

Crosscare Migrant Project

Crosscare Migrant Project is the only Irish based NGO with the specific 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.

We undertook a 'Returned Irish' survey from November 2016 to January 2017 which aimed to capture the broad experiences of emigrants who have come 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, some of the key issues from the survey are included in this brief.

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 (<http://www.welfare.ie/en/Pages/Personal-Public-Service-Number-How-to-Apply.aspx>). 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 generates a gap for 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. Some returning Irish emigrants left Ireland as children before PPS numbers were issued at birth and therefore may not have a PPS number despite having lived in Ireland previously. The Returned Irish survey generated responses stating 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.

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 Returned Irish survey received feedback on difficulty 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.

Solution:

1. Updated training for frontline staff and regular reminders circulated on relevant circulars on section 6.2 of the Guidelines for Deciding Officers on the determination of Habitual Residence which provides details on 'Returning migrants or resuming previous residence'.
2. Appropriate referral of customers to the Community Welfare Service for interim Basic Supplementary Welfare Allowance with decision to be made in advance of and independent of primary claims, as per guidelines.

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: Introduce a mechanism to 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.