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### Inside this issue

This bulletin focuses on developments in the area of no recourse to public funds (NRPF). In this issue, we provide an update on the Home Office's proposals for victims of domestic violence; we summarise the Network's response to a Home Office consultation on violence against women; we publicise our forthcoming conference and a regional event in the East Midlands; we provide an update on case law relating to age assessments; provide links to new research on regularisation of migrants; and provide dates for upcoming meetings and events organised by the NRPF Network.

### Home Office proposals to reimburse local authorities and refuges for supporting victims of domestic violence with applications pending under the Domestic Violence Rule

Proposals to reimburse local authorities and voluntary sector organisations supporting women with no recourse to public funds (NRPF) submitting applications under the Domestic Violence Rule (DVR) have been stalled. The proposals were due to be rolled out nationally in May 2009, but are currently 'with ministers'. The Home Office have stated that there is no release date for these proposals.

In March 2008, Vernon Coaker MP announced that "...in the very near future we [the government] will put together a system...to ensure that where people do

*receive a positive determination with respect to their ILR [indefinite leave to remain] status they will actually be able to apply for and receive housing and living costs for that period up to the determination of their ILR when, of course, if they are given that, they will be able to apply for other benefits."*<sup>1</sup>

The NRPF Network has been working closely with the Interpersonal Violence Unit (IVU) at the Home Office and organisations in the voluntary sector since this announcement to develop proposals to release funds to organisations supporting

<sup>1</sup> <http://tinyurl.com/nwhrik>

women with applications pending under the Domestic Violence Rule. Limited funds are proposed to be retrospectively paid to the supporting organisation (local authority or refuge) if their clients' applications under the DVR are successful. This is based on the understanding that applications submitted with the necessary supporting documentation will take no more than 20 working days to process.

This is an important step in recognising the particularly vulnerable situation of destitute women fleeing domestic violence who have NRPF and the financial pressure this client group pose to local authorities and voluntary sector organisations.

The 'Campaign to Abolish No Recourse to Public Funds', which is led by Southall Black Sisters (SBS), has rejected the Home Office proposals. Twenty-seven women's, immigration and human rights organisations from the campaign state that refuges have insufficient funding to support women who have fled domestic violence prior to the decision on their immigration applications, and that the Home Office proposal will not work unless victims are paid up front to enable them to escape an abusive situation. The Campaign highlight evidence to support this argument stating that when SBS set up a small fund to pay rent and subsistence for victims of domestic violence for up to six weeks,

many refuges refused to house women on the grounds that, due to their duty of care, they would not be able to evict them at the end of this period, indicating that refuges will be even less likely to support a woman on a limited backdated basis. The Campaign state that the most effective and humane way of dealing with the problem is to exempt victims of domestic violence and other forms of gender based violence from the no recourse requirement.

For more information, contact SBS on [info@southallblacksisters.co.uk](mailto:info@southallblacksisters.co.uk)

Olvia Fellas, Chair of the NRPF Network, said in response to the stalled proposals: "It is disappointing that over a year has passed since the announcement was made and we are still waiting for funding to be made available. Although the suggested proposal is not ideal - funding will still not be made available upfront to support victims to access safety immediately - it is a step forward for the Home Office to acknowledge that many victims of domestic violence return to perpetrators and further abuse simply because they have no recourse to public funds and no alternate options."

Future developments regarding the funding proposals will be disseminated via this bulletin.

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## **NRPF Network's Submission to Home Office Consultation: 'Together we can end Violence against Women and Girls'**

This consultation response was submitted to the Home Office to highlight the concerns of the NRPF Network around domestic violence experienced by people with no recourse to public funds. The submission focuses on the particularly

acute situation of women in the UK on spousal visas who become victims of domestic violence and cannot access public funds or UK Border Agency asylum support.

Women with NRPF who experience domestic violence are particularly vulnerable on account of their immigration status and this needs to be acknowledged in the Home Office strategy. Indeed, this policy is the creation of the Home Office itself. The NRPF condition, imposed on women (and men) in the UK on spousal visas, presents a major obstacle in progressing towards the goal to protect women and children across the UK from violence.

In order for public authorities to effectively address the issues facing this client group, funds need to be provided upfront to enable local authorities, refuges and voluntary agencies, to house women and children who have NRPF at the point of fleeing violence. Funds should cover the period of time it takes to collate evidence of domestic violence that is required to support Domestic Violence Rule applications to the Home Office.

To view the NRPF Network's full response, please see: <http://tinyurl.com/5aq3th>

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### **Destitute A8/A2 Migrants and Access to Public Funds – Norwegian Church, Cardiff Bay, July 8<sup>th</sup>**

This conference, co-hosted by the NRPF Network and the British Red Cross on the 8<sup>th</sup> of July in Cardiff, will address some of the concerns and issues facing statutory and voluntary organisations in regards to destitute migrants from the Accession 8 and Accession 2 European Union countries. The conference will focus on three key areas: eligibility for mainstream statutory support, eligibility for social services support and solutions for those who are not eligible for any statutory support.

The event aims to:

- explore issues and solutions to the problems facing destitute A8 and A2 migrants who have limited or no recourse to public funds (NRPF)
- discuss good practice in assessing and supporting A8 and A2 migrants who have NRPF
- promote cooperation and understanding between local authorities, the voluntary sector and central government

Presentations will be given by a panel of experts, including:

- Rebecca Pritchard, Specialist Adviser (Rough Sleeping), DCLG
- Janet Williams, Project Manager, British Red Cross Wrexham
- Olivia Fellas, Head of Equalities, Refugee and Migrant Service, Islington Council
- Adam Weiss, The AIRE Centre

Workshops, focusing on practical solutions to destitution, will be delivered on the following areas:

- Bethan Lant – Praxis  
*Entitlements of A8/A2 migrants to mainstream benefits*
- Jonathan Price – NRPF Network  
*Social Services responsibilities to A8/A2 migrants with NRPF*
- Adam Rosolowski and Luke Price – Wrexham Community Project  
*Getting to the truth: British Red Cross Society assistance to vulnerable migrants in Wrexham*

This event is fully booked, however we are still taking bookings in the event of cancellations. If you would like to be placed on a waiting list or if you would like to receive the event materials, please email: [jonathan.price@islington.gov.uk](mailto:jonathan.price@islington.gov.uk)

## **An Event to Explore the Development of a Regional NRPF Network in the East Midlands, Melton Mowbray, Leicestershire, 2 July 2009 (12.30 – 16.15)**

The NRPF Network is organising this event in partnership with the East Midlands Strategic Migration Partnership to explore the following issues:

- What are the key NRPF issues in the region and is there a need for a regional NRPF Network?
- Which NRPF clients are local authorities supporting/being referred to their services, and how many are there?

- Is there a need for regional policies and protocols for NRPF?
- What might be the best structure for a regional NRPF Network and who should be involved?

This event is open to all professionals in the statutory and voluntary sectors. To book a place at the event, please email: [Kirsty.Davies@lg-em.gov.uk](mailto:Kirsty.Davies@lg-em.gov.uk)

## **Case law update – R (A) v LB Croydon & R (WK) v SSHD & Kent CC [2009] EWHC 939 (Admin)**

The ruling in the above case sets precedence in the procedures for age assessments undertaken by local authorities and the relative weight given to paediatric age assessments. The High Court found that there was no reliable medical or dental assessment of age and that assessments undertaken by social services departments were more holistic.

Following this judgement, local authorities have the power to decide how much

weight should be given to medical reports; there is no obligation to obtain medical advice, nor to obtain medical reports that counter medical assessments the authority disagrees with.

Local authorities can still be challenged on their decisions on age assessments via judicial review.

To view the full ruling, please see: <http://tinyurl.com/lpkpkr>

## **New research focusing on regularisation of migrants in the UK – Greater London Authority and Migrants' Rights Network**

Research conducted by the NRPF Network has formed part of an analysis of the exploration of regularisation programmes in two pieces of recently published research. A report written by the Migrants' Rights Network and another report commissioned by the Greater London Authority (GLA) explore benefits and issues relating to a potential regularisation of migrants in the UK.

The GLA report looks at the potential economic impacts of regularisation for irregular migrants in London and across the UK as a whole. The Migrants' Rights Network report looks at the nature of irregular migration in the UK, issues around immigration enforcement and different models of regularisation.

A consideration of the impact of regularisation on public services in both

reports includes social services departments and the NRPF issue. Both reports highlight the financial impact of NRPF clients on local authorities, funds that are not currently reimbursed by Central Government. The Migrants' Rights Network report also highlights the difficulties faced by clients whose immigration cases remain unresolved after many years and who could either be working or claiming mainstream benefits.

To view the reports please use the following links:

*Economic impact on the London and UK economy of an earned regularisation of irregular migrants to the UK*, Greater London Authority, <http://tinyurl.com/l8o8ev>

*Irregular Migrants: The Urgent Need for a New Approach*, Migrants' Rights Network <http://www.migrantsrights.org.uk/>

To view the NRPF Network report *No Recourse to Public Funds: Financial Implications for Local Authorities*, please see: <http://tinyurl.com/5aq3th>

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## **No Recourse to Public Funds Training Programme**

The NRPF Network, in partnership with Islington Council, provides a one-day training programme for local authorities on their duties to support individuals and families with no recourse to public funds.

The training programme covers the following areas:

- No recourse to public funds - introduction and overview
- Key legislation
- Assessing eligibility for support
- General considerations in assessments of need - adults, children and families, human rights
- Community care and community mental health assessments
- Child in need and human rights assessments
- Good practice in assessing and supporting people with NRPF
- National NRPF Network and the policy context of NRPF
- Case studies

### **Who is it for?**

This training programme is available to local authorities only. Social workers (adult - community care and mental health - and

children's services), healthcare professionals, asylum caseworkers, managers, and policy officers, will find the training most useful. Experience has shown that the training programme works best where a breadth of practitioners from across the local authority attend, as it is a cross-cutting area requiring a joint-working approach.

### **Feedback**

This training programme has been provided to over 20 local authorities and feedback has been very positive:

*"I think I speak for all of us when I say your training was very welcomed, needed and will help us no end in the coming months and years, many thanks."* – Participant, Cambridgeshire County Council

*"The feedback [on the training programme] was very positive and has raised lots of thinking and debating within Hounslow. It was a much needed piece of training for our staff."* – Service Manager, London Borough of Hounslow

**Cost**

- £1250 for up to 10 participants and £125 for each extra participant; plus
- travel (and if necessary, accommodation) expenses for two trainers

**Other services**

The NRPF Network also conducts workshops and seminars on specific aspects of NRPF. If you are interested in

commissioning a workshop or seminar please contact the Network using the contact details below.

**Contact**

If you are interested in organising training for your local authority, please contact: Jonathan Price on [jonathan.price@islington.gov.uk](mailto:jonathan.price@islington.gov.uk) or tel: 0207 527 7121

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**Dates for your Diary****East Midlands Regional NRPF Network Event**

Thursday 2<sup>nd</sup> July 2009 (12.30 – 16.15), Melton Mowbray, Leicestershire. For more details, please contact [Kirsty.Davies@lg-em.gov.uk](mailto:Kirsty.Davies@lg-em.gov.uk)

**London Regional NRPF Network meeting**

Tuesday 15<sup>th</sup> September (14.00 – 16.00), Westminster City Hall, London.

**East of England Regional NRPF Network meeting**

Thursday 17<sup>th</sup> September (11am start), EERA Offices, Flempton House, Bury St Edmunds, Suffolk.

For more details on the regional networks, including who can take part, see: <http://tinyurl.com/5uz9v9>

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*The NRPF Network is committed to supporting and working with local authorities, the voluntary sector and central government. The Network has over 1200 members and our website attracts over 1000 web hits per month.*

*The NRPF Network is funded by the UK Border Agency (UKBA) and the Department for Communities and Local Government (DCLG).*

**For further information or to unsubscribe, please contact: [nrpf@islington.gov.uk](mailto:nrpf@islington.gov.uk) or tel 020 7527 7121**

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