

About me

I am a freelance investigative journalist. For the past two years I have been exploring what happens to unaccompanied asylum seeking children that arrive in the UK. The following provides an overview of the nature and scale of some of the problems facing unaccompanied minors in the UK specifically.

Temporary leave

1. The number of applications from unaccompanied asylum seeking children to the UK rose by 56% between 2014 and 2015. However, the majority of those young people will not receive asylum.
2. Unaccompanied children in the UK are often given temporary leave to remain rather than full refugee status. This can cause problems later down the line.
3. In 2015, 23% of unaccompanied children were given asylum, while 54% were given a form of temporary leave to remain (either discretionary or UASC leave). UASC leave lasts 3.5 years or until the child is 17.5 years old, whichever is soonest. Once the teenager turns 18 they are no longer protected under international law as a child, and can be removed if their appeals fail.
4. For some nationalities the asylum success rates were even lower. Afghan unaccompanied children received asylum just 17% of the time in 2015, Vietnamese children 21% and only one Albanian unaccompanied child received asylum out of 440 decisions.
5. Children can appeal this decision when they first are rejected but studies have shown lawyers often fail to do so, instead advising the young person to wait until the leave runs out at 18 to appeal.
6. Experts have also warned that the existence of this temporary leave to remain might mean asylum claims are not thoroughly investigated when the child first arrives. Other authorities told me they were concerned that there was a “culture of disbelief” amongst immigration officials about Afghan children’s claims.¹
7. At 17.5 years old these young people receive notification that their leave will run out and they start appeals to try and extend it. But as years have passed since their arrival in the UK, and often with no documents, lost evidence and faded memories, many appeals for extensions fail.
8. The Bureau of Investigative Journalism has found that just one in five Afghans secures asylum at this stage.² Meanwhile a response given to a written parliamentary question by

¹ Vice News: 'This Isn't Justice, This Child Is Being Terrorized': Meet the UK Teens Facing Deportation to Afghanistan <https://news.vice.com/article/this-isnt-justice-this-child-is-being-terrorized-meet-the-uk-teens-facing-deportation-to-afghanistan>

² The Bureau of Investigative Journalism: Schooled in Britain, deported to danger: UK sends 600 former child asylum seekers

Lord Roberts of Llandudno, back in 2014, showed that between 2010 and 2013, 30% of all appeals from former unaccompanied children were refused outright.³

Life in limbo

9. This policy means that many children are living their teenage years in limbo. During my research with Afghan children, in which I spent more than a year following several individuals' stories, I found many children work hard to build strong lives in the UK. I spoke to teachers, social workers and child psychologists who all painted a vivid picture of the resilience of these young people and their efforts to acclimatise to British society.
10. Unaccompanied asylum seeking children are placed in the care of a local authority. Children under 16 are housed with foster families while older teenagers are put into supported accommodation. All children are enrolled in schools and encouraged to integrate into British society.
11. But while they are encouraged to integrate with their British classmates, the challenges can be all too clear. Many of the young men I spoke to were watching their school mates apply to universities but were unable to take up university offers themselves due to their insecure immigration status. One young man received offers from five universities, including a scholarship, but could not take any of them up and he has been waiting six years for the Home Office and courts to make a final decision on his case.

Returns at 18

12. Those teenagers whose appeals fail are removed from the country.
13. I found that over the past nine years 2,748 young people had been returned to Afghanistan, Iraq, Iran, Libya and Syria.⁴
14. 657 former child refugees have been returned to Iraq since 2007, including 22 last year and 38 in 2014 when so-called Islamic State began to take a grip on the region. The peak for removals to Iraq was in 2009, the year UK troops withdrew from operations, when 153 people were deported.
15. 2,018 former unaccompanied children were removed to Afghanistan. The number of removals dropped in 2015 as lawyers brought a case to the Upper Tribunal and then the Court of Appeal, arguing that removals to Afghanistan were unsafe. Both legal challenges failed and a temporary injunction on return flights was lifted on 3 March 2016.⁵

back to Afghanistan <https://www.thebureauinvestigates.com/2015/07/16/600-unaccompanied-child-asylum-seekers-deported-uk-afghanistan/>

³ Hansard <http://www.publications.parliament.uk/pa/ld201314/ldhansrd/text/140109w0001.htm>

⁴ The Bureau of Investigative Journalism: Revealed: The thousands of former child refugees deported to Afghanistan and Iraq <https://www.thebureauinvestigates.com/2016/02/09/revealed-thousands-former-child-refugees-deported-afghanistan-iraq/>

⁵ The Bureau of Investigative Journalism: Theresa May wins right to deport failed asylum seekers to Afghanistan after judges remove court injunction <https://www.thebureauinvestigates.com/2016/03/03/theresa-may-wins-right-deport-failed-asylum-seekers-afghanistan-judges-remove-court-injunction-returns/>

16. Some of young men returned to Afghanistan told me that they have been left homeless, chased by the Taliban, kidnapped, ransomed and beaten. Experts such as NGO Refugee Support Network or academic Dr Liza Schuster have noted that after living for years in the UK, young people returned to Afghanistan can be put at serious risk purely due to the fact they have become “westernised”.

Children are labelled as adults and detained

17. Beyond the issues with the UK’s policy of giving children temporary leave to remain, there are other areas of concerns for how the UK treats child asylum seekers.
18. My research shows that unaccompanied children fleeing the horrors of war in countries such as Syria and Afghanistan are being wrongly classified as over-18 and locked up by immigration officers in adult detention centres in breach of Government policies and legal guidelines.⁶
19. At least 127 minors have been found classified as adults in UK detention since the start of 2010 up to June 2015. Lawyers believe these numbers are merely the tip of the iceberg.
20. When an individual puts in an asylum claim with the Home Office they are asked for their age. If the official does not believe that an individual is a child then they should be referred to social workers for thorough interviews which can last up to three hours and cover a child’s upbringing, educational history and other issues. Home Office immigration staff should only make age assessments themselves if it is believed the person in question is “significantly over 18”, which is generally assumed to mean 25 years or older.
21. However I found that children as young as 14 have been assessed as adults, with immigration officers making incorrect decisions based on the person’s appearance. Some children were held in detention centres for months, in conditions they described as “distressing” and “scary”.
22. I also found that adherence to policy on age assessments has faltered when those in detention continue to argue that they are children and should not be there. Government policy states anyone undergoing an age assessment should be first released from detention into the community and stay there until the results are known. But I found through Freedom of Information requests that social workers have been sent to perform age assessments inside at least four adult detention centres in the last three years, in breach of guidelines.

Asylum seeking children going missing from care

23. My research into children going missing from care has also raised questions about the UK authorities’ ability to protect unaccompanied asylum seeking children from harm once they arrive in the UK.

⁶ Independent: Yarl's Wood: Children fleeing warzones being locked up at detention centre, investigation finds
<http://www.independent.co.uk/news/uk/crime/children-fleeing-warzones-being-locked-up-at-yarls-wood-detention-centre-investigation-finds-10337409.html>

24. I found that more than 340 unaccompanied asylum seeking children went missing between January and September in 2015 and 132 remain missing (according to responses from 130 different local authorities in England and Wales).⁷
25. The number of children going missing has doubled between 2014 and 2015 while some local authorities saw the number of children under their care increase three-fold.
26. Many local authorities are now working beyond capacity, with limited housing options for new arrivals. Peterborough and Herefordshire, which both saw the number of unaccompanied asylum seeking children double in recent years, said last year that they had no semi-independent accommodation available for teenagers. Many other councils noted serious shortages in foster placements.
27. Several councils are now facing multi-million pound black holes in their finances.
28. Kent council, which let the most children go missing last year, had seen the number of unaccompanied asylum seeking children in its care triple between 2014 and 2015. According to one child services insider, that meant that late last year there were around 200 unaccompanied asylum seeking children without a dedicated social worker.
29. The council has so many children in its care that 286 children have been moved into other jurisdictions this year, including Croydon, Bexley, Hounslow and Lewisham. An internal briefing from Kent County Council notes: "Children are routinely being placed outside Kent [as far away as Hertfordshire] straight from the port. This reduces KCC's ability to assess the suitability of the placements or the potential risk to these children or their host community."
30. The increased numbers means the council struggles to accommodate local children, and is having to send them to other areas around the country too.
31. Kent County Council notes the increased numbers and pressure on budgets means they are unable to properly safeguard children from potential radicalisation given "the limited level of oversight that Home Office funding permits".

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⁷ openDemocracy: Hundreds of children are disappearing from local authority care
<https://www.opendemocracy.net/uk/shinealight/maeve-mcclenaghan/hundreds-of-children-are-disappearing-from-local-authority-care>