



# **Submission to the Department of Justice on their Strategy Statement 2020-2023**

**November 2020**

## About the Irish Council for International Students (ICOS)

This submission is made on behalf of the Irish Council for International Students (ICOS). ICOS is an independent advocacy organisation whose mission is to protect the rights of international students, and to contribute to a healthy and vibrant international education sector in Ireland which has the quality of the student experience at its centre.

ICOS has more than thirty institutional members, including all nine universities in the Republic of Ireland, many of the Institutes of Technology and all the major independent third level colleges. Our membership also includes the Union of Students in Ireland (USI).

ICOS' values include consultation, professionalism, collaboration and learning. Our goals are to influence policy and standards in international education; build the capacity of our members; empower international students to pursue their rights; and support and showcase the important contribution of international education to international development.

## Introduction

In November 2020, the Minister for Justice, Helen McEntee, opened a public consultation process to seek input on a new Strategic Statement for the Department of Justice which would focus on the Department's strategic objectives over a three-year period (2020 - 2023).

The Minister set out five priority areas which would underpin the Department of Justice's strategy:

1. Tackle crime, preserve national security and transform policing
2. Improve access to justice and modernise the courts system
3. Strengthen community safety, reduce reoffending, support victims and combat domestic, sexual and gender-based violence
4. Deliver a fair immigration system for a digital age
5. Accelerate innovation, digital transformation and climate action across the justice sector

The consultation was carried out using the survey platform *Survey Monkey*. Participants were permitted to submit responses to each of the five priority areas above, and there was a 250-word limit per response. It is ICOS' view that further consultation is needed to address many of the issues that are outlined in this submission.

## ***Priority 1 - Tackle crime, preserve national security and transform policing***

### **1. Please provide detail on any relevant actions for this priority area**

- Develop and adopt a new National Action Plan Against Racism in line with the Durban Declaration and Programme of Action as per CERD recommendation
- Introduce hate crime legislation which has been centred around a public consultation process
- Enact hate speech legislation
- Commitment to the public sector duty
- Tackle online hate speech
- Intercultural and diversity training for An Garda Síochána

### **2. Please provide detail on any relevant indicators of success for this priority area**

- Formation of Governmental Anti-Racism Committee
- Hate Crime Indicators: Government commitment to establish hate crime legislation, followed by public consultation on hate crime
- Hate Speech Indicators: implementation of legislation, and number of offences brought before the Courts
- The number of convictions made due to hate crime and hate speech
- Establish framework for implementation of public sector duty and outline how this will be monitored and reviewed
- Develop a hate speech strategy, framework, and codes of conduct for social media providers and users
- The number of intercultural and diversity training sessions delivered

## ***Priority 2 - Improve access to justice and modernise the courts system***

### **3. Please provide detail on any relevant actions for this priority area**

- The State should withdraw the reservation placed on article 4 of CERD and implement CERD Committee recommendations
- Introduce legislation prohibiting racial profiling
- Collect disaggregated data on racial profiling, racist crimes, hate speech etc

### **4. Please provide detail on any relevant indicators of success for this priority area**

- Withdraw reservation on article 4 of CERD
- Yearly reports on State's implementation of CERD recommendations
- Draft legislation prohibiting racial profiling
- Publication of disaggregated data by An Garda Síochána

### ***Priority 3 - Strengthen community safety, reduce reoffending, support victims and combat domestic, sexual and gender-based violence***

#### **5. Please provide detail on any relevant actions for this priority area**

- ICOS has received numerous reports from international students working as part-time delivery drivers that have been subject to attacks and verbal abuse in Dublin city centre. The DOJ needs to increase community policing in areas where people have reported being victims of assault or abuse

#### **6. Please provide detail on any relevant indicators of success for this priority area**

- Increase community policing in urban areas

### ***Priority 4 - Deliver a fair immigration system for a digital age***

#### **7. Please provide detail on any relevant actions for this priority area**

- Broader consideration is needed to be taken by immigration in relation to other areas of strategic importance to Ireland, e.g Ireland's Internationalisation Strategy, when immigration policies are being formulated or revised
- A clearly mapped contingency plan for COVID-19 related disruptions to immigration services. Immigration registration and renewal should be considered an essential service as migrants are unable to access services or work if they are not registered
- Modernisation of immigration legislation which was a commitment in the last strategic plan that did not happen. There is also a need to overhaul the immigration system and creation a new 'whole of Ireland' integrated system with an online appointment system that is available to everyone. The current GNIB / INIS system is cumbersome, inconsistent, and inefficient, as such ISD should take control of immigration affairs in all major cities which would free up Garda resources. Further resources are needed to expand registration/ renewal capacity in all major cities
- A new ISD website with a clear time frame for when it will be completed
- Improved communication from DOJ, both internally and externally, and more accountability and transparency from immigration in relation to visa decisions
- Establishing a judicial review system or ombudsman to review inconsistencies in registration and renewal decisions
- Tighten ILEP regulations to protect international students' rights and proper monitoring of English language schools and third level institutes for compliance
- Intercultural and diversity training for all DOJ staff

**8. Please provide detail on any relevant indicators of success for this priority area**

- Develop COVID-19 contingency plan for registration, renewals and visa applications
- Participation by DOJ in strategic and policy areas that involve immigration directly or indirectly e.g Ireland's Internationalisation Strategy which will be renewed in 2021
- A public consultation on modernising the immigration system which will also take in best practises from other jurisdictions
- Allocation of additional resources to improve infrastructure and capacity
- Deadline date for ISD to deliver new website - we were informed that this would be launched in 2019
- The number of intercultural and diversity training sessions delivered

***Priority 5 - Accelerate innovation, digital transformation and climate action across the justice sector***

**9. Please provide detail on any relevant actions for this priority area**

- Details on how the DOJ plans to incorporate the Sustainable Development Goals (SDGs) into its actives

**10. Please provide detail on any relevant indicators of success for this priority area**

- Once relevant SDGs have been identified, develop KPI criteria to measure success

**For further information, contact:**

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