

Barriers for returning Irish emigrants accessing homeless supports

June 2016

Context

Crosscare Migrant Project is the only Irish based NGO with the specific remit of working with both intending and returning Irish emigrants.

The focus of our direct information and advocacy work is with those who are marginalised. For returning emigrants, we help people to access statutory supports, apply for social protection payments and advocate on their behalf. Some returning emigrants present to us as homeless. This client group needs particular and intensive support not only in their application for social protection but in gaining access to and negotiating homeless services.

What is this briefing about?

This document aims to outline the difficulties facing returning Irish emigrants and deportees who are homeless and in crisis on return to Ireland. We seek to present the policy and administrative issues that act as barriers in accessing housing and homeless services, particularly in Dublin as it is often the entry point for returning emigrants who are homeless on arrival. In follow-up to our Submission on the Review of Ireland's Engagement with the Diaspora (April 2014) we seek to offer recommendations on developing a streamlined transition process for returning emigrants requiring access to homeless services on return, including deportees, ex-offenders post release, and others experiencing crisis return.

Crisis return of Irish emigrants

In the twelve months from June 2015 to May 2016, 60 households presented to our service as homeless on return – compared to 40 presenting in the preceding 12 months. This included 11 deportees (including ex-offenders referred by Irish Council for Prisoners Overseas), 7 families fleeing conflict zones such as Libya and other crisis returnees such as people with support needs in relation to their mental health or substance use being assisted by Irish Consular Services. During the same period we saw a drop in the numbers of persons presenting who are at risk of homelessness, indicative of the fact that more people are returning straight into situations of homelessness and have more difficulties trying to exit them.

Emergency accommodation & supports

Many arrive via Dublin Airport and therefore access to emergency supports in Dublin is required, initially at least, particularly as homeless returning emigrants often have little or no finances. In our experience, the primary issue for this group is access to emergency accommodation after their arrival. Often they have lived outside of Ireland for many years and family connections may no longer be strong or exist at all. The absence of a fixed address also acts as a barrier to accessing other vital supports such as the Medical Card and in some cases social welfare, increasing the vulnerability of these individuals.

Dublin housing and homeless crisis

It is important to acknowledge the pressures on homeless services in Dublin, which have reached well documented crisis levels. The reasons behind this are varied but there is common agreement that a shortage of private rented accommodation, high rents and limited social housing spaces are key factors. Typical safety valves such as the Iveagh Hostel in Dublin 8 (private long-term affordable hostel accommodation for single men) are in high demand and therefore have few spaces available. This leaves limited options for people to avoid or exit homelessness.

Deportees

One specific group of emigrants that we have identified as having higher support needs upon return are Irish citizens who have been forcibly returned to Ireland: deportees. The majority of the deportees with whom we work are referred by the Irish Council for Prisoners Overseas (ICPO) and Irish Consular Services. Irish deportees can range from those repatriated following limited immigration detention to long term prisoners who may have become institutionalised.

Deportees with families who can support them will almost always return to them and will not need homeless supports. Those with little or no family support available to them are often homeless with no income upon their return. In our experience deportees can often encounter significant difficulty in accessing on-going emergency accommodation placement in Dublin when they arrive home.

Research has documented the difficulties that Irish prisoners released from abroad face on return to Ireland, primarily with access to accommodation¹. Accessing and securing accommodation is ranked as the most significant issue faced post-release by returning ex-prisoners and can contribute to homelessness, crime and re-offending, which is exacerbated where there are alcohol addiction and mental health issues².

Returnees being assisted by Irish Consular Services

Irish Consular Services assist with the return of a small number of particularly vulnerable returnees annually who are homeless on arrival. Some of them have multiple support needs, often combined with mental health issues. Other returnees are coming from conflict zones with non-EU family members, including children, and have become forcibly homeless. Rough-sleeping poses a considerable risk to their wellbeing and can exacerbate their various health problems, as well as reducing their likelihood of engaging effectively with support services.

¹ A Step at A Time: The Resettlement Needs of Irish People Returning From Prison Overseas (ICPO, 2015); C. Hickey, Crime and Homelessness (FI and PACE, 2002); Report on Irish Prisoners Abroad (DFA, May 2007)

² *Ibid*

Accessing homeless services

Currently the process for accessing homeless services is linked to the assessment of need for social housing, as there is no primary legislation regarding homeless service provision. This causes immediate issues for returning emigrants as social housing assessment is based partly on the person's 'local connection' to the Local Authority area where they present, as defined in law³.

Provision may be made for one-night only accommodation (dependent on availability) but those in need of on-going or supported homeless accommodation must be assessed as per the criteria used for social housing need.

Access to homeless accommodation on an on-going basis

The importance of being granted access to emergency homeless accommodation on an on-going basis cannot be overstated. Residents have the security of knowing they have accommodation for a defined period of time. If they are in supported homeless services they can engage with on-site keyworkers who can help with sourcing accommodation and other supports, including welfare payments, and this is a key step in successfully exiting homelessness.

Conversely, those who have no secure accommodation and who rely on sporadic access to emergency hostel beds on a one-night-only basis are much more likely to become entrenched in homelessness with increased risk of substance abuse and mental and physical health deterioration. The risk of re-offending has also been found to be higher for ex-prisoners who are homeless⁴.

Housing & homeless services in Dublin

The majority of our client group present to seek assistance with access to services in Dublin. Dublin City Council is the lead Local Authority in the response to homelessness in the Greater Dublin Region and adopts a shared service approach across South Dublin County Council, Fingal County Council and Dún Laoghaire- Rathdown County Council.

The Dublin Region Homeless Executive (DRHE) is responsible for the planning, co-ordination and administration of funding in relation to the provision of services to people who are homeless in the Dublin area, and for the development of responses to prevent homelessness.

The Central Placement Service (CPS) is run by Dublin City Council and is responsible for assessing and allocating people who are homeless with on-going placement in emergency accommodation. It also runs the 'Freephone' service. The Freephone service can arrange emergency accommodation for homeless people on a night-by-night basis subject to beds being available.

³ Article 6 of S.I.No.84/2011 - <http://www.irishstatutebook.ie/eli/2011/si/84/made/en/print>

⁴ A Step at A Time: The Resettlement Needs of Irish People Returning From Prison Overseas (ICPO, 2015); C. Hickey, Crime and Homelessness (FI and PACE, 2002). Report on Irish Prisoners Abroad (DFA, May 2007)

Assessing homeless priority status based on social housing need

Dublin Local Authorities run a 'Scheme of Letting Priorities' with three 'Bands' of need assessment which prioritise categories of people who have completed an application for social housing. Applicants in the top band ('Band 1') have the highest priority need.

People who are considered by the Central Placement Service to have been 'made homeless' in the Dublin City Council area are included in 'Band 1' and are awarded 'Homeless Priority'⁵. They are then placed by CPS in emergency accommodation on an on-going basis either with support (*i.e. Supported Temporary Accommodation, Temporary Emergency Accommodation*) or without support (*i.e. Private Emergency Accommodation, B&B's and hotels*).

It is our experience that if a person is not awarded 'Homeless Priority' status they are generally not placed in emergency accommodation on an on-going basis. In most instances they will instead be referred to the 'Freephone' service where they have to call it on a daily basis to try to gain access to a bed for that night. As there are a limited number of beds available through this route, sleeping bags are sometimes offered instead and they are not prioritised for placement in any type of accommodation.

Returnees' experiences

Many of the homeless returning emigrants for whom we have advocated have been accepted, after significant efforts, onto the waiting list for social housing with Local Authorities. However, they are refused 'Homeless Priority' status despite satisfying the definition of homelessness under Section 2 of the 1988 Housing Act.⁶ This leads to them being referred to the Freephone service as opposed to being placed in on-going emergency accommodation for a guaranteed period of time.

Returning emigrants are often refused homeless priority. Access to on-going emergency accommodation placement is in many instances denied due to one or more of the following reasons:

1. Their last address in Ireland was not in the Local Authority area
2. They have no address history in the Local Authority area
3. They have not resided in the Local Authority area for the last 12 months before becoming homeless (*note: this practice is in the process of being revised by Dublin Local Authorities, and it is unclear if other Local Authorities around Ireland are following suit*)
4. They have been gone from Ireland for too long

⁵ <http://www.homelessdublin.ie/dublin-city-council-area>

⁶ <http://www.irishstatutebook.ie/eli/1988/act/28/section/2/enacted/en/html>

Resolving cases

Over the past year we have worked on a number of cases where accessing on-going emergency accommodation placement has been an issue. See the case study at the end of this document for a snapshot of the issues faced by the people we advocate for. The numbers are relatively low; although it is possible other support services have clients with similar issues. In some cases the barriers or delays in accessing housing supports have led to our clients making the decision to return to previous residence abroad, where some of them had left for safety reasons such as domestic violence or feud disputes. Deportees are one group for which return is not an option.

The examples of success in accessing on-going emergency accommodation are where intensive advocacy and time have been invested by our service. There is limited private homeless accommodation (e.g. the Iveagh Hostel) that does not require registration with the Local Authority in order to access on an on-going basis. This type of accommodation is infrequently available and capacity has been radically reduced by the housing crisis as residents are unable to move on from hostels to private rented accommodation.

National policy

We have found that returning emigrants who are homeless are disproportionately represented in being refused for homeless priority. These are significant but small numbers of people and a coordinated response is achievable without a large impact on service providers and their budgets.

It is important to reiterate that while Dublin is an entry location for many returning emigrants, some of them have experienced difficulties in reconnecting with other counties and accessing services locally, and by default have returned to Dublin. It indicates a shortfall in supports and lack of awareness of the needs of Irish returnees around the country – which is compounded by the lack of a clear, national policy for dealing with homelessness, and evidenced in the disparate policies and practices in different local authority areas.

Developing the links between Homeless Priority and Habitual Residence assessments

It has been accepted by the Department of Social Protection that for the purposes of satisfying the Habitual Residence Condition (HRC) to access welfare supports, people who return to Ireland after having lived abroad can be found habitually resident immediately on return once they can demonstrate that they are resuming their previous residence here.

The Department of Social Protection now also considers deportees as a unique group that are generally found to satisfy the HRC as by definition they cannot return to the country from which they have been deported.

These significant developments are reflected in the drop in the numbers of Irish citizens who have been refused access to a social welfare payment on HRC grounds by the Department of Social Protection (428 in 2012, 264 in 2013, and 240 in 2014). It follows that a similar understanding could be implemented to assess people making a crisis return as having homeless priority status and being eligible for immediate access to on-going emergency accommodation.

What next?

Crosscare Migrant Project acknowledges the campaign for Irish citizens to return to Ireland and the Diaspora Strategy objective to reconnect Irish emigrants with their networks and connections to Ireland.

“There is also an increasing need to identify where administrative barriers might exist to Irish emigrants wishing to return”⁷

“Where possible, the Government will also work to ease the logistical challenges of moving from one country to another. The consultation process for this policy identified a number of barriers to return for emigrants... we will, through the Interdepartmental Committee, work with other Departments and agencies to minimise the difficulties that these challenges present”⁸

We support the development of appropriate strategic actions to support the return of Irish emigrants in crisis and to provide a safe and integrative response to the needs of this vulnerable group. The unique connection that returning Irish emigrants have to Ireland should be recognised and factored into the decision-making process of Local Authorities. This would most effectively be manifested in recognising returning Irish emigrants as *‘resuming previous residence’* for acceptance onto priority lists with Local Authorities if they are homeless on return (consistent with guidelines on the determination of Habitual Residence to access the services of the Dept. of Social Protection).

How to improve access to homeless services for returning emigrants

A policy response could be achieved as an agreement by the Department of Foreign Affairs & Trade and the Department of Housing, Planning & Local Government to instruct the Local Authorities to include this cohort group within their criteria and assessment policy. It is a simple and effective way to assist returning emigrants in crisis to return safely without the risk of being denied appropriate services.

The first and most effective step in this process is to recognise them as a specific group in the provision of housing supports.

⁷ Global Irish: Ireland’s Diaspora Policy, Department of Foreign Affairs and Trade, 2015: 31

⁸ Global Irish: Ireland’s Diaspora Policy, Department of Foreign Affairs and Trade, 2015: 46

Recommendations

1. Issue a **Department of Housing Circular recognising homeless returning Irish emigrants as 'resuming their residence'** in Ireland to satisfy the 'local connection' criteria for the purpose of assessment for social housing. This should explicitly state that they can be assessed as having 'homeless priority' (Band 1) if they are homeless on return which, within the current framework of how need for homeless accommodation is assessed, will allow them access to appropriate on-going emergency placement.
2. Ensure provision is made for pre-arranged **on-going emergency homeless accommodation** to be provided for **homeless deportees** immediately on their return to Ireland. This should be appropriate to their level of need and would allow them time to engage with statutory social welfare and health services.
3. In cases when Consular Services and other emigrant support groups are aware of **other returning emigrants in crisis** in advance of their return, we propose the establishment of a mechanism to allow for:
 - a. **Emergency accommodation** for a 7-day initial period to ensure crisis returnees are not sleeping rough on arrival and have time to link with essential services
 - b. Guaranteed ongoing placement during progression out of homelessness to allow time to engage with additional support services

How will this help?

These recommendations will help to ensure that Irish emigrants returning into situations of homelessness are able to access emergency supports at a critical time. For deportees leaving prison it will reduce the risk of ill-health (physical & mental) and the potential for recidivism or addiction relapse, and promote trust and engagement with support services. This will assist in their successful reintegration into life in Ireland.

For those returning in crisis it will provide an essential safety net and the opportunity to engage with emergency supports at a critical time in their return journey. Supporting our most vulnerable returnees sends a message of support to anyone who is worried about coming home that Ireland cares for its Diaspora.

APPENDIX 1

Case study – Irish citizen deported to Ireland from USA, homeless on return

James is an Irish citizen in his early 50's who was deported to Ireland from the USA in 2015. Originally from a rural town, James lived in the US from the early 1980s and was undocumented for much of that time. He worked as a casual labourer until his health deteriorated ten years ago and he became homeless. He is a recovering alcoholic with serious cardiac issues and limited literacy. The Irish Consulate sought our assistance with his case. They were preparing an emergency travel document for him and he was living in a homeless shelter while awaiting deportation.

James had been estranged from his family for a long time and would be homeless with no income on his arrival in Dublin. The [Irish Council for Prisoners Overseas](#) (ICPO) met James at Dublin Airport. They provided him with a small grant to provide for the cost of a tourist hostel as he arrived on the weekend when statutory services are closed.

We assisted James to apply for a social welfare payment, advocating on his behalf to the Department of Social Protection's [Homeless Person's Unit](#). As a deportee he was recognised as 'habitually resident' in Ireland and granted a payment of €186 a week. Given his significant health issues we also arranged for James to see a GP through [Safetynet Ireland](#), a primary healthcare service for people experiencing homelessness. The GP referred James to see a cardiac specialist at the Mater Hospital and arranged for him to receive a number of prescription medications without charge while we assisted him to apply for a Medical Card.

We then advocated on James's behalf with Dublin City Council for his application for social housing to be considered on the basis of his engagement with health services in the local area. Though he had not lived in Dublin before, James's application was accepted – however he was *not* granted 'Homeless Priority' as he was not originally from Dublin. Generally this would result in a person being referred to the Freephone Service for single night access to emergency accommodation. In James's case we successfully petitioned the [Central Placement Service](#) who agreed to place James in a private emergency hostel (PEA) on an on-going basis to facilitate his engagement with crucial medical services in Dublin. While his placement was preferable to using the one-night only Freephone service, unfortunately James did not have access to any support staff at the hostel nor was he able to stay there during the daytime.

With our assistance, after 2 months James was able to move into a single room which became available in the Iveagh Hostel, a private hostel for men in Dublin. He is now in receipt of Disability Allowance and is active in Crosscare's Links and Advice Network (CLAN), a peer support group for people who have been homeless. He also attends a cardiologist in Dublin.

It took 6 months of advocacy efforts by us and much effort on James's part to reach a successful conclusion: he has recently been awarded 'Homeless Priority' on the housing list on the basis of his health issues.

Case study – Irish citizen returning after a prison sentence in the UK

Martin returned to Ireland in late 2014 after serving a life sentence in the UK. He was born in Limerick but moved to the UK as a young child and only briefly lived in Limerick again between 1979 and 1981. On release from prison he decided to return to Ireland to find work.

Martin was refused a social welfare payment initially, on the grounds that he did not satisfy the habitual residence condition, and we assisted him to appeal. This was eventually successful and he was awarded a payment. As Martin had no prior address history in Dublin, he was advised by the Local Authority to go to Limerick to register for housing. Martin's ties to Limerick have ceased to exist since his time in prison, with the death of all immediate family members and feuds with acquaintances in the area. He felt Dublin was the only place he could stay to try and re-start his life.

He began using the Freephone service on a nightly basis and we assisted him to link in with the Housing First Intake Team (a support team for rough sleepers), as most nights he had to sleep on the streets. They sometimes managed to arrange rolling bookings for Martin in city centre emergency hostels but these do not always last for a long period of time.

During Martin's time being homeless in Dublin he has started volunteering with many different local charities and has also started receiving methadone treatment daily in a city centre clinic.

Martin has submitted two applications for the Local Authority housing list. After the first was refused on the grounds that he is not normally resident in the area, we decided to submit a second based on his local connection, due to his demonstrable ties to the area since his return. This most recent application was also refused.

Martin continues to sleep rough or use the Freephone service when an emergency bed is available.

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Crosscare Migrant Project

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About us

We are a project of **Crosscare**, the social support agency of the Dublin Catholic Archdiocese.

Crosscare's vision is of a society where all people have the opportunity to fulfil their potential and our **core values** are **love, respect and excellence**.

Crosscare's mission is to provide innovative and relevant services to those most in need regardless of their ethnicity, nationality, religion, beliefs or sexual identity.

Crosscare Migrant Project aims to provide a quality information and advocacy service to enable people involved in a migration experience, especially those in vulnerable circumstances, make informed choices and access their rights.

We also aim, through our engagement with the people who use our service and in collaboration with others, to effect positive change in migration-related policy

