

## **‘No Recourse to Public Funds’ and migrant women living with abuse**

In the UK, some migrants are subject to a condition called No Recourse to Public Funds or NRPF, which can have far reaching consequences for migrant women, particularly those living with abuse or violence.

In this blog we discuss what NRPF is and who is affected, what constitutes ‘public funds,’ and its effect on women leaving an abusive situation. We also explain some options available and share links to support.

### **What is No Recourse to Public Funds?**

NRPF is a condition that can be attached to a person’s immigration status in the UK. When a person intends to enter the UK they must apply for permission to enter and remain in the country. The type of permission they get will become their immigration status, and in some cases it will include the NRPF condition.

NRPF restricts access of migrants to certain social security benefits and social housing. It’s a condition that forms part of the Home Office’s hostile environment policy, which was created to make life as difficult as possible for migrants living “unlawfully” (i.e. without documents) in the country.

Yet, the consequences of this condition are particularly harmful to migrant women affected by abuse. Without the safety net that access to these types of public funds offer, they face increased risk of destitution and exploitation, forcing them into making survival decisions in order to find safety and have a roof over their heads.

### **Who is affected by NRPF?**

The NRPF condition affects people who are subject to immigration control —that is, people who don't have a British citizenship. This include people who are residing in the UK under immigration status such as:

- Spouse visa
- Student visa
- Work permit

Or those who are:

- Asylum seekers
- Undocumented immigrants
- Have overstayed their temporary visa

This list is not exhaustive —there are many other situations where a person could have no recourse to public funds attached to their status. For a full list, visit [the NRPF Network’s website](#).

As a rule of thumb, if a person is subject to the NRPF condition, this will be indicated on their Biometric Residence Permit (BRP) as shown in the image below:

### **What counts as ‘public funds’?**

For NRPF purposes, public funds refer to services provided and/or funded by the government listed in the Immigration and Asylum Act 1999 and the Immigration Rules.

Some examples of 'public funds' are: child benefit, council tax benefit, disability living allowance, housing & homeless assistance, income support, and universal credit. The Home Office has [a complete list of 'public funds'](#) applicable to the NRPF condition. It is important to know that the NRPF condition only applies to public funds included in the Home Office's list.

A person whose status in the UK is subject to NRPF isn't allowed to access any of the 'public funds' in the list. However, this also means that that same person can access publicly funded support not included in the list, for example, Scottish Legal Aid Board-funded legal aid, free school lunches, early learning childcare support, or access to some NHS services.

## **NRPF and migrant women affected by abuse**

The NRPF condition prevents migrant women from accessing the social security safety net that exists to protect the most vulnerable in our society. One of the restrictions that NRPF places on migrants is financial and housing support.

Without this safety net, migrant women who depend on their perpetrator to pay for food and accommodation might struggle to leave the relationship and support themselves and their children. This means they are often forced to decide between staying with the perpetrator or facing poverty and street homelessness.

In many cases, women can be denied refuge accommodation if the refuge is funded by the government. This leaves migrant women with NRPF with limited options for safe accommodation.

The only exception is when it comes to children (under age 18) and vulnerable adults (that is, a person over 18 years who is unable to take care of or protect herself). By law, local authorities have the duty to protect these groups when they face destitution and homelessness. Local authorities have the power to support the child or vulnerable person and their family regardless of the NRPF condition.

## **I'm experiencing abuse and have NRPF, what are my options?**

The options available will depend on the type of immigration status you have. Immigration law in the UK is extremely complex and we recommend that you [get specialist legal advice](#).

You can search for immigration/asylum solicitors on the [Law Society of Scotland website](#). If you are not sure where to start, you can get in touch with us through [our legal helpline](#) or by making an appointment at one of our [surgeries](#).

Importantly, if you need financial assistance to pay for legal fees, you can apply for Legal Aid from the Scottish Legal Aid Board as this doesn't count as a 'public fund'.

Other options are available in the following specific situations:

***Leave to remain on the basis of private or family life:*** If you have 'leave to remain on the basis of private or family life', you may be able to apply to the Home Office to have the NRPF condition removed.

However, to apply you will need to demonstrate that your circumstances have changed, for example, that you are now in poverty or at imminent risk of poverty, or that your very low income is affecting your child's welfare. The application to remove the NRPF condition is free and can be made through the [Home Office website](#).

**Spousal visa:** if you are living with your husband or partner who has British citizenship or leave to remain in the UK and you have a spousal visa, you are then subject to the NRPf condition. If the relationship ends and you decide to separate, you would automatically lose your permission to remain in the UK.

However, there are options if the reason for the separation was domestic abuse. You may be able to apply for Indefinite Leave to Remain through the [ILR SET DV application](#), but this is limited to specific situations where your current visa is linked to a husband or partner who is British, permanently resident or is a refugee.

To apply, you would need to provide evidence of the domestic abuse (e.g. a conviction or police report, medical records, among others). If this application is successful, you would be granted 'Indefinite Leave to Remain with recourse to public funds'. There may be other options open to you if you don't fit within the criteria for this application, which is why it is important you get legal advice.

While your ILR SET DV application is being considered, you can also apply for temporary access (up to three months) to public funds through the [Destitution Domestic Violence \(DDV\) Concession application](#). Both applications are made to the Home Office and you fill out the form with the help of a solicitor or a person qualified to OISC 1.

Above all, if you are in an abusive situation and you have NRPf, it's important to get specialist legal advice in order to understand and assess your options. If you don't know where to start, [call our legal helpline for support](#).

## Get support

- [\*\*Scottish Women's Rights Centre\*\*](#)

If you are a woman with NRPf and have experienced abuse, our solicitors and advocacy workers can give you initial advice.

[Call our helplines](#) or book an appointment for one of our [legal surgeries](#).

Below you will find details of other support available to migrant women with NRPf:

### Emergency Accommodation for women with NRPf

- **Ubuntu Women's Shelter**

This shelter can provide 72 hours to 1 week emergency accommodation for women with NRPf. Website: [ubuntu-glasgow.org.uk](http://ubuntu-glasgow.org.uk)

- **Southall Black Sisters – No Recourse Fund**

This fund is available to support organisations allowing them to cover migrant women's housing and subsistence costs. The organisation would have to pay for the costs upfront and they can then apply to get reimbursed through the fund.

Website: [southallblacksisters.org.uk/no-recourse-fund](http://southallblacksisters.org.uk/no-recourse-fund)

- **Local Scottish Women's Aid groups**

Some women's aid groups may be able to provide refuge to migrant women with NRPf who are fleeing abuse. However, it will depend on the women's specific situation and the funds available at the group. Check directly with your local women's aid group: [womensaid.scot/find-nearest-wa-group](http://womensaid.scot/find-nearest-wa-group).

## Emotional Support

- **Rape Crisis Scotland National Helpline (open daily, 6 pm - midnight)**

Call: 08088 01 03 02

Text: 07537 410027

Email: [support@rapecrisisScotland.org.uk](mailto:support@rapecrisisScotland.org.uk)

- **Domestic Abuse and Forced Marriage Helpline (open 24/7)**

Call: 0800 027 1234

Email: [helpline@sdafmh.org.uk](mailto:helpline@sdafmh.org.uk)

Web chat: [sdafmh.org.uk](http://sdafmh.org.uk)

- **Saheliya**

Supports Black, minority ethnic, asylum seeker, refugee and migrant women and girls (12+) in the Edinburgh and Glasgow area through well-being services and activities. Their services are available in:

**Edinburgh:** 0131 556 9302

[info@saheliya.co.uk](mailto:info@saheliya.co.uk)

**Glasgow:** 0141 552 6540

[admin.glasgow@saheliya.co.uk](mailto:admin.glasgow@saheliya.co.uk)

- **AMINA – The Muslim Women Resource Centre**

They provide emotional and practical support to ethnic minority women. Their support is available in different languages and you can contact them through their helpline.

Call: 0808 801 0301

[Click here](#) to access the online chat and other helplines.

## Advocacy and Practical Support

- **Shakti Women's Aid**

They offer support to migrant women in Edinburgh and East, Mid, and West Lothian; and have an Outreach service in Fife, in Dundee, and in Forth Valley (Stirling, Falkirk, and Clackmannanshire).

Website: [shaktiedinburgh.co.uk](http://shaktiedinburgh.co.uk)

- **Hemat Gryffe Women's Aid**

They provide specialist support to women from the Asian, Black and Minority ethnic community who have experienced domestic abuse.

Website: [hematgryffe.org.uk](http://hematgryffe.org.uk)

## Helpful Information

- **The COSLA Migration Partnership** (which includes our partners JustRight Scotland and the NRPf Network) has created a helpful and easy-to-follow [guide to understand what rights and services a migrant with NRPf can access in Scotland](#).
- **COVID-19/Coronavirus:** The COSLA Migration Partnership has also created a framework for [Supporting Migrants with No Recourse to Public Funds during the Covid-19 Pandemic](#).
- **The NRPf Network** brings together local authorities and partner organisations to improve the response to migrants with care needs who have NRPf.  
Website: [nrpfnetwork.org.uk](http://nrpfnetwork.org.uk).