

Community of Practice
Forum 5; 27.07.21 14:00
Over Zoom
Minutes

Topic- *Beyond* [NRPF](#)

Item

Crisis Brent

Nick briefly introduced today's topic and clarified the purpose of today's meeting to look beyond the barriers and look towards what we can do to support those in need.

Lorna presented a client who works with us at Crisis Skylight Brent. She listed some of the challenges, including

- Dammin came to the UK in 2018 [following an initial attempt to enter the UK in 2004 and was refused]
- Spelling error on his paperwork
- Charges to release his documents
- Homelessness and lack of funds

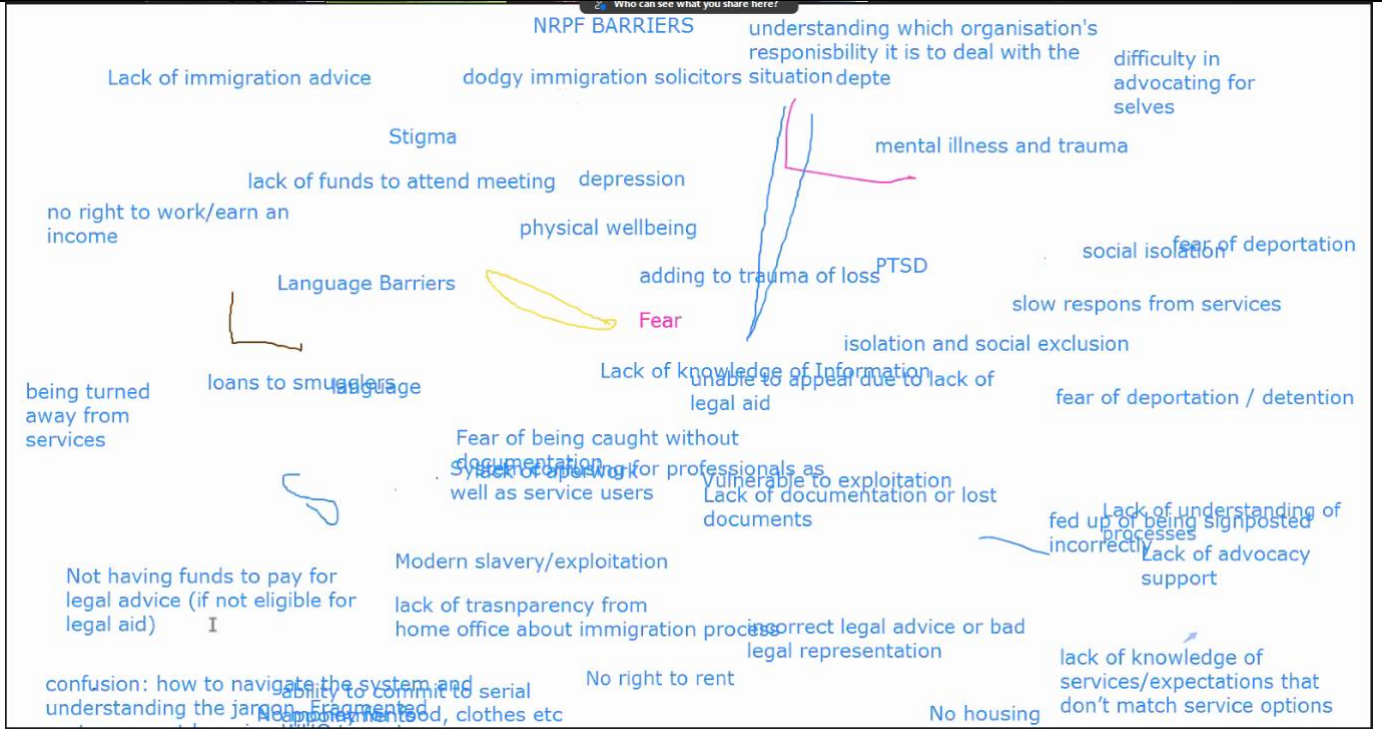
Discussion following presentation noted that

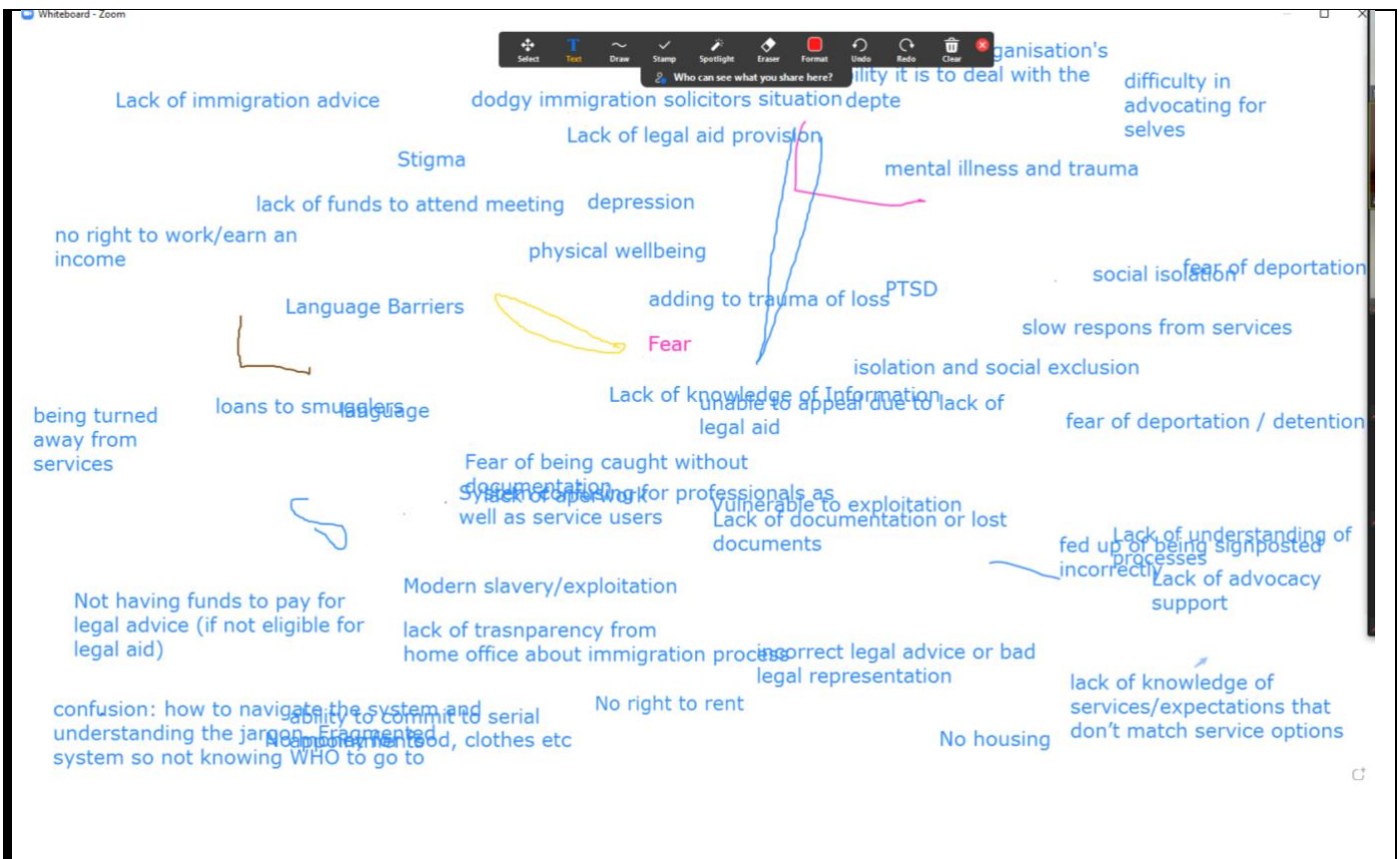
- Those who have refugee status, as with settled status have the same rights as any British national. These include those rights around making application for accommodation to local authority and means tested welfare. Even without an active claim for benefits yet, if one has been granted status and can evidence this, they can make a £0 income application to the local authority.
- There is a legal structure that means that legal representatives can hold documents until they receive payment. In some cases, one may be able to apply for funding to support this process and advisors should seek specialist advice in these cases.

Whiteboard

Colleagues were asked to use the Zoo Whiteboard tool to identify some of the barriers that those without recourse may experience. The purpose of this exercise was to direct our thoughts towards some of the difficulties that we aim to resolve and also some of the services that we will look to during the final exercise in this session.

Whiteboards are below [this is the same board, captures at 3 points of time due to some overlap of writing].





Law centres

Nathan started the presentation, and gave us a general overview of law centre role.

- Law centres are individual charities and the law centres network help to umbrella these
- Currently 40 law centres across the UK- were more, but these had to be cut following the cuts to legal aid- including the law centre in Brent.
- We have not abandoned Brent and we hope that at one point we will be able to have some form of law centre representation here if there is a need that can be evidenced.
- The purpose of the law centres is really about giving access and legal advice and support to those who need it and should be entitled to it.

From alexa rice to Everyone:

02:39 PM

can I check that Brent citizens can access law centres even though they don't live in that borough? My clients have been turned away

Nathan- It depends on which law centre and the funding stream + capacity. But generally, the answer is yes and one should always try. Law centres will signpost where they can't directly support. Each one is independent and have different capacity.

Joanna Re location and borough access- for cases where one can claim legal aid Camden are defined as London and the South east as an example, so Brent are covered.

Joanna from Camden community law centre- [liaising with Brent residents] talked a little more specifically about supporting those with NRPF.

- Clients with NRPF fall into 2 categories
 - where they don't have any immigration status and need support to apply
 - Have some form of leave, but with a condition attached that says not NRPF. There is no legal aid at the moment to tackle this- but law centres are doing some pro-bono work to support. This means that there is limited capacity generally.

Joanna asked how we can increase capacity to make these challenges and what local services can do to support.

From Ilana.Jacoby to Everyone:

Advisers at Citizens Advice advisers can apply to the HO to remove the NRPF condition.

From Ilana.Jacoby to Everyone: 03:04 PM

In addition to my comment above, Citizens Advice can only apply to remove the NRPF condition for people who have leave to remain on the 10 year partner, parent or private life route, where the applicant claims that refusal of that application for leave to remain would breach their rights

From alexa rice to Everyone: 03:06 PM

Unity project support with removing NRPF

Alexa; Salusbury World can also support.

Both services are OISC level 1 accredited.

Joanna notes that It is a straight forward process largely to challenge NRPF marker, but you do need a lot of information. The process has improved now this has gone online.

Where a case is refused or is more complex one **should** get in contact with Camden law centre for support as these cases **can** often be supported if there are grounds.

From cstoneham to Everyone: 02:49 PM

Hello everyone, Law Centres are awesome! I helped fund one in Ealing as a result of the cuts to legal aid! Question.....can you do it as a McKenzie friend ? (sorry lost my voice). Also by default of being NRPF surely these individuals are not borough bound?

*found one

Clarissa at EACH counselling

:)

Joanna Only needed if a person lacks mental capacity, but not even always in that case.

Who can legal aid?

There are 2 main criteria-

1. Where a human right Breach one can apply for exceptional rights funding
 - The scope of the case- anyone looking to seek asylum, looking to apply to leave to remain if not being able to do so would challenge their life under EU national
 - People who are fleeing DV
2. Financial eligibility- we go through bank statements.
 - Earning less than £733 per month net
 - Excluding rent which is capped at £535 a month
 - £45 for travel
 - £230 per month per child.

Please see link with minutes that can give detailed direction; and at

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/983067/Eligibility-keycard_57.pdf

Law centre do not expect that a person knows about their legal aid capacity when they go to the service, they will support in calculating this.

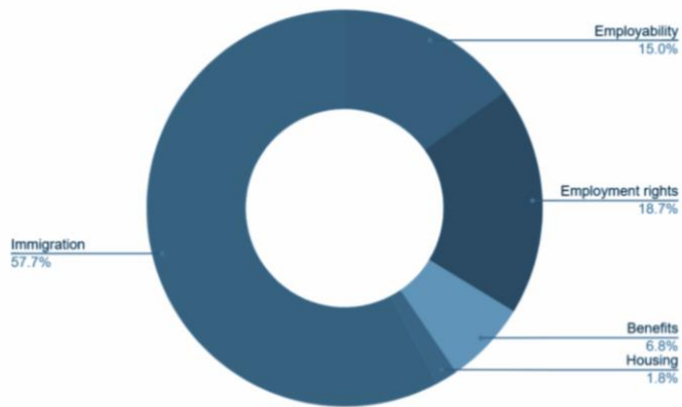
WRC Charity found by Migrant for Migrants

Olivia and Lora talked to us about the work of the Work rights centre [presentation attached], they covered;

- What the service does
- EU settlement scheme and their role in supporting this
- A case studies
- Possible solutions to make things better.

This year alone, the service that stated as a single volunteer in 2006 have seen

- 1200 beneficiaries
- Largely Romanian and Bulgarian nationals
- 57% of those wanted support around immigration and EUSS



- Gradually this is now increasing more to include a lot more about employment
- Will be employing a recruitment lawyer in the autumn.
- One clear difficulty is when professionals see pre-settled status they seldom continue to ask/investigation qualifying right to reside or understand worker status. This can be challenges and the WoRC do so often.
- **Case study-** Jan 2021 was contacted by client who lost her job after company went into liquidation. She has children and a partner and they needed income. She had pre-settled status [supported by a consultant who she paid to help her]. She made application for UC- [and paid somebody £150 to support] and she was rejected- but did not know why.

Later realised that she failed HRT. This was challenged and came back negative- she was left very distraught, fearful and confused by the situation. Her only choice was to get back to work which of course was not easy to find at this time [she had been looking]. This person had worked in the UK, paid taxes and was made redundant.

Re the role of the police [see presentation]

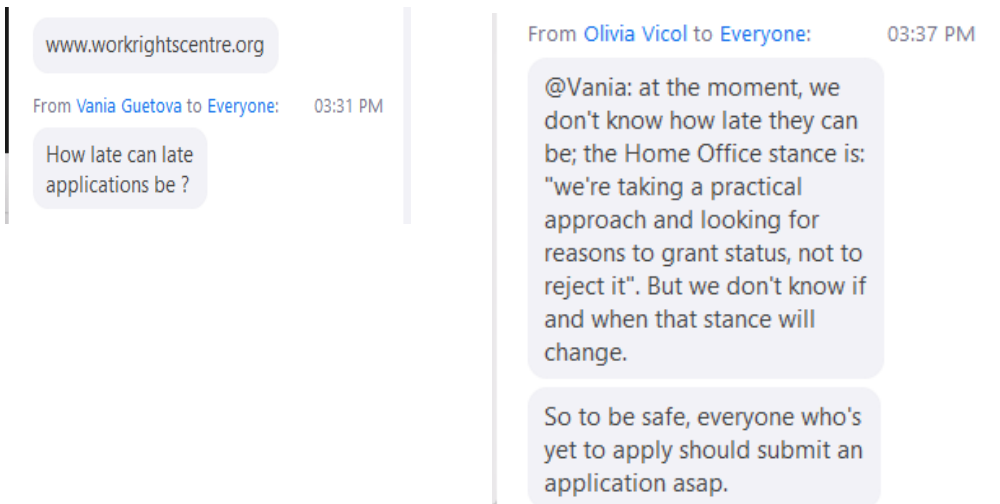
From [Tahmina Nizam \(she/her\)](#) to Everyone:

I wonder how the enforcement teams will identify if someone can apply for EUSS as a family member as this will be less obvious for those family members who are not from EU countries.

Ways forward

- Share clear information and make it visible and try to stop the people paying for support to access UC. One case a person paid £50 for every journal entry.
- Working on training for all social prescribers and those who conduct the checks.

- Get creative.



NACCOM

Paul presented the work that NACCOM do and some of the exciting housing projects that they support, for those with no recourse to public funds.

NACCOM are a national body that support those who have ideas on how to create accommodation for those with NRPF into reality.

Some of the projects that are detailed in the slides including:

- National hosting charities
- Jesuit refugee service
- Housing justice hosting project
- Praxis community projects
- And some non-member projects such as the Malachi project, Citizens UK project.

In large part, many of these projects can be replicated locally should there be stock and willingness. Should you have any ideas that you would like to develop please do take a look at the NACCOM website or contact Paul [details in presentation].

Deep dive

For this month deep dive we collaboratively started a tool/directory of local services that can support those without Recourse. These include legal, housing, employment, wellbeing, basic essentials and others. Should you have any additions please feel free to add them using the link below.

<https://docs.google.com/spreadsheets/d/1S85cwMT9sZZ4iD9qXeFMfanGig2UgdgSJ-dJ5hgGxe4/edit?usp=sharing>

AOB

Moving forward and the next CoP- probably September- might be thinking to move it weekly
Feedback from participants