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# No Recourse To Public Funds- A Case Study

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[www.nhivna.org](http://www.nhivna.org)



No Recourse  
To Public  
Funds

A Case Study

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# NRPF

NRPF is defined by the NRPF Network as-

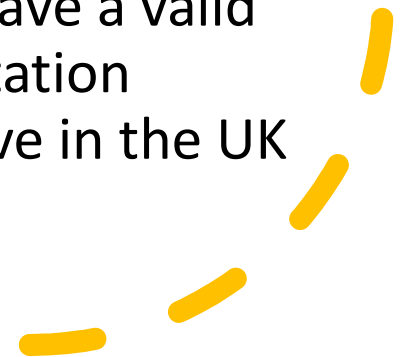
A person will have no recourse to public funds when they are 'subject to immigration control', as defined by section 115 of the Immigration and Asylum Act 1999.

A person who is subject to immigration control cannot claim public funds (benefits and housing assistance), unless an exception applies.



What does it mean to be undocumented?

- Undocumented migrants are defined by the Joint Council For The welfare of migrants as-
- People who are living in the UK whom the government does not consider to have the legal right to remain
- This is usually because they are a non - citizen who does not currently have a valid visa or other forms of documentation proving their status or right to live in the UK



## Barriers To Accessing Health

- Evidence from the JCWI shows that many people delay accessing treatment due to the "hostile Environment in healthcare"



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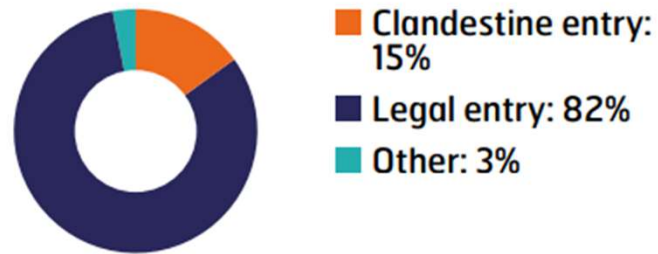
## How Many People in the UK Are Undocumented

- Recent estimates in 2021 it is somewhere between 800000 and 1.2 million



# HOW DO UNDOCUMENTED MIGRANTS ENTER THE UK?

## Circumstances of arrival



Total surveyed (online, interviews & focus groups): 121

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So How Can  
we help?

- Where do you go?
- How do we help?





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Stanley

- 48 year old male
- Born in Ghana
- Been in The UK for 19 years
- Some family in London



September  
2022

- Admitted to hospital with weight loss and fever, hyponatraemia, hypertension, anaemia, confusion
- Diagnosed with a PE and HIV
- CD4 160
- VL 4 million
- Started Truvada and Dolutegravir



## Clinical Abnormalities

- Sodium –low at 119
- Hb-89
- Other U&E's-normal
- BMI-15
- BP 175/105



## Social Situation

- Lived in the UK for 19 years without any formal identification, working for a car wash business
- Living with a friend in a flat rented in their name
- As soon as diagnosed with HIV, friend evicts him from the flat
- Now homeless



## Discharged Home?

- Dropped off at old address-no access
- Presented to council-unable to help when situation explained
- Attended clinic and WFL regularly, social support, food parcels
- Continued to sleep on the streets or occasionally slept on friends' sofas.




# Readmitted

- Readmitted 8 times after sleeping on the streets or on friends' sofas
- Every admission began a new enquiry to the council about providing a bed for the night.
- Private patients' department reported Stanley when it was discovered he had NRPF-advised they would not deport him due to "ill health"
- Contacted at least 8 different hostels, shelters, charities all full and only accept referrals from the council
- All enquiries were refused as NRPF


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Keep Trying!

- Contacted council again-refused support
  - Mentioned the no second night out scheme, health issues, cold weather
  - Spoke to local immigration support services, advised to check NRPF network
  - Guidance regarding accessing support
- 
- A decorative yellow dashed line in the bottom right corner, consisting of several curved segments.



Success!

- Finally the council homeless line acknowledged they must do something to help due to multiple admissions
  - Found a bed in a hostel
  - Allowed to stay in the building during the day due to ill health
  - Admissions to hospital stop
  - Starts to gain weight
  - Contacts a solicitor
- 



## Route: 20-year route for long-term residents

Eligibility criteria	Application cost	Route to settlement
<p>Undocumented migrants who can demonstrate 20 years of living in the UK can apply to regularise their status on this basis.</p> <p>Even after 20 years, they must still be able to demonstrate that they could not reasonably relocate to their country of origin and that they have significant ties to the UK. It is often difficult to evidence residence for such a long period of time, especially for people who have had to live under-the-radar and hence do not have tax receipts or employment or housing contracts or other ways of evidencing their lives. During this time, they will almost certainly have been forced to commit some criminal offence, simply because all the important activities for survival, such as working, are criminalized for undocumented migrants, but they must have no serious criminal record.</p>	<p>Visa application fee: £1,033</p> <p>Immigration Health Surcharge: £1,560 (2.5 x yearly rate of £624)</p> <p>Biometric data processing: £19.50</p> <p><b>Total: £2,612.50</b> + potential legal fees*</p>	<p>Status is granted for 2.5 years on the 10-year route to settlement.</p> <p>Every 2.5 years they must apply to renew at the same cost as the initial application.</p> <p>The cost of an application for settlement after 10 years is £2,389.</p> <p><b>Total: £12,839</b> + potential legal fees*</p> <p>People on this route standardly have No Recourse to Public Funds.</p>

<b>Country</b>	<b>Application fee to regularise status</b>	<b>Application fee for a permanent status</b>
UK	£1,033.00 [57]	£2,389.00 [58]
France	€69.00 [59]	€225.00 [60]
Spain	€37.90 [61]	€21.65 [62]
Portugal	€194.00 [63]	€84.00 [64]
Germany	N/A	€113.00 [65]
Netherlands	N/A	€192.00 [66]



January 2023

- Health Improving
- Cd4 240
- Viral load undetectable



February  
2023

- Doesn't attend his weekly clinic visit
- Attempted to contact-no reply
- Not attended WFL



- 
- Contacted hostel- Stanley found dead in bed earlier in the week
- 

PM  
(Digital  
Autopsy)

- 1a Pneumonia
- 1b Low body Mass Index
- 1c HIV Positive



What could  
we have  
done  
differently?

- Taken advice earlier
- Be more aware of the advice available
- What happens to the people who don't have the support of a HIV team?



## WHAT ARE THE EXISTING ROUTES TO REGULARISATION?

Regularising your immigration status in the UK as an undocumented migrant is incredibly complicated, expensive, and difficult. The Home Office pursues an approach focused entirely on removing people without status from the UK, rather than providing them with alternative solutions.

£392 million was spent on immigration enforcement in the year 2019-20, <sup>[51]</sup> a year in which 7,360 enforced removals were carried out. <sup>[52]</sup> The cost of each enforced removal is estimated to be £15,000. <sup>[53]</sup>

An approach purely based on removal of people who fall through the cracks simply is not effective.

At the current rate it would take the Home Office roughly 135 years to enforce the removal of the entire UK undocumented migrant population.

A policy of removal is not a realistic approach to the undocumented population, even if it were a desirable one.

If the aim of the Government is to reduce the undocumented migrant population, the realistic solution is an accessible regularisation system and reforms to the immigration system to prevent people losing their status in the first place.

Under the current system, most people who become undocumented neither leave the UK, nor regularise their status through a straightforward and equitable system, and so remain undocumented and excluded from society for many years.