Opening Statement to the Joint Committee on Justice on the General Scheme of the International Protection Bill 2025

14th October 2025

Thank you for the opportunity to address the Committee.

We want to highlight seven key areas of concern:

1. The right to **independent legal advice and representation** throughout the protection process is not upheld;
2. The legislation permits **restrictions on freedom of movement** and **detention**;
3. It fails to uphold the **best interest of the child**;
4. There's excessive use of **border procedures**;
5. **In-person appeals** are not maintained;
6. There are gaps in the legislation regarding **reception conditions**;
7. And finally, there are insufficient safeguards to protect **vulnerable applicants**.

We will focus on the last two points.

To illustrate these, imagine Leila, a person seeking asylum who arrives at Dublin Airport from a country Ireland considers 'safe'.

Leila belongs to an ethnic minority group and has fled because of persecution.

Within hours, she enters the screening phase. It includes a preliminary vulnerability check intended to identify people with additional needs.

The interpreter assigned to her is from her country, but from the majority ethnic group, and speaks a different dialect. Leila feels intimidated, and afraid to disclose the sexual violence she experienced.

In practice, this step is decisive. It is when trust must be built so that a person can safely make a disclosure – yet that will not be possible within the current 7-day screening process and in the absence of trauma-informed practices.

Because of her nationality, and because there was not enough time to make a full disclosure, Leila is channelled into the asylum border procedure. She now has just 12 weeks from registration to a final decision.

But that timeline only works fairly if essential safeguards are in place from the start, especially early legal advice and quality interpretation. Compressed timeframes mean a late disclosure looks like inconsistency, not trauma.

Because the preliminary vulnerability check is insufficient, Leila believes she will have a second chance to tell her full story. But that never happens.

She asks: *Will I meet a solicitor? Will anyone check what help I need?* Under the proposed legislation, this is not guaranteed.

Access to legal representation, proper interpretation and trauma-informed supports from the outset are crucial, otherwise we hard-bake errors into the outcome, potentially leading to costly litigation.

As the weeks pass, Leila is less in shock and starts to feel she can speak to people. But this takes time. She is told she must remain in a shared room with three other adults, until her application is processed. Her movement is restricted. Her ongoing night terrors and panic symptoms worsen.

It is not appropriate for people like Leila to be placed in the border procedure. Yet, unless the general scheme is amended, victims of sexual violence, unaccompanied children, and victims of torture could be fast-tracked through it.

When reception conditions do not accommodate special needs, interviews suffer, credibility is unfairly questioned and appeals increase. If trauma is missed or disclosed late, credibility is questioned; if it is identified early, the facts surface sooner, and the first decision is more reliable.

Appropriate reception facilities with national standards, independent monitoring, as well as contingency planning, should be central to the asylum process. But this remains one of several gaps in the text and we do not know if or when there will be pre-legislative scrutiny of any amendments introduced to address these.

Finally, we have serious concerns about the absence of a credible independent monitoring mechanism in the proposed legislation. Without such oversight, applicants' fundamental rights are even more likely to be curtailed throughout the process.