

# 1 Summary

Between July 2000 and February 2001, Save the Children carried out a study funded by The Diana, Princess of Wales Memorial Fund. Researchers spoke to 125 young asylum-seekers and refugees who have been separated from their parents or usual carers. They also spoke to 125 professionals working with these young people, to identify the constraints on and opportunities for the services provided to them. This study reveals what life is like for young separated refugees and makes a number of recommendations for action to improve their situation.

## The policy context

By law, *unaccompanied* asylum-seeking and refugee children in England have the same legal entitlements as citizen children. This includes the right to education and healthcare and the rights enshrined in the Children Act (1989) and Human Rights Act (1998). Local authorities have responsibility for all unaccompanied children whom they define as “in need”. Under the Children Act (1989) they have an obligation to provide a range and level of services appropriate to each child’s needs.

*Accompanied* asylum-seeking children have lesser rights than citizen children, as they are supported through the National Asylum Support Service (NASS) and do not ordinarily have access to the provisions of the Children Act (1989) or access to child welfare benefits, although they do have the right to education and healthcare.

Save the Children believes that young separated refugees:

- should be entitled to all the rights enshrined in the UN Convention on the Rights of the Child 1989
- are children first and foremost
- are vulnerable and in need of care and protection
- are a potential asset to our society and not a burden.

## The findings

- A significant number (26) of the young separated refugees we interviewed had chaotic and disturbing experiences on arrival and received little or no support. This pattern of experience continues in their contact with services, including education, health and social services.
- Many of the young separated refugees we interviewed had a substantial wait for their initial asylum decision and as a result experienced great anxiety and

were unable to plan their future. There is little evidence that the Home Office commitment to speed up asylum decision times has had an impact on the claims of these young people. In addition, there is some evidence of inconsistent decision-making by the Home Office.

- The level of care and type of support received by young separated refugees depends more on which social services department they arrive at rather than on their individual needs.
- Young people aged 16 and 17 are particularly disadvantaged. Our research found that most young people arriving in England aged 16 or 17 are not “looked after” (that is, placed in public care) as a matter of policy and many are living in poor-quality or inappropriate accommodation, with little money or even vouchers issued by the local authority. Some placements where young people were living unsupervised with adults raised child protection concerns.
- Some social services departments enter into contracts with private companies, often located a considerable distance from their area, to provide care and accommodation. This arrangement is leaving these young people without adequate support, recourse to a social worker or independent complaints procedure.
- Education, particularly learning English, was a high priority for the young separated refugees we interviewed. However, access to opportunities and the level of support available vary from area to area. This adds to the sense of social exclusion felt by many young refugees. Many schools and colleges need more support to be able to cope with the needs of these young people. Bullying and harassment – both in and outside of education – had affected at least 30 percent of those interviewed.
- There is considerable confusion among young separated refugees about what will happen when they reach the age of 18. A number of professionals pointed to the potentially disastrous effects of the transition to adult services at 18, especially dispersal, which would entail the loss of friends and support.
- The vast majority of the young separated refugees we spoke to said they were physically healthy but many appeared to have emotional and possibly mental health problems, which were a result of their experiences at home and were compounded by their experiences here. Few had accessed mental health services.

## **Conclusion**

The level of care and protection offered to these young people varied widely, depending on the experience, competence and willingness of local agencies to recognise and meet their needs.

Yet most demonstrated a determination to succeed and most were very grateful for the shelter and support offered to them – no matter how limited.

Despite their resilience and apparent maturity, young separated refugees deserve and require improvements in the standard of care and the protection they receive, whether they are under or over 16, unaccompanied or accompanied.

The findings highlight a number of gaps in the provision of services and detailed recommendations are made on action to improve the situation.

## **Summary of key recommendations**

### **Central government**

1. Government to remove its reservation on applying the UN Convention on the Rights of the Child 1989 to asylum-seeking and other non-citizen children.
2. Home Office to increase the grant to local authorities for the support of young separated refugees so that it meets the reasonable costs of support; and remove the distinction between the amount available to those under and those over the age of 16.
3. Home Office to improve procedures for assessing asylum applications from separated children in order to speed up decision times and ensure fair decisions.
4. Home Office and Department of Health to ensure that young separated refugees are supported in situ if they wish to be, and not dispersed, when they turn 18 years and are transferred to NASS.
5. Department of Health to specify appropriate forms of care for young separated refugees, including strengthening guidance on when Section 20 of the Children Act (1989) should be applied.

**Local authorities**

1. Social services to ensure that every young separated refugee receives a full needs-led assessment in line with the national framework for the assessment of children in need.
2. Social services to provide appropriate accommodation for young separated refugees by reducing reliance on unsupported hostel and bed-and-breakfast accommodation.
3. Social services to monitor all placements regularly, including “out of area” and private provider placements, in line with statutory obligations.
4. Social services to provide cash support to all young separated refugees supported under Section 17 of the Children Act (1989) and abolish the use of local authority vouchers for their support.
5. Establish inter-agency groups to ensure strategic planning of service provision to young separated refugees. This will include developing a database and improving information sharing within and between local authorities and external agencies.
6. Local education authorities and learning and skills councils to ensure that schools and colleges are equipped to provide appropriate English language courses, and schools and colleges to ensure that young separated refugees can get access to educational provision or learning.
7. Health authorities and primary care trusts to ensure that young separated refugees have access to mental health provision appropriate to their needs.