

Minister Urged to Abandon Unfair “Habitual Residency Condition” Which Penalises Family Carers

The Carers Association say that the imposition of a “Habitual Residence Condition” (HRC), on people returning to Ireland from living abroad to care for elderly, infirm or ill family members is highly unfair and disadvantaging dozens of Family Carers.

The application of the Condition means that a person returning from abroad to care for a sick or elderly relative will not be eligible for any assistance if it is considered likely by the Department that they will leave Ireland when their caring role comes to an end. This is being described by the Carers Association as impractical, narrow minded, unfair and unreasonable.

While figures from the Department of Social Protection show that in 2009 a total of 35 Irish citizens were refused Carers Allowance because of the Habitual Residence Condition (HRC), figures available for 2010 already show that this figure is set to climb dramatically and they say it is an increasing problem for families relying on family care.

The Carers Association say that the imposition of the HRC on the already hard pressed Carers in Irish society is yet another unacceptable burden on the sector who each year save the Exchequer hundreds of billions of Euro.

The Association, which represents Ireland’s family carers is calling on Minister Eamon O’ Cuiv to waive the Habitual Residency Condition for family Carers returning to Ireland to provide full-time care.

“Family Carers are Ireland’s invisible workforce, however, qualifying conditions for the Carers Allowance are already difficult to satisfy and placing the additional and unfair burden of the HRC is an added barrier to accessing these supports,” according to Carers CEO Enda Egan. “While it may not have been Governments intention, the HRC has caused great difficulty and financial hardship for people returning home from abroad in often very difficult circumstances to provide care for a family member.”

“Although the HRC was first put in place to protect the State from ‘welfare tourism’, many of its conditions are at odds with the realities associated with providing care and as such, are unfair to Family Carers”, according to Mr Egan

Since 1988, with the publication of *The Years Ahead* report, it has been Government policy to enable older people to be cared for within their own homes for as long as possible. In practice however, the HRC is at

odds with this, making it difficult for genuine Irish citizens to return home to provide care for family members.

Mr. Egan stated that “Caring is not a role that is chosen voluntarily by families but is one that falls on them, often without warning. Therefore, assessing an applicant’s eligibility based on their previous life or future intentions is unfair. What should be assessed is their present role, the sacrifice they have made to return to Ireland and the enormous contribution they make to the Irish economy and most importantly, to the lives of those for whom they care”. Mr. Egan went on to say that the Carers Association have met with Minister Eamon O’Cuiv on this matter and at his request have made a detailed submission to him on the issue of Habitual Residency.

Research commissioned by the Carers Association predicts that Ireland will require an additional 40,000 Carers by 2021 to provide care for those with a disability. In addition, Ireland’s older population is set to increase significantly from its 2006 level of 467,926 to approximately 1.4 million by 2041 (CSO). This is coupled with policies adopted by the HSE to reduce the number and length of time patients are in hospital and move towards a community and home-based care model. Mr. Egan said that *“if these policies are to be realised, it is imperative that there are a sufficient number of Carers available to provide the requisite care. Experience has shown that more and more often, families are dependent on children and siblings returning from abroad to provide this care”*.

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