

# DÁIL ÉIREANN

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AN COMHCHOISTE UM EALAÍONA, OIDHREACHT, GNÓTHAÍ RÉIGIÚNACHA,  
TUAITHE AGUS GAELTACHTA

JOINT COMMITTEE ON ARTS, HERITAGE, REGIONAL, RURAL AND GAEL-  
TACHT AFFAIRS

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*Dé Céadaoin, 15 Feabhra 2017*

*Wednesday, 15 February 2017*

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The Joint Committee met at 9.30 a.m.

## MEMBERS PRESENT:

Deputy Ciarán Cannon,	Senator Maura Hopkins,
Deputy Danny Healy-Rae,	Senator Aodhán Ó Ríordáin.
Deputy Martin Heydon,	

In attendance: Senators Rose Conway-Walsh and Trevor Ó Clochartaigh.

DEPUTY MICHAEL COLLINS IN THE CHAIR.

*The joint committee met in private session until 9.45 a.m.*

**Vice Chairman:** I advise members to switch off their mobile phones as they interfere with the sound system and the broadcasting of proceedings. The Chairman will be present in approximately 45 minutes. I propose that we go into private session to deal with a number of items.

*The joint committee went into private session at 9.45 a.m. and resumed in public session at 9.55 a.m.*

### **Returning Emigrant Support Services: Discussion**

**Vice Chairman:** We will now consider with representatives of the Irish Lobby for Immigration Reform and the Safe Home Ireland emigrant support group the issues facing emigrants returning to rural Ireland. I welcome Mr. Ciaran Staunton, chairman, Irish Lobby for Immigration Reform; Ms Karen McHugh, chief executive, Safe Home Ireland immigrant support group; Ms Maureen O'Sullivan and Mr. Michael McMahon and thank them for their attendance.

By virtue of section 17(2)(l) of the Defamation Act 2009, witnesses are protected by absolute privilege in respect of their evidence to the joint committee. However, if they are directed by it to cease giving evidence on a particular matter and continue to do so, they are entitled thereafter only to qualified privilege in respect of their evidence. They are directed that only evidence connected with the subject matter of these proceedings is to be given and asked to respect the parliamentary practice to the effect that, where possible, they should not criticise or make charges against any person or an entity by name or in such a way as to make him, her or it identifiable. Any opening statement or other document submitted to the committee may be published on its website after the meeting.

Members are reminded of the long-standing parliamentary practice to the effect that they should not comment on, criticise or make charges against a person outside the Houses or an official, either by name or in such a way as to make him or her identifiable.

**Mr. Ciaran Staunton:** I am the chairman of the Irish Lobby for Immigration Reform. I have worked in the United States for over 30 years and dealt with Irish people who have gone there illegally, from the era of the Donnelly visas in the 1980s to the Morrison visas in the 1990s to Ted Kennedy, John McCain and many others. I am sure I have met many Members who have travelled to the United States. I have circulated some of my remarks, following which I understand I will take questions.

I am accompanied by Ms Karen McHugh who has been dealing with people for many years. She lived in London but is now dealing with people who are returning home, especially to rural Ireland. I am also accompanied by Ms Maureen O'Sullivan who lived in the United States for many years and is now helping people who are returning to Ireland. Mr. Michael McMahon is a leader of the group Families of the Undocumented Irish.

Addressing the issues that face returning citizens feeds into a larger national plan for rural revitalisation and is, I believe, the desire of most members of the committee. The benefits of economic recovery have not been evenly distributed across rural and other areas. Since the demise of the Celtic tiger, over 300,000 people have left the jurisdiction. Probably 100,000 have left the North. Emigration continues to affect rural parts of Ireland to a greater extent than

urban areas. We have found that in rural areas at least one in four households has been directly affected by emigration since 2006.

Naturally, some people may want to come back to Ireland. We know about the uncertainty that has been created by the Trump Administration. People who have lived in the United States for ten or 15 years are trying to figure out whether they need to come back to Ireland because the last President did not do anything for them. When they come back, they will face a number of issues, on which I will touch briefly, but I will not go into them in depth because there are so many to be addressed.

Some obstacles for those returning to rural Ireland include securing entitlements from the national reserve because they must have a green certificate and show their tax returns for 2013 or 2014. Everyone knows that when a person is working illegally, he or she cannot pay taxes; therefore, he or she is deemed ineligible. I could go into that issue further.

Taking out car insurance is another issue in rural Ireland. After being away for two to five years, a person loses his or her no claims bonus and goes back to the start of the insurance process. A friend of ours expected to pay €430 for car insurance, but because she had been away for ten years the cost of her insurance policy came in at €1,900.

The position on driving licences is crazy and getting worse. People from counties Kerry, Galway and Mayo and so on who have been out of the country for over ten years have to start from scratch. If they return from California, their Californian driving licence is no good, but if they come back from Canada, their licence is deemed to be fine and can be changed for an Irish one. If a person returns to west Kerry, having lived in the Bronx for many years, and shows his or her driving licence to the authorities, he or she will have to start from scratch. He or she will have to obtain another licence, have L-plates on a car and sit the driving test which will involve paying thousands of euro for driving lessons. In the meantime, he or she cannot drive on major roads. One has to pay thousands of euro to get driving and in the meantime one cannot drive on the major roads that one could have driven on previously.

To open a bank account now, one must, according to some, have utility bills. Again, we have found there are waivers. As one of our people said recently when she met the Irish ambassador to the US, it is easier for an illegal to open a bank account in America than it is for someone to open a bank account when he or she returns home. It is absolutely disgraceful. Loans are a big issue when someone moves here and wants to check in with the bank. If people want to buy into farming, they must show they have basic payments but they would not have anything along those lines. The US system of credit rating is not recognised in Ireland, although it is recognised throughout the states so a person has no credit rating and is starting from zero. People cannot get first-time buyers' allowance if they have owned a house, so again they are being penalised.

We continuously say we are not talking about returning Irish emigrants but returning Irish citizens. Nowhere in Bunreacht na hÉireann does it say that once a person leaves the country for any number of years that one is no longer a full Irish citizen. Look at the 1916 executed leaders. James Connolly, Thomas Clarke and Major John McBride were returned Irish emigrants, or leaders. Michael Collins lived for many years in London. Michael Davitt, the founder of the Land League, would not even be regarded as being eligible to farm in Ireland at the moment. Those are some of the areas.

What is the Government to do? All the issues we have discussed have not been created by

bureaucracy but by Governments and Departments. We have tried to deal with the Department of Agriculture, Food and the Marine for quite some time on a number of those issues but it has fallen on deaf ears. We have also tried to deal with the Minister of State with responsibility for the diaspora on a number of those issues because they are issues about which we have talked in the past. When the wheels lift up on the airplane, the Irish citizen is dealt with by the Department of Foreign Affairs and Trade but when that airplane lands, the Irish citizen is thrown to the wind. In regard to education, for example, if someone wants to go back to school after being away, which is what happened to Ms Sullivan, he or she has to pay a non-EU rate or wait three years in the country before going back into education. It is the same for people who come back from America or Australia and they have Irish children. If their Irish children go back into national school or into first or second year of post-primary, they are fine for third level but if they go back in any later than that, their children are not treated equally as Irish citizens.

Who is looking after the 300,000 people from every constituency who were on the census in 2006 but who have disappeared? When they come back and run into problems, what agency or who looks after them? We know there was a big announcement in 2015 of an agency which was supposed to meet quarterly and was supposed to issue reports. I have yet to get any reports. I have asked the person in charge about issues and we are still getting the standard response, which is very hurtful to anybody who has been an emigrant. How many people are we talking about? How many people are coming back? How many farmers are there? The Constitution does not count heads, as far as I know.

The same issues come up over and over when people come back. There are always new situations but most of the situations we face have come about over the last number of years. Most of the people who went away in the 1980s and came back in the 1990s and have been credited by many taoisigh and parties of creating a landing pad for the Celtic tiger did not face these issues.

We say we want people to come back to rural Ireland and that great work has been done in rural Ireland on the big problems. However, we all agree the Internet is a disaster. We do not need to reach up to the very high things; we can deal with the low-hanging fruit. It is all within the gift of Departments. Every issue I have raised can be dealt with but people do not care. I say with a heavy heart that there is a complete lack of empathy among Government agencies as to the plight of returning citizens. As the chairman of Irish Lobby for Immigration for Reform, I have written on behalf of the organisation and the letters I got from Government agencies regarding returning Irish emigrants are absolutely appalling. I would not even put them in the public domain because I do not think anyone should be embarrassed to that degree. However, I do not believe that the people who wrote our great Constitution thought that their people would be dealt with like that.

I would like to see this committee play a bigger role. We are all familiar with the famous book, "No one Shouted Stop!", from the 1960s which was written by the great John Healy. We are in a position again where these people are coming back and are being treated so appallingly. It is disgraceful. We do not have anyone in the Dáil or at this committee. I will not name names but would this committee cry "stop"? What this committee is trying to do is maintain and to hold on to rural Ireland and yet those who want to come back to where they were born, to family and to family farms, are faced with obstacles, including in terms of banking.

I will certainly answer any questions on where we might go from here. We know that it is all do-able. I will wrap up with that.

**Vice Chairman:** I thank Mr. Staunton for his very detailed presentation. Before I go to members, I will ask Ms Karen McHugh to say a few words.

**Ms Karen McHugh:** I am the CEO of Safe Home Ireland which was set up in 2000 to support older Irish emigrants who wanted to return to their native counties. Over the last couple of years, we have broadened our remit to provide advice and information to all returning Irish emigrants. Our base is in Mulranny, County Mayo, but we have outreach offices in Limerick and in Galway and I am based in Portlaoise. We cover the Twenty-six Counties and also some of the other counties when people want to come back to Northern Ireland. We try to have an all-Ireland approach, although our remit in terms of our funding is the Twenty-six Counties.

We have a lot of issues and concerns. I presented to the interdepartmental committee on diaspora affairs in November and outlined all the challenges and barriers we felt were pertinent and that came to our attention. We did not address the issue of farming as I would not be as confident to speak on that, although I came from a farm in Sligo.

Over the last couple of years, we have seen a drop in the numbers returning and we believe one crucial reason is the barriers and challenges. It is quite concerning because we have a service and a facility and we provide outreach. We visit anybody who returns, whether an elder person, a family or a younger person. We can work with that person when he or she comes back. I lived in London for many years and returned to Ireland. I went back again to London because I could not settle here as I found I had come back to a different country but I was drawn back again. It is quite challenging to get any kind of support or assistance. When I went to get my car taxed, I went to the post office and queued for about half an hour only to be told that people do not tax their car in the post office. In England, everything is done through the post office. I refer to basic, little things like that.

Many of the challenges and barriers are around issues such as driving, housing, social protection, employment, the standard of one's health care, family, Brexit and the undocumented in America. I have a paper, which I am happy to circulate to members. I will not go through it now but we presented it to the interdepartmental working group in November.

We believe the barriers can be lifted. We have been able to negotiate some of the challenges for older Irish emigrants. For example, Safe Home Ireland has an arrangement in place with the local authorities and the housing associations which allows it to access housing for any person over 60 years in need of social housing. The agency also has arrangements in place with the Department of Social Protection and the banks. The arrangement with the Department of Social Protection is in connection with PPNs because unless a person has been living in the country, he or she does not have one. We have been able to put in place provisions for people who are over 60 years. The arrangement has been in place since the year 2000; therefore, as stated by Mr. Staunton, it is possible to address all of the barriers and challenges and we have been able to do so for a particular cohort. When families and young people want to return, access to housing, PPNs, banking and so on present a huge challenge. For those who have a car, the process to bring it with them is not straightforward. The rules in this regard are discretionary such that what is applicable in one area versus another will differ significantly. As stated by Mr. Staunton, there must be good will towards and empathy with returning emigrants.

While everybody is agreed on the need to bring the 70,000 people concerned home, there is not much of a focus on what needs to be done to make this possible and happen. The Department of Foreign Affairs and Trade does tremendous work abroad, but the practice of making it happen is not straightforward. Safe Home Ireland received more than 700 new inquiries last

year from people who wanted to return to Ireland but were unable to do so because they were not in a position to buy a property and because accessing social or private rented accommodation was a challenge. Those who would like to come back are people who would be working and paying taxes, contributing to the economy, etc., or who would have worked here before they left. They now want to return to the land of their birth, to have children, to be near their families and, unfortunately, in relation to the cohort we represent - people over the age of 60 years - to die, which is sad because many only come back to be buried here when they die. We have to make this happen. If there is a will, there is a way. Safe Home Ireland, working with others, is happy to support and progress and also lobby for it. It is possible to do it.

**Vice Chairman:** I thank Ms McHugh for her opening statement.

**Deputy Danny Healy-Rae:** I welcome the delegates. I have been dealing with Safe Home Ireland in County Mayo for many years. I thank all those involved for their support and assistance in bringing many people home to County Kerry to end their days in the place they left 40 or 50 years ago. I thank them for the part they have played in assisting the people concerned to return home to end their days in their home country.

I have personal experience of some of the issues highlighted, including the one highlighted by Mr. Staunton of licence renewal. I know of a young man who passed his driving test in Ireland and received a full licence and who then went to work in the United States for a few years. His driving licence has now expired, but he is unable to renew it without coming home to do so, which is ridiculous and shameful. As I understand it, he will be required to re-sit the driving test when he comes back. As stated by the delegates, emigrants are unable to open bank accounts and so on.

One gets the impression that the Government does not want the people concerned to come home because as long as they stay away, the unemployment figures remain low. The reason the data for unemployment rates are so low is many young people have emigrated. While previously there were two football teams in Sneem and Caherdaniel, now there is only one between the two areas because so many young people have emigrated. That gives us an idea of just how many young people are emigrating from rural areas.

It was mentioned that returning farmers had no entitlements. Young farmers living here who received their green certificates in 2014 and 2015 had no entitlements to receive anything from the national reserve in 2016.

A week or so ago I raised in the Dáil the question of what we, as Members of this House, were supposed to say to a young person who on returning home could not get insurance cover? People living in areas such as Kilmarnock in Kilgarvan or Tureencahill in Gneeveguilla cannot get to Killarney unless they have a car. We are all aware of the exorbitant cost of insurance, be it car or house insurance. Every Member has been raising this issue in the Dáil since the general election last year, in respect of which we were told the Minister for Finance, Deputy Michael Noonan, had commissioned an investigation. We are now being told that the Government can do nothing about the issue. This is not fair to young people, or even elderly people. I know of a woman who was paying €330 per annum for car insurance up to last year and whose premium this year is €750. We do not know the half of what is going on.

Farmers who move abroad for a year or two or even shorter periods cannot retain their farm payments. What are we to say to people who want to come home but who cannot afford to buy a property? They are in a catch 22 in that they cannot get onto a housing list because they are

living abroad. If they do come home, they will have nowhere to live and if they are not on the housing list, they will not be able to access rent allowance. There are many questions that need to be answered and as elected Members, we feel inadequate in not being able to tell the people concerned what they should do. There are too many blockages in the system. I know of a number of young people who have come to live in Ireland in their father's home but because they were not born here they cannot access PPS numbers. According to the Department of Social Protection, it is not a matter that is within its bailiwick. The same response has been received from other agencies. What are the people concerned to do because if they cannot access PPS numbers, they cannot access social welfare benefits and so on? Are they expected to live on the wind?

I thank the delegates for being here. Ideas they give us will be taken on board. We appreciate that they have taken the time to come here to highlight the problems they are experiencing. We will do our best to help in any way we can.

**Deputy Martin Heydon:** I thank the delegates for their presentations. As somebody whose sister lived abroad for over ten years and came home in the past couple of years with a husband and a young family, I am aware of some of the challenges in adjusting to life back in Ireland. My sister chose not to live close to the home place but in a rural village about half an hour away. The local school in the village is happy to have my niece and two nephews in it. She has set up her own business now. They are well settled in. I am aware that it is a difficult adjustment. It would still be a difficult adjustment if every State agency was helping, because when people have lived abroad for a long time, there are changes when they return. I am conscious as well that she had a lot of family support. I imagine that Ms McHugh is talking about people who are closer to retirement age who might be living alone, may not be married, may not have a support network, and their family network at home might also be gone. When we talk about returning emigrants as a cohort, there is a very different image in my mind of a man in his 70s who worked on the buildings in London all his life returning to live and die at home, whose family network and support network might be gone, as opposed to my sister in her 40s with a young family. They are very different. It is key to be mindful that there are different challenges for different returning emigrants.

Deputy Danny Healy-Rae has just left but I wanted to point out that while the unemployment rate is dropping, it is not because people have all emigrated. Our employment rate is rising as well. The glass is a bit half empty in everything he said.

Some of the challenges outlined are a challenge for people living in rural Ireland who never left. Access to housing, private or otherwise, broadband, car insurance and health insurance are all challenges that we have to try to face here as a country. I would like Ms McHugh to outline more about the challenges around the area of the PPS number. That is very specific. What are the challenges in getting a PPS number when one returns? How can we streamline that process? There is the issue of buying a house. If one came home and had the means to buy a house, that is fine. Is the issue here around the ability to get a mortgage? I am not really sure. Mr. Staunton mentioned buying a house in his presentation. He might expand on what the big impediment there is. It might be the access to finance more than anything else. He said that getting electricity has been an issue as well.

These are practical things that we, as a committee, can get our teeth into. I am not dismissing the others, but am saying that they are a challenge for all of us in rural Ireland. The entitlement to the national reserve was mentioned there as well. The national reserve has €52.5 million. It was the biggest pot ever in 2015, and there has been an application to the Commission to get

increased flexibility for that. It is financed by a direct cut to existing farmers. Again, the issue might be around the Further Education and Training Awards Council, FETAC, level 6 requirement. I was a farmer before I was a Deputy. I did my green certificate and I did not get access to the national reserve, but I did inherit entitlements at home by going through that process. It is probably a difficulty if somebody is coming home to land in their 40s or 50s and has never done a green certificate or similar. That is going to be difficult to get around, because ultimately we have to be able to display it to Europe, because a lot is European money. We also have to be able to display that people are serious about the farming enterprise that they are going into, and that they have displayed a desire. Is it an issue for returning emigrants to access the necessary training requirements? It is fair enough to expect somebody who wants that entitlement to do a level of training to show their seriousness about farming.

**Vice Chairman:** I thank Deputy Heydon. We will take one more for now and then we will allow the witnesses to answer. I call Senator Conway-Walsh.

**Senator Rose Conway-Walsh:** I thank the witnesses for their presentations.

I am a returned emigrant. I returned from London. I am familiar with the great work that both Ms McHugh, in Mulranny, and Mr. Staunton do with the Irish Lobby for Immigration Reform. I agree with much of what they are saying. The minute one gets on a boat, as I did quite a long time ago, one loses citizenship. One goes from being an Irish citizen to being an immigrant. It is a case of out of sight, out of mind. That is how it has been for decades, and the way that it still is. Look at the most recent publication, Realising our Rural Potential. The investment, work, creativity, education and experience that returning emigrants have brought to places like Mayo and elsewhere in rural Ireland is absolutely invaluable. While it might be amusing to some people here, it is an extremely serious issue. Why are we putting barriers in place? Why, out of all of the 230 actions in here, which is a crazy number for a plan anywhere, do I not see anything - maybe there is somewhere - that is progressive or positive about barriers for returning emigrants here? Emigrants formed, and because of the last cohort of people who have had to emigrate will in the future form, a huge part of the redevelopment and rebalancing of Ireland as a whole, yet they do not even deserve a mention in here.

We need to look at what can be practically done here. I want to display my absolute dismay at both Fianna Fáil and Fine Gael for not supporting voting rights for the diaspora. I cannot for the life of me understand why they are afraid to give voting rights to the diaspora. That is part of the crux of it. If all of the diaspora, or at least a part worked out from how many years they had been abroad, had their voting entitlement, they would have to stand up and listen. It would not be a case of them saying they need a few quid for something and that they will go out and shake down the diaspora, who are always good for a few quid, and that then they will forget about them again until the next time they need a few quid. If they had voting rights here, including my relations, and if I had had voting rights while I was gone, then they would have to listen because they must listen to the electorate. Until the diaspora or indeed Irish citizens in the North have a vote, they do not need to be listened to. It is a bit like the matter in rural Ireland where there are Civil War politics, where they could go into a village and say: "There are 69 for me and 72 for you so off we go, why would we bother investing there?" Why would they bother listening to the diaspora?

There are very practical things that can be done in each of the Departments, for example in the Department of Social Protection. In particular, the habitual residency clause that was brought in has really caused awful problems, because citizens are then treated the same as anybody coming into this country who has never spent any time here. There could be a desk in



each of the Departments dedicated to the diaspora. I take fully what was said by Mr. Staunton about it because my findings are that some of these Departments ask people why they do not go back to where they were. There is that underlying sentiment of: "Do you really need to be here bothering me about this? I have enough to do to look after the people who are there." That attitude must change. It is almost like rural-proofing of documents. There needs to be diaspora-proofing of actions within each of the Departments, whether the Department of Social Protection, the Department of Agriculture, Food and the Marine, or the Department of Housing, Planning, Community and Local Government. The habitual residency clause needs to be changed to take into account Irish citizens.

We have gone through car insurance. My colleague, Deputy Pearse Doherty and I, and others cross-party, made a submission to the insurance industry about the huge problems that exist for returning emigrants. I understand what Mr. Staunton is saying about farming. The green certificate has to be done. There have to be ways of doing that. There is technology. If somebody is planning to come from abroad, there is no reason why six months or 12 months beforehand, they cannot start doing a green certificate course online to make them ready. Of course they need to be ready and have everything in place. Let them have access to the national reserve based on that so that they can have their entitlements as well. It is not about doing them any favours. It is just about creating a level playing field and recognising what those young farmers will bring to that community in terms of ideas and attitudes.

The other big problem I come across relates to pensions. If somebody worked here for three weeks in the summer in 1969, and they then come to get their pension here, the levelling out and the way it is averaged across the years means that person returning is at a very distinct disadvantage, and on a very reduced pension entitlement, if any at all. If there was somebody in the pensions area who was looking specifically at that and dealing with that problem, it could be dealt with. The other situation we have encountered of late is where spouses are split up, where the only way they can pay the mortgage is if the husband works abroad while the wife has to stay with the children. In such cases, the husband will find himself becoming further alienated every six months in terms of his ability to access the systems here.

I ask the witnesses to comment on voting rights for the diaspora. Do they share Sinn Féin's sentiments on the issue? We are making efforts to have the voice of the diaspora placed front and centre in the political process and heard by the administration responsible for erecting all of these barriers.

I am not a permanent member of the joint committee but I have a special interest in hearing the comments of the emigrant groups represented. I thoroughly commend them and Mr. McMahon and Ms Sullivan on the work they are doing. I encourage them to continue their work. I speak for my party colleagues in offering Sinn Féin's full support to emigrants. We will lead the way in every we can for the diaspora.

**Mr. Ciaran Staunton:** I am disappointed Deputy Danny Healy-Rae had to leave the meeting before I addressed some of the issues he raised. I will start, however, by responding to Deputy Martin Heydon as I wish to clarify a matter. While one should never blame the messenger, someone is giving misinformation. For the past two years, a number of people who have returned from the United States and elsewhere have been told they are not eligible to apply for payment from the national reserve because they do not have a green certificate or tax returns for 2013 or 2014. I have received letters on this issue. When it was raised on the floor of the House the Minister of the day stated he was restrained by European Union regulations and his hands were tied. We wrote to a number of Members of the European Parliament on the matter and

Mr. Matt Carthy, MEP, wrote back stating there is no European regulation in place that requires a person to have a green certificate before he or she is deemed eligible for payment from the national reserve. Without such a European requirement, a returned emigrant or a person who never left Kildare, Ballycroy or Connemara should have a right to access the national reserve. It is a matter of record that there is no educational or training requirement in the relevant EU regulation.

In addition, the EU regulation does not set out any tax or income requirement. Whether one is a new entrant, young farmer or someone like me who is a little on the wrong side of 40 or 50 years and may be returning from abroad, the EU has dictated that young farmers and new entrants to farming are the priority for the €1.3 billion in funding it provides every year. When the question is asked as to whether a new entrant is a suitable person for farming, a litmus test applies, regardless of whether the person grew up in a rural area and is returning to the country after 15 years abroad.

I examined the list showing the names of the 200 people who receive the largest amounts from the national reserve. They include a sheikh from the Middle East who is worth \$18 billion and receives €150,000 from the national reserve. Did he obtain a green certificate and show his tax certificate for 2014? It also features the top six meat processors in Ireland, all of whom receive more than €150,000 per annum. Did they produce green certificates? Are they suitable farmers? I met a man in Louisburgh, County Mayo, the other day who does not have a green certificate but was fit to turn a calf around in a cow's womb the previous night. Is he a suitable farmer?

Many of those who are being denied access to the national reserve are progressive farmers. The other day, a senior official in the Department explained to me that there is an EU regulation in place on the type of farmer who is eligible. I asked him to define this regulation. This is a senior person who works for the Government and decides who is and is not a farmer. I also asked him how many teats a Lanark had. His answer was "four". A Lanark is a type of a sheep which has two teats. This is the person who decides who is suitable to be a farmer. I wonder if the sheikh who receives €150,000 could tell us how many teats a Lanark has. People in Ballycroy and Connemara would certainly be able to answer the question.

According to the programme for Government, the Department will enable more money to reach the people for whom it is intended. The average farmer receives approximately €6,000 or €8,000 if he or she is lucky. The Government indicated it would reduce the cap on payments from €150,000 to €100,000. As a result, the 300 people who received between €100,000 and €150,000 would have their payments reduced and the saving would be allocated to others. This commitment has not yet been implemented. We have written to the Minister and explained that there is no EU regulation and that the European Union has made clear it wants more young people to enter farming. It has not stated it wants more sheikhs, meat processors, multimillionaire couch farmers and corporate farmers.

On the other points raised, personal public service, PPS, numbers are not a major issue for us because most returning emigrants had PPS numbers prior to leaving the country. An issue was raised in respect of buying a house. A returning emigrant from the United States, the country with which I am most familiar, is caught in the middle. The national credit system in the United States is one of the best in the world and is recognised by many companies. The three main banks in Ireland operate their own credit rating system, under which they can check a person's rating and whether he or she has foreclosed or has been unable to pay bills in the past. They have not yet recognised the international credit systems recognised by most other coun-

tries. These allow someone returning to Ireland to provide his or her social security number and credit rating. The banks do not recognise these systems, however.

A person who has just landed in Ireland will not have a guaranteed income. If someone from a rural area wishes to buy something, one of the first questions a banker will ask is how much he or she receives in basic payments because these payments are a guaranteed cheque from the Government that goes straight to the bank. Returning emigrants who have sold a house abroad, for example, in London, before returning to Ireland are penalised by the banks because they will not be considered a first-time buyer, even though they will be buying a property in Ireland for the first time. This means many returning emigrants must put down a deposit of 20% rather than 10% and are penalised again. This is another banking related issue.

Deputy Danny Healy-Rae made two good points about driving licences. For many years, the only form of identification many Irish people carried in the United States was an Irish driver's licence and most police departments accepted this form of identification because it features a photograph. Many emigrants would post their licence home to have it renewed by their parents. This is no longer possible because the licence holder must present in person to have a licence renewed. Many legislators have become concerned about the Trump Presidency. However, this is an issue that could be addressed in Ireland to make life a little easier for Irish emigrants in the United States. Why can someone not present appropriate documentation and have a licence renewed on behalf of a son or daughter? This is not brain surgery because it has been done for generations. I am aware of someone who obtained a licence from the PSNI because he previously held a licence from both jurisdictions and could not get one here.

Senator Rose Conway-Walsh referred to the habitual residency clause. The language used in this area is maddening. The Senator referred to the old days. When I moved to Cricklewood in London I took the ferry to Holyhead. After spending every summer and Christmas with family in Ireland, people must now prove they intend to live on the land they worked and in the place they went to school and may have paid taxes. It is an absolute disgrace that people have to ask any Government agency "An bhfuil cead agam dul abhaile?"

I read the report which was mentioned. It is the second report; the honourable footballer from Kerry had a great report some years ago. We in Mayo forget Kerry footballers' names very fast, if we can. It is a brilliant report, but there is nothing in it about returning immigrants. That is why I say we have been forgotten. I ask the committee to recognise that the plight of returning emigrants should be considered first and foremost. I often write to party members, who then send it across the aisle to the member who deals with diaspora affairs. Diaspora affairs starts when a person leaves the country. It is not a social service agency. There is no agency to assist when one comes back. Diaspora affairs is the agency that needs to address it.

There are no EU regulations to stop anyone in Kerry, returning or otherwise, from not getting their entitlements because of a green certificate or anything else. The idea that there is no money has been clearly stated. The money was supposed to come from a clawback on either the sale or lease of entitlements. Last year the Government position was that any clawbacks had a 50% penalty towards the national reserve. That was for selling entitlements without land. They also said that if a person leased without land, there was to be no clawback. This information is in a parliamentary question that I can send to the committee. Last year, instead of selling them on to people who may be willing to buy them, €19 million worth of entitlements without land transferred hands. Some were good cases, perhaps people with hospital issues. Others were corporate farmers. Of the €19 million, not a penny went back into the national reserve. From the people who sold them and paid a 50% penalty, €13,000 went into the national reserve. I am

not certain of this, but the Department of Agriculture, Food and the Marine may have waived the payment. In the agreement with the EU, the Government, the Department of Agriculture, Food and the Marine, and most other member state governments said that if one leased without land one would have to pay a fine towards the national reserve, with the percentage to be decided. In Scotland that fine is 50%. Ireland did not impose a fine. Every time Deputy Danny Healy-Rae asked the Department of Agriculture, Food and the Marine to change something, the Department said that they had to get permission from the EU to do it. Did they get permission from the EU to waive the penalty on leasing entitlements without land? Did they just give a waiver, or did they decide that they did not want to charge a rate of 50%? If they had, they would have recouped €9 million. Was €19 million of entitlements traded between many very rich farmers and some people who had to lease them? There was only roughly 20,000 sold. The take from that last year was €13,000. That is why the well is dry. That is why the sheikh can still get his money but the rural farmer cannot.

Senator Conway-Walsh mentioned that there should be a desk in each of the Departments, dedicated to the diaspora. For many years we have called for a one-stop-shop so that a returning emigrant does not have to go from village to town to get their affairs in order. People in Castlebar are being sent to Portlaoise or someplace else. When we lobbied this Government to have a Minister for the diaspora, it did that. Many years ago we had the same problems while working with illegals. The Department of Foreign Affairs and Trade was more interested in international relations and did not want to touch the illegals issue. Former Taoiseach, Mr. Brian Cowen, did a fantastic job putting a diaspora desk in the Department of Foreign Affairs and Trade. He had to push against the people in power at the time. We asked for a similar desk for returning emigrants. In 2015 it was announced here at the global diaspora forum that this would come into being. It was to be called an interdepartmental committee of the Irish abroad. It was to meet quarterly, consult with other Government Departments, and issue reports. I have never seen any reports. I have seen very few meetings. It is chaired by the Minister of State for the Diaspora and Overseas Development Aid, Deputy Joe McHugh. I am calling for its work not just to be announced on paper, but to actually take place. Cutting silage cannot be announced on paper; you go and you cut it, or you lose it and you will have no fodder. We have a document called Annex X, but that is as good as we have seen from that committee. I am still receiving letters from Ministers asking for more information about it. This was supposed to be in place but still is not.

Everyone has opinions on voting rights. I am gone from Ireland since before a lot of the members were born. However, many Irish people overseas have voting rights for the Oireachtas. If a person went to the right school they can vote in the Seanad elections, no matter what part of the world they are in. Jim Crow could not have created this. A person who has gone to the right third level school can vote on the university panel, even if they are 500 years in Australia. If they are in New York or Santiago they can still vote. No matter the place, there is nothing stopping them. Why is it that going to one university means a person can vote in the Seanad elections, but a qualified carpenter cannot? Does the Constitution recognise two types of citizen? I am not a constitutional scholar, but in no place do I see that special circumstances apply to tradespeople or those who attend certain schools. Under segregation in the south of the United States people had to take a literacy test before being allowed to vote. It is not as if this is not being currently done, so why is it not being expanded? Many European bloc countries have only become democracies in my time. I have seen the lines outside their New York consulates. I saw the lines outside the Moldovan consulate in New York recently. We know there are big parties at the US Embassy here every year. Some of the parties turned into a bit of a wake this year, for obvious reasons. Why is that not expanded? I cannot see why people are frightened of

democracy, whether we like it or not - and some of us do not like it at the moment. Why does the person who went to Trinity College Dublin become a better Irish citizen than the person who finished carpentry school?

I think I have finished. My apologies for getting carried away.

**Deputy Martin Heydon:** I was previously a member of the agricultural committee. The witness has addressed access and the green certificate, and moved on to the issue of redistribution, which took place under the last Common Agricultural Policy. This was intended to bring about a more balanced approach. It was a very contentious issue which saw a divide between the so-called productive farmer and more marginal farmers. We had to make sure we got it right. That debate is probably more suited to an agriculture committee than here, but there is a balance involved. We have a burgeoning food and drink industry in this country, including the growth of distilleries and artisan food producers, so it is important to maintain the farmers who produce the required ingredients. Those are value-added jobs that can be accessed by returning emigrants.

The Minister, Deputy Coveney, held the agriculture portfolio when we had the EU Presidency which included a re-negotiation of the CAP. He led the way with a young farmers' measure that had never been in a previous CAP agreement. In fairness, that should be recognised.

Leasing was mentioned and the difficulty of clawing back costs. We have made a number of changes to long-term leasing in recent years. Up to now this has been a big issue for somebody coming home who wanted a farm but did not have access to land. We work on a conacre system which is a disaster for young or mature farmers who want to get into farming but do not have access to land.

One cannot plan for the future based on a year-on-year system. We have actively gone out of way to try to encourage long-term leasing, which is the right thing to do. That is particularly so for someone who comes back but may only have a small piece of land and needs to expand to reach the necessary economies of scale. The long-term leasing measure is really worthwhile because it allows supports for a farmer leasing land, as well as allowing such a person to plan over a five or six-year period.

Ultimately, each EU member state must have its own set of rules which have to be approved in terms of how they plan to redistribute. The green certificate is a fair way of doing it. Anyone who takes the time to do such training is showing a real commitment. If we did not have that system here - leaving aside returning emigrants for a minute - somebody who inherits a farm but may be working in a financial services job in Dublin could get access to all the supports. They would be an armchair farmer rather than an active one, which would not be fair. We must be careful that in trying to look after one cohort we do not make the system unfit for purpose. My view is that the green certificate is the right way to go. We need to work on improving access to it for returning emigrants.

**Mr. Ciaran Staunton:** Let me just go back on that because there is a great miscommunication. No one is saying that a farmer should lose entitlements. I am saying that a young farmer who comes back to Ireland is told: "Don't bother applying unless you have this in place, because this is what we are looking for." On the other hand when we open the newspapers we see there is a sheik in the Middle East in receipt of a payment. How can anyone sit here and justify giving a sheik worth \$18 billion some €150,000 a year? He has no green certificate. If we look at the top ten we are not talking about food and drink industries or middle-aged farmers who

bought land beside them, worked to reclaim it and became progressive farmers. We are not saying that, but a number of people are getting money who are armchair farmers or armchair millionaires. Last year, many of them got the bones of €150,000. Most of them would not know the difference between an Angus cow and a buck goat.

I do not want to say that our party did this, or the other party did that. Over the past 35 years I have said that, regardless of party, when a person lands in Cricklewood-Broadway or the Bronx, no one gives a hoot what party you campaign for. There is no such thing as political party affiliation when someone looks for a job, a social security number or a couch to stay on. No one gives a hoot, so I do not want people to say “Our party did this” or “Someone else did that”. All I am telling the committee is about the facts as they are today on the ground. It is absolutely impossible. What is even worse is that for two years we were blamed and told: “My hands are tied by the EU.” After two years of searching we found out that there was no EU regulation. The lack of empathy adds insult to injury. We were misled for two years and were then told that hands were tied. We are getting the moral equivalent of saying: “There’s a hole in the wall. We’re looking into it.”

**Deputy Martin Heydon:** I will make one final point, although I was not political point-scoring at all. The sheik that Mr. Staunton mentioned would have been entitled to more money in the past. The reason somebody who owned extensive amounts of stud land is getting that money is that historically, and still to this day, they have a large holding and a lot of cattle. They are farming productively.

**Mr. Ciaran Staunton:** I agree with the Deputy.

**Deputy Martin Heydon:** It is easy to come with the headline “Top Ten”.

**Mr. Ciaran Staunton:** I will give the Deputy the top 50. There are 300 actually.

**Deputy Martin Heydon:** We are talking about €1.3 billion.

**Mr. Ciaran Staunton:** Yes.

**Deputy Martin Heydon:** In the general scheme of things, the redistribution that happened has made the system a lot fairer.

**Mr. Ciaran Staunton:** I will have to bow to the member on that because coming from rural Ireland I know very little about stud lands. There may be a few in Roscommon, but certainly not in Mayo or Connemara. I have not been on the stud out in west Kerry lately.

**Deputy Martin Heydon:** There are 4,000 people in rural parts of Kildare who are employed in these stud farms. They are real jobs for real families, so I would not dismiss them either.

**Mr. Ciaran Staunton:** In 2011, there were tens of thousands of young Irish people on this list from Mayo, Kerry, Donegal, Sligo and other places, who are now in San Francisco, Australia and London. They are equal citizens no matter what county they come from, Deputy.

**Deputy Martin Heydon:** Absolutely.

**Mr. Ciaran Staunton:** I want them treated as equal citizens, not out of sight out of mind, as the Senator said. The reason I came 3,000 miles here was not because I was bored and had nothing else to do - I came here because I live with it and have done so for 30 years. With all

due respects, the ones on this list - be they in San Francisco or Kildare - are equally enshrined in and cherished by our Constitution.

**Deputy Martin Heydon:** I agree.

**Mr. Ciaran Staunton:** Thank you.

**Senator Trevor Ó Clochartaigh:** Tá an díospóireacht seo thar barr.

I want to commend this debate so far. The level of passion is exemplary and it is good to see it at an Oireachtas committee. It is also good to hear these points being made. I am my party's spokesperson on the diaspora so I am dealing with every single issue that has been discussed, and more, on a daily basis. I know that there is a lot more that Mr. Staunton has not been able to go into.

I will ask him to elaborate on a couple of things so that we can get them on the record. I have met Mr. McMahon before and I know that there are major issues due to the change in the US Presidency. There were issues previous to that in the US also concerning the undocumented there. I would like to hear from the witnesses about what is happening on the ground at the moment. I am getting e-mails from family members here who are terrified about what will happen to their brethren who are undocumented and living in the United States. What can we do immediately to try to support them, either by staying where they are or by coming back?

It was mentioned that Ms Maureen Sullivan has personal experience of the barriers to coming home, so it would be important to hear about them. It is worth noting the work that has been done by the "Generation Emigration" column in *The Irish Times* and by the *Irish News* and other publications on highlighting these type of issues. People's stories can really strike a chord, so perhaps Ms Sullivan could tell us about her experiences.

The most poignant line I heard came from Ms McHugh who said that people do not get back to die but they get back to be buried. That comment will stay with me because it is so true. There are many people who want to return because they are estranged from family and friends, or may have mental health difficulties or social problems. They find it almost impossible to return, so the witnesses might tell us what can be done in that respect. What measures could the Department of Health and the Department of Social Protection take to deal with those matters fairly quickly?

I have a sense that there is a certain amount of cherry-picking. One often heard of a Government announcement about a scheme with €1 million available. Some years ago, in response to a large number of fishermen losing lobster pots in storms, a famous and fantastic scheme with substantial funding was introduced. The red tape involved made applying for funding almost impossible, however, and very little money was drawn down. I get a similar sense sometimes with regard to the diaspora. We may say the doors are open and emigrants will always be made welcome but we pursue a policy of placing practical obstacles in the way of emigrants returning. The message to emigrants who are farmers, carpenters, block layers and so on is that they should come back but not just yet, whereas emigrants with plenty of money in their pockets and those who work in information technology, global financial services or similar sectors will be welcomed back. There is a sense that we are engaging in cherry-picking. We want certain emigrants to return, for example, junior doctors and nurses, and we will make it easier for these emigrants to do so. Do the witnesses believe there is a form of political blocking occurring and that things are not moving as quickly as we would hope?

The figures provided appear to be an underestimate because figures available to me show that between 450,000 and 500,000 people have emigrated since 2006. I will not argue with Mr. Staunton on the issue, however, having just observed his ability to engage in political debate.

Mr. Staunton's comments on the national reserve were extremely important and members must take them on board. Ms McHugh and Mr. Staunton alluded to the interdepartmental agency announced in 2015. What engagement have the witnesses had with the agency? Is it moving on the issues on which agreement has been reached? What actions must be speeded up?

What type of engagement is taking place with the Minister of State with responsibility for diaspora affairs? Are he and his officials in regular contact with the emigrant organisations? What progress is being made? In fairness to the former Minister of State with responsibility for diaspora affairs, Mr. Jimmy Deenihan, following his appointment, there was significant activity and public engagement on diaspora issues and he travelled extensively. Matters appear to have quietened down a little. I have probably called for a debate on diaspora affairs ten times since the new Seanad first sat and it is disappointing that we have not yet had such a debate. I am not sure if the Dáil has had a debate on the issue since the Government was appointed but I have a sense that the momentum on diaspora affairs is slowing, which is worrying.

Voting rights for emigrants have been alluded to by previous speakers and I concur with the point that a citizen is a citizen regardless. I would prefer to hear from the witnesses rather than have members rabbiting on about issues. It is very important to get their contributions on the record in order that the joint committee can then consider practical actions that could be taken to follow up on the issues they have raised. I thank the organisations represented today for the work they have been doing both quietly and publicly for years. It is very important that the committee supports them.

**Senator Maura Hopkins:** I thank the witnesses for their presentation. I had reason to meet Ms McHugh in another capacity, one which is, in many ways, similar as it involves supporting refugees who will come to my home town of Ballaghaderreen in the coming months, an issue on which she has been very supportive.

The presentation and the discussion that followed laid out many difficulties and practical challenges faced by emigrants. I am aware of some of these difficulties. Recently, for example, I dealt with a nurse who returned from the United Kingdom and had secured work as a care attendant while waiting for her registration to be processed by An Bord Altranais. The administrative delays in processing her registration were excessive and unnecessary. Thankfully, her registration is now complete and she is working as a nurse in a rural area. Registration with An Bord Altranais must be processed in a timely and efficient manner. In the case I highlighted, the excessive administrative delays resulted in the nurse working as a care attendant for a considerable period during which she could have been working as a nurse. I am, therefore, familiar with some of the challenges faced by returning emigrants.

As someone from a rural area in County Roscommon, I am also familiar with challenges facing the farming sector in rural areas of the west. We need to encourage productive young farmers. I ask Mr. Staunton to respond to some questions on the young farmer scheme and national reserve. He will be aware of the terms and conditions that attach to the scheme. The three main eligibility criteria are that applicants must be aged under 40 years, have an educational qualification and may not have held a holding for more than five years. It appears emigrants wishing to access the scheme face further stumbling blocks. Mr. Staunton referred to a requirement to produce tax returns for two years, for example. What difficulties do emigrants



face in accessing the scheme other than the three criteria I cited? I encounter cases involving people who are not emigrants but experience problems accessing the scheme. A forgotten cohort of farmers cannot access the national reserve, even though they are aged under 40 years, because their holding was established prior to 2008. My specific question, therefore, is to ask Mr. Staunton to indicate what criteria outside the terms and conditions are causing a problem.

Mr. Staunton referred to engagement with Ministers and departmental officials and Ms McHugh referred to engagement with the interdepartmental agency. What, if any, progress has been made with the interdepartmental agency? I note Senator Ó Clochartaigh asked a similar question. I will raise issues with the relevant Ministers, including the Minister for Agriculture, Food and the Marine, Deputy Michael Creed, whom I will contact with regard to the young farmer scheme. I have raised with the Minister for Health, Deputy Simon Harris, the administrative challenges faced by nurses wishing to register here. The witnesses laid out many more practical difficulties.

Unfortunately, as I have quorum duty on the Order of Business in the Seanad, I may not be present when the witnesses reply. If that is the case, I will read the Official Report later.

**Deputy Danny Healy-Rae:** I am aware of a case involving a fellow who returned from England to mind his elderly mother and found that he did not qualify for the carer's allowance. He was honest and told the Department he owned a house in England. The house is idle while he is here minding his mother who is almost 100 years old but he has been refused the carer's allowance on that basis. He does not have any other income while he is here. That is one problem I have encountered.

In another case, a person who wanted to become an Irish citizen had to demonstrate that a certain amount was held in a bank account before an application would be considered. The person in question is Irish to all intents and purposes but must show a deposit of, I believe, €50,000 in a bank account.

**Senator Aodhán Ó Ríordáin:** I am sorry I missed the presentations. I found the witnesses' interaction with other members very interesting. I know Karen McHugh from the fantastic work she does with Doras Luimní. I am at a disadvantage because I am not from a rural area, although I have connections in rural Ireland. For this reason, I cannot tap into large parts of the conversation on agricultural issues.

Like everyone else present, members of my family are living abroad and I know what it means to say goodbye to someone in an airport and to have an empty chair at the table at Christmas. I recall having long distance telephone calls with relatives in the United States in the 1980s when I could have sworn I was communicating with someone on the moon. We all know what that was like. I am not a member of the Government. I do not accept that Government does not care or that politicians in power do not care. The current Government appointed a Minister with responsibility for the diaspora and one of the Taoiseach's nominees to the Seanad, of which I am a Member, is Senator Billy Lawless, who has been dealing with this issue for some time.

On the voting rights issue, in my opinion voting is a real and tangible connection with the country one comes from. A number of years ago when I was on my way to the RTE studios by car I passed the Romanian Embassy. It was a very wet night yet the queue to vote in the Romanian presidential election was unbelievable. This was a wonderful opportunity for Romanian people living in Ireland to have a say in the country of their birth. I am sure if we had the same

capacity abroad for Irish citizens in respect of domestic elections it would have the same powerful effect. That sense of connection is very real.

As the witnesses will be aware, one of the topics for discussion by the Constitutional Convention was whether Irish citizens living outside the State should have voting rights in presidential elections and whether that would require constitutional amendment. As far as I am aware, that was recommended by the convention. In the witnesses' estimation, would a constitutional referendum be required in respect of the extension of voting rights in local elections and European elections to Irish citizens living abroad? My instinct is that it would not. What steps could be taken in a relatively short timeframe, outside of a referendum, to allow this opportunity to be afforded to Irish citizens abroad? I have a sister living in London and a brother living in Canada. I know that they would both greatly appreciate the opportunity to have their say in the country they left. Some people leave with a heavy heart and others leave because they cannot wait to get out of here. While all people may not avail of this right the fact that they can do so could mean an awful lot to them.

**Mr. Ciaran Staunton:** I thank Senators and Deputies for their questions. As Senator Hopkins has to leave soon, I will start with her questions. Senator Hopkins, as of now, is non-rural but she is welcome in rural Ireland. We are welcoming people at all times. The reason so many young people are emigrating is broken down into particular areas. When the EU introduced its changes in relation to young farmers it said that the changes were applicable to new entrants because it knew that to set down a particular age in that regard would be discriminatory. A new entrant is not a person who is bored and has billions of euro but a farmer who wants to buy back or return to the land. The forgotten farmer and young farmer is also covered by this measure. As someone old enough to remember the cow and calf schemes of the 1970s and all the various other schemes of that time I recall that regardless of what the problem was it was always easy enough to sort out. I am speaking about a time when most people did not have a home telephone such that a local representative would have to visit a house late at night to deal with issues. As such, I come at this from an old fashioned point of view. None of these issues is huge. I have read the European regulations. I have recently come to the view that there are many European bureaucrats who want to hide behind a massive cloak or, to borrow President Trump's word, wall of Europeanism. In other words, one cannot feed the cat milk during the day because the EU says so. None of the regulations around those groups is looked at.

At the end of the day, the Minister has stated that we do not have any additional funding in the budget. We have overspent. One of the reasons there is no money left is because no provision was made for a reasonable claw-back on sales or leasing of entitlements. By kicking this down the road, more people are coming on side. The advisory committee on CAP, which is made up of farmers' groups, is considering these issues. However, these issues are relevant not only to farmers but to lobbyists on behalf of the meat processors who are getting big money, the sheep farmers and various other groups. One group is being paid, on average, €120,000 to €150,000 per annum. At the other end people are getting €8,000 to €10,000 per annum. One group comes from east-south-east. Many of them are getting money based on what business they were doing in 2000 and 2002. I was in the restaurant business for many years. I wish I could get income today based on what I was getting then. However, that is beside the point. All of the areas mentioned are areas uniquely created by farming groups and the EU. The average age of a farmer in Ireland or Europe today is 55 plus years, which begs the question, if we do not get new entrants where will that leave us in 20 years? The people who today are getting €150,000 per annum are not 20 plus year olds, 30 plus year olds or 40 plus year olds. What will they be doing in 25 years?

Everybody in rural Ireland knows that every euro from Europe that is invested in rural Ireland is multiplied three or four in terms of spending power. It does not go to the Cayman Islands or into high interest investments. The first cheque goes to the co-operative; the second cheque goes to somebody else who then hires people to carry out work on land, to contractors or to the people who make silage or haul cattle. A sum of €10,000 paid to a farmer in rural Ireland results in greater spending power than does €100,000 paid to a meat processor.

On engagement with Ministers, given my age I have been dealing with Ministers dating back to the late great Brian Lenihan senior who famously said that this island is not big enough for all of us, which has been said many times since by other parties. I would never say that anybody I have ever met does not care about the situation. I have known, the Taoiseach, Deputy Enda Kenny, since he was a school teacher. I first met him when he came to London to meet the agencies dealing with emigrant housing issues. While some of the people I have met may not have empathy with others it would not be fair to say that I have ever met an elected official who does not care about the situation. I have often had to contact personnel from the Department of Foreign Affairs and Trade in the middle of the night and vice versa. I want to ensure that nobody here today gets the impression that anybody on this side of the table believes that any elected official now or at any time since I began dealing with this issue in 1984 does not care. I do not accept that. I do, however, agree that there is very little empathy shown by officials in most Departments.

Leaving aside what was done by a particular member, it is important that people saw it. I am non-political either side of the water. I agree with what was said about the airports. Every year in the weeks before Christmas there are cameras everywhere in the airport filming the great scenes of people returning home for Christmas. What bothers me about this is that there are no cameras at the airports in the first week in January when broken hearted mothers and grandparents are saying goodbye to their children, not knowing when they will see them again. I recall that in a letter some years ago to *The Irish Times* from former Deputy Proinsias de Rossa on the same issue he mentioned the lighted candle in the window of the home of the President, which is magnificent in terms of symbolism but we need to do more. For more than 30 years, I have been witnessing what happens at the airport. Most people do not know what that is like. If one does not know what it is like, one cannot learn from the outside. One will never learn from watching it, but if one lives it, one will never forget it. There is also the issue of long-distance calls. Boy, this was brilliant in the 1980s. One called the international operator from New York, who called Dublin, who called Westport, who called Liscarny on a local phone to get through to home and sometimes one would hear, "Tell him to call back, Tessie is not home at the moment." That is how far we have come. Later when we got direct calls, people half in the tank and falling asleep called home and wound up with a \$300 bill.

The empty chair has also been mentioned. In my own life, I have an empty chair for different reasons. The empty chair is there over the years. I am talking about people who have never been to a nephew's or niece's communion, who have missed every family occasion, but the only thing they do not miss - and I have seen people borrow the money for this - is coming home to bury the father or mother, or a brother killed in an accident. People borrowed that money or loaned it, as we in the bar business often did. Where one lifts a fellow down from the stool when he gets hammered and makes sure he gets on the plane, saying to someone in Aer Lingus "it is a bad situation, let him on, he has not seen his mother in years", a mother who is dead or dying, those are real human issues. Even today, people have to make a decision either to stay with their American-born children or go home to see their dying parent for the last time; those are the real human issues and I am glad someone has touched on them. I want to pay tribute to

that.

The election was mentioned. I tend not to get too involved in it, because it is extremely divisive. I do not do party politics on either side because once one mentions it, one is attacked from all sides. Maybe we deserve that. I do not see any reason for it. People say that the courts have ruled that the Oireachtas makes the rules for elections. Regardless of whether the Oireachtas decides that everyone wants to vote in local, European and presidential elections, I go back to my earlier statement that if an Irish citizen living in Australia can vote for a Senator on a panel, then that citizen has been allowed to exercise his or her franchise. Why should the person sitting beside them who has graduated from the school of carpentry or design or hairdressing or wherever not be able to? Are they lesser citizens? I should not mention hairdressing, because Senator Ó Clochartaigh and I have had a tough day with the hairdressers. I do not think a plebiscite or referendum is needed. I do not know if a referendum is needed, since I am not a constitutional scholar. I know people who have got their letter in the post saying that someone is a candidate on a university panel, and here is a list - I know some of the candidates and I have helped them all. They are all equal when they come to the United States.

I do not have the answers to these questions. That is within this body's remit. There is a campaign at the moment asking emigrants to come home to Ireland. The programme for Government says that we are going to bring 70,000 back. That is like putting the cart before the horse. Maybe that is appropriate in the east part of the country, but in the west an awful lot of people still do not have jobs. Surely we should remove barriers for those who come back, or maybe we should call them speed bumps or hurdles. They are unnecessary for someone coming back. We are talking about the young farmers again. I know of a young gentleman in Galway who had to show his taxes for 2014. He had earned £40,200, so for those extra £200 he was denied access to a green certificate, and to the national reserve.

We have dealt with various Ministers. We lobbied this Administration for a Minister with responsibility for diaspora. We got a famous Kerry footballer, former Deputy Jimmy Deenihan, an absolute gentleman whom I have known for years, who did a great job. He travelled, met people and listened to them. I have yet to meet the current Minister of State. It is very disappointing that he was in Kenya yet could not come to New York. While I know that it will get a lot of lip service now coming up to St. Patrick's Day, I do not believe it has got sufficient attention. Senator Ó Clochartaigh mentioned that the Minister of State had not been in the Seanad. I have not heard from him and I have written to his office on many issues. I am very disappointed with the lack of activity. I am trying to be diplomatic, but I am disappointed with the current administration of that office.

Going back to the US, people get very frightened and worked up. We do not like the language coming from the current US Administration. It has certainly raised the issue of many more people returning to Ireland. Do not forget that for the past eight years, President Obama promised us immigration reform. Many people held out and held out. He deported more than 2.5 million, the most of any US President ever. Again, I am not overly concerned. I am concerned about the hype that is going on about it, but I am not really concerned about what is going on on the ground. I think the other issues were for Mr. McMahan, Ms McHugh and Ms Sullivan.

**Mr. Michael McMahan:** I thank the committee for having us today. Mr. Staunton has covered much of the ground.

Living in Donegal, we are certainly very worried about our families in the US. The problem

arising is that, for a number of years, the families were fit to go to see their children over there. Now they are becoming too old or do not have the money. People's health and well-being is a cause for concern, which would be very important on both sides of the Atlantic. The families over there are certainly worried about the talk from President Trump. We would be disappointed with the inactivity of successive Governments. That is what the families say to me, and I am in constant direct contact with the families. I would not say, as Mr. Staunton has said, that Governments do not care. I believe that they do, but they have not really shown that care and that is where the problem arises. I have, as Senator Ó Clochartaigh would be well aware, been here on several occasions talking to Deputies and Senators. I ask them to do different things and to get back to us, but that has never happened.

There was a waiver scheme, and we were very disappointed that other countries got thousands of waivers while we, for some unknown reason, got none. The Department of Foreign Affairs and Trade can play a bigger role in the waiver. Even if they people got home once to see their parents, their families, their towns and villages and their home areas, they would be satisfied. One has to recognise that a majority have their own business in America whether in the contracting business, the bar business, the hotel business or whatever the case may be. They all work very hard. They are very good to their communities and to try to uproot them and bring them back to this country that does not seem to have anything for them is unfair. Children are going to national school and to second level school, and one would be interfering with the whole education situation. We are disappointed that with the waiver scheme that was there, nobody came to Ireland. We are in a very difficult and serious situation, and I ask again that the Department of Foreign Affairs and Trade look into the waiver scheme. I know that the Minister, Deputy Flanagan, is an honourable family man and I think he understands the plight of the undocumented. We also set up several all-party committees and nothing ever really came out of that.

We say that the Taoiseach should and must go to Washington DC on St. Patrick's Day, but we want to know exactly what he is going to say and how strong he will be against the administration over there. I do not have a problem with other Deputies and Senators who go over there. People, my family and other families are saying that they do not want them coming over, getting photographs and all that, and then going back and forgetting about us for another 12 months. That should not happen. We are in a very serious situation given that some families have not been home in over 20 years. Senator Conway-Walsh said "out of sight, out of mind". I believe that is what has happened with politicians. We are not here to ridicule politicians of any political persuasion, because they all have a part to play. It is now time that they stood up and were counted. The present Administration in Dublin should stand up to the US Administration and tell it exactly how they feel and what we need. There are only 50,000 undocumented Irish in America but that is a lot of people for the island of Ireland. The situation is serious because the families in America and their parents here are getting older. We want action taken and progress made. Politicians should not play politics with this issue but do something over there, tell us what they have done and declare who they have and have not met. For a number of years there has been a lack of information. We would have been worse off if we did not have Mr. Staunton in America. I take this opportunity to thank him for his work and for his presentation here today. I thank the committee for inviting our deputation here today.

**Vice Chairman:** I thank Mr. McMahon. Does Ms Sullivan wish to speak?

**Ms Maureen Sullivan:** I shall briefly explain where I am coming from. I come from a rural town in County Kerry. I lived in Dublin for over a decade and went to college. I have also

lived in Boston and New York. This is my second move home to a rural town in County Kerry. I made the transition from a big city to a very small rural town. A few of the issues that were outlined here today took me by surprise. For example, the cost of car insurance if one has lived outside of the country for several years. Also, the fact that a credit rating that I had built up in New York over several years was basically non-existent in the eyes of the Irish Credit Bureau. I was also surprised to learn that I had to reside here a full three years before I would qualify for reduced college fees that are available to Irish residents. The provision is shortsighted because upskilling is now a fact of life. One needs to keep up to date with many things especially IT and the Internet because they constantly change. I found it difficult to be asked to fork out more money as if one was not a citizen of this country. Let us remember that one incurs financial costs when returning home, especially in a rural area.

We have an opportunity to improve things because the policy document mentions the revitalisation of rural Ireland. I was surprised returning emigrants were not mentioned in the policy document because there has been a large campaign to encourage emigrants to come home to work. I believe returning emigrants should be included in the policy document, that would be great. There are more people like me who want to return home to their rural areas. We have gained experience from living abroad but now have a desire to live in rural areas. The Government had the idea of compiling a policy document to make the best of rural Ireland. Rural Ireland has an awful lot to offer. I am originally from Kenmare. One would be unaware that the town has quite a number of self-employed people because the business of the town is focused on the hospitality and tourism industry. Many professionals who live in Kenmare work in IT, film production and media and these resources can be tapped into. I suggest that the Government take a closer look at the people who have returned to rural areas and provide a level playing field for returning emigrants. I do not seek special treatment. I mean returning citizens or people who have lived in cities but want to return to their rural roots. An opportunity does exist. I urge the Government to keep us in mind and work with us to create a vibrant rural economy in Ireland.

**Ms Karen McHugh:** I shall respond to a number of points raised by members. One cannot get a PPS number unless one lives in the country although there are ways around the situation. Not everyone who left the country has a PPS number. One can get a PPS number if one had one before leaving. It is possible for members of Safe Home Ireland, with our age cohort, to apply for and receive a PPS number.

Another issue is the habitual residence condition, HRC. We argue for resuming residency using the HRC. Many people are affected by the HRC. If one worked on the clause to resume residency and one can prove previous residency one can work around the matter. The situation is a lot better than it was. I guarantee members that it was practically impossible to work with the HRC but the situation has improved.

We receive many queries from family members who want to return home for a number of months to care for a relative. They are entitled to zero assistance regardless of their situation and whether they own a property abroad. They are not entitled to carer's allowance or any support when they return. Therefore, people find it impossible to return home to provide care. The barrier could easily be addressed.

I support the provision of voting rights. I worked in Doras Luimní for many years. When I was there we hosted the Latvian Embassy who supported the Latvian community here to vote in their home country. Providing the option is not rocket science.

Senator Ó Clochartaigh mentioned people with more complex needs. The fair deal scheme has posed a challenge. We worked with a person who lived in a south London borough but care was provided by a north London borough. We worked with that person so that the local authority could fund the person's return here until the fair deal scheme kicked in. The fair deal scheme is administered by the HSE. Admission to the scheme takes a long time to negotiate although times have improved. It is impossible for somebody with nursing or health care needs to return to Ireland if he or she so wishes. The person to whom I referred was someone we worked with in order to bring them home. The person had hoped to live for some years. Unfortunately, the person died in England and never had the chance to spend their last months in Mayo. We supported the family to bring the person's body home. Unfortunately, people continue to return home dead rather than alive.

The interdepartmental committee on the Irish abroad is now called the diaspora affairs committee. Last November I gave a presentation to the committee and I have not heard anything from it since. I shall chase up the matter because we raised many issues, including barriers, challenges and the many opportunities. We have not received any feedback whatsoever.

In terms of the challenge of dealing with various Departments, we have experienced many challenges when trying to discuss issues with various Departments. For example, applying for social housing when somebody has a tiny bit of savings. The decision is discretionary because one local authority will take account of savings while another will not. There is no standard procedure. We are afraid to ask too many questions in case a precedent is set. Let us say someone has savings worth €10,000 or €20,000. We might get a straight answer to one of our questions but then the answer may affect many other issues. There is a huge discrepancy. Savings can sometimes work in one's favour but in most cases they have the opposite effect.

Administrative delays is a huge problem. We have written to many Ministers and Departments seeking information and clarity on issues. We generally get the standard acknowledgement letter thanking us for our correspondence and stating they will be in contact. We write again, email or whatever. With a few Departments we have had to lodge five or six challenges. We have not been given answers to our queries so we will table a few parliamentary questions. People cannot return home because there is no clarity.

I have answered all of the questions that I possibly could and I shall not go into any more detail unless there is something else that members wish to raise.

**Mr. Ciaran Staunton:** Go raibh maith agat do Ghráinne agus don chailín eile, níl fhios agam.

**Chairman:** The new staff are welcome.

**Mr. Ciaran Staunton:** Tá fáilte romhaibh.. This is the first time that a discussion like this has taken place. On our way in we looked at documents. We also read the Proclamation that has the words "her exiled children" that everyone knows. The words are particularly poignant as last year was the 100th anniversary. Our exiled children are still our children. What if Connolly, MacBride and Collins, to name but a few, landed here today? What would happen if James Connolly arrived with his family, if Thomas Clarke arrived after living in Long Island for many years, if the bold Mick Collins arrived back after working in London for many years or if a famous guy came back from England and ended up in farming? What about the great old Brian Cowen who laboured in New York for a couple of years and came back? As he put it, he was still washing dust off himself after he arrived without party or anything. I hate to

use the term “out of sight, out of mind” and I hate to use analogies. What Safe Home Ireland has proved is that there is a way around it. My Dad had a great saying - “where there’s a will, there’s a way”. If you have the will, you will find the way and if you do not have the will, you will never find the way. What we have come across is that there is no will and I am not sure where one can take that. It is very disturbing. I lived in London and saw what those people did. I saw them working day in and day out. I see what Jerry Cowley has done in Mulranny. I have seen all the work. I represent many young people but it is very hard when one meets someone who represents many old people who may have sent money and parcels home to Ireland and one tells them one has written to the Minister five times but all that was received was the standard reply. I have written to the Minister who is charge of all these Ministers and I am getting it. The membership of the interdepartmental Government committee may be there on paper but it does not make it. I congratulate this committee on making history. Members should not forget that when history is read down the line, if something was successful, everyone was there but if it was not successful, nobody was. We will get a photograph. I do want it to continue because to date, nobody has ever addressed the rural community. I would like this committee to say: “Let’s invite in those communities, let this not be the last but let it be the first, let’s keep it out there and let’s keep it non-partisan.” I thank everybody here. As I always conclude as a Mayo man, we will see you in Croke Park.

**Vice Chairman:** I thank Mr. Staunton, along with Mr. McMahon, Ms Sullivan and Ms McHugh. Senator Ó Clochartaigh said there was a great level of passion, which must be complimented. It was a very interesting debate. Many members are coming and going because they are also speaking in the Dáil but everything said by the witnesses will be on the record and members will have an opportunity to come to the witnesses if they need to at any time. That concludes our consideration of this topic. I thank the witnesses for assisting in consideration of this topic.

The joint committee adjourned at 11.45 a.m. until 9.30 a.m. on Wednesday, 1 March 2017.