

**Duties to Support People With No Recourse to Public Funds
Manchester Friends Meeting House
25th February 2008**

Conference Report

Introduction

The Duties to Support People with No Recourse to Public Funds (NRPF) Conference, held at Manchester Friends House on the 25th of February 2008, was the first of four events hosted by the NRPF Network and the Red Cross addressing specific issues relating to destitute people from abroad with no recourse to public funds.

This conference focused on key barriers to accessing and providing local authority assistance to NRPF clients. Subsequent conferences this year will take place in Birmingham, Leeds and London addressing the issues of children of families with NRPF, domestic violence and access to healthcare, respectively.

The conference was attended by over 70 delegates from a range of sectors and organisations: 64% from local authorities, 30% from the community and voluntary sector, 4% from health services and 1% from central government.

The event was particularly unique in bringing this diversity of practitioners and policymakers together. Border and Immigration Agency (BIA) Deputy Director for Asylum, North West Region, Nigel Mills, highlighted the significance of the conference in bridging the gap between the BIA and the local statutory and voluntary sectors, saying that 'such an event would not have happened seven or eight months ago.'

Presentations were given by a panel of experts, including:

- Olvia Fellas, Chair of NRPF Network and Head of Refugee and Migrant Services, Islington Council
- Nigel Hills, Deputy Director for Asylum, North West Region, Border and Immigration Agency
- Richard Copson, Glaisyers Solicitors
- Eloise Cockcroft, Caseworker, Revive

These were followed by questions & answers and workshops, to discuss case studies and key barriers and strategies for accessing and providing local authority assistance.

Aims & objectives

The aims of the conference were:

- to stimulate discussion of the issues relating to NRPF;

- to look specifically at the barriers to accessing and providing local authority assistance; and
- to promote cooperation between local authorities, the voluntary sector and central government.

KEY ISSUES

Participants raised several concerns relating to accessing and providing local authority assistance to NRPF clients:

- There is inconsistency in local authority practice. Sharing information to promote consistency of practice is a key aim for the NRPF network
- Clarity is needed regarding the obligations of local authorities to provide assistance under human rights law
- In relation to victims of domestic violence, resolving cases takes a long time and support is not provided during this time.¹ Also highlighted was the poor legal advice provided to those applying under the domestic violence rule
- There is a lack of clarity on policy and process relating to EU nationals
- There is no clear method for counting EU migrants and the numbers are not known; this has implications for planning services.
- The opening hours of BIA screening services in Liverpool and Croydon are limited, and people who arrive after the units have closed may have nowhere to stay. Nigel Hills said that screening units were open later (until 6pm) for 'vulnerable' individuals
- Service providers have experienced difficulties contacting individuals in the BIA.

Many of these issues present new challenges for the NRPF Network and this event has been useful in contributing to a future agenda for Network activities. Some of these issues are currently being addressed by the Network, including issuing practice guidance to support consistency of services across the UK, and collating data on numbers of people with NRPF being supported and costs incurred to local authorities.

PRESENTATION SUMMARIES

Hugo Tristram, Development Officer at the British Red Cross, chaired the event and set the context for the presentations and the conference more broadly. He highlighted the importance of bringing different perspectives to the panel in order to discuss the issues at hand and making connections across sectors.

Olvia Fellas, Chair of NRPF Network and Head of Refugee and Migrant Services, Islington Council

Olvia provided the legal and policy context of NRPF, and highlighted good practice for local authorities as specified in the NRPF Network guidance notes.² She noted the increase in demand for services, the lack of funding from central government to meet these costs and the lack of statutory regulation and guidance in this area.

¹ On the 4th of March 2008, Mr Vernon Coaker MP stated to the Home Affairs Committee on Domestic Violence that successful applicants for Indefinite Leave to Remain under the Domestic Violence rule who have no recourse to public funds will be able to apply to have their housing and living costs paid for the period up to receiving a positive decision, retrospectively. Please see uncorrected transcript of oral evidence for more detailed information (Q443):

<http://www.publications.parliament.uk/pa/cm200708/cmselect/cmhaff/uc263-v/uc26302.htm>

² See: http://www.islington.gov.uk/Health/ServicesForAdults/nrpf_network/policy_guidance.asp

Olvia outlined the aims and activities of the NRPF network, including policy issues the network is working on with the government such as numbers of those being assisted by local authorities and the associated costs, all rights exhausted post-18 former unaccompanied asylum seeking children, and potential fraud and intelligence sharing.

Nigel Hills, Deputy Director for Asylum, North West Region, BIA

Nigel asserted the commitment of the BIA to working together with local government and the voluntary sector with humanity as a shared goal and ensuring individuals are treated with respect. He highlighted recent changes in the BIA aiming to improve the asylum system. These include: providing published targets so the public can see whether it is delivering, working collaboratively across traditional boundaries and delivering joined-up immigration services at a regional level with the establishment of regional directors.

Nigel argued that the single case owner role of the New Asylum Model provides accountability for the entire process and there is a focus on all aspects of the case including support and accommodation. For example, case owners will make decision on access to Section 4. More broadly, faster decision-making processes are leading to more certain conclusions and unfounded claimants are being removed more promptly.

Nigel asserted the BIA's commitment to the NRPF network, highlighting in particular the network's importance in providing valuable research to inform decisions and improving understanding through sharing information and good practice.

Nigel encouraged practitioners to bring forward examples of bad practice at the BIA such that its policies and processes can be improved.

Richard Copson, Glaisyers Solicitors

Richard recommended that local authorities collect as much data as possible regarding clients' situations to determine whether they are destitute. He also stressed that judicial reviews where local authorities have made the wrong decision should be avoided because they are cumbersome and time-consuming. Richard recommended the NRPF Network guidelines for service providers working with NRPF clients for the clarity and comprehensiveness of explanations.

Eloise Cockcroft, Caseworker, Revive

Eloise gave details of three NRPF cases who presented at the Revive centre in Salford. They included individuals with post-traumatic stress disorder (PTSD) and families with children.

Eloise asserted that it was difficult for voluntary organisations to persuade local authorities to provide services to NRPF individuals and that organisations had no idea how long community care assessments would take. She added however that when services are provided, they are usually very good in terms of accommodation and financial support.

Participant feedback

The conference was very well received. Participants noted the strength and diversity of speakers, and the success of bringing together practitioners and policymakers from the BIA, local government and the voluntary sector. The workshops were seen as a useful way of discussing the issues and consulting directly with legal experts. Participants also valued the opportunity to network and share information. Participants would like to have been given more detailed notes and for the conference to be longer.