

## Home Affairs Committee

### Oral evidence: [Channel crossings, migration and asylum-seeking routes through the EU](#), HC 705

Wednesday 9 September 2020

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Members present: Yvette Cooper (Chair); Ms Diane Abbott; Dehenna Davison; Laura Farris; Simon Fell; Andrew Gwynne; Adam Holloway; Tim Loughton; Stuart C McDonald.

Questions 122 - 171

#### Witnesses

[I](#): Jenny Coles, President, Association of Directors of Children's Services (ADCS); and Roger Gough, Leader of Kent County Council and Vice-Chairman of the Local Government Association's Task Group on Asylum, Refugees and Migration.



## Examination of Witnesses

Witnesses: Jenny Coles and Roger Gough.

**Q122 Chair:** This is an evidence session for the Home Affairs Select Committee as part of our inquiry into Channel crossings, migration and asylum-seeking routes through the EU. I welcome our witnesses who are joining us this morning. We have Roger Gough, the leader of Kent County Council, and Jenny Coles, the President of the Association of Directors of Children's Services. Welcome to you. We are very grateful for your time this morning.

We obviously want to ask you questions about young asylum-seeking children and teenagers arriving on small boats across the Channel and the concerns that everyone has had about the risks to life, and vulnerability as well, but also the impact and the response from your services.

Can I begin by asking about the overall picture for the young, unaccompanied asylum seekers before turning to the Kent experience? Starting with the first six months' figures, where we have the national figures at the moment, the evidence that we heard last week from the Home Office suggested that there had been in the second quarter, so in the second three months of the year, a big drop in overall asylum applications, which we assume is Covid-related, but that within those figures there had been a significant increase in people arriving on small boats. Did you see the same pattern when it comes to young, unaccompanied asylum-seeking children, an overall drop but a significant shift in the patterns and the way in which people were arriving?

**Jenny Coles:** Yes. What happened, and I am sure Roger will come in and give more detailed information, is that young people were coming over in boats to Dover, rather than coming through with lorries or, indeed, through the Channel tunnel. However, that pattern is now beginning to change and we are seeing spontaneous arrivals coming over in lorries and, indeed, colleagues in Camden were telling me last week they are beginning to see young, unaccompanied asylum seekers arriving at St Pancras.

**Roger Gough:** Our experience was very much along the lines described. To start with, we had an increase in the number of young asylum seekers being referred to us. It started in the second half of last year, and we started to see the numbers tick up to often 30 to 40 a month, which was higher than it had been previously. Through late last year, early part of this year, although our numbers were increasing they were at that point coming in on lorries. Even at the stage where, nationally, we were starting to hear about some of the small boat crossings from around Christmas onwards, our experience was still lorries.

That changed with lockdown. At that particular moment we saw first a shift in terms of how these young people came across, and then the



numbers also started to increase. Again, as late as, say, April we had about 40 come into our care, and then the numbers really increased. We were up to 65 in May, over 80 in June, and the numbers continued to increase. There were a number of other features, which I could go into, but that was our experience. It really was both a shift in the means by which they arrived and the numbers increasing as well.

**Q123 Chair:** I appreciate that it will have changed again in the summer, but the figures that we were given from the Home Office were that unaccompanied asylum-seeking children in the first quarter of 2020 were 763. In the second quarter of 2020 that had gone down to 118, and you had already seen the pattern of increasing numbers in Kent as a result of small boat crossings. Does that mean that arrivals in other parts of the country had substantially fallen during those three months?

**Roger Gough:** Jenny may be able to add further, but I think that is right because, in effect, what we saw at that stage—and it was probably particularly concentrated around that period of time and maybe into a bit of the third quarter as well—was that the small boat crossings coming to Kent became, for a period, almost the only vehicle by which many asylum seekers, and particularly the unaccompanied asylum-seeking children, reached this country. As I say, our experience was quite different from the national figures. We saw an increase in the second quarter, particularly in the latter parts of the second quarter, and then very much into the third as well.

**Q124 Chair:** At a time when you have a change in pattern and very much the concentration of numbers in Kent, you have also seen over the last two years a very big drop in the National Transfer Scheme operating. Is that correct?

**Roger Gough:** Yes, certainly from our point of view. We had not transferred anybody into the National Transfer Scheme since spring 2018. The big effect that the National Transfer Scheme had was in 2016 and, to some extent, 2017. The system did dry up to a significant degree, certainly from our point of view, from 2018 onwards.

**Q125 Chair:** Before we move on to ask you for some details about the way in which the system is working, a final question from me. Do you have any reflections on why we have seen the pattern change, and is there anything you are picking up from those who have been working with young, unaccompanied asylum seekers in terms of their reasons or their experiences of why we have seen this pattern change and more people coming via the dangerous small boats?

**Roger Gough:** The first thing was that many of the other options, certainly during lockdown, were, in effect, shut down or certainly significantly reduced. That was a big part of it. There was then a stage in which the process, to some extent, fed on itself. The small boat route was clearly highly publicised, and it became known that this was an effective route, so what we saw, from our point of view, was numbers increasing



and also, interestingly, a greater diversification in terms of countries of origin. If you were to go back a few months, say early spring of this year, then certainly our experience in Kent was that the overwhelming bulk of the young people who came into our care were Iranian, Iraqi—in both cases, usually or very often of Kurdish background—Afghan and a number of others, but those were overwhelmingly the numbers that we were getting for countries of origin. In recent months it has diversified a lot. It has become very much sub-Saharan Africa, so we have seen significant numbers from Chad, Eritrea and especially Sudan. I assume that the Libyan route has played a significant part in that and, as I say, awareness of the cross-Channel route has clearly become a big factor. It has, to some extent, fed on itself.

**Q126 Simon Fell:** Thank you to our witnesses for joining us. Roger Gough, looking at the system that is in place at present, I am curious to know how well the process is working for handling unaccompanied asylum-seeking children who first arrive in the UK. Obviously, a lot of agencies have to work together. Do you feel it is working as effectively as possible at the moment?

**Roger Gough:** I think the initial stages of it have been a relatively smooth system. The problem has become how it copes with numbers. What happened up until the changes that we made on 17 August was that young people would come into the Kent intake unit. They would be initially assessed by Border Force, quite rapidly. This would be a matter, very often, of a few hours, seldom much more than that. Our social workers, as the local authority, would go down to the port to collect those young people and take them into our care. We have a system of reception centres.

It is worth saying that at the beginning of this calendar year we had one reception centre, but we now have a system of reception centres into which those young people would come for a period, probably about six weeks on average, for a full age and needs assessment. When the numbers were manageable, it was a system that worked, within its own terms, pretty smoothly. I am not aware of any point at which it was felt that there were problems picking up the young people from the port. It seemed to work relatively smoothly.

Clearly, once you move to a situation where you have 60, 80, 90 or more young people arriving in the course of a month, it becomes a rather different equation.

**Q127 Simon Fell:** Where are the particular strains when you start to stretch and grow those numbers?

**Roger Gough:** The strains for us come in two forms. One was on our reception capacity. As I said, we started the year with one reception centre. We moved it out to three plus an annexe. What we first found, where the pressure was first felt—and I am thinking now of the spring—was that, with the impact of Covid, it was often harder to secure some of



the accommodation, usually supported, semi-independent accommodation, where these young people moved on to, so there tended to be a little bit more of a bottleneck within the reception centres. In any case, that process takes a certain amount of time so, once your numbers start to really increase, the pressure on the reception centres gets more severe. It became a little more complicated again with Covid because we could move, for instance, in one of our reception centres to doubling up—two young people in a room. That is clearly profoundly undesirable under current conditions and, once we moved into a situation of quarantine, essentially unworkable. The pressures built on the reception centres.

From our point of view as a local authority there was a second issue, which was both short and long term, around social worker capacity and, indeed, the other support services we provide. For example, our unaccompanied asylum-seeking children front-door arrangements, the social workers who deal with them in the early stages around reception centres, had caseloads that by August were heading up into the mid to higher 30s. The recommended level is 15. We may come to this later. Numbers have reduced a bit, but you are still looking in the mid-20s at the moment.

Clearly, there is a question as to how you sustain that longer term, once those young people move into our wider children in care service, in which case you would again potentially see pressure on caseloads. A big factor for us, looking at it longer term, was what this means for the nature of our whole children's service, our capacity to provide a good service both to those young people arriving on our shores and, indeed, to others, whether they come from a UASC background or are local citizen young people.

**Q128 Simon Fell:** How much notice do you get between a child arriving in Kent and going into your care?

**Roger Gough:** It tends to be fairly quick. When those young people arrive we get the call and we are told they are there, and in the course of sometimes a few hours we collect them. I do not think that was particularly a problem when the numbers were manageable. I think it was a system that, as I say, worked reasonably smoothly. The bigger issue for us has simply been the significant numbers and what that has meant for our capacity to act effectively as an authority in this sort of area.

**Q129 Simon Fell:** What is your capacity for stepping up social workers?

**Roger Gough:** We have continued to hire new social workers, but that has also been part of our effort more generally to increase capacity and reduce caseloads across our entire service. It is not something that can be turned on and off like a tap. There are specific areas where we are getting support. There is work going on at the moment with the Home Office in terms of a specific focus on age assessment, but that again, it is worth mentioning, was a particular feature of the summer because there were more age-disputed cases coming to us from Border Force, and that



again requires a quite intensive process involving a couple of experienced social workers over a number of weeks to carry that out. Again, that has become something of a bottleneck.

**Q130 Chair:** To follow up on that, what about specialist support services and so on? What proportion and what number of cases do you have where you find the children or teenagers need access to specialist services to deal with trauma, exploitation or sexual exploitation that they may have endured on the route?

**Roger Gough:** I could not give a precise figure but, on the whole, the numbers are relatively small. Many of the young people have clearly made a difficult journey. There may well be some medical issues—I am thinking about things like immunisations and so on—that reflect their life experience. There are some who exhibit trauma, but I am sure the numbers are not that large.

**Q131 Andrew Gwynne:** Section 55 of the Borders, Citizenship and Immigration Act 2009 placed mandatory duties on the Home Office and other authorities making immigration decisions to safeguard and promote the welfare of children in the UK. Those stipulations, for example, include that children's asylum claims should be decided more quickly, though we know in practice this does not always happen. Jenny Coles, what welfare concerns might arise if delays occur and how might these be mitigated?

**Jenny Coles:** What we need is a sustainable system here so what we will not get, potentially, is the crisis that has happened twice in Kent over the last four to five years. A key part of that is getting timely decisions for these young people, preferably before they reach the age of 18, so they are clear what is happening to them and local authorities are able to support them appropriately. I cannot give you categorical evidence around it, but sometimes it takes up to two years, a delay of two years, for them to get that decision. It is a key part of our being able to work the system in a way that benefits children and also makes sure that there is some timely decision-making.

**Q132 Andrew Gwynne:** Perhaps to Councillor Gough, how many claims that a child is a child—that is, under 18 on arrival to the UK—have been rejected by the Home Office or by Kent County Council?

**Roger Gough:** It is a relatively small proportion, I do know that. If we look at last year's figures, I think for about 15% to 20% of those who were coming into our care there was a degree of challenge or an examination, certainly, that we presented. I think, all round, you are looking at less than 10% where there was a definitive change.

There are two groups within that. There are those who are challenged successfully as being an adult, not a child, so not under 18. Those numbers are really quite small. We are talking probably a few per cent. Then there is a slightly larger group who may claim to be, let's say, under 16, and the assessment that we come up with is that they are not under 16, but they are still a minor. That has arisen in a number of cases and is



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probably more easily accepted, for obvious reasons, when we present that to them.

Q133 **Andrew Gwynne:** What proportion of children arriving in Kent are picked up by police, immigration enforcement and social services?

**Roger Gough:** I think pretty well all of those who arrive come through the routes I have described. They will come via Border Force and, as I say, the Kent intake unit, and would then come straight to social services after that, although the situation has changed since 17 August. That is pretty much the established route and I am not aware of others. By and large, young people, if you go back to the days of lorries, very often may get beyond Kent before they declared.

To clarify, clearly there were many who came in on lorries who declared at the port in Kent. Those were the ones earlier in the year, whom I described to the Chair. My point is that some may well remain within lorries for longer periods and then emerge beyond the borders of Kent. Sorry, I was not clear.

Q134 **Andrew Gwynne:** To follow up, given that the largest proportion is likely to be received at the immigration enforcement centre in Dover, if they are not received in Dover where do they go?

**Roger Gough:** I think they will generally come back to Dover, even if they arrive somewhere else. I can confirm that point to you, but I believe they will come back into Dover, even in some cases where they have arrived somewhat further along the coast, because that is the obvious centre for processing at that stage.

Q135 **Adam Holloway:** Mr Gough, as a Kent MP who has watched what you guys have been up to over the last few years, can I pay tribute to the valiant way that you and particularly your social services staff have taken this on, on behalf of the rest of the country?

**Roger Gough:** Thank you.

Q136 **Adam Holloway:** This is a follow-up on Mr Gwynne's question about how many children are refused, and you spoke about age assessment. How do you assess the age of these children—there are significant advantages to being categorised as a child—especially when almost no one comes in with any documents and, as the National Crime Agency was telling us last week, they are what they call pocket clean, nothing on their phones or anything? How do you assess the age?

**Roger Gough:** First, thank you very much again for your kind words on what we have done. I will pass that on to our services, because our social services have made a big commitment in this area. As an authority, we are proud of what we have done over quite a number of years, and I am very grateful for what you said on that. I will pass that on to our staff.

In terms of age assessment, clearly we have to operate under what are essentially Merton-compliant processes. There is scope for a short



assessment, but I think that has, on a number of occasions, been challenged and challenged successfully. Under the various Merton rules, we are not expected—it is not permitted—to carry out what is, in effect, a medically based assessment of physical evidence. It is very much based on a psychological and social work-type assessment. That will involve, as I say, quite lengthy work by experienced social workers. I am told that some of our social work teams have become quite expert in the politics of the Middle East because they have come to know, “Okay, so this happened at a stage when you were what age?” It is trying to build up a consistent picture. It is about getting a consistent assessment on what the story is that is being told.

It is also the case that, coming out of Merton, the expectation is that there is an element of benefit of the doubt, and that is why there are some who are referred to us for whom we would take a realistic assessment that there is no prospect of demonstrating that they are clearly over 18, and in some cases they may well be very much on the cusp.

If you look at what Border Force has done, their approach has been to say that they will refer these young people to us if they believe there is an issue but they are not confident that they are over 25. You can see that that has resulted in increased numbers of age-disputed young people in our care.

We then have to follow the process I described, and there are a couple of follow-on consequences from that. One is that there has so far been an understanding that we will not place age-disputed young people with other local authorities. When you have over 100 in that category, that clearly makes quite a big difference. As I say, because of the nature of the process, the number of those who are definitively demonstrated to be over the age of 18 is relatively small.

**Q137 Adam Holloway:** Given that your staff are building up these pictures—they are not allowed to do anything physical in the assessment, and it is all about talking to people—they must have some feeling about how nearly 1,000 children got all the way from Africa and the Middle East on their own. How do they do it? It is extraordinary for children to be able to make such long journeys.

**Roger Gough:** It is, and there are clearly well-established networks on this. It does vary from country to country, and one of the things we have seen so far this year has been the diversification of those routes. What we are talking about, in most cases, is adolescent males. That is overwhelmingly the case. We did have some young women or girls come into our care very recently, but that was a most unusual development. Typically, the young people who come into our care will be 16 or 17-year-old boys. There is clearly some degree of financial resource behind them because we know, for example, taking the boats across the Channel is something that is paid for.



Q138 **Adam Holloway:** Is it that these children are very enterprising, or is it that they have the financial resources to make these very long journeys? Would a very poor person in Syria or Sudan be likely to end up in Dover?

**Roger Gough:** It is an interesting point that, over the years, the number of those coming into our care from Syria has always been quite small. Even in 2015, which was, after all, the great year of the Syrian crisis, we did not have very large numbers from Syria. It is fair to say that, clearly, if you are among the poorest of the poor, it is unlikely that you will be in those groups. What we do see, though, is in terms of—

Q139 **Adam Holloway:** A final question, if I may. If a child comes into your care and then eventually gets asylum, how likely are they to be allowed later to bring other family members into this country?

**Roger Gough:** To be honest, I do not know. I have not seen any figures on that, but clearly that may well arise. I would say that, among those who arrive at the moment, we see very few who are linking to existing family networks within the country, so those under Dublin or whatever. You do not see very many of those young people coming into our care.

If I can come back on the point we were discussing a moment ago, what we do see among the young people who arrive with us is quite a variety in terms of, for example, educational attainment. I would not say from what we see that the young people who come into our care are all of an elite background within those countries, but equally they are probably not, on the whole, for the reasons you have set out, the poorest of the poor. There is quite a variety in terms of both educational level and, for example, ability to speak English.

Q140 **Tim Loughton:** I first disclose my interest on the register, as I chair a safeguarding board for OFG, the children's group.

Councillor, I reiterate what Adam Holloway has just said. With the remarkable challenges you have been facing in Kent, not just now being on the absolute frontline of the migrant crossings but also the pressures on your children's services group from placements from London boroughs and others within the indigenous looked-after population, it certainly helps that you have an excellent DCS in Kent.

Can I drill down into the nature and the changing nature of the children you are looking after? I think you said last month that, effectively, Kent is full up, and I know Damian Collins, a Kent MP, reported that you had seen something like 589 unaccompanied asylum-seeking children in the month of August, which is a huge increase. Has the balance between accompanied and unaccompanied children changed?

**Roger Gough:** Thank you again for your kind words. I know that as a Minister you took considerable interest in some of the issues that you mention, including other local authority children in Kent.

To give a few figures, which I hope set it in context, what we have seen so far this year, or between 1 January and 17 August, is we had 450



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unaccompanied asylum-seeking children come into our care. That was an increase on previous years. It was the highest level, in fact, since 2015.

Going back to your point about Damian Collins's question, at our peak we had a little over 600—from memory 608, but please take that as indicative—under-18, unaccompanied asylum-seeking children in our care. That was the high point and that number increased significantly, as you will appreciate, with those inflows in the course of the year. It is also worth mentioning that we have some 960 care leavers of unaccompanied asylum-seeking child background as well, so that gives you an overall picture of where things stand.

If you take the boats, I think there was a change in composition because, as I mentioned earlier in response to the Chair, in the early parts of the year you started to see the boats coming over. At that point you hardly ever had an unaccompanied asylum-seeking child within those boats. It was either adults or, if there was a child—we have all seen the news coverage that, at a distance, picks up the fact that there is a child within one of those groups—they were almost invariably younger children accompanied by other members of their family or by other adults.

That started to shift probably in the spring and, as I say, I think the reason for that was that, with the overall impact of Covid and the lockdown, you saw a significant shift of the unaccompanied asylum-seeking children from the lorry route to the boat route. Overall, we are now in a situation where about 10% of those arriving on the shores of Kent in the boats are unaccompanied asylum-seeking children. It might be slightly more, but it is that order of magnitude.

**Q141 Tim Loughton:** From what we have seen, and obviously we do not see the complete picture, we see very few young children in boats. We see, really alarmingly, babies and very young infants usually, presumably with parents, and then we see older, mostly male teenagers, almost adult and in some cases of adult age, but not a lot in between. I want to drill down on the impact that has on Kent support services in terms of where there are specialist foster placements you may require, there is a language issue as well as cultural issue with people from other parts of the world, but there is also a school issue. There has always been a big problem in Kent particularly for children in care, who have priority access to schools, effectively having a big impact in squeezing out some of the local population. What is happening with school-age children and the impact that is having on Kent schools?

**Roger Gough:** The impact on schools will arise in certain circumstances, but it is not as great because many of those who come in at 16 and 17 will tend to go more into the FE sector. There are not very many post-16s who come into the school system. You are entirely right that there have been impacts on particular schools, probably as much from what you referred to earlier, the children from other local authorities. There are certain schools across the north Kent coast where, at certain points, the



impact of those from other local authorities on school intakes has been quite significant.

For the unaccompanied asylum-seeking children, until very recently they were almost invariably recorded as 16 and 17. That has diversified a little bit recently, I would say. Of our recent arrivals, maybe 20% are below 16 and some of those will come into schools. The more common pattern, and certainly for the post-16s, is FE. As I mentioned in an earlier response, the level of English, for example, varies considerably. There will be ESOL provision within the FE colleges as a starting point, before those young people go on to either vocational or academic qualifications. As I say, that is chiefly felt within the FE sector.

**Q142 Tim Loughton:** Jenny Coles, can we look more widely at the impact it is having on children's services and the social worker workforce in the rest of the country? What impact is it having on other authorities? Obviously, some authorities have been better than others in the dispersal programme to share some of the load that Kent has had. In many cases, some of these families and particularly children will require specialist services and specialist placements that may be hard to find. It is no good placing a family from Chad in the middle of an area where there are no other people to relate to and they are completely isolated. A lot more preparation work and support work needs to go into finding placements. What sort of impact is that having, and is it falling disproportionately in other parts of the country, set aside from Kent?

**Jenny Coles:** As Roger said, the majority of unaccompanied asylum seekers that have come in, in the last few years, have been 16 and 17-year-old males. The pressures have been on the care-leaving services and supporting those young people in terms of further education and the emotional health and wellbeing support they may well need. Roger spoke about that earlier, but certainly in my authority what we have found over the last few years is that we have seen more of those unaccompanied asylum seekers having high levels of trauma because of the journeys they have taken, so the particular mental health needs that they may have.

The real pressures are on the numbers that are moving into care-leaver services almost within a year or 18 months, as happened in Kent. As much as local authorities put the welfare of these young people first, the funding elements of supporting care leavers is very different. We welcome the increase we have had recently around that, but it is very different to under-18s. In a number of areas those young people move very quickly into the care-leaver population.

As I said earlier, it is really important to get the whole process and system right this time, and working well, and then local authorities across the country will feel confident, I think, about becoming involved in that and we get the funding right. Looking at the whole refugee and asylum-seeking funding together I think would be very helpful.



**Q143 Tim Loughton:** I remember when I went to Athens and visited a refugee camp. Speaking to some of the NGOs working out there, one criticism was the time it was taking for children who had been identified as qualifying for the family reunion programme, for example, to get clearance for their placement, which is largely down to welfare checks by social workers looking into the family in Manchester, Kent or wherever they might be. When the family reunion programme is working in full, is that still placing great pressures on social worker time? How can that be speeded up? Once a child has been identified as qualifying, we need to get that child into a safe, new, secure home in the UK as soon as possible.

**Jenny Coles:** Yes, absolutely. What I have to say is similar to what Roger has said, that the majority of our work is around unaccompanied asylum seekers. There was a period of time when the family reunion did take up that time, but what we have seen over the last 18 months is that our focus and the requirements on us have been around unaccompanied asylum-seeking children.

**Q144 Tim Loughton:** Finally, Hertfordshire has always been a very good children's services authority. If you had the equivalent of the Calais camp in Hertfordshire, including a lot of clearly vulnerable and unaccompanied children, what would you be doing about it in Hertfordshire that clearly they are not doing about it in France?

**Jenny Coles:** That is quite a difficult question. What I would be saying in terms of children who have come into this country is absolutely supporting a re-look at the whole National Transfer System, which should be operated regionally. We have two cases, one in my own region, in the eastern region, and one in London, where that has been operating successfully. It is really important that we find a system that supports Kent and where young people can be placed across the country quickly and effectively.

**Q145 Tim Loughton:** I am surprised you say it is a rather difficult question. To me it is quite an easy question. In this country, if we had a lot of unaccompanied minors left to their own devices in really dangerous circumstances, we would have no compunction but that those children would be taken into care and supported in whatever way, and certainly in a way that is not happening around Calais for whatever reason.

**Jenny Coles:** Sorry, I misinterpreted what you said. We have a system in this country where we do not let young people live and be destitute. We take them into care and it is a system that operates well, but it is a system that needs to operate well across the country. I absolutely agree with you: we have very clear laws here and we operate them.

**Q146 Chair:** Ms Coles, you just referred to the mental health support that children and young people might need. What proportion of the children and young people across the country that you are seeing may not be getting it because of local services but ideally would be getting mental



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health support, given the trauma they might have gone through?

**Jenny Coles:** Again, that is difficult to say. What I would say, and picking up on what Roger said around assessments, all young people have an age assessment, but they also have an assessment of need. Part of that must be looking at their emotional health and wellbeing. We know that, generally, young people in this country have different needs and different levels of support around that. It is really important that these young people receive that help in a timely way so that they can go on and, if they have leave to remain, be productive residents in our society. That is different levels of emotional health and wellbeing support and, as we know across the country, more funding needs to be put into that, and that needs to be sustained, not least because of what has happened over the last five or six months.

Q147 **Chair:** Is there any information that might be available to us that would give a picture, based on those assessments, of the number of young people who might be assessed as needing any additional specialist support, either mental health support or other kinds of support?

**Jenny Coles:** I might have to go away and find out about that. That might come from different local areas or, indeed, using Kent and other authorities as an example. I find it quite difficult to give that evidence, I am afraid. I am being honest there.

Q148 **Chair:** Councillor Gough, do you know? Is there any analysis that we might be able to draw upon?

**Roger Gough:** I do not, but I will undertake to provide anything I can get from our services. It will probably be more qualitative than quantitative, and I tried to give a little indication of that in my answer to you, but if there is anything we can provide as even an impressionistic account, then hopefully that will be helpful to the Committee.

**Jenny Coles:** Perhaps we can do the same.

**Chair:** That would be really helpful. Just a sense of what the level of need might be would be very helpful. Also, given the points we have just heard from Tim Loughton and the concerns about the Calais camp, obviously any children who have been for any length of time in the conditions in and around Calais may have experienced trauma or difficulties as a result of that. Again, if you have any qualitative assessment, if not quantitative, of the proportion of children and young people you are seeing who have spent significant periods in those conditions in Calais, that would be helpful to know as well.

Q149 **Ms Diane Abbott:** Councillor Gough, you have touched on this, but I want to be completely clear. What is the age range of the unaccompanied children you are seeing in Kent?

**Roger Gough:** The overwhelming bulk are 16 or 17 years old. Clearly, we have not been accepting additional young people into our care since 17 August. In probably the six weeks, couple of months, leading up to



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that, I would say about 20% of those coming into our care were under 16. The overwhelming majority of those were 15. In fact, in the last set of figures I saw it was overwhelmingly 15. I think there were a few 14-year-olds and one slightly younger person, a 12-year-old, but that was incredibly unusual. If we had been having this conversation six months ago, three or four months ago, my answer would have been that they were pretty well all 16 and 17-year-olds.

**Q150 Ms Diane Abbott:** How do you support them in care? Are they fostered?

**Roger Gough:** For the younger ones, so chiefly under-16s, yes, there will be foster placements. For those who are older, the 16 and 17-year-olds and, indeed, our care leavers, there will tend to be more in the way of supported, semi-independent accommodation. That is the most common pattern.

**Q151 Ms Diane Abbott:** Referencing what our Chair talked about just now, the psychological and other trauma, what sort of support do you give foster parents in supporting these young people?

**Roger Gough:** Certainly, where there are foster parents taking on those with particular needs, then as part of our social work support we would be supporting them. As I say, I think the experience of our young people varies quite considerably. To pick out a little of what was being said earlier, I think there is also a distinction between what some of the experiences of the journey may have been, which clearly in many cases may well have been difficult, and whether they are coming from, for example, a zone of conflict or whether it is something else that drives it. The experience is really quite varied. We would certainly work with and support them, as we do for foster carers who take on specialist placements of young people of whatever background.

**Q152 Ms Diane Abbott:** Would it help Kent if the National Transfer Scheme was mandatory?

**Roger Gough:** Yes. It is a very short answer. Our view has always been that the National Transfer Scheme, which came into effect post the last crisis, as you will be aware, post-2015, worked reasonably well, as we were discussing earlier, for a couple of years. It then dried up. There are proposals out now from Government, consultation from the Home Office. Many aspects of what is proposed have a lot to be said for them, and they leave open the question on mandation. My own view is that you need to look at mandation and you need to be looking, as Jenny mentioned, at some of the financial aspects for authorities as well.

My big fear is that, even if we address the immediate issue, and there is pressure at the moment for everyone to do so because we all know what is happening—to be fair, many other local authorities are willing to step up to the plate—there are two things. One is there is a question mark over whether that can ever keep up with the current rate of arrivals, and the second is that there is a great danger that once this moves out of the headlines, moves out of being a burning platform, quite a number of local



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authorities may well conclude that they have quite genuine other pressures on their children's services and that it is all a little too difficult. That was, to some extent, the experience post-2018.

Q153 **Ms Diane Abbott:** Why do you think Government have not made it mandatory? That would be the logical thing to do.

**Roger Gough:** It is something that has been debated over quite some time, and there was quite fierce debate about it in 2015-16 as I recall. There are difficulties around it, and some of it relates to what new burdens would potentially arise, in relation to other local authorities, if it were mandated. Clearly, from a Kent point of view, we take the view that the pressure lands with us anyway because of spontaneous arrivals. To be fair, Government have recognised that in our case with the increased financial support we have had from June.

The other challenging element, in terms of getting this right, is the relationship with adult dispersal, which clearly is very much concentrated in some parts of the country rather than others. Getting that balance right is challenging, and I think that is why it has proven difficult. Government have perhaps always felt that they wanted, if possible, to work with the sector in a voluntary way rather than having to rely on mandation. I think there is always a problem with not having mandation, not just from the point of view of an entry authority like, for example, ourselves or Portsmouth, which has certainly experienced severe pressures over recent years as well. It also then becomes a problem for those authorities who are willing to step up, to support entry authorities, but are very aware that not everyone does.

Q154 **Ms Diane Abbott:** What additional support could Government give you, apart from the money that you have just mentioned?

**Roger Gough:** The big issue has to be around what we were just discussing. It is around how NTS works. I have been in correspondence and discussion with Ministers on this since the spring, and that has been our biggest ask. As I say, Government did respond. The Home Office responded with further financial support for us in Kent, and that is very much appreciated.

Clearly there is also work going on around, for example, age assessment, where again Government are keen to provide support. There has been quite a lot of activity, and it is only fair to recognise that, and Government have moved to reactivate the debate over the National Transfer Scheme. That is something we have been calling for for a long time, but it is very welcome to see that consultation. We still have a very clear view, which I have expressed, about how that should ultimately be structured and that is, from my point of view, our biggest ask.

Q155 **Ms Diane Abbott:** Finally, to Jenny Coles, how many of the unaccompanied minors that we see nationally have relatives here in the United Kingdom?



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**Jenny Coles:** In our experience, very few of the unaccompanied asylum seekers we have been talking about today. Some have, but on the whole they are here on their own.

Q156 **Stuart C McDonald:** Thank you to both our witnesses for your evidence and, indeed, for all the work that you and your teams are doing to support these children and young people seeking asylum.

I want to carry on with the National Transfer Scheme, which I think a lot of us would agree has the potential to be the solution to ensuring responsibility is shared better. At the heart of the NTS is this idea that no local authority should have a population of unaccompanied minors that is above 0.07% of the total child population. Roger Gough, I am guessing it is significantly above that in Kent just now. Do you have a figure?

**Roger Gough:** I do. Our 0.07% figure would be 231. As I mentioned, we are currently over 520, and that is down. We were at just over 600, so we have been two and a half to three times our level.

Q157 **Stuart C McDonald:** Jenny Coles, how does it compare in other local authorities? Are there others that are significantly above? How is it spread out?

**Jenny Coles:** Some local authorities are significantly above. They either have a port of entry or they are on routes where spontaneous arrivals come through on lorries, and they are often smaller unitaries. Others are under, but they have a significantly growing care-leaver population. As we have said, it appears that unaccompanied asylum seekers over the last year to 18 months have generally been 16 to 17-year-olds and then fairly quickly are over 18.

Q158 **Stuart C McDonald:** Can I explore, first of all, the finances of the National Transfer Scheme? I think you both mentioned that there have been increases in the funding that is provided. There is a daily rate for under-18s, and then a weekly rate beyond that for care leavers. To what extent does that cover the financial implications for local authorities who are looking after young people and children?

**Jenny Coles:** In terms of care leavers, it does not cover it. It was really welcome to get an increase, but that weekly amount does not cover costs. Young people remain within their semi-independent accommodation, with full support, well beyond the age of 18. The figure beyond that age only comes into play if they are in full-time education or training. Obviously, they then move into some form of work and can support themselves but, if they do not, the burden falls on local authorities.

The other key thing here, and I mentioned it before, is that it is really important to get timely decision-making about leave to remain. That is linked to the finance but also to the wellbeing of young people.

Q159 **Stuart C McDonald:** On that point, and I may have completely



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misunderstood the position, is it an issue if somebody makes a claim for asylum at, say, 16 or 17 but has to wait for the two years you referred to earlier, so they are then 18 or 19? Does the amount of support that the local authority receives decrease automatically at 18 while they are waiting for that decision?

**Jenny Coles:** They might also appeal the decision, and then they do not have any recourse to funds and the local authority has to support them.

**Roger Gough:** I very much agree with what Jenny says. There are several elements to this. First, there is the under-18 rate. We saw an increase in the under-18 rate last year, before the crisis. That was welcome, and we have seen a further increase for those authorities who are over the 0.07% level. At one level, and I am certainly not going to argue against it, that was extremely welcome and makes a big difference to us in Kent and to other authorities who are in a similar position.

What I think is part of the debate is whether that should apply when, for instance, these young people are then transferred to another authority where they are currently below the 0.07% level. What has been provided is genuinely good support in that sense for those of us who are deeply involved in this area, but it does not necessarily give the right incentive system for those who currently are not and are some considerable way off it.

On the care leaver side, as Jenny indicated, there are a number of quite complex moving parts. Again, there was an increase in the rate, and that, from our point of view, is very welcome. It still applies only to the age of 21, or above that if you are in education. That can be reasonably broadly defined and, again, it is as much an art as a science, but none the less that still leaves a certain gap.

There was also Department for Education money related to new burdens, which goes back to the time when the rule changes were brought in to extend local authorities' duties to care leavers of whatever background, but it was based on an unrealistic set of assumptions about how many young people would take this up. That has been revised a bit and revised in the right direction, but it is still a little off the pace.

Again, as I mentioned, we have some 960-odd young people who are care leavers of a UASC background. Just over 100 of those still have questions over their status, and that affects, in particular, what they can do in terms of either benefits or work, which will tend to increase the cost to the local authority. Getting resolution on those issues can also make a difference.

There has been some progress on that over the years. It has been an issue we have discussed with the Home Office over many years, and there have been points at which there has been some progress but, as the figure I have indicated to you demonstrates, there is still more to be done.



Q160 **Stuart C McDonald:** To my mind this almost echoes the debate we have around asylum dispersal and whether that should be mandated as well. I am reluctant to recommend making it mandatory, so long as the Home Office leaves local authorities to pick up the tab. You have both been very diplomatic about it, but is there not a strong case for saying to the Home Office, "If you want local authorities to take part in this, you should pretty much fund the whole cost, if not pretty close to it, but in the meantime, they are a long way short"? Isn't that fair?

**Roger Gough:** My view is that you have to look at both things together, and mandation would need to go alongside some changes on the financing side. I highlighted one, which is around the higher rates applying to transfer authorities. I think that would make quite a significant difference. So, yes, I do think you need to look at both.

Clearly, there is an issue around the relationship of all this to the adult asylum seekers, and families as well. The challenge with that, of course, is that it is a very different process. It makes very different demands on the local authorities involved. Clearly, Government are keen that there is a rebalancing. That is a debate that those of us who are involved with migration partnerships and so on are very much aware of. There is, however, a slightly different set of challenges in that area.

Q161 **Stuart C McDonald:** Jenny Coles, those are the financial reasons why local authorities might be reluctant, but other issues that are raised with me include capacity, which is made significantly more difficult by Covid, and the backlog and blockages in the system. There is also some concern about the end result, that local authorities might spend significant time and resource in looking after and investing in young people, only for them to end up being refused leave or being given leave and then, at the end of that leave, being left with no recourse to public funds and the local authority essentially tells them they cannot support them anymore, and they are sent into destitution. So they feel, "Why would we take part in that sort of scheme?"

Finally, the issues that you and Tim Loughton touched upon, the practicalities of young people who have perhaps undergone a traumatic journey then having to sit on a train for five hours and be taken somewhere totally new. How can we overcome some of these issues? What sort of policies can try to bridge that gap?

**Jenny Coles:** It is a combination of what we have been talking about this morning, a robust process for allocating young people across the country when they come in. We welcome the current consultation and the Government's commitment to look at the system. Nobody would want to go back to the crisis that has been faced in Kent over the last few months and also happened four years ago.

We need a system that is seen to be equitable, that is properly financed, and has timely decision-making right from age assessment—ADCS supports a national age-assessment team—so that the process supports



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Kent, or wherever those young people might come into the country, right from the beginning, and then a process that distributes them. We would support a regional transfer scheme that implements the NTS scheme.

**Q162 Stuart C McDonald:** You have mentioned that a couple of times. How exactly does the regional scheme work?

**Jenny Coles:** An example from my own region, the eastern region, for unaccompanied asylum seekers who turn up in the region, or come via Kent, is we have a co-ordinator in the strategic migration partnership. All the authorities participate. We use the 0.07% judgment. Authorities that are above 0.07% do not take anyone, and authorities below 0.07% take the young people as they come in. That is an agreement across all the authorities; it works well and it has worked in London for even longer. If local authorities are clear that there is a proper system, with timely decision-making—we treat unaccompanied asylum seekers coming into the care system as any other child—they are children first and we will support them.

The only other thing I would say is that local authorities are experiencing a lot of pressure around placements for looked-after children. They may need to meet some highly complex needs, and that impacts similarly on support for unaccompanied asylum seekers.

**Q163 Stuart C McDonald:** Roger Gough, how exactly does the NTS system work now? You make some sort of request. Where does that go? Who passes it to whom? How often are these things rejected or accepted? How does it work?

**Roger Gough:** Until June of this year, essentially it didn't work for quite a long time. The request was supposed to go into a central system from the receiving authority, and then there would be an attempt to secure support from a local authority elsewhere. What is proposed now—Jenny has talked about this, and it fits what is within the consultation from the Home Office—is the idea of the regional rota. The main proposed innovation is something that is intended to be more predictable. Each region would take its turn for a certain number and would have its own internal system for the placement of the young people. That, in itself, does not seem to me to be a bad approach. The question I always ask about it is: where is the risk carried within that system if a placement is not accepted? That, in effect, is where we have been over the last couple of years.

**Q164 Stuart C McDonald:** Talking about the last couple of years, you said specifically that the NTS dried up in 2018. What caused that, in particular?

**Roger Gough:** Jenny may have some more national figures, I don't know, but our experience is that from spring 2018 we did not place more young people. I think there was a combination of things. The whole situation became less urgent, partly because of the reduced number of arrivals. In Kent, we had a huge number of arrivals in 2015. That carried



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over into 2016, but by the spring of 2018 the numbers were down to a handful a month, so the pressure was rather less.

Secondly, I think authorities were increasingly looking particularly at the care leaver angle. This was the point at which that issue became a point of focus, because people looked at what we had experienced in 2015. There is a long tail from that because those young people came into our care in 2015, often aged 15, 16, 17, and over the next couple of years they became care leavers. Our numbers of care leavers increased significantly, and that was the area where we had the biggest gap between the support from national Government and the costs incurred. There was a growing awareness of that.

Equally, through this period, many local authorities were experiencing increases in their numbers of children in care—Jenny mentioned something about the pressure on placements—and there was a growing sense that it was ever more difficult to deal with the situation, and the pressure to do so was less than it had been, even though there were some authorities during that period—I have mentioned Portsmouth already. Portsmouth was at least as overstretched in relation to the 0.07% as we are now, but it is a much smaller authority, so I do not think you saw quite the same focus on the issue as you did in 2015-16 and you have seen subsequently.

**Q165 Stuart C McDonald:** A final, very quick question. Could you clarify the reference to the ongoing consultation? Is that a consultation between the Home Office and local government? Is it a public consultation, or is it just a conversation between the Home Office and local government?

**Roger Gough:** It is chiefly with local government. I am not sure of the terms. Jenny, can you add anything?

**Jenny Coles:** It is a formal consultation. It closes on 30 September. It has gone out from the Home Office to all local authorities. I do not think there is anything particularly secret in it. I do not know whether it is a public consultation, but there is nothing in it that could not be shared. It is very practical. It has been in draft for some time. It was in draft towards the end of last year and was meant to be put out in the early part of this year, when other events happened and it was not put out then. We were very keen to get it out, very quickly, given what has been happening in Kent.

**Stuart C McDonald:** I just wanted to see if I can chip in with my own response, but that is fine. Thank you both very much for your evidence.

**Q166 Chair:** Have you been given any sense from the Government of the timetable for making a decision on those revisions to the NTS?

**Jenny Coles:** From ADCS discussions with the Home Office, it understands the need to get a sustainable, long-term solution in place as quickly as possible and we are pressing that. We are hopeful that we will



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see action on the consultation after 30 September. Certainly, ADCS would fully support that.

**Roger Gough:** I echo that. I am not aware of any explicit timelines or even indications of precise timelines, but Government are aware of the urgency and we would certainly press that.

Q167 **Chair:** If you or the LGA have any written responses to that consultation that you are able to share with us, we would very much appreciate that.

I will clarify a couple of last things. Councillor Gough, when Mr McDonald asked you about the 0.07% you gave a figure in numbers. Do you have a percentage figure? Is it about 0.14% of your child population? Did I do those calculations right?

**Roger Gough:** I have not done the maths. It is probably a little bit higher than that. The precise figure at the moment in numbers is 522, which compared with 231 is probably a little more than twice but rather less than three times, maybe 2.3 times, so I guess it is a little bit higher than the figure you indicated. From our point of view, the main emphasis we put on it is the relationship with the 0.07%.

Q168 **Chair:** It looks completely disproportionate to other parts of the country, and it looks like around 0.2%. If you were able to give us the precise figures, that would be helpful.

**Roger Gough:** Yes, I certainly can.

Q169 **Chair:** Going back to the wider figures we started on, if in Kent you have seen this significant increase and the impact it is having, but still in the first half of the year the overall impact was an 85% drop in the number of asylum applications from unaccompanied children and teenagers, that means a lot of areas will have seen a bigger than 85% drop in the number of applications. Some of them may well have seen a 100% drop. In those circumstances, if the issues around Home Office financing for places can be resolved, you would surely expect other areas, if they have seen a significant drop, to be ready to sign up to changes to the National Transfer Scheme in order to make the system work nationally.

**Roger Gough:** Going back to my earlier response to Stuart McDonald, we did not have any placements under the National Transfer Scheme between 2018 and 2020. Since June 2020, from KCC's care we have placed, I think, 147 young people with other local authorities, and that is working with the Home Office, ADCS, the LGA and migration partnerships. Some of that has happened, but your description of the situation is entirely correct. There was a phase, as I think we discussed earlier, when in effect UASC arrivals to this country were arrivals to Kent. I do not think it was happening anywhere else. That picture has probably varied a bit subsequently, with some of the lorry traffic that Jenny has described, but there clearly was a stage when that was absolutely the case. Clearly our ask and our expectation remain that there should be an



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equitable sharing on the basis that it is ultimately a national issue, as I think one or two members of the Committee pointed out.

Q170 **Chair:** Obviously, the pattern changes all the time but, even so, is it correct to say that for a lot of areas there will have been a substantial drop in that period, compared with previous years?

**Roger Gough:** Yes, it would. It is also worth saying that a lot of areas do not have any unaccompanied asylum-seeking children in their care and will not have had any arrivals over any period that any of us can recall.

**Jenny Coles:** There has certainly been a drop in some areas in the last couple of years, as Roger said, but in some areas on direct routes from ports the numbers were pretty steady because of the lorry arrivals. That has certainly been the case in my region.

Q171 **Tim Loughton:** Councillor, we have talked quite a lot about the nature of the challenge you are facing and how we are dealing with it internally. I think we would all agree that coming across the Channel, the busiest shipping lane in the world, in small, unseaworthy boats is probably the worst way of trying to get into the UK. We can have an argument about what our immigration policy should be. You mentioned earlier that it has been feeding on itself because the word has got out that people are getting across the Channel successfully in these boats. What is your view of how we stop it?

**Roger Gough:** It is clearly a challenge that faces us all, including the Home Office, and it is a difficult one. I have a couple of thoughts.

You will be aware from your past experience that there have been moments when we have managed to find a shared interest with the French authorities. That happened after 2015 and we saw a series of steps taken then in what was a security issue for the tunnel, with the dismantling of the camp and a range of other steps. That certainly made a big difference, and that is why by the spring of 2018 the numbers coming into our care were very low indeed. It was only at that point, I think, that we briefly touched the 0.07% level in our care. Whatever is done will clearly have to involve collaboration with the French authorities, and those who deal with these things at ministerial level will understand the realities and the constraints better than I do.

One frequent debate is around the safe routes argument. I have discussed that with Lord Dubs, among others. He makes a huge contribution to the debate. Our view is that it has its appeal but it is tricky. It is not obvious that there is a fixed number of young people coming through the continent who you could simply allocate out. You would need very explicit agreements between authorities in different countries, and I suppose what you would then seek to do would be to have a combination where, say, you take a certain number explicitly but, equally explicitly, returned to France anyone who took the Channel route, and you would have agreement on that, so that you would make the



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whole process a much more managed one. Whether that would work is a moot point.

Certainly, when the Dubs scheme was in operation, we did not find it necessarily made a great difference to our experience of arrivals, and those who did arrive often represented a different set of criteria to those who were approved under the scheme. It could well be that those who did not match whatever the criteria for a managed scheme were would then seek to make that journey anyway, in which case you have to try to send out a message that that does not work as a route, that people will be returned, and that remains very much a matter for national Governments rather than for us.

**Chair:** Thank you both very much for your evidence this morning, which has been hugely helpful to us. I also thank you and all the staff you work with for the immense amount of work you are doing to support some very vulnerable children and young people in your care. We very much appreciate the work that you and all your staff do. Thank you very much.