

New Irish Integration Strategy

Submission to the
Cross-Departmental Committee on Integration

Crosscare Information & Advocacy Services

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Introduction

Crosscare is the social support agency of the Dublin Archdiocese. With over 70 year's experience of working with those in vulnerable and marginalised situations, Crosscare's vision is of a society where all people have the opportunity to fulfil their potential. Working in the areas of homelessness, community supports and with young people, Crosscare's mission is to provide innovative and relevant services to those most in need.

Crosscare Information & Advocacy Services is composed of 3 projects: Housing & Welfare Information, the Migrant Project and the Refugee Service. Each project has a long history and wide experience of working with its target groups. Since February 2013 the projects have worked from a shared drop-in centre in Dublin 1 city centre.

Housing & Welfare Information was formerly known as CentreCare and works in the areas of prevention of homelessness and access to social protection. The project has developed unmatched expertise in the social protection system along with targeted advocacy and support for the most marginalised and excluded groups. The project also works at a policy level to help promote the needs and rights of the people it works with.

The Migrant Project was formerly known as Emigrant Advice. Since the 1950s the project has worked with people emigrating, and more recently with emigrants returning home and new migrants in Ireland. It is the only organisation in Ireland with this remit. The Migrant Project has a wide-ranging area of specialised work, including information provision through websites and publications, training programmes with statutory and NGO service providers, direct work with their client groups and policy work at a macro level promoting solutions to the issues people presenting in the service experience.

The Refugee Service was previously the Vincentian Refugee Service, based in St Peter's church in Dublin 7. In 2012 it merged with Crosscare. The service has been at the forefront of working with people seeking asylum and refugees, providing support on many issues including health, housing, social welfare, family reunification and integration. The Refugee Service works directly with people who have been in the asylum system, along with providing community supports like its Women's Group, and pursuing improvements at a policy level in the situation of its client group.

How we work and who we work with

We focus our work on the most marginalised. This includes people who are homeless, at risk of homelessness, undocumented, asylum seekers and the socio-economically marginalised. The majority of our clients are migrants, and approximately **90% of our shared client group were born outside Ireland**, a proportion of who are now naturalised citizens. We also work with Irish emigrants who are leaving or returning to Ireland.

Our direct service works in a number of distinct areas, providing an information and advocacy service to people on issues related to:

- Homelessness and the risk of homelessness
- Social welfare (applications, appeals and emergency supports)
- Immigration (visas, status and residency)
- Integration (citizenship, family reunification)
- Settlement assistance for people leaving the asylum system (accommodation, education, health)

Crosscare Information & Advocacy Services Drop-in centre statistics from February 2013 to February 2014	
Number of people worked with	Over 5,000 people: almost 12,000 interventions
Turnaways	1,086 people
Breakdown of specialist clinic statistics	
Polish clinic (with volunteer interpreters, 2 sessions a week)	443 clients; 947 interventions
Roma clinic (with interpreter, 1 session a week)	117 unique clients; 325 interventions
Chinese clinic (with volunteer interpreters, 2 sessions a week)	147 unique clients; 304 interventions
Migrant women's group (weekly, variable membership with average of 15)	496 attendances
Outreach clinic in St Joseph's Penny Dinners (Avondale House, Cumberland Street, Dublin 1)	17 unique clients; 30 interventions
Outreach clinic in Baleskin direct provision asylum seeker accommodation	91 unique clients; 140 interventions
Main area of need (why people present to the services)	
Social welfare	39 %
Immigration status	29 %
At risk of homelessness	18%
No income	15%
Homelessness	11 %

Headline issues

1. Direct ongoing consultation

While this open consultation process is to be welcomed, direct targeted consultation with migrants needs to be carried out on an ongoing basis by the member bodies of the Cross-Departmental Committee. A once-off open call for written submissions is not an effective way to adequately engage any group. Where English is not a mother tongue for the majority of such a group it is even more ineffective.

Recommendation: As part of this consultation process all members of the Cross Departmental Committee need to seek out and consult with migrants directly in relation to their own particular remits – and continue to do so on a regular basis. Migrant service users of all the Departments should be directly asked their views as part of this process in a more targeted manner.

2. Funding

There is major and growing funding crisis for organisations working on the ground in Ireland for migrant integration. What funding that has been available in recent years has been largely for work with non-EEA migrants, ignoring on the whole the considerable EEA community. In particular work with the Roma community needs urgent and substantial State support.

Recommendation: Reliance on philanthropic organisations and the EU as the main financial basis for the implementation of an Irish migrant integration policy shows a lack of commitment to the issues. This is an issue of broad national importance and it should be funded directly on a permanent basis from the national exchequer. Such funding would need to support work with both EEA and non-EEA nationals.

3. Political focal point

Without a dedicated high level political focus migrant integration priorities have drifted over the last 3 years.

Recommendation: The position of Minister for State for Migrant Integration should be re-instated.

4. Discrimination

At a fundamental level the less favourable treatment of any group in society as a matter of policy works against attempts to build a cohesive and integrated society. Throughout this submission there are examples of immigrants being treated in a less favourable way compared to Irish residents. Broadly speaking this is discrimination and it is the most fundamental challenge that a migrant integration policy will face.

Recommendation: The core tenet of any sufficiently ambitious integration policy must be to aim for a situation of equal rights and equal access to services among all groups in society. Any integration policy that does not have this at its core will be limited to dealing with the symptoms of the core problem. True ‘mainstreaming’ (as described in *Migration Nation*) of services can only happen if there are equal rights and equal access to services.

Language and cultural issues

5. Language accessible services and information

One of the key overarching issues that has consistently arisen for Crosscare over recent years is the ongoing need for language accessible services and information for immigrants. While recognising the need for immigrants to learn the language of their new country in order for integration to be realised this is only *half the story*. Immigrants' basic rights and the services they are entitled to should be language accessible. If rights or services are not accessible, social exclusion will follow or be exacerbated. In particular, situations of vulnerability cannot wait for English language skills to develop.

Recommendations

- Over 40% of users of our multi-lingual information website www.livinginireland.ie access it in a language other than English. This shows the need of language accessible web based information for migrants. In terms of mainstreaming the obvious agency in this regard is the Citizens Information Board and the Citizens Information website. There is much more than can be improved in terms of the language accessibility of the Citizens Information website. For example Polish is by far the largest non-English migrant language in Ireland and out of approximately 1,500 webpages on the Citizens Information website less than 100 are also available in Polish. The only other migrant languages covered are Romanian and French with only about 50 webpages available in French
- While web-based information can make public services more accessible and there is huge untapped potential in terms of migrant integration in this regard, there are some situations where face to face interaction with a government official can never be substituted. These tend to be situations where people are in or close to poverty and even homelessness.

It has been our experience of working with many thousands of marginalised migrants in recent years that State-provided housing, homeless and social protection services frequently try to have very crucial interactions with immigrants in English when it is clear that their English language skills are not adequate.

We recommend an audit of available interpreter services across these areas of State provision, a report on how regularly they have been used in recent years and a comprehensive customer consultation with people whose first language is not English to see their interpreter need levels and the service they have received in recent years

- Interpreter services should be clearly publicised in the public offices of the key State services mentioned, along with the availability of multi-lingual application forms for key processes such as applying for Supplementary Welfare Allowance, Housing and for the Habitual Residence Condition form

6. Cultural awareness

Some providers of State housing, homeless and social protection services do not always recognise particular cultural aspects of different immigrant communities and can react or act inappropriately. For example, funeral customs for some migrant communities can be very different to what is seen by many as the norm in Ireland. Such customs can involve different timescales and practices and in turn involve absences from the State without any lessening of the link with Ireland. However, such necessary absences from the State have resulted in some immigrant's social welfare payments being cut. A related and more common example is the duration of trips to visit relatives for longer periods due to infrequent opportunity, travel costs or distance and logistics.

Recommendation

- State officials should attend mandatory training to have sensitivity to and awareness of cultural sensitivities, norms and be mindful of basic realities of the impact of life events in the lives of migrants. This does not mean that migrants should get special treatment. It does mean that legislative provisions should be applied to migrants in context, fairly and appropriately to the individual case. This is particularly important as regards access to social welfare and housing supports
- The Department of Social Protection needs to develop clear absence from the State guidelines to make it clear what procedure to follow if an immigrant is visiting their home country and will be returning to Ireland

Housing

7. Restrictive and different housing rules

Migrants face different and more restrictive rules in terms of accessing Local Authority Housing lists compared to Irish nationals. This is fundamentally unfair and is a baseline cause of the increased risk of homelessness and actual homelessness among migrants

Recommendation

- All legal residents in Ireland should have the right to have their social housing need assessed and determined in accordance with housing law and should have access to Local Authority Housing lists

8. Inappropriate administrative barriers

Apart from the legislative-based barriers, in our experience migrants are facing significant additional barriers to accessing social housing supports, having social housing needs assessments completed and even gaining access to homeless services. Housing authorities often inappropriately cite Habitual Residence as a barrier to assessing housing need or providing access to homeless services. Long delays in Housing Needs Assessment particularly for people in urgent and vulnerable situations are also a huge problem for some of our migrant clients and lead to homelessness.

Recommendations

- The Department of Environment, Community and Local Government should issue a clear policy underpinned by legislation on the right of access to social housing supports and assessments for migrants. Such a policy should also state that access to homeless services is not dependent on immigration status or residency history in Ireland
- Social housing needs assessments should be determined within one week of completed application

9. Ghettoised homeless services

The Homeless Persons Unit for New Communities or 'New Communities Unit' in Dublin was originally known as the 'Asylum Seekers Unit' and was set up to work with asylum seekers. In the spirit of mainstreaming it is not appropriate to have a migrant specific service particularly when there are mainstream services which deal with assessments of social welfare entitlement and facilitating access to homeless services.

The NCU has no specific migrant focussed expertise that would give it an advantage over mainstream services. In fact the NCU offers a narrower service than mainstream services as it does not conduct Housing Needs Assessments, therefore migrants are not included on the homeless priority list which denies them access to supported accommodation and other related services that assist people to exit their homeless situation.

Recommendation

- Abolition of the New Communities Unit with its functions to be mainstreamed into the relevant services

10. The housing crisis and the private rental market

Often by virtue of their relatively recent arrival and the additional immigrant-focussed restrictions of social housing lists migrant communities can be particularly dependent on the private rental sector for their housing needs. So the weaknesses and limitations of the housing system and private rental market are felt particularly acutely by immigrants:

- There is a national issue of very long waiting lists for social housing that has in turn pressured a private rented market that is also being pursued by those who cannot get mortgages
- The amount of available private rented accommodation in the Greater Dublin Area is unable to match the huge and growing housing need
- The maximum Rent Supplement limits set by the Department of Social Protection are too low and need to move more in line with price increases
- Standards of private rental accommodation can be unacceptably low and in our experience many landlords are not registered with the PRTB
- Overreliance on the rental market combined with inflexible Rent Supplement caps means that people with a recognised social housing need are being pushed further into poverty due to unaffordable rents

Recommendations

- Regulation of the private rented market to ensure rent is affordable
- Significantly more resources need to be dedicated to increasing Local Authority social housing stock nationally
- Maximum Rent Supplement limits need to be updated more frequently and move more in line with rental prices
- Incentives and supports need to be put in place to make Private Rented Accommodation a higher quality and longer term option particularly for families

- Enforcement of minimum standards in private rental accommodation needs to be pursued more vigorously by local authorities. Enforcement of the requirement to register with the PRTB needs to be a part of this
- The maximum Rent Supplement limits should be adjustable to ensure that those receiving the payment and classified as having a social housing need should pay no more than they would if they had been placed in social housing
- Information on the percentage of immigrants in various types of tenure needs to be collected and monitored on an annual basis

11. Racism and discrimination

There are also issues in the private rental market that are migrant-specific. In particular some of our clients report racism and discrimination in their attempts to access private rented accommodation.

Recommendations

- The Equality and Human Rights Commission needs to make more proactive efforts to ensure compliance with the Equal Status Acts 2000-2008 in relation to access to private rented accommodation. A national campaign is required in this regard
- The Private Residential Tenancies Board needs to take a lead role in ensuring that all registered landlords are aware of their obligations under the Equal Status Acts 2000-2008. The National Property Services Regulatory Authority also needs to ensure that registered providers comply with the Equal Status Acts 2000-2008

Direct Provision and work rights

12. Direct Provision precludes genuine integration

The policies of Direct Provision and the withholding of the right to work from asylum seekers are fundamentally at odds with any Government statement of commitment to migrant integration. Asylum seekers have always been excluded from integration policies, which is counterproductive and contradictory to the very notion of integration. At the very least the damaging nature of restrictions on asylum seekers only serves to further marginalise a vulnerable group of people who will end up making Ireland their home.

Recommendation

- While pursuing progressive integration policies the State must at the same time stop doing damage to the prospects of migrant integration and:
 - Disband the Direct Provision system
 - Enable the right to work for asylum seekers

13. Welfare anomaly

People living in Direct Provision who are recognised as refugees or granted alternative status are required to leave within two weeks of getting status. At the same time they are not entitled to full social welfare payments while they are in Direct Provision. Thus a trap is created making it very difficult for people to move on from Direct Provision successfully - this is exacerbated by the fact that it is not possible to access a rental deposit payment in advance of securing a lease agreement (which generally requires a deposit).

Recommendation

- Full social welfare payments should be provided to people living in Direct Provision who have been granted status. An extension of the two week time limit in Direct Provision coupled with access to rental deposits in advance would make the difficult move from Direct Provision to private rented more supported and less risky for a very vulnerable group of people

14. Transitional support

People who are leaving Direct Provision to start a new life for themselves in Ireland have often experienced severe trauma and hardship in their own country. They will often be without family support and can struggle to effectively negotiate the different State services and systems. The level of support available to people who leave Direct Provision in such circumstances is wholly inadequate and must be urgently addressed if they are expected to integrate.

Recommendations

- People accessing mental health supports while in Direct Provision should not have these supports discontinued when they exit Direct Provision
- The resettlement support offered to Programme Refugees and co-ordinated by the OPMI needs to be offered to all people leaving Direct Provision – including settlement support, in particular accessing accommodation
- Funding for organisations on the ground that assist people exiting Direct Provision needs to be increased significantly

Immigration system

15. Registration and Orientation

Non-EEA migrants who are staying in the State for more than 3 months need to register with their local immigration officer. This is the most crucial and often the first direct interaction the migrant has with the Irish immigration system. At the moment it simply involves a very brief and uninformative administrative procedure.

Recommendation

- There is huge opportunity to make the registration process a much more useful interaction. At the very least people need to be informed about their legal rights and responsibilities in much more detail. At a broader level it is an ideal point in time to provide an orientation process or material to the new migrant. Crosscare have in the past submitted more detailed proposals to the GNIB and INIS for a Registration Booklet that covers a variety of basic and necessary information that a person should know about the registration process and their obligations and responsibilities. With the Registration process moving more to the remit of the INIS it is hoped that this suggestion can become a reality

16. Rights and impending legislation

For non-EEA migrants in particular, the Irish immigration system largely colours their view of the Irish State and its attitude towards them which in turn impacts upon their integration prospects. More importantly, in common with many international immigration systems, it is the Irish immigration system that withholds certain human rights of immigrants (such as the right to family reunification or permanent residency). However, those immigration systems that withdraw fewer rights and return rights to immigrants more swiftly are more conducive to successful migrant integration.

Recommendations

The pending Immigration Bill has the potential to deal with a number of issues in the immigration system that hamper immigrant integration:

- An independent appeals mechanism for immigration related decisions should be clearly established in any proposed immigration legislation
- Rights for family reunification for at minimum non-EEA family members of Irish nationals should be provided for in legislation

- To ensure that all categories of non-EEA migrants who have made Ireland their home have a secure and predictable future long-term residency should be provided for in legislation and opened up to all categories of non-EEA nationals
- People who came to Ireland as minor dependants of their parents and are now adults need now to have access to an independent status that will allow them full rights to work
- Immigration systems need to be responsive to the fact that people will become undocumented through no fault of their own. New legislation should ensure that swift routes back to documented status can easily be formulated and implemented by the INIS
- A facility should be developed for GNIB and INIS to grant interim registration permission while people are awaiting the outcome of their application to renew or change status. This will help reduce the number of people becoming undocumented through no fault of their own. A cap on GNIB registration fees in tandem with this should also be introduced to ensure no-one pays more than once in a year

Non-EEA students

17. Corraling of students

The government's approach and plans in relation to non-EEA students is incompatible with a full society integration policy. As with the issue of asylum seekers the compartmentalisation of students at a distance from State integration policy is a fundamental flaw. Integration by definition means looking at all the parts of society. Students are perhaps only second to asylum seekers in terms of the amount of rights they have withdrawn from them and their options to regain their full rights in Irish society are limited despite the revision of student conditions in recent years. What is particularly concerning is the proportion of the immigrant population that this marginalised group makes up. In recent years non-EEA students have been the single biggest category of non-EEA nationals in Ireland and there are indications that the government is willing to expand the numbers of this group for economic gain.

Recommendation

- A policy of using people for their economic worth, while restricting their rights and then expecting them to leave the State when their time is up, is no way to build an integrated and ethnically diverse society. The current student pathway options are too restrictive and need to make greater provision for people to build a long term future in Ireland. There also needs to be more humane family reunification policies for students

18. Arbitrary distinction of rights

The 2010 INIS review of student conditions implemented a maximum 7 year stay on student conditions. The changes were implemented on January 1st 2011. For students who registered before then the review brought in an extension scheme to facilitate a pathway to residence. However, an arbitrary 'line in the sand' of December 31st 2004 was drawn, which meant that students registered after this date did not have the same opportunity to continue their life in Ireland as those who registered on or before that date have, even though the rule changes were not brought in until January 1st 2011. This has meant that many students who came to Ireland well before the change in the policy now face no reasonable pathway to stay in the country and are facing situations of considerable marginalisation if they are to stay.

Recommendation

- The Student Probationary Scheme should be reopened to include all students who registered in the country before January 1st 2011

Political integration

19. Low political participation

In 2009 there were a total of 37 migrant candidates in the Local Elections. In 2014 indications are that the number will be lower. This is a worrying trend in terms of migrant political participation and was also reflected in the General Election of 2011 when less than 0.5% of candidates were of migrant background.

Recommendations

- In the State's first ever official statement on integration strategy (Migration Nation, 2008) it was proposed that migrant integration could be encouraged in the political parties by providing funding via the Oireachtas Commission. An even better structure has been tried and tested in the form of Crosscare's *Opening Power to Diversity* scheme. We propose that the *Opening Power to Diversity* scheme is mainstreamed into the running of the House of the Oireachtas and directly funded by its budget. This would not only help secure the future of a ground-breaking scheme but it would also open it up to the majority of immigrants in Ireland i.e. EU nationals
- Political leadership often begins at the local and community level. Local Authorities and City and County Managers across the country should take the initiative in relation to migrant participation in local politics and develop internship schemes that local Councillors can participate in, modelled on the *Opening Power to Diversity* scheme

See http://www.livinginireland.ie/en/opening_power/

Social Protection

20. Ongoing barriers to social protection

Crosscare and other organisations across Ireland continue to deal with migrant clients who are not getting an adequate service from local offices of the Department of Social Protection. Some of these issues can be categorised under the following headings from the *Person or Number?* report from 2011:

- Poor information provision and adversarial approaches
- Decisions dependent on speculation
- Processing delays
- Inappropriate, aggressive and racist language
- Misapplication of the Habitual Residence Condition
- Failure to grant Exceptional Needs Payments
- Homelessness

As a result of the *Person or Number?* report a Migrant Consultative Forum was established which consists of NGOs and representatives from the Department of Social Protection. See <http://www.livinginireland.ie/images/uploads/Person%20or%20Number.pdf>

The forum has done significant collaborative work since its first meeting in September 2012. The Department of Social Protection wished to wind up the Migrant Consultative Forum in 2013 even though the issues on the ground persisted and some of the issues raised by the *Person or Number?* report had not yet been tackled

Recommendation

- The Migrant Consultative Forum should be continued into the foreseeable future with additional NGOs inputting into the forum