



# ALL-PARTY PARLIAMENTARY GROUP ON No Recourse to Public Funds

## No Recourse to Public Funds and Children: What Next?

Wednesday 15 June 2022, 16:00-17:30

Hybrid meeting hosted simultaneously in person on Parliamentary Estate and remotely on Zoom

### Attendees

#### In person

Kate Osamor MP (Chair)  
Kate Green MP  
Oliver Daly  
Amy  
Asfah Kosir (Project 17)  
Olivia Halse

#### Via Zoom

Stephen Timms MP  
Temi (Lived experience Speaker)  
Francisca (Lived experience Speaker)  
Carri Swann (Child Poverty Action Group)  
Nicole Masri (Rights of Women)  
Helen Flynn (Just Fair)  
Oluwatosin (Project 17)  
Rahni (Imkaan)  
Rivka Shaw (GMIAU)  
Samaira (RWWA)  
Firoza Mohmed (Humraaz)  
Hannah (Project 17)  
Heather (RAMP)  
Dee Behan (St Christopher's Hospice)  
Fiona Carrick Davies (Surrey Square Primary)  
Isabel Hughes (The Food Foundation)  
Lucy Bannister (JRF)

Nasima (IKWRO)  
Negar Darian (IKWRO)  
Noor Hewaidi (Ashiana Network)  
Abi Brunswick  
Amy  
Ayo  
Balinkis  
Beauty Megbo  
Bernice Molyneaux  
Blessing  
Caz  
Charlene McBurnie  
Claudia Phillips  
Cynthia  
Ilona Pinter  
Leah Cowan  
Matteo Besana  
Monsurat  
Nabeel  
Nana Abena  
Nelva Garrido  
Nosrat  
Olaitan Abiola  
Sarah McCloskey  
Shona Elliot  
Simin Jahan

Vicky Nyanga

**Apologies**

Baroness Lister of Burtersett

Tan Dhesi MP

Anne McLaughlin MP

Bishop of Durham

## 1. Welcome and Introductions

Kate Osamor MP, Chair of the APPG on NRPF

Welcomed attendees to the event, 'No Recourse to Public Funds and Children: What Next?'. Paid tribute to Stephen Timms MP for hard work on recent Work and Pensions Committee report and other work around NRPF. Highlighted that impact of NRPF still not widely understood and thanked and welcomed speakers. Noted disappointment that the Government's response to the WPC inquiry on child poverty and no recourse to public funds has been to reject the recommendations made in the report. Highlighted that vast amounts of evidence from those with lived experience and those representing children and families with NRPF was provided and considered in the inquiry.

## 2. Sir Stephen Timms MP

*MP for East Ham and Chair of the Work and Pensions Committee (WPC)*

- Thanked Project 17, Unity Project, the Children's Society and other for evidence provided to the inquiry. Personal focus on NRPF began at start of the pandemic when impact of job losses on constituents subject to condition became clear.
- Strong answer in many responses to inquiry was to scrap NRPF completely. But thinks it needs to be more nuanced. Select Committee (WPC) recommendation more modest, but still a big change. Important to note it was made by consensus in a committee with a Conservative majority. Conservative member described evidence inquiry received as 'harrowing'.
- Made 2 main recommendations he wishes to highlight. Government's response, published this week, rejected both, but believes it's worth others getting behind these
  - Maximum period families with children should be subject to NRPF condition reduced to 5 years
  - Parents with children who are British citizens should receive child benefit
- Department of Education has been more responsive – provided Free School Meals (FSM) to children subject to NRPF during pandemic then reviewed this and made it permanent
- Government response: warm words on victims of domestic violence but little of substance. Nothing on childcare costs. Willingness to provide more information in relation to 'change of conditions' (but no detail/timescale. Refused to carry out cost/benefit analysis of NRPF policy. Nothing on extra funding for local authorities with large populations subject to NRPF conditions.
- 10 years far too long for NRPF condition to last – children will spend most of their childhoods subject to it. Parliament has agreed that it's in the interests of society as a whole to support children, so they can reach their full potential, so, since children who are citizens will be in the UK permanently, it is in everybody's interests for them to receive Child Benefit in line with other children, even if their parents are subject to NRPF
- Government has agreed to come back in 3 months – at which point WPC will have another chance to discuss
- Helpful if other MPs could raise issue in Parliament/ask questions and if civil society orgs could ask MPs they have relationships with to raise issue

## 3. Olivia Halse

*Olivia is an Associate Solicitor in the Public Law and Community Care Department at Gold Jennings.*

Experience of bringing judicial review cases in relation to NRPF. 3 main categories of cases:

- a. **Where client has approached their local authority (LA) saying their destitute and been refused help.** Clients often treated in aggressive manner, LA taking a 'fraud approach'. Many issues with this, not least that it detracts from assessing if a child is in need. Even with

support assessment processes are very difficult to navigate, LAs don't approach them by checking what a child needs. Very stressful process as a litigant, but also resource intensive for all parties

- b. **When a LA has agreed to give support, but it is not suitable.** Seems to be a sense in LAs that all the support they need to provide is the asylum support rate (less than £40 a week). But purpose of Article 17 support is to provide for the *welfare of the child*, not just prevent destitution. Seeing parents skipping meals to feed children, also children's needs for things like developmental toys not being met. Have been able to challenge these decisions where LAs are benchmarking support rather than considering the needs of the individual child.
- c. **Wider scale challenges to central government schemes in operation.** For example prior to the FSM decision, sent a pre-action letter. Aims of schemes such as pupil premium, healthy start etc are to help children flourish. But because people subject to NRPF can't access them, often kids most in need are being excluded. If you trace back the purpose of the scheme – were children with NRPF considered? Arguing that the way schemes operate (excluding kids with NRPF) frustrates the will of Parliament (to help kids flourish)

#### 4. Carri Swan

*Carri is a welfare rights adviser at the organisation, Child Poverty Action Group.*

CPAG believes NRPF needs to end because it spells poverty. But in the interim:

- Declassify child benefit as a public fund. Similar to WPC recommendation – but removing the 'British children' requirement
  - Child benefit should be likened to state education/NHS treatment. Correct approach as child benefit about meeting basic needs of children, children are not autonomous adults.
  - At a time when  $\frac{3}{4}$  all children in poverty in UK have a parent who works, work cannot be presented as an all-encompassing solution
  - Applying to have NRPF condition lifted is not a complete solution for families – there's a lack of awareness they can, and also complex process
  - Impact of declassifying child support would be to ensure one small, but reliable, source of income for every child. As welfare rights advisor, cannot underestimate impact of having something that has clarity and accessibility in terms of entitlement
  - Cost of reclassification about £160 million – so proportionate
- Other support to bridge gap would be improved statutory support from social services, but this is a poor second best
  - Most families don't know social services support is available, how to ask for it,, what the consequences of asking could be (in terms of hostile environment/fraud approach)
  - Any parent would be afraid to tell social services they can't look after their child properly for fear child will be removed
- Final point in terms of Government response – idea that people can just return to their 'home country'. Children do not get to decide where they live.

#### 5. Nicole Masri

*Nicole is a qualified solicitor specialising in immigration and asylum law.*

- In Government response the words about victims of domestic violence ring hollow. Government excludes migrant victims from support and therefore excludes them from protection

- Countless migrant victims fall out of scope of current Government scheme (which is over 20 years old)
- Perpetrators of abuse use migrant status of victims as a tool of control and abuse
- 2 outcomes must be achieved to support migrant victims of domestic violence
  - a. Migrant victims must be able to gain independent immigration status in their own right
  - b. Must be eligible for housing and other financial support irrespective of status
- Migrant victims are denied safety if they are denied 1 or other of these.
- Also need to comply fully with the Istanbul Convention
- Domestic violence fears around removal are not ill founded – status can be instantly revokable
- Nobody experiencing a change in status due to domestic violence should be removed
- Practice of data sharing harms victims of domestic violence (including the children) but also harms public at large as discourages reporting of crime.
- Legal prohibitions to accessing public funds must be removed. Rights and entitlements can be meaningless if not back up by support to know/secure them

## 6. Francisca

### *United Impact<sup>1</sup>*

- Single mother of 2 children. Been going through NRPF for 9 years – eldest child is 8, so their whole life. Why does the Government care for some children and not all?
- Reduction to 5 years would help a little, but NRPF shouldn't exist, especially for families with children
- Remove the stigma on children. 5 years is better than 10, but a very long time, particularly for children. Why put children and families through this?
- Ex-partner refused to give her and children status – still have to rely on ex partner financially
- Access to child benefit would have made difference to children's welfare. For recent school trip council couldn't help towards cost because child wasn't eligible for child benefit. Access to child benefit would help to get school uniforms, food, to afford activities
- Access to FSM made a lot of good difference. Most mums and dads in United Impact group think it's a good idea and are grateful
- Cost of living rising – electric, food etc. Kid's school jumpers £15 each – use school's uniform banks but don't always have the right sizes. Project 17 helped buy kids' winter, couldn't have bought them without support

## 7. Temi

### *United Impact<sup>2</sup>*

- Has a baby and a 3 year old. Hasn't been able to get any childcare for 3 year old since birth
- Don't have a moment alone to cry, so much pressure and no personal time at all.
- Many people subject of NRPF live in shared accommodation with no space for children to play. Not able to play with other children/develop
- Families with NRPF should be entitled to 30 hours free childcare for 3-4 year olds so parents can work and improve living situation, but also important for kids at this age to be in social situations with other kids

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<sup>1</sup> United Impact is a group of sixty people with lived experience of having no recourse to public funds. United Impact's aim is to raise awareness and work with decision makers to create change, so that families and children with NRPF do not have to endure poverty, hunger, homelessness and further suffering.

<sup>2</sup> *Ibid*

- How can we work without childcare? Very frustrating not being able to work
- Jobcentre said now receiving Universal Credit and can get childcare – really looking forward to being able to work and do course
- Relief to have time without children and to do course and get qualification to get a good job. Bills are high so need to work
- Local authorities should get more financial support to help those subject to NRPF – they should be able to do more for us if they have more money. If they don't have more money, nothing will change
- Current housing provision situation means you don't get to see property in advance and you get 1 days' notice. Conditions aren't great – shared accommodation with drug use, black mould, damp
- When got current place children were so happy that they could run around and didn't have to share bathroom/kitchen with lots of people we didn't know
- Hope Government can give this support to others – otherwise children can't have any fun
- With cost of living crisis everything is so expensive. Pay electric company £50 every month. Being threatened with court over water bill – paying £30 every month. Only bathe twice a week to save money. People can't afford life at the moment
- Can't get supplier discounts when on NRPF
- Huge mental health impact – try to hide it from children, but sometimes lose it due to pressure. Children try to cheer parents up – children shouldn't be doing this.
- Knows people taking medication for depression due to NRPF, suffering trauma

## **8. Conclusion**

**Kate Green MP**- Public Accounts Committee holding session soon and can ask questions of permanent secretaries of the Department of Work and Pensions about a cost/benefit analysis of NRPF.

**Kate Osamor MP** – Will hold future meeting to discuss report with Citizen's Advice – they have seen huge influx in people coming to them who are subject to NRPF condition. Thanked speakers and attendees and closed meeting.

