

Crosscare Migrant Project – Brief on Returning Emigrants

Social Protection

Issue 1: Returning emigrants and/or their children may not have a PPS number and cannot apply in advance of returning

Solution: Extended access to PPS number applications from abroad and informed DSP staff on the necessity of returning Irish emigrants to access PPSNs

Issue 2: Misapplication and inconsistency in the implementation of the Habitual Residence Condition under the operational guidelines

Solutions: 1. Updated training for frontline staff on the guidelines on the determination of Habitual Residence

2. Appropriate referral of customers to the Community Welfare Service for interim Basic Supplementary Welfare Allowance with immediate decision

Education

Issue 1: No evidence that children of Irish emigrants would only be subject to EU fees and not international fees has been officially implemented within policy

Solution: Policy and operational guidelines required to fully implement the measure consistently throughout colleges nationally

Issue 2: Difficulty arranging school placement for children in advance of return

Solution: Enable school registration from abroad in advance of return

Immigration

Issue: De facto partners must make a written application after arrival and there are 6 month waiting periods during which applicants cannot work or travel

Solutions: 1. Reduce processing times of all applications to 3 months

2. Facilitate pre-entry applications for de facto partners OR introduce a bridging permission for the application processing period

Housing

Issue: Emigrants returning home in crisis cannot always access homeless or other support services with ease

Solutions: 1. Include returning emigrants as a recognised group in homeless service provision policies

2. Establish a mechanism for pre-arranged emergency supports for emigrants returning in crisis

Crosscare Migrant Project

Crosscare Migrant Project is an Irish based NGO with a unique remit of working with intending and returning Irish emigrants. The project provides direct information and advocacy work for those who are marginalised. Returning Irish emigrants are assisted to access statutory supports such as social welfare entitlements and emergency accommodation. Some returning emigrants present to us as homeless.

In the past 12 months we have:

- Worked with over 750 clients
- Gained 25,000 website users
- Provided support to over 60 Irish organisations abroad
- Produced 8 Fact Sheets
- Produced 3 publications
- Produced 10 newsletters

In May 2017 we published our report *'Home for Good?'* based on an online survey that we undertook from November 2016 to January 2017 with the objective of capturing the broad experiences of emigrants who have returned home. The survey received 400 responses from Irish emigrants who have returned to live in Ireland within the past two years. Together with the regular queries received by the service, such as housing, car insurance and tax issues, some of the key welfare policy issues from the survey are outlined in this brief.

1. Social Protection

PPS Numbers

Issue detail: Returning emigrants and/or their children **may not have a PPS number and cannot apply in advance of returning** as they will be required to have a fixed address in Ireland to register. Provision is referred to in the guidelines for applications from abroad in exceptional circumstances. However, in practice it is more difficult for clients as they are asked to provide a good reason such as buying property.

Impact: Delays in relation to applying for social welfare, schools and other statutory supports. This also affects Irish emigrants deported from abroad or families who may be returning in particularly vulnerable circumstances and will need a PPS number to access emergency accommodation and welfare supports.

- 135 respondents from the *Home For Good?* report survey outlined issues with delays in accessing entitlements and inconsistencies in information on accessing PPSNs and entitlements between offices.

Solution: Extended access to PPS number applications from abroad and informed DSP staff on the necessity of returning Irish emigrants to access PPSNs, particularly those with children born abroad.

Current Status: The Department now provides online registration for appointments in advance of return, however, PPS numbers will still only be issued in Ireland, after an applicant attends a registration appointment.

The Habitual Residence Condition (HRC)

Returning Irish emigrants applying for social welfare payments on return will be required to satisfy the 'Habitual Residence Condition'. The guidelines provide that:

"A person who had previously been habitually resident in the State and who moved to live and work in another country and then resumes his/her long-term residence in the State may be regarded as being habitually resident immediately on his/her return to the State."

Issue detail: Misapplication and inconsistency in the implementation of the Habitual Residence Condition under the operational guidelines in relation to returning emigrants, particularly outside of Dublin. We are particularly seeing naturalised Irish citizens experiencing this problem.

- The *Home for Good?* report indicated difficulties some returned emigrant respondents had in proving HRC to access entitlements with some respondents having been refused based on HRC.

Impact: Difficulty in accessing social welfare and generating more social welfare appeals against refusal of claims based on HRC. Due to the backlog of appeals, people with no income are left with no means of supporting themselves, possibly for a number of months. Decisions on Basic Supplementary Welfare applications are often deferred until HRC has been decided upon for primary claims such as Jobseekers Allowance.

Solutions:

- 1. Updated training for frontline staff on the guidelines on the determination of Habitual Residence and 'Returning migrants or resuming previous residence'.**
- 2. Appropriate referral of customers to the Community Welfare Service for interim Basic Supplementary Welfare Allowance and a decision to be made in advance of and independent of primary claims, as per guidelines.**

Current Status: Evidence-based brief with successful appeal cases undertaken by Crosscare submitted to the Department July 2017.

2. Education

Third level Student Fees for Children of Irish Emigrants

Issue detail: Ruairi Quinn announced in March 2014 that children of Irish emigrants would only be subject to EU fees and not international fees if they had been in school within the EU / EEA / Switzerland for a period of 5 years at any given point. **There is no evidence that this has been officially implemented within policy** and to our knowledge, UCD is the only university in Ireland who have implemented this action.

Impact: Children of Irish emigrants are often still being asked to pay international fees by some colleges.

Solution: Policy and operational guidelines required to fully implement the measure consistently throughout colleges nationally.

School Registration

Issue detail: Difficulty arranging school placement for children in advance of return to Ireland. The Returned Irish survey revealed references to difficulties in applying for schools both in advance and on return due to low availability.

Impact: Less availability and choice of school placements for children on return. Schools in some areas are over subscribed and families may be obliged to pay private fees where a national school placement is not available.

Solution: Enable school application and registration from abroad in advance of return and support from the Department of Education to assist parents to find school placements on return.

3. Immigration

Immigration & residency permission for family members

Waiting times for visa pre-clearance are between 6 – 12 months (*only relevant for visa-required nationals*). Spouses can register with Immigration immediately on arrival. **De facto partners must make a written application after arrival and there are 6 month waiting periods during which applicants cannot work or travel.** This is posing a barrier to return as people are worried about the financial and other implications of the delay.

Solutions:

- 1. Reduce processing times of all applications to 3 months**
- 2. Facilitate pre-entry applications for de facto partners OR introduce a bridging permission for the application processing period**

Current Status: Evidence-based brief with casework from Crosscare submitted to the Department of Foreign Affairs to contribute to their work with Immigration Services.

4. Housing

Homelessness and emergency supports for crisis returnees

Emigrants returning home in crisis cannot always access homeless or other support services with ease. This includes those who are deported and those who are assisted to return by Consular services, including those returning from conflict zones, fleeing domestic violence situations or with serious health needs.

Solutions:

- 1. Include returning emigrants as a recognised group in homeless service provision policies**
- 2. Establish a mechanism for pre-arranged emergency supports for emigrants returning in crisis**

5. Emerging issues for emigrants abroad

Our Irish Abroad Networking Project stems from the Global Irish Diaspora Strategy to foster stronger connections and collaboration amongst Emigrant Support Programme-funded organisations worldwide. In 2016 we undertook 6 overseas trips and met with over 65 Irish emigrant organisations in the UK, USA, Australia, Canada and Ireland. Recent issues emerging for emigrants include:

- **Mental Health:** recent Irish emigrants face challenges relating to their mental health and would benefit from culturally sensitive support from Ireland. This is mirrored in the experience of returnees but is not a recognised issue. Many are not prepared for the emotional impact of their return and would benefit from supports in Ireland
- **Older Irish Emigrants:** there is an emergence of older isolated Irish emigrants in the USA in particular who would benefit from greater access to nursing home care in Ireland where it is their wish to return to Ireland
- **Returning home:** There is increased interest in returning to Ireland from recent Irish emigrants, with family as the main motivation for coming home. Practical concerns include:
 - Securing employment
 - Car insurance and driving licences
 - Health insurance and access to the health system
 - Relocation costs
 - Affordable childcare and housing

In some cases, recent Irish emigrants who left during the recession are also emigrating between countries (for example, from Australia to Canada) rather than returning home.

Home for Good? Report highlights

Key figures from *Home for Good? A report on the experiences of recently returned Irish emigrants* include:

1. The top countries of return were Australia (41%), UK (23%), US (9%) and Canada (7%).
2. Two-thirds of respondents (253 out of 400) returned with a partner or children
3. Most (40%) have been living abroad between 3-5 years.
4. Majority aged 31-35
5. 83% returned to be closer to family and friends as opposed to 15% employment opportunities
6. 85% were in employment before returning, 70% employed after return
7. 55% planning to stay permanently

Challenges

RATED	RESPONSES
40%	Insurance/admin/revenue
38%	Employment
24%	Accommodation
20%	Reintegration to Irish culture (culture shock, attitudes)
19%	Social support/emotional well being/ changes/loss to social networks
14%	Cost of living
5%	Weather
5%	Accessing health care
4%	Accessing social welfare/PPSNs
4%	Public services/transport
4%	Access to education
3%	Partner visa/immigration

NB: Figures indicate the occurrence of reference in respondents' answers to one or more of the grouped category themes.