

Factsheet

Domestic Abuse and Homelessness:

No Recourse to Public Funds

Advice and assistance if your immigration status does not permit you recourse to public funds.

There are some ways you can apply to remain in the UK and become eligible for more assistance:

Individuals who are in the UK on a spouse or partner visa usually have leave to enter or to remain in the UK for between 24 and 30 months. This is often referred to as the probationary period.

If you have come to the UK on a spouse or partner visa and you are experiencing domestic abuse, you can apply for [Indefinite Leave to Remain \(ILR\)](#).

You can apply at any time during the probationary period (you do not have to wait until it comes to an end) and even if you have overstayed your visa (however, you will have to justify your reasons for not applying before).

If you are thinking of applying for Indefinite Leave to Remain under the Domestic Abuse rule, it is very important that you try to get legal advice. A legal representative will be able to collect evidence for you and help make your application. You may also be able to apply for a **Migrant Victims of Domestic Abuse Concession** for a ILR decision.

Migrant Victims of Domestic Abuse Concession – April 2024

[The Migrant Victims of Domestic Abuse Concession \(MVDAC\)](#), formerly known as the Destitution Domestic Violence Concession (DDVC), enables certain people who have leave to enter or remain as a partner to gain access to public funds following a relationship breakdown with their partner due to domestic abuse.

It is essential that anyone who separates from a partner due to domestic abuse gets legal advice from an immigration adviser to find out what their options are, including whether the **MVDAC** is the right route for them. Some groups that can apply for the concession will not be eligible to apply for indefinite leave to remain (**ILR**) on the basis that they are a victim of domestic abuse.

Who can apply for the MVDAC?

To apply for the **MVDAC**, you need to show the following:

- You were last granted permission as a partner of someone who is British, settled, an EEA national with limited leave granted under the EU Settlement Scheme (*This does not apply if you have been granted Pre-Settled Status).
- A refugee

Lewes District Council

Southover House
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Tel: 01273-471600

Eastbourne Borough Council

Town Hall
Grove Road
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BN21 4UG

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- A member of HM Armed Forces.
- A person with permission to enter or stay in the UK on a work and economic route, student or graduate route.

The person must also meet the following requirements:

- The relationship has broken down due to the person being a victim of domestic abuse.
- The person requires a short period of permission to stay independent from their sponsor partner, or the lead student/worker.
- The person wants the option to apply for access to public funds.

The **MVDAC** is not available to victims of domestic abuse who have other types of leave to remain, such as partners of visitors and people with student or worker leave in their own right. Victims/Survivors of domestic abuse who are without lawful status are also unable to apply for the concession.

What happens when the MVDAC is granted?

If you successfully apply for the MVDAC, this will:

- **Inform the Home Office about your relationship breakdown.**
- **Cancel your last permission as a partner (if it is still valid).**
- **Grant you 3 months permission to live in the UK.**
- **Allow access to public benefits and the right to work.**

It is important to make a further application to remain in the UK before the **MVDAC** expires. Otherwise, you will risk becoming an overstayer and will be expected to leave the UK if the **MVDAC** expires and you have not submitted an application to remain in the UK. Being granted the **MVDAC** does not mean you are necessarily eligible to apply for Indefinite Leave to Remain as a victim of domestic abuse. Therefore, before applying for the **MVDAC**, you must speak to a legal advisor about your options.

The **MDVAC** Application Form and guidance can be found [here](#):

Further information:

You can look for a solicitor or immigration representative in your area using **Civil Legal Advice** Monday to Friday: 9am-8pm, Saturday: 9am-2.30pm. Phone: 0843 345 4345.

Citizens Advice may also be able to assist. <https://www.citizensadvice.org.uk/>.

‘Voices in Exile’ may also be able to assist. <http://www.voicesinexile.org/>.

Brighton Housing Trust’s [Immigration Legal Service - BHT Sussex](#) also can assist on DA cases.

Local authorities (East Sussex County Council in this area) may be required to provide families with support where they have no recourse to public funds when there is a child under 18 in the family. If this is a situation that applies, you can contact them at <https://www.eastsussex.gov.uk/childrenandfamilies/> or via their single Point of Advice (SPOA) team on 01323 464222.