a power vacuum. To assume that economic power relations alone determine a State's actions, however, would be to ignore the impact which interaction within the political and policy making system - between and among insiders and outsiders - can have on policy outcomes.

Literature on pressure groups has drawn a distinction between 'insider' groups, regularly consulted by government and found to have most influence on policy, and 'outsider' groups which are less well connected. Some insiders could nevertheless be relatively weak, too dependent on government and lacking external legitimacy, while other insiders could be

influential with or without a high public profile. Outsiders on the other hand could lack influence either because they had nothing to offer policy makers or from choice, not wishing to have any direct association with government; with a third group having the potential to build a relationship with government and become insiders in future (Grant 1995).

Some analysts have emphasised the networks which can exist within each policy sector between government policy makers and those outside government with an expertise on the issue, including NGOs. Policy-network theory highlights the extent to which policy makers may seek agreement across the key players in the sector, relationships which, in some states, can also see significant inter-change of personnel. Others emphasise the influence of innovative ideas, arguing that they can achieve an impact independently from the sectional interests which may once have promoted them. New ideas are important as solutions to policy problems, as a means to motivate the 'policy entrepreneurs' who develop and promote them (whether in government or external groups) and to engage the interest of the electorate. Contingency and chance, as well as the skill of policy advocates, play a role in determining whether particular ideas are taken forward (John 1998: 20). It is argued below that policy makers in Ireland are currently, in relation to some aspects of policy, relatively open to new thinking.

In practice, an analysis of the policy-making process thus necessitates an understanding of the opportunities and constraints within which decisions are being taken; clarity on who takes the key decisions and on what basis; understanding of the operation of the institutions in which decisions are taken, the process by which it is taken, and the relationship which those external to government have with the decision makers.

For a study of NGOs, it means identifying the channels of access through which influence is, or could be, exerted. Gary Murphy at Dublin City University identifies these channels in Ireland as the bureaucracy, parliament, courts, political parties, individual politicians, mass media, supra-national bodies and the public. Academic literature on pressure groups debates whether it is most effective to focus a campaign primarily on Ministers, civil servants or parliamentarians. In practice, it depends on the nature of the decision that is being taken, the different players who might influence the outcome, and the capacity of the organisation to have influence on the different target groups, which may be more open to approaches from some sources than others. The channel of influence that is being used shapes the method of interest group activity.

Murphy argues that a central element of western European democracy in recent years has been the co-option of interest groups into the policy process, with regular access for some groups at the highest levels of the system, and that this can be of greater significance for particular policy outcomes than a general election (Murphy 2005:353).

### **Corporatism and pluralism**

Co-option is perhaps most highly developed in the corporatist model of government relations with interest groups and this has particular relevance for Ireland. In this model, external groups – particularly employers and unions - have a formal role in the formulation and implementation of policy, with sectional interests represented by powerful groups that negotiate with each other and with government. The output may be no more than agreement on pay bargaining or more broadly on a range of key policy issues. This approach entrenches key external groups in the management of the national economy and may be said to produce an outcome which minimises social and economic disruption (Murphy 2005: 354-5).

The corporatist model contrasts with the earlier 'pluralist' analysis, in which (crudely stated) the state was seen as neutral arbiter among competing interest groups operating in a level playing field. Groups have no formal institutional role in the policy making process. Political power is fragmented and decisions made through a process of bargaining that ensures the views and interests of different groups are taken into account. In the pluralist model, groups do not exercise a monopoly of influence in their sector although in practice it is recognised that those that are better resourced and organised exercise far greater influence than others.

Murphy writes that there is no consensus among academics in applying these models to Ireland. In 1999 Ireland was ranked 12th out of 18 European states for its proximity to the corporatist model of policy making (Siaroff 1999:198) but Murphy argues that Ireland is 'far more corporatist' than Siaroff allows for (Murphy 2005: 379). The development in Ireland of the National Social Partnership (below) before and since 1999 would certainly support that view. Nevertheless,

Ireland retains elements of a pluralist model, not least in the state's relationship with the many organisations not directly involved in the social partnership arrangements. In practice, Murphy suggests, it is redundant to focus on whether the system is corporatist or pluralist. Interest group behaviour is now concentrated on policy making within particular sectors, and whether characterised as 'sectoral corporatism' or as particular policy networks, they need to be studied in their own right (Murphy 2005: 380). This approach supports our interest in focusing on one policy sector, albeit an umbrella for a range of issues: migration.

Finally, it should be remembered that it is not only in their role as pressure groups that NGOs have a relationship with government. They may also be contracted to provide services, or cooperate with government in relation to issues on which they have a common interest, sharing information or entering into a partnership to achieve a common goal. The NGO may be part funded by government to fulfil particular tasks. In one model of NGO-Government relationships in the US literature, the options have been characterised as a continuum from repression through competition, contracting, cooperation to collaboration (Coston 1998). An alternative model sees NGOs as supplementary (providing services that government has failed to provide); complementary (working in partnership); or adversarial, with relationships in practice fluctuating between these characteristics at different periods (Young 2000). In these roles, NGOs may exert influence over policy-makers, or have the capacity to do so, even if that is not the primary objective of their work.

In his book on pressure group politics in the UK, Eckstein argued that there are three groups of factors which determine the group's effectiveness: the characteristics of the government activity concerned (in our case, migration); characteristics of the governmental decision making structure, and attributes of the pressure group itself. The latter, he suggested, include its resources, size (not 'brute size' but ability to make its weight felt), organisational cohesiveness, political skills, and prestige. The fit between the particular skills and knowledge the group possesses and those needed by government at any particular time, and any special privilege it might have in the formal decision making process, were further factors (Eckstein 1960).

### Opportunities for influence

I conclude from this brief overview of the literature that there are five sets of factors which determine the opportunities for influence by NGOs on national policy making:

1. **Factors external to government** which put it under pressure to change policy or limit its capacity to do so. These drivers and constraints will be explored in section 3 of the report which summaries recent and anticipated migration trends and identifies the drivers of policy development.
2. **Factors internal to the government and civil service** which make Ministers and officials more or less open to influence. This includes the predisposition of Ministers and officials towards NGOs but also the extent to which they, in their differing roles, need the contribution which NGOs can make. These factors are explored in section 4 of the report on policy making in Ireland.
3. **The accessibility of the official and unofficial channels** through which NGOs can communicate with policy makers, also explored in section 4.
4. **The accessibility of organisations that provide indirect channels** to Ministers and officials, including Parliament, the media, and organisations influential with government that are open to the arguments which NGOs present. This is also explored in section 4.
5. **Factors relating to the capacity of the NGOs** to take advantage of those opportunities, including the degree of cooperation across the sector and the legitimacy, capacity, evidence base and strategies adopted by individual NGOs. These factors are explored in section 5 of the report.

### 3. Migration to Ireland: trends and policy development

Ireland's history is that of a country of emigration. It is only since 1996 that it has experienced unexpected and significant net immigration of non-Irish nationals: rising to a peak of 41,000 people in 2002, in a country of four million, and remaining over 30,000 in 2004.

A sustained period of economic growth in the 1990s brought unprecedented levels of prosperity and high employment. Significant skill and labour shortages emerged in certain sectors and employers increasingly looked overseas to fill vacancies. Among the total non-EU nationals arriving in Ireland in recent years, the great majority have been migrant workers. Meanwhile, from 1995 there was also a rapid increase in the number of people seeking asylum. As a result, in the period 1995-2000, a quarter of a million people immigrated to Ireland. By 2002, over 10 per cent of the population were not born in Ireland, and the Central Statistics Office estimates (though this is contested<sup>3</sup>) that by 2030 the number of foreign born (including those of Irish descent) could exceed one million (CSO 2004).

Whereas many of those arriving in previous decades were returning Irish nationals, since 1996 (with the exception of two years) the majority of migrants have been non-nationals, including an increasing number from other European Union countries. It is thought likely that there are also an unknown number of migrants arriving or remaining without permission.<sup>4</sup>

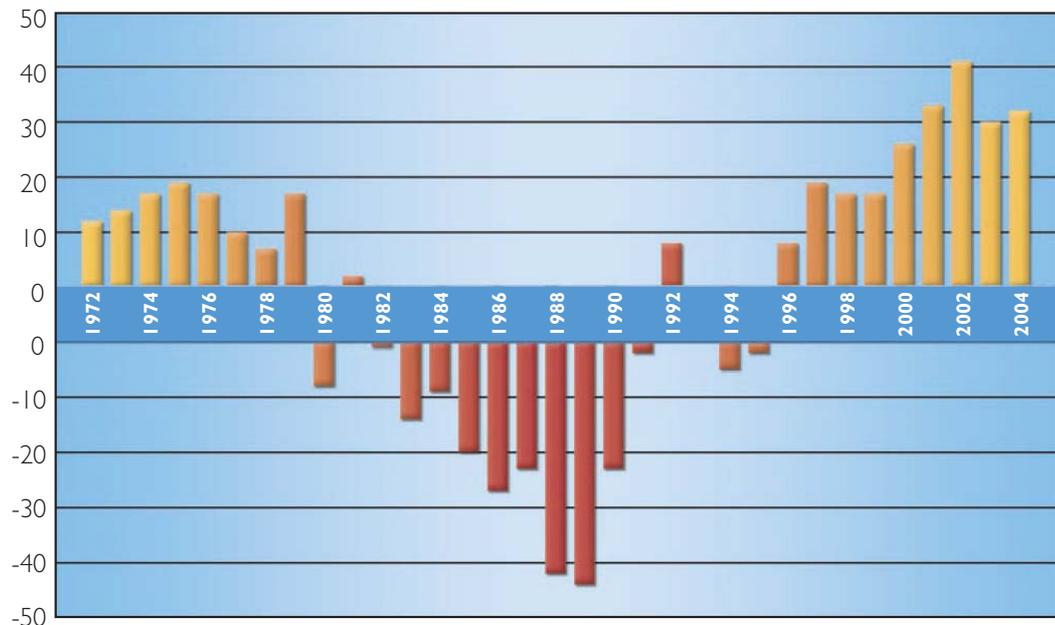


Chart 1: Net Migration in Ireland 1972 - 2004 (in thousands)<sup>5</sup>

Ireland was unprepared. Unlike some of its European neighbours, it had little experience in managing the entry and reception of these new residents. It lacked modern legislation to regulate entry, an administrative infrastructure to manage applications or services to meet migrants' particular needs. Successive governments in the 1990s were slow to respond. There was no primary legislation on immigration or asylum from the Aliens Act 1935 until 1996 when a Refugee Act initiated a period of rapid legislative reform. Rather than enacting comprehensive legislation however, successive measures responded to specific developments and, on a number of

<sup>3</sup> Piaras McEinri, University of Cork, advises that the calculation may be flawed, failing to take account for instance of an anticipated levelling-off in return Irish migration and that a significant proportion of foreign born children are the offspring of Irish nationals (correspondence with author, March 2006).

<sup>4</sup> National Economic and Social Council Terms of Reference for Study on Migration Policy, 2004

<sup>5</sup> Source: CSO (Central Statistics Office) (2004); chart reproduced from Immigrant Council of Ireland (2005)

### 3. Migration to Ireland: trends and policy development

occasions, to test cases that successfully challenged the constitutionality of current law and practice (Hughes and Quinn 2004).

There have been divergent trends in the regulation of entry over the past decade. For citizens of European countries, for many migrant workers and for international students, Ireland has opened up opportunities for temporary and (for EU Accession nationals) permanent residence. On the other hand, an initially slow reaction to growing asylum numbers and to irregular migration developed into an increasingly restrictive approach. Now the Government sees a need to undertake comprehensive reform of the system. It set out in broad terms the way in which it intends to do so in a consultation paper *Immigration and Residence in Ireland* in April 2005.

The following sections summarise recent and anticipated developments in policy trends<sup>6</sup> at the national level.

#### Migrant workers

In contrast to most other EU countries, Ireland set no ceiling on the number of work permits issued to employers and the numbers issued rose from less than 6,000 in 1999 to some 48,000 in 2003. Significantly, the criteria allowed migrants to enter to work in low skilled occupations. Until 2003, employers only had to provide evidence that 'every effort had been made' to recruit an EEA national, without success, to secure a permit.

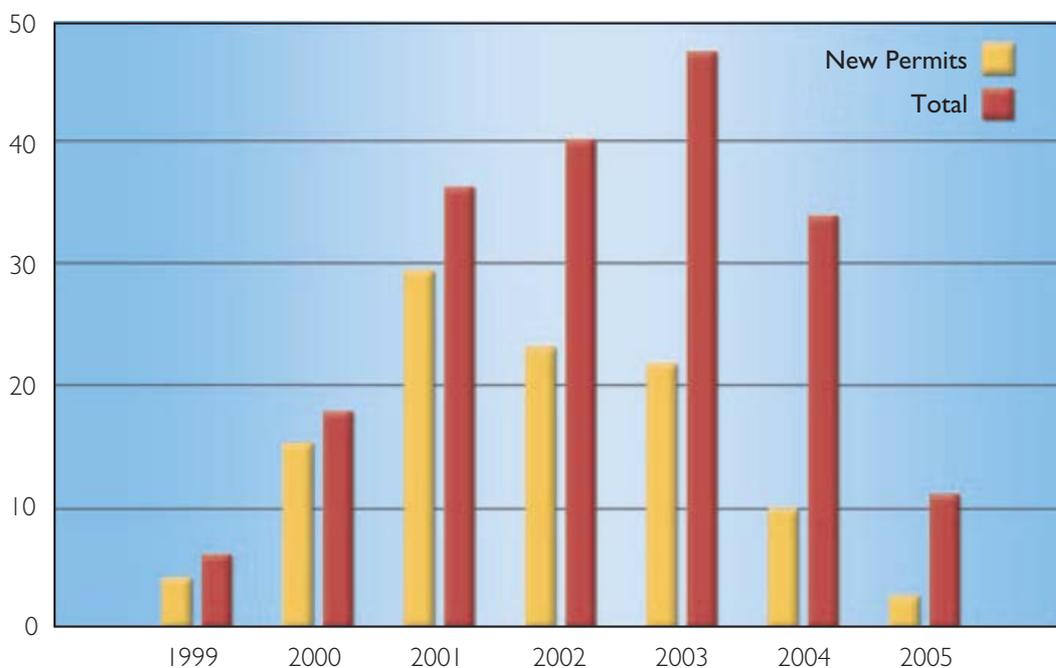


Chart 2: Total and new work permits issued, 1995 – April 2005<sup>7</sup>

Public concern was limited, but the sheer number of work permits was a burden to administer. As one official put it to us:

Nobody expected full employment so quickly. This is labour shortages, not just skill shortages. There was a 97% success rate on [work permit] applications. There was very little time for policy. [04]

From 2000, two-year work visas or work authorisations (from non visa countries) could also be obtained by migrants themselves to work in key sectors experiencing skill shortages, including health professions, construction and IT. This provides a fast-track alternative to the work permit system for those with skills. Applications must be accompanied by evidence of a job offer but the individual may subsequently change employer (within the same skill category). The spouses of

<sup>6</sup> At the time of writing, in the summer of 2005.

<sup>7</sup> Source: Ruhs (2005); chart reproduced from Immigrant Council of Ireland (2005)

these migrant workers were not allowed to work until a successful campaign by Filipino nurses, supported by their union and NGOs, over-turned this rule in February 2004. The Government, aware that the UK was among countries that did allow spouses to work, feared that Ireland would have difficulty recruiting and retaining overseas nurses if it did not concede.

In anticipation of EU enlargement on 1 May 2004, when Ireland would allow EU Accession nationals immediate access to its labour market, a series of steps were taken in 2003-4 to restrict access to work permits. It was expected that enlargement would reduce the need for labour migrants from beyond the EU and with it the administrative burden of issuing work permits. The Government published a list of occupations, mostly low skilled, for which permits would no longer be issued, and for a period rejected many new applications (but not renewals) for workers from outside the EU.

In the 12 months after 1 May 2004, 85,114 people from accession countries were issued social security (PPS) numbers, almost 10 times the number of work permits issued to Accession nationals in the previous year (Ruhs 2005b). By July 2005, the number had risen beyond 120,000.<sup>8</sup> It is not known how many had been working in Ireland before they became EU citizens, without permission. For the latter, 1 May 2004 was, in effect, an amnesty.

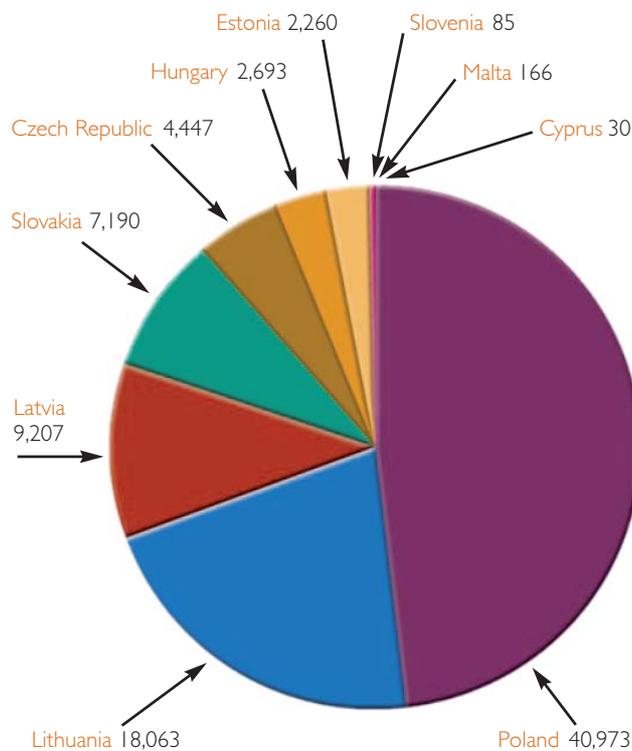


Chart 3: New EU Member State nationals who applied for PPS numbers, May 2004 – April 2005<sup>9</sup>

In August 2004, the Government announced that new work permits would now only be issued for highly qualified staff or those with specific skills who could not be recruited from within the 25 EU Member States. The number of work permits issued fell from 47,551 in 2003 to 34,231 in 2004 suggesting, given a rejection rate of less than 5 per cent, that free movement for Accession nationals has reduced the demand for non European workers but by no means eliminated it (Ruhs 2005b: 8). More than half of the permits in 2003 and 2004 were not for new migrants but permit renewals.

<sup>8</sup> PPS numbers may be obtained for reasons other than employment and should therefore be taken only as a broad indication of numbers employed.

<sup>9</sup> Source: Department of Social and Family Affairs; chart reproduced from Immigrant Council of Ireland (2005)

Unions recognise the need for overseas labour and have been broadly supportive of migrant workers. There are concerns in some sectors, which were growing in 2005, that migrants were replacing Irish workers.<sup>10</sup> There is an undercurrent of resentment that union representatives told the author had the potential to undermine the positive stance towards migrant workers that the national unions have taken.

#### **Employment rights**

Migrant workers are entitled to the same level of protection of employment rights as other workers including the minimum wage, protection from discrimination and protection from unfair dismissal. But migrants on work permits are tied to the employer who obtained the permit, a system which, to the Government's consternation, has been labelled 'bonded labour'. Those workers who lose their job are not entitled to take other employment (unless another employer can obtain a work permit) nor to draw welfare benefits. Unions and NGOs cite cases where this has led to exploitation and have argued that this will continue unless migrants on work permits are entitled to change employment.

Work permits are currently issued for only one year. Once their permit or visa has expired, migrants are expected to leave. Some nevertheless remain and work without permission. Migrants whose status is irregular are particularly vulnerable to exploitation.

Officials have some discretion to allow a change of employer and 2-3000 migrants a year have been allowed to do so, many supported by NGOs. A system of labour inspectors is designed to ensure that employers' treatment of all employees is regulated, but, as one academic commented, 'the labour Inspectorate is very small so employers know they can get away with it.'(A3) In 2003 unions sought agreement that sufficient inspectors be appointed, but Ministers at that stage firmly resisted any significant expansion<sup>11</sup>: Now agreement has been reached for a modest increase. The Employment Equality Act 1998 and Equal Status Act 2000 enable migrant workers to challenge discrimination based on race, religion and other grounds, with the support of the Equality Authority.

Low wage migrants are concentrated in sectors where unionisation is low. Unions value the support NGOs can provide in reassuring migrants that union membership will help to protect their rights. Where migrants are illegal, unions cannot be seen to organise them. 'It's not appropriate', one union organiser told us, 'It's better for NGOs to deal with that' (SP3). Even legal migrants may have a resistance to union membership because of the different role unions play in their country of origin, or be unwilling to pay membership dues when saving is their first priority:

Like the temporary Irish migrant they think they'll earn lots of money and go back.  
They eliminate all discretionary spending which means they don't join the union.  
People say they lack solidarity but the Irish did the same. (SP3)

#### **Future demand for labour**

Ireland's Finance Minister has identified a continuing need for a 'flexible labour force' for the foreseeable future. In his budget statement on 1 December 2004 he foresaw economic growth of towards 5 per cent in 2005, unemployment remaining low at 4.4 per cent and a growth in employment of 35,000 jobs. Ireland's rate of growth is more than twice the EU average and its unemployment half the EU average, suggesting that it may remain an attractive destination for EU workers and for those from outside the EU who can secure entry. An Enterprise Strategy Report in 2004 estimated that Ireland would need an increase in the labour force of around 420,000 workers in the period to 2010, most of which will need to be met by immigration.

Although demand will principally be for skilled workers, it is also likely in low skilled areas such as retailing and hotel and catering. The budget also anticipated a significant increase in expenditure on public services in which a proportion of the workforce is from overseas, particularly in health and social care. The extent of future skill and labour shortages will not only be affected by

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<sup>10</sup> Perception of labour displacement subsequently became (2005-6) a significant issue in the talks for the next Social Partnership agreement.

<sup>11</sup> During negotiations on *Sustaining Progress in 2003*.

economic trends (e.g. the anticipated slow down in growth in the construction sector) but also the extent to which the government acts to boost education and training in affected occupations in its ambition to create a high skills, knowledge economy (FAS 2005).

It remains to be seen to what extent EU nationals will in future be able to meet the demand for skilled and low-wage workers. As living standards rise in the new EU member states, their citizens may find less need to migrate to find work; alternatively they may choose to work in EU states nearer to home once restrictions on working elsewhere in the EU have been lifted. Ireland could find that, rather than too many workers from accession states as some originally feared, there are insufficient in certain sectors to meet its labour demands (Ruhs 2005a; MacEinri 2003).

In the long term, fertility rates have stabilised at a rate slightly below population replacement level. The participation of women in the labour market, traditionally low in Ireland, has already risen to above the EU average. Unemployment is low and the population increasingly well educated and less likely to accept low skilled work. Irish return migration will continue to fall because the number of recent Irish emigrants in the age group with the greatest propensity to return, 25-34, has fallen since the 1990s.

The Government announced early in 2005 that the work permit system would be overhauled. Noting that 60 per cent of applications are renewals, Minister Michael Martin said:

There is no need to have people tied up in that kind of bureaucracy. Then there is the issue of the status of the individual who comes into the country, the degree to which they are tied to the employer and so forth.<sup>12</sup>

An Employment Permits Bill, 'to put the employment permit regime on a comprehensive and sound statutory footing', was published in June 2005.

## International Students

The number (stock) of non-EEA students in Ireland has increased significantly in recent years, from around 11,000 in 2002 to 23,000 in 2005.<sup>13</sup> 200,000 students also travelled to Ireland (2003) to study English, the majority from within the EU. Until recently, all full time students were allowed to do work for up to 20 hours per week in addition to their studies.

The government values the revenue which overseas students bring to Ireland (an estimated 300 million Euros in 2003) and the contribution they make to strengthening ties with other countries (DJELR 2005: 74). But there has also been concern that the student entry route is being used by some as a backdoor to entry for work, facilitated in some cases by colleges allegedly operating fraudulently as labour recruitment agencies. The consultation paper *Immigration and Residence in Ireland* anticipated greater cooperation with education providers in monitoring the attendance of students.

A series of measures has been taken to maximise the benefits of attracting international students while reducing the opportunity to work. In November 2004 the Government announced the establishment of a new statutory body, Education Ireland, to market Ireland abroad and regulate the education providers. Its role will include a code of conduct for the pastoral care of international students, and responsibility for accreditation of English language schools. It follows recommendations in a report, *The Internationalisation of Irish Education Services*<sup>14</sup>. It is thought that language schools may have contributed in particular to the number of irregular Chinese migrants currently thought to be working in Ireland. A union representative commented:

No one is against Chinese students coming here to study. But they are being abused by some employers. English language schools are not regulated. Some are in effect bogus employment agencies. (SP4)

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<sup>12</sup> IRN 39 14 October 2004, quoting an interview by the Minister on RTE 'The Business' programme the previous week.

<sup>13</sup> *International Students in Higher Education in Ireland 2005*, <http://www.educationireland.ie>

<sup>14</sup> Announcement by Minister for Education and Science Mary Hanafin TD on 29 November 2004

### Irregular migration

There are no reliable estimates of the number of people living or working in Ireland without permission but a perception that the numbers may be significant. The majority are likely to be people who entered legally but are working without permission or beyond the expiry of their permit, rather than people who entered without permission.

Officials in the Justice department anticipated an increasing focus on tackling irregular migration, including that relating to students:

People who overstay are an underground issue that will grow. There is massive illegal immigration for work and study. We have some problems with dodgy English schools. If a problem presents itself we follow it up but we don't go hunting for them. (02)

In April 2005 the Government restricted the right of students to work 20 hours per week to those students on full time courses of at least one year leading to a recognised qualification.

Earlier steps had been taken to criminalise trafficking of migrants in 2000 and to clarify deportation powers the previous year. The number of deportations rose steadily from 188 in 2000 to 663 in 2004, with repatriation agreements negotiated with source countries and the assistance of the International Organisation on Migration (IOM) in managing returns. NGOs are concerned about deportation decisions and a lack of independent monitoring of those being removed or of their reception on arrival. Little action has been taken against firms that employ irregular migrants. By February 2005, only three employers had been convicted for employing an irregular migrant under the Employment Permits Act 2003 (Ruhs 2005b).

### Asylum

Asylum applications rose rapidly from 362 in 1994 to more than 11,000 in 2002. From 1995 to mid 2004, fewer than 7000 asylum seekers were recognised as entitled to refugee status. Others applied to remain on the grounds that they now had a child born in Ireland. By January 2003, 11,000 applications for residence had been made on that basis. Asylum applications fell to less than 5000 in 2004 following a Supreme Court decision in 2003 and a subsequent referendum.

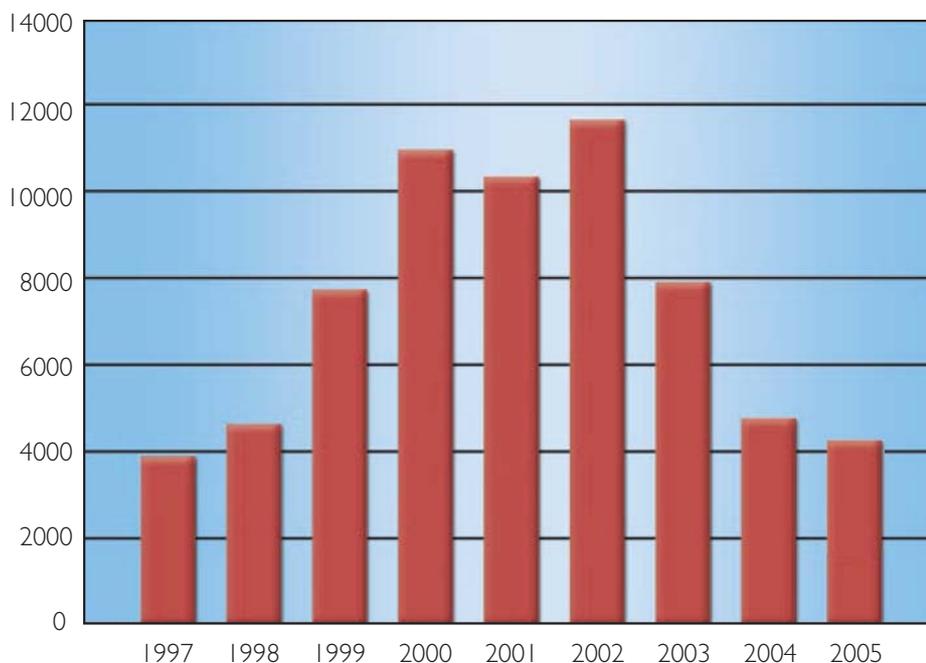


Chart 4: Number of asylum applications in Ireland 1997 – 2005<sup>15</sup>

<sup>15</sup> Source: Office of the Refugee Applications Commissioner (2005); chart reproduced from Immigrant Council of Ireland (2005)

Ireland had been alone in the EU in granting citizenship to all those born within the state. The government argued that this was encouraging women in the last stages of pregnancy to travel to Ireland and claim asylum, placing a burden on maternity services. NGOs strongly contested this claim for which the evidence was limited. In the referendum in June 2004, a large majority of the public supported a proposal to remove the automatic entitlement to Irish citizenship to a child born in Ireland regardless of the parents' nationality or residence status. Nevertheless, not all agreed that reform was needed. One opposition TD told us:

The referendum was concocted by the Minister himself in a climate of fear. There was no pressure at all from anywhere else. There is quite a degree of underlying racism in Ireland. Over the last decade people are seeing people they don't expect to see. He used the maternity hospitals to get his way. (ER2)

A journalist confirmed the negative public attitudes which the referendum exposed: 'Other parties were terrified when they saw the debate. Latent racism had not previously been tapped into. The referendum changed that.' (J1)

Legislation to implement the change was introduced before the end of the year. The Government had suspended the residence claims made on the basis of a child born in Ireland. After a concerted campaign by a coalition of NGOs, the Campaign against the Deportation of Irish Children (CADIC), and recognition within government that mass deportations were neither humane nor realistic, it was announced in December 2004 that migrant parents of Irish children who fulfilled certain criteria would after all be allowed to apply to stay. In practice, most applications were approved.

Asylum seekers had constituted only some 10 per cent of in-migration in 1995-2000 but attracted most media attention. An official told us: 'The political reaction to massive abuse of the process and public opinion drive asylum policy' (03). But while there were members of the public saying 'there are too many coming in' there were also those telling government to 'treat them fairly'.

Ireland is a signatory to the Geneva Refugee Convention under which it is required to consider any application for asylum. It has not proposed withdrawal from the Convention but has taken a series of steps to manage the arrival and reception of asylum seekers and to make Ireland less attractive as a destination of choice. The 1996 Refugee Act (implemented in 2000) established, at arms length from the government, the Office of the Refugee Applications Commissioner (RAC) to determine applications and a Refugee Appeals Tribunal. This has, to varying degrees, reduced NGO concerns about the process though there is some debate on the RAC's degree of independence in practice. It seems likely that this system will remain, although one official considered determination of asylum claims should be brought back within the department.

Subsequent legislation in 2003, as in other parts of the EU, established carrier liability for transporting undocumented migrants, facilitated the removal of people refused entry, and provided for a list of 'safe countries' from which asylum seekers are subject to an accelerated procedure, with a reversed burden of proof.

In 1999 support for asylum seekers was transferred from Ireland's mainstream social welfare system to the direct provision of accommodation and full board in areas to which asylum seekers were dispersed, with reduced welfare payments. Government saw dispersal as unavoidable because of the housing shortage in Dublin but it has been controversial in isolating asylum seekers in rural areas ill prepared for their arrival. Pending a decision on their application, asylum seekers are not allowed to work. Few asylum seekers are detained. In 2003 further restrictions were imposed on access to benefits such as rent allowance and in 2004 a 'habitual residence' test further limited access by all non-nationals, including the new EU nationals, to welfare support.

Officials in the department responsible for benefits, the Department of Social and Family Affairs, explained the cut back on benefits to asylum seekers as driven by the Department of Justice, Equality and Law Reform:

Justice want us to say 'no, you can't have the benefit' instead of them having to say 'no, you can't stay'. The money being spent is not really a driver for us. Justice felt our perspective was too liberal and were worried the word was getting out that 'Ireland is easy'. The policy is driven by them and they provide accommodation and a small amount of cash. (01)

A number of 'programme refugees' are admitted by agreement with the UNHCR. The programme was expanded from 10 to 200 people a year in 2005 as the spare capacity in the asylum reception system made it possible to extend the scheme.

An official in the Justice department said:

The main reason there is no more criticism of the asylum process is that the government has been seen to have managed the issue. We've invested in this area and the application numbers are falling. The pressure from the media has gone away now. (03)

An official in the Taoiseach's Department said we should expect to see a shift in emphasis in policy development now that pressure in relation to both asylum and work permits had been eased: 'We are now in a transition phase. The minor panics about not being on top have now been addressed: processing asylum applications and the permit scheme. Now we can focus a bit more on the future'. (013)

#### **Family union**

Ireland allows family reunion for the family members of Irish and EEA residents in Ireland, and for some non-EEA nationals, if there will be no recourse to public funds. There are some restrictions on access to work for family members of non-EEA nationals. Little of this is codified in statute however so that decisions rest significantly on the discretion of officials, and lack transparency and consistency. There has not been a separate family reunion application form, applicants being required to use the standard visa application procedure.

As migration to Ireland is a recent phenomenon, the demand for family reunion has not matched that in some other EU states but is likely to be a growing source of demand for entry in future. *Immigration and Residence in Ireland* anticipated access for permanent residents and some short term residents, potentially including non married partners, but suggests that there will be heavy reliance on secondary legislation and ministerial discretion in setting the rules. A registration scheme for non-national children may be established to increase protection from trafficking and abuse.

#### **Integration**

In endorsing the EU Common Basic Principles on the integration of migrants agreed by all Member States in November 2004<sup>16</sup>, Ireland reasserted that integration is not a one-way process of cultural assimilation.<sup>17</sup> While migrants need to adapt, integration is a two-way process (or processes) which also require host states to open their doors to economic, social and political inclusion. The attitudes of the public, employers and service providers towards migrants are thus one key factor in the success of the integration process.

#### **Public attitudes**

In a single decade, Ireland has become a multi-ethnic and multi-faith society. Even small towns have ethnic minority and minority faith communities. The pace of change has been rapid and many suggested that public attitudes had yet to catch up. The public has had scant explanation from political leaders on why this social change has happened, nor what it requires from them. As an opposition spokesman put it: 'We're coming to terms with being a multi-cultural society, a little bit, but a real national mood has not been formed'. (ER1)

NGOs, union representatives and academics stressed the importance of religious belief in Ireland as a basis for empathy with migrants, and of Ireland's experience of emigration and of missionary work in the developing world:

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<sup>16</sup> Draft conclusions of the Council and the Representatives of the Governments of the Member States on the establishment of Common Basic Principles for immigrant integration policy in the European Union. Brussels 18 November 2004. 14776/04. MIGR 105

<sup>17</sup> A perspective adopted in an aspirational government report on the integration of refugees in 1999, *Integration: a two way process*.

This is distinctive to Ireland. The institution of the Church is in decline but there is no evidence of a decline in belief. I always ask my students why they got involved. 10 years ago it was Church based. Now it is less so. It is more to do with values and commitment. (A2)

An NGO representative concurred: 'There is racism but there is also 'give the guy a chance'. We (Irish) have an intimate knowledge of living elsewhere'. (N10)

In his introduction to the consultation paper *Immigration and Residence in Ireland*, Justice Minister Michael McDowell set Ireland's migration policy in that context, emphasising the contribution Irish migrants made abroad, before stressing the benefits migrants are now bringing to Ireland's economy.

Opinion data suggests that while public attitudes are more favourable towards migrants than in some other EU member states, sections of the public do have concerns. Data from the Irish cohort of the European Values Survey, for instance, which asked respondents whom they would not like to have as neighbours, had found little change in attitudes between 1981 and 1990. In the following decade, however, it found 100 per cent increase in the number of respondents specifically selecting immigrants or foreign workers as undesirable neighbours. In the age group in which the increase was most apparent, those aged 25-34, 8.6 per cent took this view, rising to 16.8 per cent of those aged over 65 – more than twice the number a decade before. However, this was significantly less than average levels of hostility to neighbours who were Travellers (50.1 per cent), homosexuals (27.4 per cent) or left wing extremists (33.3 per cent) (Devereux and Breen 2004).

Moreover, 46.5 per cent of people thought that immigrants from less developed countries 'can come when jobs are available' while 57.1 per cent thought they 'should maintain their own distinct customs and traditions' rather than have to adapt to the customs in Ireland. Devereux and Breen suggest this is evidence of 'an overall picture of tolerance or at worst equivocation in public attitudes to immigrants if none the less a depressing one'.

There is evidence from other sources that there is significant support for the contribution which migration has made. A survey by Lansdowne Market Research in 2005 found, for instance, that 40 per cent strongly disagreed and 25 per cent slightly disagreed with the statement 'Ireland was better off before foreign nationals came to this country'. Only 14 per cent strongly agreed. 53 per cent agreed or strongly agreed that 'we have got better control over the flow of foreign nationals in to Ireland than we used to', while 69 per cent agreed that 'Ireland's diversity of nationalities makes it a more interesting country to live in'. While a significant majority also thought that immigrants are needed to sustain Ireland's prosperity, however, 18 per cent strongly disagreed and a further 16 per cent slightly so – with concern most evident among the lower socio-economic groups. Most worrying, 57 per cent strongly agreed that 'racism is going to be a significant problem in Ireland in the future' with a further 22 per cent slightly agreeing. Few were confident that it would not.<sup>18</sup> Unlike the UK, however, there is no far right party articulating an overtly racist agenda. There is some evidence of Islamophobia directed at Ireland's Muslim population. The racist incident reporting carried out by NCCRI (below) found nearly one fifth of incidents reported between May and October 2001 were related to September 11<sup>th</sup>.<sup>19</sup>

Attitudes may be influenced by the tabloid coverage of migration in the UK as there is significant Irish readership of UK papers. Irish papers are perceived to be more moderate in their coverage: 'The media can be inflammatory but not as bad as the UK although we are going that way' (J1). Few would suggest nevertheless that the media alone is the source of public hostility where it exists. Government is concerned at the potential for greater hostility and one academic suggested that it was right to be so: 'Housing, for instance, is likely to spark trouble. Waiting lists exceed one hundred thousand. There is resentment in working class areas. The level of naïve racism is shocking.' (A1)

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<sup>18</sup> <http://www.lmr.ie/multiculturalism.htm> 'Nationally representative sample aged 15+ conducted via telephone on Lansdowne Market Research's fortnightly telephone Omnibus. Quotas set on gender, age, social class and telephone region. Estimated margin of error +/- 3.2%

<sup>19</sup> <http://www.nccri.ie/cdsu-religions.html#1>

#### **Integration policy**

Officials were aware of shifting public opinion as one pressure for policy development: 'There has been a rise in racism and racist attitudes and a lot of TDs are getting it in their surgeries. Irish people feel they are being displaced'. (01). Meanwhile there is awareness that the growing migrant sector of the population will itself begin to make itself felt as a component of public opinion and, over time, in the ballot box. An education official interviewed said:

I can see the government having to take on board that their constituency is broader than the Irish white male and female. There will be more lobbying and widening of consultation fora and an increase in the logging of complaints about racism. (07)

The Government has supported the development of an anti-racist strategy, driven in part by concern at public hostility to Ireland's traditional minority ethnic group, Travellers, but also by developments at the EU and international levels. EU directives on discrimination prompted Ireland's progressive discrimination legislation, and the global anti – racism summit in Durban in 2001 provided the momentum for the development of a comprehensive National Action Plan Against Racism published in 2005 ([www.diversityireland.ie](http://www.diversityireland.ie)).

The plan is a strategy for addressing racism and developing an inclusive intercultural society. Its five objectives focus on protection and redress (including against discrimination and racial violence); economic inclusion and equality of opportunity in the workplace; accommodating diversity in service provision to achieve common outcomes in education, health, social services, accommodation, the administration of justice, and for children; raising awareness in the media, arts and recreation; and encouraging the full participation of ethnic minorities in society. A grants programme supports projects which contribute to these objectives, including initiatives primarily affecting migrants such as a cultural diversity strategy for the tourism industry, a significant employer of migrant workers. Key messages are the benefits of a diverse society, the damage caused by racism and discrimination and the importance of full participation by members of minority ethnic groups at all levels of society.

While some political priority has thus been given to tackling racism and discrimination, a significant barrier to migrant integration, the political momentum to develop a broader strategy for the integration of migrants has arguably been lacking. Ireland has no system of support for new arrivals to assist in labour market and social integration nor a coherent strategy to dismantle the barriers which migrants face, beyond discrimination. The government policy paper *Integration: a two way process* (1999) only applied to refugees and people with leave to remain. State provision has been limited to support for refugees, provided by the Reception and Integration Agency. The latter administers the European Refugee Fund which supports some voluntary organisations providing advice and services.

Officials concerned to develop integration initiatives had to press for such measures to be included within the National Action Plan Against Racism:

Anti-racism is in your face and immediate and politically sensitive. There's not a huge amount of interest in integration. Anti-racism should be within integration, not the other way around. It needs to be re-cast as a broader, long term policy. There's no point in pushing jobs, for instance, if there is no access to language training. (SA2)

Some NGOs were also concerned at the lack of a policy framework for integration. They suggested it should make connections with aspects of immigration policy which impact directly on integration such as family reunion. An advice agency said, for instance, that, in their experience: 'If the family are not there, integration is not possible. Without their families, people leave'. (N10)

Applications for naturalisation, open to migrants after five years of legal residence, have been low. Judging by the former nationalities of those who have been granted Irish citizenship, the majority have been refugees. Ruhs suggests that, given the rise in the number of people given work permits, we should now expect a significant rise in the number of applications for naturalisation from those employed on successive work permits for the required number of years (Ruhs 2005b: 14).

The rise in the number of applications for naturalisation between 2001 and 2004 has already led to a backlog of 9000 cases, one of the pressures behind the planned overhaul of the administration of the system. An official in the Justice department explained:

Visa applications don't get a fast enough response. Politicians don't like the service we're providing. Citizenship cases, especially compared to the asylum side, leave a lot to be desired. In the visa area we need to be more computerised and we need more staff. We need more transparency for staff and customers. (02)

It was apparent in interviews with officials that greater emphasis could be expected in future on developing a broad integration agenda ('we are beefing up on the integration side' (02)), though less apparent what this will mean in practice. Reference was made to the disturbances in Britain's northern cities in 2002 and concern that Ireland should not itself experience overt tensions between people from different ethnic groups.

## International obligations

In deciding how to respond to migration, the Government has to take account of a set of external constraints: the Common Travel Area with the UK, European Union obligations and expectations, and International Human Rights standards.

The Common Travel Area enables Irish citizens to travel, live and work in the UK without any restrictions. This freedom is highly valued and retaining the arrangement a pre-requisite in any discussion on policy reform. Officials watch developments in UK migration policy closely and are in regular communication with their counterparts in London. In practice, Irish policy on entry of migrants can not diverge significantly from that in the UK as migrants entering Ireland can travel to work in the UK, and vice versa. A senior official in the Justice department told us: 'Britain doesn't put pressure on us. We don't copy the UK but assess what they do'. (05)

Ireland, with the UK, negotiated an opt-out from EU provisions on immigration and asylum. It opts into agreements unless to do so is incompatible with the Common Travel Area with the UK.<sup>20</sup> While Ireland prefers to be in line with developments at the EU level whenever possible, its legislation on migration in recent years has largely developed in parallel with EU developments on migration rather than having been driven by them. In relation to asylum seekers' access to benefits, an official from the department responsible for benefits, Social and Family Affairs, set the introduction of the habitual residence test in that context: 'Ireland fears that if it's out of line with member states it will be taken advantage of'. (01) The agenda on anti-poverty, social inclusion and on discrimination have, in contrast, been directly influenced by EU developments. The National Action Plan against Poverty and Social Exclusion was for instance a direct response to the EU's Lisbon agenda (Department of Social and Family Affairs 2003: 1).

The consultation proposals *Immigration and Residence in Ireland* implied that it is the Common Travel Area which prevents Ireland entering fully into EU immigration and asylum agreements but suggests 'It is possible that at some point in the future Ireland and the UK will become fully involved in the immigration area of the EU aquis'. Meanwhile Ireland intended that its own legislation would, to the greatest extent possible, accord with EU directives. It would, for instance, introduce biometric identifiers in passports and participate in joint border control operations.

International human rights standards such as the UN Convention on the Elimination of Discrimination (CERD) are a further constraint. The NGOs place considerable significance on these normative standards which they argue should set the framework for the treatment of migrants. For government, however, the international standards are not so central to policy debate. Ireland does value its reputation as a defender of human rights abroad and the government would be embarrassed by allegations that it had breached human rights standards at home, if shown to be well founded. The Department of Foreign Affairs (DFA) may feel any criticism of Ireland's record directly but it does not follow that Ministers and officials in other departments will share that concern. As an official in DFA put it: 'We try to get Ireland 'into line' on an informal basis only. It is not for us to oblige another government department to do so'. (012)

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<sup>20</sup> For a list of measures on which Ireland has opted-in and opted-out see Hughes G and Quinn E (2004)

The same official suggested, however, that the Justice department had become more sensitised to international opinion as a result of exposure at EU level during Ireland's EU Presidency in 2004. A senior Justice official also thought international reputation was a factor: 'There is respect for the EU, UN and international institutions. They seem more important to a smaller country. Ireland trades on being nice at the international level'. (05)

A representative of a statutory agency (not a civil servant) was however not certain that the international standards did have an impact:

It's hard to say if the Government is embarrassed by breaches of international conventions. This may be more of a lever with civil servants. There was uproar about the fact that the Government's CERD report said that Travellers are not an ethnic group. But even if there is embarrassment at EU level, for instance, how that would impact on practice in Ireland is not clear. (SA1)

The same interviewee did question whether the Belfast Agreement might confer some leverage. Its premise is of equality of rights north and south. Yet a legal work permit holder in the South is working illegally if he or she works north of the border.

Union representatives anticipated that ILO standards on migrant workers would provide some leverage in discussions within the NESC (see below) about the future of the work permit system. In the longer term there may be ramifications from the Global Commission on International Migration which reported to the UN Secretary General in 2005 (Global Commission 2005). A UN Rapporteur has subsequently been appointed on global migration and the UN could adopt a broader agenda on migration than it has in the past.

#### **Future developments**

Interviews were conducted for this study while the Government was in the process of formulating proposals for what was anticipated to be a comprehensive overhaul of the law and administration of immigration to put in place a more coherent, managed migration system.

After a period in which strengthening controls on asylum and labour migration had been the primary objective, officials suggested that in some respects NGOs might find the government more amenable to their concerns in future. The perception is that a series of tough measures were necessary to regulate the entry of migrants and to demonstrate that the system is under control but that some re-balancing is now needed. The Government was unlikely to dismantle measures which it had put in place in the recent past. However, the Taoiseach, referring to himself as a 'socialist', had signalled a shift in political emphasis towards a focus on social justice issues prior to a general election in 2007, following a poor showing for Fianna Fáil at local elections in 2004.

As an official in the Taoiseach's department put it:

With the essential building blocks in place, the political climate is a bit more amenable. We can now focus a bit more on the future. That includes integration, community relations and exploitation of workers. It's about how we manage the transition to a more diverse society. (013)

NGOs were sceptical whether this modest change of heart would provide any significant opening for policy reform, one suggesting that it might be more likely 'to lead to social services than to social justice'. The Government, it was felt, still wants to be seen as 'tough'.

Ministers subsequently announced in March 2005 the establishment of the Irish Naturalisation and Immigration Service (INIS), a reorganised executive office within the Department of Justice, Equality and Law Reform. INIS will provide a one-stop-shop for applications to enter, although it is apparent that the Department of Enterprise, Trade and Employment (DETE) successfully defended its control over work permit policy and decisions.

Significantly, while the Reception and Integration Agency will continue to exist and report through INIS, a new Immigrant Integration Unit will be created in INIS 'to promote and coordinate social and organisational measures across the whole spectrum of government for the acceptance of lawful immigrants into Irish economic and cultural life'.

Meanwhile the consultation paper setting out the issues that need to be addressed in an Immigration and Residence Bill was published in April 2005. It was presented as a measure to manage and achieve the benefits of migration, for which new structures and procedures needed to be established. The intention in the proposals – which covered labour migration, students and family union, with some provisions relating to asylum – was in part to put in legislation provisions that have lacked a clear statutory basis, and by creating greater clarity of entitlement to improve customer service. It would establish a new status of long term resident for those legally resident in Ireland for over five years (DJELR 2005: 32). The proposals anticipated however that much of the detailed provisions would be in secondary legislation, with substantial scope for ministerial discretion, including setting quotas and introducing a points system for assessing applications.

As anticipated, there was a strong emphasis on measures to tackle irregular migration, smuggling and trafficking. Employer sanctions will be strengthened, and consideration given to banning irregular migrants from use of any services except in emergency. This could imply a system of internal controls (e.g. checking the immigration status of patients seeking non emergency treatment) and have significance for those NGOs providing services to migrants and to all of those concerned with their welfare.

In relation to labour migration the consultation paper reaffirmed the focus on skilled labour and anticipates a channel for permanent migration so that some may be able to enter ‘as potential future citizens, not just workers’. To that end the DETE introduced the Employment Permits Bill. Employers that breach immigration or employment law could be barred from bringing labour migrants to Ireland. While largely putting the existing labour migration system on a statutory footing it will provide considerable scope for the Minister to reform the system through secondary legislation. A decision has been taken to increase the number of labour inspectors, instructed to focus on issues relating to migrant workers. The Labour Inspectorate had itself argued that considerably more inspectors were needed than the number now proposed if it were to be able to address the issues effectively.

If the current reforms fail to provide for permanent labour migration channels or, for instance, to provide clear channels for family reunion, there is likely to be pressure for yet further legislative reform.

DETE is also reviewing its policy on employment agencies because of the significant role they play in relation to migrant employment, with a view to reform of the Employment Agency Act 1971. Agencies are likely to face tougher regulation and supervision, and expected to follow a Code of Practice in relation to the rights of the workers whom they employ or supply.

Ruhs observes that, although there is no evidence that immigration is currently lowering wages or raising unemployment, the potential for immigration to generate adverse labour market impacts would be likely to increase significantly were there to be an economic downturn. While this is not anticipated in the immediate future, the rapid economic growth Ireland has enjoyed over the past few years cannot continue indefinitely:

The lack of effective policies and thinking about how to protect the employment prospects of local workers in a less favourable economic environment is therefore a serious weakness of Ireland’s current immigration system. (Ruhs 2005b: 20)

NGOs must themselves consider this possibility and the measures they think should be in place if and when it occurs, given the potential both for migrant unemployment and for greater resentment on the part of long term residents if they face migrant competition for jobs.

## Summary

Ireland has entered a period of comprehensive reform of its immigration and asylum legislation and administration. There is recognition by government that despite EU enlargement, there will be, albeit at a reduced level, a long term demand for non EU migrant workers which must be managed effectively, while giving greater protection to migrant workers from exploitation. Evidence of exploitation has embarrassed the Government as have delays in the administration of visas and applications for citizenship status. Trades unions are looking for greater protection for migrants at work but also for protection of sectoral wage agreements. Employers want the greatest possible flexibility in the labour market.

### 3. Migration to Ireland: trends and policy development

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A period during which government saw an overwhelming need to regain control of escalating migrant labour and asylum numbers has been replaced by a longer term focus on planning a more coherent system, and potentially a greater emphasis on integration. Nevertheless, the priority likely to be given to enforcement on irregular migration, including in relation to student working, will set a more negative agenda for NGOs concerned with migrants' welfare and rights – particularly if the focus of enforcement proves to be on migrants rather than on the employers who benefit from their labour.

Public concern about migration has remained largely below the surface but all recognise the potential for racism to surface and tensions to emerge in community relations. Following a concerted focus on anti racism in the development of the National Action Plan Against Racism there is some recognition in government of the need for a broader integration strategy but little content yet considered, opening the door to NGOs to put forward detailed proposals.

## 4. Policy making on migration in Ireland

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This section examines the policy-making structures and processes relevant to migration policy in Ireland to identify the channels through which NGOs could exert influence and the extent to which those channels are open to them.

### Government

Ireland broadly follows the ‘Westminster model’ of party government in which the government dominates the legislature but ultimately is dependent on it for support. Ireland has a bicameral parliament, the Oireachtas, comprised of the Dáil and the Seanad, with a directly elected head of state, the President. The Oireachtas debates legislation and its approval is necessary for enactment, but the government determines what issues are on its agenda and the timing of debates: ‘the cabinet’s control over parliamentary business is almost total’ (Connolly 2005: 337).

The Taoiseach (Prime Minister) is elected by the Dáil and his choice of Cabinet Ministers requires its approval. The Cabinet determines the policy programme and takes all major policy decisions. It approves the budget and the terms of legislation to be submitted to parliament. Ministers must secure Cabinet support for any major policy shift and new legislation. Policy proposals are circulated to Cabinet Ministers in advance (so that alerting other Ministers to NGO concerns on a major and specific issue can be worthwhile). Contentious issues in the social partnership negotiations (below) are brought to Cabinet, including ‘bottom line’ issues for the voluntary and community sector (Connolly 2005: 334). Unlike most European countries, the Cabinet does not have an institutionalised system of permanent sub-committees, one channel for lobbying that is therefore less available in the Irish context.

Ireland has been in near permanent coalition government since 1981. At times this has given the small parties or independent members of the Dáil, significant influence. The Government is currently formed by a coalition of Fianna Fáil, the majority party, and the Progressive Democrats (PD). Within government, allocation of ministerial portfolios depends on negotiation between the Taoiseach and the leader of the coalition partner.

Comparative research has shown that, in coalition governments in European countries, the policy programme of a department is clearly influenced by the party affiliation of the Minister (Connolly 2005: 331). This is significant in the current Irish context where the lead Minister on migration, the Minister for Justice, Equality and Law Reform, Michael McDowell, is a PD. The leader of his party and deputy Prime Minister Mary Harney, was Minister for Trade, Enterprise and Employment until September 2004, where she oversaw the expansion of work permits, and became Minister for Health. Collective cabinet responsibility applies equally to coalition government and coalition discipline in Ireland is reported to be strong.

The role of the Taoiseach is that of leadership, agenda setting and management of the business of government. The current Taoiseach, Bertie Ahern, sets the general policy direction and, through his officials, plays a key role in policy development ‘in almost all the key areas of the government’s policy programme’ (Connolly 2005: 339). He focuses on the big picture, takes personal control of key areas such as some European Union affairs and Northern Ireland, and exerts influence across government through his role in brokering consensus. In that he is strengthened by the role of his department in relation to the social partnership negotiations, (below). The department provided the core of the government’s negotiating team for the last round of negotiations, supplemented by ministers and officials from other departments (Connolly 2005: 339). The head of the department, the Secretary General, is also chair of the National Economic and Social Council (below). The degree of oversight by the Department has been greatly enhanced in recent years through the expansion of staff numbers and the Department’s remit.

Officials in the Justice department working on immigration and asylum issues saw the Taoiseach as supportive and non-interfering in their agenda:

The Taoiseach would be interested but not in a hands on way. He has a constituency in Dublin including Parnell Street which is known as Little Lags. Constituents tell him what it is like. He spends his weekends knocking on doors.

That helps us. He understands why our systems are under pressure. He backs our Minister. (03)

### **Civil servants**

Ministers are supported in their work by the 'permanent government', the civil servants who staff government departments. Formally, civil servants can act only in the name of the Minister, delivering the strategy which each department is required to develop and make public. Within that remit, they have considerable scope for incremental development of policy and advising on policy options. In that role they meet NGOs more frequently than the Minister and, as discussed below, can need their input in various ways in order to fulfil their responsibilities:

Contacts of this sort are a two-way exchange of information and the civil servants directly involved pass material that they consider significant up the line within their departments. Ultimately a senior official will determine how much material should reach the minister. (Connolly 2005: 343).

Moreover, Connolly continues, while there is no consensus on the relative influence of Ministers and civil servants in policy development in Ireland: 'The position of the senior officials in a department allows them, should they choose, both to block policy with which they disagree and to promote policy of which they are in favour'.

It was clear from interviews for this study that there were circumstances in which officials clearly saw themselves as having influenced Ministers to change policy. In relation to one reform which had faced Ministerial resistance, an official spoke of presenting a persuasive document supporting the case for reform: 'We used salami tactics, bit by bit'. (04)

A period of public service reform over the past decade has emphasised strategic planning, effective management of resources, and transparency in policy formulation and decision making, although there is debate on the extent to which that is apparent in practice. One senior official told the author: 'When it comes to policy we're hopeless. No statistics or researchers. We don't even know what policy is. It's not about policy but the next decision - very parochial and local'. (05)

The office of Ombudsman, dealing with individual complaints of unfairness or maladministration, and the access to official information provided (at a cost) by the Freedom of Information Act 1997, provide opportunities for challenge and transparency that NGOs can and do exploit. Until 2004, for instance, there was no right for work permit applicants to know where their application had reached in the administration process. An NGO let it be known that it was considering making an FOI application to establish what had happened to the application from one of its clients: 'We were advised to make our request in writing. The next thing, the rule had changed. Others were involved but we were told by officials it was because of us'. (N18)

Finally, Ministers can appoint political advisers from outside of the civil service who can be influential in policy development, particularly where there is a significant political or media interest.

### **Voting system**

Ireland has a PR electoral system with multi-member constituencies. Politicians are in competition with members of their own party as well as other parties. Every vote counts for the elected representative and for the outcome of the election: 'With the PR system virtually every seat counts. Local level pressures are felt more intensely. That 4<sup>th</sup> or 5<sup>th</sup> seat can make the difference in terms of getting in to government'. (01)

This makes Irish politicians highly sensitive to local public opinion and, arguably, more likely to focus on the immediate concerns of the electorate than on long term policy (though there is evidence of governments anticipating the country's long term needs, such as the decision in the 1970s to move to a knowledge-based economy). A senior official was nevertheless frustrated at the resulting lack of interest in long term policy planning: 'Our electorate is about the dripping tap and the hospital bed. The cost of not doing it is your seat. It makes it hard to plan – TDs don't think long term'. (05) Officials have observed in the past that new Ministers have often had little contact with policy issues (O'Halpin 2002: 121).

The perception that the public wants reassurance on migration was a significant factor in the Government's perception that it must tighten immigration controls. Ministers and TDs hear it from their constituents and see it reflected in (and reinforced by) some media coverage. As one official put it:

Politicians are expert at reading public opinion. The median voter is scared of uncontrolled immigration. Those seeking to provide a balanced view would be seen as soft. The independents are vocal but the government can take it. TDs are getting the message that too many people are coming in. People need to be reassured. TDs tend to run with the crowd. (01)

Nevertheless, immigration has not been a salient issue at general elections. An Opposition spokesman confirmed that migration 'is not a huge issue for us. It is not a party political issue' [ER1]. His party disagreed on aspects of process more than substance. He reported receiving little information from NGOs on migration issues, in contrast to a full post-bag on other matters.

## Oireachtas

Academics debate the influence of members of the legislature, and hence their value to NGOs, relative to that of Ministers and civil servants. Parliaments can be a channel through which an issue is brought to the attention of Ministers and the media, a source of information on government (through written and oral questions and debate with Ministers), a means to call Ministers to account and to attract publicity for the NGO's activities. The role and influence of the legislature and of individual elected representatives, differs between countries. Ireland's geography and PR voting system contribute to the particular characteristics that the Oireachtas has.

While the Oireachtas is the focus of lobbying by interest groups, and its members increasingly in receipt of information from them (Murphy 2005: 370), there are limits to its influence. Significantly, it is by-passed by the National Social Partnership process (below): successive national programmes for government have been negotiated with the social partners without direct reference to the legislature (O'Halpin and Connolly 1999:128). Moreover, Ireland's parliamentarians are expected to take significant responsibility for casework on behalf of individual constituents and this can in practice be at the expense of loftier parliamentary functions (O'Halpin, 2002:111):

Both parliamentarians and commentators report that anyone seeking to win or retain elected national office still needs above all to convey the impression that s/he will take heed of the problems and interests of individual constituents and of the constituency's collective concerns. (O'Halpin, 2002:114)

At election time, moreover, under Ireland's multi-member constituency PR system, the most bitter contests can be between members of the same party seeking the greater share of the party vote. O'Halpin argues that the small size of the Irish State (maximum of 30,000 constituents to each TD) lends itself to personal contact with constituents who have a cultural predisposition to seek the help of an intermediary in any dealings with the state. For any TD, however senior, 'to appear unapproachable to ordinary people would be to court electoral defeat' (O'Halpin, 2002:122). Individual TDs are also most likely to respond to lobbying from, or concerning, their own constituencies.

In the Oireachtas party discipline is a 'formidable counterweight' to the leverage that even well organised interests can bring to bear (O'Halpin and Connolly 1999:131-4). Furthermore, TDs can see themselves:

...ensnared by parliamentary procedures, bullied by whips, ignored by government, misunderstood by the media, burdened with excessive constituency work, and starved of administrative support (O'Halpin 1998: 123)

The Oireachtas does not have a strong tradition of committees scrutinising legislation or the work of government departments. There are few private members' bills and opposition amendments are rarely accepted. One opposition TD told us:

The government does not really engage with the opposition. We don't see the legislation until it is published. Select Committees don't operate in the same way

here [as in UK].The best we could probably do is get a Minister to come down and explain but we can't compel him. (ER2)

O'Halpin argues that this perception of a weak parliament takes insufficient account of the ways in which the Oireachtas' oversight of policy has increased in recent years (O'Halpin 1998: 138; 2002: 118). Parliamentary questions in particular are a 'potent weapon' despite the skill with which civil servants can write oblique replies. An analysis of the parliamentary questions tabled in one month in 1997 revealed that half of the questions related to constituency issues rather than to national or policy matters. However, half of those constituency questions did in fact relate to the concerns of local pressure groups, whom TDs fear to displease, rather than to individual constituents (O'Halpin and Connolly 1999:136). NGOs are the source of some parliamentary questions and Officials suggested that this was indeed one way in which NGOs, through parliamentarians, could exert influence. One official in the Department of Education and Science said: 'In my experience these can be very effective' (08).

The committee system, moreover, is increasingly becoming a forum in which even small interest groups can influence debates (Murphy 2005: 376). Political parties have developed greater capacity to develop policy; and the proceedings of parliament are now televised, increasing public awareness and the significance of its proceedings. The cumulative effect has been to strengthen parliament's hand in relation to the executive (O'Halpin 1998: 134) and migration NGOs, among others, have used this to get their point across.

The lack of administrative support has made active TDs reliant on external organisations for research support. Even parliamentary committees have been heavily influenced by information provided by external groups lobbying for a particular view (O'Halpin 1998: 131). Officials in the Justice department anticipated that the committee scrutiny of draft legislation would be further strengthened and argued that NGOs should work with parliamentarians at that stage, rather than waiting to try to amend the Bill.

Small parties can, from time to time, find themselves in positions of influence in relation to the coalition government. This is less the case currently; hence those TDs who question government policy on migration have not been in a strong position to exert influence. TDs from the governing parties are unlikely to challenge the government line overtly but can be influential in taking up an issue privately, or at the weekly meeting of the parliamentary party, with a greater expectation that they will be heard than would an opposition member (O'Halpin and Connolly 1999:131). Currently it is only the small parties – Labour, Sinn Fein and the Greens – which are broadly sympathetic to NGO concerns. Nevertheless, as one official remarked: 'It would be unwise to ignore other opposition TDs. They could be part of the next government'.

A sympathetic opposition TD advised however that:

NGOs should know that TDs are extraordinarily busy. We are national legislators and work locally too. It's very difficult to meet anybody and I don't want to waste time meeting people with relatively simple viewpoints. They should coordinate more and be structured and focused in the information they provide. (ER2)

The Seanad, indirectly elected by members of the Dáil, local government, universities and outgoing Senators, or nominated by the Taoiseach, is the weaker second chamber. It can delay, but not veto, government bills, and members cannot ask parliamentary questions. Party discipline is weaker however, with some Senators of no party affiliation and the Seanad can play a significant role in debating sensitive social issues. Members of the Seanad not infrequently subsequently seek election as TDs.

### **Social Partnership**

A key feature of the Irish political system is the National Social Partnership, a formal arrangement in which each government's three-year programme is effectively negotiated with, and progress monitored by, a committee of representatives drawn from four pillars: business, trades unions, farming and, unusually, the community and voluntary sector. An arrangement which began in 1987, the National Social Partnership is widely seen as a key factor in Ireland's rapid economic growth in the 1990s.

A consensual approach which cements these social and economic partners into a coherent and consistent policy framework has provided a system which, Murphy writes, 'aims to keep all the

major interests reasonably happy'. It is markedly different, he suggests, to the dismissive tone sometimes taken by British governments to trades unions in particular (Murphy 2005: 359). Some analysts, however, are highly critical of the partnership model, Allen arguing that social partnership is a myth which has sustained inequalities, in part by incorporating union leaders and reinforcing their control over their members (Allen 2000). Some of those interviewed for this study suggested that the unions would have been more vocal in relation to exploitation of migrants in the work permit system had they not been 'constrained by partnership'.

Eight organisations from the voluntary and community sector were invited to contribute for the first time in 1996 to the negotiations for *Partnership 2000* and participated in the preparation of the 2003-2005 programme, *Sustaining Progress*. The members, of whom there are now 15, are not 'representatives' of the sector. They are not required to consult other NGOs but do meet regularly to discuss the positions they will adopt and decide who will speak for the pillar on each issue.

Negotiations on the draft programme become increasingly intense as the deadline approaches, with almost daily meetings at the Department of the Taoiseach in the final weeks. The programme commits the government to an agenda of legislative reform and policy development initiatives. Progress is reviewed quarterly at plenary sessions chaired by the Secretary General. Once a year these high profile set-piece meetings are chaired by the Taoiseach and attended by the Finance Minister.

The government decides which organisations will be invited to participate in each pillar. Only those organisations that have signed the agreement are asked to participate in the subsequent reviews on progress. Five members of each pillar join a steering group which meets monthly to monitor the agreement, particularly the progress in implementing any 'special issues'.<sup>21</sup> Papers for these meetings go to all 15 members of the pillar. Cradden, in a critique of the social partnership, reports periods of 'partnership fatigue' on all sides with more than 20 working groups overseeing policy development and implementation across a broad range of policy fields (Cradden 2004: 95).

Departments are required to report every three months on progress on specific commitments. It was clear from interviews with officials that, in many fields, the programme for government and the action plans they endorse are the context within which work priorities are set and reporting requirements met. It was also clear that, when required to consult, officials often look first to the members of each pillar for advice, including on whom else they should approach. An official in the Department of Education and Science argued that the inclusion of the community and voluntary pillar meant that:

...they're right there at the centre of power. They have a central role in the partnership. The idea was to give a clearer voice to and to get input from consumers and NGOs. This forges integrated approaches at the heart of government. We also have our own partners in education – parent bodies, school management boards and the unions for instance. [07]

Another official from the same department said:

If something comes from people themselves it is more likely to get into the system. Consensus here means representatives round the table going through several drafts. It's the only way to get movement. You need to bring these people in before the development starts. The downside of this is that the process is very slow and that you tend to end up with the lowest common denominator. [08]

There was however scepticism among some officials whether reports are then implemented, particularly that agreement on a report does not necessarily mean that resources follow. There was also significant scepticism among NGOs that participation did provide the level of influence officials suggested. Employer and trades union representatives interviewed for this project frequently referred to *Sustaining Progress* as a significant context for our discussion, arriving clutching a copy of the agreement or latest progress report. In contrast, migration NGO representatives did not mention it.

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<sup>21</sup> The five members for the community and voluntary pillar are currently the Conference of Religious in Ireland (CORI), National Youth Council, The Society of St Vincent de Paul, Irish National Organisation for the Unemployed and the Congress Centre for the Unemployed.

In the negotiations for *Sustaining Progress*, the government had been adamant that decisions on who could enter the country were a matter for government alone. But the agreement did contain a commitment to assess the future need for skilled and unskilled labour, and to meet Ireland's additional need for labour as far as possible from the EEA. The Government promised to consult the social partners on the future of work permits as well as on the actual need for migrant labour in local labour markets.

One of ten 'special initiatives' was on migration and inter-culturalism committing government to consultation on a comprehensive policy framework on immigration, including integration issues, and to publish the National Action Plan Against Racism. An anti-racist intercultural programme would be introduced at every level of the education system and literacy and language training expanded for adult minorities groups 'as resources become available' (Department of the Taoiseach 2003). There were therefore elements of the agreement with direct relevance to the work of the migration NGO sector.

#### **NGO engagement in Social Partnership**

Studies of pressure group influence stress the importance of groups targeting organisations which themselves have influence, to form alliances which increase their influence through strength of numbers, share costs and workload, and to prevent one group being played off against another (Winyard and Whiteley 1987: 104). Montague notes the extra incentive to do this in Ireland for civil society organisations because the sector has a voice in the social partnership process (Montague 2002: 24).

Although formally members of the Social Partnership, some members of the voluntary and community pillar felt in the early years that they were ranked below business and labour by the government (Murphy 2005: 361). Moreover, they were concerned that the 2000-2003 agreement, *Programme for Prosperity and Fairness*, had not delivered for the sections of the community, particularly the poor and the homeless, nor covered the issue of migration, with which they were concerned. Moreover, government had acted on issues which did concern them without consultation.

The negotiations for the subsequent agreement, *Sustaining Progress*, were fraught. Those organisations that were members of the Community Platform<sup>22</sup> decided they could not sign the agreement. The public announcement of their decision (during an election campaign) was resented by government and led to criticism from some members of the sector who felt that the credibility of the sector had been damaged. The organisations in Community Platform which had chosen not to sign the agreement were subsequently not included in arrangements for monitoring the agreement. Their places were taken by other organisations, which led to significant ill feeling.

This recent history has made cooperation with the National Arrangements by NGOs in the migration sector particularly contentious. Engagement would be perceived by some NGO actors as criticism of the earlier decision to withdraw. Others within the sector argue that the organisations which withdrew had given the government an excuse not to engage with them in future. An official effectively confirmed this view: 'Previously they were nearly treated as equals. They made a strategic error in pulling out. In my view, we're no longer under any obligation'. (03)

The issue of engagement with social partnership remains highly contested within the sector. Even among those NGOs which remain hostile however there is significant engagement with Ministers and officials in other ways. As the Director of one NGO put it:

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<sup>22</sup> Community Platform is a network of 28 national organisations working to address poverty, social exclusion and inequality. Organisations currently in it are: Age Action Ireland, Community Action Network, Community Workers Co-operative, Cairde, European Anti-Poverty Network Ireland, Forum of People with Disabilities, Gay and Lesbian Equality Network, Irish Association of Older People, Irish National Organisation of the Unemployed, Irish Penal Reform Trust, Irish Refugee Council, Irish Rural Link, Irish Traveller Movement, Migrants Rights Centre Ireland, National Adult Literacy Agency, National Network of Women's Refuges and Support Services, National Traveller Women's Forum, National Women's Council of Ireland, Older Women's Network, One Parent Exchange Network, Pavee Point, Rape Crisis Network Ireland, Simon Communities of Ireland, Society of St Vincent de Paul, Threshold, Voluntary Drug Treatment Network, Vincentian Partnership for Justice, Women's Aid.

The reason that key people left is because the government refused to engage on migration and refugees. It was frustration. They're beginning to re-engage at different levels because they need the information. (N16)

Some departments actively engage with NGOs on a regular basis outside of the parameters of the social partnership framework.

## **NESC**

A pre-draft of the social partnership agreement is drawn up by the National Economic and Social Council chaired by the lead civil servant in the Department of the Taoiseach, the Secretary General. NESC membership is drawn from the social partnership members and includes five members of each pillar. If there is no representative from the voluntary and community pillar with sufficient relevant expertise, they can nominate someone from another organisation to take their place, and have done so in the recent past, for instance on housing policy. The pre-draft of the agreement sets out the shared perspective of the partners on the achievements and limits of the previous programme and parameters within which a new programme will be negotiated (Murphy 2005: 360),

NESC also commissions independent studies to inform future policy development which, reporting directly to the Taoiseach, can also be highly influential. Identifying migration as a significant issue for future policy development, in 2004 NESC commissioned a study of migration trends and policy options. The study was to be carried out by the International Organisation on Migration in Geneva, drawing on contributions from experts working in the field. A senior official anticipated 'The NESC study will put the issues on the agenda and allow them to be commented on as core business. It helps to pull the issues in from the margins and maybe some of the groups with it'. (O13)

One pillar member who is also a member of NESC told the author: 'NESC is very powerful. It goes to Cabinet. NGOs should milk this study for all it is worth. It is potentially very powerful if they can get over the politics'. (N26) A union representative agreed: 'The NESC study will be very influential. We'll be pointing to it. It's the key place to influence policy. NESC is the social partnership beast'. (SP4)

(This study was completed before the IOM research was presented to NESC. In practice it proved contentious and may not have the authority that such a document for NESC would normally have).

## **Departmental responsibilities**

Pressure group literature points to the importance of lobbying civil servants, particularly when policy is in the formative stage. (Grant, 2000; Whitely and Winyard 1987). Murphy writes that lobbyists in Ireland insist it is more effective to talk to a civil servant handling a file than to the Minister, although others argue direct access to the Minister is crucial (Murphy 2005: 373).

Grant concludes that much of the success pressure groups have depends on the quality of their research and analysis and careful presentation of their case (1995:142). Whiteley and Winyard report that civil servants value the resource such groups provide when the research is accurate and detailed, especially the inclusion of case studies (1987: 121). Officials say this is particularly useful where there are internal disagreements within government on an issue.

At departmental level in Ireland, lead responsibility on immigration, asylum, citizenship and integration policy lies with the Department of Justice, Equality and Law Reform. But responsibility for some significant areas of policy on entry and integration lies in other departments which can have different priorities - reflecting their responsibilities and the pressures to which they are responding as well as the political views of their Ministers. These differences can provide external interest groups with significant opportunities for influence if they are sufficiently informed about internal thinking to be able to identify an opportunity to engage.

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

The Department of Justice (DJELR) has had the authority to dominate the migration policy agenda. It is perceived by officials in other departments to guard its territory jealously, to the extent of complaining if a migration related issue, such as trafficking of women, features on the

conference agenda of another department. While DJELR will continue to lead on this agenda, it was suggested by a senior official in the Taoiseach's Department that in future there would be a greater balance of influence by other departments, as the focus of the agenda shifted towards the integration of migrants: '98 per cent control by Justice? That is overstated, even at its height. Maybe 85 per cent is more accurate. Now it is more 50:50'. (013)

The Reception and Integration Agency (RIA) was established within DJELR in 2001 with responsibility for direct provision to asylum seekers and the development and coordination of policy on integration - in relation to those granted refugee status or leave to remain. This role may be extended following the setting up of a new Integration Unit within INIS, the remit of which is currently being developed. Within its refugee brief, RIA has some engagement with other departments and with service providers, NGOs, local support groups and other organisations involved with the asylum and refugee population.

Until recently, resources in the department followed the political priority – asylum – but the decline in asylum numbers led to a review of resource allocation at the end of 2004. This has resulted in the re-allocation of staff to other divisions. It remains to be seen whether the new integration unit will be given the capacity to develop a comprehensive approach.

DJELR takes the lead role on the Government's anti-racism strategy and on equality legislation. While the National Action Plan Against Racism had to be agreed by Departments across government, the key departments such as Health have their own strategy for implementation. The DJELR chairs the steering group to oversee implementation of the strategy as a whole.

#### **Foreign Affairs**

The Department of Foreign Affairs (DFA) is involved in migration to Ireland through its responsibility for issuing visas to those with an entitlement to enter, such as those named on a work permit. Where entitlement is not clear, applications have to be forwarded to the DJELR in Dublin. Officials said that the lack of consistency and transparency of the subsequent decisions creates difficulties for DFA embassy staff facing irate applicants seeking explanations they cannot provide.

DFA coordinates Ireland's participation in international fora but the detailed negotiations are conducted by the Department concerned with a particular agreement. Thus EU discussions on future immigration and asylum policy, for instance, are handled directly by DJELR.

DFA also oversees Ireland's domestic commitments under the international human rights standards, and co-ordinates the periodic reports compiled by departments on compliance. In that capacity it is sometimes given a voice in discussions on implementation. An official sat on the Board of the Reception and Integration Agency and on the National Consultative Committee on Racism and Inter-culturalism (below). Awareness of Ireland's obligations under the international conventions is not thought to be high among either the public or policy makers.

The Department has an NGO Human Rights Forum which it sees as an opportunity to hear the NGO's concerns but also to enable the NGOs to see where their priorities fit into a wider picture. The focus of the Forum is primarily on human rights issues abroad but can lead the department into discussion of Ireland's own compliance with international standards.

The DFA also has responsibility for Ireland's relationship with developing countries but has as yet no overt policy in relation to tackling the causes of forced migration: 'The causes of involuntary migration do not touch the radar here' a DFA official told us (012). The department does play a role in relation to the resettlement programme under which a number of refugees, whose need for protection is recognised by UNHCR, are brought to Ireland.

#### **Enterprise, Trade and Employment**

Labour migration policy and the administration of work permits are the responsibility of the Department of Enterprise, Trade and Employment (DETE) which, reportedly, does not always see eye to eye with the Justice department. One official not in DETE or Justice told us, for instance, 'The Government decided that asylum seekers should not be able to work. It was a Cabinet decision. The Enterprise Minister wanted them to work but the Justice Minister didn't'.

The department recently succeeded in retaining control of work permit decisions when INIS was established, a 'virtual link' with the Justice department enabling migrants to receive a single decision on both work permit and entry visa.

DETE is also the budget holder for a government fund for skills training which has traditionally been allocated to the private sector. An umbrella organisation in the voluntary sector, The Wheel, was resourced to conduct a feasibility study on how it could be used in the voluntary sector.<sup>23</sup> This could potentially provide one means to address the lack of training opportunities for staff working in NGOs.

### **Social and Family Affairs**

The Department of Social and Family Affairs is responsible for welfare benefits but not for benefit payments to asylum seekers. The habitual residence rule, which excludes new migrants from mainstream welfare support including, controversially, child benefit, is administered by the department. According to officials this reform, driven by the Justice Department, was: 'based more on fear than on evidence of abuse'. However, no evidence that the rule has had a detrimental affect on children had been provided by NGOs to the department. It was clear, nevertheless, that this was an issue on which officials were not necessarily entirely comfortable with government policy, considering that the needs of children should have priority over other considerations.

The department also has responsibility for preparation of Ireland's National Action Plan against Poverty and Social Exclusion. Negotiations for the next action plan began during 2005. The existing plan (2003-5) identifies migrants and ethnic minorities, including women in particular, as groups which can be vulnerable to social exclusion (Department of Social and Family Affairs 2003). It identifies the need 'to develop and implement a comprehensive policy for the integration of migrants with a view to combating their social exclusion and accommodating cultural diversity'. As this did not happen during the life of the Action Plan, NGOs may want to use this leverage to negotiate a stronger commitment with measurable deliverables in the next Action plan.

### **Health and Children**

The Department of Health and Children oversees government policy on health and social services which, until 2005, was administered through eight health boards. A major reform programme has been implemented which included the establishment in 2005 of a Health Service Executive with responsibility for the management and delivery of services. The Department restructured itself internally to take account of its strategic role.

The Department's interest in international migration is two-fold: its reliance on overseas professional staff, particularly nurses, and its responsibility for delivering health and social services to an increasingly diverse population. NGO representatives suggested that the shortage of health professionals must inform the Health Minister's approach to the recruitment of migrant workers. A Director of one NGO observed:

Three children recently ready to go into theatre for heart surgery had to be sent home because of staff shortages. We can't say that we cannot give people urgent medical treatment because of our immigration policy. (N4)

The National Health Strategy *Quality and Fairness: a Health System for You*, published in 2001, refers to the health needs of asylum seekers and refugees as one specific priority within a focus on health inequalities. The arrival of migrants in the late stages of pregnancy was the responsibility of the Department of Health and Children. The drive for a change in the constitution to remove the automatic right to citizenship of Irish born children came nevertheless from the Justice Minister.

The department has a stated commitment to evidenced-based policy making; to community development and to working in partnership with the voluntary sector. The National Action Plan against Poverty and Social Exclusion is, as for the Department of Social and Family Affairs, a significant driver of the department's delivery agenda.

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<sup>23</sup> <http://www.wheel.ie/user/content/view/full/2655>

The need for interpreting services and for inter-cultural awareness training for staff is a key issue in relation to migrants identified by the Department. Officials cite many issues on which staff need greater guidance on cultural differences – from attitudes to contraception and sexuality to differing interpretations of mental ill-health. Resentment of migrants as service users by members of the public was not seen by officials as a significant issue.

Data on the ethnic origin or migrant status of service users is not collected.<sup>24</sup> The evidence base for policy development in this area is weak. Nevertheless the changing demographics of service users is one basis on which the department negotiates its funding, hence evidence on migrant service users, for this and service development reasons, is valued.

In practice, some aspects of policy in relation to asylum seekers (who have been the department's focus, rather than migrants per se) have been coordinated by an Assistant Principal. This function developed only since 2003 and with a limited remit. Migrant issues that arise in relation to hospital or primary care are dealt with separately by officials responsible for those sectors. It was recognised that greater coordination is needed. (Responsibility for health policy issues in relation to migrants, including asylum seekers, was subsequently brought within the remit of a Social Inclusion Unit established as part of the restructuring of the Department in late 2005).

The department participated in a health forum convened by the Department of Justice during the development of the National Action Plan Against Racism and found it a useful opportunity for exchanging views and concerns with migrant representatives. The department has funded a small number of NGO initiatives in the field including a project training migrants to train health professionals in inter-cultural awareness. NGOs are viewed positively as service providers and as sources of information on migrants' health concerns.

The Health Service Executive, which now has responsibility for the delivery of services, has more contact with NGOs - as service providers and as a source of pressure to improve services. The former Eastern Regional Health Authority, in consultation with NGOs, published a *Regional Strategy for Ethnic Minorities* in 2004. It is seen by the Department as a model and may be influential in policy and service development by the Health Service Executive.

The National Action Plan Against Racism is expected to be a driver for the development of an equality or inter-cultural strategy in the health services. A steering group is being set up to draft it, on which NGOs will be represented. It will become part of the national service plan and potentially have some significance in priorities and resource allocation. Officials may look beyond the social partners for members of the steering group:

We are very conscious of that network but we could also look further afield. And there could be wider consultation, for instance a round-table discussion. It depends what we have the resources to do. [06]

#### **Education**

The Department of Education and Science (DES) has responsibility for policy on overseas students, for language tuition for adult migrants, and for inter-cultural education in schools.<sup>25</sup> It also has an interest in the recognition of migrants' qualifications. Officials referred to the differing needs of migrant children as a growing issue and with it the engagement by parents for whom information about the school system is now produced in seven languages.

Schools need to adapt to inter-cultural education for which, officials said, 'a huge cultural change is necessary. Schools don't necessarily practice what they preach'. But parents may also have differing views on the kind of education they want for their children and schools can have to tread a difficult path between cultural sensitivity and what the school head considers is in the interests of the child. There are some tensions over extra help for migrant children with language

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<sup>24</sup> A pilot project in this area has been undertaken in two Dublin hospitals and if successful may be extended more widely in the health services.

<sup>25</sup> Guidance for teachers on inter-cultural education has been circulated by the National Council for Curriculum and Assessment, a development which has attracted interest at EU level as a means of supporting schools in this area. [www.ncca.ie](http://www.ncca.ie)

tuition when non migrant parents feel they are not getting enough help for their own children: 'NGOs need to be aware of competing priorities' [08].

### **Department of Community, Rural and Gaeltacht Affairs**

This department has no responsibility for national policies on migration but does have responsibility for developing the relationship between the state and the community and voluntary sector. It has responsibility for implementation of the White Paper, *A Framework for Supporting Voluntary Activity and for Developing the Relationship between the State and the Community and Voluntary Sector*, published in 2000. The White Paper committed each government department to establish a Voluntary Activity Unit to liaise with the sector and to ensuring that there were appropriate mechanisms for regular consultation and representation in the policy making process. The department is also the principal government source of funding for national umbrella bodies and local community organisations, although some national NGOs receive funding from the department responsible for their policy area. It has a Community Development Programme supporting self-help projects by disadvantage groups which has had limited impact on migrants and a Social Inclusion Programme supporting initiatives to promote inclusion at the local level.

An independent review of implementation of the White Paper, carried out in 2003 for the community and voluntary sector members of a departmental panel established to oversee implementation, concluded that little had yet been achieved. Only one department had established a unit to liaise with the sector and 'the level of commitment on the government side, at both political and administrative level, appears to be low' (Harvey 2004).

### **Policy makers' accessibility to NGOs**

The conclusion of that study may reflect a low priority attached by the Government to the sector as a whole, but this will not necessarily translate in to a poor relationship between individual NGOs and the Ministers and officials with whom they engage.

Ireland is a small country and Dublin a city of little over one million residents. The number of people working on particular issues within and without government is not extensive, and many of those active in public affairs have known each other in different capacities over many years. All of those interviewed testified to the fact that government officials are accessible, whether by phone, email or one-to-one meetings. Meetings with Ministers can also be arranged. The issue for national NGOs is not securing contact with policy makers, but whether they are open to the arguments that the NGO puts across. (This ease of access is not shared by those outside Dublin).

NGOs were critical of the extent to which some Ministers and officials were willing to consider their views, and the extent to which they take consultation on policy development seriously. The culture within departments differed significantly. Some officials were seen as receptive to dialogue, others as 'defensive', 'patronising' and, in taking that approach, 'out of date'.

One NGO argued that formal consultation exercises were used to legitimise decisions which Ministers had already decided to take, or even to obtain information about the NGOs:

There is a lack of respect for NGO partners, especially from the Minister of Justice. His attitude is reflected in his officials. Government asks you to submit comments on a Bill and then they probably put it in the bin. They have another draft which you didn't see. It's just a pretext so that they can say 'we consulted them' for legitimacy. [N1]

Officials confirmed that engagement with NGOs could have an element of PR and that Ministers were more likely to listen to business or trade union leaders or members of their own party, unless NGOs were sufficiently representative. This was in part, one suggested, because NGOs were 'too negative'. Nevertheless, 'It's a fair point that we don't meet them (NGOs) often enough. They have a role in civil society, but the asylum process is about security and controlling our borders. We don't want NGOs dictating on this'. (03)

NGOs argued that the department's negative approach was reflected in its failure to engage with NGO's arguments or even sometimes to respond to their letters: 'We put some thought into the open letter to the Minister on the website. We got no response. If we'd done it privately there would still be no response'. [N3] Another said: 'It's NGOs in the blue corner and statutory agencies in the red corner'. [N10]

In some instances, however, it was not the attitude of officials which NGOs found wanting but their capacity to deliver. This was true, for instance, of the Reception and Integration Agency. As one NGO put it: 'We found we weren't achieving a lot by engaging with the RIA. Our relationship is decent but not close. We don't want to give them credibility. I sit on one of their committees. The outcome isn't great'. [N3]

NGOs were not alone in finding departments unresponsive. Employer representatives complained that discretionary rules were changed without notification, departmental websites did not make clear who should be contacted on different issues and that, in relation to individual cases at least, it could be difficult even to get officials to answer the phone.

### Policy makers' approach to NGOs

While some of the officials and staff in statutory agencies interviewed did question both the legitimacy of the NGOs and their tactics, they clearly identified ten roles which they needed NGOs to fulfil in the context of developing and implementing migration policies, although NGOs were keen to emphasise that the state was not necessarily willing to provide resources to NGOs to enable them to do so. The needs of policy makers were:

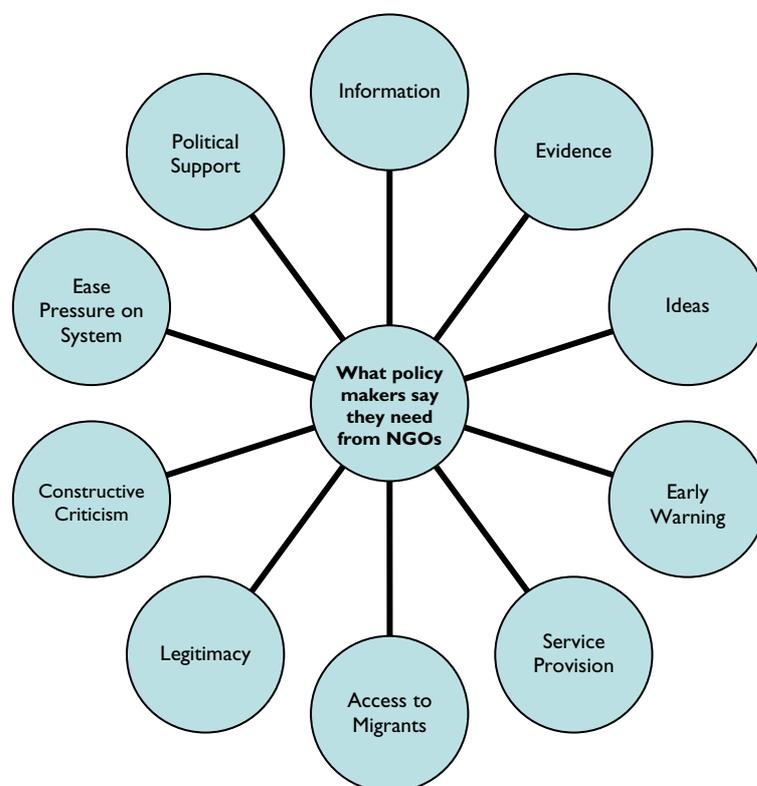


Figure 1: What policy makers say the need from NGOs

- i. **Information:** Policy makers said that they need information about migrants and their changing needs and intentions, in order to develop policy and to provide appropriate services. The NGOs which work directly with migrants have a level of information and understanding to which policy makers do not have direct access. They value organisations that can provide it, even if they do not necessarily draw the same conclusions from it. An official in the Taoiseach's department:

NGOs should do more to gather information. That is their role in the policy field. We don't know for instance whether accession nationals are likely to stay and want to bring families or return home. The NGOs could help us here. [013]

The need for information can include information on what is happening within government itself: 'I came across the NESC study by accident talking to the Immigrant Council on Ireland. The most we could do was tip off colleagues in immigration'. [SA2]

- ii. **Evidence:** Policy makers said they need a broader evidence base for policy making, including evidence on the socio-economic impact of migration in Ireland and in source countries. The research capacity within departments is very limited and policy makers are reliant on external sources, an opportunity, officials felt, on which NGOs failed to capitalise: 'They should use their funding to invest in expertise – improve the quality of their output'. [03] Another insisted: 'If you sent in an authoritative document that stands up to scrutiny, I guarantee that [the Minister] would read it'. [05] NGOs recognised that this was one way to influence policy thinking: 'The Government needs clear, concise, evidence based information. We have never found the government unresponsive to clear, professionally well presented information'. [N21]
- iii. **Ideas:** When policy makers can see that a problem needs to be addressed, they do not necessarily see an immediate solution. Proposals from NGOs can genuinely be welcome, if politically deliverable and workable. An official from Social and Family Affairs: 'Well reasoned, argued policy from experts is helpful. A good idea will travel'. [01]

One NGO reported Justice officials were equally keen to hear constructive ideas:

Justice would say that it's been totally overwhelmed with cases so policy and planning have been neglected. They're looking for people to inform and advise them in a constructive way. Legislation is a knee jerk reaction and not as a result of a policy process. Resources are spent on dealing with deficiencies. Literally, informally, we're told: 'it would be great if people like you could come in and work on our policy' [N5]

- iv. **Early warning:** NGOs working with migrants can identify an issue which will become a political problem for government long before it reaches the ears of politicians and civil servants. One example was the treatment of low-wage migrant workers. Officials saw NGOs as having an important role in highlighting cases of abuse. NGOs, however, cite many instances where such advance warning was ignored.
- v. **Service provision:** Government may be unwilling to provide direct services to migrants or unable to provide services which are appropriate to their specific needs. As an Official in the Department of Health put it:

NGOs fill gaps in services that state could not provide because it does not have the specialist knowledge of migrants' needs. That is seen to reside in the migrant group itself and in NGOs that work with them. [06]

An international migration body noted, in relation to asylum seekers:

The government had failed to prepare reception areas. The NGOs provided support. We told them 'you've been saved by NGOs and support groups'. This was recognised in government. [IO2]

NGOs recognise that they are in many cases relieving the state of responsibility to provide a service and resent the reluctance of the state to provide the resources for them to do so.

- vi. **Access:** If policy makers need access to migrants, for example to consult them on new service provision, NGOs can assist them by providing both contacts and credibility (though in practice if officials are defensive and migrants have grievances, dialogue may not be easy).
- vii. **Legitimacy:** The government may not feel under pressure from the Irish public to be seen to engage with the NGOs working on migration issues, but there is an expectation at EU level and among the bodies which supervise the international human rights standards that it will do so. It must at least be seen to engage, if not to listen.
- viii. **Constructive criticism:** Uncomfortable as it might be, officials acknowledged that there was a role for NGOs as the constructive critic. As one international body said: The [government agency] realises it needs NGOs not just for service delivery but as sounding boards'. [IO2]

- ix. **Ease pressure on the system:** Examples were given where NGOs were enabling officials to resolve individual cases, for instance to allow a migrant worker to change employment from an abusive employer. As an official put it, 'they help to make the system work'. (NGOs, however, stress that this can be at the expense of huge pressure on themselves to deliver for migrants without the resources to do so).
- x. **Political support:** Officials pointed to the role of NGOs, where supportive of a particular policy, in shifting the terms of public debate. This could be in broad terms, for instance towards acceptance of immigration as an economic and social benefit to Ireland, or for a department's specific policy proposal. Examples were also given where an NGO had supported one part of the state to get support from another – for instance funding for a service. A well known NGO could also provide a Minister with political cover for a decision criticised in the media.

The extent to which officials genuinely wanted NGOs to fulfil these roles was evident across the seven departments and the agencies with which the research engaged, albeit some with more enthusiasm than others. This undoubtedly provides opportunities for NGOs to exert influence if they can identify the officials who are receptive and establish the nature, and the timing, of their need for NGO input.

### **Influential organisations**

Pressure groups can also seek influence through organisations which are influential with government, of which business (represented by the Irish Business and Employers Confederation) and the trades unions (Irish Congress of Trades Unions and individual unions) are the most obvious examples. Until recent years this list would undoubtedly have included the Catholic Church. Now undermined by a series of sex scandals, its influence is less certain:

From exercising unquestioned hegemony in many areas of public policy...the Catholic Church is now only one voice among many seeking to influence the direction and pace of change in national life. (O'Halpin and Connolly 1999:125)

An opposition TD confirmed this: 'The church has been quite vocal. They have experience of being missionaries. But the government listens less to them now than before. That was another era'. [ER2] Officials also downplayed the influence the church now has on government thinking: '10-15 years ago the churches were major policy players. A bishop could call up a Minister. Now they are just another group. The Church are not players in asylum anymore'. [03]

The Church undoubtedly still has influence at the local level, relevant for NGOs' strategy in relation to public engagement, and a number of the migrant NGOs were established on the initiative or with financial support from Church bodies. NGOs with a church connection nevertheless had some concerns about the willingness of the church leadership to engage on migration issues:

The Catholic Church is the slowest to speak with one voice. Other churches may be more amenable. They still haven't grasped the implications. They need their own awareness raised and to revisit issues of justice and peace and the church's role in that. [N24]

A series of statutory bodies have responsibilities in the field, but merit inclusion here rather than under government as they are perceived, and operate, independently. They include the Human Rights Commission, the Equality Authority, Combat Poverty Agency and Comhairle. A statutory body may (or may not) be constrained in the extent to which it feels able to lobby or challenge government policy but may be able to exert considerable influence on policy through official channels. An NGO may have more success in achieving a particular objective by persuading the agency to propose it than it could by doing so publicly itself.

### **Media**

There is debate in the literature on the effect of the media on policy outcomes. There is agreement that the media can help to get an issue on to the political and policy agenda, and that pressure groups can attach considerable importance to securing coverage for their issue. Grant argues that, while media coverage is a necessary part of an NGO strategy, government can appear to answer the issue with a partial solution, removing it from the media agenda before it is

resolved (Grant 2000:127). Nevertheless, pressure groups found that they needed media coverage in order to reinforce their private contacts with Ministers and officials. It establishes the status of the NGO in the eyes of policy makers and those who influence them, if the coverage portrays a positive image of the organisation and the individual representing it. Media coverage can thus not only set the agenda but also alter public perceptions of the players in the process. Whitely and Winyard confirmed in their study that a perception among policy makers that the tide of public opinion is running with a groups' demands is very important. But they noted that making attacks on the Minister in the press could disrupt otherwise useful working relationships (Whitely and Winyard 1987:122-3).

Officials interviewed referred to incidents when controversy in the media had indeed caused the Minister to act. One example was the refusal to allow the spouse of nurses to work. As one official put it: 'There were victims on TV and lobbying. The Minister said 'fix it'. The NGOs didn't have much impact on me but they did impact on policy because the Minister didn't want people sobbing on TV'. [04]

One broadly sympathetic journalist questioned how receptive his colleagues were to the messages that NGOs want to get across: 'The reception just isn't there in the media, never mind how well presented NGO material is.' [1] He was critical of the way in which some NGOs present their material, arguing that it must be in a form that journalists could easily use:

However glossy and well-presented material is, it has to have an angle that can be turned into a story. It needs to ask people about their direct life experience. That says more than a hundred reports. And they need to do their research and back up their stories.

For NGOs, however, it can be difficult to find migrants willing to discuss their case publicly or even have their case identified.

It is also likely that the language used by the media to describe migrants influences public perceptions. Devereux and Breen cite evidence that the media is significant in shaping public attitudes towards minorities, and the tendency for media coverage to portray minorities as a problem is confirmed by many studies. Moreover, the focus of coverage shapes journalists' own perception of what is newsworthy (Devereux and Breen 2004). Newspapers, in using terms such as 'bogus asylum seekers', may be doing no more than reflecting the language used by politicians. Where the papers are based in the UK, there is little that Irish NGOs can do to influence their approach. For the Irish media however, NGOs could be significant both in setting the agenda (e.g. in alerting journalists to the exploitation of vulnerable migrants) and in setting the terms in which the story is told.

## Summary

Ireland has a relatively open political and policy making system providing significant opportunities for NGOs to access Ministers and officials across the departments responsible for aspects of migration and integration policy, as well as those who influence them. There has not been an emphasis on the development of long term policy in this field, in part because the electoral system encourages a focus on resolving short term delivery issues, in part because Ireland was unprepared, and lacked the administrative capacity, for migration on the scale recently experienced.

Parliament has limited means to influence policy, but is valued by NGOs as a source of information, publicity and political support. The National Social Partnership, in which the community and voluntary sector is represented, provides opportunities for participation in negotiations with government on its forward programme, though views are polarised on the long term impact of the social partnership approach. NGOs in the migration field are not currently engaged in this process but migration is a significant issue in the negotiations for the next agreement, and is likely to be so in years to come.

An overview of departmental responsibilities demonstrates both the range of departments engaged in migration and integration issues and that there are differing priorities across departments that provide NGOs with opportunities to influence their competing agendas. Some officials are sceptical of the value of engagement with the migration NGOs, while NGOs have equally had experiences which have led them to question the sincerity of government

consultation. It is also apparent, however, that policy makers need NGOs to fulfil a range of roles, here categorised under ten headings: information, evidence, ideas, early warning, service provision, access, legitimacy, constructive criticism, the need to ease pressure on the system, and political support. This provides NGOs with significant opportunities to inform and influence the policy making process if they choose to do so.

Finally, while views differ on the extent to which the media is important to NGOs, it is undoubtedly one means that NGOs can use to raise the political saliency of an issue and can lead to action by Ministers, while also having the potential to undermine constructive working relations. There is a broader range of organisations through which NGOs can exert influence including employers, trades unions and independent statutory agencies.

## 5. Capacity of the Migration NGO sector to influence policy

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In Ireland, as in other parts of Europe, there has been a growth in the number of interest groups which play a role in policy formulation and implementation. Aside from groups focusing on the arts, health, women, youth, and Irish language issues, Murphy cites evidence of over 300 other organisations promoting political, social and cultural causes, not including those, like the church, whose main function is not political but which do engage with government on particular issues (Murphy 2005: 356-7). Although membership of voluntary organisations in Ireland is low by western European standards, this proliferation of interest groups is mirrored across the EU.

### Migration NGO sector

As with immigration, the growth of an NGO sector focusing specifically on migrant related issues in Ireland is a recent development. There are long standing NGOs such as Amnesty International and the Irish Council of Civil Liberties which have addressed issues relating to migrants as they have arisen, but the first national organisation focusing solely on people from overseas was the Irish Refugee Council, established in 1992.

The sector is diverse, marked by variety in size, roles, structure and approach. Some NGOs focus exclusively on one category of migrants, refugees; others on a set of issues, such as health or integration. For some the primary objective is policy reform, for others that objective is secondary to provision of advice to individuals or to broader service provision. Some are umbrella organisations for both national and local groups for whom they provide (and receive) information and may provide training courses and other means of capacity building. Most have a board of individuals not involved in the day to day running of the organisation who provide strategic guidance, some within the framework of a national membership by whom they are elected. Some have, or have had, significant involvement by individuals with strong connections with the Catholic Church, often with experience in the developing world. Some NGOs see the over-arching framework for their work as that of human rights protection; some operate within a community development model, and see strong synergies with a broader poverty agenda.

The study focused on NGOs based in Dublin. The following list illustrates the range of organisations currently working solely or predominantly on migration issues, and is not intended to be comprehensive.

#### **Access Ireland**

Established in 1998, the Access Ireland Refugee Integration Project was an off-shoot from the Irish Refugee Council, and became a registered company in 2002. It supports the integration of refugees by facilitating access to health and social services, promoting inter-cultural awareness among health and social care providers, and supporting relevant community initiatives. It trains refugees as cultural mediators and promotes their employment in health and social care settings. It also has a programme focusing specifically on the integration of women. [www.accessireland.ie](http://www.accessireland.ie)

#### **Amnesty International**

The Irish section of the global organisation which promotes international human rights standards has had an increasing focus on the rights of migrants, particularly asylum seekers and refugees. It campaigns for compliance with UN and ILO conventions, seeks to raise awareness of broader international standards and procedures such as those of the European Social Council, and has supported legislative reform such as the Refugee Act 1996. [www.amnesty.org](http://www.amnesty.org)

#### **Cairde**

Focusing on reducing health inequalities among migrants and ethnic minorities, Cairde's objective is to build the capacity of minority groups to identify their own needs and their capacity to engage with policy makers and service providers. Its approach is informed by community development principles and the right of minorities to comparable health outcomes with those of the rest of the population. It engages with government departments, health care providers and other agencies that have an impact on health outcomes. [www.cairde.org.ie](http://www.cairde.org.ie)

### ***Immigrant Council of Ireland***

ICI was established in 2002 to work with and for immigrants, to raise awareness and promote a constructive public debate, provide legal advice and representation, conduct research and campaign for policy reform. Covering immigrants of all status, including international students and irregular migrants, it complemented earlier organisations focusing on asylum seekers and refugees. It operates from human rights, social justice and community development principles. [www.immigrantcouncil.ie](http://www.immigrantcouncil.ie)

### ***Integrating Ireland***

An independent alliance of around 190 community and voluntary groups and individuals, it was established in 2000 to promote the rights and integration of refugees, asylum seekers and immigrants across Ireland, North and South. It builds the capacity of its members through training, provision of resources, coordination and sharing information. Integrating Ireland organises events, conducts research and campaigns on issues of concern to its members. Its local groups have joined together to form five regional networks. [www.integratingireland.ie](http://www.integratingireland.ie)

### ***Irish Council of Civil Liberties***

Established in 1976 as a membership organisation, ICCL has made a number of submissions to government and parliament on successive legislative proposals and in response to Supreme Court decisions. Its work on migration is part of a broader focus on equality issues, and has included a strong emphasis on decisions relating to the rights of Irish citizen children. [www.iccl.ie](http://www.iccl.ie)

### ***Irish Refugee Council***

A membership organisation, established in 1992, the Irish Refugee Council has a head office in Dublin and an office in Ennis. It conducts research, provides legal advice and some services (including language training) to asylum seekers and refugees, provides factual information to inform the public, undertakes school visits and campaigns on rights and support issues. IRC is committed to inter-culturalism, to policy reform based on international human rights principles, and to the participation of refugees within the organisation on community development principles. [www.refugeecouncil.org](http://www.refugeecouncil.org)

### ***Jesuit Refugee Service***

JRS is the Irish office of an international Catholic organisation that works in more than 50 countries. Established in 2002, it organises social and cultural events to raise awareness and build bridges across communities. It makes representations to government on refugee issues, a concern to Jesuits within a broader focus on the socially marginalised. Its work is based on the premise that 'integration begins and grows primarily at ground level'. [www.jesuit.ie](http://www.jesuit.ie)

### ***Migrant Rights Centre Ireland***

MRCI was established in 2001. Initially led by the Columbian Missionaries it is now an independent organisation. Its focus is on migrant workers and their families who are in situations of vulnerability. Through its Drop in Centre it provides advice and assistance to individuals and makes representations on their behalf regarding their legal status and social entitlements and in seeking redress under labour legislation. It campaigns for policy reform, for instance in relation to domestic workers, trafficking, undocumented workers and social protection. Its policy proposals and research draw on its case work experience. MRCI promotes the participation of migrant workers in issues impacting on their lives, establishing and supporting groups and providing leadership training. [www.mrci.ie](http://www.mrci.ie)

### ***National Consultative Council on Racism and Interculturalism***

An independent expert body and NGO, the NCCRI differs from other NGOs in the field as it seeks to operate in the space between government and the NGO sector, providing advice to government and non government bodies and developing initiatives to combat racism and promote a more inclusive inter-cultural society. Established in 1998, it works through partnership with NGOs, statutory bodies, trade unions and employers with funding from the Department of Justice, Equality and Law Reform, Department of Social and Family Affairs, European Union and

independent grants. A priority has been providing expert support and advice in the consultation, drafting and implementation of the Government's National Action Plan Against Racism (for which its Director was temporarily seconded into the Department of Justice). It provides training, undertakes public awareness initiatives, advocates policy reform and provides support for community development. The NCCRI is engaged in initiatives at the UN and EU level and in partnership with the Equality Authority has been designated as the National Focal Point on Racism in Ireland by the EUMC. Its chair is currently chair of the EUMC and a Special Rapporteur for the OSCE. [www.nccri.com](http://www.nccri.com)

### **Refugee Information Service**

Established in 1998, RIS provides a free information, advocacy and referral service to refugees and asylum seekers at seven outreach half day clinics across Dublin, with two clinics a week in Galway. It also provides training, a telephone and email advice service, and produces information materials. It has produced submissions to parliament and statutory bodies. [www.ris.ie](http://www.ris.ie)

### **Spirasi**

Founded in 1999 under the trusteeship of the Holy Ghost Fathers, Spirasi provides a range of services to migrants, particularly refugees. This includes a specialist service for survivors of torture, a Centre for Health Information and Promotion (delivering information in multiple languages, as well as training service providers), and a Centre for the Education and Integration of Migrants, providing language, literacy and IT support. Spirasi fosters partnerships with statutory services and provides office space for migrant led organisations. [www.spirasi.ie](http://www.spirasi.ie)

There are a number of organisations whose work includes a focus on migrants, such as the Refugee Project of the Irish Bishops' Conference ([www.catholiccommunications.ie](http://www.catholiccommunications.ie)) and Free Legal Advice Centres ([www.flac.ie](http://www.flac.ie)). There are also organisations based outside Dublin, such as NASC in Cork ([www.nascireland.org](http://www.nascireland.org)) and the Galway Refugee Support Group ([refugee.galway@ireland.com](mailto:refugee.galway@ireland.com)) which have extensive experience working with migrants but arguably less opportunity for direct access to policy makers.

All of the NGOs interviewed for the study enter into a level of dialogue with government officials on individual cases and/or policy reform, despite opposition within some of the organisations to the formal social partnership arrangements. Some receive significant government and/or EU funding while others rely more heavily or exclusively on independent sources. Some conduct research to build up an evidence base, and/or use evidence from the experiences brought to them by individual clients. A range of campaign tactics are used to draw policy makers' attention to their concerns, including private and public correspondence, use of media coverage and parliamentary lobbying, building strategic alliances within the NGO sector (as in the Campaign against Deportations of Irish Children) and with organisations such as trades unions where there are shared concerns. The NGOs which provide advice may take up individual cases with those government officials with discretion to assist the individual, or challenge a decision formally in the courts by referring the case to a solicitor.

Some of the NGOs are part of fora in which they meet for regular dialogue, as within a migration sub-group organised by NCCRI, or meet to discuss aspects of their agenda on an ad hoc basis. The Coalition Against Deportation of Irish Children has been an effective coalition to campaign on an issue on which there was significant agreement across the migrant NGO sector. Some migrant NGOs are part of wider networks of organisations working on related issues of poverty, social exclusion and cultural diversity and stress the importance of retaining that solidarity.

There are also a significant number of groups of, or working with, migrants at the local level. Spirasi keeps a record of the number of organisations working on refugee issues alone which it reports reached 90 in 2000 and in 2004 was more than 150, with many former groups no longer in existence as well as many new additions.

Local migrant and refugee led groups were not within the remit of this study as their primary focus is not on the national policy agenda. There is a growing academic literature that can provide insight into its potential (e.g. Feldman, forthcoming). Staffed mainly by volunteers, some focus on provision of information and advice to migrants from a particular country of origin, others on a category of migrants such as asylum seekers. These organisations have direct access

to the evidence about the problems migrants experience and emerging voices can be powerful advocates for reform.

The national NGOs reported, however, that local groups can lack the means to collate and use their evidence and the capacity to attract national attention. One national NGO, implying no criticism, commented that lack of resources can mean that: 'There is no planning, no vision. They just act on a daily basis. Some don't even know how to apply for funding'. [N1] Another said: 'It's not fair to expect someone waiting for a decision on refugee status to run an organisation and write reports. Support from a larger NGO is one way to deal with this, but it can get paternalistic. It's a transition phase'. [N22] Officials were aware of this limitation: 'The migrant community, because of its transient nature and language issues, and because some NGOs are a little paternalistic, finds that its voice doesn't get out'. [01]

### Strengths and limitations

The NGOs in the migration sector have made rapid progress in developing their strategy, materials and service provision. It was evident from the interviews conducted that officials were impressed by the approach taken by some of the NGOs they engaged with and individuals within them. They acknowledged the role that the migration NGOs played, including the influence that they have had on policy development.

Referring to one NGO, an official said: 'They have a capacity to drive things – quite influential'. Of another organisation he said: 'They take a broader approach and are a source of quality information' while commenting that the head of the organisation 'has a purpose to her meetings. You know you're dealing with a professional as opposed to someone who's banging on the table. She is charming and persistent'. [01]

Similarly, a colleague in another department said of an NGO with which he had considerable contact: 'They are very reasonable. They are not into shrill advocacy. Everybody with a problem beats a path to their door. We trust them to bring us strong cases'. [04] A senior official in a third department, referring to a high level meeting attended by officials from across government, likewise told us with approval: 'When [NGO Director] spoke, people listened'. [05] Referring to the head of another NGO, the same official said:

[She] uses the system well. I'd trust her, telling her why I couldn't do something and know it wouldn't go further. I trust her because she understands my position. I might agree with her but I know the internal system. The art of the possible. People like her have to keep credibility with both sides. [05]

Referring to the League of Filipino nurses which successfully secured a change in the rules to allow the spouse of nurses to work, one official said:

They used the political process well and got a satisfactory result.

There is great public sympathy for them. They lobbied in a constructive way and were not unrealistic: they asked for things tied to government objectives on economic immigration. [02]

There was also some scepticism among officials as regards the legitimacy of NGOs, and questioning across all interviewees of some aspects of strategy, tactics and capacity.

In the rest of this section of the report we address the capacity of the migration NGO sector under five broad headings which the literature and interviews for this study have identified as central to NGO influence. We look first at the level of cooperation between the NGOs in the migration sector before considering issues of legitimacy, capacity, evidence base and strategy.

### Cooperation within the sector

A diverse NGO sector is one of the strengths of a plural democracy. NGOs rightly reflect differing interests, priorities and points of view. Montague noted, nevertheless, in his analysis of the influence of pressure groups on the 2001 budget, that divisions between NGOs could limit their capacity for influence (Montague 2002). Government can more easily reject recommendations countered by alternative proposals from other NGOs. Conversely, an alliance of NGOs can pool resources for greater impact, as was recently the case with CADIC in its successful campaign to protect the parents of Irish born children from deportation. There are, as

we have noted, other fora in which some of the migration NGOs meet for regular or ad hoc cooperation. A conference to discuss the need for more research, in October 2004, was one example.

Lack of cooperation on other issues does not necessarily mean competition. Nevertheless, differences of view between NGOs on strategy, competition for resources (which can lead to reluctance to form alliances or to acknowledge the contribution another NGO has made), and personality conflicts do appear in practice to be imposing limits on partnership working. Regional and local organisations with experience addressing issues on the ground can, moreover, feel marginalised by the working relationships of those who are closely networked in Dublin.

As one national NGO Director put it:

NGOs are not united enough to make a stronger voice. The bigger players speak separately. They lack knowledge of the whole landscape. There is also competition, mainly for money. They have to deliver on the grant they receive and have to be seen as the one who did it. And how can you work together if one organisation is well funded, another very poor - not just in money but in technology? [N1]

One academic was also concerned at the overlap in the remit of some of the NGOs, for instance between two NGOs that provide advice to individuals: 'There is an overlap between [x] and [y]. The same people call both organisations. It wastes time and resources'. [A1] NGOs also identified a problem in overlap in roles, and for those which are umbrella organisations, in membership: 'Sometimes organisations want the same or different things from us, and they can end up getting it from neither of us'. [N3]

Competition for members as well as resources, and a sense that newer organisations were 'trying to take on work that we've already done' meant less positive working relationships. A failure of newer organisations to consult those already working in a field, or to ask them to contribute to an event, caused resentment.

One advice and advocacy organisation said:

Increasingly the NGO sector is realising that it needs a strategic working group. We need to meet and divvy up the work. And we have to agree to exchange information. It reduces burn out and hopelessness. But it poses challenges too because there will be different levels of cooperation. And there is a risk to the integrity of the information and our relationships with clients. [N11]

But others warned against a new coordinating mechanism for the whole sector. A former NGO activist:

You can't have just one forum coordinating everything. That's working from the top down. It's working from the ground up, that's where resources are needed. It's what builds confidence and credibility with each other as well as the state. It's important to encourage a diversity of approaches and developments from the bottom up. People operate from different models so you can't just focus on one body to do that. You need to strengthen each of the bodies to facilitate joint working. [SA1]

Opposition to cooperation with the social partnership process appears to have been a barrier to engagement with those members of the community and voluntary pillar who are in the partnership and insist they would benefit from hearing the views of the migration NGO sector. Meanwhile there is some tension around the 'gate-keeper' role that an organisation close to government can play to the perceived exclusion of others.

## Legitimacy

The extent to which policy makers perceive an NGO to be a legitimate source of opinion or evidence on migration affects the extent to which they are receptive to its views. Policy makers stressed three sources of legitimacy:

- **Representation:** the extent to which the NGO represented either migrants or people whose opinion carried weight

- **Expertise:** the extent to which it had expertise on the issues and/or authoritative evidence to provide
- **Service provision:** its record as a provider of services

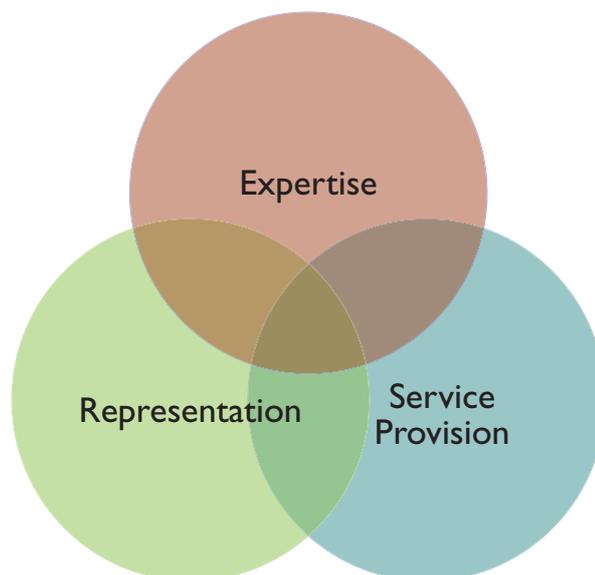


Figure 2: Factors influencing policy makers' perception of NGO legitimacy

In relation to representation, a number of officials questioned the extent to which the NGOs which were challenging them represented either the views of migrants or of a significant body of public opinion. One official suggested it was presumptions of NGOs to tell government what policies to adopt when this was the legitimate role of elected representatives.

As an unelected body, an NGO's credibility depends in part on the reputation of the senior people involved. A representative from an international body said an NGO should 'Be careful who is on your board. In other countries it can be more what you do that counts but here it is also very much who you are'. [I02]

While some NGOs resisted this approach, concerned that the kind of people who might be respected by policy makers were not appropriate for their board, others did not: 'Get people with a track record. In Ireland, Ministers will know everyone involved on the board and what they represent. And there have to be migrants on the board, and not just as token figures.' [N2]

Officials argued that it also helped to strengthen the credibility of an organisation if it was seen to be in contact with local constituents: 'It always helps to take a constituent to a meeting with the Minister because the Minister knows he will go back and say 'he was nice, he listened to me' or 'he didn't pay any attention to me at all'. [O1]

It also helped if migrants are not only among the membership of an organisation but among those speaking on its behalf. As one writer on NGOs in Ireland put it: 'We are a long way off a strong NGO sector. We need the voices of migrants themselves, as well as the white, liberal, middle class groups'. [A4]; while NGO representatives themselves acknowledged: 'We need participation, not just representation'. [N15] There was a place for 'brokering' on behalf of migrants but after a period their validity would be questioned: 'the voices have to come through'. [N16]

Nevertheless, others stressed the need to face reality – that the expectations here from policy makers were too high. Many migrants were still at the stage of needing basic support. Significant capacity building would be needed before migrants could be expected to have a significant voice. 'The theory is fine. The reality is light years away. Look at the UK. It took some communities 40 years to get to this and some are still struggling'. [N27]

Scepticism among officials about NGOs as representative bodies was coupled with some doubts about their expertise: 'I ask, 'who are we dealing with? Do they understand economic migration?

Who do they represent?’[04] In response, NGOs ask whether Ministers and officials understand the impact of their policies on the ground - the hardship for migrants whom the NGOs see on a daily basis.

A consistent theme from officials was the credibility an NGO can acquire from provision of services to migrants – and the lack of credibility of those which campaign for reform without, as officials see it, their feet on the ground. One official told the author: ‘Legitimacy for NGOs comes from street level credibility. That’s harder for organisations that only campaign’. [013]

Another advised that NGOs should: ‘Be an organisation with a good track record on the ground. Politicians like people who work on the ground. It works with civil servants too’. [01]

It is important to stress that the emphasis here is legitimacy in the eyes of policy makers. An NGO may feel that it is sufficient that it is highly regarded by its members or the migrants with whom it works. For influence, however, they also need to consider how they are perceived by policy makers.

## **Organisational Capacity**

The capacity of an NGO to have its voice heard depends on a number of organisational factors. Those identified to us were its staff and non executive board, funding base, internal unity and capacity for self-evaluation. One further issue was the ability to represent individuals in court.

### **(i) Staff**

NGOs’ principal resource is their staff and it was evident that the migration NGOs have staff and board members with considerable expertise, commitment, leadership skills and political acumen. The sector also shares problems common throughout the voluntary sector, however: a limited career structure, lack of training and promotion opportunities, relatively low salaries and ‘burn-out’ through overwork that can lead staff to leave the sector. This haemorrhage of expertise can be more keenly felt in small organisations in which there may be only one member of staff responsible for an issue or function, than in larger public and private sector bodies.

Officials suggested that length of experience was indeed a factor in how skilfully an NGO lobbied the government, attributing a lack of expertise to high turnover in the sector. Lack of experience could be apparent in the fine judgement needed in decisions on campaign tactics:

The more clued in ones have more experience. Organisations need to get some balance. Pushing too far can alienate people. If you don’t push enough, people ignore you. A lack of experience counts. The more experienced NGOs have a sense of what will and won’t run. [010]

Some thought that the quality of work across the sector was highly variable. An official in the Education department said that while some submissions they received were excellent – credible and well argued – there were ‘no words to describe’ some of the others. [07] NGOs recognised the importance of skills and quality of output at all levels in their organisation: that while there would inevitably be differing levels of skill ‘there needs to be consistency of standards’. [N2]

In Ireland it is noticeable that there are few opportunities for inter-change of staff with government departments. Secondments, which ideally are two-way, can provide both personal contacts among policy makers and an understanding for both sides of the constraints within which both government departments and NGOs work. Officials in the Justice department suggested secondments ‘like they do in the Home Office’ in the UK were a possible way forward.

### **(ii) Funding**

Despite recent injections of funding into the sector, limitations on project resources significantly limit capacity to provide services and certainly to undertake major initiatives, for instance to conduct research on a scale which would provide a substantial evidence base, rather than a few case studies; to commission opinion polls; or to disseminate information across different sections of society. Organisations can feel overwhelmed by casework and frustrated at the lack of capacity to act strategically to address the causes of the problems that migrants experience.

As the director of one NGO put it:

The biggest issue NGOs face is the lack of funding rather than strategy or ideas. The state is willing to pay for services not policy. That's why charitable funding is so important.

We're not at a level where we can be a voice for and speak with authority to government about our members. It is in our strategic plan. We're trying to channel their concerns, expectations and needs. At decision-making levels (in government) there is no migrant input. [N15]

Another, overwhelmed by the volume of work in her organisation, resented the suggestion that it might be overlooking opportunities for influence: 'For my organisation the key reason is lack of funding, nothing else. We know what has to be done, we have the ideas, we know what people want'. [N27]

Most of the NGOs received some funding from government departments or agencies but were concerned not to be so dependent on that funding that they felt constrained by it. An example of a Traveller poster campaign was cited where the Minister had objected to the posters and cut the funding: 'His action was a signal to others. If you're totally dependant on the government for funding, you've lost it. NGOs have to be careful.' [N2]

In relation to government funding for an NGO shadow report to the UN, in which Ministers expected criticism of the government's record, an official suggested that the decision to provide funding was not unrelated to a desire to moderate the NGOs' response: 'Some assistance might soften the blow. That's the machiavellian plan!' [012]

NGOs suggested that a decision to accept government funding is a question of balance:

We don't get government funding so we can have whatever voice we want. Others are part funded by the government. We are trying to get government funding but we don't want to be too dependent. Others have part funding on condition that they can't speak to the media. [N4]

Multiple funders is a strategic option. We don't want to be dictated by funding. Government funding does impose some restraint. It's focused funding for particular purposes. But I don't feel constrained if money is from an agency we disagree with. I'll be measured in my criticism but not constrained. And a funding relationship also enables a route for dialogue. We can then explore the outcomes we're both looking for. [N22]

Funding from charitable sources could also have strings attached however. It was suggested by some NGO representatives that a funder keen to support the development of an organisation could overstep the narrow line between support and prescriptive intervention: to become 'active actors rather than passive grant givers'. While funding from charitable sources was welcome, it should not undermine the independence of the NGO (or perception of independence) to determine its priorities and approach.

It was important to recognise the distinct dynamic of the voluntary sector and not attempt to mould NGOs into a one-size fits all model. This should not be an excuse for tolerating a lack of professionalism in the management or operation of an organisation. However, the power imbalance in the funder-fundee relationship made it difficult for NGOs to question a funder's approach and to challenge a degree of intervention which it felt inappropriate.

### **(iii) Internal unity**

NGOs can find that the tactics which they need to use to influence government cause internal strains within the organisation. Maintaining a working relationship with government may require less strident tactics than some members might want; or involve a line of argument persuasive to government but not one those members would have used. NGOs have to balance members' expectations against their judgement of what is deliverable and the strategy they deem necessary to adopt if they are to deliver it.

The NGOs campaigning on agendas broader than migrants could not assume that all of their members wanted a concern for migrants to be given priority: 'Most of our members are white, middle-class and settled. As with any representative organisation, some don't understand or are hostile to migrants.' [N9]

**(iv) Self evaluation**

Finally, some NGOs emphasised the importance, in strengthening internal capacity, of evaluating their strategy and achievements on a regular basis:

NGOs need to ask themselves 'are we open to scrutiny?' We need a culture of evaluation and self assessment. [N21]

**(v) Capacity to take cases**

Many NGOs are unable to represent migrants in court and hence to take test cases because of a Law Society rule precluding them from having practice certificates – though significantly this policy is now under review. Cases can be referred to private solicitors, but this limits the influence which the NGO can then have on the handling of the case.

While some regretted this restriction, others, which did do casework, were nevertheless unsure that they wanted to take on this role. Although it was recognised that past cases had been highly influential in forcing the government to change the law, it was felt by one NGO that 'Neither the EU nor the Irish courts would be particularly amenable to being critical of government policy. Also, we wouldn't have had the capacity in the last few years'. [N3] Moreover, some clients are reluctant to be exposed, especially if their case for refugee status, for instance, has not yet been determined.

An official in the Justice department suggested that challenging the government in court could inhibit dialogue on policy issues, limiting officials' freedom to talk openly about government intentions: 'The last thing you want is something you say on policy coming back to you in court'. That consideration, however, is one of tactics, not capacity. NGOs want to have the choice to represent a client in court, not to be required to refer the individual to a private solicitor, even if the solicitor is close to the NGO concerned.

**Evidence base**

The lack of research capacity within government and the limited range of official data on migrants, and access to data that is collected, seriously inhibits the capacity of the NGO sector as it does government. Interviewees regretted the lack of data or research demonstrating the fiscal contribution migrants make to the public purse, for example, as exists in the UK and Germany. NGOs lack the resources to undertake substantive research, although they have cooperated with academics and drawn on individual case studies.

The importance of evidence was recognised by NGOs: 'We're finding that the research matches reality. It reinforces it. It's reassuring and provides weight.' [N8] But resource constraints were not the only limiting factor in collecting the information they needed: Even umbrella organisations that have member groups with direct access to the information could not necessarily access it:

We need to build our capacity to do policy research and to focus on pulling together details on individuals. We need good examples of sufficient quality. It's not really a resource problem but a contacts one. Many people in immigrant communities are reluctant to speak to us because they've done it in the past and nothing's changed. [N3]

Moreover, even when member organisations have the resources to collect information there is no obligation on them to provide it: 'For them the priority is dealing with what is happening on the ground'. [N3] As a result, officials commented that there were occasions when the evidence presented by NGOs was weak. Their limited capacity to check facts meant that there were inaccuracies, or broad and unbalanced conclusions drawn from limited evidence. Such exaggeration or imbalance in argument was then easy to dismiss: 'Their reports are one-sided. They are entitled to criticise us but their criticism should be balanced and they should consult us.' [03]

One agency that primarily focuses on provision of advice said: 'We're thinking of using our information to influence policy. It's been a capacity issue so far. Our strength is based on our work on the ground'. [N10] Advice and service provision agencies not only wanted the capacity to influence the policies of central government in this way but to use their knowledge to connect with other agencies that could do something about it. Tackling the problem of fees for third-level

education, and recognition of qualifications, were two examples: 'We need to talk to the universities, and to statutory and professional bodies and see who else is doing what. We don't want to act in a vacuum'. [N11]

NGOs are already drawing on academic expertise and forming partnerships with academics to secure the evidence they need. They see the development of this relationship as one key way in which they can increase their influence. An NGO chair:

The scope for work between NGOs and academics is huge. The government doesn't have the contacts and wouldn't be trusted anyway. I think the government will start to build data. But funding for independent research is critical. [N2]

Academics stressed, however, that their own capacity is limited: 'There is no specialist centre. About 15-20 individuals are active in this area. We all have to fit it around our other teaching commitments.' [A1]

### Strategy

While officials and third party interviewees were complimentary about the impact which some NGOs had had on policy many, including NGO representatives, questioned the strategies which were sometimes adopted. In essence their observations fall under five headings: objectives; relationship with policy makers; target audiences; strategic partners; and line of argument.

#### *(i) Objectives*

It was suggested that NGOs tended, first, to take on too many issues, spreading their resources too thinly. NGOs acknowledged this – that it could be hard to choose when so many issues needed to be addressed. One NGO head said: 'I guess we choose an issue by how urgent it is, its impact on society, the resources available and the expected outcomes' [N1] but acknowledged that in practice making those choices could be difficult. Commenting on that NGO's approach, another NGO said: 'How such a group shapes its agenda is sometimes too ambitious. It would be wiser to say we'll be modest in our goals. Do one thing and do it well.' [N21]

One NGO, now developing a strategic approach, said 'We have had a shotgun, scattergun approach to influencing policy'. A statutory agency official said of the NGOs with which he engaged: 'They go off and do things because they have had an idea. They should check if anyone else has done it.' [SA2]

Some NGOs also had a tendency to focus on the unattainable – to campaign for a complete overhaul of a system which they rejected – rather than to focus on piece-meal changes which could perhaps be delivered. Officials argued that 'It is much easier to dismiss an argument that a policy is 'fundamentally wrong' than it is to dismiss a more limited and well argued case'. [02]

#### *(ii) Relationship with policy makers*

It was evident that some NGOs found their dealings with government departments constructive, particularly in relation to individual cases and to incremental changes in the system:

If you want to change something and you have done your background work and are dealing with officials who also know the area in depth, even if you have different positions, conversation can take place. Many interactions are discreet. But changes can be quite significant, for instance on the entitlements and treatment of the client. [N21]

This also applied to Ministers: 'Politicians are elected. They're open to influence if it takes account of the pressures and limitations on them'. [N21]

Others saw the relationship with Ministers and officials as conflictual and went beyond strong differences of view: 'The whole relationship between the community and voluntary sector and the state has been fraught with tension for the last ten years.' [N15]

Officials suggested that some NGOs were in fact insufficiently close to the political and policy making process to be able to be effective, for instance that a disagreement between departments could provide an opening: 'NGOs are so far away from government, they can't see an opportunity'. [01] 'People often don't bother contacting us. We are interested in engaging'. [02]

An NGO working on integration issues confirmed that it focused on the Justice department, with little contact with the department responsible for social inclusion, for instance, the Department of Social and Family Affairs. But those who did try working with other departments often found they were turned away: that a refugee child issue was, first and foremost, a refugee issue, for instance. As one refugee NGO said: 'We tend to be told to go to Justice and its agencies. There is no scope to work with other departments'. [N3]

One NGO commented that the need for government cooperation, not least in relation to cases, could impose constraints on what it could argue for at a policy level: 'Arguing for regularisation is not successful. One immigration official told me 'don't go too far else you'll lose your flexibility'. We can't let that stop us but we do have to find the balance'. [N18]

One NGO head referred specifically to the National Social Partnership and the association of a minority of the migration NGOs with the decision to withdraw: 'The government's not bothered. You have to know what your clout is and whether it's worth withdrawing. They made their point well but they lost what influence they had'. [N2] A union representative was among those who thought that NGOs should now take the opportunity to influence the negotiations for the next social partnership agreement, even if not directly engaged: 'A smart NGO needs to get allies and feed into it. Bleating on the sidelines will be a column in the newspaper'. [SP4] Some NGOs strongly disagreed. All of the NGOs nevertheless did have some contact with Ministers and officials, thinking strategically about whom they needed to know: 'NGOs need to know the key people. Identify those who will listen even if they are not key. They may become key later on'. [N2]

### **Style, tone and trust**

While some working relationships between officials and NGO representatives were positive and durable, officials, third parties and NGOs all pointed to issues of personal style which limited the extent to which officials felt that a particular NGO was one that they 'could do business with'.

Most significant was the question of trust. Officials who enter into dialogue with an NGO and provide insight into the internal thinking within government, can expose themselves and potentially their Minister to public criticism. Engagement is on the basis that the discussion is confidential to both sides. But some officials had found that NGO representatives who had appeared to engage on that basis had then criticised them publicly: 'Around the table they're reasonable. We explain where we're coming from. The next day they rush out for a strident headline. Bring us a case and we can do something. No headlines. Fair play'. [04]

Officials also needed to be able to trust the accuracy of the information provided. 'The information an NGO provides has to be credible and accurate, however small. Else forget it'. [N2] NGOs in return found some officials approachable but others patronising, defensive or reluctant to engage. Where there was a working relationship, there was a concern among NGOs that a relationship of trust could go too far. An individual could 'be silenced on what, at the end of the day, are deeply disturbing issues within our society which are largely misunderstood by the general public and policy makers in terms of how they impact on real people's lives'. [NGO27]

Officials felt that it should be possible to have a constructive dialogue with NGOs even where they disagreed with government policy. Some NGOs indicated they worked on this basis:

They need you and you need them. Let's not get into a confrontation just because we disagree on macro (policy) issues. They know where we stand. Let's not ram it down their throats. On individual cases, we direct people to them in a way that they can deal with. We turn it into a shared problem. [N18]

An official in the Taoiseach's department said of NGOs:

They need to be thorough, efficient and trustworthy in their exchanges with the system. Then their voices are more likely to be heard. Going for headlines and establishing a media presence can be relatively easily achieved but it doesn't last. You end up focusing on the media rather than on the issues themselves. [013]

This was recognised by one board member of an NGO who felt that his organisation was achieving this: 'We are professional and present our views in a balanced way which adds gravitas. There is such a gap in measured engagement. They [government] feel safe with us'. [N8]

Employer representatives were also convinced from their experience that this approach was most effective:

Going in quietly, constructively and with facts and evidence works better: 'these are some of the unintended consequences of what you've done; how can we make it work?' 'What would you think about doing something like this?' This is an issue, can we get together to discuss the options? [SP1]

Officials, not surprisingly, disliked confrontation but not all thought that it was always counterproductive:

One development NGO has an abrasive head who annoys and irritates and gets facts wrong but he enjoys huge public support. The Irish like to see the government getting socked in the eye. NGOs in development are very popular. [O1]

An official in Education also said that in her experience confrontation could work: 'Sometimes being confrontational can lead ultimately to the purse strings being loosened' [O7] and similarly an official in DFA: 'Some individuals are direct and outspoken but they get results because of media coverage and because it's hard to say 'no' to their arguments'. [O1] NGOs also suggested that there was a role for confrontation:

When trying to influence public opinion, it's good to take an uncompromising approach. At other times, appeal to people on the fence. Different approaches can push the same tide. [N18]

There is validity in being confrontational at times. Consensus is better at other times. Sometimes we get it wrong. [N16]

The head of a UK NGO interviewed for this study agreed that those who do not want to engage positively with policy makers have a role, but argued that they need to be careful not to disrupt the relationships of those who do:

Radicals with an oppositional approach have a role. They can put an issue on the map. They can help shift public opinion. But if they are people that officials and Ministers can't engage with then they need to work separately from those organisations which want to engage.

### **(iii) Target audiences**

NGOs can lobby government directly but can also do so indirectly by changing the views of individuals or organisations that themselves exert an influence over policy making (as discussed in section four). Many suggested, for instance, that NGOs could do more to shift public attitudes, speaking to the public directly (e.g. via local radio) or through national and local organisations which inform their views. While the public may not be sympathetic on all issues, their concern could be raised by individual cases. The strong reaction to local people being deported had reportedly caused the Minister to change his decision on some cases. One official suggested NGOs should focus more on building public support: 'Try and create an angle that people can ID with. This reaches the government indirectly through public opinion. Politicians read the papers'. [O1]

To reach the public indirectly, one channel identified was the local church, which would then also cascade up to the national level. NGO representatives said 'There is merit in finding out who people trust and listen to, such as the parish priest rather than the bishop'. [N3]

The key person could be the person who runs the local youth group - there is no single network to tap in to. But it's not that difficult to dig out who people are. You could pick Galway or Waterford or Cork. That way we're covering areas beyond Dublin. [N8]

In an approach also raised by some officials, NGOs could remind the public of Ireland's emigration history: 'We could use returning emigrants, if only they could remember how life used to be'. [N2]

Some national NGOs were already allocating resources to action at the local level through local media interviews and speaking at events organised by local mainstream and migrant organisations. The amount of time each could give to this however was limited, and often it was reactive to a

local event, not part of a strategy to mobilise public opinion. It was suggested that migrants, not least as potential voters, could themselves also be a target:

There's a flagship accommodation centre with 600 inhabitants. Getting their vote could be part of a strategy for impacting on people with political clout. It's untapped. Getting a TD to visit the accommodation centre and visit the refugees could also work. [N3]

### **International targets**

Irish NGOs were prominent in the alliance which developed the successful proposals for the EU race directive in 2000. Some continue to be active at EU level, for instance through the European Network Against Racism (ENAR) and European Council on Refugees and Exiles (ECRE). Some argued nevertheless that they should not focus significant resources on lobbying policy makers at EU level because unlikely to find support for their objectives: 'the EU wouldn't think we [Ireland] were out of order. There are stricter and harder regimes in the UK and the rest of Europe'. [N3]

However, one academic argued that the voices of Irish NGOs needed to be heard at EU level where a narrow NGO presence was unrepresentative. Another suggested greater use could be made of the complaints procedures at international level regarding Ireland's compliance with UN, Council of Europe and EU agreements. 'If you complain, they have to investigate':

Complaining to an international body about the Irish government is very serious. FLAC complained to the Council of Europe about access to justice and now there is a free legal aid scheme. When the Irish Commission for Justice and Peace complained to the UN in the late nineties, the Attorney General had to go out to the UN to respond in the middle of his summer holiday. But it is expensive to do this and it requires a high level of skill and knowledge. There are NGOs here which have the knowledge but not the resources. [A4]

### **(iv) Strategic partners**

NGOs had identified organisations outside of the migration sector with whom they could work. Some of the issues with which NGOs are concerned have clear resonance for organisations with a broader remit and potentially greater influence, such as those working on poverty, unemployment and employment rights. One NGO emphasised the particular importance of those partners given the potential for resentment of migrants perceived to be in competition for jobs and accommodation.

Some unions are keen to work with NGOs with which they have a common interest in protecting vulnerable workers. In a symbiotic relationship NGOs can encourage migrants to join a union while unions, with their greater resources, support the NGO agenda. An official in the Taoiseach's department suggested: 'Trades unions are obvious allies. They have credibility and power and are concerned about working conditions. An obvious alliance on this is beginning to emerge'. [O13] Unions said, however, that their image might not always make them an appropriate partner for all NGOs:

We're trying to get the NGOs to encourage workers to join unions. If trades unions are more widespread, there is less scope for exploitation. Also we do the sort of things the NGOs also want. But some don't want to be tarred with our 'political' propaganda. [SP3]

Some of the NGOs did see merit in working with unions but saw reluctance in some unions to engage on migrant issues:

There is a lot of lip service but the shift to do something is too slow. I understand their concerns about too many workers putting pressure on rates of pay. There is some willingness to respond at senior levels but they don't know how. Migrants are not unionised. Other unions are just not responsive. [N18]

There can also be some shared objectives with employers, represented by the Irish Business and Employers' Federation (IBEC). They may share the concerns of NGOs on issues such as the restriction on migrants' spouses being allowed to work, the cut backs on work permits since free movement was approved for Accession nationals, the importance of induction support to new

migrants on health and safety, and anti-racism at work, while not agreeing on other issues. NGOs could see the potential: 'A lot of employers are enraged by bureaucracy and the way people are treated. We need to be strategic and pragmatic: what can we agree on'. [N18]

NGOs had sought, with some success, to engage mainstream agencies such as health professionals who were working with asylum seekers and understood the difficulties they face:

It was different five to six years ago. There were only a few GPs dealing with asylum seekers. Now most professionals such as teachers and nurses are dealing with such clients. There is potential in pointing to them and their experiences of barriers to integration. More people are seeing that. [N11]

It was also important to ensure that agencies working on broader agendas relevant to migrants, such as child poverty, overtly include migrants as one dimension of their agenda: 'It's more politically acceptable not to focus too strongly on refugees. It's how it works'. [N3]

It was suggested by a number of interviewees that the Catholic Church at national level could be persuaded to make a greater contribution to raising awareness of migrants' needs, not least because of its knowledge of the countries from which migrants have come. It could also be supportive of the new churches that are emerging, and of the Muslim community. There are parts of the church which do focus on social justice and compassion, with which NGOs could work. As one NGO chair argued: 'The church has become silent since the scandals. It should speak out. This is an area in which they could develop their credibility'. Nevertheless, NGOs had to think carefully about the image of the potential partner and whether it would impress their target audience: 'Given their recent history I have had to think whether doing a photo call with the church would be a good thing or not'. [N2]

Finally, one NGO director suggested partners could be found among agencies at the local level: 'Ireland is about working at regional and community levels. This could be very powerful and is not too remote'. [N4] Officials mentioned the County and City Development boards as key players in social inclusion but not yet impacting on the migration integration agenda.

### **(v) Line of argument**

Officials, NGOs and third party interviewees all made substantial comments about the line of argument which NGOs use, perceived as highly significant in the extent of influence they had on policy thinking.

### **Emphasis on problems**

It was suggested that there can be an overwhelming focus in NGO submissions on problems, not solutions: 'As well as knocking us they should say 'Here's a way to do it'. It's about style'. [03] At the time the research was conducted, there was a concern, for instance, that there was no clear formulation coming from NGOs on what integration policy should be: 'When government is not doing anything and there's a vacuum like on integration they don't make clear what's needed'. [102] A senior official in the Justice department said: 'Nine times out of ten I know the problems and am grappling for solutions. They insist on telling you the problems. Very few have implementable and sustainable solutions'. [05] This was recognised by one NGO chair: 'Only when you show a solution will they acknowledge there's a problem. We need to announce, not denounce'. [N2]

NGOs could find themselves on the back foot, criticising the action government was taking, without taking time to develop thought through proposals of their own. An example was given by an organisation focusing on integration issues:

I know what we want government to do. Focus on newcomers and show them how to fully become a part of society. Asylum-seekers need to know their duties and entitlements. I need to feel I am not depending on anybody. I need to feel useful. I want to be responsible for myself. I need to be able to interact safely with colleagues and people on the street. I want that my children are not second class citizens. Work is the best tool for integration. My ideas on this are not written up yet. [N1]

Where NGOs did make recommendations, officials were critical that they did not always adapt when an argument was seen to have failed: 'They tend to use the same approach all of the time,

even when it is unsuccessful. One group sent the same 40 point submission for the last two budgets even though their argument had been rejected'. [01]

### **Narrow focus**

It was also suggested that NGOs can lose their audience by addressing the issue only from the migrants' perspective. NGOs needed, for instance, to acknowledge that the resident population could have legitimate concerns which needed to be understood and addressed in ways that did not disadvantage immigrants. While NGOs could legitimately focus their own work on the needs of migrants, they needed to acknowledge the competing interests which policy makers have to address: 'They don't see the whole picture. NGOs see migrants as victims for them to care for. We have to consider the wider implications'. [04]

An NGO member of the voluntary and community pillar of the Social Partnership said:

If you come from the victim's perspective, it won't work. You must engage with the dominant analysis. You've got to get into their head and displace their understanding in a way they can buy. Beating their head doesn't work. Reduce the resistance, don't just increase the pressure. [N25]

It was suggested that some NGOs used too narrow a range of arguments to persuade government to change policy. They could be more successful if they also used arguments which government itself found persuasive, including drawing on examples of good practice from abroad. While some NGOs tended to focus exclusively on rights based arguments, for instance, others used different arguments for different audiences, while not abandoning the rights approach: 'We argue what's right for migrants *and* that migrants are good for society. The latter is dangerous on its own'. [N4]

NGOs using a rights based approach adapted it where the audience required:

The system exists. It's flawed. You've got to deal with it in system terms. We talk about human rights in another area. That's a different audience. There's no point in talking to the system in a language it doesn't understand. They don't get it. But don't forget why you're doing it. [N18]

### **Criticism of government**

A sensitive issue for policy makers and one related to the question of trust in working relationships was the way in which NGOs voiced their criticisms of government policy. Officials accepted that NGOs would often disagree with the government's position. But the legitimacy of the criticism was weakened if the NGO did not also acknowledge when the government had taken action of which it did approve: to give credit where credit was due:

There is a need for criticism but for balance too. We need suggestions for how to do it better. They just say abolish direct provision [for asylum seekers]. What will the government do then? Build tents in St. Stephen's Green? There isn't even enough housing for Irish nationals [03]

NGOs need to vary their approach and not fear praising government. Even the most hard boiled politician is susceptible to praise. Even if someone said to our Minister 'we understand you are under pressure from the Finance Minister....'. [01]

The same official later reinforced this point in correspondence: 'It is important to acknowledge positive developments. If you bring impatient criticism, suspicion, accusations of bad faith, self righteousness to the table you are unlikely to advance your cause very much, and it is the immigrants on the outside who may lose out'.<sup>26</sup>

Some NGOs did recognise this and made a point of thanking a Minister if a decision had been taken that they welcomed: 'Criticism is more palatable if attached to a compliment. We would like more opportunities to say good things about him [the Minister]. [N3] Another said that, if they saw an existing policy was not working, 'we are gently challenging rather than aggressively confrontational'. [N21]

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<sup>26</sup> 9 March 2006

The target, timing and tone of criticism was important. For officials it was also important that NGOs remember that it is Ministers who make policy decisions. Officials may not agree with the government line but are not free to say so. To treat an official as equally culpable can alienate an individual who is privately sympathetic and could be helpful in ensuring that the NGO's information reaches the right ears: 'They blow opportunities for influence. I lobbied for one NGO to do a training session for officials. He used it just to criticise them. He won't be invited back'. [IO2]

An employer representative said:

My personal view is that some NGOs are unconstructive. Some get very emotional about 'bonded labour'. You watch them give speeches. The department just don't accept that language. It's misrepresentation and a lost opportunity for influence. [SP1]

One official summed up the approach which in his experience would be most effective:

Establish yourself as someone we can do business with. If you can get an economic argument for something that helps. Then choose things that are do-able. You have already softened and praised them [Ministers] and then you've made it difficult for them to say no. [O1]

### Summary

The migration NGO sector is small, young and growing. The sector is marked by variety in roles, structure and approach, and in their differing relationships with policy makers. Some officials are impressed with the approach that individual NGOs take and acknowledge their influence. There is also some scepticism regarding their legitimacy and criticism of their tactics, with a level of consensus among NGOs and officials that NGOs are not taking advantage of all of the opportunities that do exist to inform and influence policy development.

The study explored the factors which the literature and interviewees identified as most important in NGO capacity to influence: the degree of cooperation in the sector, legitimacy in the eyes of policy makers and the NGOs own constituents, internal organisational capacity, the strength of their evidence base, and their strategy and tactics.

It was evident that, while there is a degree of cooperation across the sector and close working relationships between some organisations, there is also a healthy but sometimes inhibiting degree of competition for profile and resources, tensions over over-lapping roles, and differences of view on strategy. Where the legitimacy of NGOs was questioned by officials, three sources of legitimacy were identified: the extent to which an organisation was genuinely representative of migrants or other sections of public opinion; its level of expertise; and the value of the services that it provides. The organisation with the broadest level of representation, depth of expertise and recognised as a provider of quality services to migrants, would carry most authority in the eyes of policy makers. The absence of a strong migrant voice in an organisation was identified as a weakness by all sides.

The strength of an organisation's internal capacity was identified as dependent on its staff and non executive board, funding (crucially), internal unity, and capacity for self evaluation. In each case the study identified strengths and limitations. The latter could be addressed to strengthen the organisations' capacity to be effective.

The lack of an authoritative evidence base was widely recognised as a limitation and was a source of criticism by officials, though shortage of official data was one major cause. Organisations providing advice and services were frustrated at their limited ability to collate evidence from their own client base, one of many challenges that could be rectified only with new resources. Partnerships with academics were seen as one means to enhance capacity for evidence and analysis.

In relation to broader dimensions of strategy, challenges were identified under five headings: objectives, relationship with policy makers (including issues of style and trust), target audiences, strategic partners and lines of argument. In many cases NGOs themselves identified a weakness in their own organisation or as observations on others. Some mismatch in perceptions with government officials was evident, but many observations by policy makers were mirrored by

those of NGOs. Discussion on target audiences and on potential strategic partners raised questions for political judgement – whether, for instance, a direct focus on addressing public attitudes or on securing professional bodies as allies in a campaign could repay the resource invested. In some cases such an initiative would arguably need to be a collective effort across a number of NGOs to achieve the scale of intervention necessary. There was scope for a broader range of strategic partnerships, not least with unions, employers, the Church and statutory agencies, where the image and influence of the organisation would complement that of the NGOs.

On international target audiences, there was scepticism on the value of addressing EU policy makers on the most contentious issues of immigration control, if of more value in relation to social inclusion and discrimination. Value was identified in using the international human rights machinery to highlight potential lack of compliance in Ireland.

Finally, on line of argument, the study identified the importance of a focus on solutions, not only on the problem; on seeing the issue not only from the migrant perspective if to be able to converse with policy makers on their own terms; the need to choose arguments that are influential with the particular audience that the NGO is seeking to persuade; and the equal need for care in voicing criticism in a way that is palatable to the listener, if not to be ignored.

## Conclusion and recommendations

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Migration, at different levels and through differing channels, will be a permanent part of Ireland's future. The proportion of the population born abroad is projected to rise significantly. A period of legislative and policy reform has begun which provides opportunities for NGOs to influence policy development, though government has yet to grasp the scale of reform in entry controls nor integration measures which many would suggest are needed. A relatively open political system provides significant opportunities for NGOs to exert influence directly and through intermediaries. The migration NGO sector is growing and demonstrating strengths in campaign strategies, quality of services and published material. Policy makers, NGOs and external stakeholders identified weaknesses that the NGO migration sector collectively and individual NGOs could address in order to enhance their impact on policy development. But influence is a two-way relationship and there are also steps that government could take to facilitate a more constructive relationship to their mutual benefit.

The focus of this report has been on the capacity of NGOs to influence policies and the recommendations focus primarily on ways in which they might adapt to have more influence – recognising that much of what is suggested depends on resources and internal capacity. In line with the focus of the study, the recommendations do not address their capacity needs as advice and service providers, nor the content of government policy.

### **Government could:**

1. Publicly acknowledge the importance of the full range of functions fulfilled by NGOs in relation to migrants; and review public funding of the sector to ensure that NGOs have access to resources to fulfil all of the roles which government itself considers of value, including funding for services, skills training and other forms of capacity building.
2. Improve the collection and transparency of data on all categories of migrants in Ireland, their participation in the labour market, needs and use of public services, in order to strengthen the evidence base for policy development and for NGO policy submissions.
3. Ensure opportunities across all relevant departments for the migration NGOs (including migrant-led NGOs) to engage in genuine dialogue on the formulation and implementation of policies relating to migration and integration, and to have a voice in the National Social Partnership process on those issues should they wish to do so.
4. Create more opportunities for secondments from NGOs into government departments and of officials into NGOs for shared learning and career development.

### **NGOs could together consider:**

1. The potential value of an inclusive forum for dialogue across the sector, including regional organisations, chaired by a neutral moderator. A loose network, it should not attempt to coordinate action or formulate common positions – there are some fora that already exist for that purpose - but to facilitate information sharing, foster bi-lateral cooperation, strengthen the voice of organisations outside of Dublin, and to help avoid overlapping roles and duplication of effort. Such a forum need not detract from the alliances that migration NGOs have with organisations working on poverty, inclusion, children, health and education issues – some of whom might also find it useful to participate in a migration network.
2. A joint strategy to address public opinion, each NGO addressing the constituencies at national and local level with which it is likely to have most influence, and seeking the cooperation of local intermediaries which themselves have influence with those audiences;
3. A communications strategy for the media which seeks to address negative coverage of migration related issues, with some consistent messages from across the sector (based on research to assess impact), while drawing the attention of editors to the potential implications for community relations of using inflammatory language.

4. Cooperation between the advice agencies on developing a test case strategy, identifying the kinds of cases which could have most impact and cooperation in seeking and supporting those cases, including the costs involved.
5. Exploring the scope for cooperation between agencies that provide advice and/or services to monitor case information according to an agreed template - in order to develop a shared evidence base which, by combining the evidence from different agencies, could be large enough to be influential.
6. Exploring options for staff training and development in the sector, including through university post graduate provision, opportunities provided by DETE's skills training fund, and through separate initiatives.

***Individually, NGOs could:***

1. Consider ways to increase their legitimacy in the eyes of policy makers (without losing credibility in the eyes of their members and supporters), whether by strengthening the input from migrants and/or individuals with credibility with different constituencies; by developing their expertise; or by increasing the contribution they are seen to make to service provision (recognising that each can have significant resource implications).
2. Review their objectives to ensure that they anticipate future opportunities and constraints before choosing deliverable goals.
3. Review their strategy for influence: their target audiences – including a broader range of government departments (to embed migration in mainstream programmes) - their line of argument for those audiences and consistency in approach in their relationships with policy makers.
4. Take advantage of the government's concern to stay in line with EU policy by highlighting its commitments at EU level on social exclusion and integration issues, including the Common Basic Principles on the Integration of Migrants where they extend beyond the commitments in the National Action Plan Against Racism.
5. Be more opportunistic in taking up opportunities to exert influence through organisations which themselves have influence where that approach will help them to achieve their objectives.
6. Strengthen their evidence base by securing resources for research, more effective monitoring of advice and service provision, engaging in advice and or service provision as a means to obtain an evidence base, or commissioning research from external experts. Cooperation with academics should potentially be at arms length in order to avoid undermining the independence and credibility of the academics' research by too close an association with the NGO's campaign objectives.
7. Inform the manifestos of all political parties prior to the general election while avoiding association with any particular party.
8. Ensure that material provided to Parliamentarians and other stakeholders is concise, accessible and addresses the issues in a way that is useful in practice to the audience for which it is intended.
9. Develop evidence based, workable proposals to tackle the policy issues that will need to be on the government's future agenda such as the regularisation of those migrants whose immigration status is irregular but will not be removed from the country.
10. Develop measures to train, develop and retain their staff, and to draw to a greater extent on external expertise – recognising that they can only do so if they receive the resources for that capacity building.
11. Evaluate the tangible outcomes from their work on a regular basis and feed the results into discussions on their priorities and forward agenda.

***Organisations funding the migration NGO sector could:***

1. Fund independent research in Ireland to provide an authoritative evidence base for the NGOs to use, for instance on the economic contribution which migrants make to

- Ireland's economy; or evidence which would inform NGOs' strategy, such as data on public attitudes, the sources of attitudes, and the lines of argument or messages which different sections of the public find persuasive.
2. Provide the technical expertise and staff resources to those NGOs which provide advice and services to the public to enable them to develop a shared data base on the problems which migrants are experiencing, to make an analysis of that data public in an accessible form on an annual basis (with appropriate data protection safeguards), and to disseminate policy proposals that arise from it.
  3. Consult on the value of an annual summer school or alternative means to offer training to NGOs on all aspects of campaign strategies, drawing on expertise from within Ireland but also from other jurisdictions. Participation in the course, if highly regarded, could be valued on the CV of individuals seeking appointment or promotion within the sector.
  4. Respond to the need for funding in the migrant led sector, including local organisations, so that migrants can increasingly exert influence directly on policy, complementing the role of national organisations.
  5. Encourage debate among independent foundations and state agencies funding NGO work and NGO recipients about issues of common interest including gaps in funding and the optimal level and mode of engagement of a funder in the operation of recipients. Dialogue, whether multi or bi-lateral, should be conducted in a manner which enables NGOs to express their views without jeopardising their sources of income.



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