

Campaign to Abolish No Recourse to Public Funds

Resources for voluntary
organisations for the day
of action on
23rd April 2008

Date compiled: 13th March 2008

This pack is for voluntary organisations wishing to take part in the events planned for 23rd April 2008, to campaign for the abolition of no recourse to public funds. It has been developed by Women's Resource Centre to encourage women's organisations to take part in the day of action.

This pack contains:

- * **A brief background of 'No-Recourse'**
- * **Details on the Day of Action**
- * **What actions can you take?**
 - **Plus tips on meeting with and lobbying your MP.**
- * **Case studies and examples of other organisations actions.**
- * **Charities and campaigning.**
- * **Template letter, press release and model resolution**
- * **Fact sheet on the issues to help you campaign.**

BACKGROUND

In 2002, following immense pressure, the government introduced the 'domestic violence rule' in immigration law, which states that if a person married or living with a settled partner can provide specific evidence to demonstrate that she/he is a victim of domestic violence and meet other conditions, she/he can remain in the UK indefinitely. But for a significant number of women, the existence of the 'no recourse to public funds' requirement in immigration and welfare law, prevents them from making use of the domestic violence rule because they cannot access safe housing or benefits to escape domestic violence. The result is that they are faced with a stark choice, leave and face destitution or stay and risk their lives. For further info on the campaign see the campaign leaflet at: [<http://www.wrc.org.uk/policy/norecourse.htm>]

Day of Action

On 23rd April 2008, women's organisations across the country, including Southall Black Sisters, Amnesty International UK, the Women's Resource Centre, Imkaan and National Women's Aid (England) will take part in a **Day of Action to call for abolition of the 'no recourse to public funds' rule**. There will be a demonstration at 11am followed by a public meeting in the afternoon. For the latest details on arrangements go to [<http://www.southallblacksisters.org.uk>].

The Day of Action will highlight the impact of the 'no recourse to public funds' requirement on women and women's organisations, and will send a clear message to government that the time has come to end this abhorrent rule, which leaves women trapped between violence and destitution.

The time has come to take action! Unless women's organisations make it clear we will no longer put up with the injustice of the no recourse rule, the government will continue to ignore these women and pander to anti-immigration sentiment that keeps women trapped between abuse and destitution.

We can make a difference. We can show that women's organisations will not be taken for granted. **We can influence the government** and convince them that **they must take responsibility** for the destitution and hardships suffered by women as a direct result of the 'no recourse to public funds' requirement. This is possible if we act as a visible and united force. The Day of Action can create the change we want to see.

WHAT YOUR ORGANISATION CAN DO

We are asking all women's organisations to take **direct action** to support this vital campaign. There are a number of ways in which you can do this:

- **Attend the demonstration and public meeting at the Houses of Parliament**

The aim of the campaign is to raise awareness and gain support from politicians and public alike. Therefore the demonstration and public meeting are an essential part to the campaign. We can influence by sheer numbers. The greater the number of organisations who attend, the greater the impact and therefore the more awareness we can raise.

We understand that many women's organisations provide frontline services to service-users. To enable you to attend the demonstration and meeting we suggest that you consult within your organisation to plan your involvement in the day. We ask you to consider providing only a skeletal emergency service on 23 April 2007 so that you can join us.

If you feel you are unable to attend the day of action in London, there are alternative ways in which you can show your support:

- **Write to your MP and Councillors** - You can either copy this or use it as a guide to form your own letter. Please get your MP to sign the Early Day Motion (No 693) tabled by Linda Riordan MP in support of Imkaan's campaign on 'no recourse' and cuts to specialist services.

You can also send emails to your local MP and get him/her to raise questions with:

- Harriet Harman MP Deputy leader of the Labour Party;
- Hazel Blears MP Secretary of State for Department of Communities and Local Government;
- John Dunworth MP Head of Interpersonal Violence Home Office;
- Vernon Coaker MP, Under-Secretary of State for the Home Office; or
- Jack Straw MP Secretary of State for Justice at the Ministry of Justice and relevant leaders of your local authority such as directors and assistant directors of essential services, commissioners, lead officers of the Supporting People Programme etc.

DO YOU KNOW?! Your MP has a legal obligation to respond to a written letter or email? Not only that, every petition that is presented to your MP is then presented to parliament and then placed in a bag behind the Speaker's chair and has to enter into the parliamentary record.

- **Meet with your MP:** To contact your MP, visit www.theyworkforyou.com, or www.writetothem.com or call the House of Commons Information Office on 020 7219 4272. The Day of Action will have maximum impact if all campaigning takes place on the day itself. Therefore, if you are booking an appointment to see your MP, do so on 23rd April. Likewise, send all emails on the day itself and all letters between 1 and 2 days before.

People are often nervous about meeting their MPs, but you shouldn't be. Without voters, MPs cannot be re-elected. It's in their interests to listen to you.

Here are some tips on meeting your MP:

- When MPs get involved in local issues, it raises their profile and the media coverage they receive, so **make it personal** for your MP. Explain how the No Recourse rule affects women in your area, as well as its national impact.
- Don't forget to **utilise your most precious resource – your service users**. Use the voices and stories of the women you help to show the personal suffering caused by the No Recourse rule.
- **Be prepared!** Research the No Recourse rule and the campaign. Read up on your MP, their interests, expertise and voting record. If they sit on any relevant committees, ask them to address the committee on the matter. If not, ask them to raise it with other MPs.
- Consider how you will approach the meeting. Identify your key demands. **Bring campaign material** with you and identify what you are asking for and how your MP can help.
- In the meeting, there is no need to rush. **Take your time**. Explain your points clearly. Use a checklist if necessary to ensure you have covered all the points you wish to raise. Repeat them at the end.
- Remember why you are there. It is easy to get sidetracked into the many other issues your organisation faces, but addressing **one issue per meeting will make a greater impact**.
- Take notes during the meeting. **Write a letter after the meeting** requesting an update and repeating the key issues and demands of the No Recourse campaign.

- **Issue a press release** with others in your locality to highlight 'no recourse'. See the end of this pack for draft content and layout.
- **Send us case examples and stories** – real stories of how this rule affects women are the most powerful way to get something done about it. Please send your case examples (with permission) to Imkaan (support@imkaan.org.uk / 0207 250 3933)

- **If you are a refuge** you may be interested to know that housing associations have no objection to the day of action as long as health and safety requirements are met and all staff are aware of the procedures to follow including in an emergency.
- **Hold an event in your local area**, North of England, Scotland or Wales. Contact WRC to find out what other groups are doing.
- **Let us know your actions!** Please email kate@wrc.org.uk with brief details, so we can get a wider picture and publicise your actions.

Please also show your support by:

- Affiliating to the campaign. Leaflets with tear off slips are available from SBS (See contact details below) or go the Southall Black Sisters website: www.southallblacksisters.org.uk
- Donating to the campaign. Make all cheques payable to the 'Abolish No Recourse Campaign'. Return to **Southall Black Sisters (SBS)**, 21 Avenue Road, Southall, Middlesex, UB1 3BL. Tel No: 0208 571 9595. Fax 0208 574 6781 e-mail:southallblacksisters@btconnect.com

Case Studies and examples of actions

Women's Resource Centre

About Women's Resource Centre (WRC): The Women's Resource Centre supports women's organisations; providing training, information, resources and one-to-one support. We also lobby decision makers on behalf of the women's not-for-profit sector for improved representation and funding.

Why we are taking action: WRC regularly gets calls about women struggling to find a place of safety because of their immigration status – from individual women, women's organisations, police and social services. We are acutely aware of the desperation felt, and the injustice of women having unequal access to support due to their immigration status. We are aware of the pressure this issue puts on women's organisations – **immigration rules force organisations to use their limited reserves to fund beds for women whose places should be funded by government like anyone else.** Worse still organisations can have no choice but to turn away a woman in desperate need of their support just because of her immigration status – this goes against the ethos and core values of women's organisations. WRC feels strongly that women's organisations should not be put in the position of acting as gatekeepers or forced to uphold unjust and dangerous immigration rules.

Planning our action: Our first step was to discuss our involvement in the Day of Action within our team. To raise awareness, we circulated the campaign leaflet within WRC. Our team discussed the action we could take and levels of involvement. As we don't provide frontline services to individuals the Day of Action will not have a major impact on our work. However it is the 1st time we have taken such radical action and marks an important statement of our position, so we kept our Board informed. A staff member took responsibility for organisation, calling staff meetings, and considering the steps involved - including a risk assessment to identify any implications and how to address them.

On the day: The following is not confirmed but indicates the way we are likely to approach the action.

What will we do?

- All WRC staff and volunteers will take part in the demonstration and attend the public meeting in Parliament.
- We will make the rest of the day available for actions as well, including writing letters to our MPs, Councillors, the press, government etc.

Who will we tell?

- Issue a press release to announce WRC's involvement in the day of action
- Write to our MP and ask her to meet with us and other women's organisations on 23rd April
- Write to Ministers
- On the day we will set up 'out of office' messages on our email and answer phones stating that we are taking part in the Day of Action and referring people to further information on our website.

Imkaan

About Imkaan: Imkaan is a National, second-tier organisation that supports and advocates for (Black Asian Minority Ethnic and Refugee (BAMER) refuges that provide services for BAMER women and children experiencing violence and abuse. Imkaan was established in 1999 .The organisation's aims to: *"To act as a collective voice for the South Asian women's and other refuge sector and for their service users by promoting their needs and views to relevant policy makers and agencies and by providing targeted organisational support."*

Why we are taking action: Imkaan have conducted research into the particular plight of women who have experienced domestic violence and are subject to the no recourse to public funds rule.

- Data collected over a two-year period from 12 London-based refuges and domestic violence organisations found that 537 women were not able to access emergency housing and support from local authority and refuge services
- There is no monitoring service to record the number of children in refuges. However, where numbers of children were recorded, 47 women with children could not be accommodated by the refuges
- Social Services are reluctant to intervene or conduct assessments until the Home Office has approved a woman's application under the Domestic Violence provision or where support has been provided under a judicial review
- A growing number of refuges have been told by their Housing Associations and Local Supporting People teams to operate **a blanket ban on all no recourse cases**.

Planning our action: We have discussed the day extensively with our management committee and been given the directive to take part in the planning meetings of this pivotal and significant campaign. Imkaan also published a paper titled " No Recourse – No duty to Care" , which was launched at our EDM meeting on the 6th of February at the House of Commons. We have publicised the event via our policy bulletin and emails and invited over 40 groups to join the campaign and write to their MP's and we will send the template letter and press releases to all our member groups to send to politicians and decision makers. We have carried out a basic risk assessment to ensure that we are aware of organisational risks or significant factors.

On the day: Imkaan staff and 2 MC members will join the demonstration and attend the public meeting. We will set up our email and telephone messages to state that we are out of the office due to the day of action on nrpf. We will write to our local MP Emily Thornburry and ask her to meet with us and some of our member groups on the 23rd of April. Imkaan will prior to the day, on the day and after the day continue to lobby around this issue.

Kalayaan

About Kalayaan: Kalayaan is a small UK registered charity which works with migrant domestic workers in the UK. Migrant domestic workers (MDWs) are predominantly women who have come to the UK with a specific employer to work in that employer's private house. The isolated nature of their work, together with their dependence on one employer for their work, their housing and for renewing their visa, means that MDWs are especially vulnerable to abuse. Kalayaan provides immigration and employment advice to MDWs, together with ongoing support to enable them to learn about their rights and entitlements in the UK.

Why we are taking action: Of the MDWs registering at Kalayaan just under a quarter report having been physically abused, two thirds report psychological abuse and ten percent report having been sexually abused.

Kalayaan staff agreed that the No Recourse rule is one of the main reasons MDWs are so vulnerable to abuse. It is often the fear of destitution that keeps them in a violent or exploitative work situation.

MDWs come to the UK on a specific visa which recognises that they are working in the UK but prohibits recourse to public funds. This means that when MDWs manage to escape an abusive employer they become homeless. Many MDWs are deliberately prevented from going out of the house, meeting other people or even learning English. This means that they have never had any opportunity to build up any supporting network in the UK to whom they can turn for help. The No Recourse rule forces MDWs to choose between putting up with violence and facing destitution.

The No Recourse rule means that because of their immigration status MDWs who flee domestic violence cannot access a secure refuge no matter what they have been through or however great their continued vulnerability. We decided that if this meant it was important we were involved in the day of action despite this meaning that we have to shut our services to MDWs for the day

Planning our action:

We have agreed that we would publicise the day of action to our service users and explain why it is important to be involved even at the cost of shutting for the day. On the day we will put up a notice outside and change our answer phone message to explain why we are closed.

On the day:

What will we do?

- All Kalayaan staff will take part in the demonstration and attend the public meeting in Parliament. We will encourage any MDWs who are able to get time off work to join us.
- We will make the rest of the day available for actions as well, including writing letters to our MPs, Councillors, the press, government etc.

Who will we tell?

- We will put up notices and make announcements aimed at telling MDWs who come to Kalayaan about the day of action.
- We will write to our MP and ask her to meet with us together with a group of MDWs in her constituency on 23rd April.
- We will also publicise the day of action on our website.

Manchester Saheli Limited

About Saheli:

For more than thirty years, Saheli Ltd has been an independent charity and Manchester's only specialist service for Asian women and children experiencing domestic violence. Currently Saheli offers a small number of refuge spaces and runs a specialist outreach service. Saheli is also involved in research and influencing policy on issues affecting Asian women and children.

Why we are taking action: As an Asian women's refuge we see of number of cases of women with no recourse to public funds, these women are destitute and have no where to turn. The No Recourse rule means that because of their immigration status women who flee domestic violence cannot access a secure refuge no matter what how much violence and abuse they have suffered. We have been carrying out research with the support of funding from Oxfam to highlight this issue across Manchester and to inform local authorities of the grave injustices that these women face. Our report will be launched on the 25th of March where Pragna Patel from SBS and Amrit Wilson from Imkaan will be keynote speakers. We are clear that it is very important that we are involved in the day of action and have arranged for a minibus to drive us down to London.

Planning our action:

We have talked with our Management Committee and have agreed that we would publicise the day of action to our service users and explain why it is important to be involved. We will explain to our Supporting People team and funders why we are taking action on the day.

On the day:

What will we do?

- All staff will take part in the demonstration and attend the public meeting in Parliament. We will encourage other groups in Manchester travel down with us.
- We will write to our MP
- We will also publicise the day of action at the launch of our report.

Charities and Campaigning

We're a charity so can we get involved in this campaign?

This is a question frequently asked by charities. The concern is understandable given the necessity to give consideration to the legalities of the charity sector and the impact that any mistake could have on funding. However, the Charity Commission have been very clear on this issue: **“campaigning and political activity may be carried out by recognised charities as a means of furthering their charitable purposes”¹**.

When considering whether to engage in campaigning or political activities charity trustees must be satisfied on reasonable grounds that:

- the activities will be an effective means of furthering the purposes of the charity; and
- they will do so to an extent justified by the resources applied.

Ultimately, it is your charity's duty to do only that which is in the best interests of the charity and its service-users.

The Charity Commission addressed specific types of campaigning and gave guidance:

- ***Use of campaign materials:*** Charities are free to use whatever method of communication they believe to be appropriate to a campaign. There is no specific legal or regulatory requirement for the full position to be set out in all campaign materials.
- ***Charities' involvement in demonstrations and direct action:*** Charities need to balance the potential benefits of publicity and influence gained from such involvement against any possible risk of damaging public support for the charity.
- ***Influencing Government or local authorities:*** Charities can seek to influence Government, local authorities, or public opinion on issues either relating to the achievement of the charity's own stated purposes, or on issues of relevance to the well-being of the charitable sector². Charities can publicly support or oppose both new and existing legislation and public policy and can do so at a local or national level. There is nothing to prevent a local charity using its influence in relation to a national law, or to prevent a national charity seeking to influence local legislation.

For further information and advice contact NCVO (0800 2 798 798 / www.ncvo-vol.org.uk) or the Charity Commission (0845 3000 218 / www.charity-commission.gov.uk).

¹ Charity Commission, 'CC9- Campaigning and Political Activities by Charities', Section 51, <http://www.charity-commission.gov.uk/publications/cc9.asp>

² Charity Commission, 'CC9- Campaigning and Political Activities by Charities', Section 51, <http://www.charity-commission.gov.uk/publications/cc9.asp>

Template letter and press release

- **Template letter to MP:**

NB: Cut and paste this letter and replace the text in blue with your own details.

[name of MP]

House of Commons
London
SW1A 0AA

[YOUR ADDRESS]

[Date], 2008

Dear **[name]**,

We are writing to you to ask you take urgent action to end the appalling situation faced by women with no recourse to public funds facing violence and abuse. We would like you to raise the issue with the appropriate ministers, and show your support by signing EDM 693, and attending the public meeting being held on 23rd April, in the at 1pm in Portcullis House

[If you work for a women's organisation, tell the addressee what you do and how the no recourse requirement affects you and your service users. Include case studies (anonymous) if possible.]

Evidence from around the country shows that the 'no recourse' requirement forces women with unsettled status to endure the most horrific abuse imaginable: imprisonment in the home, slavery, starvation and acute mental distress are significant features of such abuse. The result is that these women face a stark choice: either to stay in their abusive relationships and risk their lives or leave and risk extreme poverty, destitution, financial and sexual exploitation.

The 'no recourse to public funds' requirement bars anyone entering the UK on the basis of marriage from relying on public housing or benefits until their immigration position is regularised after a two-year probationary period. This forces women into positions of economic dependency on the settled spouse or partner. The 'no recourse' rule also affects other vulnerable groups including migrant domestic workers and asylum seekers.

In 2002, following immense pressure, the government introduced the 'domestic violence rule' in immigration law, which states that if a person married or living with a settled partner can provide specific evidence to demonstrate that she/he is a victim of domestic violence and meet other conditions, she/he can remain in the UK indefinitely. But for a significant number of women, the existence of the 'no recourse to public funds' requirement in immigration and welfare law, prevents them from making use of the domestic violence rule because they cannot access safe housing or

benefits to escape domestic violence. The result is that they are faced with a stark choice, leave and face destitution or stay and risk their lives.

Another point I want to make is that the failure of the government to heed calls to abolish or at the very least reform the 'no recourse' requirement has also led to widespread dissatisfaction and frustration amongst service providers including women's refuges and the police, because they are compelled to turn abused women away and deny them life saving services. This denial subverts the very ethos of service provision especially in the voluntary sector; to protect and support all women in the face of abuse and to uphold their human rights and dignity, irrespective of their backgrounds.

Leading women's groups and charities including Southall Black Sisters, Amnesty International UK, National Women's Aid (England), Roshni Asian Women's Resource Centre, Manchester Saheli, Refuge, Imkaan, Newham Asian Women's Project and many others, are calling for the government to abolish or at least reform the 'No Recourse to Public Funds' requirement within immigration and welfare benefits law which causes immense suffering and hardship to women who do not have secure immigration status and who experience domestic violence or abuse. The campaign is planning a national day of action on April 23rd in London, with a protest outside parliament followed by a public meeting.

The campaign is calling for the government to:

- Abolish the 'no-recourse' requirement for abused women who have insecure status.
- Provide a special fund pending long term solutions, financed out of the Victim Fund and other sources to enable all women to have living expenses and have access refuges and local authority accommodation pending a final decision on applications to remain in the UK.
- Fast track applications to remain in the UK (process within 2 months) where there is prima facie evidence of domestic violence.
- Reform the Domestic Violence Rule so that all types of evidence of domestic violence is accepted.
- Extend the domestic violence rule to all abused women with an insecure immigration status and introduce similar protection for trafficked women subjected to sexual and economic abuse and to overseas domestic workers experiencing violence from employers.
- Provide adequate levels of legal aid so that there is access to good quality legal advice and assistance.

It is with these aims that we urge that you support the campaign to abolish 'No Recourse' by signing Early Day Motion 693, Black, Minority, ethnic and refugee women and domestic violence, attending the public meeting, and raising the issue of the rights of women with no recourse to public funds with the appropriate ministers, including Harriet Harman, Vernon Coaker and Hazel Blears.

I look forward to receiving your reply,

Yours sincerely,

[Your name]

- **Template Press release:**

PRESS RELEASE

Date of release: _____

[ADD NAME OF YOUR ORGANISATION] takes action to support vulnerable women

On 23rd April [name of your organisation] will join hundreds of organisations across the country in a day of direct action to support vulnerable women forced into destitution by domestic violence and immigration rules.

[ADD DETAILS OF WHAT YOUR ORGANISATION IS DOING eg “Twenty-five staff and service users from Salford will travel down to London to take part in a demonstration outside Parliament and meet with _____ MP to ask him/her to take urgent action.”]

ADD QUOTE:

[NAME] from **[ORGANISATION]** says:

[ADD quote explaining why you are taking action and what you hope to achieve]

Pragna Patel from Southall Black Sisters says:

“Refuges are made to discriminate between the ‘deserving’ and ‘undeserving’ where women and children’s lives are at stake. The time has come to take action. Unless women’s organisations make it clear we will no longer put up with the injustice of the no recourse rule, the government will continue to ignore these women and pander to anti-immigration sentiment that keeps women trapped between abuse and destitution.”

On 23 April, charities, women’s organisations and others across the country will attend a demonstration and public meeting at the Houses of Parliament to highlight the impact of the ‘no recourse to public funds’ requirement on women and women’s organisations. This will send a clear message to government that the time has come to end this abhorrent rule, which leaves women trapped between violence and destitution.

For further information contact **[ADD YOUR CONTACT NAME AND NUMBER]**

Notes to editor:

1. The Day of Action will take place in London on Wednesday 23rd April. For further details on the campaign contact: Southall Black Sisters (SBS) , 21 Avenue Road, Southall, Middlesex, UB1 3BL. Tel No: 0208 571 9595. Fax 0208 574 6781 E Mail:southallblacksisters@btconnect.com

www.southallblacksisters.org.uk

2. The 'no recourse to public funds' requirement bars anyone entering the UK on the basis of marriage from relying on public housing or benefits until their immigration position is regularised after a two-year probationary period. This forces women into positions of economic dependency on the settled spouse or partner. The 'no recourse' rule also affects other vulnerable groups including migrant domestic workers and asylum seekers.

3. In 2002, following immense pressure, the government introduced the 'domestic violence rule' in immigration law, which states that if a person married or living with a settled partner can provide specific evidence to demonstrate that she/he is a victim of domestic violence and meet other conditions, she/he can remain in the UK indefinitely. But for a significant number of women, the existence of the 'no recourse to public funds' requirement in immigration and welfare law, prevents them from making use of the domestic violence rule because they cannot access safe housing or benefits to escape domestic violence. The result is that they are faced with a stark choice, leave and face destitution or stay and risk their lives.

- **Model resolution :**

Here is a resolution you could take to your board or executive, or pass at your annual general meeting.

Email SBS on [southallblacksisters@ btconnect.com](mailto:southallblacksisters@btconnect.com) for more details.

‘This (organisation-name) notes that many black and minority women who do not have settled immigration status in the UK and who have been subject to abuse and violence within a domestic relationship, are prevented from seeking protection due to a combination of immigration and welfare benefits rules known as the ‘no recourse to public funds’ requirement. The requirement prevents the majority of such women from accessing refuges or other emergency accommodation and forces them choose between remaining in life threatening relationships or destitution. It further notes that the bar on public funds flies in the face of the government’s own recognition that alternative safe housing and benefits are pre-requisites to leaving an abusive relationship. It is therefore discriminatory and violates black and minority women’s fundamental human rights.

This (organisation-name) also notes that the ‘no recourse’ requirement also defeats the purpose of the domestic violence rule in immigration law which was introduced to enable all abused women to seek effective protection. We urge the government to meet the demands made by Southall Black Sisters and others to abolish the ‘no recourse to public funds’ requirement for all women with insecure status who are subject to violence and abuse in the contexts of marriage, employment and trafficking.

Fact sheet

- The 'no recourse to public funds' requirement bars anyone entering the UK on the basis of marriage from relying on public housing or benefits until their immigration position is regularised after a two-year probationary period. This forces women into positions of economic dependency on the settled spouse or partner. The 'no recourse' rule also affects other vulnerable groups including migrant domestic workers and asylum seekers.
- In 2002, following immense pressure, the government introduced the 'domestic violence rule' in immigration law, which states that if a person married or living with a settled partner can provide specific evidence to demonstrate that she/he is a victim of domestic violence and meet other conditions, she/he can remain in the UK indefinitely. But for a significant number of women, the existence of the 'no recourse to public funds' requirement in immigration and welfare law, prevents them from making use of the domestic violence rule because they cannot access safe housing or benefits to escape domestic violence. The result is that they are faced with a stark choice, leave and face destitution or stay and risk their lives.
- Despite waging a long campaign against 'no recourse', the lack of an adequate response from the government has led a wide range of organisations to call for direct action. There is a growing momentum within the voluntary sector and caring services for something to be done to change the present situation. There is therefore a need to build the biggest mass movement this country has seen against the 'no recourse' requirement. We need to show the government that the voluntary sector, the police and the caring services cannot be taken for granted. The human rights of black and minority women who do not have secure immigration status are not dispensable.
- The campaign is calling for the government to:
 - Abolish the 'no-recourse' requirement for abused women who have insecure status.
 - Provide a special fund pending long term solutions, financed out of the Victim Fund and other sources to enable all women to have living expenses and have access refuges and local authority accommodation pending a final decision on applications to remain in the UK.
 - Fast track applications to remain in the UK (process within 2 months) where there is prima facie evidence of domestic violence.
 - Reform the Domestic Violence Rule so that all types of evidence of domestic violence is accepted.
 - Extend the domestic violence rule to all abused women with an insecure

- immigration status and introduce similar protection for trafficked women subjected to sexual and economic abuse and to overseas domestic workers experiencing violence from employers.
- Provide adequate levels of legal aid so that there is access to good quality legal advice and assistance.
- Evidence from around the country shows that the ‘no recourse’ requirement forces women with unsettled status to endure the most horrific abuse imaginable: imprisonment in the home, slavery, starvation and acute mental distress are significant features of such abuse. The ‘no recourse’ requirement enhances the power of violent perpetrators and allows them to abuse with impunity whilst at the same time increasing the vulnerability of the unsettled spouse or partner. Yet when women seek help from statutory and voluntary service providers, they are often denied the options - safe housing and welfare service provisions - that are available to abused women in the wider society because they are not entitled to access public funds due to their immigration status. The result is that these women face a stark choice: either to stay in their abusive relationships and risk their lives or leave and risk extreme poverty, destitution, financial and sexual exploitation.
- Research by Imkaan has found that:³
 - During a period of 2 years (April 05- April 07), data from 13 Black Minority Ethnic Refugee specialist refuges and domestic violence organisations based in London highlighted that **637 women and children** approached refuges, LA Social Services and Housing departments.
 - Not all the groups record data on number of women housed. The data from **10 groups** indicates that out of **429 referrals –only 9% of these women were housed and 91% were not housed and were referred to other services.**
 - In most cases, refuges did not record numbers of children - 6 refuges recorded numbers of children and it was found that of those women with children **not accommodated 37 women had children.**
 - Of those women not housed there is no indication of where these women and children went. Most cases of no recourse to public funds are supported by Black Minority Ethnic Refugee projects.
- The cost of providing support:
Many refuges are struggling to provide basic food and living costs to those women that they have housed. In some cases Social Services have offered support and in other situations women have been supported through any in-house reserves the refuge has, donations as well as one

³ Sumanta Roy (2008) NO RECOURSE - NO DUTY TO CARE?, Experiences of BAMER Women and Children affected by Domestic Violence and Insecure Immigration Status in the UK, Imkaan

off payments through the Women's Aid last resort fund (which no longer exists) and the Saheli Crisis fund (which no longer exists).

- Human Rights

The UK government has obligations towards a number of existing human rights instruments and standards which seek to afford safety, protection and support to all women and children experiencing violence and abuse. The UN Declaration on the Elimination of Violence Against Women (1994) defines violence against women as: *“Any act of gender-based violence that results in, or is likely to result in, physical, sexual or psychological harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or in private life.*

Further resources:

- **Amnesty International:**

Contact: Heather.Harvey@amnesty.org.uk

<http://www.amnesty.org/en/campaigns/stop-violence-against-women>

- **Southall Black Sisters:**

Contact: southallblacksisters@btconnect.com

<http://www.southallblacksisters.org.uk/campaigns.html>

- **Imkaan:**

<http://www.imkaan.org.uk/>

- **Women's Resource Centre:**

Contact: kate@wrc.org.uk

<http://www.wrc.org.uk/>

- **WRC/SBS Resource pack:**

<http://www.wrc.org.uk/policy/norecourse.htm>

- **Southall Black Sisters campaign leaflet:**

<http://www.southallblacksisters.org.uk/downloads/CampaignToAbolishNoRecourseLeafletA4.pdf>

- **Rights of Women:**

<http://www.rightsofwomen.org.uk/>

- **Kate Allen** article in the Guardian on the failure of the British government in its duty towards women who suffer violence:

http://commentisfree.guardian.co.uk/kate_allen/2008/03/no_escape.html

