

## Children in poverty with no recourse to public funds: *Call for evidence by Work and Pensions Committee*

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<b>These are the views of:</b>	<i>Welsh Women's Aid (Third Sector) - the national charity in Wales working to end domestic abuse and all forms of violence against women.</i>

### About Welsh Women's Aid

Welsh Women's Aid is the umbrella organisation in Wales that supports and provides national representation for independent third sector violence against women, domestic abuse and sexual violence (VAWDASV) specialist services in Wales (comprising our membership of specialist services and members of the regional VAWDASV Specialist Services Providers Forums). These services deliver life-saving and life-changing support and preventative work in response to violence against women, including domestic abuse and sexual violence, as part of a network of UK provision.

As an umbrella organisation, our primary purpose is to prevent domestic abuse, sexual violence and all forms of violence against women and ensure high quality services for survivors that are needs-led, gender responsive and holistic. We collaborate nationally to integrate and improve community responses and practice in Wales; we provide advice, consultancy, support and training to deliver policy and service improvements across government, public, private and third sector services and in communities, for the benefit of survivors.

We also deliver the Wales National Quality Service Standards (NQSS), a national accreditation framework for domestic abuse specialist services in Wales (supported by the Welsh Government) as part of a UK suite of integrated accreditation systems and frameworks. (More information on the NQSS can be found here: <http://www.welshwomensaid.org.uk/what-we-do/our-members/standards/>)

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## Introduction

No recourse to public funds (NRPF) acts as a serious barrier for survivors experiencing violence and abuse with restricted or insecure immigration status in the UK and must be considered as part of any funding plan to completely end violence against women and girls (VAWG).

Many migrant women fleeing abuse with their children have increased barriers to doing so due to a lack of eligibility to claiming any kind of housing benefit. In Wales there is a duty on social services<sup>1</sup> to meet the care and support needs of adults as well as children where it is necessary to protect them from (a risk of) abuse or neglect regardless of their immigration status (with the exception of those excluded from social services support under Schedule 3 of the Immigration and Asylum Act 2002). However, this duty is little known about or understood, and acted upon even less.

The intersection of immigration law and welfare access leads to discrimination against survivors and their access to benefits (i.e. support and safety) based on their nationality/residence status and/or that of their perpetrator. The UK Government must uphold its commitments to the Istanbul Convention by abolishing no recourse to public funds for survivors of abuse to ensure that migrant women fleeing abuse have equal access to safety and support.

Ahead of writing our response to this consultation we held a focus group with some of our member specialist services to better gain insight of their direct experiences in delivering support across the length of the pandemic.

### 1. What role do bodies, such as local authorities and third sector organisations, play in supporting children with NRPF?

Specialist, violence against women services are often the line between destitution for many women and their families with NRPF fleeing abuse. There are barriers for all survivors when trying to access refuge based support and accommodation but these barriers are even more significant to overcome for people with NRPF. As well as the usual dangers that come with trying to leave an abusive perpetrator, people with NRPF also have to navigate additional complexities such as language, trafficking, and issues around financial support which are

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<sup>1</sup> Sections 35(3)(b) and 37(3)(b) of the Social Services and Wellbeing (Wales) Act 2014

magnified by no recourse areas. Specialist support workers are often essential in helping the survivor navigate these logistical barriers.

Specialist services also help in setting up children in school, with a GP and ensuring housing needs are met. Needs will be different of each individual, what services offer to survivors with NRPF is the support that is provided to 'general needs survivors' with the additional NRPF barriers.

Specialist services have noted there is significant difficulty in accommodating a survivor with no recourse when they do not have children. Often services are unable to accommodate survivors with NRPF in refuge due to a lack of recourses, paired with the survivor not being eligible for housing benefit and very rarely being eligible for the 12 weeks DDCV assurance.

Many services have reported being unable to afford to support more than one client with NRPF even if there is space. Our annual membership data shows that there has been a 29% increase from the previous financial year in people with no recourse unable to be supported in refuge due to resourcing and capacity issues.

## 2. What has been the impact of COVID-19 on families with NRPF?

Some of our member specialist services have highlighted the additional challenges of supporting families with NRPF due to complications caused from the COVID-19 pandemic.

*"It's difficult to make the first reach out at the best of times – it's (COVID-19) exacerbated the barriers"* – Specialist service

The COVID-19 pandemic has seen violence against women as a whole escalated. Increase in referrals across the pandemic has led to local authority and Social Services processing these referrals at a much slower rate and in some cases, breakdown in communication channels. One specialist member service we spoke to shared anecdotal evidence of cases needing to be escalated by senior managers to 'bronze command' for certain activities to be actioned from Social Services and local authorities.

Specialist services also shared that throughout this period there was a lack of clarity with which agency was taking responsibility for the wellbeing of children in the family, describing a 'back and forth' in communications between local authorities and Social Services. Specialist

services did however highlight that during the majority of the pandemic, some were able to resume face to face appointments after the first few months of initial restrictions, maintaining the quality of support they were able to provide in the community.

The biggest impact of the pandemic was the ability to refer into refuge, both due to the number of spaces needing to be reduced in line with restrictions, and the lack of sustainable funding in the sector blocking their ability to respond flexible to the crisis. There have been consistent reports of a greater delay in getting the funding in place in order to offer the appropriate level of support.

### **3. What impact has COVID-19 had on capacity to support children and families with NRPF?**

A mapping exercise conducted by Welsh Women's Aid of member organisations showed that most of our members that provide support for children and young people reported that services struggled throughout the pandemic and there are significant concerns for the wellbeing of children and young people across refuge and community support. Specialist services also reported it being particularly challenging to keep younger children engaged and entertained in these circumstances. Online tools have been utilised to carry out quite basic chats, however therapeutic support has not always been possible and safeguarding/welfare checks challenging as it is not clear who is in the room. Young children are not able to access support independently of parents through online tools. For many children within a family with NRPF, technology was not readily accessible.

With other services also unable to see children in the usual way, such as schools or other universal services, the pressure has further mounted on the specialist sector. The Live Fear Free helpline saw a 54% increase during the first quarter of 2020/21 of contacts from survivors experiencing abuse who disclosed that they had children. Calls to ChildLine about violence and abuse in the home has also seen an increase, it is therefore inevitable that we will see a peak in demand for these services in the months and years to come. They must be fully resourced to respond to that.

### **4. What impact has the UK Government's decision to extend eligibility for free school meals to some children with NRPF had?**

This is a devolved issue in Wales, although access to welfare support and immigration policy, that is non-devolved, intersects this creating barriers for families with NRPF. The impact on UK Government's decision to extend eligibility for free school meals to some children with NRPF holds the benefits as it would to any child in need of free school meals. The committee should address:

- Why children in poverty or vulnerable situations are only now being made eligible for free school meals in such an extreme situation, and are there plans for this provision to continue now families have felt the benefits?
- Does there need to be more scrutiny on Local Authorities, who are still currently permitted to set the barriers of eligibility themselves, in ensuring all children who are in need of this service receive it?

### 5. Any other comments / points you want the Committee to know about?

Victims with no recourse to public funds face additional barriers to safety and support, and often cut off from accessing the same resources and support services available to other survivors.<sup>2</sup> The Domestic Abuse Act has failed to deliver on equal protection and support for migrant women, despite consistent campaigning efforts from survivors, by and for services and the wider specialist sector. The same women and the sector are now also sharing grave concerns around the Nationality and Borders Bill.<sup>3</sup>

During Cross Party Group meeting on VAWG and Modern Slavery in Wales last year the Anti Slavery commissioner referenced a letter from herself, the Domestic Abuse Commissioner and Victims Commissioner in which they have collectively urged "the Government not to use the already fragile NRM as a means to address this gap in provision".<sup>4</sup>

We asked this question during the focus group with our membership, this is a short summary of their responses:

- Issues around getting people into housing, with both universal credit and NRPF

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<sup>2</sup> <https://www.welshwomensaid.org.uk/wp-content/uploads/2020/12/NRPF-and-VAWDASV-Briefing-for-MSs-Final-ENG.pdf>

<sup>3</sup> <https://www.endviolenceagainstawomen.org.uk/wp-content/uploads/Joint-briefing-on-the-PCSC-Bill-for-Committee-Stage-HoC-May-2021-final.pdf>

<sup>4</sup> <https://www.antislaverycommissioner.co.uk/media/1432/iasc-letter-to-victoria-atkins-mp-june-2020.pdf>



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Rhoi Merched a Phlant yn Gyntaf  
Putting Women & Children First

- Poverty and Adverse Childhood Experiences (ACEs) – NRPF and the barriers that currently come with this should be considered as an ACE
- Increased training and support for support workers. People described feeling out of their depth because there is such a lack of information available
- NRPF clients are generally reliant on social services, funding services to accommodate NRPF would foster independence

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