

No Recourse North East Partnership report to NESAF

6th March 2024

1. We held a **Full Partnership meeting** on 27th February and we brought a Terms of Reference document to the partnership.

As No Recourse NE starts its tenth year, it is a good time to evaluate what we have achieved and how we move forwards. There seems to be a greater need than ever to work collaboratively on NRPF matters, and so we have asked the partners to let us know their priorities, in order for us to inform the direction of our work. Against a background of an increasingly hostile immigration and media environment, we will be asking members to sign up to our guiding aims as follows:

The NRNE Partnership will seek to collaborate in mutual respect and solidarity to:

- Develop a shared understanding of what good practice and infrastructure to support people with NRPF looks like in a Grampian context.
 - Take a pro-active and human rights-based approach to engage, empower and make sure that rights holders and people with lived experience voices are heard at all levels.
 - Take a pro-active approach to challenge racist and anti-immigration rhetoric and messages in our day-to-day practice, within our organisations and at a wider scale where possible.
 - Connect our practice and learning with key policy development in Scotland and the UK.
 - Constructively challenge and identify opportunities for improvement at all levels. We will raise key concerns on behalf of Partnership members in local and national forums and with policy make
 - Improve data gathering processes to have a better overview of the number of people affected by NRPF related issues.
2. The **NRPF and GBV** sub-group held training provided by Safe Lives and Amina on Honour based abuse and forced marriage with two sessions on 28th February and 5th March. We were pleased to meet the costs of this from our own budget but also with help from the Equally Safe Fund provided via the Violence against Women Partnership. 23 people attended the training from nine organisations, including various Aberdeen City Council departments. Once we received have feedback and course materials we will be sharing the knowledge gained on our website, and then plan to form a working group to create a protocol on honour based abuse for the Grampian region.

There have been recent changes to the DDVC (destitute Domestic Violence Concession), which has now become the MVDAC. Further information can be found here:

<https://www.gov.uk/government/publications/victims-of-domestic-violence/migrant-victims-of-domestic-abuse-concession-accessible>

3. The **NRPF and International Students sub-group** took place on Friday the 19th January. The number of international students in the City has decreased due to the change in Home Office policy around bringing dependants - people on taught Masters degrees are no longer able to bring family. Both universities reported a decrease from around 500 students each in

January last year to around 300 this year. We wait to see if this also affects the September intake. Pressures on foodbanks are slightly reduced but numbers of students needing these services are still high.

4. We have had two further meetings of our **Lived Experience of NRPF group** with Donna Davie from Business Gateway and Nicole Bow from ABZ Works coming to speak about employability support.

One of our group members attended the Fairer Aberdeen Fund showcase event on the 9th February and in conversation with Susan Bains spoke about her own experience of living with a status of NRPF and how the project is making a space for people's voices to be heard. On the 4th March we had our sixth meeting and Lucy Stroud came from SHMU to talk about the opportunities for community involvement in local media.

There are now seven members in the group, but we would welcome more - please email sbains@grec.co.uk for details.

5. **The NRPF and Asylum sub-group** had an Asylum Overview session with the Scottish Refugee Council on 16th January.

6. **EUSS Updates -**

Late Applications to the EUSS scheme

Laura advised that there was more clarification from the Home Office on late applications on the 9th of August. They have made changes which make it more difficult for those needing to make a late application to the EUSS. The end of the scheme was at the end of June 2021 but until last year the Home Office was accepting reasonable reasons for late applications. However now reasonable grounds consideration is the first thing the Home Office look at when processing an application. If they do not feel there are reasonable reasons to make a late application, the application will go no further. There is no mechanism to appeal this.

Reasonable grounds the Home Office will accept:

- If the applicant has existing leave to remain (example EU family member)
- Exempt from immigration control until now
- Child who has become an adult/who's parent or guardian did not make an application for them.
- Care or support needs (physical and mental)
- Abusive or controlling relationship
- In prison during the time

This is not an exhaustive list. The Home Office will *not* accept those that state they were unaware of the scheme; this has been explicitly stated. Each application will be required to detail the contribution factors and include a very strong argument. Periods of homelessness and/or destitution could be a reason why they were not aware of the scheme and we have been aware of this being accepted. At this point we are advising people *not* to try and submit an application on their own.

If someone has not made an application, they need to do this urgently and get immigration advice as soon as possible. Changes have also made it difficult for people to make a repeat application.

AT decision and refusal of the Secretary of State's appeal: Destitute EU nationals with PSS can rely on EU Charter of Fundamental Rights to obtain Universal Credit

The Supreme Court dismissal of AT v SSWP meaning those whom have Pre Settled Status but are not exercising treaty rights and are destitute can rely on this judgement to get access to benefits.

Read the full article on CPAG's website – <https://cpag.org.uk/welfare-rights/test-cases/test-case-updates/destitute-eu-nationals-pss-can-rely-eu-charter-fundamental-rights-obtain>

We are waiting to hear more on challenges re housing and how this will interplay with Scottish legislation.

EUSS Clinics are still being run monthly with Iona and Laura. The next one is **Saturday 23rd March 2023**. These clinics will be held at the Turning Point Scotland Office, 27 Holburn St. from 10am to 2pm. Please remember that these clinics are **by appointment only** - email EUSSreferralsaberdeen@outlook.com to make an appointment. Thank you.

7. Free training is still available to any groups within the city - updated sessions on *An introduction to NRPF* and *The Asylum process and NRPF*. Please contact Susan via email for any questions about the Partnership or to request free training on sbains@grec.co.uk