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Falling Through the Gaps

Administrative Barriers to Housing and Social Welfare for Refugee Families in Ireland

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Disclaimer

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Falling Through the Gaps: *Administrative Barriers to Housing and Social Welfare for Refugee Families in Ireland*

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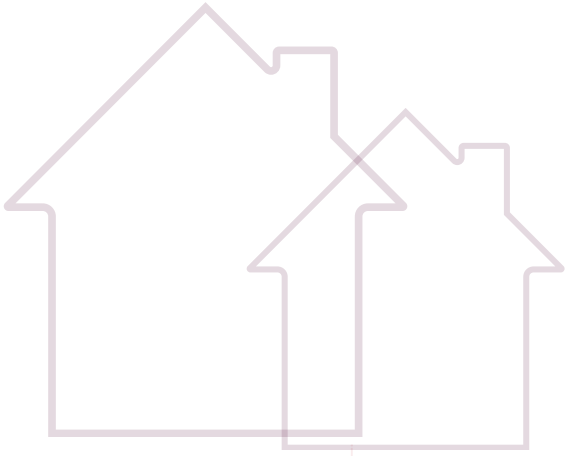

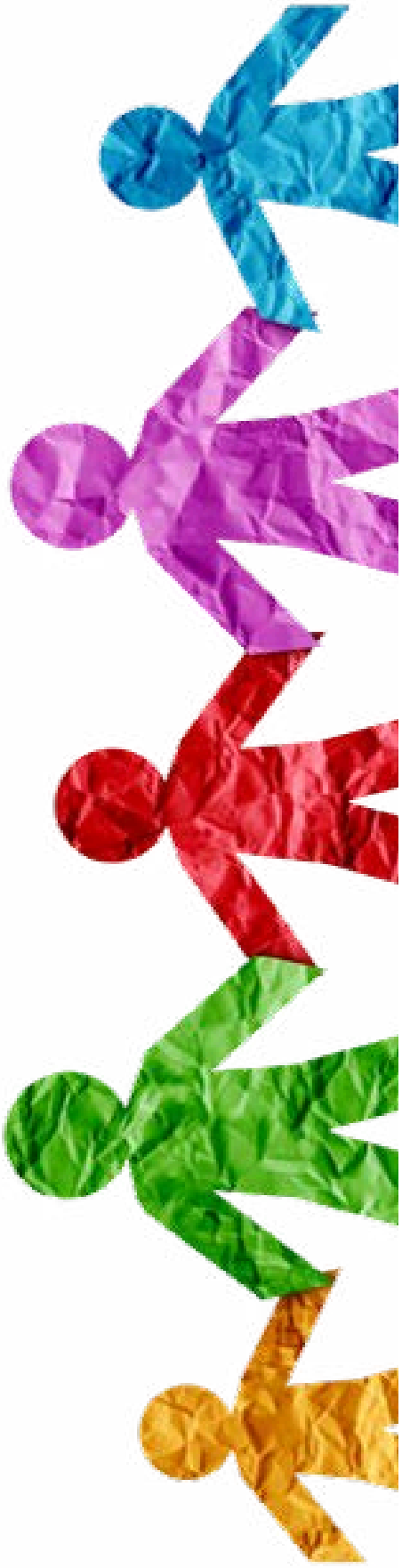

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INTRODUCTION & METHODOLOGY

This report examines the barriers faced by refugee families in accessing housing and social welfare in Ireland. Although Section 53 of the International Protection Act 2015 (2015 Act) guarantees equal access to social welfare and housing supports for beneficiaries of international protection (more commonly known as refugees and persons eligible for subsidiary protection), Nasc's frontline experience demonstrates that the legal entitlement often fails in practice. The report combines national and European literature with anonymised casework evidence to highlight where policy and implementation diverge, and to identify reforms needed to close this gap.

1.1 Aims and scope

The study focuses on the period for refugee families either after they are reunified or enter the country through a humanitarian admission process and attempt to access mainstream supports. In Ireland, such families arrive either under the family reunification provisions of the 2015 Act or through humanitarian admission programmes operated by the Irish Refugee Protection Programme (IRPP) such as the admission programme announced in response to the Taliban takeover of Afghanistan (Department of Foreign Affairs, 2021). It explores four interlinked systems:
(i) PPSN applications, (ii) social welfare payment applications (iii) emergency accommodation applications (iv) social housing applications. Each chapter analyses how administrative procedures or, in some cases administrative failures, affect refugee families' ability to secure stable housing and welfare access.

1.2 Methodology

The report adopts a mixed qualitative and documentary approach, integrating:
1. Desk-based literature review: A systematic review of recent Irish and EU reports, policy papers, and peer-reviewed studies published between 2018 and 2025. Key sources include *Invisible People* (Nasc, 2020), *Challenges and Housing Needs of Migrants in Ireland* (Lima, 2025), *Housing Policy Actions to Address Discrimination Against Migrants in Ireland* (Lima, 2025), *Excluded and Left Behind* (Mercy Law Resource Centre, 2024), *Monitoring Adequate Housing in Ireland* (McGinnity et al., 2021), and Focus Ireland research and blogs on migrant homelessness. The review also draws on relevant legislative documents and government briefings such as the Irish Homeless Policy Group (2025) Appeals Mechanism Briefing.

2. Practice-based evidence: Anonymised examples drawn from Nasc's frontline work supporting refugee families. These illustrate typical administrative barriers encountered by families in Cork and surrounding counties. These interactions have been anonymised, and details have been removed to protect confidentiality. These examples provide qualitative nsight into how policy translates into day-to-day administrative realities.

1.3 Limitations

This report is not a quantitative study and does not include new statistical data. The casework material is illustrative rather than representative, intended to highlight systemic patterns observed across multiple clients. While every effort has been made to triangulate practice examples with external literature, the evidence base remains constrained by the limited availability of national

data disaggregated by refugee status or ethnicity, a gap repeatedly noted in national research. Additionally, the fast-moving nature of housing and welfare policy means that specific administrative practices described here (e.g., PPSN application procedures) have already evolved or may evolve after publication.

Finally, as the casework evidence reflects experiences primarily in Cork and neighbouring counties, regional variations elsewhere may not be fully captured. However, the literature and national stakeholder feedback consistently indicate that such variation in local administrative practice is itself a defining barrier rather than a limitation of the evidence.

The absence of uniform national procedures across Intreo offices, local authorities, and housing sections means that a refugee family's access to basic entitlements can depend heavily on location and timing. The regional focus of the casework therefore provides a detailed snapshot of these inconsistencies in practice, but it is reasonable to expect similar, if not greater, divergence across the country.

Despite these limitations, the combination of desk research and practice evidence provides a credible, rights-grounded overview of the structural and procedural barriers affecting refugee families in Ireland. The approach also aligns with Nasc's organisational mandate: to connect policy analysis with lived experience in order to promote practical, evidence-based reform.

LITERATURE REVIEW

Refugees granted protection in Ireland are legally entitled to the same benefits and welfare supports as Irish citizens under Section 53 of the *International Protection Act 2015*. In practice, however, a wide body of research demonstrates that refugee families, particularly those reunified after separation, face structural, administrative, and discriminatory barriers that undermine these entitlements. Across government reports, NGO analyses, and academic literature, a consistent pattern emerges: formal equality of entitlement does not translate into equality of access.

A strong convergence is evident between national studies and practice-based research. Nasc's *New Beginnings: Children and Families Project*, a social-work-led service launched in 2021, reflects challenges repeatedly identified in the wider literature difficulties obtaining Personal Public Service Numbers (PPSNs), inconsistent responses from local authorities, protracted delays adding dependants to housing lists, and long waits for initial welfare payments that leave families dependent on charity and personal loans. These case-based insights reinforce a national pattern described in policy and academic studies over the past decade.

Delays in Personal Public Service Number issuance are among the earliest and most consequential barriers refugees encounter after status recognition. Before 2020, PPSNs were generally issued on the day of application; since the shift to an online system, applicants must submit digital documentation and attend in-person appointments that can take weeks. Without a PPSN, families cannot apply for social welfare, rent supports, or medical cards, nor can they register for emergency accommodation. Stakeholders interviewed in Nasc's *Invisible People* (Smith et al., 2020) described the knock-on effect of such delays: each additional day without a PPSN prolongs the period during which families have no income, no access to essential services, and, in some cases, no accommodation. The same study found significant variation in documentation requirements across offices, with some insisting on proofs such as marriage certificates or utility bills that refugees cannot reasonably provide. These requirements, though formally neutral, place an unequal burden on families who have fled persecution or displacement and cannot meet conventional documentary standards.

Administrative sequencing further compounds exclusion. The Housing Assistance Payment (HAP) can only be granted after all household members are added to an approved housing application, yet in practice this cannot occur until PPSNs are issued and income evidence is available, typically through employment or a social welfare payment. Even once documentation is in order, local authorities apply differing evidentiary standards. Some require affidavits proving non-ownership of property abroad or certified translations of foreign documents, creating additional costs and delays. Nasc (Smith et al., 2020) and Focus Ireland (Spollen, 2022) show that such procedural fragmentation has particularly severe effects on families in temporary or overcrowded accommodation.

This lack of procedural consistency is compounded by the absence of an independent appeals mechanism for housing and homelessness decisions. The Irish Homeless Policy Group (2025) notes that local authority staff are responsible for determining whether households qualify for the social

housing list, access HAP, or are deemed homeless under section 2 of the *Housing Act 1988*. These decisions have profound and immediate implications for families' welfare and housing stability, yet applicants have no clear route to an impartial review. In effect, local authorities are left to review their own decisions, a practice that falls short of basic principles of transparency and accountability. When local authority decisions go wrong, such as refusing emergency accommodation, the only recourse is costly High Court litigation, an inaccessible and unrealistic remedy for most families experiencing homelessness. *This legal vacuum exemplifies the broader 'entitlement–access gap': refugees have rights on paper but lack mechanisms to enforce them efficiently.*

While documentation requirements imposed by the Department of Social Protection or by local authorities may appear formally neutral, they are unlikely to meet the obligations imposed on public bodies under section 42 of the *Irish Human Rights and Equality Commission Act 2014*. The Public Sector Equality and Human Rights Duty requires public bodies to eliminate discrimination, promote equality of opportunity and treatment, and protect the human rights of those to whom they provide services. In practice, requiring documentary proofs that refugees or reunited families cannot reasonably be expected to possess creates systemic barriers to accessing essential public services. In the absence of proactive equality and human rights impact assessment, such administrative practices are inconsistent with the Duty's requirement for public bodies to identify, prevent and mitigate discriminatory effects in the performance of their functions.

The broader housing-market context intensifies these administrative barriers. IHREC and the ESRI (Russell et al., 2021) confirm that migrants and minority-ethnic households experience persistent disadvantage in accessing secure and affordable housing. Lima (2025) reports that nearly half of non-Irish nationals rent their homes compared with fewer than 10 per cent of Irish-born households, leaving migrant families exposed to price volatility and insecure tenancies. Focus Ireland's analyses of the Dublin homelessness crisis (Spollen, 2022) similarly show that non-Irish families are disproportionately represented in emergency accommodation, largely due to HAP-linked market constraints and the shortage of affordable larger units. Mercy Law Resource Centre (2024) further documents how families exiting direct provision are often placed in short-term or inadequate accommodation, heightening the risk of 'hidden homelessness.'

Discrimination in the rental market remains pervasive. While beyond the scope of this research, experimental studies cited by Lima (2025) and Gusciute, Mühlau and Layte (2020) found that applicants with African or non-European names receive fewer positive responses from landlords. Qualitative evidence corroborates this, showing landlords withdrawing offers once a prospective tenant discloses reliance on HAP. These patterns indicate a double penalty of ethnic bias and income-source discrimination.

Language and information barriers exacerbate these inequalities. Welfare and housing systems are rarely equipped with professional interpretation, and written communications often assume digital literacy and familiarity with bureaucratic English. *Invisible People* and Lima (2025) both highlight the lack of multilingual information and user-friendly application processes while MLRC (2024) links these communication gaps to broader patterns of structural racism and class-based exclusion.

Financial precarity compounds these obstacles. Even urgent payments such as the Supplementary Welfare Allowance can take several weeks to process; however, Nasc's casework also recorded multiple instances where the Department of Social Protection processed applications within days. Where families received support from advocates or NGOs in preparing complete documentation,

applications were often expedited. Nonetheless, during the waiting period, many families survive on loans or assistance from the Society of St Vincent de Paul and other charities.

Taken together, the literature provides a coherent account of how formal entitlement is undermined by procedural and structural barriers. Integration depends not only on the existence of rights but on their practical realisation through coordinated, transparent, and inclusive administrative systems.

Each additional day without a PPSN prolongs the period during which families have no income, no access to essential services, and, in some cases, no accommodation.

PERSONAL PUBLIC SERVICE NUMBERS

A Personal Public Service Number (PPSN) is the keystone of Ireland's administrative identity infrastructure. It is the credential that unlocks practically every public service: registering with a GP and applying for a medical card; accessing Child Benefit and Supplementary Welfare Allowance; joining a local-authority housing list; qualifying for the Housing Assistance Payment (HAP) or other rent supports; even presenting to a local authority for emergency accommodation. For refugees the PPSN should be a routine formality. In practice however, the evidence shows it routinely becomes a gatekeeping barrier that delays or blocks access to the basic supports required to begin life in the community (Smith et al., 2020; Lima, 2025; Mercy Law Resource Centre, 2024).

3.1 Why the PPSN matters and why delays cascade

Unlike individuals born in Ireland, those born outside the State must apply for a PPSN and provide (a) proof of identity, (b) proof of address in Ireland, and (c) proof of the reason the number is required. For a newly arrived family obtaining an acceptable proof of address can be a challenge. Families living in emergency, temporary or overcrowded accommodation rarely have access to formal tenancy agreements or utility bills in their own names, which are the documents most commonly accepted by public bodies as evidence of address. This creates a circular barrier: families cannot obtain a PPSN without a recognised proof of address, yet they cannot easily generate such a proof without first opening a bank account. The result is an almost 'chicken-and-egg' situation in which the lack of an initial address document prevents access to the very systems that would enable families to secure one.

In this context, PPSN delays are not a minor inconvenience: they freeze the rest of the system. Without a PPSN, families cannot receive welfare, secure a medical card, or be properly assessed for social housing supports. Nasc's *Invisible People* study shows sponsors exhausting savings or borrowing money while waiting for PPSNs to be issued, because nothing else could start without the number (Smith et al., 2020).

3.2 Digital Exclusion

Before 2020, a PPSN could often be issued same-day at an Intreo office. Since the change to an online application via MyWelfare followed by an in-person appointment, delays have lengthened, and new barriers have appeared. As Lima (2025) notes, digitisation can improve efficiency for many users, but without assisted-digital routes and multilingual guidance it reproduces exclusion for applicants with limited English, digital access or computer literacy. Nasc's frontline experience echoes this: families share phones, have limited data credit, and may not realise that MyWelfare has posted a new message requesting documents; missed messages mean missed deadlines and restarts, adding weeks. For applicants with disabilities or caring responsibilities, the expectation of in-person attendance, even after an online process, creates additional hurdles; when appointments are scarce or far from home, absence or delay can trigger application lapses.

3.3 Inconsistent documentation demands and misunderstanding of status

A persistent theme across research and practice is inconsistency between offices, and even within

the same office over short periods (Smith et al., 2020;). Officials ask for different proofs to satisfy the requirement to show 'need' for a PPSN. Some accept a welfare appointment letter, school enrolment letter, or prospective employment; others demand a completed SWA1 (a full Supplementary Welfare Allowance form containing extensive personal and financial information) merely to prove 'need.' Some officers request documents that apply to asylum applicants (e.g., TRC and IPF1) from people who already hold refugee or subsidiary protection status, reflecting a misunderstanding of immigration categories. Because immigration policy and protection pathways can evolve rapidly, through new admission programmes, humanitarian initiatives, and legislative amendments, these inconsistencies highlight the need for regular staff training and updated internal guidance so that frontline officials remain informed.

3.3 Casework Evidence

Casework evidence from Nasc's New Beginnings project illustrates these patterns. In one instance, four adults in a reunified family applied via MyWelfare. Ten days later, each received different requests: one was told to upload the entire SWA1 because only its first page (showing need) had been provided; two were asked for TRC and IPF1, documents that exist only for people still in the asylum process; a fourth was asked for an IRP card or "refugee letter." That adult had not yet received an IRP appointment (a common delay noted in Invisible People). Overall processing took 21 days for the adults. Only then could the parents apply for the children's PPSNs, because at the time the children's applications were consecutive, not concurrent, adding three more days before the family had all numbers. In another case, a couple who applied on the same date received PPSNs nine and 27 days later respectively; the children's numbers followed two days after the second parent's number. These outcomes, emerging from the same Intreo catchment, point to lack of standardisation.

Nasc has also encountered requests to re-upload documents already provided, and instances where Programme Refugees or Community Sponsorship (CSI) beneficiaries were mistakenly treated as asylum applicants for PPSN purposes. In mid-2023, refugee families in two counties obtained PPSNs fully online; by December, the same areas required both a MyWelfare application and an in-person appointment before issuing numbers. One case supported by Nasc involved a person with mobility difficulties who could not attend in person. The PPSN office stated a number had been posted twice; none arrived. Only after Nasc staff presented in person with written authority did the office release the number so a welfare application could proceed. This illustrates a familiar pattern in administrative justice: *procedural rigidity + everyday error = exclusion*. For disabled applicants, an insistence on attendance without reasonable accommodation risks indirect discrimination. The IHREC/ESRI framework stresses that administrative accessibility is integral to the right to adequate housing and social protection (Russell et al., 2021).

3.4 Public Service Duty

Administrative chokepoints undermine equal access to public services in practice, even where formal legal equality exists. From a rights perspective, criteria neutral on their face (e.g., requiring a recent Irish utility bill; requiring attendance) have disproportionate adverse effects on recognised refugees, particularly reunified families who lack conventional proofs or have mobility constraints. Under the Public Sector Duty, public bodies must proactively identify and eliminate barriers for protected groups. IHREC (2022) notes that administrative barriers within public services can undermine substantive equality, even where legal entitlements exist.

Social Welfare & Income Supports

For newly recognised refugees and reunified families, access to social welfare is the essential second step after obtaining a PPSN. Once the PPSN is issued, applications for Jobseeker's Allowance, Supplementary Welfare Allowance (SWA), Child Benefit, and other supports are the primary means by which a family establishes proof of income and becomes eligible for housing or healthcare supports.

In law, section 53 of the *International Protection Act 2015* guarantees that refugees are entitled to social welfare on the same basis as Irish citizens. In practice, the evidence from research and Nasc's frontline casework demonstrates that refugee families encounter systemic delays, documentation obstacles, and discretionary decision-making that erode this equality. These barriers not only delay income but also block access to housing supports, medical cards and other entitlements, compounding financial stress and undermining integration.

4.1 Proof of immigration status confusion

Refugee families who apply for Jobseeker's Allowance shortly after arrival often face requests for documentation that has already been submitted or that does not apply to their immigration status. In one case assisted by Nasc, four adults applied through MyWelfare on the same day. All attached copies of their 'status confirmation' letters and evidence that Irish Residence Permit (IRP) appointments had been requested. Two applications were approved quickly, within four days. The other two applicants were asked to provide front and back copies of their IRP cards despite the clear evidence of their refugee status and pending appointments.

At the time, this occurred before the transfer of immigration registration responsibility for counties other than Dublin from local Garda National Immigration Bureau (GNIB) desks to an online system requiring first-time applicants to travel to Dublin for in-person registration (Irish Immigration Service Delivery, 2023) and wait times for appointments were over 120 days. Only after Nasc intervened and restated the applicants' immigration status were these claims approved, 14 and 17 days later respectively. The case highlights how Department of Social Protection staff may lack familiarity with immigration documentation and with the broader administrative barriers, such as delays in obtaining IRP cards, that refugees and migrants encounter when accessing entitlements.

Similar errors recur. Four Jobseeker's Allowance applications were refused on the grounds that the applicants had arrived through the Afghan Admissions Programme (AAP), an incorrect assumption. The individuals were, in fact, programme refugees, a status explicitly confirmed in the documentation provided with the initial applications. Access to payments was delayed until Nasc submitted review requests clarifying the error. These mistakes show how poor internal training and inconsistent documentation review create arbitrary delays for applicants who already face language and procedural barriers. Such confusion between immigration categories has been identified nationally as a recurring administrative problem. (Smith et al., 2020;).

4.2 Delays and poor communication

The literature consistently describes long and poorly explained delays in processing social welfare

claims. Invisible People found that waiting times for initial payments frequently exceed eight weeks, leaving families without income while attempting to secure accommodation or register children for school (Smith et al., 2020). Nasc's casework confirms this pattern. A review of one client's case revealed an unexplained delay between the submission of an SWA1 application and its registration on the Department of Social Protection's system, suggesting inconsistencies in administrative processing. The payment took 75 days to issue. During that period, the applicant could not progress housing or medical card applications because an income record was required. Such delays undermine the purpose of SWA as an immediate and temporary support, effectively excluding refugees from their statutory safety net.

Administrative errors are compounded by weak communication channels. Families are often contacted by phone rather than in writing, sometimes without clear identification of officials or interpreters present, preventing families from later seeking clarification or follow-up.

4.3 Misapplication of 'genuinely seeking work' requirement for jobseekers

Several of Nasc's cases highlight a narrow interpretation by deciding officers of what constitutes being 'genuinely seeking work', a requirement for Jobseeker's Allowance eligibility. Under Regulation 16(2)(c) of S.I. 142/2007 (as amended), participation in training, education or English-language learning can satisfy this condition. Yet two adults were refused Jobseeker's Allowance with reasoning such as "no documentary evidence of applications to find work" and "no evidence of interviews." Both individuals were recent arrivals to Ireland and spoke very limited English so they enrolled in language classes to improve their employability. Their actions fell squarely within the regulation's criteria, but the officers' interpretation ignored the context of linguistic and integration barriers. In another case, a newly arrived woman was refused support on the basis that she was not "genuinely seeking work." Following a representation from Nasc outlining her enrolment in English-language classes and participation in guidance counselling at the local Education and Training Board., the claim was subsequently approved after a delay of more than two months.

4.4 Misapplication of Habitual Residence Condition (HRC)

Misapplication of the HRC continues to be a significant issue despite clear operational guidance. The Department of Social Protection's own *Operational Guidelines for Deciding Officers and Designated Persons on the Determination of Habitual Residence* state that "for most refugees, their centre of interest is Ireland and detailed enquiries regarding employment, residence and so on should not be required unless there is evidence that the person has not lived continuously in Ireland since refugee status was granted" (Department of Social Protection, 2024).

In one case, a Child Benefit application submitted on behalf of a parent by an advocate from Nasc clearly set out in a letter that the claimant was a refugee and that the HRC guidelines deem the "centre of interest" to be in Ireland, and that no HRC1 form was therefore required. The Child Benefit section nonetheless issued an HRC1 request. Even though Nasc's authority-to-act letter was on file, follow-up emails were sent only to the claimant, not copied to Nasc. The claim was eventually resolved but illustrates systemic failure to apply established rules. The practical result is delayed income for families. It also undermines the efficiency goals of DSP's own operational reforms, which were intended to streamline rather than multiply paperwork.

4.5 Repeated document requests and procedural inefficiency

A recurring feature of both Nasc's casework and national studies is repetition, offices requesting

the same documents multiple times. In one case, a mother and adult child submitted full documentation (HRC1 form, payslips, bank statements) with their online claim, only to be asked later for the same materials. In another, an applicant received an email 11 days after applying for Jobseeker's Allowance requesting an IRP card and a Department of Justice letter, documents already attached to the original application, and was also asked to complete an HRC1 form even though as noted above, this should not be required for refugees. When Nasc reiterated this, the claim was processed without further issue. Each unnecessary request delays payments, confuses applicants, and wastes administrative time.

For families without access to trained advocates, these procedural hurdles can be overwhelming. Most applicants have no way of knowing that operational guidelines or statutory instruments even exist, let alone how to cite them when challenging an incorrect decision. Without expert support, a request for further documentation appears authoritative and unchallengeable, leading many to resubmit the same papers or wait passively for months. The stress of repeated interactions with official systems combined with financial precarity and language barriers can cause families to disengage entirely or rely on informal networks for survival. As *Invisible People* observed, this dynamic effectively creates a two-tier system: those assisted by NGOs or social workers can navigate appeals and secure entitlements, while those without such support face prolonged uncertainty and, in some cases, destitution (Smith et al., 2020).

4.6 Cascading effects on health and housing

Every delay in welfare processing cascades into other areas. Without proof of income, families cannot apply for HAP or social housing; without an income record, they cannot access medical cards. The 75-day SWA delay described earlier left one client unable to progress housing applications leading to accommodation instability. In cases where Jobseeker's Allowance was delayed or refused, sponsors often borrowed money or relied on charity to cover food and transport costs. These cumulative effects mirror the integration barriers described in *Invisible People* and Lima (2025), where income insecurity undermines refugees' ability to participate in education and employment and increases risk of homelessness.

Requiring documentary evidence of residence before assessing homelessness effectively penalises those most in need of support.

EMERGENCY ACCOMMODATION

For refugee families, housing insecurity often intensifies the moment family reunification takes place. Once a refugee sponsor's dependants arrive, already limited living space can become overcrowded or untenable, leaving families with little choice but to seek emergency accommodation through their local authority. In principle, access to emergency accommodation is guaranteed under section 10 of the Housing Act 1988, which empowers local authorities to provide temporary shelter to any person who is homeless or at risk of homelessness.

Once a person is classified as meeting the definition of homelessness pursuant to section 2 of the Housing Act 1988, they become entitled to the various entitlements made available to homeless people under section 10 of the same Act. While the assessment is ongoing, section 10(10), permits the local authority to provide assistance to the homeless person "while making enquiries to enable them to determine if a person is homeless".

In practice, however, Nasc's casework and national research show that refugee families frequently face gatekeeping, inconsistent procedures, and misapplication of eligibility tests, including the erroneous use of 'local connection' criteria, which should not be applied to emergency accommodation. The *Invisible People* report documented that family reunification arrivals are often forced to stay in overcrowded rooms or couch-surf with friends while waiting for local authorities while one interviewee recalling a refugee sponsor sneaking family members into their direct provision room at night. (Smith et al., 2020).

The experience of Hazem Malaka and his family, reported by RTÉ News in February 2025, brought this reality sharply into public view (RTÉ News, 2025). Hazem, a Palestinian refugee who had fled Gaza after his coffee shop and home were destroyed, had been granted refugee status in Ireland and reunited with his wife Haneen and their two young daughters under s56 of the International Protection Act 2015. Yet, within days of arrival, the family were sleeping in their car. Despite holding lawful residence and clear proof of homelessness, three separate local authorities, South Dublin County Council, Dún Laoghaire-Rathdown County Council, and Louth County Council, all refused to provide emergency accommodation, directing Hazem to apply elsewhere on the basis of 'local connection.' This was a fundamental misapplication of the law: under section 10 of the Housing Act 1988, the duty to provide emergency accommodation is based solely on need, and no local connection requirement applies. Crosscare, which advocated on the family's behalf, noted that the case was not unusual but emblematic of systemic misunderstanding across councils about their obligations to refugees. (RTÉ News, 2025).

This story humanises what organisations such as Nasc, the Mercy Law Resource Centre (2024) and Focus Ireland have documented: refugee families are being refused emergency accommodation through unlawful gatekeeping and inconsistent application of rules.

5.1 Inconsistent decision-making and bias

Research and practice both highlight that Ireland's emergency accommodation system lacks national consistency. Each local authority interprets its obligations under section 10 of the

differently, with divergent documentation requirements and referral pathways. Even within a single authority, practices can shift within months as staff change or temporary capacity issues arise. Nasc's experience is that some authorities require applicants to complete a homeless assessment form and produce identification for every household member; others accept verbal presentations. In one of Nasc's case, a refugee was told to complete a full social housing application before being considered for emergency accommodation, delaying access by several weeks.

Nasc's New Beginnings project has encountered repeated examples of local authorities applying requirements that have no legal basis in emergency accommodation decisions. In one case, a sponsor living in a studio flat with three recently arrived children was told that because they still had access to the flat, "technically you are accommodated." The family spent two weeks in overcrowded conditions before being placed in a hotel following multiple advocacy interventions.

In several cases, reunified families were told they could not be assessed for emergency accommodation until they presented a valid Notice To Quit from their private landlord, even when they were already living in severely overcrowded one-bed units that the refugee sponsor had been renting prior to their family's arrival. Staff in the Local Authority's Assessment and Placement Service (APS) insisted that without such a notice the family was "not yet homeless."

Mercy Law Resource Centre's 2023 Annual Report recounts similar experience of clients not being homeless unless they provided a Notice to Quit which had been verified as legally compliant by a third-party organisation. Their report goes on to note that this creates a "serious challenges for persons facing illegal evictions or exiting informal tenancies or licenses, while also representing an externalisation of responsibilities by housing authorities" (MLRC 2024b).

In some counties, access depends largely on individual officers' views rather than clear criteria. MLRC (2024) notes that "huge variations amongst local authorities in how they respond to minority ethnic families". Refugee families supported by Nasc describe being told that they "should have prepared for this" or that "emergency accommodation is full," with no written decision or referral to another service. This kind of discretionary refusal mirrors the barriers identified in Invisible People and by Focus Ireland (Spollen, 2022; Byrne, 2024), which note that migrants are frequently subject to moral judgements about planning and self-reliance rather than assessed on objective need. One Nasc client was told by a housing officer, *"You should have waited until you had somewhere for them to stay before bringing them here,"* implying personal responsibility for homelessness rather than structural failure. This also highlights a lack of understanding of family reunification; the International Protection Act, 2015 sets out a maximum timeframe of 12 months from the date of the grant of the family reunification application by the Department of Justice for family members to travel to Ireland.

5.2 Proof of address as an administrative barrier

The requirement to provide proof of last permanent address has emerged as a procedural barrier for refugee families applying for emergency accommodation. Local authorities routinely ask applicants to submit formal documentation such as tenancy agreements, rent books, or utility bills as evidence of where they were last residing. While this may appear administratively straightforward, in practice it is a significant and unrealistic requirement given Ireland's current housing conditions and the informal living arrangements in which many newly recognised refugees find themselves. Many stay temporarily with friends in couch-surfing or extreme overcrowding-type arrangements while searching for appropriate housing, making small contributions toward

In one case documented by Nasc, a refugee sponsor had been sleeping on a friend's sofa for several months, contributing to rent and bills. When his spouse arrived through family reunification, the friend refused to provide a letter confirming the arrangement or to allow his address to be used as proof of residence, fearing repercussions from the landlord. Without a tenancy agreement, bills, or a letter of occupancy, the refugee could not satisfy the local authority's documentation requirement. As a result, the couple's application for emergency accommodation was not accepted, even though they were effectively homeless. The couple were left sleeping in a friend's car, occasionally paying for hostel beds when funds allowed. The insistence on formal proofs also contradicts the underlying purpose of section 10 of the Housing Act 1988, which is to respond to need rather than paperwork. Requiring documentary evidence of residence before assessing homelessness effectively penalises those most in need of support.

5.3 Unlawful application of the 'local connection' requirement

The 'local connection' test was created for social housing allocations, not for determining access to emergency accommodation. Under Regulation 5 of the Social Housing Assessment Regulations 2011, a housing authority may take into account whether an applicant has a connection with its area when assessing eligibility for long-term social housing supports. When a local authority applies 'the local connection' test to emergency cases, families are often directed to other counties or told to await confirmation from a different local authority before being accommodated. This results in people being left without shelter for extended periods, despite statutory entitlement. For refugee families like the Malaka family above, these refusals can prolong homelessness and lead to being locked out of emergency accommodation heightening trauma for often vulnerable families. In a similar case supported by Nasc, a refugee working in one local authority area was informed that emergency accommodation could not be provided in that area because the family had previously resided in an IPAS reception centre in the west of Ireland. The family was advised to apply there instead. Only after Nasc staff intervened in the case did the local authority reverse its decision.

The widespread misuse of 'local connection' criteria was noted by Mercy Law Resource Centre who describe a "marked increase in refusals of access to emergency accommodation by way of a 'local connection' requirement" and "an entrenchment of this position by a number of local authorities." (MLRC, 2024b)

5.4 Failure to provide decisions in writing

When local authorities refuse or delay emergency accommodation requests, decisions are frequently made or communicated verbally, leaving families without any official record of what has been decided or on what grounds. Nasc's observance of this practice is borne out by Mercy Law Resource Centre's experience; they note in their 2023 Annual Report that they were routinely contacted by clients who had received no written decisions from local authorities at all (MLRC, 2024b). This is especially inappropriate in the context of refugee households, many of whom do not speak English as a first language or have limited literacy in English. Without an interpreter or a written record, crucial details about eligibility, next steps, or reasons for refusal can be easily misunderstood or lost entirely. It also denies applicants the opportunity to seek advice, appeal, or even verify that a decision has been made. Communicating such decisions only verbally effectively places refugees at a systemic disadvantage compared with English-speaking applicants, reinforcing the pattern of administrative inequality identified by Russel et al. (2021).

Such practices run contrary to the principles of fair procedure and good administration, which

require that individuals be given written reasons for any decision that negatively affects them. The Irish Human Rights and Equality Commission (IHREC) affirms that public bodies must provide details of adverse decisions "without delay," setting out both what was decided and why, so that individuals can challenge the outcome if necessary (IHREC, undated).

This absence of documentation prevents families from seeking reviews or expert advice. In several cases, Nasc had to repeatedly request written confirmation of refusals advising of our intention to submit a formal request under section 10 of the Freedom of Information Act 2014 before a decision letter was eventually issued. Without clear appeal rights or knowledge of their entitlements, families often accept informal decisions because challenging them risks confrontation, further delay, or even loss of temporary support. The result is a culture of uncertainty in which discretion substitutes for transparency, and access to accommodation depends as much on persistence and advocacy as on statutory entitlement.

5.5 Overcrowding and unsuitable temporary accommodation

Even when emergency accommodation is granted, it is often inappropriate for families. Hotels and B&Bs typically provide a single room for an entire household, with no cooking facilities or space for study or play. MLRC (2024) describes the physical and psychological toll of such conditions on children: lack of privacy, constant noise, and the impossibility of normal family routines. Families interviewed in Lima (2025) similarly reported that extended stays in emergency accommodation exacerbate stress and make it difficult to maintain employment or education. MLRC (2024) and the Ombudsman for Children (2020) both highlight that prolonged stays in temporary settings lead to anxiety, behavioural difficulties, and educational disruption for children.

Nasc's casework reflects these findings. In one 2024 case, a family of five were placed in a hotel room with one double bed and a camp bed. After two weeks, the hotel informed them that the room would no longer be available due to tourist bookings. The family were moved three times in six weeks, each time further from the children's school with the child's parent noting, "the children keep asking if we will have to move again. I can't tell them yes or no." Another family stayed for over a month in an emergency facility lacking cooking facilities; the parents spent their limited income buying meals outside, depleting savings intended for rent deposits.

SOCIAL HOUSING SUPPORTS

For most refugee families, moving from emergency accommodation to stable housing depends on qualifying for Social Housing Support (SHS), as eligibility for the Housing Assistance Payment (HAP) requires SHS approval. Applicants for SHS are required to demonstrate income below the prescribed limit, a need for housing, and legal permission to remain in the State. In theory, the process is straightforward: local authorities must determine eligibility within twelve weeks of receiving a completed application, with one possible fourteen-week extension where further clarification is needed. In practice, Nasc's experience and national research show that the system operates unevenly across the State, with families facing documentation hurdles, inconsistent interpretation of rules, and discretionary decision-making that undermine statutory timelines and the equality objectives of housing law.

6.1 Documentation barriers and delays

The *Community Law & Mediation Social Housing Guide* (2023) explains that local authorities may request proof of identity, income, and household composition, but these requests must be reasonable and proportionate. Regulation 5 of the *Social Housing Assessment Regulations 2011* also permits housing authorities to consider whether an applicant has a local connection but does not make it a condition of eligibility. The *Community Law & Mediation Guide* clarifies that applicants may seek assessment in any area where they have reasonable grounds, such as employment, education, or social ties.

However, Nasc's experience indicates that many authorities exceed these standards, requesting multiple forms of proof at different stages rather than at the outset. In one case, a family living in private rental accommodation submitted an SHS application in February to qualify for HAP. Four months later, in June, the council requested birth certificates for all family members. It is unclear why the birth certificates were required to establish by the local authority as the family were able to provide passports and travel documents to establish their identity. This request, made well beyond the statutory 12 week period (FLAC 2020), delayed approval of the SHS and, consequently, the family's HAP application. By the time HAP was approved, substantial rent arrears had accrued, placing the tenancy at risk.

A similar pattern emerged in another case where an SHS application went unacknowledged for almost eight weeks, when the local authority sought further documents. This reactive approach, waiting months before identifying missing information, contradicts the statutory requirement for timely assessment and shows a lack of administrative oversight.

In another instance, a refugee sponsor who had applied for SHS after leaving IPAS accommodation later returned to add his newly arrived wife and children to the application, only to be informed that the council had no record of the original submission. Without confirmation of receipt, his family's eligibility clock effectively restarted, delaying access to both social housing lists and HAP support. A persistent lack of clear communication between housing departments and applicants compounds existing delays in accessing social housing support and in prolonging homelessness. MLRC notes that "[a]dministrative delays and a lack of communication/clarity around decision-

making is having significant consequences for families living long-term in emergency accommodation (MLRC 2024). Nasc's New Beginnings project has documented numerous cases where refugees believed they had active housing applications, only to later discover that their files were incomplete or marked as pending further information. In many instances, applicants were not informed that additional documents were required, leaving them under the false impression that their cases were progressing.

In addition to the issues outlined in Chapter 5 in respect of local authority staff failing to provide written decisions, Nasc has found that local authorities often fail to confirm receipt of applications or specify which documents remain outstanding. Instead, families experience long periods of silence punctuated by sporadic document requests, sometimes months apart. This absence of timely and transparent correspondence leaves applicants uncertain about the status of their cases and undermines confidence in the process. More broadly, there is a paucity of information provided to applicants at the outset of the process few are told what to expect, how long assessment should take, or when to follow up if no decision is issued further entrenching confusion and delay.

6.2 Local connection misapplication

Regulation 5 of the Social Housing Assessment Regulations 2011 permits housing authorities to consider whether an applicant has a local connection but does not make it a condition of eligibility. The *Community Law & Mediation Guide* clarifies that applicants may seek assessment in any area where they have reasonable grounds, such as employment, education, or social ties. However, local authorities often interpret it narrowly, focusing on a single piece of information such as length of residence or employment rather than assessing the overall situation that establishes a person's connection. This selective approach leads to inconsistent decisions and prolonged correspondence before applications are accepted.

In Nasc's experience, rather than being required to reapply elsewhere, advocates have frequently succeeded in demonstrating that refugees do have a valid local connection in the area where they live or work. However, without advocates to intervene, families risk being shunted between different local authorities, each claiming that responsibility lies elsewhere. The process then begins again with a new authority, which may apply different documentation requirements from the previous one. In the meantime, all the time and effort invested in the first application are lost, leaving families no closer to securing stable housing.

6.3 Housing Assistance Payment (HAP)

For most refugee families, once eligibility for SHS is confirmed, HAP becomes the critical mechanism for securing a long-term tenancy. Yet, while HAP was intended to provide a straightforward route from homelessness or temporary accommodation into stable housing, its administration frequently reproduces the same barriers found in the assessment process for SHS. Nasc's casework, together with the findings of the Office of the Ombudsman (2025), demonstrates that delays, inconsistent validation procedures, and excessive documentation requirements continue to undermine the effectiveness of the scheme.

One family supported by Nasc experienced a four-month delay between approval for SHS and the start of HAP payments. Despite repeated follow-up, the local authority later acknowledged that the initial submission had been "missed" and back-dated payments only partially, recording the start date as April instead of February. This error left the family in significant rent arrears. Staff

The Ombudsman Investigation Report (2025) identified similar administrative failures at national level. The report found that validation procedures, the point at which HAP payments can begin, vary widely between local authorities. The application process is typically split into Parts A (to be completed by the tenant) and Part B (to be completed by the landlord), with some validating only after all landlord documents are received and others validating once the tenant has completed their part of the Form. Because back-dating is permitted only from the validation date, tenants who pay rent in advance to secure accommodation are frequently left uncompensated for months. In at least two cases supported by Nasc, families who had secured accommodation and then applied for HAP, paid rent of over €9000, most of which could not be paid back once the HAP application was finally approved after long delays. This placed both families in considerable financial hardship. The Ombudsman concluded that this practice is unfair and inconsistent with the purpose of HAP as a social support, recommending that payments be backdated to the date the tenancy commenced or eligibility was confirmed.

Delays are compounded by inconsistent and sometimes excessive proof requirements for both tenants and landlords. In one Nasc case, six adults sharing a four-bedroom property each applied separately for HAP. All applications were rejected on the grounds of “overcrowding” and “shared bedrooms.” The arrangement did not breach the statutory definition of overcrowding in the Housing Act 1966. After escalation, Nasc learned that the refusals stemmed from an internal practice, not grounded in legislation, treating shared bedrooms as incompatible with meeting housing need. This demonstrates how informal local policies can displace the legal framework and exclude multi-generational families or households sharing accommodation out of financial necessity.

Variation in how local authorities accept HAP applications illustrates the risks of digital-first and inconsistent submission policies. Some authorities now require applications to be submitted through online portals, others continue to rely on paper forms provided in hard copy, while others will allow for submission of completed forms by email. Nasc supported a family who submitted their HAP forms (both Parts A and B) by email to a local authority. The local authority responded the same day that only online applications through their portal would be accepted. Nasc explained that the landlord was unable to use the online system and that other local authorities had previously accepted email submissions. After three weeks of correspondence, and continued risk that the tenancy would collapse, the council finally accepted the emailed application “as an exception,” emphasising that it was reluctant to deviate from its target of 100 percent online submissions. In another local authority, digital submission of the HAP application was only possible if Parts A and B were both submitted digitally.

This insistence on digital uniformity reflects what the Ombudsman (2025) termed “a systemic preference for administrative convenience over service accessibility.” For some landlords and tenants with limited digital literacy or language skills, online-only systems act as de facto barriers to participation, contradicting public-sector equality and human rights obligations to provide reasonable accommodation in service delivery. Across these examples, both Nasc’s practice and the Ombudsman’s investigation point to a common conclusion: the administration of HAP has become process-centred rather than needs-centred. Refugee families who have already met the statutory test for SHS remain exposed to rent arrears, tenancy loss, and renewed homelessness because of inconsistent validation procedures, undocumented local policies, and rigid digital processes. The legal framework for HAP was designed to deliver flexibility and rapid response, but in practice it functions as an extension of the same discretionary culture that characterises wider

housing administration.

6.4 Lack of an Independent Appeals Process

Decisions on access to SHS and homelessness assistance are made by local authorities, often under significant operational pressure. Yet when those decisions are wrong or unclear, the pathways to challenge them are limited. At present, applicants are typically confined to an internal review within the same local authority and, if still dissatisfied, to a complaint to the Office of the Ombudsman about maladministration rather than the merits of the decision, or to costly and complex judicial review. None of these routes provides a specialist, independent, merits-based appeal. This gap has been explicitly recognised by the Oireachtas: following pre-legislative scrutiny of the General Scheme of the Housing (Miscellaneous Provisions) Bill 2024, the Joint Committee recommended "that a robust and independent appeals mechanism be included in the legislation," operated centrally rather than by local authorities (Oireachtas Joint Committee on Housing, Local Government and Heritage, 2024). Civil society organisations in the Irish Homeless Policy Group have echoed that call (Irish Homeless Policy Group, 2025).

Presently, in the absence of a statutory right of review, families must rely on NGOs to intervene. Nasc's casework indicates that sustained advocacy frequently results in reversals or accommodations strongly suggesting that many refusals stem not from deliberate policy but from misunderstanding, inconsistency, or ad hoc decision-making rather than considered assessments. It is unrealistic to expect newly arrived refugee families to undertake this level of advocacy themselves: many are unfamiliar with Irish public administration, lack language and procedural knowledge, and may be coping with trauma, childcare demands, or financial hardship. However, this creates significant pressure on NGOs who are dealing with increased demands on their services. Each avoidable refusal or delayed case generates repeated contacts with local authority teams, follow-up by NGOs, and sometimes escalation to legal representatives. A clear, independent avenue for merits appeals would reduce churn by correcting errors once, setting precedent, and improving first-instance decision-making over time (Oireachtas Joint Committee on Housing, Local Government and Heritage, 2024; Irish Homeless Policy Group, 2025).

LANGUAGE BARRIERS & INTERPRETATION

Language and interpretation remain major obstacles to fair procedure in social protection and housing. When applicants cannot communicate effectively with officials or cannot understand decisions or requests, the quality of application and decision-making reduce. Irish public bodies already recognise the need for language support: the Department of Social Protection (DSP) states that it can translate documents and correspondence and arrange interpretation when required (DSP, 2024a; DSP, 2023). Yet frontline practice is inconsistent, particularly in settings where decisions carry high stakes, such as homelessness assessments or complex social welfare interviews.

7.1 Reliance on ad-hoc interpretation

In social protection, reliance on *ad-hoc* or informal interpretation creates clear risks. The HSE's national guidance on interpreting On Speaking Terms warns that staff should work with trained interpreters, with procedures for assessing language needs, arranging interpreting (in person or by phone), and working effectively with interpreters (HSE, 2009; HSE, 2022). While these guidelines were developed for health services, the underlying principles apply across public administration: untrained family members or friends should not be used to interpret where sensitive personal information, rights, or entitlements are at issue. DSP's own customer-service materials emphasise the availability of translation and interpretation supports for its customers (DSP, 2024a; DSP, 2023). Despite this, Nasc's experience indicates that family members are sometimes asked to interpret during welfare inspections or interviews, with no written record left with the applicant afterwards.

In one case, a social welfare inspector phoned a client to arrange a home visit and proposed that a family member act as interpreter. Nasc intervened to insist on a professional interpreter, after which the inspector issued a formal letter listing documents required. In a second case, social welfare inspectors visited a client's home without leaving contact details or copies of the forms they asked the applicant to sign. The inspectors asked a family member to interpret over the phone. Only after Nasc contacted the Intreo centre to seek clarification of what had occurred did it emerge that the visitors were inspectors completing a means reporting form.

Similar patterns arise in housing. The IHREC/ESRI baseline study on monitoring adequate housing highlights the cultural adequacy dimension of the right to housing, including the need for accessible information and communication so that people can meaningfully engage with services (Russel et al. 2021). Yet interpretation is not consistently offered during homelessness assessments or follow-up meetings. Families are often expected to rely on friends, relatives, or even children to translate complex terminology about eligibility, income limits, or documentation requirements. This places applicants in an impossible position: proceed without fully understanding their rights or disclose sensitive information via unqualified interpreters. The result is predictable confusion about whether an assessment has occurred, what further documents are needed, or whether a request for emergency accommodation has been refused.

7.2 Public Sector Duty

Ireland's Public Sector Equality and Human Rights Duty requires public bodies, in performing their functions, to have regard to eliminating discrimination, promoting equality, and protecting human rights. For local authorities and the DSP, this duty should translate into concrete, monitored arrangements for interpretation and accessible communication. The duty is especially relevant as services digitalise: online forms, document uploads, and portal-based correspondence can exclude people with limited English and low digital literacy unless assisted-digital alternatives and language supports are built in (IHREC, n.d.). Without such measures, language barriers compound administrative inequality by keeping people from participating meaningfully in decisions that affect them.

Practical steps are feasible. The State already procures interpretation via a national framework (Office of Government Procurement, n.d.), and the HSE publishes guidance and provider information to support consistent practice (HSE, 2009; HSE, 2022; HSE, n.d.). As a reference point for good practice, Women's Aid operates a 24-hour national helpline with a telephone interpretation service covering 200+ languages, allowing callers to state their language and be connected to an interpreter within minutes (Women's Aid, 2024; Women's Aid, 2024b). While a helpline differs from statutory decision-making, it demonstrates that large-scale, on-demand interpretation is both achievable and routine in Ireland.

RECOMMENDATIONS

The evidence presented across this report highlight that the difficulties faced by refugee families in accessing welfare and housing supports are not primarily caused by gaps in law, but by implementation failures such as discretionary decision-making, inconsistent documentation standards, and inadequate communication supports. Administrative processes designed for the general population can inadvertently exclude refugee families, resulting in unequal access to essential supports such as social welfare and housing. Addressing these barriers does not require major legislative reform but rather institutional alignment: ensuring that staff apply existing law fairly, that information is accessible, and that procedural safeguards are built into daily practice. The recommendations below therefore focus on practical, low-cost measures that can achieve immediate impact within existing structures.

Recommendations applicable to both the Department of Social Protection and Local Authorities

1. Establish an accessible interpretation service
Both the DSP and local authorities should ensure that telephone-based interpretation is available on demand for applicants who do not speak English as a first language. A dedicated multilingual helpline, similar to the Women's Aid National Freephone Helpline, provides a strong example of good practice. Women's Aid operates an interpretation service in over 200 languages, offering anonymity and consistent access to remote interpretation (Women's Aid, 2025).

Given the small size of many refugee communities in Ireland, such a model would enhance confidentiality and accessibility. Staff should be encouraged and trained to use this service, including guidance on communicating effectively through interpreters and managing sensitive conversations. Offices should also publicise the availability of interpretation services clearly, through posters, leaflets, and online information so that applicants are aware they can request support.

2. Provide multilingual information resources
Information materials about welfare and housing entitlements should be available in multiple languages, both in printed form and online. These resources should outline the steps for applying for supports, documentation requirements, and the right to interpretation. The absence of multilingual guidance is a recurring barrier, leaving many newly arrived families dependent on advocates for basic explanations. Producing clear and accessible translations of key documents would improve understanding and reduce errors in applications, promoting procedural efficiency and equality of access.

3. Strengthen staff training on immigration documentation
Frontline staff in both DSP and local authorities should receive regular training on immigration statuses, documentation, and letters issued by the Department of Justice. This would reduce the recurrent misclassification of refugees and beneficiaries of international protection as asylum seekers, and prevent unnecessary requests for Irish Residence Permit (IRP) cards when valid status letters have already been provided. As of October 2025, the IRP registration system indicates that no new appointments are available before the end of 2025, demonstrating the scale of backlog and the unreasonableness of conditioning access to supports on possession of an IRP card. Where a valid permission letter from the Minister for Justice is available, this should always be accepted as sufficient evidence of lawful

residence. This practice is supported by the Supreme Court's decision in *Sulaimon (A Minor) v Minister for Justice, Equality and Law Reform* [2012] IESC 63, which held that residency permission is effective from the date of the Minister's letter granting leave to remain, not from the date of registration. Ensuring consistent understanding of these legal principles will eliminate unnecessary delays in accessing social welfare and housing supports.

4. Standardise communication when requesting additional documentation
Where additional documentation is required to progress an application, staff should issue a clear and comprehensive written list of what is needed. This ensures that applicants and support workers understand the request, prevents duplication, and allows families to seek assistance in obtaining the correct materials. Written lists also improve administrative continuity by allowing any subsequent staff member to pick up the case efficiently, reducing the likelihood of repeated or contradictory requests. This small procedural change would improve transparency and significantly reduce delays arising from miscommunication.

5. Adopt a proportionate approach to proofs of address and provide alternatives
DSP offices and local authorities should cease applying overly rigid proof-of-address requirements that exclude those in informal or precarious housing arrangements. In the current housing market, many refugees and newly arrived families live with friends, share overcrowded accommodation, or pay informal contributions without formal leases or utility bills. Authorities should publish and accept a list of alternative proofs of address, such as letters from NGOs or caseworkers, correspondence from the Department of Justice confirming exit from IPAS accommodation or sworn statements of residence. The current insistence on formal proofs, as documented by Mercy Law Resource Centre (2024) and Focus Ireland (Byrne, 2024; Spollen, 2022), functions as a de facto exclusionary barrier that denies access to support on the basis of circumstances beyond the applicant's control.

6. Provide training on fair procedures, administrative law, and the Public Sector Duty
Staff across both DSP and local authorities should receive basic training in fair procedures, administrative law, and the Public Sector Equality and Human Rights Duty. The recurring issues identified throughout this report, verbal decisions without reasons, inconsistent application of eligibility criteria, and lack of interpretation, illustrate a widespread absence of awareness of these legal principles. Fair procedure requires that individuals be informed promptly and in writing of decisions that affect them and that reasons be provided to allow for review or appeal (IHREC, undated). Training should therefore cover the right to written decisions, the obligation to give reasons, and the duty to ensure decisions are made consistently and without discrimination. Building this understanding into routine practice would promote transparency, accountability, and compliance with Ireland's statutory equality and human rights obligations.

7. Mitigate against digital exclusion
Local authorities and the DSP should offer paper or offline alternatives for those unable to use digital platforms and provide clear communication so their customers are aware they have choices beyond digital. Digital exclusion is a well-documented barrier in accessing public services in Ireland. The Digital Exclusion and E-Government in Ireland report, commissioned by the Citizens Information Board and the Department of Public Expenditure and Reform, finds that many citizens experience difficulty in accessing online services, submitting forms, scanning documents, or navigating e-government platforms (Citizens Information Board / Department of Public Expenditure, 2022).

Recommendations specific to the Department of Social Protection

8. Ensure clear and consistent application of the "genuinely seeking work" test

The DSP should issue updated internal guidance clarifying the application of the "genuinely seeking work" requirement under Regulation 16(2)(c) of the Social Welfare (Consolidated Claims, Payments and Control) Regulations 2007 (as amended). The regulation explicitly provides that participation in training, education, or language courses can satisfy the test. Ensuring that staff recognise English language learning and integration activities as legitimate evidence of job-seeking would prevent inappropriate refusals of Jobseeker's Allowance and similar payments for newly arrived refugees and migrants. Consistent implementation of this standard would align administrative practice with the policy intent of supporting labour-market activation and integration.

9. Provide specialist training on the Habitual Residence Condition (HRC)

Targeted training on the Habitual Residence Condition would help reduce unnecessary investigations and requests for HRC1 forms for individuals who are clearly deemed to be habitually resident, including refugees, beneficiaries of international protection and their family members. Despite detailed operational guidelines already in place, inconsistent application continues to delay access to payments and create administrative backlogs. Regular refresher training should reinforce that refugees automatically satisfy the HRC from the date their status is granted (Department of Social Protection, 2024).

Recommendations specific to Local Authorities

10. Develop and publish clear operational guidelines for housing and emergency-accommodation applications

Local authorities, under the direction of the Department of Housing, Local Government and Heritage, should adopt comprehensive operational guidelines for the assessment of both SHS and emergency accommodation requests. These guidelines should set out eligibility criteria, documentation requirements, and decision-making procedures in a transparent and standardised format, similar to the DSP's published Operational Guidelines for social welfare payments. Making them publicly available on the Department's website would promote consistency, transparency, and accountability while enabling applicants and advocates to understand the basis on which decisions are made (Irish Homeless Policy Group, 2025).

11. Create a facility to register expected family reunification with local authority SHS application

Refugees who already hold refugee status (or another form of international protection) and are awaiting family reunification have a transitional period of up to one year while they manage visa application and travel logistics before their families arrive. During this time, the local authority handling their Social Housing Support (SHS) application typically has no formal notice of the forthcoming arrival of additional household members. To mitigate this, local authorities should establish a mechanism by which applicants may notify in advance that they expect to reunify with family and that additional household members will join within a defined timeframe. This registration should be logged and linked to their SHS file, enabling the authority to anticipate changes in household composition, plan for unit size, and flag any

documentation required (e.g., identity documents). Such advance registration eases the administrative burden of re-opening or amending applications later.

12. Establish an independent appeals mechanism and publish its decisions

An independent appeals mechanism should be created for decisions on SHS and emergency accommodation, addressing what the Irish Homeless Policy Group (2025) has termed the "missing appeals layer." The model used by the Social Welfare Appeals Office (SWAO) provides a clear precedent: an independent statutory office that publishes an annual report with case summaries, statistics, and analyses of emerging issues in decision-making. A similar housing-appeals body should publish anonymised case decisions and maintain an advisory service to provide guidance to local authorities and the public. Such a system would ensure accountability, identify patterns of inconsistent practice, and improve decision quality over time (Mercy Law Resource Centre, 2024).

13. Backdate HAP payments

Once a HAP application is approved, the household's entitlement to HAP should be deemed to commence from the date on which eligibility for SHS was confirmed. Where a family secures accommodation after that date, the tenancy start date should be used as the validation date, and payments should be backdated accordingly. Where rent has been paid directly by the tenant during this interim period, the local authority should either issue a back payment or apply a credit to the household's differential-rent account. Implementing this approach would align with the purpose of HAP as an income support, ensuring that families are not financially penalised because of administrative processing delays (Ombudsman, 2025).

GLOSSARY

Afghan Admissions Programme (AAP)
A government scheme that allowed people in Ireland to apply for close family members affected by the 2021 Taliban takeover of Afghanistan to join them safely in Ireland.

Beneficiary of International Protection
A person who has been granted either refugee status or subsidiary protection.

Community Sponsorship Initiative (CSI)
An Irish Refugee Protection Programme scheme where community groups support the arrival and integration of refugees.

Department of Social Protection (DSP)
The Irish government department responsible for social welfare payments and income supports such as Jobseeker's Allowance and Child Benefit.

Direct Provision / IPAS Accommodation
A system that provides housing, food, and basic services to people seeking asylum in Ireland. Managed by the International Protection Accommodation Service (IPAS).

Emergency Accommodation
Short-term housing (for example, hotels or B&Bs) provided by local authorities for people who are homeless or at risk of homelessness.

Family Reunification (under the International Protection Act 2015)
The legal process allowing recognised refugees or persons with subsidiary protection to sponsor nuclear family members to live with them in Ireland.

Habitual Residence Condition (HRC)
A legal test used by the Department of Social Protection to decide if a person's main centre of interest is in Ireland.

Housing Assistance Payment (HAP)
A long-term social housing support where the local authority pays part of a tenant's rent directly to a private landlord, with the tenant paying the rest.

Intreo Office
A local office of the Department of Social Protection that provides employment and social welfare services.

Irish Refugee Protection Programme (IRPP)
A government programme that coordinates Ireland's response to humanitarian crises and manages the resettlement and community sponsorship of refugees.

Irish Residence Permit (IRP)
A card issued by the Department of Justice to non-EEA nationals who have registered their residency in Ireland.

Local Authority
A city or county council responsible for local housing services, emergency accommodation, and the administration of Social Housing Supports.

MyWelfare
The Department of Social Protection's online portal for applying for social-welfare services and benefits.

Personal Public Service Number (PPSN)
A unique reference number used to access public services and benefits in Ireland.

Public Sector Equality and Human Rights Duty
A legal duty requiring all Irish public bodies to consider equality and human rights impacts in their work and to prevent discrimination.

Social Housing Support (SHS)
Long-term housing assistance provided by local authorities for households that cannot afford private rents.

Supplementary Welfare Allowance (SWA)
A short-term payment for people with little or no income while waiting for another social-welfare payment or employment.

> The difficulties faced by refugee families in accessing welfare and housing supports are not primarily caused by gaps in law, but by implementation failures.

10

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Falling Through the Gaps
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